CITY OF TEA TREE GULLY
Naturally Better

REPORT FOR	COUNCIL MEETING
MEETING DATE	09 AUGUST 2022

RECORD NO:	D22/55583
REPORT OF:	OFFICE OF THE CHIEF EXECUTIVE OFFICER
TITLE:	OUTCOME - COMMUNITY ENGAGEMENT - UNSOLICITED PROPOSAL - RAFNIX PTY LTD (SUPASHOCK ADVANCED TECHNOLOGIES) EXPANSION - COMMUNITY LAND - 13 AND 21-27 VALIANT ROAD, HOLDEN HILL

PURPOSE

To present the outcomes from community engagement on the unsolicited proposal from Rafnix Pty Ltd (Supashock Advanced Technologies) to utilise through lease or purchase the land located at 13 and 21-27 Valiant Road, Holden Hill for a car park associated with a proposed expansion at 2-6 Ardtornish Street, Holden Hill.

RECOMMENDATION

1. That Council **notes the report entitled "Outcome** – Community Engagement – Unsolicited Proposal – Rafnix Pty Ltd (Supashock) Expansion - Community Land - 13 and 21-**27 Valiant Road, Holden Hill" and dated 9 August 2022 that outlines** the responses received from the community engagement as detailed in Attachment 1 to the report.

2. That Council seeks the consent of the Minister for Planning to revoke the Community Land classification on land described as Lot 16 in Deposited Plan 9917 within Certificate of Title 5274/794 – 13 Valiant Road, Holden Hill and Lot 22 in Deposited Plan 9918 within Certificate of Title 5274/798 – 21-27 Valiant Road, Holden Hill provided that Rafnix Pty Ltd formally accepts the valuation prepared by McGees Property Valuers dated 6 June 2022 as the purchase price of $685,000 (plus GST) for land situated at 13 Valiant Road, Holden Hill and $685,000 (plus GST) for land situated at 21-27 Valiant Road, Holden Hill.

3. **That this Council report "**Outcome – Community Engagement – Unsolicited Proposal – Rafnix Pty Ltd (Supashock) Expansion - Community Land - 13 and 21-**27 Valiant Road, Holden Hill" and dated 9 August 2022** be used as the basis of the

submission to the Minister and a further report be presented to Council advising **of the Minister's decision in** relation to this matter once it is received.

4. That Council indicates, that subject to approval from the Minister as referred to in item 2 above, it intends to sell the land described as Lot 16 in Deposited Plan 9917 within Certificate of Title 5274/794 – 13 Valiant Road, Holden Hill and Lot 22 in Deposited Plan 9918 within Certificate of Title 5274/798 – 21-27 Valiant Road, Holden Hill to Rafnix Pty Ltd for the market value of $1,370,000 (plus GST), to construct a car park associated with the proposed development by Supashock Advanced Technologies to its operations at 2-6 Ardtornish Street, Holden Hill and the disposal process be commenced following the revocation of the community land classification.

5. Should the sale of the land proceed it is to include a Deed with a caveat over the two subject land titles for Council to have first option to purchase the land back at an agreed value.

6. That the Community Land Management Plan for the land described as Lot 16 in Deposited Plan 9917 within Certificate of Title 5274/794 – 13 Valiant Road, Holden Hill and Lot 22 in Deposited Plan 9918 within Certificate of Title 5274/798 – 21-27 Valiant Road, Holden Hill be amended to include the short-term lease of the land to be used as a car park provided Development approval is granted for the expansion at 2-6 Ardtornish Street, Holden Hill and the car park at 13 and 21-27 Valiant Road, Holden Hill.

7. That pursuant to Section 202 of the Local Government Act 1999, the Chief Executive Officer be delegated the authority to grant a short-term lease to Rafnix Pty Ltd over the land situated at 13 and 21-27 Valiant Road, Holden Hill contained within Certificates of Title 5274/794 and 5274/798 to construct a car park associated with the proposed development by Supashock Advanced Technologies at 2-6 Ardtornish Street, Holden Hill to include the following terms and conditions:

    a. An annual lease fee of 6% of the independent valuation for year two after an initial 12-month lease free moratorium to allow for the establishment of the car park including landscaping improvements etc.
    b. The permitted use is for activities associated with construction and occupation of the car park.
    c. The car park is for the use of staff and visitors associated with the Supashock Advanced Technologies operations at 2-6 Ardtornish Street, Holden Hill.
    d. Access to the land is not authorised until the issue of Development Approval pursuant to the Planning, Development & Infrastructure Act 2016.
    e. The period of the lease is for a maximum of two (2) years to commence from the date of occupation or lease execution, whichever occurs first.

f. A sunset clause be included to provide Council with the right to terminate the lease if development approval is not forthcoming within twelve months from the date of the lease document.
g. The car park construction is to be in accordance with the general concept plan displayed during the community engagement period and in accordance with Development Approval issued pursuant to the Planning Development & Infrastructure Act 2016, whichever provides the most suitable tree lined buffer between the western side of the car park and Valiant Road and includes water sensitive urban design all to be to the satisfaction of the Chief Executive Officer or delegate.
h. The car park use on 21-27 Valiant Road Holden Hill is not permitted during the hours of 10pm and 7am on any day. This is to minimise noise and inconvenience to residents to the south west of the proposed car parking site and
i. Other terms and conditions deemed appropriate by the Chief Executive Officer or delegate.

1. BACKGROUND

On 12 April 2022 Council considered an unsolicited proposal received from Rafnix Pty Ltd to acquire the use of Council reserves (through either purchase or lease) located at 13 and 21-27 Valiant Road, Holden Hill (the subject land). The proposed use is for staff car parking associated with the proposed expansion of operations of Supashock Advanced Technologies (Supershock) located at 2-6 Ardtornish Street, Holden Hill.

The subject land comprises a total site area of 3,207m^2 and is classified as Community Land. The land is undeveloped with natural grasses, one regulated tree and other small trees and shrubs. The two reserves are in the Employment Zone (Planning and Design Code SA) consistent with properties to the east and west of these two reserves and includes the dwelling located at 14 Valiant Road. The General Neighbourhood Zone commences at 16 Valiant Road.

A council drainage pipe traverses the land which will require an easement should sale of the subject land proceed. Council's records indicate the presence of SA Water infrastructure by way of two sewer connection points to the two adjoining parcels of land at 3-5 and 55-57 Jacobson Crescent, Holden Hill. These are covered by formal easements.



At its meeting on 12 April 2022 Council resolved to:

"That Council resolves to:

a. Provide "in principle" support to proceed with the potential lease of Allotment 16 in D9917 in Certificate of Title 5274/794 and Allotment 22 in D9918 in Certificate of Title 5274/798 of O-Bahn Linear Park South located at 13 and 21-27 Valiant Road, Holden Hill, as identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, pending the outcome of negotiations with Rafnix Pty Ltd.

b. Authorise the Chief Executive Officer to enter into a Deed of Undertaking with Rafnix Pty Ltd for the recovery of Council's costs associated with the Community Land Management Plan amendment and drafting of a lease agreement for the land identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022.

c. Authorise the Chief Executive Officer to prepare a lease agreement for the portion of O-Bahn Linear Park South identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, having negotiated the proposed terms with Rafnix Pty Ltd, and to present the draft agreement for Council's further consideration.

d. Request the Chief Executive Officer to prepare a Community Engagement Strategy for the statutory consultation required under sections 198 and 202 of the Local Government Act 1999 for the amendment to the Community Land Management Plan and long-term lease of the land identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, and to present the strategy to Council for further consideration.

e. Request the CEO to consult with SA Water regarding their requirements prior to a Community Engagement Strategy being presented to Council for consideration.

Carried Unanimously (1190)"

The above advice was provided to the proponent following which Council was invited to attend a workshop at Supashock premises to gain additional information about the proposed expansion and future business plan.

At its meeting on 14 June 2022 Council received and considered a Notice of Motion to rescind the resolution of 12 April 2022 and resolved to rescind the previous resolution on the matter and also passed the following resolution:

"That Council:

1. *Proceeds with Community Engagement for:*
   a. *the potential disposal and*
   b. *potential short term lease or a permit under Council's Local Government Land By-Law No. 3 of Allotment 16 in D9917 in Certificate of Title 5274/794 and Allotment 22 in D9918 in Certificate of Title 5274/798 of O-Bahn Linear Park South located at 13 and 21-27 Valiant Road, Holden Hill, as identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, and*
   c. *a variation to amend the Community Land Management Plan for Holden Hill as set out in Attachment 4 of this Notice of Motion entitled "Rescission Motion - Unsolicited Proposal - Rafnix Pty Ltd (Supashock) - 13 and 21-27 Valiant Road, Holden Hill" and dated 14 June 2022.*
   d. *Subject to the Community Engagement strategy being varied to reflect a direct mail out area being contained to a maximum radius of 300m but retained to the area south of Grand Junction Road and east of North East Road*

2. *Authorises Council's Chief Executive Officer to enter into a Deed of Undertaking with Rafnix Pty Ltd (Supashock) for the recovery of Council's costs associated with the disposal of the land and the drafting of a lease agreement or permit (if required) for the land identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill" and dated 12 April 2022.*

3. *Adopts the Community Engagement Strategy for the statutory consultation required under sections 194, 198 and 202 of the Local Government Act 1999 for the potential disposal of the land, amendments to the Community Land Management Plan and short term lease of the land or a Permit under Council's Local Government Land By-Law No 3 as identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022. The proposed Community Engagement Strategy is attached as Attachment 3 to the Notice of Motion titled "Rescission Motion - Unsolicited Proposal - Rafnix Pty Ltd (Supashock) - 13 and 21-27 Valiant Road, Holden Hill" and dated 14 June 2022.*

4. *Notes that Council's CEO has commenced consultation with SA Water regarding their requirements for access over their easement on the land.*

5. *Accepts that should this land transfer proceed after Community Engagement, the agreed value for the land and lease will be as provided by an independent valuation obtained by Council.*

6. *Requests the carpark plan as per Attachment 1 of this Notice of Motion titled "Rescission Motion - Unsolicited Proposal - Rafnix Pty Ltd (Supashock) - 13 and 21-27 Valiant Road, Holden Hill" dated 4 June 2022 be amended to the satisfaction of Council's Chief Executive Officer, prior to being released for Community Engagement, to incorporate further landscape and Water Sensitivity Urban Design elements.*

Carried Unanimously (1243)"

A detailed background to the proposal is provided in a previous Council report dated 12 April 2022 and the CEO's comments to the Notice of Motion on 14 June 2022 provided in Attachments 2 and 3.

The community was invited to comment on the proposal to revoke the community land classification from 13 and 21-27 Valiant Road, Holden Hill (the subject land) and to comment on the proposal to grant a short-term permit or lease (less than two years) over the subject land. The community engagement period commenced on 28 June 2022 and concluded at 5pm on 25 July 2022.

Various communication methods were used to engage the community including:

- Direct mail out to 279 residents, property and business owners and other stakeholders within an approximate 300 metre radius of the site proposed for sale (limited to south of Grand Junction Road and east of North East Road)
- A notice to the public in *The Advertiser* on 28 June 2022
- Social media post via Council's Facebook account
- Signage placed onsite on the subject land, Valiant Road, Holden Hill

All communications referred people to Council's 'Have Your Say" website where further information could be accessed. This included:

- an information sheet about the proposal, location map and draft concept plan
- an online feedback form
- a 'Q&A' form where people could ask questions about the proposal. Once answered, these questions and Council's response were publicly available.

The engagement process posed the following questions:

1. How strongly do you support or oppose the proposed sale of reserve land on Valiant Road, Holden Hill to Rafnix Pty Ltd/Supashock?
2. Why do you say this? Please provide comments explaining your response.
3. Do you have any comments about the possible granting of a short-term permit or lease (and potential amendment to the Community Land Management Plan)?
4. Do you have other comments about this proposal?

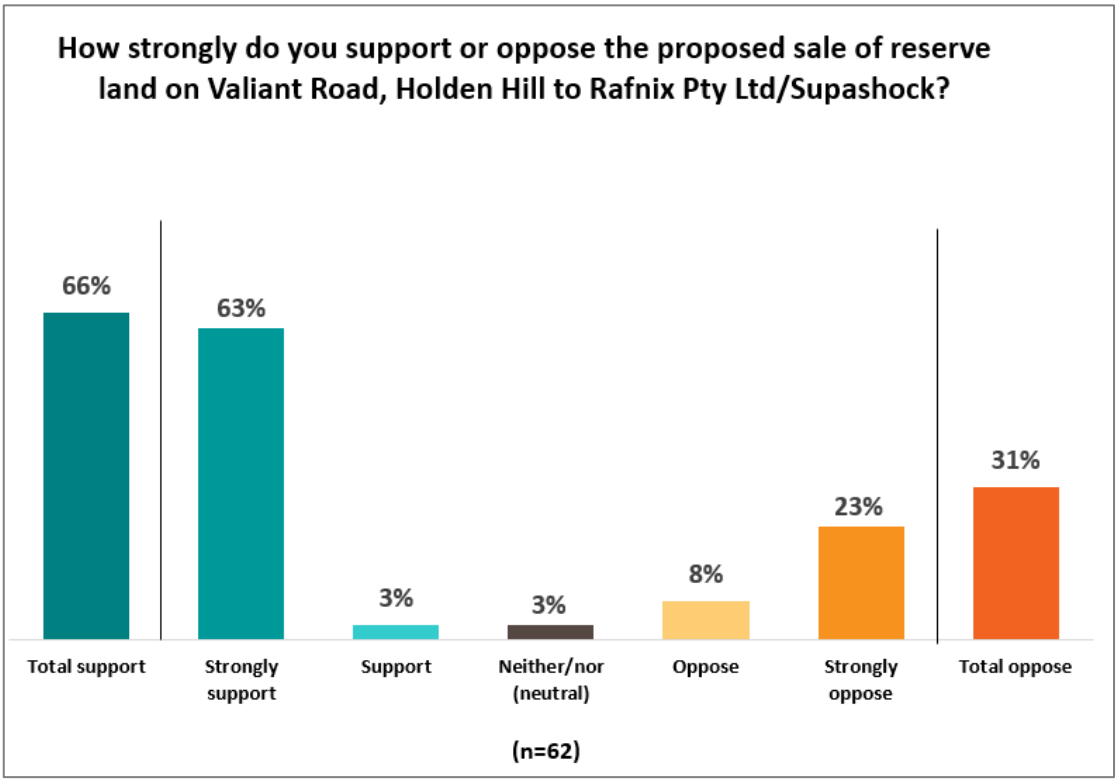
A conceptual car park and landscape plan was included in the community engagement materials.

Rafnix Pty Ltd/Supashock or their agents have lodged a development application under the *Planning, Development Infrastructure Act 2016* that includes the development of the subject land as a car park and expansion of the buildings on the Supashock site on Ardtornish Street, Holden Hill.

2. DISCUSSION

2.1 Summary of outcomes of community engagement

The total visits to the website page was 432 with 62 people providing comment through a feedback form. Of the 62 respondents 41 (or 66% of respondents) either strongly supported or supported the proposal with 19 respondents (31% of respondents) either strongly opposing or opposing the proposal. The graph below provides a more detailed breakdown of the respondent views:



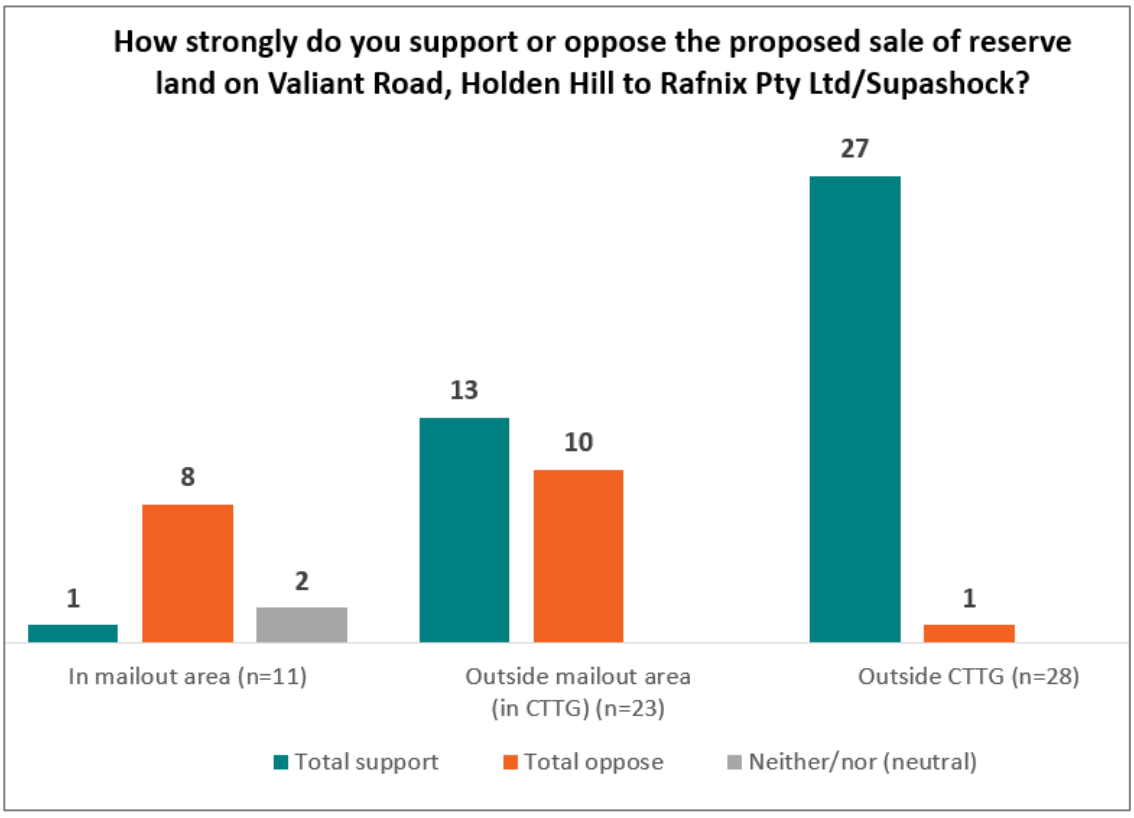
Out of the 41 respondents who indicated support for the proposal, 27 (approx. 66%) could be identified as employees of Supashock.

Of the other seven (7) respondents who indicated they worked in a business/ organisation the local area (but were not business owners) and of these 7:

- Five (5) stated they supported the proposal
- Two (2) respondents stated they opposed the proposal

With reference to the graph below it is noted that the representation from outside the mailout area is higher than that within the mailout area. This may indicate that the proposed car park could negatively impact on a smaller section of the local community whereas there would be a positive impact on those who may be in employment within the immediate area of the subject land but live outside of the area. This aligns with the number of responses received from employees which represents the majority of support for the proposal.

It may suggest that the use of the subject land for a car park is considered to be appropriate by those respondents, noting also that properties to the west of the subject land are in the Employment Zone, land use is generally consistent with the objectives of the Zone and these factors may reinforce this view.



It is also noted that the number of respondents from outside the mailout area who oppose or support is relatively comparable.

Of the 28 people outside of the CTTG there is a strong likelihood that these people work in the local commercial area.

Common themes

The key reasons noted by respondents for supporting or strongly supporting the sale of the subject land for a car park for the Supashock operations include:

- Need car park for extra employees/don't want too many parking on streets/is unsafe/not good for local business (n=14)
- Encourage business growth/expansion in area/support local business (n=8)
- Support Supashock expansion/creation of more industry in local area (n=8)

The key reasons provided for strongly opposing or opposing the proposal include:

- Loss of green space/trees/buffer for residents in industrial section of Holden Hill/park contributes positively to look and feel of area (n=8)
- Will add more concrete/bitumen to natural area/needs to stop/will increase temperatures/consider growing impact of climate change (n=6)
- Concerns about extra vehicles/congestion on Jacobsen Crescent/Valiant Road/nearby streets/safety issues/delays/already busy road (n=6)

The reasons/comments from those who were neutral included:

- Not concerned about sale but use of land as car park/will mean more traffic for Valiant Road/already high use road/congestion/speeding (n=1)
- Questions/clarifications relating to operating hours/managing extra traffic/screening of buildings/security (n=1)

The comments regarding the granting of a short-term permit or lease and amendments to the Community Land Management plan generally aligned with support or opposition to the proposal for a car park.

All responses including verbatim comments are available in the Community Engagement Outcomes Report at Attachment 1.

Common themes have emerged from community feedback including the loss of green open space, loss of amenity, impact of the car park operation (noise), traffic movement and the environmental impacts of the proposed car park.

A comprehensive overview of Council's staff response to the comments received is provided in Attachment 4.

2.2 Tenure over the subject land

2.2.1 Sale of the subject land

The unsolicited proposal from Rafnix Pty Ltd (Supashock) requested tenure over the subject land via a lease or purchase.

The Council resolved to commence the process to revoke the community land status over the subject land by undertaking community engagement as required by the *Local Government Act 1999* and to provide the community with the opportunity to comment.

Should Council proceed with the revocation process the next step would be to seek the Minister's approval to revoke the community land status. In accordance with the *Local Government Act 1999* Council is required to advise the Minister and seek the Minister's support of its intention to sell the land to Rafnix Pty Ltd. Should the Minister agree to the revocation, a Council resolution is then required to formally revoke the community land classification and proceed with the sale.

Legal advice included in the CEO's comments to the Notice of Motion considered by Council on 14 June 2022 (Attachment 3) sets out legal instruments that were the sale to proceed, continue to retain the use of the subject land as a car park associated with the proposed development by Supashock at 2-6 Ardtornish Street, Holden Hill. These include:

(1) A Deed executed at the time of entering into a contract of sale stating that if Supashock ever wished to dispose of the car park land, Council would have first option to purchase the land on agreed terms. The Deed would be referenced in the contract of sale. In order to protect the right granted under the Deed, Council would lodge a caveat on the subject title at the time of settlement and this would also be a special condition under the contract of sale.

(2) A Land Management Agreement (LMA) or encumbrance to be registered over the subject land at settlement. An LMA pursuant to the Planning Development and Infrastructure Act 2016 is considered appropriate as it relates directly to the development and management of the land as the subject land (car park) is linked to the development application for the development by Supashock at 2-6 Ardtornish Street, Holden Hill.

An LMA as set out above would restrict the future use of the subject land and once registered on the title would encumber the land and bind future owners of the car park land. The LMA would be addressed as part of the current development approval process.

The above encumbrances would have an effect on the market value of the land.

It is proposed to engage Council's legal advisors to prepare the documents (at the proponent's cost) which would be included as part of the sales negotiation process and contract documentation.

2.2.2 Short term permit or lease

The granting of a short-term lease or permit would provide Rafnix Pty Ltd with authorisation to occupy the land and meet funding deadlines, whilst awaiting the advice from the Minister regarding revocation of the community land classification, and for a subsequent sale to be finalised.

Clauses 4.4.2 and 4.4.3 of Council's By-law 3 – Local Government Land provides for Council to grant permission for alteration to Local Government Land:

4.4.2 erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or

4.4.3 changing or interfering with the construction, arrangement or materials of the land; or

Clause 5.6 of Council's By-law 1 – Permits and Penalties By-law 2021 provides for Council to *by resolution, fix, vary or revoke fees or charges for the granting of a permit to do a specified thing.*

Should Council resolve to seek the Minister's approval to revoke the classification of community land a short-term lease (under two years) is recommended rather than issuing a permit under Council's By-law 3 – Local Government Land and By-law 1 – Permits and Penalties. A lease document could be drafted by Council's legal advisers pursuant to the Local Government Act 1999 rather than pursuing a permit arrangement utilising the By-law which is subordinate legislative and dealing with non-compliance through a lease arrangement is considered more streamlined and effective.

Standard terms and conditions and other terms and conditions could be included in a lease document to establish matters such as:

- the lease fee payable to be market value
- commencement and end of the lease period
- operation and hours of use of the car park
- noise and nuisance mitigation
- inclusion of water sensitive urban design
- appropriate plantings to establish a buffer between the car park and road pavement
- a sunset clause for the lease should the development or the sale not proceed within 12 months

- others as deemed appropriate by the CEO or his delegate.

It is recommended that if this is supported an annual lease fee of 6% of the independent valuation for year two after an initial 12-month lease free moratorium be applied to allow for the establishment of the car park including landscaping improvements etc.

2.3 Process – revocation of community land classification

Council must comply with requirements of Section 194 of the *Local Government Act 1999* (the Act) when proposing the sale or disposal of community land. The required steps are set out below with action taken to date or as proposed:

Requirement under the Act	Action taken/proposed
Before a Council revokes the classification of land as community land (a) the Council must prepare and make publicly available a report on the proposal containing: (i) a summary of the reasons for the proposal	The reasons for the proposal were included in the community engagement material (Information Sheet and key messages) and are summarised below: Develop a car park on community land situated at 13 and 21-27 Valiant Road, Holden Hill, associated with the proposed expansion of Supashock's operation at 2-6 Ardtornish Street, Holden Hill.
A statement of any dedication, reservation or trust on the land	Certificate of Title 5274/794 describes the land at 13 Valiant Road, Holden Hill as *Allotment (Reserve) 16 Deposited Plan 9917 in the area named Holden Hill Hundred of Yatala being A Reserve.* Certificate of Title 5274/798 describes the land at 21-27 Valiant Road, Holden Hill as *Allotment (Reserve) 22 Deposited Plan 9918 in the area named Holden Hill, Hundred of Yatala being A Reserve.*
A statement of whether revocation of the classification is proposed with a view to sale or disposal of the land.	The revocation of the classification of community land at 13 and 21-27 Valiant Road Holden Hill is proposed with a view to sell the land to Rafnix Pty Ltd.

Requirement under the Act	Action taken/proposed
Details of any Government assistance received by Council to acquire the land.	Nil known.
A statement of how the Council proposes to use the proceeds of the sale.	Proceeds from the sale of this land would be used for upgrades in the local area.
An assessment of how implementation of the proposal would affect the area and the local community.	Additional car park spaces are required for the expansion of Supashock Advanced Technologies operations at 2-6 Ardtornish Street Holden Hill. The vacant land in the Employment Zone located at 13 and 21-27 Valiant Road Holden Hill (the subject land) is sufficient to meet the car park numbers required for the proposed development. The expansion would result in a substantial increase in Supashock's workforce and create employment. More detail is set out in the Unsolicited Proposal document from Supashock – refer Attachment 6. The sale of the subject land to Rafnix Pty Ltd would result in a loss of green space currently the commencement of a green corridor around the industrial area in Holden Hill. The retention of some of the existing trees, additional tree planting and landscaping would retain some of the corridor effect. It should be noted that land use to the east and west of the subject land is commercial and industrial and the inclusion of a car park is considered consistent with these uses. The development is subject to the development assessment process pursuant to the Planning Development & Infrastructure Act 2016 and this process would assess matters such as traffic, noise and other land planning matters that may impact on the local community.
Council must follow the relevant steps set out in its public consultation policy.	Community engagement in accordance with Council's Community Engagement Public Consultation Policy commenced on

Requirement under the Act	Action taken/proposed
	28 June 2022 and concluded on 25 July 2022. The results of the community engagement are set out in the report to the Council meeting on 9 August 2022.
After complying with the above the Council must submit to the Minister the proposal with a report on all the submissions received during the community engagement process.	The verbatim comments and other community engagement materials, Council reports and analysis documents will be packaged and forwarded to the Minister.
If the Minister approves the proposal the Council then needs to resolve to revoke the community land classification of the land.	It is anticipated that should Council resolve to request the Minister's approval, a further report would be provided to Council upon the Minister's approval or otherwise.
Upon revocation of the community land classification and the "Reserve" dedication over the land, the Council must then notify the Registrar-General who make the appropriate amendments to the titles or other public record to remove the dedication.	This will form part of the recommendation to Council when seeking a resolution to revoke the community land classification.

3. FINANCIAL

Council's Policy includes the ability for Council to recover the costs of any application for land purchase from the proponent. Rafnix Pty Ltd has signed a Deed of Undertaking to meet the cost associated with the community land revocation and costs related to the sale of the land (sale is subject to the Minister's approval to revoke the community land classification).

Should the Council resolve to submit a request to the Minister to revoke the community land classification and the Minister approves the revocation, Council may proceed to sell the land at market value, valued by an independent valuer at $685,000 per parcel, exclusive of GST.

At the time of drafting this report Rafnix Pty Ltd had not accepted the valuation provided for the purchase of the subject land based on Council's independent valuation (Attachment 7). They indicated that they were seeking their own independent valuation and were planning to have this available to Council before or at the Council meeting on 9 August 2022. Their initial comment was that the valuation was significantly higher than expected so they wanted their own valuation to compare.

Both parcels of land once sold would become rateable land with an increased capital value once the car park is developed.

STRATEGIC OBJECTIVES

Strategic Plan

The following strategic objectives in Council's Strategic Plan 2025 are the most relevant to this report:

Objective	Comments
Community	
People feel a sense of belonging, inclusion and connection with the City and the community	Community engagement concluded on 25 July 2022. Sixty-two (62) responses were received and are included in this report.
People can have a say in decisions that affect them and the key decisions of the Council	Responses received have been included in this report and provide input into Council's decision making.
Environment	
Environmentally valuable places and sites that are flourishing and well cared for	The proposal provides an opportunity to consider additional upgrades in the area if surplus funds are available.
We are resilient to climate change and equipped to manage the impact of extreme weather events	The proposal would reduce green space and increase hard surfaces and may contribute to the heat island effect as a result of additional hard surface. This may be offset in part by retention of some of the existing trees, landscaping and planting and establishment of trees within the car park. Water sensitive urban design would assist in managing storm events and provide water re-use opportunities.
Our tree canopy is increasing	The proposal would result in the removal of a significant number of trees. It is expected that a number of trees would be replaced in a more coordinated manner. However, it will take time for canopy coverage to establish.
Economy	
A local economy that is resilient and thrives, where businesses are supported to grow and prosper, provide local jobs	A car park is proposed on the two land parcels to support the operational expansion of Supashock, creating

and sustain our community and visitors and utilize technology to improve the livability of our city	approximately 100 additional jobs, and will support construction and post construction supply chain employment.
Places	
Neighbourhoods are easy to move around and are well connected with pedestrian and cycle paths that offer an alternative to cars	The design of the car park would include safe pedestrian connectivity to the Supashock site at 2-6 Ardtornish Street, Holden Hill.
Buildings and places are energy efficient, well designed and display a uniqueness of character and identity	A development application for the Supashock expansion and car park is to be assessed against the Planning and Design Code.
Infrastructure and community facilities are fit for purpose, constructed using sustainable practices and well maintained	
Leadership	
Leadership and advocacy is focused on the long term interests of the community	Land sales/leases generate economic stimulus in the construction industry and associated sectors.
Planning considers current and future community needs	Site is considered to be strategically suitable for disposal.
Delivery of services is sustainable and adaptable	The Long Term Financial Plan 2019-2030 has a guiding principle that states Council will "continue to review assets for possible sale and proceeds being reinvested into city and community."
Decision making is informed, based on evidence and is consistent	This report contains the responses and verbatim comments gathered during the community engagement process.
Major strategic decisions are made after considering the views of the community	The views of the community are included within this report and are being considered as part of the decision making process.

Organisation Plan

Our Strategic Plan is supported by an Organisation Plan which focuses on four key themes of organisational excellence. The themes most relevant to this report are Future Capability and Sustainable Operations.

Community Land Management Plans

The land situated at 13 and 21-27 Valiant Road, Holden Hill is included in the Community Land Management Plan for Holden Hill: O-Bahn Linear Park South. A car park for private enterprise is not envisaged in the current CLMP.

The proposed revocation of the community land status of the land was included in the community engagement process as was the potential for the granting of a short-term lease or permit. Either option will require an amendment to the current CLMP and the responses received are noted.

Policies / Strategies

The alignment of this proposal with Council's strategic objectives and policies is discussed in details in Sections 2, 4 and 12 of the Council report dated 12 April 2022 (see Attachment 2) where specific reference is made to the following

- Community Engagement Public Consultation Policy
- Disposal of Land and Assets and Acquisition of Land Policy
- Open Space Policy
- Tree Management Policy
- Unsolicited Proposals Policy.

4. LEGAL

The requirements of the *Local Government Act 1999* for the revocation of community land classification and sale and alienation of community land is referenced in Section 2.3.

Legal advice has been provided regarding possible approach to ensure the subject land is utilised for the purpose proposed. Refer to Attachment 3 - CEO's comments to the Notice of Motion – 14 June 2022.

A draft Deed and Land Management Agreement, and the terms and conditions for a short-term lease, are to be prepared by Council's legal advisors at the proponent's cost.

5. RISK – IDENTIFICATION AND MITIGATION

Risks and mitigation strategies were identified in the report to Council on 12 April 2022 – refer Section 6 of Attachment 2.

A number of mitigation strategies have been identified in Section 2.2.1.

Staff have undertaken a risk assessment and identified further controls to mitigate risks regarding potential costs for Council such as stamp duty should it be seeking to buy the land if the development were to not proceed. These matters could be included in the Deed discussed in Section 2.2.1.

Other risks identified during the risk assessment included stormwater management, traffic and congestion. These matters would be assessed during the development approval process and if not adequately addressed may affect this outcome.

6. ACCESS AND INCLUSION

N/A

7. SOCIAL AND COMMUNITY IMPACT

The subject land is part of a linear buffer corridor around the industrial estate and since it is located at the beginning of the corridor it is not considered critical to maintain the linear effect. The retention of some of the existing trees, new landscaping and additional trees planted on the perimeter and within the car park would assist to maintain the corridor / buffer effect. See Attachment 5 for landscape plan.



Green 'corridor' – industrial area – Holden Hill

Removal of the community land classification from the subject land alone could result in the loss of green space and potentially reduce the amenity of the area for nearby residents, workers and visitors to the area. The inclusion of replacement trees and visual enhancements would offset some of this loss as discussed above.

The community will directly and indirectly benefit through economic stimulus of the Supershock expansion and associated job growth. Local businesses will receive a positive flow on effect by increasing the workforce in the local area.

8. ENVIRONMENTAL

There are a number of trees on the subject land including one regulated tree which may be retained if the proposed car park is constructed in accordance with the indicative design. This matter would be addressed at the Development Approval stage pursuant to the Planning Development & Infrastructure Act 2016 and the Planning and Design Code of SA which controls regulated trees.

The effect of a hardstand being installed in the place of the current green space could be offset by the inclusion of plantings and other methods to alleviate the effect of increased heat. The proponent is aware of Council's resolution for the inclusion of water sensitive urban design within the car park and for an avenue of trees to be established on the western perimeter of the car park. The inclusion of a new street tree canopy would assist in the establishment of a dense barrier between the road pavement and the proposed car park.

9. ASSETS

The subject land is a dedicated reserve currently maintained by Council at an estimated cost of $1,140 per annum.

The 300mm drainage pipe that runs parallel to the eastern boundary of 13 Valiant Road and extends slightly south into 21-27 Valiant Road will require a long form easement in favour of Council. The easement would be established during the sale process and at the proponent's cost.

10. PEOPLE AND WORK PLANS

The tasks associated with seeking approval from the Minister for the revocation process and the preparation of an appropriate lease will be undertaken by the City Strategy team with input from Council's legal advisors.

11. COMMUNITY AND STAKEHOLDER ENGAGEMENT

In accordance with Council's Community Engagement Public Consultation Policy the community was consulted in relation to the proposal to revoke community land classification over land situated at 13 and 21-27 Valiant Road, Holden Hill to construct a car park by Rafnix Pty Ltd associated with the proposed development by Supashock Advanced Technologies at 2-6 Ardtornish Street, Holden Hill. The proposal included the granting of a short-term lease or permit as an interim measure to occupy the land.

This process ran from 28 June 2022 through to 25 July 2022. A summary of the responses and staff comments are included in Section 2.1 of this report.

The outcomes of the community engagement process are located in Attachment 1 and staff responses to the matters raised are in Attachment 4.

12. COMMUNICATIONS OF COUNCIL DECISION

The proponent will be notified of Council's decision.

Information provided to the Minister advising of Council's decision and seeking approval to revoke the community land status, should Council resolve accordingly.

Respondents to the community engagement process will be advised of the Council's decision.

13. INTERNAL REPORT CONSULTATION

The following staff have been included in the consultation process in the preparation of this Report.

Name	Position	Consulted about
Deana Taglierini	Governance Advisor	Recommendation
Ryan McMahon	Director Organisational Services & Excellence	Lease fee Financial matters
Sarah McDougall	Community Engagement Officer	Community Engagement
Jonathan Foong	Group Coordinator, Water Waste & Environment	Risk Assessment Stormwater Infrastructure
Gabby D'Aloia	Acting Director Assets & Environment	Risk Assessment
Stuart Simpson	Team Leader, Financial Accounting	Risk Assessment Financial matters
Victoria Zaccari	Graduate Accountant	Risk Assessment Financial matters

Attachments

1. Outcomes Report - Community Engagement....201
2. Report to Council - 12 April 2022....245
3. CEO Comments - Notice of Motion 14 June 2022....289
4. Have your say comments - staff response....299
5. Car park plan and landscaping....313
6. Unsolicited Proposal - Rafnix Pty Ltd (Supashock Advanced Technologies) - March 2022....314
7. Valuation Report from McGees Valuers....334

Report Authorisers

Rosa Gagetti Property & Projects Facilitator	8397 7279
Ingrid Wilkshire Manager City Strategy	8397 7292
John Moyle Chief Executive Officer	8397 7201

Community engagement outcomes report

Proposed sale of land on Valiant Road, Holden Hill to Supashock for a car park

Consultation dates: 28 June – 25 July 2022

Report prepared by:
Community Engagement team

July 2022

Item 12.1

Attachment 1

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Background

In March 2022 Council received an unsolicited proposal from Rafnix Pty Ltd (the proponent and trading as Supashock) to purchase or lease a portion of Council's O-Bahn Linear Park South Reserve located at 13 Valiant Road and 21-27 Valiant Road, Holden Hill (subject land) to facilitate the expansion of the Supashock Advanced Technologies operations at 2-6 Ardtornish Street, Holden Hill.

Rafnix is the Family Trust of Mr Oscar Fiorinotto whilst Supashock is privately owned by Mr Oscar Fiorinotto (51%) with Rheinmetall Defence Australia Pty Ltd a minority shareholder (49%). Rafnix is the owner of the premises at 2-6 Ardtornish Street, Holden Hill. Supashock leases the premises from Rafnix.

The subject land comprises a total site area of 3,207m^2 and is classified as Community Land and an 'Amenity Area'. The land is undeveloped with natural grasses, one regulated tree and other small trees and shrubs, and is not used for active or passive recreation. Both parcels are within the Employment Zone of the Planning and Design Code. A council drainage pipe traverses the reserve which will require an easement. Council's records indicate SA Water infrastructure by way of two sewer connection points to the two adjoining parcels of land that are located on the site.



Council decisions

At the Council meeting on 12 April 2022, a report was presented to provide Council with the opportunity to consider an unsolicited proposal received from Rafnix Pty Ltd to acquire the use of the Council Reserve (either through purchase or lease) at 13 and 21-27 Valiant Road, Holden Hill, against the evaluation criteria in Council's Unsolicited Proposal Policy. At this meeting, Council resolved to provide 'in principle' support to proceed with the potential lease of the reserve land identified.

Following an Elected Member visit to the Supashock site and presentation by the proponent on 31 May 2022, a Notice of Motion was presented to Council on 14 June 2022 seeking a rescission of Council's decision on 12 April 2022 and to proceed with community engagement on the potential disposal and a short-term lease or a permit under Council's Local Government By-Law No. 3 for 13 and 21-27 Valiant Road, Holden Hill (with this draft Community Engagement Strategy attached to the Notion of Motion for endorsement by Council).

The proposal

Rafnix Pty Ltd is seeking to purchase the identified portion of the Reserve to develop a car park for the Supashock premises, which will facilitate the company's expansion on their site at 2-6 Ardtornish Street, Holden Hill.

Supashock is a designer and manufacturer of advanced of suspension systems for road vehicles, ranging from racing cars through to defence equipment. The company plans to expand its fabrication and machining operations to consolidate with its engineering and product development activities in Holden Hill, and to expand its artificial intelligence capability. These initiatives will require an expansion of more than 5000m^2 of production, showroom and office floor space on the Ardtornish Street site, as well as an increased work force of up to a further 100 employees.

Supashock has advised Council that at least 100 parking spaces will be required for existing and additional staff associated with the proposed expansion on the Ardtornish Street property. Following the development and expansion only 35 parking spaces can be provided on the existing Ardtornish site, resulting in a shortfall of 65 spaces.

The proponent has developed a draft concept plan for the proposed car park which would be fenced and gated. The plan is indicative and subject to change depending on planning requirements. The proposed design of the car park seeks to replace removed trees with more drought tolerant trees betters suited to the area, as well as incorporate water sensitive urban design techniques which would aim to reduce water run-off and ensure water caught on the land is treated and used onsite.

The price paid for the portion of the reserve would be based on an independent commercial market evaluation. Proceeds of the sale of the portion of the reserve would be used for upgrades in the local area.

Council is considering that Rafnix Pty Ltd enter into a Deed of Undertaking to pay all associated costs incurred by Council in preparing for, commencing and carrying out the processes required under the *Local Government Act 1999* (the Act) to dispose of and construct a car park on the land. "Associated costs" includes, but is not limited to, advertising costs, statutory and administration charges, survey costs, service relocation (e.g. stobie poles, water, sewer, gas mains, Telstra cables), fencing, valuation, legal and conveyancing costs or any other costs that Council's CEO deems appropriate to recover.

The proponent will be responsible for covering all cost associated with creating an easement for the existing stormwater infrastructure on 13 Valiant Road, Holden Hill and 21-27 Valiant Road, Holden Hill.

If following community engagement, Council resolved to proceed with the community land classification revocation, Council may consider entering into a separate deed with Supashock, that in the event Supashock ever wished to dispose of the car park land,

Council would have first option to purchase the land on agreed terms. The contract of sale for the disposal of the land would reference this deed. In order to protect the right granted under the deed, Council would lodge a caveat on the subject title at the time of settlement.

Potential short-term lease or permit

Should Council resolve to proceed with the community land classification revocation, after considering the views of the community, Council may also consider issuing a short-term lease or permit under By-Law No. 3 – Local Government Land (less than 2 years) to allow Supashock to commence site works on the land while the land transfer process is occurring. Granting of a short-term lease for the construction of a car park would require an amendment to the CLMP for Holden Hill in which O-Bahn Linear Park South is listed, as a lease or licence and car park for this reserve is not currently envisaged in this plan.

Consideration of Council policies

Council's *Unsolicited Proposals Policy* reinforces Council's willingness to consider unsolicited proposals from private entities to explore innovative ideas that support local economic growth, contribute to the best use of public assets and deliver a high quality of service to the community in line with Council's Strategic Plan, vision and aspirations.

In determining whether an unsolicited proposal displays sufficient merit to progress and enter into exclusive negotiations, Council must have regard to the Principles of Consideration in the *Unsolicited Proposals Policy*. An evaluation was conducted on 16 March 2022 by a panel of key staff and incorporated in the Council Report titled: 'Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill' and dated 12 April 2022.

As the unsolicited proposal involves a potential land sale, the evaluation must also consider Council's *Disposal of Land and Assets and Acquisition of Land Policy*. The proposal was also evaluated against the principles outlined in this policy and included in the Council report noted above.

Development approval

In order for the Supashock expansion and the car park to proceed development approval will be required under the *Planning, Development and Infrastructure Act 2016*. The Council Assessment Panel is likely to be the relevant authority for the decision on whether to grant planning consent.

Legislative requirements

Community land classification revocation

If Council is considering sale or disposal of land classified as community land it must adhere to the requirements of section 194(2)(a) of the Act and follow the relevant steps set out in its public consultation policy.

Ministerial approval for the proposal is subsequently required (section 194(3) of the Act), following which Council must formally resolve to revoke the community land classification. The revocation process is to be completed prior to sale or disposal of the land.

Alienation of community land by lease or licence

Section 202(1) of the Act states that a council may grant a lease or licence over community land (including land that is, or forms part of, a park of reserve). Section 202(2) states that before council grants a lease or licence relating to community land it must follow the relevant steps set out in its public consultation policy.

Section 202(3)(a) states that a council need not comply with the regulations if subsection (2) if the grant of the lease or licence is authorised in an approved management plan for the land and the term of the proposed lease or licence is five years or less.

While a potential short-term lease is anticipated to be less than five years, a lease or licence for a car park is not envisaged in the relevant CLMP. Therefore, consultation is required.

Amendment to the Community Land Management Plan

The subject land (part of O-Bahn Linear Park South) is included in the CLMP for Holden Hill. A lease or license and car park in this reserve is not currently envisaged in this CLMP.

Section 198(2) of the Act states that an amendment to the Community Land Management Plan requires community consultation. Section 198(3) of the Act confirms that consultation is not required if the amendment has no impact or not significant impact on the interests of the community.

It is considered that the lease and proposed development of the site will have an impact and therefore community consultation was required.

Community engagement

Community engagement was undertaken to understand the views of local residents, business owners/managers and the broader community, and to meet the above mentioned legislative requirements.

At its meeting on 14 June 2022 Council endorsed community engagement to be undertaken on this proposal in accordance with sections 194, 198 and 202 of the *Local Government Act 1999* and the community engagement strategy presented to Council at this meeting.

This strategy was developed in line with the City of Tea Tree Gully's *Community Engagement Public Consultation Policy*.

Key messages

The following strategic key messages and communication points were highlighted throughout the engagement process:

- Council has received a request from Rafnix Pty Ltd (trading as Supashock) to purchase a portion of land in Holden Hill, located along Valiant Road in Holden Hill (see map)
- The portion of land proposed for sale is 3,207m^2, is classified as Community Land and is part of O-Bahn Linear Park South. The land is undeveloped with natural grasses, one regulated tree and other small trees and shrubs, and is not used for active or passive recreation
- Rafnix Pty Ltd is seeking to purchase this portion of land to develop a car park for their Supashock operations, which will facilitate the company's expansion at their site at 2-6 Ardtornish Street, Holden Hill

- Supashock is a designer and manufacturer of advanced of suspension systems for road vehicles, ranging from racing cars through to defence equipment
- Supashock plans to expand its fabrication and machining operations to consolidate its engineering and product development activities in Holden Hill, and to expand its artificial intelligence capability. These initiatives will require an expansion of more than 5000m^2 of production, showroom and office floor space on the Ardtornish Street site
- The expansion would lead to an increased workforce of up to a further 100 employees
- Supashock has advised Council that at least 100 parking spaces will be required for existing and additional staff associated with the proposed expansion on the Ardtornish Street property, as the expansion will result in a shortfall of parking spaces
- Supashock has developed an indicative draft concept plan for the proposed car park which would be fenced and gated. The proposed design of the car park seeks to replace removed trees with more drought tolerant trees better suited to the area, as well as incorporate water sensitive urban design techniques which would aim to reduce water run-off and ensure water caught on the land is treated and used onsite
- The price paid for the portion of the reserve would be based on an independent commercial market evaluation
- Proceeds of the sale of the portion of the reserve would be used for upgrades in the local area
- As this portion of O-Bahn Linear Park South is classified as community land, the community land classification of the portion of this reserve needs to be changed (or 'revoked') before any sale can occur. The revocation process requires that Council must consult with the community
- If Council decides to proceed with this change, final approval from the State Government's Minister for Planning is required
- Should Council approve the sale of this portion of reserve, and after considering the views of the community, Council may also look at issuing a short-term lease or permit (less than 2 years) to Supashock to allow site works to commence while the land transfer process is occurring
- Development approval will also be required under the *Planning, Development and Infrastructure Act 2016* in order for the Supashock expansion and the car park works to proceed. This is a separate process to this consultation process
- Granting a short-term lease for the construction of a car park would mean changing the Community Land Management Plan (CLMP) for Holden Hill in which O-Bahn Linear Park South is listed, as this use is not currently envisaged in the plan
- Council may also consider entering into a separate deed with Supashock, that in the event Supashock ever wished to dispose of the car park land, Council would have first option to purchase the land on agreed terms
- Rafnix Pty Ltd will be responsible for all costs associated with the community and stakeholder engagement process, as well as other costs to purchase the site, development of the site, etc
- Council will consider the community's feedback before any further decisions are made in relation to this proposal

Overview of community engagement activities

From 28 June to 25 July 2022 the community was invited to provide feedback on the proposed sale of land on Valiant Road, Holden Hill for a car park.

Various marketing and communications methods were undertaken to advise the community of the opportunity to provide feedback including:

- Direct mail out to 279 residents, property and business owners and other stakeholders within an approximate 300 metre radius of the site proposed for sale (limited to south of Grand Junction Road and east of North East Road) (see Appendix 1 for the mailout area and Appendix 4 for a copy of the letters and attachment)
- A notice to the public in the *The Advertiser* on 28 June 2022 (see Appendix 3)
- Social media post via Council's Facebook account (see Appendix 3)
- Signage placed onsite on the proposed land for sale on Valiant Road, Holden Hill (see Appendix 3)

All communications referred people to Council's 'Have Your Say" website where further information could be accessed. This included:

- an information sheet about the proposal, location map and draft concept plan
- an online feedback form (see feedback form questions in Appendix 5)
- a 'Q&A' form where people could ask questions about the proposal. Once answered, these questions and Council's response are publicly available.

Paper hard copy forms were available on request and from Council's Civic Centre.

Community engagement outcomes

Feedback form responses

During the consultation period a total of 62 feedback form responses were received by Council regarding the proposal.

Of these 62 feedback form responses, two (2) properties/households submitted two feedback forms each.

Community engagement statistics

Our online community engagement website collects statistics on how people engaged with the consultation. The following table shows the number of people who were 'aware', 'informed' and 'engaged' online.

Total website visits = 432 **Maximum visits per day = 196**
Aware **390 visitors** Made one single visit to the project page
⬇
Informed **257 people** Taken the next step and sought to find out more information by clicking on something, ie documents
⬇
Engaged **62 people** Provided feedback

Note: The three categories of visits are subsets of each other. That means 'engaged' visitors are also informed and aware; 'informed' visitors are all aware but not all went on to become 'engaged'. 'Aware' visitors are always just aware, not 'informed' or 'engaged'.

Analysis notes

Percentages

Due to rounding, some percentages in the Results section may add to 99% or 101%.

Rounding may also affect the combined total of strongly support/support and oppose/strongly oppose figures, where individual scores may not add together as expected.

For questions where people could select more than one option or provide more than one reason for a response, percentages will not add to 100%. These question types (multiple response) are noted where applicable.

n values

Where n= is noted, this refers to the number of respondents or responses.

Categorisation of responses

For the purposes of this report the response data has been categorised as follows:

By residency/location of respondent

- Respondents in the mailout area (as depicted in Appendix 1) (n=12)
- Respondents outside the mailout area (as depicted in Appendix 1) within the City of Tea Tree Gully Local Government area (n=23)
- Respondents outside the mailout area (as depicted in Appendix 1) and outside the City of Tea Tree Gully Local Government area (n=27)

Note:

- Where a respondent has indicated they are a business owner and provided a local business address (in the mailout area), they have been included in the 'mailout area' category. This applies to three (3) respondents)
- Where a respondent indicated they worked in a business/organisation in the local area, provided their work address instead of a residential address, and did not indicate they were a local resident/property owner, they were included in the 'outside mailout and outside CTTG' category. This applies to eight (8) respondents

High level results

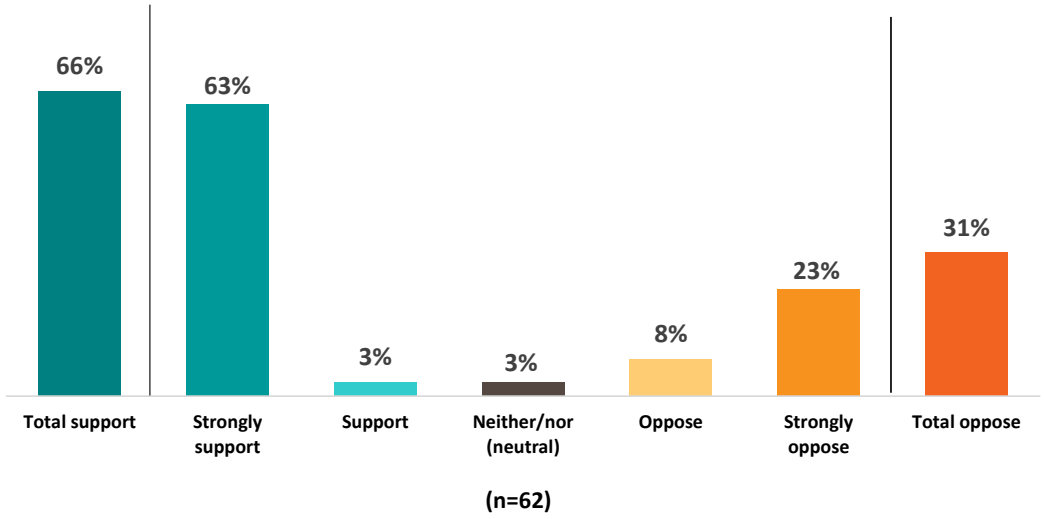
Views on the proposed sale of land on Valiant Road, Holden Hill for a car park

In response to the question: **How strongly do you support or oppose the proposed sale of reserve land on Valiant Road, Holden Hill to Rafnix Pty Ltd/Supashock?**

Response	No. of responses
Strongly support	39
Support	2
Neither/nor (neutral)	2
Oppose	5
Strongly oppose	14
Total	**62**

The graph below depicts the percentages for each response, as well as the total support and total oppose percentages.

How strongly do you support or oppose the proposed sale of reserve land on Valiant Road, Holden Hill to Rafnix Pty Ltd/Supashock?



Out of the 41 respondents who indicated support for the proposal, 27 (approx. 66%) could be identified as employees of Supashock.

Of the other seven (7) respondents who indicated they worked in a business/organisation the local area (but were not business owners):

- Five (5) stated they supported the proposal
- Two (2) respondents stated they opposed the proposal

Summary of key themes from responses to 'why do you say this?'

Of the 62 responses received, 54 responded to the question: **Why do you say this?**

The key reasons for why respondents said they 'Support' or 'Strongly support' were:

- Need car park for extra employees/don't want too many parking on streets/is unsafe/not good for local business (n=14)
- Encourage business growth/expansion in area/support local business (n=8)
- Support Supashock expansion/creation of more industry in local area (n=8)

The key reasons for why respondents said they 'Oppose' or 'Strongly oppose' were:

- Loss of green space/trees/buffer for residents in industrial section of Holden Hill/park contributes positively to look and feel of area (n=8)
- Will add more concrete/bitumen to natural area/needs to stop/will increase temperatures/consider growing impact of climate change (n=6)
- Concerns about extra vehicles/congestion on Jacobsen Crescent/Valiant Road/nearby streets/safety issues/delays/already busy road (n=6)

The reasons/comments from those who were neutral were:

- Not concerned about sale but use of land as car park/will mean more traffic for Valiant Road/already high use road/congestion/speeding (n=1)
- Questions/clarifications relating to operating hours/managing extra traffic/screening of buildings/security (n=1)

In order to provide full transparency in regards to responses received, all verbatim comments have been provided in Appendix 2.

Summary of comments in relation to the possible granting of a short-term lease or permit (and potential amendment to the CLMP)

Those who supported most commonly stated they were happy, had no objections or supported this approach (n=6), or mentioned to just sell it (n=3).

Those who opposed, given they were not supportive of the proposal to sell the reserve land, most commonly stated they were also not supportive or any short-term lease or permit (n=9).

Verbatim responses have been provided in Appendix 2.

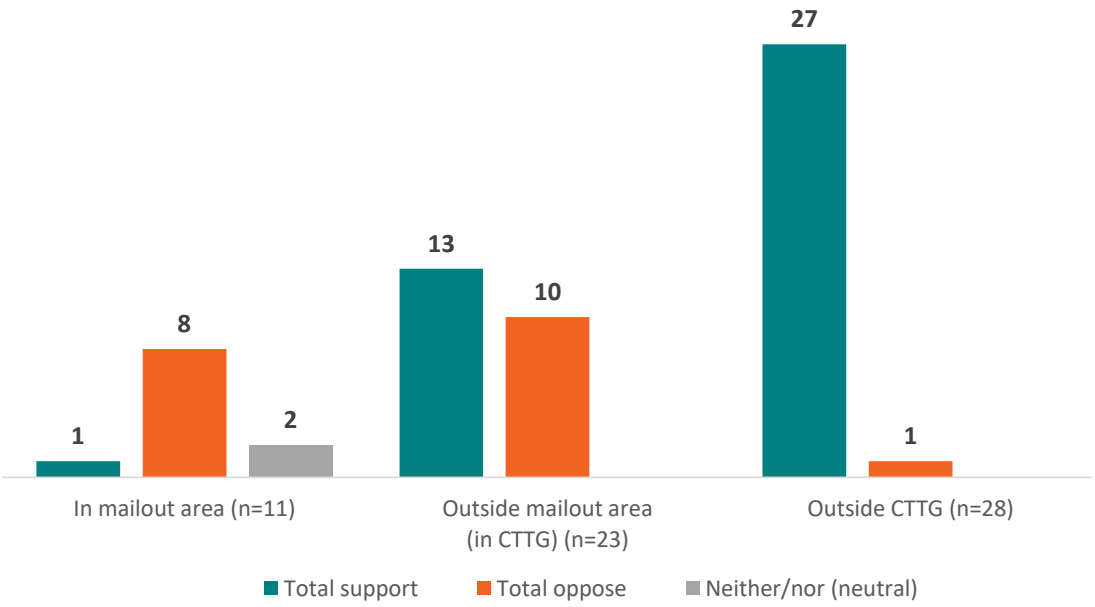
Responses by residency/location of respondent

In response to the question: **How strongly do you support or oppose the proposed sale of reserve land on Valiant Road, Holden Hill to Rafnix Pty Ltd/Supashock?**

	Mailout area (n=11)	Outside mailout area (in CTTG) (n=23)	Outside CTTG (n=28)
Strongly support	1	12	26
Support	-	1	1
SUPPORT OVERALL	**1**	**13**	**27**
Neither/nor (neutral)	2	-	-
Oppose	2	2	1
Strongly oppose	6	8	-
OPPOSE OVERALL	**8**	**10**	**1**

The responses are depicted in the graph on the following page. Due to the size of these sub-groups, percentages have not been provided.

How strongly do you support or oppose the proposed sale of reserve land on Valiant Road, Holden Hill to Rafnix Pty Ltd/Supashock?



It is noted that all of those in the 'Outside CTTG' category indicated they work in a business/organisation in the local area. Six (6) of those from the 'Outside mailout area (in CTTG)' category also indicated they were local area employees.

Other comments

A number of other comments were provided in the feedback form. Where relevant, and if already mentioned by others, some comments were included and noted as reasons for views on the proposal (why do you say this?).

Most of these comments largely built upon or repeated other comments provided. All comments, as well as other individual comments, can be read as part of the verbatim comments in Appendix 2.

Connection to the area

Respondents were asked which best describes you from the following options. They could select more than one option.

	No. of responses	Percentage
I work in a business/organisation in the local area	36	59%
I am a local resident/property owner	30	49%
I am a local business owner	4	7%
Other*	2	3%

*Other responses included:

- Writing on behalf of mother who resides on Valiant Road
- I work in economic development and recognise the importance of supporting local manufacturers

Full coded responses

Reasons for supporting or strongly supporting the proposed sale of reserve land on Valiant Road, Holden Hill to Rafnix Pty Ltd/Supashock *(multiple response)*

	n=41	
	n	%
Need car park for extra employees/don't want too many parking on streets/is unsafe/not good for local business	14	34
Encourage business growth/expansion in area/support local business	8	20
Support Supashock expansion/creation of more industry in local area	8	20
Support creation of more jobs/in local area/increase employment prospects for residents	6	15
Parcel of land not used/unkempt state/get some money for it/develop and upgrade site	4	10
Already industrial/commercial area/don't believe expansion would have negative impact	3	7
Would like to see trees kept on the site/greenery retained	2	5
Public transport facilities not adequate enough for staff to take bus instead of drive/need parking	1	2
Work for Supashock	1	2
Supashock car park design will be considerate of community/company has high community/environmental values	1	2
Appreciate a business has considered infrastructure needs with expansion/additional car parking	1	2
Ideal spot for additional parking/car park	1	2

Reasons for opposing or strongly opposing the proposed sale of reserve land on Valiant Road, Holden Hill to Rafnix Pty Ltd/Supashock *(multiple response)*

	n=19	
	n	**%**
Loss of green space/trees/buffer for residents in industrial section of Holden Hill/park contributes positively to look and feel of area	8	42
Will add more concrete/bitumen to natural area/needs to stop/will increase temperatures/consider growing impact of climate change	6	32
Concerns about extra vehicles/congestion/on Jacobsen Crescent/ Valiant Road/nearby streets/safety issues/delays/already busy road	6	32
Will cause annoyance to local residents/noise pollution/excess traffic	4	21
Land is an ecosystem for wildlife eg birds/possums/koalas/should be left alone/wildlife corridor through O'Bahn Linear Park South	4	21
Rafnix Pty should be encouraged to consider other vacant land along Grand Junction Road instead	3	16
Fenced car park will be an eyesore	2	11
Potential for loitering in/around car park/conduct of illegal activities	2	11
Why can't existing car park at Supashock be developed as multi-storey on existing footprint	2	11
Once sold no getting open space back/short-term gain/leave public spaces alone/revegetate instead	2	11
Prefer council retain ownership of land/create car park better designed for local community/for all to use	1	5
Council should work with business to find more appropriate area/that neutralises environmental footprint/not more bitumen	1	5
Not enough open spaces in local area	1	5
Vehicles/essential services stuck in traffic at exits to Grand Junction Road, North East Road/Valiant Road due to extra	1	5
Using vacant land for car parks not in community's best interests/ surprised Council considering it	1	5
Land used by local employees for lunch time walks	1	5
Jacobsen Crescent wide enough to accommodate additional parking on street	1	5
If extra space needed Supashock could move to larger location	1	5
Overdevelopment of commercial interests in area with increased residential development/needs to be reconsidered	1	5

Evaluation of Community Engagement Strategy objectives

The key objectives/purpose of the community engagement, as tabled below, were developed as part of the community engagement strategy:

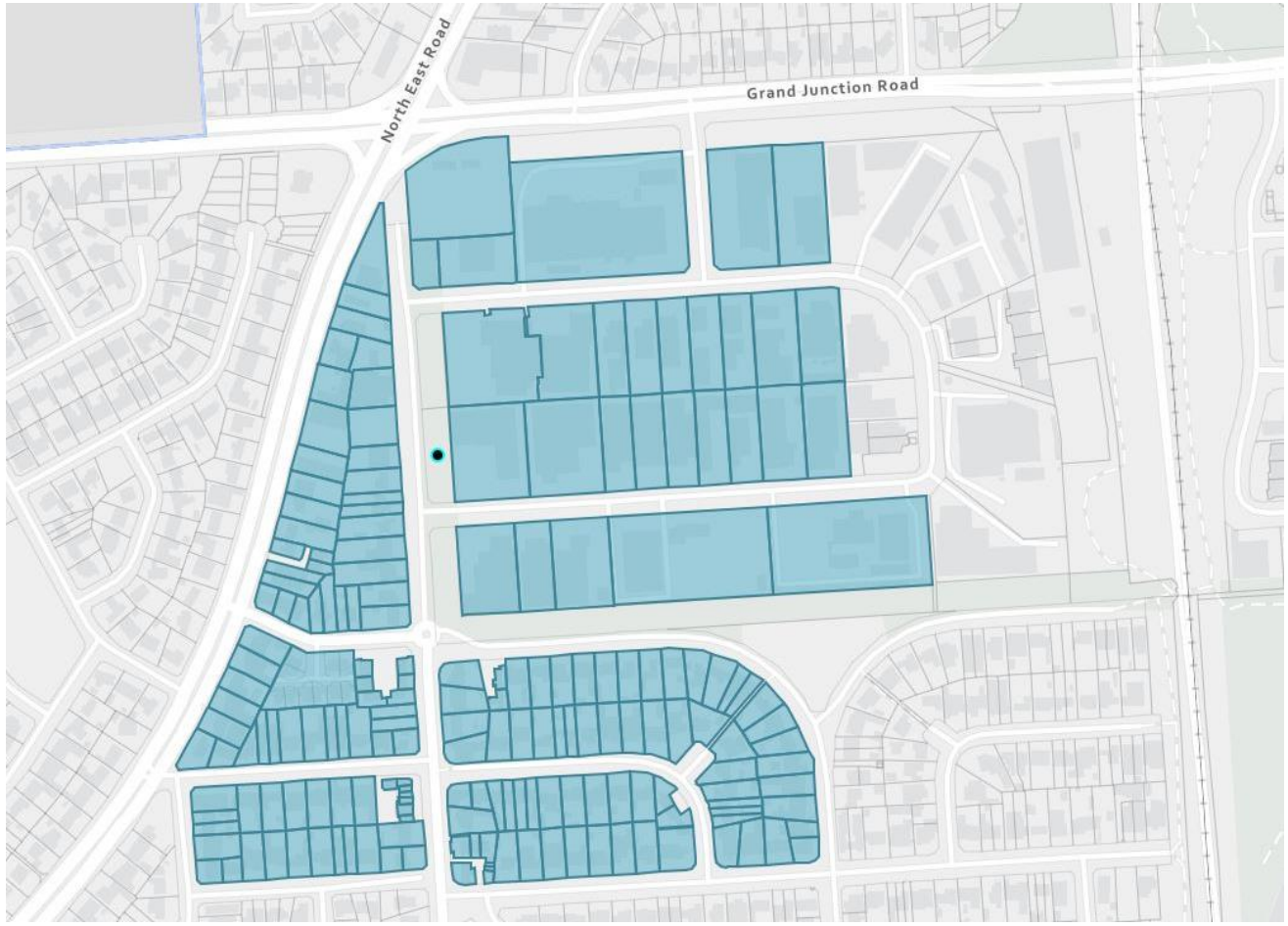
Objectives	Comment
• To inform the community of: ○ the proposed sale and disposal of a portion of O-Bahn Linear Park South (along Valiant Road, Holden Hill) to Rafnix Pty Ltd for the development of a car park which would facilitate the expansion of Supashock's premises at Ardtornish Street, Holden Hill ○ a potential short-term lease or permit (less than 2 years) and amendment to the relevant CLMP to allow Supashock to commence site works while the land transfer process occurs (subject to Council approval of the community land classification revocation after considering the community engagement outcomes) • To inform the community of the steps required to change or 'revoke' the community land classification • Advise that the proceeds from the disposal of the proposed site would be used for upgrades in in the local area To seek feedback from local residents, businesses and other key stakeholders regarding the proposed disposal of a portion of O-Bahn Linear Park South, potential short-term lease or permit and amendment to the relevant CLMP	Various marketing and communications methods were undertaken to advice the community of the opportunity to provide feedback including: • Direct mail out to 279 residents, property and business owners within an approximate 300 metre radius of the site proposed for sale (south of Grand Junction Road and east of North East Road) were directly notified of this proposal and the opportunity to comment • A notice to the public in *The Advertiser* on 28 June 2022 • Social media post via Council's Facebook account • Signage placed onsite on proposed land for sale at Valiant Road, Holden Hill All key messages were communicated via the mailout letter and online via the 'Have your say' project page. A map showing the location of the land proposed for sale and a draft concept plan of the proposed car park were included with the letter and were also available on the Have your Say website. Various methods for providing feedback were available. Feedback was provided electronically and in writing with a hard copy feedback form available on request and at Council's Civic Centre. Community feedback was provided as per the responses received. Overall, support for the proposal was higher than opposition, however it is noted that employees of Supashock (where this could be identified) contributed to approximately two thirds of the indicated support.

Next steps

All feedback will be presented at a meeting of Council for Elected Members' consideration before making any decisions about the proposed sale of land on Valiant Road, Holden Hill for a car park.

Following this Council meeting, we will write to all those who provided feedback to advise what Council has decided and what the next steps will be.

Appendix 1: Mailout map



Appendix 2: Verbatim comments

*In the interests of transparency, responses have been transcribed verbatim with minimal editing. Therefore some spelling and/or grammatical errors **may exist**.*

Relating to self-identified description of respondent and views on proposal

ID	Address	Organisation (if applicable)	What best describes you?	How strongly do you support or oppose the proposed sale of reserve land on Valiant Road, Holden Hill to Rafnix Pty Ltd/Supashock?	Why do you say this?
1	Bonaparte Place, GREENWITH, SA		I am a local resident/property owner I am a local business owner I work in a business/organisation in the local area	Strongly support	Go for it! It's a useless parcel of land atm. Why not get some quid for it, encourage a good business's growth and keep moving ahead.
2	Gwinganna Crescent, HOLDEN HILL, SA		I am a local resident/property owner	Strongly support	I drive past this land on a regular basis and can attest that it is not being used in any capacity. I would be more than happy to see the space be used to positively support a local business.
3	Marsha Drive, BANKSIA PARK, SA		I am a local resident/property owner	Strongly support	Supashock are expanding and creating more industry within our area …
4	Woona Court, BANKSIA PARK, SA		I am a local resident/property owner	Strongly support	To Provide an expansion and allow more jobs to be created.
5	Blue Gum Court, GOLDEN GROVE, SA		I am a local resident/property owner	Strongly support	We require more industry to expand or move to the area. This will increase the employment prospect for residents.
6	MODBURY HEIGHTS, SA		I am a local resident/property owner Other (I work in economic development and recognise the importance of supporting local manufacturers)	Strongly support	South Australia's economy has the complexity of a third world country. We need to do everything we can to support sophisticated local manufacturers that are growing and creating jobs.
7	Welloch Street, MODBURY, SA		I am a local resident/property owner	Strongly support	Rafnix Pty Ltd/Supashock employees help in the growth local business in the area. Too many people

					parking on the streets is not safe and good for local businesses.
8	Welloch Street MODBURY, SA		I am a local resident/property owner	Strongly support	we do not want 100 employees park on the street, it will not help businesses in the area. clients would not have space to park as well. more than 20 businesses and more than 300 employees will be upset with the council.
9	Lenbar Court HIGHBURY, SA	Supashock	I work in a business/organisation in the local area	Strongly support	
10	Mercedes Drive, HOLDEN HILL, SA	Supashock	I am a local resident/property owner I work in a business/organisation in the local area	Strongly support	The business is planning to expand greatly and acquire more staff. Already the parking lot in Supashock is quite packed and the other businesses also have trouble with parking, resulting in much of the street to be filled with cars parked on the side (come have a look during a workday).
11	The Parkway, HOLDEN HILL, SA	Supashock	I am a local resident/property owner I work in a business/organisation in the local area	Strongly support	I work for Supashock and therefore will be directly affected by the additional car parking space. I also live in the area and I don't feel as though expanding the industrial use that is already adjacent to that particular area would have much of a negative impact on the aesthetic or atmosphere in that limited location.
12	Smart Road, MODBURY, SA	Supashock	I am a local resident/property owner I work in a business/organisation in the local area	Strongly support	Helps to expand the parking area
13	ANGLE VALE, SA	Supashock	I work in a business/organisation in the local area	Strongly support	Due to expansion of business, we need more parking space
14	BLAIR ATHOL, SA	Supashock	I work in a business/organisation in the local area	Strongly support	
15	CUDLEE CREEK, SA	Supashock	I work in a business/organisation in the local area	Strongly support	Because we will need a carpark as there is minimal/no parking available currently
16	EVANSTON SOUTH, SA	Supashock	I work in a business/organisation in the local area	Strongly support	
17	HIGHGATE, SA	Supashock	I work in a business/organisation in the local area	Strongly support	I think that the public transport facilities in the area are not adequate enough for staff to take cleaner transport options. Also, if the sale does not happen,

					many staff will need to park around the surrounding streets and narrow existing roads
18	Ardtornish Street, HOLDEN HILL, SA	Supashock	I work in a business/organisation in the local area	Strongly support	Growth of the Supashock business will support growth in the area.
19	Ardtornish Street, HOLDEN HILL, SA		I work in a business/organisation in the local area	Strongly support	
20	Ardtornish Street, HOLDEN HILL, SA	Supashock	I work in a business/organisation in the local area	Strongly support	Land currently in unkept state, could do with development and updated greening. Trees to be kept.
21	Ardtornish Street, HOLDEN HILL, SA	Supashock	I work in a business/organisation in the local area	Strongly support	Supashock is a great business to work for and expanding their business/carpark will provide jobs and life to the TTG community now and in the future.
22	Ardtornish Street, HOLDEN HILL, SA		I work in a business/organisation in the local area	Strongly support	The land is being sold for Businesses Development. This will give more career opportunities to the community. Growth, wealth and health are the basis for a prosperous community, thus I strongly support the sale.
23	2-6 Ardtornish Street HOLDEN HILL, SA	Supashock	I work in a business/organisation in the local area	Strongly support	
24	INGLE FARM, SA	Supashock	I work in a business/organisation in the local area	Strongly support	
25	INGLE FARM, SA	Supashock	I work in a business/organisation in the local area	Strongly support	Will allow Supashock to expand their facilities to greater support the Australian defence industry.
26	OTTOWAY, SA	The Dynamic Engineering Solutions	I work in a business/organisation in the local area	Strongly support	The safety, comfort and parking accessibility of the employees working at Supashock are necessary therefore I support the proposed sale of reserved land on valiant road
27	PARADISE, SA	Supashock	I work in a business/organisation in the local area	Strongly support	Because I work in this company
28	PARALOWIE, SA	Supashock	I work in a business/organisation in the local area	Strongly support	
29	PASADENA, SA	Supashock	I work in a business/organisation in the local area	Strongly support	I am currently employed by Supashock and having a designated parking area would greatly exist with the expansion of the company. This would allow our currently inadequate parking lot to be converted into additional production space.

30	PROSPECT, SA		I work in a business/organisation in the local area	Strongly support	The land is currently nor used neither nice to look at. Why not use it for something useful?
31	RICHMOND, SA			Strongly support	Supashock has extremely high Environmental and Community values thus will do the right thing by the Community in the design and manufacture of the new Car Park
32	ROSEWATER, SA	Supashock	I work in a business/organisation in the local area	Strongly support	As an employee of Supashock, I know there is a strong pipeline of work coming for the organisation, and Supashock is set to expand considering. Therefore it justifies the need for additional parking spaces.
33	SALISBURY EAST, SA		I work in a business/organisation in the local area	Strongly support	The expansion increases employment opportunities in the area
34	SALISBURY NORTH, SA	Supashock	I work in a business/organisation in the local area	Strongly support	This area is too difficult to find a parking space. There are many business facilities here and many many workers are looking for a parking lot. I hope Council could build more parking facility as soon as possible.
35	VALLEY VIEW, SA		I am a local resident/property owner I work in a business/organisation in the local area	Strongly support	It will be great for the expansion of a local company
36	ADELAIDE, SA		I work in a business/organisation in the local area	Strongly support	Expansion of the organisation would benefit the community
37	CHERRY GARDENS, SA		I work in a business/organisation in the local area	Strongly support	For a business expanding I am happy to have them expand, the land is surrounding is currently industrial so I support the sale to continue local manufacturing in the area
38	Jacobsen Crescent HOLDEN HILL, SA		I work in a business/organisation in the local area	Strongly support	to ensure additional cars are not added to the already congested on-street parking
39	PARAFIELD GARDENS, SA		I work in a business/organisation in the local area	Strongly support	
40	Zenobia Crescent, MODBURY NORTH, SA		I am a local resident/property owner	Support	Great that a business has considered expansion and about carparking. Too many decisions made at the moment do not consider infrastructure especially parking. The area will not affect residents as it is

					commercial and the land parcel an ideal spot for extra parking.
41	CLEARVIEW, SA	Supashock	I work in a business/organisation in the local area	Support	Area will be a helpful space for employees who work in the area, trees and greenery will still be retained, and cars will not be parked on the roads but will have a designated space.
42	Gwinganna Crescent, HOLDEN HILL, SA		I am a local resident/property owner	Neither/nor (neutral)	I am not concerned about the lease/sale of land but am concerned about the impending use of the land, when sold. A car park means more road traffic for Valiant Road.
43	Valiant Road, HOLDEN HILL, SA		I am a local resident/property owner Other (I am writing this on behalf of my mother who resides at Valiant Road, Holden Hill)	Neither/nor (neutral)	Clarification is required for the following: - what hours will they be operating (i.e. 9am -5pm?) - what shifts (if any) will be be operating once production has been ramped up? - With the added (potential) 100 staff carpark along 21-27 Valiant Road, have plans been put in place for the added environmental noise /additional traffic impact to the locals living along this stretch of Valiant Road been given. i.e. staff be advised they are only to enter/exit said Valiant Road Carpark via Grand Junction Road then Jackobson Crescent avoiding Avocet Street /Valiant Road /Morgala Drive due to excessive heavy vehicle usage and vehicle noise already being experienced and lack of management by council? - The current trees planted by Council numerous years ago along said proposed sale of reserve land hide the existing buildings and lends to the streetscape not looking like an Industrial Area. With the proposed development of the carpark and removal of these trees, the preliminary drawing appears to only indicate singular trees being planted which will not provide the same visual effect as current but will leave the buildings behind highly visible from Valiant Road being aesthetically displeasing. - What security measures will be put in place to

					ensure local residents are not impacted by theft with the proposed carpark?
44	Jacobsen Crescent HOLDEN HILL, SA		I am a local resident/property owner I am a local business owner I work in a business/organisation in the local area	Oppose	adding a fenced off car park along Valiant road will create an eyesore to the landscape of the street. I strongly oppose to the current design. I am not opposed of the use, however I would recommend council retain ownership of the land and create a car park space that will be better designed to the community of the local area. Not singular use for this business to solely own and use.
45	Valiant Road, HOLDEN HILL, SA		I am a local resident/property owner	Oppose	I believe we have more than enough concrete and tarmac in that locality, by adding more will only increase the local area temperature. This is the last thing that is needed in the North East of Adelaide especially as summer temperatures are increasing. Council should be working with the business to find an appropriate area to assist their expansion that promotes the growth of plants that encloses/captures the facility to neutralise the business environmental footprint, not put down a carpark that covers the natural ground. The only benefit I see to this proposal is to increase council revenues with no respect to the environment and those that have to live in the area for the future. I understand business is extremely important to the local area and to provide employment but let's look at how we can do it without more concrete or bitumen.
46	The Parade, HOLDEN HILL, SA		I am a local resident/property owner	Oppose	That area of valiant road is very industrial, the parklands provides greenery and breaks up the industrial section of Holden Hill from the residential area. Unless the carpark was aesthetically designed with substantial greenery surrounding the carpark - the poor residents on that street will have nothing to block them from the sight and sound of noisy cars.
47	Trellios Street MODBURY, SA		I am a local resident/property owner	Oppose	There is not enough open spaces here and it's like the old song. Take paradise put up a parking lot. The

					concrete and asphalt has to stop. This is a nice little park area not parking area
48	Jacobsen Crescent, HOLDEN HILL, SA	SA Power Networks	I work in a business/organisation in the local area	Oppose	Some concerns with the possibility of 100 extra vehicles as this could cause time delays for our vehicles to exit Jacobsen Cres. Essential Services would be delayed during start times and finish times of 100 extra Supershock employees due to SA Power Networks EWP's stuck in traffic at exits to Grand Junction Rd, North East Rd & Valiant Rd.
49	Jacobsen Crescent HOLDEN HILL, SA	Walls Bros Designer Kitchens	I am a local business owner I work in a business/organisation in the local area	Strongly oppose	Jacobsen Cres is used as a slip lane by traffic trying to avoid the traffic lights at the Grand Junction Rd intersection. This is an extremely busy road during the day. I believe the proposed car park with up to 100 cars daily will make the situation worse and dangerous as vehicles take the bend in the road very fast. Although there are factories around this precinct and we have been here for over 20years there are residents along Valiant Road also school children use the paths. Using vacant land for car parks is not in everyone's best interest. I'm surprised council are even considering it. At the very least a traffic survey needs to be completed to see how the road is used during business hours.
50	Ardtornish Street, HOLDEN HILL, SA		I am a local business owner	Strongly oppose	The current reserve on Valiant Road is used by several of our staff members each day on lunch time walks around the area. I also believe the reserve positively contributes to the look and feel of the area.
51	North East Road, HOLDEN HILL, SA		I am a local resident/property owner	Strongly oppose	Proposed idea carpark space will cause neighbourhood annoyance, excess traffic flow and noise pollution. Should the plan go ahead you will also have individuals loiter the compound pace possibly conduct illegal activities. There's plenty of vacant land available along Grand Junction road for Supashock proposed idea, please look into this land and advise all Holden Hill resident as to why you

					would reject abundant land space for Supashock proposed idea.
52	Morgala Drive, HOLDEN HILL, SA		I am a local resident/property owner	Strongly oppose	Any destruction of the buffer around Jacobsen Crs is NOT OK. The crash repair place adjacent to the proposed car park already use much of it as a car park and the wreckers opposite park unregistered cars all over the place (there are currently 4 on the street), plus the training facility opposite Ardtornish which has nowhere near enough parking, creating congestion. Something needs to be done to control those before turning the verge into a private car park which can only make matters worse, and see cars encroaching on local residential streets, many of which have already become dangerous as council has approved so many subdivided blocks, forcing excess cars to park on the streets (Avocet Ave is a particularly good example of a now dangerous road)
53	Avocet Street, HOLDEN HILL, SA		I am a local resident/property owner	Strongly oppose	It's a nature strip that has birds, possums and the occasional koala and should be left untouched. Jacobsen Crescent is wide enough for on street parking and could easily accommodate 100 vehicles
54	Morgala Drive, HOLDEN HILL, SA		I am a local resident/property owner	Strongly oppose	Thank you for the opportunity to raise my very strong objection to the proposed change from Community Land to land available for purchase by Rafnix Pty Ltd. My objection to the proposal to develop this natural strip of vegetation into 100 car parks is based on: Proposed change to land identified in survey from xxxxxxxx to xxxxxxx Lots of new residential developments in HH as part of urban renewal. These home owners would be dismayed at the continuing overdevelopment of commercial interests. Time to reconsider. Objections based on: 1. In these times of diminishing AMENITY regarding natural vegetation for local residential property owners, including those on Valiant Road, Morgala Drive, Avocet Ave and residents within Holden Hill this proposal has the potential to adversely affect

					residents of this area. Looking closely at the strip of nature reserve identified you can see the important role it plays in hiding the storage areas and rubbish from the commercial premises from residents directly opposite the proposed development. I have noted that within the space of one week a black plastic/fabric strip has been put up on one commercial premise fence to reduce this impact. This seems a very temporary action as we all know how short a period this type of material remains intact. This loss of amenity to residents should be grounds sufficient for objections to be upheld. However, the replacement of this precious vegetation potentially compounds with the significant increase in volume of road traffic on what is, after all, designed to be a "local road" and will add to increased noise level on a road never designed to carry the volume of traffic proposed. 2. The potential loss of this vegetation is more than likely to increase HEAT levels in this local area. Enough progress on tracking the impact of climate change has been documented in recent years for all Council Members to make the connection between hard, reflective surfaces and rising temperatures. 3. The aerial map enclosed shows the importance of the area as a wildlife corridor enabling small animals, birds and insects to move from one area all the way through to the O'Bahn Linear Park South (226). Looking closely you can see the line of vegetation for this corridor. Overall, I have little confidence in the capacity of Council Members to adequately weigh amenity issues against commercial development interests as previous efforts to seek responses from a ward councillor were never followed through. I can always hope with renewal of some Council Members that the adverse impact on residents and the growing impact of climate change on all of us might give

					Councillors some pause for thought. My suggestion is that Rafnix Pty Ltd should be encouraged to seek solutions that don't destroy what little natural environment remains and perhaps re-evaluate potential opportunities along Grand Junction Road.
55	Elliott Avenue, HOLDEN HILL, SA		I am a local resident/property owner	Strongly oppose	This is a drastic reduction in green space - the proposed plan is almost 100% bitumen.
56	Elliott Avenue, HOLDEN HILL, SA		I am a local resident/property owner	Strongly oppose	This area is already congested and full of cars as it is. The idea of having another 100+ cars coming in and out of the area where my family drives daily, further affecting traffic flow, sounds horrendous! Also, the greenery is a nice barrier between the houses across the street and the commercial side of the suburb. Please do not do this to those residents and their families! It would affect the noise levels and the traffic, especially getting in and out of the suburb safely. Why would you even allow/consider greenery to be removed for a fenced pile of concrete? I do hope residents speak up and block this atrocious plan.
57	Valley Road, HOPE VALLEY, SA		I am a local resident/property owner	Strongly oppose	While this land is 'undeveloped with natural grasses, one regulated tree and other small trees and shrubs, and is not used for active or passive recreation' BY HUMANS, it is still an established and meaningful ecosystem for insects, birdlife, reptiles and possums etc. I am sick of paying my council fees to a local government agency that continually interferes with the ability and rights of an ecosystem and natural communities right to exist and flourish and my right to be surrounded by nature. I am sick of green space being taken away and turned into concrete jungles. The worth of the space should not be limited to your definitions of value. Why can't the existing carpark area at Supashock be developed to be multistore on the current footprint?
58	Pallas Street, MODBURY HEIGHTS, SA		I am a local resident/property owner	Strongly oppose	The City of Tea Tree Gully is selling off bits of land left right and centre. Once it has been sold and turned

					into a carpark, there is no getting it back. This is a short-term gain for long-term pain. You're already getting large returns from rates and the division of land, please leave public spaces alone!
59	Warrandee Drive, MODBURY NORTH, SA		I am a local resident/property owner	Strongly oppose	
60	Curtin Avenue, ST AGNES, SA		I am a local resident/property owner	Strongly oppose	Council continues to sell off land for short term gains. This land should be revegetated.
61	Grand Junction Road VALLEY VIEW, SA		I am a local resident/property owner	Strongly oppose	My family and I ride our bikes along this part of Valiant Road many times a week to access the Obahn path. We have been happy to notice that Council has planted trees around the area. The thought of most of the trees in this reserve being removed to built a carpark is concerning, would create a heat island with limited places for birds, more storm water run off and would go against the point of the new tree plantings in the area. It would also bring a lot more traffic to a relatively small but busy road that connects to a residential area. If Supashock need so much extra space due to rapid growth perhaps they should move to a larger location or build a multi story carpark as it may only be a matter of time before they require more parking in more reserves.
62	Maron Court, MODBURY NORTH, SA		I work in a business/organisation in the local area	Strongly oppose	It is the I only green space we have nearby. Green spaces are needed for mental health.

Relating to views on potential short-term lease or permit, amendment to CLMP and other comments

ID	Do you have any comments about the possible granting of a short-term permit or lease (and potential amendment to CLMP)?)	Do you have any other comments about this proposal?
1	No	
2		
3	I'm happy for a short term lease or permit if required	
4	Just sell it.	
5	No	
6	Nothing specific	This should be supported
7	Sell them the property.	
8	whichever the best solution for local businesses' employees to get the parking they needs.	
9		
10		
11	I have no objections to the described short term lease.	
12	No	No
13		
14		
15	no	no
16		
17	I don't know how a short term lease would work with regards to greenery. after the period expires is the carpark pulled up and more trees planted? or does it just stay a car park?	I prefer people to take cleaner transport options (public transport, bicycling, carpooling, walking, moped etc) however I understand that it really is unviable for many. I think as long as there are some measures to support these modes of transport for the ones who can, I see no problem with the sale going ahead.
18	It is appropriate.	Nil
19		
20		Parking is generally needed by employees of the companies around Jacob crescent
21	I fully support granting a lease and changes to the CLMP.	
22		
23		
24		
25		
26	I have no comment	none

27	No	No
28	No comments	
29	I have no comment.	No comment.
30	Do it!	NO
31	this will be a good thing for the local Community, creating investment and Jobs for the local area	Investment by Local businesses in the Local Area is a positive thing and should be encouraged
32	None specifically	No
33	no	i like some trees will be staying
34		
35	I support granting of a short-term permit or lease	It is good to help local businesses in every way possible in the current economic climate.
36	I trust the council will do what's needed to support industry growth	
37	I support this	I fully support the sale to Supashock
38	no	no
39		Strongly supports.
40	No	Unlike housing subdivision in the region which affects residents this proposed sale will only assist the area.
41	(none)	Please ensure trees and shrubs and plants will be maintained/ retained, thank you.
42	No regarding the short-term permit or lease. My concern is regarding the additional traffic that will most likely result from the expansion of the said company. There is already a high use of Valiant Road by locals but especially non-local traffic seeking to avoid North East Road. Around peak times the road is very busy, intersections at Valiant/Lowen Streets and Valiant/Avocet Streets and Valiant/Southern Terrace are congested. There is one round about at Valiant/Avocet Streets only. Traffic is noisy and busy. Cars are often driving well in excess of the 50km/hour limit. I believe Council should consider traffic management along Valiant Road - speed humps or additional roundabouts, esp at either Lowen Street and/or Southern Terrace.	My concern is regarding the additional traffic that will most likely result from the expansion of the said company. There is already very high use of Valiant Road by locals but especially non-local traffic seeking to avoid North East Road. Around peak times the road is very busy, intersections at Valiant/Lowen Streets and Valiant/Avocet Streets and Valiant/Southern Terrace are congested. There is one round about at Valiant/Avocet Streets only. Traffic is noisy and busy. Cars are often driving well in excess of the 50km/hour limit. I believe Council should consider additional traffic management along Valiant Road - speed humps or additional roundabouts, esp at either Lowen Street and/or Southern Terrace to ensure the additional traffic is suitable managed and to avoid vehicle and/or pedestrian accidents.
43	Clarification is required for the following: - what hours will they be operating (i.e. 9am -5pm?) - what shifts (if any) will be operating once production has been ramped up? - With the added (potential) 100 staff carpark along 21-27 Valiant Road, have plans been put in place for the added environmental noise /additional traffic impact to the locals living along this stretch of Valiant Road been given. i.e.	Clarification is required for the following: - what hours will they be operating (i.e. 9am -5pm?) - what shifts (if any) will be operating once production has been ramped up? - With the added (potential) 100 staff carpark along 21-27 Valiant Road, have plans been put in place for the added environmental noise /additional traffic impact to the locals living along this stretch of Valiant Road been given. i.e. staff be advised

	staff be advised they are only to enter/exit said Valiant Road Carpark via Grand Junction Road then Jacobson Crescent avoiding Avocet Street /Valiant Road /Morgala Drive due to excessive heavy vehicle usage and vehicle noise already being experienced and lack of management by council? - The current trees planted by Council numerous years ago along said proposed sale of reserve land hide the existing buildings and lends to the streetscape not looking like an Industrial Area. With the proposed development of the carpark and removal of these trees, the preliminary drawing appears to only indicate singular trees being planted which will not provide the same visual effect as current but will leave the buildings behind highly visible from Valiant Road being aesthetically displeasing. - What security measures will be put in place to ensure local residents are not impacted by theft with the proposed carpark?	they are only to enter/exit said Valiant Road Carpark via Grand Junction Road then Jacobson Crescent avoiding Avocet Street /Valiant Road /Morgala Drive due to excessive heavy vehicle usage and vehicle noise already being experienced and lack of management by council? - The current trees planted by Council numerous years ago along said proposed sale of reserve land hide the existing buildings and lends to the streetscape not looking like an Industrial Area. With the proposed development of the carpark and removal of these trees, the preliminary drawing appears to only indicate singular trees being planted which will not provide the same visual effect as current but will leave the buildings behind highly visible from Valiant Road being aesthetically displeasing. - What security measures will be put in place to ensure local residents are not impacted by theft with the proposed carpark?
44	Opposed to the sale of the land and rather council considers to retain this for the local community and better use.	Please consider the local community use and streetscape of the area, to compliment and further improve what is a niche commercial space. This area is unlike other areas, council can improve this and increase the desire for businesses and residential space to grow. The business seeking use will be able to utilise this space as should all the local residents and businesses who desire to. I would encourage council to form a new view on this space and disregard selling the land.
45	I do have a problem granting a short term permit until an environmentally sustainable solution is approved.	
46	There's no reason to short term lease unless there is a forward sale. The park would still need to be pulled up and replaced for carparking for it to be usable to the company.	If this proposal goes ahead there should be amendments to the plans to ensure there is a good divide for local residents and that there should be a trees allocation provided so that we are not entirely turning our area into a concrete jungle.
47		
48	As per previous response re excess traffic	
49	A short term permit should not be granted, on the grounds that they don't normally get overturned, seems that its only in the council best interests for that to happen.	
50		
51	I would advise against any permits. Supashock is beyond just engineering and manufacturing company. They are umbrella secret service surveillance team and any permits will grant them more unwarranted surveillance.	Vacant land adjacent Grand Junction road has plenty of space and ideal for for busy main road/intersections, smooth commute, access and exit as apposed Valiant road site.
52	That's a big NO	There has been no indication made as to what their expansion strategy is, no diagrams showing what they are planning other than taking over public land for private purposes. I worry that the next step will be to turn the area of linear park in

		our street which is the inky buffer we have from the factories into another private enterprise. We (my husband and I) strongly oppose this. Unfortunately we own our house, but many around here rent, so the owners won't care, but we, while lived here for 38 years, do, and hopefully so do the rest if the rate payers.
53	It seems from your question that you have already decided to turn the nature reserve into a car park. No lease or permit should be granted as there is no approval for a car park. You should not change the CLMP.	The area is close to the Tea Tree Plaza Oban and there is adequate public transport. Why can't a smaller car park be built if it is necessary on Grand Junction Road, where it won't interfere with the volume of traffic in such a small area, The volume of traffic trying to exit to Grand Junction Road or to North East Road via Avocet street will be ridiculous, Avocet street is not built for this volume of traffic and even now it is sometimes difficult to exit my property due to vehicles blocking the exit at certain times.
54		
55		Turning 100% green space into 100% car park is a joke. Do better.
56	I am 100% against this idea. They should have considered their parking needs before moving into the area.	Before moving into the area, the business should have ensured they had ample parking for their workers. What happens in years' time when this business decides to leave the area because they need even more space? An empty car park lot just sitting there being an eyesore in our community? No thank you!
57		This council has no commitment to re-greening the space and planted non natives (jacaranda) along Valley Road without considering native options with low root systems such as lillie pillies or even fruiting trees i.e. apples/pears which could assist people whom may need access to food, you really have little consideration for people or nature. I know it will be approved this is just a tick box process
58	Lease is better than selling land off.	As stated earlier, please stop selling off public land
59	Don't cash grab, keep some green in these suburbs, please!!!	
60	Do not agree	No
61	No carpark, no lease.	
62		Not in favour of this project

Appendix 3: Community engagement advertising

Public Notice published 28 June 2022 in *The Advertiser*



Onsite signage



Social Media – Facebook post



Item 12.1

Attachment 1

Appendix 4: Letter/Mailout package

CITY OF TEA TREE GULLY 571 Montague Rd, Modbury SA 5092
T (08) 8397 7444 W cttg.sa.gov.au S fb.com/teatreegullycouncil ABN 69 488 562 969

«Owners_Name»
«Postal_Address_Line1»
«Postal_Address_Line2»

24 June 2022
Our ref: 22/609

Dear «Salutation»

Have your say: Proposed sale of land on Valiant Road, Holden Hill to Supashock

Council has received a request from Rafnix Pty Ltd to purchase reserve land from Council on Valiant Road in Holden Hill to develop a car park for their Supashock operations, and to facilitate the company's expansion at their site at 2-6 Ardtornish Street, Holden Hill.

Supashock is a designer and manufacturer of advanced suspension systems for road vehicles, ranging from racing cars through to defence equipment. The company plans to expand its fabrication and machining operations to consolidate its engineering and product development activities in Holden Hill, and to expand its artificial intelligence capability. These initiatives will require an expansion of more than 5000m^2 of production, showroom and office floor space on the Ardtornish Street site. This expansion would lead to an increased workforce of up to a further 100 employees.

Supashock has advised Council that at least 100 parking spaces will be required for existing and additional staff associated with the proposed expansion, as the expansion will result in a shortfall of parking spaces at the Ardtornish Street site.

The reserve land proposed for sale is 3,207m^2 and is part of O-Bahn Linear Park South Reserve located at 13 and 21-27 Valiant Road. The land is undeveloped with natural grasses, one regulated tree and other small trees and shrubs, and is not used for active or passive recreation (see map enclosed).

Supashock has developed an indicative concept plan for the proposed car park which would be fenced and gated (see plan enclosed). The proposed design of the car park seeks to replace existing trees with more drought tolerant trees better suited to the area, as well as incorporate water sensitive urban design techniques which would aim to reduce water run-off and ensure water caught on the land is treated and used onsite.

The price paid for the portion of reserve land would be based on an independent commercial market evaluation. Proceeds from the sale of this land would be used for upgrades in the local area.

Attachment 1

Change of Community Land Classification and approvals
As O-Bahn Linear Park South Reserve is classified as Community Land, the Community Land Classification of this portion of the reserve needs to be changed (or 'revoked') before any sale can occur. The revocation process requires that before making a decision Council must consult with the community. If Council decides to proceed with this change, final approval from the State Government's Minister for Planning is required. Development approval will also be required under the *Planning, Development and Infrastructure Act 2016* in order for the Supashock expansion and the car park works to proceed. This is a separate process to this consultation process.

Short term approval (lease or permit)
Should Council approve the sale of this reserve land, after considering the views of the community, Council may also look at issuing a short-term lease or permit (less than two years) to Supashock to allow site works to commence while the land transfer process is occurring. Granting a short-term lease for the construction of a car park would mean changing the Community Land Management Plan that relates to this reserve, as this use is not currently envisaged in the plan.

Rafnix Pty Ltd will be responsible for all costs associated with the community and stakeholder engagement process, as well as other costs to purchase the site, development of the site, etc. Council may also consider entering into a separate deed with Supashock, that in the event Supashock ever wished to dispose of the car park land, Council would have first option to purchase the land on agreed terms.

Have your say
Before Council takes any further steps it would like to hear from the community, including local residents and businesses, about their views on this proposal.

You can provide your feedback online at **haveyoursay.cttg.sa.gov.au/valiant**

If you would like a hard copy feedback form posted to you please contact us. Copies will also be available at Civic Centre reception, 571 Montague Road, Modbury.

We value your comments and would appreciate your feedback **by 5pm, Monday 25 July 2022.**

All feedback received on this proposal will be presented to Council for consideration before any further decisions are made. Those who provide feedback will be advised of the Council meeting date when the matter will be considered and following this, advised of the Council's decision.

If you have any questions regarding this proposal, please do not hesitate to contact Rosa Gagetti, Property & Projects Facilitator on 8397 7444.

Yours sincerely

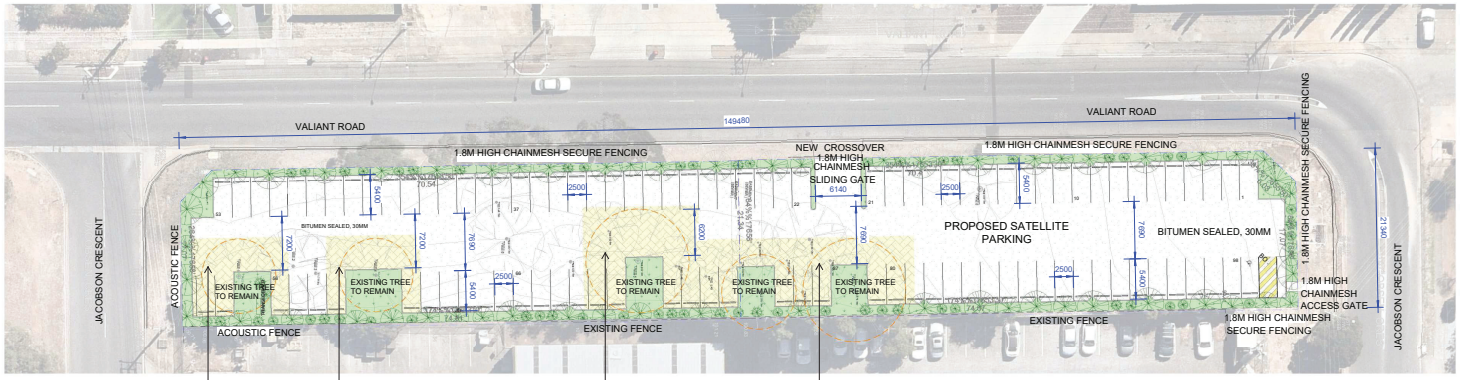


Ingrid Wilkshire
Manager City Strategy

Proposed sale of reserve land on Valiant Road, Holden Hill to Supashock for car park

Map showing reserve land proposed for sale and Supashock site





1 Satellite parking
1 : 300

TREE PROTECTION ZONE
TEMPORARY FENCING TO BE INSTALLED FOR CONSTRUCTION PERIOD
PERMEABLE PAVEMENT TO TPZ AREA (110M^2)

TREE PROTECTION ZONE
TEMPORARY FENCING TO BE INSTALLED FOR CONSTRUCTION PERIOD
PERMEABLE PAVEMENT TO TPZ AREA (90M^2)

TREE PROTECTION ZONE
TEMPORARY FENCING TO BE INSTALLED FOR CONSTRUCTION PERIOD
PERMEABLE PAVEMENT TO TPZ AREA (180M^2)

TREE PROTECTION ZONE
TEMPORARY FENCING TO BE INSTALLED FOR CONSTRUCTION PERIOD
PERMEABLE PAVEMENT TO TPZ AREA (210M^2)

NOTE
WATER SENSITIVE URBAN DESIGN PRINCIPLES WILL BE APPLIED TO FINAL DESIGN

Note:
This concept plan is also available to view on haveyoursay.cttg.sa.gov.au/valiant

Disclaimer:
The above plan is a copy and contains all the information provided in the original.
Enhancements have been applied to improve legibility.

PRELIMINARY

WOOLCOCK CONSTRUCTION
6/938 South Road
Edwardstown, 5039
T: 08 8193 9600 F: 08 8351 2311
karenv@woolcockgroup.com.au
www.woolcockgroup.com.au

LANDSCAPING
- Callistemon Viminalis, approx. growth height 3m
- Eremophila Maculata, max. growth height 1m
- Eucalyptus Dumosa, approx. growth height 4-10m
- Eucalyptus Leucoxylon, approx. growth height 5m
- Existing trees to remain

No.	Description	Date
5	SATELLITE PARKING UPDATES	21/6/22
6	LANDSCAPING REVISIONS	21/6/22

SUPASHOCK
2-6 ARDTORNISH ST, HOLDEN HILL

SATELLITE PARKING - OPTION 4

Project number	2003
Date	21/6/22
Drawn by	KVM
Checked by	EL
A104	
'As indicated	Rev. 6

Appendix 5: Feedback form

Feedback Form

Proposed sale of land on Valiant Road, Holden Hill for a car park

This feedback form can be also completed online at:
haveyoursay.cttg.sa.gov.au/valiant

Council is seeking feedback from the community about the proposed sale of land on Valiant Road, Holden Hill to Supashock for a car park.

Before providing feedback, please review the Information Sheet and the draft car park concept plan.

Your details (please print clearly):

Name: .....

Your organisation (if applicable): .....

Address: .....

Email: .....

Phone (optional): .....

Postal address (if different): .....

If you received a letter from Council about this consultation and it said 'In relation to your property at:', please specify this property address.

Please note: For your feedback to be included, your name and contact details must be provided. Your personal details will not be made public or published in any Council reports. By providing your email address you are agreeing to future communication from us by email in relation to this feedback (email is our preferred method of contact). Please ensure you check your 'junk mail' folder.

1. What best describes you? *(choose all that apply)*

I am a local resident/property owner ..... ☐
I am a local business owner..... ☐
I work in a business/organisation in the local area..... ☐
Other (please specify)..... ☐

.....

Please turn over

Your views on the proposal

Council has received a request from Rafnix Pty Ltd to purchase reserve land from Council at 13 and 21-27 Valiant Road in Holden Hill to develop a car park for their Supashock operations, and to facilitate the company's expansion at their Ardtornish Street site in Holden Hill.

The reserve land proposed for sale is 3,207m2 is undeveloped with natural grasses, one regulated tree and other small trees and shrubs, and is not used for active or passive recreation.

The land is part of O-Bahn Linear Park South Reserve which is classified as Community Land. The Community Land Classification of this portion of the reserve needs to be changed (or 'revoked') before any sale can occur. The revocation process requires that before making a decision Council must consult with the community.

2. How strongly do you support or oppose the proposed sale of reserve land on Valiant Road, Holden Hill to Rafnix Pty Ltd/Supashock (as outlined above)?

Strongly support ☐
Support ☐
Neither/nor (neutral) ☐
Oppose ☐
Strongly oppose ☐

3. Why do you say this? Please provide comments to explain your response.

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Please turn over

Short term approval (lease or permit)

Should Council approve the sale of this portion of reserve, and after considering the views of the community, Council may also look at issuing a short-term lease or permit (less than 2 years) to Supashock to allow site works to commence while the land transfer process is occurring through Land Services SA. Granting a short-term lease for the construction of a car park would mean changing the Community Land Management Plan (CLMP) that relates to this reserve, as this use is not currently envisaged in the plan.

4. Do you have any comments about the possible granting of a short-term permit or lease (and potential amendment to CLMP)?

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5. Do you have any other comments about this proposal?

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Thank you for your feedback.

Feedback forms should be returned to Council **by 5pm, 25 July 2022**
by using the reply-paid envelope provided or by posting to the following address
(no stamp required):

City of Tea Tree Gully
Reply Paid 571
MODBURY SA 5092

Ref: CM no. 22/609

CITY OF TEA TREE GULLY
Naturally Better

REPORT FOR	**COUNCIL MEETING**
MEETING DATE	**12 APRIL 2022**

Item 12.1

RECORD NO:	**D22/18555**
REPORT OF:	**OFFICE OF THE CHIEF EXECUTIVE OFFICER**
TITLE:	**UNSOLICITED PROPOSAL - COUNCIL RESERVE - 13 AND 21-27 VALIANT ROAD, HOLDEN HILL**

PURPOSE

To provide Council with the opportunity to consider an unsolicited proposal received from Rafnix Pty Ltd to acquire the use of the Council reserve (through either purchase or lease) located at 13 and 21-27 Valiant Road, Holden Hill, against the evaluation criteria in Council's Unsolicited Proposal Policy.

RECOMMENDATION

Option A – Potential Sale

That Council resolves to:

a) Provide "in principle" support to proceed with the community land revocation and the potential disposal of Allotment 16 in D9917 in Certificate of Title 5274/794 and Allotment 22 in D9918 in Certificate of Title 5274/798, of O-Bahn Linear Park South located at 13 and 21-27 Valiant Road, Holden Hill, as identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, pending the outcome of negotiations with Rafnix Pty Ltd.

b) Authorise the Chief Executive Officer to enter into a Deed of Undertaking with Rafnix Pty Ltd for the recovery of Council's costs associated with the community land revocation and land transfer process of the land identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022.

c) Authorise the Chief Executive Officer to obtain a formal valuation for the portion of O-Bahn Linear Park South identified in Attachment 1 as identified in

Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, to determine the current market value of the land, and to present the valuation to Council for consideration .

d) Request the Chief Executive Officer to prepare a Community Engagement Strategy for the statutory consultation required under section 198 of the Local Government Act 1999 for the revocation of the community land identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, and to present the strategy to Council for further consideration prior to community engagement. .

e) Request the CEO to consult with SA Water regarding their requirements prior to a Community Engagement Strategy being presented to Council for consideration.

f) Authorise the Chief Executive Officer to prepare a detailed survey plan for the portion of O-Bahn Linear Park South identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, for the purposes of the community land revocation process, and to present this to Council with the Community Engagement Outcomes Report.

g) Request the Chief Executive Officer to seek legal advice to ascertain the most appropriate mechanism to ensure the land identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, is developed as proposed post settlement, and that if the development does not proceed in accordance with Council's agreed expectations the land reverts back to Council's ownership without financially disadvantaging the Council.

OR

<u>Option B – Potential Lease</u>

That Council resolves to:

a) Provide "in principle" support to proceed with the potential lease of Allotment 16 in D9917 in Certificate of Title 5274/794 and Allotment 22 in D9918 in Certificate of Title 5274/798 of O-Bahn Linear Park South located at 13 and 21-27 Valiant Road, Holden Hill, as identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, pending the outcome of negotiations with Rafnix Pty Ltd.

b) Authorise the Chief Executive Officer to enter into a Deed of Undertaking with Rafnix Pty Ltd for the recovery of Council's costs associated with the Community

Land Management Plan amendment and drafting of a lease agreement for the land identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022.

c) Authorise the Chief Executive Officer to prepare a lease agreement for the portion of O-Bahn Linear Park South identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, having negotiated the proposed terms with Rafnix Pty Ltd, and to present the draft agreement for Council's further consideration.

d) Request the Chief Executive Officer to prepare a Community Engagement Strategy for the statutory consultation required under sections 198 and 202 of the Local Government Act 1999 for the amendment to the Community Land Management Plan and long-term lease of the land identified in Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022, and to present the strategy to Council for further consideration.

e) Request the CEO to consult with SA Water regarding their requirements prior to a Community Engagement Strategy being presented to Council for consideration.

OR

<u>Option 3 – Not proceed</u>

That Council resolves to:

a) Not proceed further with the unsolicited proposal from Rafnix Pty Ltd, as contained within Attachment 1 of the report titled "Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill," and dated 12 April 2022 for the following reason/s:

- **Insert reason/s**

b) Inform Rafnix Pty Ltd of Council's decision to not proceed.

1. BACKGROUND

Council has received an unsolicited proposal from Rafnix Pty Ltd to purchase or lease portion of Council's O-Bahn Linear Park South Reserve located at 13 Valiant Road and 21-27 Valiant Road, Holden Hill (subject land), to facilitate the expansion of the Supashock Advanced Technologies operations at 2-6 Ardtornish Street, Holden Hill. This report considers the proposal and the implications / opportunities it presents for our community and outlines the next steps if Council resolves to proceed further.

Rafnix is the Family Trust of Mr Oscar Fiorinotto whilst Supashock is privately owned by Mr Oscar Fiorinotto (51%) with Rheinmetall Defence Australia Pty Ltd a minority shareholder (49%). Rafnix is the owner of the premises at 2-6 Ardtornish Street, Holden Hill. Supashock leases the premises from Rafnix.

Details of the subject land are:

- Allotment 16 in D9917 in Certificate of Title 5274/794 (13 Valiant Road)
- Allotment 22 in D9918 in Certificate of Title 5274/798 (21 - 27 Valiant Road).
- The land has a total site area of 3,207m^2.
- Classified as Community Land and known as part of O-Bahn Linear Park South
- Both sites are within the Employment Zone of the Planning and Design Code.
- A council drainage pipe traverses the reserve which will require an easement.
- Council's records indicate SA Water infrastructure is located on Allotment 22.



Figure 1 – Location of portion of O-Bahn Linear Park South for potential purchase/lease.

1.1 The Proposal

Rafnix (the proponent) is seeking the exclusive use of the reserve to develop a car park for the Supashock premises, which will facilitate the company's expansion on their site at 2-6 Ardtornish Street.

Supashock plans to expand its fabrication and machining operations to consolidate with its engineering and product development activities in Holden Hill, and to expand its artificial intelligence capability. These initiatives will require an expansion of more than 5000m^2 of production, showroom and office floor space on the Ardtornish Street site, as well as an increased work force of up to a further 100 employees.

The proponent advises that at least 100 parking spaces will be required for existing and additional staff associated with the proposed expansion on the Ardtornish Street property. Following the development and expansion only 35 parking spaces can be provided on the existing Ardtornish site, resulting in a shortfall of 65 spaces.

Supashock has not yet sought Development Approval under the *Planning, Development and Infrastructure Act 2016*, as it is first seeking Council's "in-principle" support for the exclusive use of the land for a car park prior to lodging a development application.

As the subject land is Community Land, the two mechanisms that can facilitate the exclusive use request are:

- Option A – revocation of community land status and disposal of the subject land
- Option B – amendment to the Community Land Management Plan (CLMP) for a long-term lease (which is a maximum 42 years under the *Local Government Act 1999*).

The proponent has indicated a clear preference for purchasing the land, with a preparedness to offer "market value."

The proposal in full can be viewed in Attachment 1.

1.2 Process

In order for the proposal to progress, the following processes (some of these required by legislation) need to occur. Note that steps 2 and 3 may occur concurrently but step 3 is conditional on the outcome of step 2.

Step 1 – Council to consider whether to proceed with the unsolicited proposal, and which option is preferred by Council.

Step 2 – Revocation of community land process (disposal option) or update to the CLMP (lease option) under the *Local Government Act 1999*. Both processes

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include community engagement. Note that the land does not need to be rezoned.

Step 3 – Development application for the Supashock expansion at 2-6 Ardtonish Street and associated car park on subject Council reserve (*Planning, Development and Infrastructure Act 2016).*

Step 4 – Settlement and land transfer (disposal) or execution of lease agreement.

Step 5 – Construction of Supashock expansion and car park.

The purpose of this report is to assist Council with undertaking Step 1 i.e. evaluating the proposal against Council's relevant policies and then to consider whether to proceed to Step 2.

2. DISCUSSION

As the proposal involves Council land, the evaluation criteria for the proposal is drawn from two Council policies:

1. *Unsolicited Proposals Policy*
2. *Disposal of Land and Assets and Acquisition of Land Policy.*

Assessment of the criteria is discussed below.

2.1 Unsolicited Proposal Policy

Council's *Unsolicited Proposals Policy* reinforces Council's willingness to consider unsolicited proposals from private entities to explore innovative ideas that support local economic growth, contribute to the best use of public assets and deliver a high quality of service to the community in line with Council's Strategic Plan, vision and aspirations.

In determining whether an unsolicited proposal displays sufficient merit to progress and enter into exclusive negotiations, Council must have regard to the Principles of Consideration in the *Unsolicited Proposals Policy*.

An evaluation was conducted on 16 March 2022 by a panel of key staff. A number of clarifications were sought from the proponent and the updated submission was further considered by the panel. Table 1 outlines the panel's evaluation.

Table 1 - Evaluation against Principles of Consideration in Council's Unsolicited Proposals Policy

Evaluation Criteria	Comments by the Evaluation Panel

Attachment 2

Community Need/Council Priority The proposal should be consistent with the Council's objectives outlined in its Strategic Plan and provide a positive economic, social, cultural or environmental outcome for the Council.	• Supports Strategic Plan via: *Objective 3.3 - A local economy that is resilient and thrives, where businesses are supported to grow and prosper, provide local jobs and sustain our community and visitors and utilise technology to improve the liveability of our City.* • Growth of 100 additional jobs once development complete, construction and supply chain jobs – Highly specialised industry field, unclear how many jobs will be filled by local residents. • Removes need for ongoing maintenance costs of reserve • Reduces number of vehicles parking in the street • Contributes to the profile of City of Tea Tree Gully as a location of choice for industry
Value for Money The proposal should represent value for money for Council and the community when any form of financial contribution or risk sharing with Council is proposed.	• The proponent prefers a purchase option. • In the submission no financial offer had been provided by the proponent at the time of the evaluation. • Proponent has however indicated willingness to pay market value for the land. • Council will need to seek an independent market valuation. • The land is already zoned Employment Zone, so the value will reflect the possible uses for the land (not just a reserve). • Financial support is not required however legislative support in relation to Council's procedures would be required.

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Capacity and Capability of proponent The proponent should demonstrate it has the capacity and capability to deliver the proposal in a timely manner.	• The proposal reflects capacity and incentive to deliver the proposal. • Has spent considerable funds to date in design of expansion. • The proponent has secured a Federal grant to expand and has a timeline on this. • Third parties have been involved in the project including architects and planning consultants.
Council's Land and Assets Policy In the case of land and assets, the proposal should be considered against the principles and considerations outlined in Council's *Disposal of Land and Assets and Acquisition of Land Policy*.	• See Table 2 below for evaluation against the *Disposal of Land and Assets and Acquisition of Land Policy*.
Uniqueness of Proposal The proposal should exhibit sufficient uniqueness to justify a departure from the competitive bidding process.	• The proponent owns the premises of the Supashock facility on Artornish Street therefore this is seen as an advantage. • The integration/interdependence of the car park and the Supashock expansion is unique. • Supashock has Federal Government support and has been recognised by as a world-class manufacturer. • It's considered a combination of these factors that make the proposal unique and cannot be readily delivered by others.
No competing proposals The subject matter of the proposal should not already be under consideration by Council via an existing or planned procurement process.	• None known. • In this case, no weightings were applied to the criteria as there was only one proposal to consider and therefore no comparison necessary.

2.2 Disposal of Land and Assets and Acquisition of Land Policy

As the unsolicited proposal involves a potential land sale, the evaluation must also consider Council's *Disposal of Land and Assets and Acquisition of Land Policy.* Table 2 below outlines the matters that should be considered prior to disposal of community land.

Table 2 - Evaluation against the Disposal of Land and Assets and Acquisition of Land Policy.

Principles for Council to have regard	Comments by the Evaluation Panel
The usefulness of the Land or Asset	• Classified as "Amenity Area." No site improvements and is not used for active or passive recreation.
The intention for the use of the Land	• Car park for Supashock expansion.
The current market value of the Land or Asset	Valuer General valuation: • $320,000 – 13 Valiant Road, Holden Hill • $295,000 – 21-27 Valiant Road, Holden Hill
The total estimated value of the Disposal	• Independent valuation to be obtained to determine current market value.
The annual cost of maintenance	• Minimal (approx. $1,140pa) Basic maintenance only.
Any alternative future use of the Land including the inclusion of affordable housing	• Remain as a reserve.
The number of known potential purchasers of the Land	• One – proponent.
Any duplication of the Land or Asset or the service provided by the Land or Asset	• Other amenity reserves within close proximity closer to residential areas.
Any impact the Disposal or Acquisition of the Land or Asset may have on the community	Pros • Increase in jobs due to expansion • Supashock cars off the street • Would provide funding to improve other community assets / reduce debt.

	Cons • Removal of trees / reduced tree canopy • Potential lower level of amenity for residential properties opposite the reserve to the south-west.
Any cultural or historical significance of the Land or Asset	• None known
The positive and negative impacts the disposal of the land or asset may have on the operations of the Council	• Negligible impact • No maintenance requirement.
The long-term plans and strategic objectives of the Council	• Long Term Financial Plan • Strategic Plan - *Objective 3.3 - A local economy that is resilient and thrives, where businesses are supported to grow and prosper, provide local jobs and sustain our community and visitors and utilise technology to improve the livability of our City.*
The remaining useful life, particularly of an Asset	• Amenity reserve, 91% of trees are in good condition.
A benefit and risk analysis of the proposed Disposal	• See section 6 of the report.
The results of any community consultation process	• Community engagement to occur as required under Local Government Act.
The opportunity to promote local economic growth and development	• Will provide an opportunity for Supashock to expand in Holden Hill.
Any restrictions on the proposed Disposal and Acquisition	⊠ Expected that restrictions / requirements of both parties would be clarified through Heads of Agreement. ⊠ Reliant on community land revocation and development approval.
The content of any Community Land management plan (CLMP)	• Community land revocation proposed if sale is pursued. • CLMP will need to be updated if lease option is pursued.

Delegation limits, taking into consideration accountability, responsibility, operation efficiency and urgency of the Disposal or Acquisition	• Presented to Council as per *Unsolicited Proposals Policy* and relevant delegations.
Potential revenue from disposal – impacted by topography and physical attributes including above and below ground infrastructure; preferred development outcomes such as housing density and development design; and current property market	▫ Proponent identified a willingness to pay market value, however no financial amount had been provided at the time of the evaluation. ▫ Independent valuation will provide an indication of potential revenue.
Compliance with statutory and other obligations	• *Local Government Act* – Community Land revocation if sold or CLMP amended if leased • Disposal contingent upon Development Approval under the PDI Act.
Any potential land contamination or remediation costs	• Unknown at this stage, however the land is proposed to be used as a car park, not a sensitive land use.
Any other relevant policies of the Council	• Unsolicited Proposals Policy • Open Space Policy • Community Engagement (Public Consultation) Policy • Tree Management Policy
Assessment Criteria	**Comment**
Ecological Value	▫ Eucalyptus species on site provide some habitat and contribute to "stepping stone" corridors for birds. No native understorey present. Pepper trees are not native and provide little habitat value to fauna.
Trees and vegetation	▫ Total 82 trees on the subject land ▫ One regulated tree (Claret Ash) located on 21-27 Valiant Road. ▫ 91% of the trees are in good health. 4% are in fair health. 5% are in poor health. ▫ The proposal would potentially require 57 trees to be removed (depending on final car park design).

	▪ Potential to include replacement tree plantings in design.
Character and appeal	▪ Originally set aside as an amenity area for industrial park. The southern part of the reserve offers a visual buffer between residential properties to the south-west and industrial area.
Accessibility	▪ N/A not used for active or passive recreation.
Recreational value	▪ Nil. No recreation facilities present.
Cost of maintenance	▪ Approximately $1,140 per annum.
Contamination	▪ No known contamination.
Climate change	▪ Would increase climate impacts by reducing green space and increasing hard surfaces (e.g. heat island as a result of hard surfaces). This risk can be managed through choice of appropriate material when constructing the carpark and planting of trees. ▪ Increase surface run-off from rain water and increasing the demand on existing stormwater infrastructure, creeks and waterways. Appropriate water sensitive urban design can mitigate against this risk. This could be considered in the Deed of Undertaking.

3. FINANCIAL

The following sections detail the financial implications of each option:

3.1 Option A – Proceed to the next stage of the disposal option

At this point in time, an independent valuation has not been obtained to identify the current market value of the subject land as zoned Employment Zone.

As a rough guide, Council has on record the current Valuer General valuation of the two allotments making up the subject land:

- $320,000 – 13 Valiant Road, Holden Hill
- $295,000 – 21-27 Valiant Road, Holden Hill.

If Council wishes to proceed with Option A, it is recommended that staff commission an independent market valuation to present back to Council after negotiating with the proponent. This will provide Council with an opportunity to consider the purchase offer prior to deciding whether to proceed further and commence community engagement.

3.2 Option B – Proceed to the next stage of the lease option

The *Local Government Act 1999* enables the lease to be granted over community land for a maximum term of 42 years. Note that this does not prevent a new lease being granted at the expiration of 42 years, subject to relevant legislation at the time.

Given the size of the subject land and its proposed exclusive use, tenure of the subject land could generate an income of at least $30,000 per annum with a potential annual increase of 3% per annum over the term of the lease and future leases.

If Council wishes to proceed with Option B, it is recommended that staff commission an independent market valuation and present back to Council after negotiating the lease terms with the proponent. This will provide Council with an opportunity to consider the exact terms of the lease prior to proceeding further and commencing community engagement.

3.3 Option C – Do not proceed

If Council resolves to not proceed with the unsolicited proposal for 13 and 21-27 Valiant Road, Holden Hill, the status quo will remain in terms of ongoing maintenance costs and current use of the road network for overflow parking.

Supershock will need to reconsider its plans to expand its operations as detailed in the proposal as additional parking cannot be accommodated on the site with the current proposal.

3.4 Recovery of Costs

Both the *Unsolicited Proposals Policy* and *Disposal of Land and Acquisition of Land and Assets Policy* include Council's ability to recover the costs of any application for land purchase from the proponent. Rafnix has advised they are willing to enter into a Deed of Undertaking to pay all associated costs incurred by Council in preparing for, commencing and carrying out the processes required under the *Local Government Act 1999* to dispose of or lease the land.

"Associated costs" includes, but is not limited to, advertising costs, statutory and administration charges, survey costs, service relocation (e.g. stobie poles, water, sewer, gas mains, Telstra cables), fencing, valuation, legal and conveyancing costs or any other costs that the CEO deems appropriate to recover.

The proponent will also be responsible for the development of the car park and ongoing maintenance costs in the case of the lease option.

The proponent will be responsible for covering all cost associated with creating an easement for the existing stormwater infrastructure on 13 Valiant Road, Holden Hill and 21-27 Valiant Road, Holden Hill.

4. STRATEGIC OBJECTIVES

Strategic Plan

The following strategic objectives in Council's Strategic Plan 2025 are the most relevant to this report:

Objective	Comments
Community	
People can have a say in decisions that affect them and the key decisions of the Council	If the proposal proceeds to the next step, community engagement will be undertaken in accordance with Council's *Community Engagement (Public Consultation) Policy*
Environment	
Environmentally valuable places and sites that are flourishing and well cared for	Opportunity to consider additional upgrades in the area if surplus funds are available.
We are resilient to climate change and equipped to manage the impact of extreme weather events	The proposal would reduce green space and increase hard surfaces, and therefore contribute to the heat island as a result of hard surfaces. Which may be offset in part by the planting and establishment of trees as part of the car park
Our tree canopy is increasing	The proposal would likely result in approx. 57 trees being removed, albeit some replacement trees are expected to be included in the car park design, however it will take time for canopy coverage to establish.
Economy	
A local economy that is resilient and thrives, where businesses are supported to grow and prosper, provide local jobs and sustain our community and visitors	A car park is proposed on the site to support the expansion of the Supashock facility, creating approximately 100 additional jobs, plus will support

and utilize technology to improve the livability of our city	construction and post construction supply chain employment.
Places	
Neighbourhoods are easy to move around and are well connected with pedestrian and cycle paths that offer an alternative to cars	The future design of the car park will consider safe pedestrian connectivity to the Supashock site.
Buildings and places are energy efficient, well designed and display a uniqueness of character and identity	A development application for the Supashock expansion and car park will need to be assessed against the Planning and Design Code.
Infrastructure and community facilities are fit for purpose, constructed using sustainable practices and well maintained	
Leadership	
Leadership and advocacy is focused on the long term interests of the community	Land sales/leases generate economic stimulus in the construction industry and associated sectors.
Planning considers current and future community needs	Site is considered to be strategically suitable for disposal.
Delivery of services is sustainable and adaptable	The Long Term Financial Plan 2019-2030 has a guiding principle that states Council will "continue to review assets for possible sale with proceeds being reinvested into city and community."
Decision making is informed, based on evidence and is consistent	The outcome of community engagement will be reported to Council, including verbatim comments.
Major strategic decisions are made after considering the views of the community	Community engagement will be undertaken if Council proceeds to the next step.

Organisation Plan

Our Strategic Plan is supported by an Organisation Plan which focuses on four key themes of organisational excellence. The themes most relevant to this report are: Future Capability and Sustainable Operations.

Community Land Management Plans

The subject portion of Council land is included in the Community Land Management Plan (CLMP) for Holden Hill: O-Bahn Linear Park South (see Figure 2). A car park for private enterprise is not listed in the current CLMP.

The lease option will require an amendment to the CLMP, and the sale option of the subject Council reserve will require the revocation of the community land classification prior to the disposal or sale of the land.

Either option will require community consultation and Council to follow the relevant steps set out in its public consultation policy in accordance with the *Local Government Act 1999*.



Figure 2: O-Bahn Linear Park South Reserve

Policies / Strategies

Unsolicited Proposals Policy

Refer Section 2.1 of this report.

Disposal of Land and Assets and Acquisition of Land Policy

Refer Section 2.2 of this report.

Open Space Policy

All of O-Bahn Linear Park South is classified as an "Amenity Area" under the Council's *Open Space Policy*. Amenity areas are defined as:

> *"Areas of planting with a focus on improving the visual appeal and functionality of a space. These areas may include:*
> - *traffic control devices including median strips, round-a-bouts and pedestrian refuges*
> - *carparks including garden beds and kerb and gutter*
> - *areas of isolated roadside landscaping including median strips, verges and nature strips*
> - *landscaped areas around community buildings*
> - *high amenity streetscapes e.g. main roads throughout the Modbury Precinct Areas and Montague Road and the Clovercrest shopping area."*

Tree Management Policy

Council's *Tree Management Policy* recognises Council's position in regard to increasing canopy cover through the effective management of trees under Council's care and control. The removal of trees for development benefit will need to be considered under this policy once a development application is lodged.

Community Engagement Public Consultation Policy

Refer Section 12 Community and Stakeholder Engagement of this report.

5. LEGAL

Local Government Act 1999

Council must comply with the requirements of the *Local Government Act 1999* (the Act) when proposing to the sale or disposal of community land. Essentially, if Council is considering sale or disposal of land classified as community land it must adhere to the requirements of section 194(2)(a) of the Act and follow the relevant steps set out

in its public consultation policy. Ministerial approval for the proposal is subsequently required (section 194(3) of the Act), following which Council must formally resolve to revoke the community land classification. The revocation process is to be completed prior to sale or disposal of the land.

Section 202(3)(1) of the Act states that *A council may grant a lease or licence over community land* and section 202(3)(2) states that before Council grants a lease or licence relating to community land it must follow the relevant steps set out in its public consultation policy.

Planning, Development and Infrastructure Act 2016

In order for the Supashock expansion and the car park to proceed development approval will be required under the *Planning, Development and Infrastructure Act 2016*. The Council Assessment Panel is likely to be the relevant authority for the decision on whether to grant planning consent.

6. RISK – IDENTIFICATION AND MITIGATION

Option A – Proceed to the next stage of the disposal option

Benefits

- Provides long-term certainty to the proponent and confidence to undertake expansion
- Additional jobs created in the area in construction and post construction.
- Council eliminates the maintenance and administrative costs associated with ownership of the land.

Risks

- There is no guarantee that the Supashock development will go ahead even after gaining development approval
- Council is unable to control the use of the land once it is in private ownership; it could be sold on and used for other purposes as per the Employment Zone
- Council can require an additional legal instrument (such as a Land Management Agreement) to ensure that the subject land and the Supashock site at 2-6 Ardtornish Street are linked
- No control over the trees as only one is identified as a Regulated Tree and is subject to planning controls under the PDI Act.

Measures to mitigate development uncertainty are discussed in section 6.1 below.

Option B – Proceed to the next stage of the lease option

Benefits

- Council can control the land use and maintenance standards, including trees and vegetation

- Provides ongoing income for Council
- Additional jobs created in the area in construction and post construction
- Council can benefit from future capital gains associated with increased land value
- The subject land can revert to Council occupation at the conclusion of the lease period with the lease holder responsible for remediation.

Risks

- Maximum 42 year lease may not provide sufficient long-term certainty for the proponent as there is no guarantee another lease will be granted upon expiration
- Council to administer the lease.

Option C – Do not proceed to the next stage of the process

Benefits

- Status quo remains – the land remains in Council ownership and all trees are retained in the "amenity area."

Risks

- Supashock will not be able to undertake its expansion as planned, and may move out of Council area
- Potentially, opportunity for additional employment in the area will be lost
- Potentially, opportunity to address overflow parking in the area will be lost.

6.1 Certainty of development outcome

The unsolicited offer has been made by Rafnix with a commitment to develop the site to facilitate the Supashock expansion. Council's understanding and expectation would be that the use of the reserve is to be conditional on development of this proposal outlined by Rafnix. This is also likely to be what the community expect.

Firstly, if after Council provides "in principle" support for either a disposal or lease, the Supashock expansion does not receive Development Approval under the Planning, Development and Infrastructure Act 2016, then the disposal or lease will not proceed.

Secondly, even if the Supashock expansion does receive Development Approval, there is no guarantee the development will go ahead post-settlement (for the disposal option).

It is recommended that in order to mitigate potential risks of the land being used for purposes other than this proposal, special conditions of contract for sale should be pursued to ensure the development of the land proceeds as proposed in a timely manner, and to ensure that if the development does not proceed in accordance with Council's agreed expectations, the land will revert back to Council's ownership

without financially disadvantaging the Council. Risk will also be mitigated by the Council conducting a thorough process of due diligence prior to entering a future binding commitment.

7. ACCESS AND INCLUSION

N/A

8. SOCIAL AND COMMUNITY IMPACT

If the project proceeds with a land sale or lease, there will be a loss of an amenity area due to it being converted to a car park, albeit landscaping will be incorporated into the car park design. Although the reserve currently accommodates low usage level, there will be a loss of visible open space.

The community will directly and indirectly benefit through economic stimulus of the Supashock expansion and associated jobs growth.

9. ENVIRONMENTAL

The development of the car park will result in a loss of green space and approximately 57 trees (depending on car park design). One tree has been identified as a regulated tree (highlighted at “Tree Number 3” in Figure 3). The indicative car park design does not extend as far south as the regulated tree indicating the proponent’s intention to retain the tree.



Figure 3: Location of trees on the subject land. “Tree Number 3” indicates the Regulated Tree.

There is an opportunity to establish a new street tree canopy, incorporate soft landscaping and water sensitive urban design techniques in the design of the car park.

10. ASSETS

The reserve is assigned a "basic" maintenance quality standard. This is the lowest acceptable maintenance standard due to its asset class and low level of utilisation. It has been estimated that maintenance of this reserve costs Council approximately $1,140 per annum. This will no longer be required if development of a car park proceeds. The proponent will be responsible for future maintenance.

There is a 300mm Council drainage pipe that runs parallel to the eastern boundary of 13 Valiant Road (see Figure 4). An easement in favour of Council will be required to protect and access this asset, which will be established at the proponent's cost.

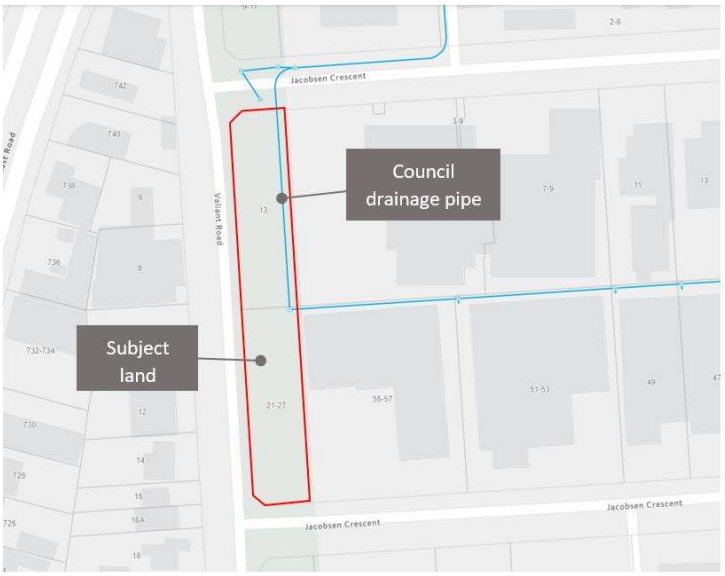


Figure 4: Location of Council pipe

11. PEOPLE AND WORK PLANS

If the project were to proceed to the next stage, the engagement process and commission of the survey and valuation will be managed by staff, utilising consultants and accommodated in staff work plans.

12. COMMUNITY AND STAKEHOLDER ENGAGEMENT

If the project were to proceed to the next stage, a community engagement strategy will be presented to Council at the next available meeting after further negotiations have taken place regarding Council's preferred option of a sale or lease.

SA Water will need to be consulted on the proposal as Council records indicate there is a water main running east-west through the southern property.

13. COMMUNICATIONS OF COUNCIL DECISION

The proponent will be notified of Council's decision on whether to progress the proposal to the next step.

14. INTERNAL REPORT CONSULTATION

The following staff have been included in the consultation process in the preparation of this Report.

Name	Position	Consulted about
Deana Taglierini	Governance Advisor	Recommendation
Justin Robbins	Manager Finance & Rating Operation	Evaluation panel member and potential income from lease
Gabby D'Aloia	Manager Civil Assets	Evaluation panel member
Jonathan Foong	Group Coordinator, Water Waste & Environment	Evaluation panel member
Chelsea Tully	Team Leader Planning	Development application
Rosa Gagetti	Property & Projects Facilitator	Community Land Management Plan
Sarah McDougall	Community Engagement Officer	Community engagement
Matthew Nisbet	Team Leader Street Tree Development	Number of trees and condition

Attachments

1. ⇩ Rafnix/Supashock unsolicited proposal - Valiant Road, Holden Hill - 23 March 202277

Report Authorisers

Cherie Gill Senior Strategy Planner	8397 7352
Victoria Masterman Team Leader Planning Strategy	8397 7300

Item 12.1

Ingrid Wilkshire
Manager City Strategy 8397 7292

Rafnix Pty Ltd

ACN 627195340

And



Unsolicited Proposal to Tea Tree Gully Council

To Purchase or Lease Council Owned Land at 13 & 21-27 Valiant Road Holden Hill

2-6 Ardtornish St
Holden Hill SA 5088

23 March 2022

Proposal

Rafnix Pty Ltd ('Rafnix") is submitting this unsolicited proposal to purchase or lease the two Reserve allotments currently owned by the City of Tea Tree Gully ("the land"). This unsolicited proposal is linked to and should be considered in conjunction with a proposal to Council by Rafnix to increase the current undercover floor space of the company's premises at 2-6 Ardtornish Street Holden Hill to accommodate expansion activity by our tenant, The Dynamic Engineering Solutions Pty Ltd (T/A Supashock). It must be emphasized that failure to secure Council approval for the building extension at Ardtornish Street will render the proposal by Rafnix to purchase or lease the land redundant.

Certificates of Title and Deposited Plans for both allotments are attached. Details of the land are:

- Reserve Allotment 16 in D9917 in CT 5274/794 (13 Valiant Road Holden Hill). Allotment 16 has an area of 1,622 square metres.
- Reserve Allotment 22 in D9918 in CT 5274/798 (21 - 27 Valiant Road Holden Hill). Allotment 22 has an area of 1,585 square metres.

The land has a total site area of 3,207 square metres.

Zoning: Employment Zone

The land, outlined in red below, is currently set aside by Council as reserve, however the site adjoins and is surrounded by industrial properties and Valiant Road. The company's are Ardtonish Street headquarters is outlined in blue on Figure 1 The only exception is a pair of semi-detached dwellings at 16 and 16A Valiant Road, situated on the western side of Valiant Road and facing generally towards Jacobsen Crescent and the most southerly end of the land. These dwellings are situated in the General Neighbourhood Zone.

The land is not used for active or passive recreation purposes but is informally and regularly used by surrounding businesses for employee parking.



Figure 1: Site context. [Source: MetroMaps 5 February 2022]

The land in relation to the Supashock headquarters at the corner of Jacobsen Crescent and Ardtornish Street is shown on the Site Identification Plan attached to this submission.

Rafnix proposes to convert and develop the land into a car park to accommodate required parking for the Supashock premises at 2-6 Ardtornish St, Holden Hill, to facilitate the company's expansion on this site. At least 100 parking spaces will be required to provide car parking for existing and additional staff associated with the proposed expansion on the Ardtornish St property and relocation and growth of Supashock fabrication, light manufacture and assembly operations from Edinburgh to Holden Hill. It is expected that not more than 35 parking spaces can be provided on the Ardtornish site following redevelopment and expansion, resulting in a shortfall of 65 spaces.

Proposed expansion of the Ardtornish Street headquarters is shown on the attached Site Plan prepared by Woolcock Construction.

Two service easements for sewerage purposes are in favor of SA Water. The easements are 3.0 metres wide and run east-west towards Valiant Road and are located at the northern and southern ends of the land. Rafnix would be pleased to consult with SA Water, if Council agrees to further examine the merits of this proposal, to ensure that the agency has no objection to the development of the land for employee parking purposes.

Rafnix will apply for Development Approval to Council for the Ardtornish Street expansion. The 2 applications are linked, with the requirement to secure additional land for carparking contingent on securing Development Approval for expansion at Ardtornish Avenue.

Supashock seeks to expand its fabrication and machining operations to consolidate with its engineering and product development activities in Holden Hill, and to expand its artificial intelligence capability. These initiatives will require an expansion of more than 5000 square metres of Production, Showroom and Office floor space as shown on the Site Plan, as well as additional employment expansion for up to a further 100 employees (from the current level of 65 FTEs to around 165 FTEs).

The company also operates a second site incorporating a final assembly and final testing facility at 40 Cavan Road Dry Creek. The Cavan Road site is required due to the heavy nature of the activity involved and the need for high inwards and outwards traffic flow and overhead cranes. Our large systems, including truck and tank suspension systems and large-scale loading systems, will be consolidated at the Cavan Road site following expansion of the Ardtornish Street premises.

Alternative Sites

Many millions of dollars have been invested into the Ardtornish Street site to make it fit for purpose, for advanced technology research and development. Further substantial investment is now required to accommodate the extensions necessary to grow the business.

There are no privately owned sites within safe and convenient walking distance to the Ardtornish Street headquarters of equivalent size to Allotments 16 and 22 for employee parking purposes. Indeed, the entire Employment Zone at Holden Hill on both sides of the O'Bahn Busway corridor is almost fully developed for industrial and commercial purposes.

It is apparent from Figure 1 that the entire industrial estate west of the O'Bahn Busway corridor is fully developed.

Supashock Background

Supashock is a world class designer and manufacturer of advanced dynamic motion and vibration control systems located in Holden Hill, Adelaide. The Company was established in 2005 with a focus on delivering innovative, high-quality solutions into the international motor sports sector that improve safety and performance. Since that time, the company has developed and patented high-end IP and invested in state-of-the-art computing capability, including advanced engineering and simulation together with artificial intelligence and machine learning, and extensive advanced manufacturing capability. These initiatives have enabled the business to grow its market reach.

The company now supplies advanced suspension and vibration control solutions globally to defence, autonomous vehicles, OEM 4x4 vehicles, mining vehicles and motorsports. Overseas markets represent approximately 80% of Supashock's annual revenue and are expected to grow dramatically with the company recently securing work from Germany, Hungary and Czechoslovakia.

Supashock systems are state of the art and unique, providing bespoke active and passive suspension solutions to applications across a range of industries, with a focus on defence. Our business model involves product development and customisation around patented core technology and know-how followed by prototyping, in-field testing and evaluation, and scale manufacturing.

Supashock is currently perceived as the Global Centre of Excellence for Design and Development of Advanced Vibration Control Systems for Rheinmetall Defence worldwide.

The company currently operates across two sites:

- 2-6 Ardtornish Street, Holden Hill: Head Office with management and administration, procurement, QA, engineering and design as well as maching and assembly. Currently, approximately 65 people work at Holden Hill; and
- 40 Cavan Road, Dry Creek 5094: Fabrication, manufacturing, and assembly of large-scale systems. 20 employees.

The company is seeking to expand the Holden Hill site to focus on precision engineering and design and development of advanced systems, including autonomous systems. This will require additional undercover workshop, showroom and office accommodation which will more than double the floor area current building by around 6,880 square metres including loading bays, as detailed on the attached Site Plan. This building expansion will mean the business will need to use a number of existing employee car parking spaces which in turn will require additional off-site carparking to accommodate the expansion.

Rafnix Pty Ltd (ACN 627195340) ATF The Rafnix Property Trust (ABN 34 128 007 253) is the current owner of the Ardtornish Street property and will be the proponent for purchase or lease of the land facing Valiant Road. Some 5138m2 of the total site undercover area of 5,784 square metres within the Ardtornish Street property is leased to Supashock until 30 April 2024 with further options for extensions to 30 April 2034. The balance of the Ardtornish Street property is leased to Rheinmetall Electronic Systems design and engineering. Overall site use is best described as Research and Development.

Rafnix is the Family Trust of Mr Oscar Fiorinotto while Supashock is privately owned by Mr Oscar Fiorinotto (51%) with Rheinmetall Defence Australia Pty Ltd a minority shareholder (49%).

Rafnix has also leased the separate free-standing Administration Office (646m2) within the Ardtornish Street site to Rheinmetall Electronic Solutions, who also employ around 20 skilled engineers on site.

Car Parking Requirements

The attached Site Plan by Woolcock Construction shows the extensions planned for the Ardtornish Street site. In summary, the existing building of 5,335 square metres will more than double in size, with the addition of a new warehouse of 5,620 square metres, a new showroom of 210 square metres and a new Level 1 office of 1,050 square metres.

The current Ardtornish Street site has undercover facilities of 1175m2 of office area and 4,463m2 of warehouse floor area. Under the previous Development Plan this equates to a requirement of 67 car park spaces - 39 spaces and 28 spaces respectively. There are currently 81 car parks on the Ardtornish Street site.

Supashock has requested Rafnix to deliver an additional 6,880m2 of floor space to enable it to expand its activities on site to meet identified export and Australian orders. This additional floor space will be the subject of a separate Development Application to Council but will give rise to a requirement for additional off street employee parking, bringing the total requirement at Holden Hill to at least 100 spaces to service the expanded development.

Supashock estimates that in building an additional 6,880m2 of floor space, it will only be possible to accommodate 35 parking spaces on the Ardtornish Street site. To make up the shortfall, Rafnix seeks approval to lease or purchase the land at Valiant Road and develop it for off street parking. It is estimated that at least 74 car parking spaces could be developed on the Valiant Road site, with the ability to retain healthy native trees to enhance the environmental condition and appearance of the land.

Allotments 16 and 22 are on the opposite side of the road from 2-6 Ardtornish Street but on a bend in the road where vehicle speeds are slow. Rafnix would be pleased to assist with the installation of a zebra crossing in accordance with Council's requirements to facilitate safe and convenient employee access across Jacobsen Crescent.

Environmental and Interface Impacts

With a combined site area of 3,207 square metres, and the existence of mature trees on the land, the opportunity exists to design the car park to retain at least some of these trees, preferably the eucalypt trees but not the pepper trees which are not native and can be removed. If Council is prepared to progress consideration of the proposal, a Features Survey will be commissioned which identifies where the trees are located, and the carpark will be redesigned accordingly so that as many healthy eucalypt species as possible can be retained and incorporated into the employee carpark design.

If sufficient space is available, it may also be possible to incorporate stormwater detention in association with the retention of native vegetation on any parts of the land not required for employee parking purposes.

The proposal is unlikely to have a negative interface impact because all surrounding properties (other than a pair of semi-detached dwellings at 16 and 16A Valiant Road) are used for commercial and industrial purposes. The southern end of the reserve opposite the semi-detached dwellings (Reserve Allotment 16 at 13 Valiant Road) is the most distant part of the land from the Supashock premises. This end of the site offers the greatest potential to be used for stormwater detention in association with the retention of healthy and mature native vegetation.

Principles Guiding Council's Disposal of Assets

The following addresses Rafnix's response to Council's "Unsolicited Proposals: Guide for Proponents" document.

1 Preliminary Meeting

Supashock's Founder and Chief Executive Officer Oscar Fiorinotto, other company executives and their project team met with the Council's Chief Executive Officer Mr John Moyle, Cherie Gill (Senior Strategy Planner) and Chelsea Tully (Senior Development Assessment Officer) at the Ardtornish Street premises on Wednesday 23 February 2022.

It was agreed at that meeting that the company should formally request Council's consideration of its proposal to lease or acquire 13 & 21-27 Valiant Road Holden Hill for employee parking purposes to underpin the planned expansion of the Ardtornish Street site.

2 Alignment with Council's Strategic Plan and Objectives

Rafnix and Supashock believe its proposal is consistent with Council's Strategic Plan 2025 and in particular Council's aspirations for a strong, vibrant, and prosperous city. This objective is one of the critical "wellbeing pillars" in the TTG Strategic Plan.

Supashock is a rapid growth global company exporting technology products to Europe, the US and Asia. Annualized growth is around 30% pa over the past 3 years and projections are for this to increase further. Employment in the company has grown from 11 people in 2016 to approximately 85 people in 2020. However, the next decade will see employment in the company grow by an estimated 157 new people to around 220 FTEs, making Supashock one of the largest advanced manufacturing employers in the State.

Item 12.1

Attachment 1

Attachment 2

Most importantly, the objective of the proposed site expansion at the Ardtornish Street property that triggers the need for further carparking in the nearby Valiant Road allotments is the need for additional space to accommodate overseas contracts from Rheinmetall in Germany and from an Autonomous Vehicle manufacturer in the US. This expansion will underwrite additional employment on the Ardtornish St site together with additional work in Supashock's local supply chain (of an estimated further 63 jobs in our local supply chain) and hence, contribute to the economic growth and vibrancy in the Tea Tree Gully Council area.

It should be noted that Supashock's expansion objectives clearly align with the SA Government's economic priorities, namely:

- sustainable economic growth.
- focus on the defence industry.
- export market development of 'technology based' competitive products.
- growth of skilled employment.
- partnership with all 3 SA based Universities and the Defence Science and Technology Group; and
- focus on the application of advanced Industries 4.0 technologies in both engineering and manufacturing.

3 Value for Money

Rafnix and Supashock are requesting that Council consider the offer for either purchase or long-term lease of the land, conditional on Council agreeing to support an application to develop the site as a fully functional and secure employee car park for Supashock staff. The proposal is also conditional on Council approval of the proposed building expansion at Ardtornish Street. Rafnix has a clear preference for outright purchase of the property.

Supashock will commission an independent property valuation of 13 & 21-27 Valiant Road. The valuation will be commissioned within ten (10) business days of Council agreeing to enter into exclusive negotiations with Supashock.

The Supashock proposal offers Council the opportunity to turn a negative cost asset in the form of an unused reserve that requires on-going maintenance costs, into a positive revenue stream through payment from Rafnix of either a one-off purchase price or an annual lease payment. If the land is purchased, Council will receive rates revenue from the land based on its improved value.

4 Fair Dealing

Supashock is not aware of any interest from other businesses or groups within the area in the purchase and subsequent development of the land. Importantly, in addition to funding the purchase cost of the land the company will be funding removal of several (and predominantly non-native) trees, leveling and grading of the land, construction of a security fence (mesh weld), and laying dolomite in order to minimize dust and mud. The car park will furthermore be landscaped to ensure that it has an attractive presentation to all public road frontages. It may also be possible to incorporate stormwater detention facilities on the land to manage stormwater runoff from the sealed surface.

Rafnix and Supashock firmly believe the proposed disposal of the reserve allotments will have no negative impact on the community because the land is in an industrial area and zoned Employment. The land is furthermore informally used for ad-hoc parking by employees from surrounding businesses.

6 Probity and Accountability

It is Rafnix and Supashock's understanding that to date, no other surrounding businesses have requested access to 13 & 21-27 Valiant Road.

Rafnix will pay market price for the site, established by an independent, qualified and reputable property valuation company.

7 Opportunities to Enhance the Area

The Valiant Road and Jacobsen Crescent locality currently suffers from traffic congestion due to the high number of cars parked on side streets. Further pressure on street parking because of Supashock's employment expansion will only worsen this situation.

The proposal by Rafnix and Supashock will provide secure off-street parking for at least 74 vehicles on the Valiant Road site in an orderly and well-maintained fashion. The area currently suffers from a lack of adequate carparking and poor representation of certain businesses from a streetscape perspective. The Holden Hill industrial estate is one of the few "industrial" concentrations in the TTG Council area and the proposal by Supashock to expand in this employment hub will further enhance the nature of the Holden Hill estate as an advanced manufacturing, high-value facility, rather than a low-value manufacturing estate.

8 Uniqueness of the Proposal

Supashock has unique assets as a high-value engineering and manufacturing company with globally registered IP and know how. The company operates internationally and exports over 80% of its sales to some 12 countries including Germany and the US. Importantly, Supashock is now a key supplier to global defence giant Rheinmetall Defence as the Centre of Excellence in Advanced Vibration Control Systems for Defence.

The on-site building expansion on Ardtornish Avenue and the acquisition and development of an employee car park at Valiant Road will accommodate substantial new work and significantly increased employment at the Holden Hill premises and within our supply chain. It will furthermore consolidate Supashock's international growth with its Head Office located in the Tea Tree Gully Council area. The company's Head Office will entertain international visitors and national and State political leaders as a showcase for advanced engineering in Australia and internationally.

Item 12.1

Attachment 1

Attachment 2

9 Benefits and Risks to Council

The Rafnix proposal:

- Removes the need for and cost to Council of on-going maintenance of an underused and undeveloped reserve.
- Facilitates the expansion with the significant flow-on employment growth of a major technology-based manufacturing and engineering business in the Tea Tree Gully Council area.
- Will generate growth of over 100 additional jobs on site, accompanied by further growth in our local supply chain of a further 63 jobs in supporting Supashock's expansion. The proposal supports the Council's strategic priority of a prosperous community with access to employment, education and training.
- Removes vehicles from on-road parking, thereby relieving road congestion and enhancing the appearance and functionality of the Holden Hill estate.
- Provides for the retention of healthy native vegetation and if the opportunity exists, the development of a stormwater management and detention system to manage stormwater runoff from the land.
- Has minimal risk given Supashock's record in project management and delivery, and our unique relationship with Rheinmetall.
- The Supashock expansion is being supported by a substantial Commonwealth Government grant that has specific timeframes for the Supashock expansion of capacity and employment at Holden Hill. While this reduces the risk associated with the expansion, it does increase the need for early indication of Development Approval.
- In addition to the investment by Rafnix in the building expansion, Supashock will be investing over $12.4 million over the period to end 2021 to March 2024 on state-of-the-art new capital equipment (robotic cells, CNC machining, additive manufacturing equipment, etc.), high end computing (simulation, virtual reality, CAD, etc.) and training that will see sales grow in response to overseas defence and autonomous vehicle contracts.
- Supashock is a global player in state-of-the-art vibration control and suspension systems for a wide range of industries. Its employees are highly trained and experienced engineers, and the company is fast becoming a skilled engineering hub. Although predominantly in defence and autonomous vehicles, going forward the company is well positioned to participate in vibration control systems for the space industry. Again, this hub will contribute to the profile of the City of Tea Tree Gully as a location of choice for industry.

Item 12.1

CERTIFICATES OF TITLE
AND
DEPOSITED PLANS

Attachment 1

LAND SERVICES SA

Product	Register Search (CT 5274/794)
Date/Time	22/03/2022 01:38PM
Customer Reference	52751
Order ID	20220322007461

REAL PROPERTY ACT, 1886
South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

REGISTRAR - GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 5274 Folio 794

Parent Title(s) CT 3932/197

Creating Dealing(s) TG 7829719

Title Issued 23/06/1995 **Edition** 1 **Edition Issued** 23/06/1995

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF TEA TREE GULLY
OF PO BOX 571 MODBURY SA 5092

Description of Land

ALLOTMENT (RESERVE) 16 DEPOSITED PLAN 9917
IN THE AREA NAMED HOLDEN HILL
HUNDRED OF YATALA

BEING A RESERVE

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED EASEMENT B ON DP 9917 FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Land Services SA Page 1 of 1
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LAND SERVICES SA

Product	Historical Search
Date/Time	22/03/2022 01:38PM
Customer Reference	52751
Order ID	20220322007461

Certificate of Title

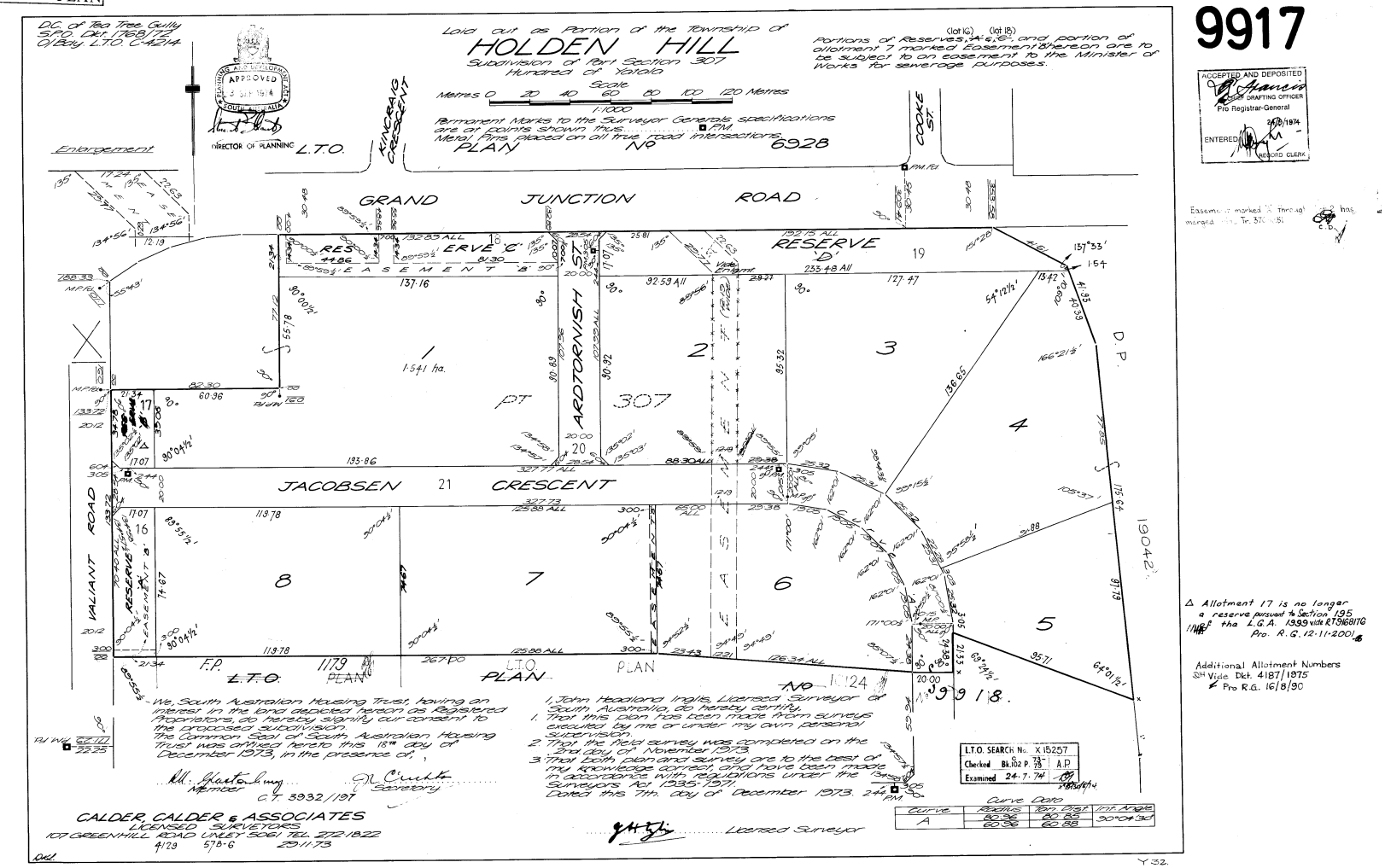
Title Reference:	CT 5274/794
Status:	CURRENT
Parent Title(s):	CT 3932/197
Dealing(s) Creating Title:	TG 7829719
Title Issued:	23/06/1995
Edition:	1

Dealings

No lodged Dealings found.

Land Services SA Page 1 of 1
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LARGE PLAN


9917
HOLDEN HILL
Subdivision of Part Section 307
Hundred of Yatala
Scale 1:1000
Metres 0 20 40 60 80 100 120 Metres
PLAN No 6928
L.T.O.
DIRECTOR OF PLANNING
APPROVED
KINGRAIG CRESCENT
COOKE ST.
GRAND JUNCTION ROAD
RESERVE 'C'
RESERVE 'D'
EASEMENT 'B'
ARDTORNISH ST.
JACOBSEN CRESCENT
VALIANT ROAD
RESERVE 'A'
PT 307
1.541 ha.
1
2
3
4
5
6
7
8
17
16
20
19
21
D.P. 19042
F.P. 1179 PLAN
L.T.O. PLAN No 10124
ACCEPTED AND DEPOSITED
Pro Registrar-General
ENTERED
RECORD CLERK
Allotment 17 is no longer a reserve pursuant to Section 195 of the L.G.A. 1999 vide R.T.5968176 Pro. R.G. 12-11-2001
Additional Allotment Numbers 20H Vide Dkt. 4187/1975 Pro R.G. 16/8/90
We, South Australian Housing Trust, having an interest in the land depicted hereon as Registered Proprietors, do hereby signify our consent to the proposed subdivision.
The Common Seal of South Australian Housing Trust was affixed hereto this 18th day of December 1973, in the presence of,
Member
Secretary
CT 3932/197
I, John Headland Ingle, Licensed Surveyor of South Australia, do hereby certify,
1. That this plan has been made from surveys executed by me or under my own personal supervision.
2. That the field survey was completed on the 2nd day of November 1973.
3. That both plan and survey are to the best of my knowledge correct and have been made in accordance with regulations under the Surveyors Act 1935-1971.
Dated this 7th. day of December 1973.
Licensed Surveyor
CALDER CALDER & ASSOCIATES
LICENSED SURVEYORS
107 GREENHILL ROAD UNLEY 5061 TEL. 272 1822
4/73 578-6 29/11/73
L.T.O. SEARCH No. X 15257
Checked Bk. 102 P. 73/75 A.P.
Examined 24-7-74
Curve Data
Curve | Radius | Arc Dist | Int. Angle
A | 80.36 | 80.66 | 30°04'31"
80.36 | 80.66

LAND SERVICES SA

Product	Register Search (CT 5274/798)
Date/Time	22/03/2022 01:39PM
Customer Reference	52751
Order ID	20220322007503

REAL PROPERTY ACT, 1886
South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

REGISTRAR - GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 5274 Folio 798

Parent Title(s) CT 3932/197

Creating Dealing(s) TG 7829719

Title Issued 23/06/1995 **Edition** 1 **Edition Issued** 23/06/1995

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF TEA TREE GULLY
OF PO BOX 571 MODBURY SA 5092

Description of Land

ALLOTMENT (RESERVE) 22 DEPOSITED PLAN 9918
IN THE AREA NAMED HOLDEN HILL
HUNDRED OF YATALA

BEING A RESERVE

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED EASEMENT B ON DP 9918 FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Land Services SA Page 1 of 1

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LAND SERVICES SA

Product	Historical Search
Date/Time	22/03/2022 01:39PM
Customer Reference	52751
Order ID	20220322007503

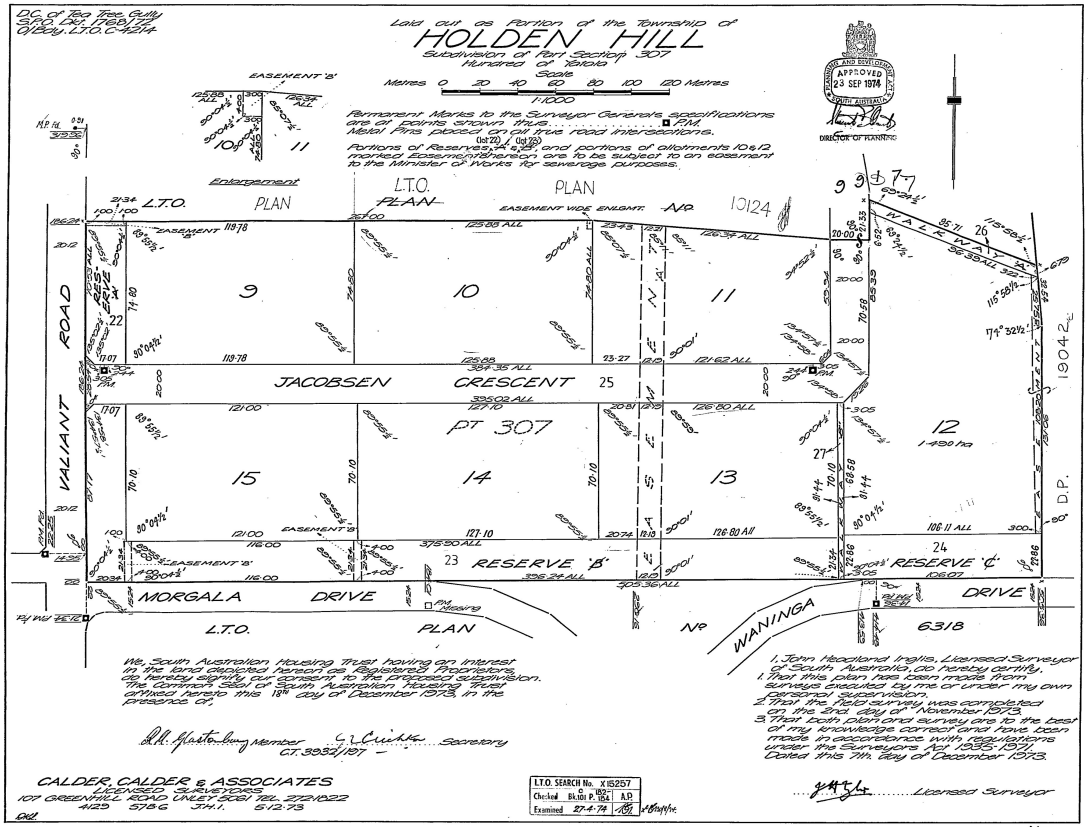
Certificate of Title

Title Reference:	CT 5274/798
Status:	CURRENT
Parent Title(s):	CT 3932/197
Dealing(s) Creating Title:	TG 7829719
Title Issued:	23/06/1995
Edition:	1

Dealings

No lodged Dealings found.

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9918

ACCEPTED AND DEPOSITED
Pro Registrar-General
ENTERED

SITE IDENTIFICATION PLAN PREPARED BY MASTERPLAN



Supashock Headquarters (2-6 Ardtornish Street)

Reserve for proposed employee car parking (indicative carpark layout shown)

Site Identification Plan

13 & 21-27 VALIANT ROAD
HOLDEN HILL

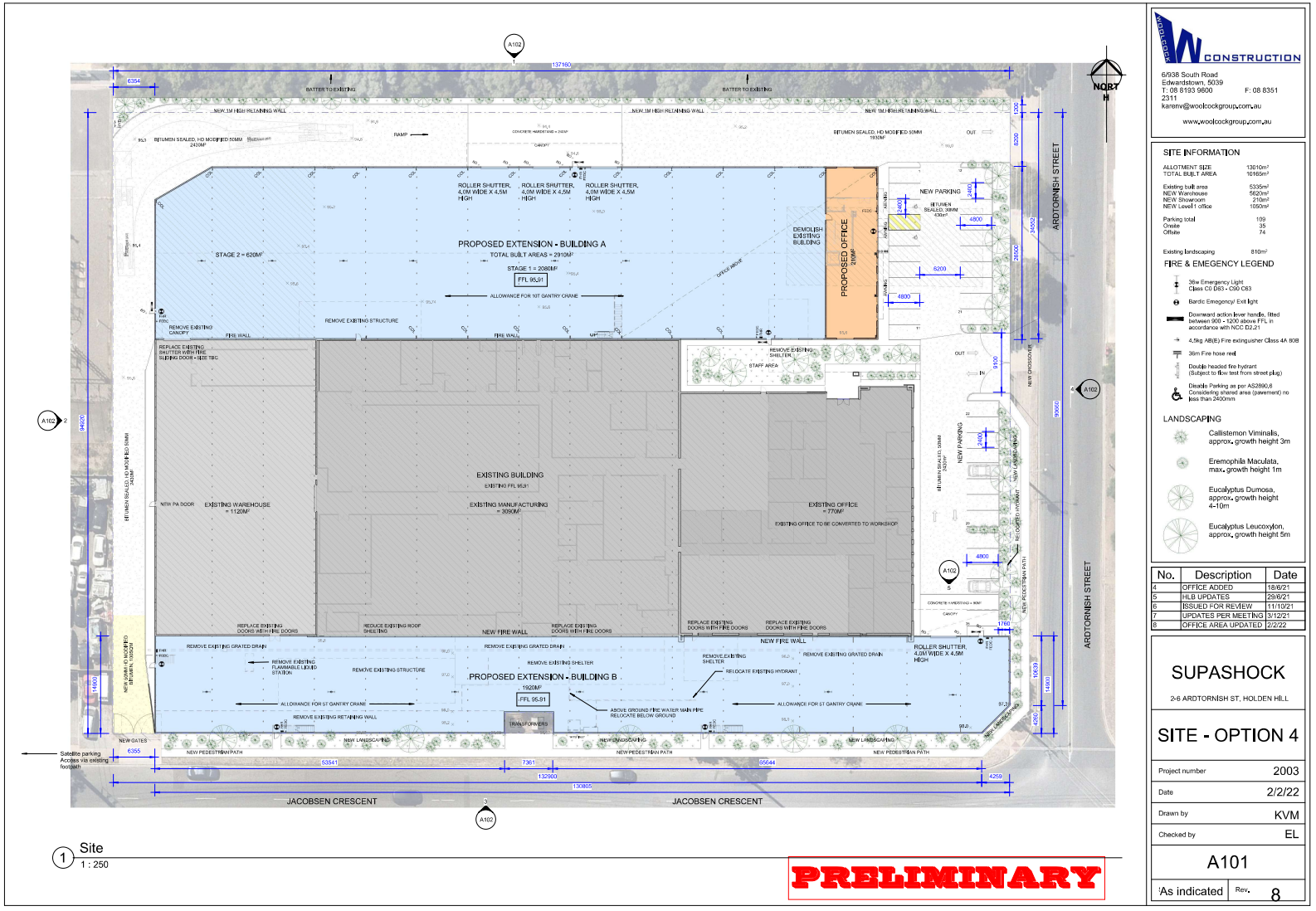
FOR RAFNIX PTY LTD

1:1750 @ A4
0 35m

MASTERPLAN.COM.AU
SA | NT | QLD
© MAR 2022 LS:52751-S1-4A

MASTERPLAN
TOWN + COUNTRY PLANNERS

SITE PLAN PREPARED BY WOOLCOCK CONSTRUCTION



WOOLCOCK CONSTRUCTION
6/938 South Road
Edwardstown, 5039
T: 08 8193 9600 F: 08 8351 2311
karenv@woolcockgroup.com.au
www.woolcockgroup.com.au

SITE INFORMATION

ALLOTMENT SIZE	13010m²
TOTAL BUILT AREA	10165m²
Existing built area	5335m²
NEW Warehouse	562m²
NEW Showroom	210m²
NEW Level1 office	1050m²
Parking total	109
Onsite	35
Offsite	74
Existing landscaping	810m²

FIRE & EMEGENCY LEGEND

- 36w Emergency Light Class CD DB3 - C90 C63
- Bardic Emegency/ Exit light
- Downward action lever handle, fitted between 900 - 1200 above FFL in accordance with NCC D2.21
- 4.5kg AB(E) Fire extinguisher Class 4A 80B
- 36m Fire hose reel
- Double headed fire hydrant (Subject to flow test from street plug)
- Disable Parking as per AS2890.6 Considering shared area (pavement) no less than 2400mm

LANDSCAPING

- Callistemon Viminalis, approx. growth height 3m
- Eremophila Maculata, max. growth height 1m
- Eucalyptus Dumosa, approx. growth height 4-10m
- Eucalyptus Leucoxylon, approx. growth height 5m

No.	Description	Date
4	OFFICE ADDED	18/6/21
5	HLB UPDATES	29/6/21
6	ISSUED FOR REVIEW	11/10/21
7	UPDATES PER MEETING	3/12/21
8	OFFICE AREA UPDATED	2/2/22

SUPASHOCK

2-6 ARDTORNISH ST, HOLDEN HILL

SITE - OPTION 4

Project number	2003
Date	2/2/22
Drawn by	KVM
Checked by	EL
A101	
As indicated	Rev. 8

City of Tea Tree Gully

COUNCIL MEETING

NOTICE OF MOTION

CEO COMMENTS

Rescission Motion - Unsolicited Proposal - Rafnix Pty Ltd (Supashock) - 13 and 21-27 Valiant Road, Holden Hill D22/42148

Policy

The land under consideration is identified as:

- Allotment 16 in D9917 in Certificate of Title 5274/794 (13 Valiant Road, Holden Hill) and
- Allotment 22 in D9918 in Certificate of Title 5274/798 (21-27 Valiant Road, Holden Hill).

The proposal by Supashock is for the construction of a carpark across both parcels of land. Refer Attachment 1.

Both land parcels are classified as community land pursuant to the Local Government Act 1999 (the Act) and dedicated as “Reserve” on the Certificates of Title. More information regarding the site is set out in the Council Report titled “Unsolicited Proposal – Council Reserve – 13 and 21-27 Valiant Road, Holden Hill” dated 12 April 2022, and is included as Attachment 2.

An evaluation against the Principles of Consideration set out in *Council’s Unsolicited Proposals Policy* and the *Disposal of Land and Assets and Acquisition of Land Policy* was included in the Council Report in Attachment 2. Each evaluation considered both the potential disposal and potential lease of the land.

Option 1 - Revocation process – community land classification

Prior to disposal (sale) of community land the community land classification must be revoked in accordance with the statutory procedure set out in Section 194 of the Act. The steps include:

1) Prepare and make publicly available a report on the proposal to revoke the classification. The report must contain all of the following:

a. A summary of the reasons for the proposal
b. A statement of any dedication, reservation or trust on the land
c. A statement of whether revocation of the classification is proposed with a view to sale or disposal of the land
d. Details of any Government assistance received by Council to acquire the land
e. A statement of how the Council proposes to use the proceeds
f. An assessment of how implementation of the proposal would affect the area and the local community.

2) Council must follow the relevant steps set out in its public consultation policy.

3) After complying with the above the Council must submit to the Minister the proposal with a report on all the submissions received during the community engagement process.

4) If the Minister approves the proposal the Council then needs to resolve to revoke the community land classification of the land.

5) The revocation of the community land classification has the effect of removing the "Reserve" dedication. Further to the above steps and contingent upon the outcome of the community engagement process and subsequent Ministerial approval, the Council must then notify the Registrar-General who will make the appropriate amendments to the titles or other public record to remove the dedication.

If Council resolves to proceed with the proposal, it will need to undertake community engagement first. A proposed Community Engagement Strategy is provided in Attachment 3.

Option 2 - Alienation of community land by lease or licence

The Local Government Act 1999 sets out the parameters for granting a lease or licence over community land. In almost all cases Council must follow the relevant steps set out in its public consultation policy.

The exception to this requirement is where the lease or licence is authorised in an approved Community Land Management Plan and the term of the lease or licence is for five years or less. There are also certain exemptions to the requirement for community engagement set out in the Local Government Regulations however these are generally applicable to proposals or projects by Commonwealth or State Government entities.

As the proposal for a car park for the two parcels (identified as O-Bahn Linear Park South) is not currently envisaged within the Holden Hill Community Land Management Plan, community engagement would be required to amend the Community Land Management Plan for the site prior to granting an approval for use of the land for a carpark.

A lease or licence may be granted for a term not exceeding 42 years which may be consecutive or an extension of one or more shorter lease terms. A new lease or licence may be granted at the expiration of 42 years.

Option 3 - Permit under By-law 3 – Local Government Land

Item 4 within "By-law 3 – Local Government Land" sets out the activities that are permitted on Local Government Land where a person must obtain Council's permission.

Administratively the permission is provided through the granting of a permit for short term uses, generally by staff with relevant delegation. An example of this scenario is a permit issued to a utility company requiring a small section of a Council-owned car park to set up for the installation of new infrastructure, usually for a relatively short period of time.

Activities requiring permission as set out in Items 4.4.2 and 4.4.3 within By-Law 3 include:

4.4.2 erecting or installing a structure (including pipes, wires, cables, pavers, fixtures, fittings and other objects) in, on, across, under or over the land; or

4.4.3 changing or interfering with the construction, arrangement or materials of the land;

Irrespective of whether Council chooses to grant a lease or permit, both will require community engagement to amend the O-Bahn Linear Park South section of the Community Land Management Plan: Holden Hill. A draft amended Community Land Management Plan is provided in Attachment 4.

Planning Assessment

On 26 April 2022, Council received an application for Planning Consent from Woolcock Construction (on behalf of Rafnix) for alterations and additions to a Manufacturing and Office Building at the Supashock premises at 2-6 Ardtornish Street, and to establish a car park and removal of Regulated Trees at 13 and 21-27 Valiant Road (the Council reserve site). This application has not yet been formally lodged as the application fees are still outstanding. Following payment of the fees, the planning assessment can commence.

A planning consent under this section 107 of the Act will apply subject to conditions imposed under this Act and prescribed by the regulations or the Planning and Design Code. In this instance the development costs have been identified as $6,500,000.

The subject sites include three (3) non-contiguous allotments commonly known as 2-6 Ardtornish Street and 13 and 21-27 Valiant Road, Holden Hill. 2-6 Ardtornish Street currently supports a single storey manufacturing building with an associated two (2) storey office building to the north. 13 and 21-27 Valiant Road is currently a Council reserve that supports a number of mature and recently planted trees. 2-6 Ardtornish Street (the manufacturing

site) has a size of 1.3 hectares, while 13 and 21-27 Valiant Road (the Council reserve site) is approximately 3,200 square metres in size combined.

The proposed land use of the manufacturing at 2-6 Ardtornish Street will be unchanged as a result of the development. Light industry will remain the primary land use, with associated offices and car parking.

The proposed alterations and additions on site at the main Supashock site can be summarised as follows:

- A total of 5,450 square metres of additional manufacturing space is proposed:
  - Building A: 3,530 square metres; and
  - Building B: 1,920 square metres.
- Use of current office space, totalling 770 square metre gross useable floor area, for workshop in support of manufacturing.
- Demolition of two-storey office building, totalling 700 square metres gross usesable floor area.
- New two-storey office building providing 1,050 square metres gross usesable floor area.
- Removal of one regulated tree
- Reduction in onsite car parking to 34 spaces

The application seeks to establish a 109-space car park and removal of 8 Regulated Trees at 13 and 21-27 Valiant Road (the Council reserve site). A 1.8m high perimeter fence is to be installed, Colorbond acoustic to the southern border and chainmesh to the western and northern borders.

Public Notification for Planning Consent

The sites lie within the Employment Zone and are located approximately 40 metres to the south of the Suburban Activity Centre Zone and General Neighbourhood Zone. The proposed development will require public notification given its proximity to the adjoining residential zones. An owner or occupier of each piece of adjacent land and members of the public may make representations to the relevant authority in relation to the granting or refusal of planning consent.

Relevant Authority

The Council Assessment Panel (CAP) endorsed the original set of delegations under the Planning, Development and Infrastructure Act 2016 ('the Act') at its 16 February 2021 meeting.

These delegations reflect the scope of the CAP as a relevant authority under the Act, and includes sub-delegation of certain matters to the Assessment Manager.

The Act in itself does not anticipate delegation from the Assessment Manager to the CAP, so further instruments of delegation are necessary where, in special circumstances, the Assessment Manager has determined that the matter needs to be considered by the CAP.

Ordinarily, this application is to be assessed with the Assessment Manager as the relevant authority if no representations are received, however the Panel will be requested to accept the delegation for the application as it is considered to be of political interest. In particular:

- Council is the land owner of 13 and 21-27 Valiant Road, Holden Hill (the Council reserve site) which forms part of this development.

It is considered prudent for the matter to be assessed by the CAP as an assessor independent of the Council.

Development Authorisation

As subject sites include three (3) non-contiguous allotments commonly known as 2-6 Ardtornish Street and 13 and 21-27 Valiant Road, Holden Hill, Planning staff will need to give consideration how the proposed carpark will remain associated with the proposed development at 2-6 Ardtornish Street.

Council's understanding and expectation would be that the use of the reserve is to be conditional on development of this proposal outlined by Rafnix. It is recommended that in order to mitigate potential risks of the land being used for purposes other than this proposal, special conditions of contract for sale should be pursued to ensure the development of the land proceeds as proposed, and to ensure that if the development does not proceed in accordance with Council's agreed expectations, the land will revert back to Council's ownership without financially disadvantaging the Council.

Risk

Elected Members visited the Supashock site on Tuesday 31 May 2022 to hear first-hand from the Chief Executive Officer of Supashock, Mr Oscar Fiorinotto of the development of the company and its future direction.

There is a risk in being able to finalise any community land revocation process within the caretaker period which is why the options of a short-term lease or a permit are being put on the table i.e. to allow the short-term development of the carpark until the Minister endorses the revocation proposal, should it advance to that stage.

Some concerns have been raised about the ability to link this proposal with the main site of Supashock at 2-6 Ardtornish Street, Holden Hill. Advice has been sought and it is summarised as follows:

Sale

In the event that Council goes down the path of revoking the community land status of the Carpark Land and selling it to Supashock, then the first thing we would note is that it will not be possible to restrict Supashock from selling the Carpark Land in the future once they own it freehold.

However, there are ways that Council can achieve its desired outcome of stopping Supashock from subsequently disposing of the Carpark Land to a third party and compromising the planning approval for the Supashock Land.

Firstly, as you have pointed out Council could negotiate an option to purchase to be granted to Council at settlement. This would be done by the parties entering into a separate deed that is executed contemporaneously with the subject contract of sale. The deed would set out that if Supashock ever wished to dispose of the Carpark Land, Council would have the first option to purchase the land on agreed terms (usually for market value). The contract of sale for the disposal of the Carpark Land would reference this deed. The deed would be drafted in such a way that the option only triggers if Supashock is looking to dispose of the land (they would need to notify Council).

In order to protect the right granted under the deed, Council would lodge a caveat on the subject title at the time of settlement (the option to purchase is a caveatable interest) – this would also be a special condition under the Contract of Sale. That way, Supashock would not be able to dispose of the land before first dealing with the caveat on title.

Strictly speaking the above method does not connect the Carpark Land and the Supashock Land, but it does achieve what Council is trying to achieve. The disadvantage with it is that Council has no control of the timing and could find itself in a position where purchasing the land has not been budgeted for and is not palatable to the council at that point in time.

In addition and for an added layer of security, Council could arrange for an encumbrance or Land Management Agreement (LMA) to be registered on the Carpark Land at settlement. An LMA (essentially a form of encumbrance) pursuant to the Planning Development and Infrastructure Act 2016 is appropriate here as it relates directly to the development and management of the land given the Carpark Land is linked to the DA for the Supashock Land. Alternatively an encumbrance could be registered on the title as part of the sale.

Either an encumbrance or LMA would restrict the future use of the Carpark Land, and once registered on title would run with the land and bind any future owners of the Carpark Land.

The encumbrance or LMA would be drafted similarly to the Permitted Use described for the lease above, i.e. the Carpark Land must be used for the purpose of overflow carparking for the site located at 2-6 Ardtornish St, Holden Hill SA 5088.

By also registering an encumbrance or LMA on title, Council would be ensuring that it retains control over the use of the Carpark Land if somehow Supashock were able to dispose of it to a third party without Council's consent or first option (highly unlikely).

The above is a high level overview of options to Council, all of which would require carefully drafted legal documents to give effect to them.

It is the recommendation of these comments that should Council support the sale of the land after Community Engagement then both options should be pursued jointly by Council to ensure the desired outcome is met. That is:

1. A Deed – to ensure Council has a buy-back option. This is reasonably flexible but is subject to Supashock accepting such a Deed. The buy-back option could take many forms but one that comes to mind is:

- If Supashock ceases operations on their primary site of 2-6 Ardtornish Street, Holden Hill then Council has the option to buy back the land for a $1 in the first 5 years and then after 5 years it could be at Market value or increasing to market value over a period of time. This would ensure the land is used for its intended purposes or it reverts back to Council. If it was to revert back to Council's ownership, Council would have the option to leave it as a public car park for the industrial area or require Supashock return it back to open space.

2. A Caveat – a tool that that ensures the Deed has to be dealt with prior to the land being disposed of.

The Advice also mentions the Land Management Agreement (LMA). This is a tool that Council could use to ensure the car park land is linked to Supashock's primary site. This is something that Council would implement at the time of approving the car park and the approval for the loss of car park and increase in operations on the primary site. This is to be addressed when any development approval is being considered.

The options of deeds, caveats and LMAs are not required to be dealt with now prior to community engagement, only something for Council to be aware of as options should Council resolve to proceed after community engagement.

Financial Implications

The cost of community engagement is to be met by the applicant.

Should Council proceed with any lease or disposal of the land, market valuations are recommended to be relied upon for the agreed value.

Other Information

A site plan is provided for further clarification:



Internal Consultation to CEO Comments

The following staff have been included in the consultation process in the preparation of this Report.

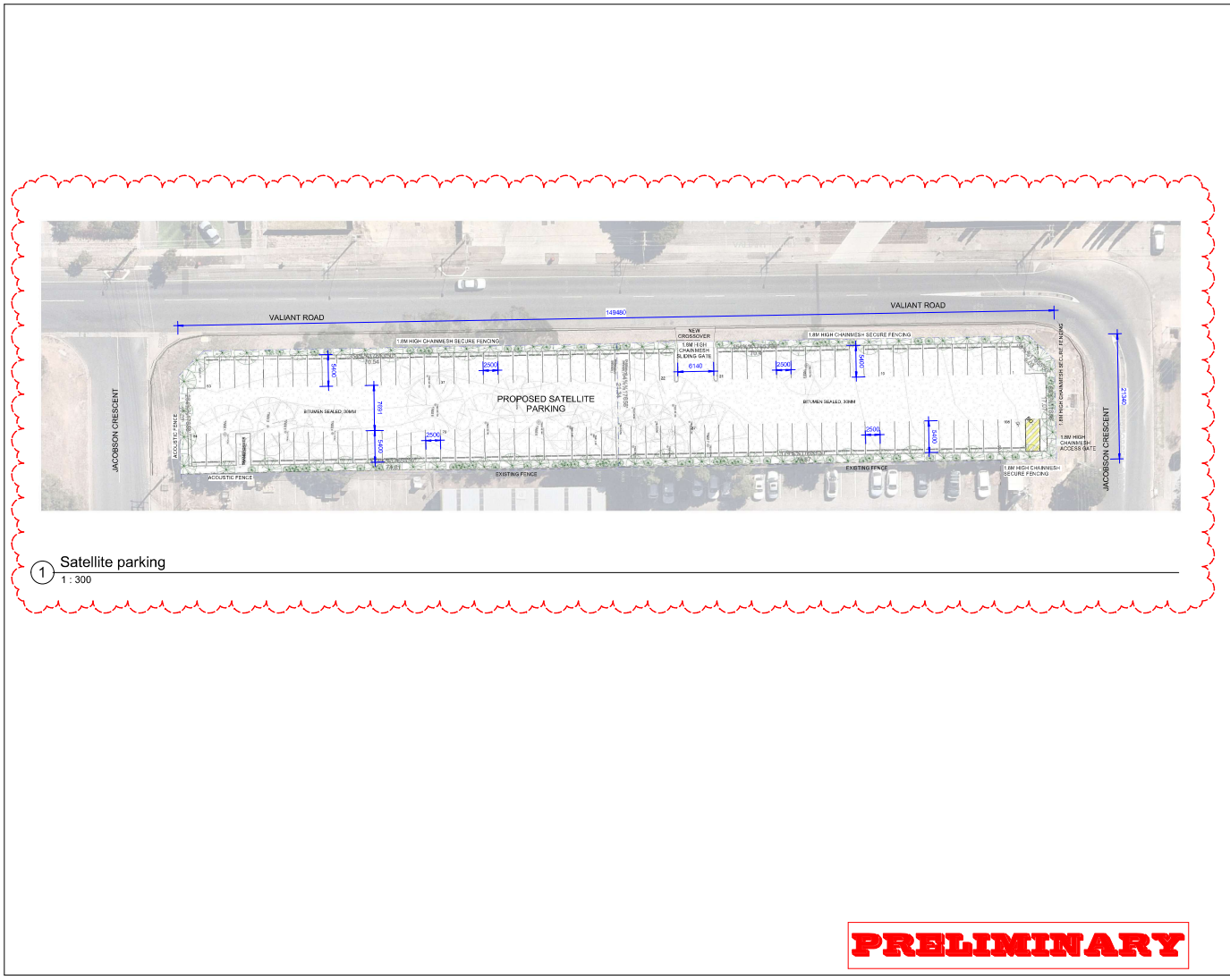
Name	Position	Consulted about
Ingrid Wilkshire	Manager City Strategy	Community Land Process
Rosa Gagetti	Property & Projects Facilitator	Community Land revocation process Community Land Management Plan
Nathan Grainger	Manager City Development	Planning considerations
Deana Taglierini	Governance Advisor	Motion to variation wording

Attachments

1. Proposed Carpark Plan - 28 March 2022 345
2. Council Report 12 April 2022 346
3. Draft Community Engagement Strategy 390
4. Amended Draft Community Land Management Plan: Holden Hill 398

Report Authorisers

Rosa Gagetti Property & Projects Facilitator	8397 7279
Nathan Grainger Manager City Development	8397 7200
Ingrid Wilkshire Manager City Strategy	8397 7292
John Moyle Chief Executive Officer	8397 7201



CONSTRUCTION
6/938 South Road
Edwardstown, 5039
T: 08 8193 9600 F: 08 8351 2311
karenv@woolcockgroup.com.au
www.woolcockgroup.com.au

LANDSCAPING

- Callistemon Viminalis, approx. growth height 3m
- Eremophila Maculata, max. growth height 1m
- Eucalyptus Dumosa, approx. growth height 4-10m
- Eucalyptus Leucoxylon, approx. growth height 5m

No.	Description	Date
2	HLB UPDATES	29/6/21
3	SATELLITE PARKING INCREASED	23/2/22
4	SATELLITE PARKING UPDATED	28/3/22

SUPASHOCK

2-6 ARDTORNISH ST, HOLDEN HILL

SATELLITE PARKING - OPTION 4

Project number	2003
Date	28/3/22
Drawn by	KVM
Checked by	EL
A104	
As indicated	Rev. 4

PRELIMINARY

REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION)
RESPONSE TO COMMUNITY COMMENTS - SUPPORT AND OPPOSE

	Why do you say this? Please provide comments explaining your response.	**Staff comment**
1	Proposed idea carpark space will cause neighbourhood annoyance, excess traffic flow and noise pollution. Should the plan go ahead you will also have individuals loiter the compound pace possibly conduct illegal activities. There's plenty of vacant land available along Grand Junction road for Supashock proposed idea, please look into this land and advise all Holden Hill resident as to why you would reject abundant land space for Supachock proposed idea.	Issues raised are considered valid. Traffic movement and noise would be assessed as part of the development approval process pursuant to the Planning, Development & Infratructure Act, Planning & Design Code and the Environment Protection (Noise) Policy 2007. The vacant land referenced by the respondent could be the detention basin located at 962-974 Grand Junction Road Holden Hill. Use of this land for car parking associated with the Supashock expansion project has been explored and considered inappropriate due to the need for stormwater management and the cost involved to modify the basin.
2	I drive past this land on a regular basis and can attest that it is not being used in any capacity. I would be more than happy to see the space be used to positively support a local business.	Noted
3	Any destruction of the buffer around Jacobsen Crs is NOT OK. The crash repair place adjacent to the proposed car park already use much of it as a car park and the wreckers opposite park unregistered cars all over the place (there are currently 4 on the street), plus the training facility opposite Ardtornish which has no where near enough parking, creating congestion. Something needs to be done to control those before turning the verge into a private car park which can only make matters worse, and see cars encroaching on local residential streets, many of which have already become dangerous as council has approved so many subdivided blocks, forcing excess cars to park on the streets (Avocet ave is a particularly good example of a now dangerous road)	Comments are noted. Some of the issues raised may be as a result of historical planning decisions. The proposed carpark is intended to accommodate car parking requirments for the Supashock expansion and would relieve parking pressure on nearby streets, notwithstanding its location.
4	It is the I only green space we have near by. Green spaces are needed for mental health.	Noted. Almost 1 hectare of reserve is located to the immediate south of 21-27 Valiant Road at 3-23 Morgala Drive, Holden Hill and provides green space. Attention to the replacement of trees, other vegetation and the design of the carpark could also alleviate the concern regarding loss of 'green space'
5	Jacobsen cres is used as a slip lane by traffic trying to avoid the traffic lights at the Grand Junction rd intersection. this is an extremely busy road during the day . I believe the proposed car park with up to 100 cars daily will make the situation worse and dangerous as vehicles take the bend in the road very fast. Although there are factories around this precinct and we have been here for over 20years there are residents along Valiant Road also school children use the paths. Using vacant land for car parks is not in everyone's best interest. I'm surprised council are even considering it. At the very least a traffic survey needs to be completed to see how the road is used during business hours.	Noted. The issues raised would be addressed during the development assessment process pursuant to the Planning Development & Infrastructure Act 2016, Planing & Desig Code and Environmental Protection (Noise) Policy 2007 inlcuding a traffic survey as required.

	REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION) RESPONSE TO COMMUNITY COMMENTS - SUPPORT AND OPPOSE	
	Why do you say this? Please provide comments explaining your response.	**Staff comment**
6	The noise is the suburbs does not need to increase, does Holden Hill need to industrial	Change in zoning requires a Code Amendment process and is subject to extensive investigation and Ministerial approval. The Supashock expansion is subject to assessment under the Planning and Design Code SA.
7	This is a drastic reduction in green space - the proposed plan is almost 100% bitumen.	Noted. Currently there is approx. 3.3 hectares of 'green space' in the area. The potential removal of the two reserves results in approximately 10% reduction in open space. See Worksheet 2
8	This area is already congested and full of cars as it is. The idea of having another 100+ cars coming in and out of the area where my family drives daily, further affecting traffic flow, sounds horrendous! Also, the greenery is a nice barrier between the houses across the street and the commercial side of the suburb. Please do not do this to those residents and their families! It would affect the noise levels and the traffic, especially getting in and out of the suburb safely. Why would you even allow/consider greenery to be removed for a fenced pile of concrete? I do hope residents speak up and block this atrocious plan.	Noted. Additional trees are proposed to form a buffer between the carpark and the road pavement in Valiant Road. Issues raised (traffic flow, noise levels and safe movement) would be subject to an assessment during the development approval process pursuant to the Planning Development & Infrastructure Act 2016.
9	South Australia's economy has the complexity of a third world country. We need to do everything we can to support sophisticated local manufacturers that are growing and creating jobs.	Noted.
10	That area of valiant road is very industrial, the parklands provides greenery and breaks up the industrial section of holden hill from the residential area. Unless the carpark was aesthetically designed with substantial greenery surrounding the carpark - the poor residents on that street will have nothing to block them from the sight and sound of noisy cars.	Noted. An aesthetically designed car park is possible and could be emphasised or be a condition of lease/permit/sale.
11	The current reserve on Valiant Road is used by several of our staff members each day on lunch time walks around the area. I also believe the reserve positively contributes to the look and feel of the area.	Noted
12	We require more industry to expand or move to the area. This will increase the employment prospect for residents.	Noted
13	Supashock are expanding and creating more industry within our are …	Noted
14	Go for it! It's a useless parcel of land atm. Why not get some quid for it, encourage a good business's growth and keep moving ahead.	Noted. Suitable and sustainable economic growth forms part of Council's strategic plan.
15	adding a fenced off car park along Valiant road will create an eyesore to the landscape of the street. i strongly oppose to the current design. i am not opposed of the use, however i would recommend council retain ownership of the land and create a car park space that will be better designed to the community of the local area. Not singular use for this business to solely own and use.	Noted. Council could influence the design of the carpark, however it is not considered appropriate for Council to convert the land to a carpark without undertaking further research and a cost benefit analysis.

	REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION) RESPONSE TO COMMUNITY COMMENTS - SUPPORT AND OPPOSE	
	Why do you say this? Please provide comments explaining your response.	**Staff comment**
16	Great that a business has considered expansion and about carparking. Too many decisions made at the moment do not consider infrastructure especially parking. The area will not affect residents as it is commercial and the land parcel an ideal spot for extra parking.	Noted.
17	There is not enough open spaces here and it's like the old song. Take paradise put up a parking lot. The concrete and asphalt has to stop . This is a nice little park area not parking area	Noted
18	Council continues to sell off land for short term gains. This land should be revegetated.	There are no immediate plans to revegetate the area.
19	Thank you for the opportunity to raise my very strong objection to the proposed change from Community Land to land available for purchase by Rafnix Pty Ltd. My objection to the proposal to develop this natural strip of vegetation into 100 car parks is based on: Proposed change to land identified in survey from xxxxxxxx to xxxxxxx Lots of new residential developments in HH as part of urban renewal. These home owners would be dismayed at the continuing overdevelopment of commercial interests. Time to reconsider. Objections based on: 1. In these times of diminishing AMENITY regarding natural vegetation for local residential property owners, including those on Valiant Road, Morgala Drive, Avocet Ave and residents within Holden Hill this proposal has the potential to adversely affect residents of this area. 2. The potential loss of this vegetation is more than likely to increase HEAT levels in this local area. Enough progress on tracking the impact of climate change has been documented in recent years for all Council Members to make the connection between hard, reflective surfaces and rising temperatures.	1. Concerns regarding amenity and that the existing buffer provided will be removed due to the proposed carpark. Comment: The proposed carpark would not remove the buffer function currently in place, ie a formalised carpark with water sensitive design principles applied and a row of suitable trees on the perimeter abutting Valiant Road may strengthen the function of a buffer. 2. Potential loss of vegetation It is proposed to replace the trees and vegetation that would need to be removed to accomodate a carpark area. The trees and vegetation would be carefully selected to create a buffer on the perimeter of the carpark (abutting Valiant Road and Jacobsen Cres) and could lead to a more superior outcome than currently exists. The concern regarding the heat island effect is noted and is considered valid and persuasive. Council is in a position to require the proponent to install water senesitive urban design systems to reduce the heat effect. This could be achieved by creating shade, coating asphalt with reflective surface sealants, use of permeable paving.

	REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION) RESPONSE TO COMMUNITY COMMENTS - SUPPORT AND OPPOSE	
	Why do you say this? Please provide comments explaining your response.	**Staff comment**
19	3. The aerial map enclosed shows the importance of the area as a wildlife corridor enabling small animals, birds and insects to move from one area all the way through to the O'Bahn Linear Park South (226). Looking closely you can see the line of vegetation for this corridor. Overall, I have little confidence in the capacity of Council Members to adequately weigh amenity issues against commercial development interests as previous efforts to seek responses from a ward councillor were never followed through. I can always hope with renewal of some Council Members that the adverse impact on residents and the growing impact of climate change on all of us might give Councillors some pause for thought. My suggestion is that Rafnix Pty Ltd should be encouraged to seek solutions that don't destroy what little natural environment remains and perhaps reevaluate potential opportunities along Grand Junction Road.	3. Interruption to linear park and wildlife corridor The Valiant Road reserves are part of the O-Bahn Linear Park South and are situated at the commencement of the linear corridor. Strictly speaking the conversion of the reserves to carpark is unlikely to interrupt the the movement of wildlife as the two reserves are at the beginning or end of the linear trail. In addition it is proposed to include trees at the perimeter of the carpark and to some extent, this should assist in maintaining the corridor for birds and other wildlife. Rafnix (Supashock) has explored other options for the carpark along Grand Junction Road. The carpark is required to be in close proximity to the development site at 2-6 Ardtornish Street and investigations revealed there is no suitable land on Grand Junction that meets the required criteria.
20	1. In these times of diminishing AMENITY regarding natural vegetation for local residential property owners, including those on Valiant Road, Morgala Drive, Avocet Ave and residents within Holden Hill this proposal has the potential to adversely affect residents of this area.	The carparking numbers and off-street carparking are requirements of the Planning and Design Code SA
21	While this land is 'undeveloped with natural grasses, one regulated tree and other small trees and shrubs, and is not used for active or passive recreation' BY HUMANS, it is still an established and meaninful ecosystem for insects, birdlife, reptiles and possums etc. I am sick of paying my council fees to a local govement agency that continually interferes with the ability and rights of an ecosystem and natural communities right to exist and flourish and my right to be surrounded by nature. I am sick of green space being taken away and turned into concrete jungles. The worth of the space should not be limited to your defintions of value. Why cant the existing carpark area at supashock be developed to be multistore on the current footprint?	Concerns regarding the impact on fauna are noted. The planting of suitable trees and other vegetation could alleviate these concerns. Multistorey carparking at the Supashock development site has been considered and there are constraints due to the high voltage power lines requiring clearance.

REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION)
RESPONSE TO COMMUNITY COMMENTS - SUPPORT AND OPPOSE

	Why do you say this? Please provide comments explaining your response.	Staff comment
22	My family and I ride our bikes along this part of Valiant Road many times a week to access the Obahn path. We have been happy to notice that Council has planted trees around the area. The thought of most of the trees in this reserve being removed to built a carpark is concerning , would create a heat island with limited places for birds, more storm water run off and would go against the point of the new tree plantings in the area. It would also bring a lot more traffic to a relativly small but busy road that connects to a residential area. If Supashock need so much extra space due to rapid growth perhaps they should move to a larger location or build a multi story carpark as it may only be a matter of time before they require more parking in more reserves.	Concerns noted. Trees are proposed for the perimeter of the carpark to act as a buffer and habitat for fauna. Appropriate stormwater management techniques would be included in the design of the carpark with Council (as property owner) requesting that Water Sensitive Urban Design principles be applied and implemented. Traffic management and movement would be assessed as part of the development approval process pursuant to the Planning Development & Infrastructure Act 2016
23	I am not concerned about the lease/sale of land but am concerned about the impending use of the land, when sold. A car park means more road traffic for Valiant Road.	It is expected that increased traffic would occur as a result of a carpark being constructed as proposed. Management of this increase would be addresed during the development assessment process.
24	I believe we have more than enough concrete and tarmac in that locality, by adding more will only increase the local area temperature. This is the last thing that is needed in the the North East of Adelaide especially as summer temperatures are increasing. Council should be working with the business to find an appropriate area to assist their expansion that promotes the growth of plants that encloses/captures the facility to neutralise the business environmental footprint, not put down a carpark that covers the natural ground. The only benefit I see to this proposal is to increase council revenues with no respect to the environment and those that have to live in the area for the future. I understand business is extremely important to the local area and to provide employment but lets look at how we can do it without more concrete or bitumen.	If the sale of the two reserves was to proceed Council would seek market value for the land. Susbequently the land would be rateable and Council would receive annual rate revenue. Careful consideration is being applied to ensure the construction of the carpark is underpinned by environmentally friendly principles and principles of water sensitive urban design.
25	The City of Tea Tree Gully is selling off bits of land left right and centre. Once it has been sold and turned into a carpark, there is no getting it back. This is a short-term gain for long-term pain. You're already getting large returns from rates and the division of land, please leave public spaces alone!	Since 2003 Council has added 36.4 hectares of land to its land supply and disposed of 8 hectares. This equates to a net gain of 27.7 hectares.
26	Growth of the Supashock business will support growth in the area.	Noted. The unsolicited proposal document submitted by Supashock indicates the proposed expansion will result in up tp 100 additional employees.
27	Rafnix Pty Ld/Supashock employees help in the growth local business in the area. Too many people parking on the streets is not safe and good for local businesses.	Noted, response is in support.
28	I am currently employed by Supashock and having a designated parking area would greatly exist with the expansion of the company. This would allow our currently inadequate parking lot to be converted into additional production space.	Noted concern about current inadequate carparking.
29	Land currently in unkept state, could do with development and updated greening. Trees to be kept.	Noted, in support provided trees are retained.

	REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION) RESPONSE TO COMMUNITY COMMENTS - SUPPORT AND OPPOSE	
	Why do you say this? Please provide comments explaining your response.	**Staff comment**
30	Supashock is a great business to work for and expanding their business/carpark will provide jobs and life to the TTG community now and in the future.	Noted.
31	Supashock has extremely high Environmental and Community values thus will do the right thing by the Community in the design and manufacture of the new Car Park	Noted.
32	the expansion increases employment opportunity's in the area	Noted.
33	Expansion of the organisation would benefit the community	Noted.
34	Area will be a helpful space for employees who work in the area, trees and greenery will still be retained, and cars will not be parked on the roads but will have a designated space.	Noted.
35	As an employee of Supashock, I know there is a strong pipeline of work coming for the organisation, and Supashock is set to expand considering. Therefore it justifies the need for additional parking spaces.	Noted.
36	The land is being sold for Businesses Development. This will give more career opportunities to the community. Growth, wealth and health are the basis for a prosperous community, thus I strongly support the sale.	Noted.
37	I think that the public transport facilities in the area are not adequate enough for staff to take cleaner transport options. Also, if the sale does not happen, many staff will need to park around the surrounding streets and narrow existing roads	Noted concern for on street parking if expansion occurs without parking. This is unlikely to occur and would lead to either the expansion not occurring or an alternative site for the expansion or the carpark site.
38	Because we will need a carpark as there is minimal/no parking available currently	Noted. Additional carparking on site is required for the development expansion.
39	The business is planning to expand greatly and acquire more staff. Already the parking lot in Supashock is quite packed and the other businesses also have trouble with parking, resulting in much of the street to be filled with cars parked on the side (come have a look during a workday).	Off street parking requirements and vehicle movement will be assessed during the development approval process proposed by Rafnix (Supashock).
40	to ensure additional cars are not added to the already congested on-street parking	
41	The land is currently nor used neither nice to look at. Why not use it for something useful?	Noted. The two reserves are maintained in a natural state
42	Due to expansion of business, we need more parking space	Noted. The proposed carparking area is required for the proposed expansion at 2-6 Ardtornish Street Holden Hill
43	Helps to expand the parking area	
44	Some concerns with the possibility of 100 extra vehicles as this could cause time delays for our vehicles to exit Jacobsen Cres. Essential Services would be delayed during start times and finish times of 100 extra Supershock employees due to SA Power Networks EWP's stuck in traffic at exits to Grand Junction Rd, North East Rd & Valiant Rd.	Traffic and vehicle movement impacts will be assessed during the development assessment and approval process.
45	For a business expanding I am happy to have them expand, the land is surrounding is currently industrial so I support the sale to continue local manufacturing in the area	Noted

	REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION) RESPONSE TO COMMUNITY COMMENTS - SUPPORT AND OPPOSE	
	Why do you say this? Please provide comments explaining your response.	**Staff comment**
46	It will be great for the expansion of a local company	
47	The safety, comfort and parking accessibility of the employees working at Supashock are necessary therefore i support the the proposed sale of reserved land on valiant road	Noted
48	Because I work in this company	Noted
49	This area is too difficult to find a parking space. There are many business facilities here and many many workers are looking for a parking lot. I hope Council could build more parking facility as soon as possible.	Noted
50	Will allow Supashock to expand their facilities to greater support the Australian defence industry.	Noted
51	To Provide an expansion and allow more jobs to be created.	Noted
52	I work for Supashock and therefore will be directly affected by the additional car parking space. I also live in the area and I don't feel as though expanding the industrial use that is already adjacent to that particular area would have much of a negative impact on the aesthetic or atmosphere in that limited location.	Noted.
53	we do not want 100 employees park on the street, it will not help businesses in the area. clients would not have space to park as well. more than 20 businesses and more than 300 employees will be upset with the council.	Noted. Parking requirements would be assessed during the development approval process
54	'Clarification is required for the following: - what hours will they be operating (i.e. 9am -5pm?) - what shifts (if any) will be be operating once production has been ramped up? - With the added (potential) 100 staff carpark along 21-27 Valiant Road, have plans been put in place for the added environmental noise /additional traffic impact to the locals living along this stretch of Valiant Road been given. i.e. staff be advised they are only to enter/exit said Valiant Road Carpark via Grand Junction Road then Jackobson Crescent avoiding Avocet Street /Valiant Road /Morgala Drive due to excessive heavy vehicle usage and vehicle noise already being experienced and lack of management by council? - The current trees planted by Council numerous years ago along said proposed sale of reserve land hide the existing buildings and lends to the streetscape not looking like an Industrial Area. With the proposed development of the carpark and removal of these trees, the preliminary drawing appears to only indicate singular trees being planted which will not provide the same visual effect as current but will leave the buildings behind highly visible from Valiant Road being aesthetically displeasing. - What security measures will be put in place to ensure local residents are not impacted by theft with the proposed carpark?	These matters would be assessed during the development approval process, pursuant to the Planning Development & Infrastructure Act 2016. Security - theft and vandalism are matters for police attention, however crime prevention through environmental design matters would also be assessed during the development approval process. Relevant conditions could be included as part of the approval (if granted)

	REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION) RESPONSE TO COMMENTS - SHORT-TERM PERMIT OR LEASE	
	Do you have any comments about the possible granting of a short-term permit or lease (and potential amendment to CLMP)?	**Staff comment**
1	I would advise against any permits. Supashock is beyond just engineering and manufacturing company. They are umbrella secret service surveillance team and any permits will grant them more unwarranted surveillance.	Noted. Information available indicates that Supashock is a manufacturing company producing vehicle related products.
2	That's a big NO	Noted.
3	A short term permit should not be granted, on the grounds that they don't normally get overturned , seems that its only in the council best interests for that to happen.	A short term permit or lease would be granted subject to conditions and would be for the medium term. It is intended to facilitate the project as Supashock's condition of Commonwealth Funding is to commence construction by November 2022.
4	Don’t cash grab, keep some green in these suburbs, please!!!	Noted. A landscaping plan would include at least replacement trees and vegetation but it is anticipated the result would be for more trees and vegetation in a planned manner.
5	I am 100% against this idea. They should have considered their parking needs before moving into the area.	Noted, the expansion is as result of a contract awarded to Supashock in recent years and after the company established operations in Holden Hill.
6	Nothing specific	
7	There’s no reason to short term lease unless there is a forward sale. The park would still need to be pulled up and replaced for carparking for it to be usable to the company.	Noted and this is correct. The permit or lease would be granted to allow construction of the carpark pending potential revocation of the community land status prior to sale.
8	I’m happy for a short term lease or permit if required	Noted.
9	opposed to the sale of the land and rather council considers to retain this for the local community and better use.	Noted. The Supashock expansion would not be able to proceed without adequate carparking spaces.
10	Do not agree	Noted
11	It seems from your question that you have already decided to turn the nature reserve into a car park. No lease or permit should be granted as there is no approval for a car park. You should not change the CLMP.	Noted. Council will consider community views on the matter prior to making a decision regarding granting a lease or licence for the construction of a carpark associated with the Supashock expansion.
12	this council has no committement to re-greening the space and planted non natives (jacaranda) along valley road without considering native options with low root systems such as lillie pillies or even fruiting trees i.e. apples/pears which could assist people whom may need access to food, you really have little consideration for people or nature	Noted. The community was invited to have a say regarding a potential carpark on two reserves in Valiant Road, Holden Hill.

	REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION) RESPONSE TO COMMENTS - SHORT-TERM PERMIT OR LEASE	
	Do you have any comments about the possible granting of a short-term permit or lease (and potential amendment to CLMP)?	**Staff comment**
13	No carpark, no lease.	Noted.
14	No regarding the short-term permit or lease. My concern is regarding the additional traffic that will most likely result from the expansion of the said company. There is already a high use of Valiant Road by locals but especially non-local traffic seeking to avoid North East Road. Around peak times the road is very busy, intersections at Valiant/Lowen Streets and Valiant/Avocet Streets and Valiant/Southern Terrace are congested. There is one round about at Valiant/Avocet Streets only. Traffic is noisy and busy. Cars are often driving well in excess of the 50km/hour limit. I believe Council should consider traffic management along Valiant Road - speed humps or additional roundabouts, esp at either Lowen Street and/or Southern Terrace.	Issues raised are considered valid. Traffic movement and noise would be assessed as part of the development approval process pursuant to the Planning, Development & Infratructure Act.
15	I do have a problem granting a short term permit until an environmentally sustainable solution is approved.	Noted.
16	Lease is better than selling land off.	Noted. Proponent prefers purchase as it provided more certainty than lease.
17	It is appropriate.	Noted
18	Sell them the property.	Noted. Proponent prefers purchase as it provided more certainty than lease.
19	I have no comment.	Noted.
20	I fully support granting a lease and changes to the CLMP.	Noted. Proponent prefers purchase as it provided more certainty than lease.
21	this will be a good thing for the local Community, creating investment and Jobs for the local area	Noted. Council *supports a thriving local economy where businesses are successful and people have access to a range of employment and education opportunities*
22	no	Noted
23	I trust the council will do what's needed to support industry growth	Noted. Council *supports a thriving local economy where businesses are successful and people have access to a range of employment and education opportunities*
24	No comments	Noted
25	(none)	Noted
26	None specifically	Noted

	REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION) RESPONSE TO COMMENTS - SHORT-TERM PERMIT OR LEASE	
	Do you have any comments about the possible granting of a short-term permit or lease (and potential amendment to CLMP)?	**Staff comment**
27	I don't know how a short term lease would work with regards to greenery. after the period expires is the carpark pulled up and more trees planted? or does it just stay a car park?	The intent of a short term permit or lease is to authorise occupation of the subject land and allow Rafnix (Supashock) to proceed with seeking development approval. As a condition of the permit or lease, if this is not forthcoming, Rafnix would be required to restore and vacate the site.
28	no	Noted
29	no	Noted
30	Do it!	Noted
31	No	Noted
32	as per previous response re excess traffic	Noted
33	I support this	Noted
34	I support granting of a short-term permit or lease	Noted
35	I have no comment	Noted
36	No	Noted
37	Just sell it.	Noted
38	I have no objections to the described short term lease.	Noted
39	whichever the best solution for local businesses' employees to get the parking they needs.	Noted

REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION)
RESPONSE TO COMMENTS - SHORT-TERM PERMIT OR LEASE

	Do you have any comments about the possible granting of a short-term permit or lease (and potential amendment to CLMP)?	Staff comment
40	'Clarification is required for the following: - what hours will they be operating (i.e. 9am -5pm?) - what shifts (if any) will be be operating once production has been ramped up? - With the added (potential) 100 staff carpark along 21-27 Valiant Road, have plans been put in place for the added environmental noise /additional traffic impact to the locals living along this stretch of Valiant Road been given. i.e. staff be advised they are only to enter/exit said Valiant Road Carpark via Grand Junction Road then Jackobson Crescent avoiding Avocet Street /Valiant Road /Morgala Drive due to excessive heavy vehicle usage and vehicle noise already being experienced and lack of management by council? - The current trees planted by Council numerous years ago along said proposed sale of reserve land hide the existing buildings and lends to the streetscape not looking like an Industrial Area. With the proposed development of the carpark and removal of these trees, the preliminary drawing appears to only indicate singular trees being planted which will not provide the same visual effect as current but will leave the buildings behind highly visible from Valiant Road being aesthetically displeasing. - What security measures will be put in place to ensure local residents are not impacted by theft with the proposed carpark?	These matters would be assessed during the development approval process, pursuant to the Planning Development & Infrastructure Act 2016. Security - theft and vandalism are matters for police attention, however crime prevention through environmental design matters would also be assessed during the development approval process. Relevant conditions could be included as part of the approval (if granted)

REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION)
RESPONSE TO 'OTHER COMMENTS'

	Do you have any other comments about this proposal	Staff comment
1	Vacant land adjacent Grand Junction road has plenty of space and ideal for for busy main road/intersections, smooth commute, access and exit as apposed Valiant road site.	Reservices on the southern side of Grand Junction Road were investigated by the proponent. This land forms part of a stormwater management system and is unavailable at the present time for development
2	There has been no indication made as to what their expansion strategy is, no diagrams showing what they are planning other than taking over public land for private purposes. I worry that the next step will be to turn the area of linear park in our street whuch is the inky buffer we have from the factories into another private enterprise. We (my husband and I) strongly oppose this. Unfortunately we own our house, but many around here rent, so the owners won't care, but we, while lived here for 38 years, do, and hopefully so do the rest if the rate payers.	Whilst the expansion proposed at 2-6 Ardtornish Road was included in the community engagement material, the detail for the full development would be included in the development application documentation. Council's decision relates to the sale of community land and whether the divestment of this land will affect the provision of open space in the area.
3	Not in favour of this project	Noted
4	Turning 100% green space into 100% car park is a joke. Do better.	Noted
5	Before moving into the area, the business should have ensured they had ample parking for their workers. What happens in years time when this business decides to leave the area because they need even more space? An empty car park lot just sitting there being an eyesore in our community? No thank you!	The parking is required for the expansion proposed at Supashock operations at 2-6 Ardtornish Street and difficult to forecast at the time of setting up the business. Council could mitigate the risk of the land remaining unused as a car park by buying back the land should this eventuate. All costs would be borne by the proponent if this were to eventuate.
6	This should be supported	Noted
7	If this proposal goes ahead there should be amendments to the plans to ensure there is a good divide for local residents and that there should be a trees allocation provided so that we are not entirely turning our area into a concrete jungle.	This would be addressed at the development assessment stage and Council could also require the proponent to go over and above that required by the development approval.
8	Please consider the local community use and streetscape of the area, to compliment and further improve what is a niche commercial space. This area is unlike other areas, council can improve this and increase the desire for businesses and residential space to grow. The business seeking use will be able to utilise this space as should all the local residents and businesses who desire to. i would encourage council to form a new view on this space and disregard selling the land.	Noted comment to not sell the land. A lease could be granted in lieu of sale, however the proponent requires certainty of tenure and this is achievable through sale by Council to the proponent.
9	Unlike housing subdivision in the region which affects residents this proposed sale will only assist the area.	Noted.
10	No	Noted.

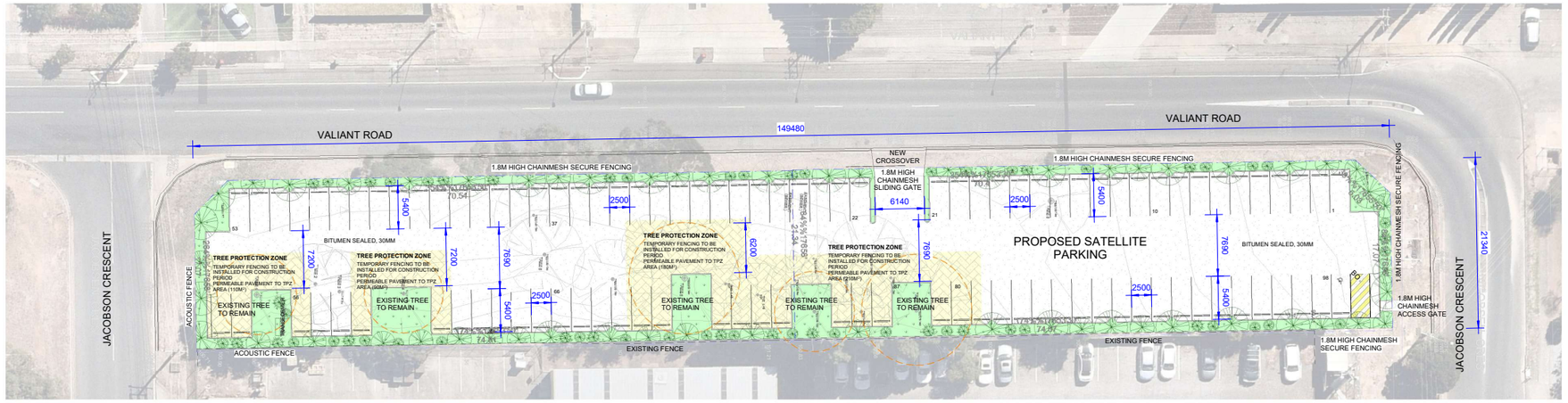
REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION)
RESPONSE TO 'OTHER COMMENTS'

	Do you have any other comments about this proposal	Staff comment
11	The area is close to the Tea Tree Plaza Oban and there is adequate public transport. Why can't a smaller car park be built if it is necessary on Grand Junction Road, where it won't interfere with the volume of traffic in such a small area, The volume of traffic trying to exit to Grand Junction Road or to North East Road via Avocet street will be ridiculous, Avocet street is not built for this volume of traffic and even now it is sometimes difficult to exit my property due to vehicles blocking the exit at certain times.	Traffic movement and additional traffic resulting from the proposal and its effect on the surrounding network will be assessed during the development approval process.
12	i know it will be approved this is just a tick box process	Council undertakes community engagement and considers all responses received.
13	My concern is regarding the additional traffic that will most likely result from the expansion of the said company. There is already very high use of Valiant Road by locals but especially non-local traffic seeking to avoid North East Road. Around peak times the road is very busy, intersections at Valiant/Lowen Streets and Valiant/Avocet Streets and Valiant/Southern Terrace are congested. There is one round about at Valiant/Avocet Streets only. Traffic is noisy and busy. Cars are often driving well in excess of the 50km/hour limit. I believe Council should consider additional traffic management along Valiant Road - speed humps or additional roundabouts, esp at either Lowen Street and/or Southern Terrace to ensure the additional traffic is suitable managed and to avoid vehicle and/or pedestrian accidents.	Traffic movement and additional traffic resulting from the proposal and its effect on the surrounding network will be assessed during the development approval process.
14	As stated earlier, please stop selling off public land	Noted
15	Nil	Noted
16	No comment.	Noted
17	Parking is generally needed by employees of the companies around Jacob cressent	Parking requirements will be assessed during the development approval process.
18	Strongly supports.	Noted.
19	Investment by Local businesses in the Local Area is a positive thing and should be encouraged	Noted.
20	i like some trees will be staying	Noted.
21	Please ensure trees and shrubs and plants will be maintained/ retained, thank you.	Council could include a condition of lease or permit that all plants are maintained in a health condition. This is at times also included in development approval where the maintenance of trees and vegetation is important to maintain/improve amenity of the area.
22	No	
23	I prefer people to take cleaner transport options (public transport, bicycling, car pooling, walking, moped etc) however I understand that it really is unviable for many. I think as long as there are some measures to support these modes of transport for the ones who can, I see no problem with the sale going ahead.	Noted.

	REVOCATION OF COMMUNITY LAND FOR POTENTIAL SALE - RAFNIX PTY LTD (PROPOSED SUPASHOCK EXPANSION) RESPONSE TO 'OTHER COMMENTS'	
	Do you have any other comments about this proposal	**Staff comment**
24	no	Noted.
25	no	Noted.
26	NO	Noted.
27	No	Noted.
28	I fully support the sale to Supashock	Noted.
29	It is good to help local businesses in every way possible in the current economic climate.	Noted.
30	none	Noted.
31	No	Noted.
32	'Clarification is required for the following: - what hours will they be operating (i.e. 9am -5pm?) - what shifts (if any) will be be operating once production has been ramped up? - With the added (potential) 100 staff carpark along 21-27 Valiant Road, have plans been put in place for the added environmental noise /additional traffic impact to the locals living along this stretch of Valiant Road been given. i.e. staff be advised they are only to enter/exit said Valiant Road Carpark via Grand Junction Road then Jackobson Crescent avoiding Avocet Street /Valiant Road /Morgala Drive due to excessive heavy vehicle usage and vehicle noise already being experienced and lack of management by council? - The current trees planted by Council numerous years ago along said proposed sale of reserve land hide the existing buildings and lends to the streetscape not looking like an Industrial Area. With the proposed development of the carpark and removal of these trees, the preliminary drawing appears to only indicate singular trees being planted which will not provide the same visual effect as current but will leave the buildings behind highly visible from Valiant Road being aesthetically displeasing. - What security measures will be put in place to ensure local residents are not impacted by theft with the proposed carpark?	These matters would be assessed during the development approval process, pursuant to the Planning Development & Infrastructure Act 2016. Security - theft and vandalism are matters for police attention, however crime prevention through environmental design matters would also be assessed during the development approval process. Relevant conditions could be included as part of the approval (if granted)

NOTE

WATER SENSITIVE URBAN DESIGN PRINCIPLES WILL BE APPLIED TO FINAL DESIGN



1 Satellite parking
1 : 300

PRELIMINARY

WOOLCOCK GROUP CONSTRUCTION

6/938 South Road
Edwardstown, 5039
T: 08 8193 9600 F: 08 8351 2311
karenv@woolcockgroup.com.au

www.woolcockgroup.com.au

LANDSCAPING

- Callistemon Viminalis, approx. growth height 3m
- Eremophila Maculata, max. growth height 1m
- Eucalyptus Dumosa, approx. growth height 4-10m
- Eucalyptus Leucoxylon, approx. growth height 5m
- Existing trees to remain

No.	Description	Date
5	SATELLITE PARKING UPDATES	21/6/22
6	LANDSCAPING REVISIONS	21/6/22

SUPASHOCK

2-6 ARDTORNISH ST, HOLDEN HILL

SATELLITE PARKING - OPTION 4

Project number	2003
Date	21/6/22
Drawn by	KVM
Checked by	EL

A104

'As indicated | Rev. 6

Rafnix Pty Ltd

ACN 627195340

And

Unsolicited Proposal to Tea Tree Gully Council

To Purchase or Lease Council Owned Land at 13 & 21-27 Valiant Road Holden Hill

2-6 Ardtornish St
Holden Hill SA 5088

23 March 2022

Proposal

Rafnix Pty Ltd ('Rafnix") is submitting this unsolicited proposal to purchase or lease the two Reserve allotments currently owned by the City of Tea Tree Gully ("the land"). This unsolicited proposal is linked to and should be considered in conjunction with a proposal to Council by Rafnix to increase the current undercover floor space of the company's premises at 2-6 Ardtornish Street Holden Hill to accommodate expansion activity by our tenant, The Dynamic Engineering Solutions Pty Ltd (T/A Supashock). It must be emphasized that failure to secure Council approval for the building extension at Ardtornish Street will render the proposal by Rafnix to purchase or lease the land redundant.

Certificates of Title and Deposited Plans for both allotments are attached. Details of the land are:

- Reserve Allotment 16 in D9917 in CT 5274/794 (13 Valiant Road Holden Hill). Allotment 16 has an area of 1,622 square metres.
- Reserve Allotment 22 in D9918 in CT 5274/798 (21 - 27 Valiant Road Holden Hill). Allotment 22 has an area of 1,585 square metres.

The land has a total site area of 3,207 square metres.

Zoning: Employment Zone

The land, outlined in red below, is currently set aside by Council as reserve, however the site adjoins and is surrounded by industrial properties and Valiant Road. The company's are Ardtonish Street headquarters is outlined in blue on Figure 1 The only exception is a pair of semi-detached dwellings at 16 and 16A Valiant Road, situated on the western side of Valiant Road and facing generally towards Jacobsen Crescent and the most southerly end of the land. These dwellings are situated in the General Neighbourhood Zone.

The land is not used for active or passive recreation purposes but is informally and regularly used by surrounding businesses for employee parking.



Figure 1: Site context. [Source: MetroMaps 5 February 2022]

The land in relation to the Supashock headquarters at the corner of Jacobsen Crescent and Ardtornish Street is shown on the Site Identification Plan attached to this submission.

Rafnix proposes to convert and develop the land into a car park to accommodate required parking for the Supashock premises at 2-6 Ardtornish St, Holden Hill, to facilitate the company's expansion on this site. At least 100 parking spaces will be required to provide car parking for existing and additional staff associated with the proposed expansion on the Ardtornish St property and relocation and growth of Supashock fabrication, light manufacture and assembly operations from Edinburgh to Holden Hill. It is expected that not more than 35 parking spaces can be provided on the Ardtornish site following redevelopment and expansion, resulting in a shortfall of 65 spaces.

Proposed expansion of the Ardtornish Street headquarters is shown on the attached Site Plan prepared by Woolcock Construction.

Two service easements for sewerage purposes are in favor of SA Water. The easements are 3.0 metres wide and run east-west towards Valiant Road and are located at the northern and southern ends of the land. Rafnix would be pleased to consult with SA Water, if Council agrees to further examine the merits of this proposal, to ensure that the agency has no objection to the development of the land for employee parking purposes.

Rafnix will apply for Development Approval to Council for the Ardtornish Street expansion. The 2 applications are linked, with the requirement to secure additional land for carparking contingent on securing Development Approval for expansion at Ardtornish Avenue.

Supashock seeks to expand its fabrication and machining operations to consolidate with its engineering and product development activities in Holden Hill, and to expand its artificial intelligence capability. These initiatives will require an expansion of more than 5000 square metres of Production, Showroom and Office floor space as shown on the Site Plan, as well as additional employment expansion for up to a further 100 employees (from the current level of 65 FTEs to around 165 FTEs).

The company also operates a second site incorporating a final assembly and final testing facility at 40 Cavan Road Dry Creek. The Cavan Road site is required due to the heavy nature of the activity involved and the need for high inwards and outwards traffic flow and overhead cranes. Our large systems, including truck and tank suspension systems and large-scale loading systems, will be consolidated at the Cavan Road site following expansion of the Ardtornish Street premises.

Alternative Sites

Many millions of dollars have been invested into the Ardtornish Street site to make it fit for purpose, for advanced technology research and development. Further substantial investment is now required to accommodate the extensions necessary to grow the business.

There are no privately owned sites within safe and convenient walking distance to the Ardtornish Street headquarters of equivalent size to Allotments 16 and 22 for employee parking purposes. Indeed, the entire Employment Zone at Holden Hill on both sides of the O'Bahn Busway corridor is almost fully developed for industrial and commercial purposes.

It is apparent from Figure 1 that the entire industrial estate west of the O'Bahn Busway corridor is fully developed.

Supashock Background

Supashock is a world class designer and manufacturer of advanced dynamic motion and vibration control systems located in Holden Hill, Adelaide. The Company was established in 2005 with a focus on delivering innovative, high-quality solutions into the international motor sports sector that improve safety and performance. Since that time, the company has developed and patented high-end IP and invested in state-of-the-art computing capability, including advanced engineering and simulation together with artificial intelligence and machine learning, and extensive advanced manufacturing capability. These initiatives have enabled the business to grow its market reach.

The company now supplies advanced suspension and vibration control solutions globally to defence, autonomous vehicles, OEM 4x4 vehicles, mining vehicles and motorsports. Overseas markets represent approximately 80% of Supashock's annual revenue and are expected to grow dramatically with the company recently securing work from Germany, Hungary and Czechoslovakia.

Supashock systems are state of the art and unique, providing bespoke active and passive suspension solutions to applications across a range of industries, with a focus on defence. Our business model involves product development and customisation around patented core technology and know-how followed by prototyping, in-field testing and evaluation, and scale manufacturing.

Supashock is currently perceived as the Global Centre of Excellence for Design and Development of Advanced Vibration Control Systems for Rheinmetall Defence worldwide.

The company currently operates across two sites:

- 2-6 Ardtornish Street, Holden Hill: Head Office with management and administration, procurement, QA, engineering and design as well as maching and assembly. Currently, approximately 65 people work at Holden Hill; and
- 40 Cavan Road, Dry Creek 5094: Fabrication, manufacturing, and assembly of large-scale systems. 20 employees.

The company is seeking to expand the Holden Hill site to focus on precision engineering and design and development of advanced systems, including autonomous systems. This will require additional undercover workshop, showroom and office accommodation which will more than double the floor area current building by around 6,880 square metres including loading bays, as detailed on the attached Site Plan. This building expansion will mean the business will need to use a number of existing employee car parking spaces which in turn will require additional off-site carparking to accommodate the expansion.

Rafnix Pty Ltd (ACN 627195340) ATF The Rafnix Property Trust (ABN 34 128 007 253) is the current owner of the Ardtornish Street property and will be the proponent for purchase or lease of the land facing Valiant Road. Some 5138m2 of the total site undercover area of 5,784 square metres within the Ardtornish Street property is leased to Supashock until 30 April 2024 with further options for extensions to 30 April 2034. The balance of the Ardtornish Street property is leased to Rheinmetall Electronic Systems design and engineering. Overall site use is best described as Research and Development.

Rafnix is the Family Trust of Mr Oscar Fiorinotto while Supashock is privately owned by Mr Oscar Fiorinotto (51%) with Rheinmetall Defence Australia Pty Ltd a minority shareholder (49%).

Rafnix has also leased the separate free-standing Administration Office (646m2) within the Ardtornish Street site to Rheinmetall Electronic Solutions, who also employ around 20 skilled engineers on site.

Car Parking Requirements

The attached Site Plan by Woolcock Construction shows the extensions planned for the Ardtornish Street site. In summary, the existing building of 5,335 square metres will more than double in size, with the addition of a new warehouse of 5,620 square metres, a new showroom of 210 square metres and a new Level 1 office of 1,050 square metres.

The current Ardtornish Street site has undercover facilities of 1175m2 of office area and 4,463m2 of warehouse floor area. Under the previous Development Plan this equates to a requirement of 67 car park spaces - 39 spaces and 28 spaces respectively. There are currently 81 car parks on the Ardtornish Street site.

Supashock has requested Rafnix to deliver an additional 6,880m2 of floor space to enable it to expand its activities on site to meet identified export and Australian orders. This additional floor space will be the subject of a separate Development Application to Council but will give rise to a requirement for additional off street employee parking, bringing the total requirement at Holden Hill to at least 100 spaces to service the expanded development.

Supashock estimates that in building an additional 6,880m2 of floor space, it will only be possible to accommodate 35 parking spaces on the Ardtornish Street site. To make up the shortfall, Rafnix seeks approval to lease or purchase the land at Valiant Road and develop it for off street parking. It is estimated that at least 74 car parking spaces could be developed on the Valiant Road site, with the ability to retain healthy native trees to enhance the environmental condition and appearance of the land.

Allotments 16 and 22 are on the opposite side of the road from 2-6 Ardtornish Street but on a bend in the road where vehicle speeds are slow. Rafnix would be pleased to assist with the installation of a zebra crossing in accordance with Council's requirements to facilitate safe and convenient employee access across Jacobsen Crescent.

Environmental and Interface Impacts

With a combined site area of 3,207 square metres, and the existence of mature trees on the land, the opportunity exists to design the car park to retain at least some of these trees, preferably the eucalypt trees but not the pepper trees which are not native and can be removed. If Council is prepared to progress consideration of the proposal, a Features Survey will be commissioned which identifies where the trees are located, and the carpark will be redesigned accordingly so that as many healthy eucalypt species as possible can be retained and incorporated into the employee carpark design.

If sufficient space is available, it may also be possible to incorporate stormwater detention in association with the retention of native vegetation on any parts of the land not required for employee parking purposes.

The proposal is unlikely to have a negative interface impact because all surrounding properties (other than a pair of semi-detached dwellings at 16 and 16A Valiant Road) are used for commercial and industrial purposes. The southern end of the reserve opposite the semi-detached dwellings (Reserve Allotment 16 at 13 Valiant Road) is the most distant part of the land from the Supashock premises. This end of the site offers the greatest potential to be used for stormwater detention in association with the retention of healthy and mature native vegetation.

Principles Guiding Council's Disposal of Assets

The following addresses Rafnix's response to Council's "Unsolicited Proposals: Guide for Proponents" document.

1 Preliminary Meeting

Supashock's Founder and Chief Executive Officer Oscar Fiorinotto, other company executives and their project team met with the Council's Chief Executive Officer Mr John Moyle, Cherie Gill (Senior Strategy Planner) and Chelsea Tully (Senior Development Assessment Officer) at the Ardtornish Street premises on Wednesday 23 February 2022.

It was agreed at that meeting that the company should formally request Council's consideration of its proposal to lease or acquire 13 & 21-27 Valiant Road Holden Hill for employee parking purposes to underpin the planned expansion of the Ardtornish Street site.

2 Alignment with Council's Strategic Plan and Objectives

Rafnix and Supashock believe its proposal is consistent with Council's Strategic Plan 2025 and in particular Council's aspirations for a strong, vibrant, and prosperous city. This objective is one of the critical "wellbeing pillars" in the TTG Strategic Plan.

Supashock is a rapid growth global company exporting technology products to Europe, the US and Asia. Annualized growth is around 30% pa over the past 3 years and projections are for this to increase further. Employment in the company has grown from 11 people in 2016 to approximately 85 people in 2020. However, the next decade will see employment in the company grow by an estimated 157 new people to around 220 FTEs, making Supashock one of the largest advanced manufacturing employers in the State.

Most importantly, the objective of the proposed site expansion at the Ardtornish Street property that triggers the need for further carparking in the nearby Valiant Road allotments is the need for additional space to accommodate overseas contracts from Rheinmetall in Germany and from an Autonomous Vehicle manufacturer in the US. This expansion will underwrite additional employment on the Ardtornish St site together with additional work in Supashock's local supply chain (of an estimated further 63 jobs in our local supply chain) and hence, contribute to the economic growth and vibrancy in the Tea Tree Gully Council area.

It should be noted that Supashock's expansion objectives clearly align with the SA Government's economic priorities, namely:

- sustainable economic growth.
- focus on the defence industry.
- export market development of 'technology based' competitive products.
- growth of skilled employment.
- partnership with all 3 SA based Universities and the Defence Science and Technology Group; and
- focus on the application of advanced Industries 4.0 technologies in both engineering and manufacturing.

3 Value for Money

Rafnix and Supashock are requesting that Council consider the offer for either purchase or long-term lease of the land, conditional on Council agreeing to support an application to develop the site as a fully functional and secure employee car park for Supashock staff. The proposal is also conditional on Council approval of the proposed building expansion at Ardtornish Street. Rafnix has a clear preference for outright purchase of the property.

Supashock will commission an independent property valuation of 13 & 21-27 Valiant Road. The valuation will be commissioned within ten (10) business days of Council agreeing to enter into exclusive negotiations with Supashock.

The Supashock proposal offers Council the opportunity to turn a negative cost asset in the form of an unused reserve that requires on-going maintenance costs, into a positive revenue stream through payment from Rafnix of either a one-off purchase price or an annual lease payment. If the land is purchased, Council will receive rates revenue from the land based on its improved value.

4 Fair Dealing

Supashock is not aware of any interest from other businesses or groups within the area in the purchase and subsequent development of the land. Importantly, in addition to funding the purchase cost of the land the company will be funding removal of several (and predominantly non-native) trees, leveling and grading of the land, construction of a security fence (mesh weld), and laying dolomite in order to minimize dust and mud. The car park will furthermore be landscaped to ensure that it has an attractive presentation to all public road frontages. It may also be possible to incorporate stormwater detention facilities on the land to manage stormwater runoff from the sealed surface.

Rafnix and Supashock firmly believe the proposed disposal of the reserve allotments will have no negative impact on the community because the land is in an industrial area and zoned Employment. The land is furthermore informally used for ad-hoc parking by employees from surrounding businesses.

6 Probity and Accountability

It is Rafnix and Supashock's understanding that to date, no other surrounding businesses have requested access to 13 & 21-27 Valiant Road.

Rafnix will pay market price for the site, established by an independent, qualified and reputable property valuation company.

7 Opportunities to Enhance the Area

The Valiant Road and Jacobsen Crescent locality currently suffers from traffic congestion due to the high number of cars parked on side streets. Further pressure on street parking because of Supashock's employment expansion will only worsen this situation.

The proposal by Rafnix and Supashock will provide secure off-street parking for at least 74 vehicles on the Valiant Road site in an orderly and well-maintained fashion. The area currently suffers from a lack of adequate carparking and poor representation of certain businesses from a streetscape perspective. The Holden Hill industrial estate is one of the few "industrial" concentrations in the TTG Council area and the proposal by Supashock to expand in this employment hub will further enhance the nature of the Holden Hill estate as an advanced manufacturing, high-value facility, rather than a low-value manufacturing estate.

8 Uniqueness of the Proposal

Supashock has unique assets as a high-value engineering and manufacturing company with globally registered IP and know how. The company operates internationally and exports over 80% of its sales to some 12 countries including Germany and the US. Importantly, Supashock is now a key supplier to global defence giant Rheinmetall Defence as the Centre of Excellence in Advanced Vibration Control Systems for Defence.

The on-site building expansion on Ardtornish Avenue and the acquisition and development of an employee car park at Valiant Road will accommodate substantial new work and significantly increased employment at the Holden Hill premises and within our supply chain. It will furthermore consolidate Supashock's international growth with its Head Office located in the Tea Tree Gully Council area. The company's Head Office will entertain international visitors and national and State political leaders as a showcase for advanced engineering in Australia and internationally.

9 Benefits and Risks to Council

The Rafnix proposal:

- Removes the need for and cost to Council of on-going maintenance of an underused and undeveloped reserve.
- Facilitates the expansion with the significant flow-on employment growth of a major technology-based manufacturing and engineering business in the Tea Tree Gully Council area.
- Will generate growth of over 100 additional jobs on site, accompanied by further growth in our local supply chain of a further 63 jobs in supporting Supashock's expansion. The proposal supports the Council's strategic priority of a prosperous community with access to employment, education and training.
- Removes vehicles from on-road parking, thereby relieving road congestion and enhancing the appearance and functionality of the Holden Hill estate.
- Provides for the retention of healthy native vegetation and if the opportunity exists, the development of a stormwater management and detention system to manage stormwater runoff from the land.
- Has minimal risk given Supashock's record in project management and delivery, and our unique relationship with Rheinmetall.
- The Supashock expansion is being supported by a substantial Commonwealth Government grant that has specific timeframes for the Supashock expansion of capacity and employment at Holden Hill. While this reduces the risk associated with the expansion, it does increase the need for early indication of Development Approval.
- In addition to the investment by Rafnix in the building expansion, Supashock will be investing over $12.4 million over the period to end 2021 to March 2024 on state-of-the-art new capital equipment (robotic cells, CNC machining, additive manufacturing equipment, etc.), high end computing (simulation, virtual reality, CAD, etc.) and training that will see sales grow in response to overseas defence and autonomous vehicle contracts.
- Supashock is a global player in state-of-the-art vibration control and suspension systems for a wide range of industries. Its employees are highly trained and experienced engineers, and the company is fast becoming a skilled engineering hub. Although predominantly in defence and autonomous vehicles, going forward the company is well positioned to participate in vibration control systems for the space industry. Again, this hub will contribute to the profile of the City of Tea Tree Gully as a location of choice for industry.

CERTIFICATES OF TITLE
AND
DEPOSITED PLANS

LAND SERVICES SA

Product	Register Search (CT 5274/794)
Date/Time	22/03/2022 01:38PM
Customer Reference	52751
Order ID	20220322007461

REAL PROPERTY ACT, 1886 South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

REGISTRAR - GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 5274 Folio 794

Parent Title(s)	CT 3932/197				
Creating Dealing(s)	TG 7829719				
Title Issued	23/06/1995	**Edition**	1	**Edition Issued**	23/06/1995

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF TEA TREE GULLY
OF PO BOX 571 MODBURY SA 5092

Description of Land

ALLOTMENT (RESERVE) 16 DEPOSITED PLAN 9917
IN THE AREA NAMED HOLDEN HILL
HUNDRED OF YATALA

BEING A RESERVE

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED EASEMENT B ON DP 9917 FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Copyright: www.landservices.com.au/copyright | Privacy: www.landservices.com.au/privacy | Terms of Use: www.landservices.com.au/sailis-terms-of-use

Product	Historical Search
Date/Time	22/03/2022 01:38PM
Customer Reference	52751
Order ID	20220322007461

Certificate of Title

Title Reference:	CT 5274/794
Status:	CURRENT
Parent Title(s):	CT 3932/197
Dealing(s) Creating Title:	TG 7829719
Title Issued:	23/06/1995
Edition:	1

Dealings

No lodged Dealings found.

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LARGE PLAN

9917

DC of Tea Tree Gully
S.P.O. Dkt. 1768/72
O/Bay. L.T.O. C-4214

APPROVED
PLANNING AND DEVELOPMENT ACT
SOUTH AUSTRALIA
DIRECTOR OF PLANNING

L.T.O.

Laid out as Portion of the Township of
HOLDEN HILL
Subdivision of Part Section 307
Hundred of Yatala

(lot 16) (lot 18)
Portions of Reserves 'A' 'C' 'E' and portion of allotment 7 marked Easement 'B' hereon are to be subject to an easement to the Minister of Works for sewerage purposes.

Scale
Metres 0 20 40 60 80 100 120 Metres
1:1000

Permanent Marks to the Surveyor Generals specifications are at points shown thus ..... P.M.
Metal Pins placed on all true road intersections.

PLAN No 6928

ACCEPTED AND DEPOSITED
CHIEF DRAFTING OFFICER
Pro Registrar-General
24/9/1974
ENTERED
RECORD CLERK

Easement marked 'A' through Lot 2 has merged Vide Tr. 370 No. 151 C.T.

Enlargement

KINCRAIG CRESCENT
COOKE ST.
GRAND JUNCTION ROAD
ARDTORNISH ST.
JACOBSEN CRESCENT
VALIANT ROAD
RESERVE 'A' EASEMENT 'B'
RES 44.86
ERVE 'C' 8.30
EASEMENT 'B' 30'
RESERVE 'D' 233.48 All
RESERVE 'D' 192.15 ALL
1.541 ha.
PT 307
1179 PLAN
267 PO
L.T.O. PLAN
No 10124
No 9918.
F.P.
P.M. Fd.
M.P.Fd.
P.M.
Vide Enlgmt
Vide Dkt.

We, South Australian Housing Trust, having an interest in the land depicted hereon as Registered Proprietors, do hereby signify our consent to the proposed subdivision.
The Common Seal of South Australian Housing Trust was affixed hereto this 18th day of December 1973, in the presence of,

Member
Secretary
C.T. 3932/197

I, John Headland Inglis, Licensed Surveyor of South Australia, do hereby certify,
1. That this plan has been made from surveys executed by me or under my own personal supervision.
2. That the field survey was completed on the 2nd. day of November 1973.
3. That both plan and survey are to the best of my knowledge correct, and have been made in accordance with regulations under the Surveyors Act 1935-1971.
Dated this 7th. day of December 1973.

Licensed Surveyor

CALDER, CALDER & ASSOCIATES
LICENSED SURVEYORS
107 GREENHILL ROAD UNLEY 5061 TEL. 272-1822
4129 578-6 29.11.73

L.T.O. SEARCH No. X 15257
Checked Bk. 102 P. 73-79 A.P
Examined 24.7.74

Curve Data

Curve	Radius	Tan. Dist.	Int. Angle
A	80.96	80.85	90°04'30"
	60.96	60.88	

△ Allotment 17 is no longer a reserve pursuant to Section 195 of the L.G.A. 1999 vide RTS 16817 C Pro. R.G. 12-11-2001.

Additional Allotment Numbers 20 Vide Dkt. 4187/1975 Pro R.G. 16/8/90

Y 32.

Product	Register Search (CT 5274/798)
Date/Time	22/03/2022 01:39PM
Customer Reference	52751
Order ID	20220322007503

REAL PROPERTY ACT, 1886 South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

Certificate of Title - Volume 5274 Folio 798

Parent Title(s)	CT 3932/197				
Creating Dealing(s)	TG 7829719				
Title Issued	23/06/1995	**Edition**	1	**Edition Issued**	23/06/1995

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF TEA TREE GULLY
OF PO BOX 571 MODBURY SA 5092

Description of Land

ALLOTMENT (RESERVE) 22 DEPOSITED PLAN 9918
IN THE AREA NAMED HOLDEN HILL
HUNDRED OF YATALA

BEING A RESERVE

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED EASEMENT B ON DP 9918 FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

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Attachment 6

LAND SERVICES SA

Product	Historical Search
Date/Time	22/03/2022 01:39PM
Customer Reference	52751
Order ID	20220322007503

Certificate of Title

Title Reference:	CT 5274/798
Status:	CURRENT
Parent Title(s):	CT 3932/197
Dealing(s) Creating Title:	TG 7829719
Title Issued:	23/06/1995
Edition:	1

Dealings

No lodged Dealings found.

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Attachment 6

9918

ACCEPTED AND DEPOSITED
for BRIEF DRAFTING OFFICER
Pro Registrar-General
ENTERED 19
RECORDS CLERK

D.C. of Tea Tree Gully
S.P.O. Dkt. 17681/74
O/Boy. L.T.O. C4214

Laid out as Portion of the Township of
HOLDEN HILL
Subdivision of Part Section 307
Hundred of Yatala
Scale
Metres 0 20 40 60 80 100 120 Metres
1:1000

Permanent Marks to the Surveyor Generals specifications are at points shown thus . . . . . ■ P.M.
Metal Pins placed on all true road intersections.

Portions of Reserves 'A' & 'B' and portions of allotments 10 & 12 marked Easement/s hereon are to be subject to an easement to the Minister of Works for sewerage purposes.

PLANNING AND DEVELOPMENT ACT
APPROVED
23 SEP 1974
SOUTH AUSTRALIA
DIRECTOR OF PLANNING

EASEMENT 'B'
Enlargement
M.P. Fd. 0·91 339·56 90°

L.T.O. PLAN — EASEMENT WIDE ENLGMT. No. 10124

9 9 7-7

ROAD — VALIANT — JACOBSEN CRESCENT — WALK WAY — MORGALA DRIVE — WANINGA DRIVE

Lots: 9, 10, 11, 12, 13, 14, 15, PT 307, 22, 23, 24, 25, 26, 27, RESERVE 'A', RESERVE 'B', RESERVE 'C'

12 — 1·490 ha

L.T.O. PLAN — No. 6318

D.P. 19042

We, South Australian Housing Trust having an interest in the land depicted hereon as Registered Proprietors, do hereby signify our consent to the proposed subdivision. The Common Seal of South Australian Housing Trust affixed hereto this 18th day of December 1973, in the presence of:

M.M. Glastonbury Member ..... C.J. Crichton Secretary
CT. 3932/197

I, John Headland Inglis, Licensed Surveyor of South Australia, do hereby certify,
1. That this plan has been made from surveys executed by me or under my own personal supervision.
2. That the field survey was completed on the 2nd. day of November 1973.
3. That both plan and survey are to the best of my knowledge correct and have been made in accordance with regulations under the Surveyors Act 1935-1971.
Dated this 7th. day of December 1973.

..... Licensed Surveyor

CALDER, CALDER & ASSOCIATES
LICENSED SURVEYORS
107 GREENHILL ROAD UNLEY SOUTH TEL. 2721022
4129 5786 J.H.I. 5·12·73

L.T.O. SEARCH No. X15257
Checked Bk. 101 P. 194 A.D.
Examined 27-4-74

Y32.

Additional Allotment Numbers
24 Vide Dkt. 4187/1975
Pro R.G. 16/8/90

MICROFILMED
20-8-90

SITE IDENTIFICATION PLAN PREPARED BY MASTERPLAN



Supashock Headquarters (2-6 Ardtornish Street)

Reserve for proposed employee car parking (indicative carpark layout shown)

Site Identification Plan

13 & 21-27 VALIANT ROAD
HOLDEN HILL

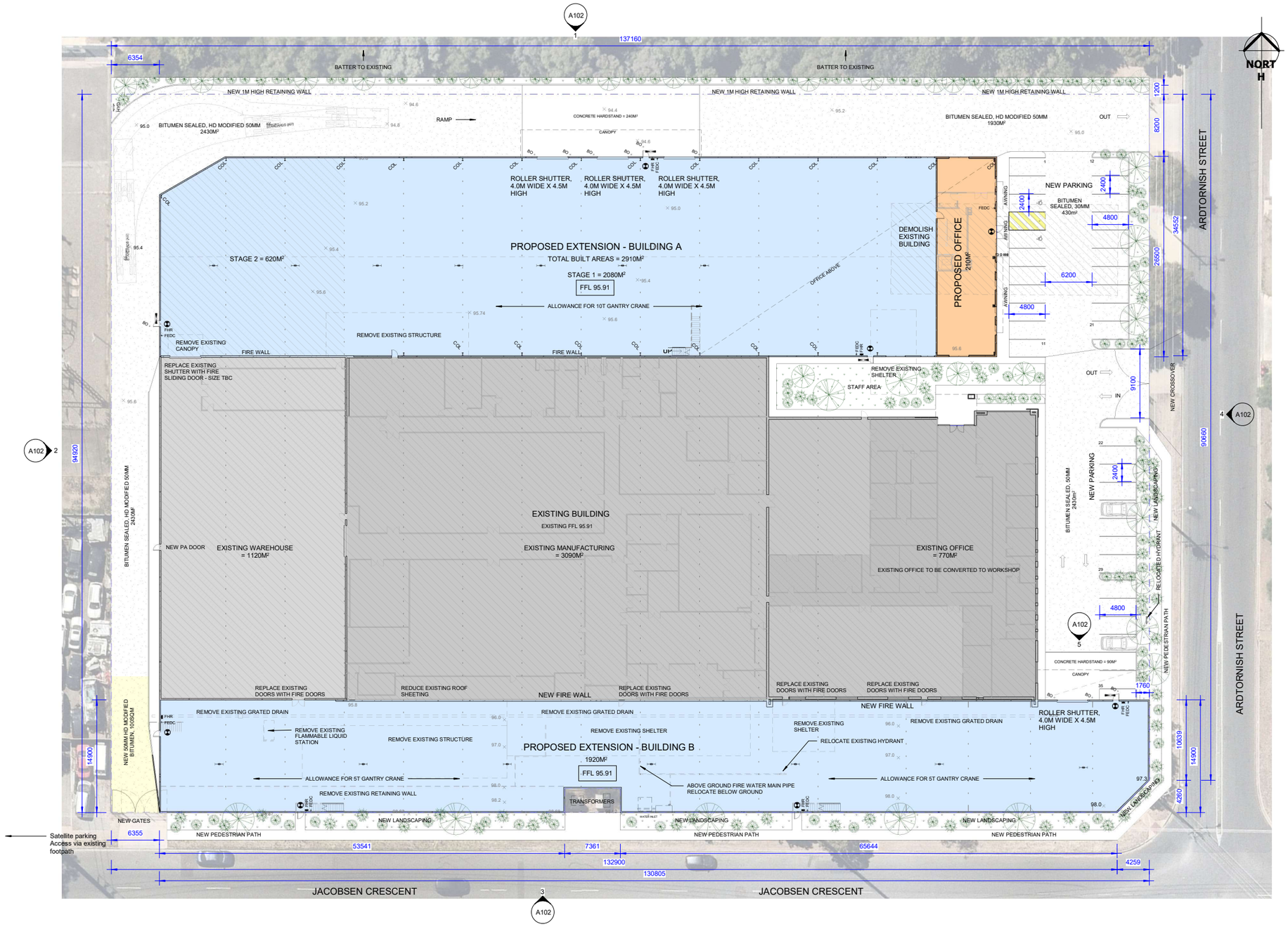
FOR RAFNIX PTY LTD

1:1750 @ A4
0 35m

MASTERPLAN.COM.AU
SA | NT | QLD
© MAR 2022 LS:52751-S1-4A

MASTERPLAN
TOWN + COUNTRY PLANNERS

SITE PLAN PREPARED BY WOOLCOCK CONSTRUCTION



1 Site
1 : 250

PRELIMINARY

WOOLCOCK GROUP CONSTRUCTION
6/938 South Road
Edwardstown, 5039
T: 08 8193 9600 F: 08 8351 2311
karenv@woolcockgroup.com.au
www.woolcockgroup.com.au

SITE INFORMATION

ALLOTMENT SIZE	13010m²
TOTAL BUILT AREA	10165m²
Existing built area	5335m²
NEW Warehouse	5620m²
NEW Showroom	210m²
NEW Level 1 office	1050m²
Parking total	109
Onsite	35
Offsite	74
Existing landscaping	810m²

FIRE & EMEGENCY LEGEND

- 36w Emergency Light Class C0 D63 - C90 C63
- Bardic Emegency/ Exit light
- Downward action lever handle, fitted between 900 - 1200 above FFL in accordance with NCC D2.21
- 4.5kg AB(E) Fire extinguisher Class 4A 80B
- 36m Fire hose reel
- Double headed fire hydrant (Subject to flow test from street plug)
- Disable Parking as per AS2890.6 Considering shared area (pavement) no less than 2400mm

LANDSCAPING

- Callistemon Viminalis, approx. growth height 3m
- Eremophila Maculata, max. growth height 1m
- Eucalyptus Dumosa, approx. growth height 4-10m
- Eucalyptus Leucoxylon, approx. growth height 5m

No.	Description	Date
4	OFFICE ADDED	18/6/21
5	HLB UPDATES	29/6/21
6	ISSUED FOR REVIEW	11/10/21
7	UPDATES PER MEETING	3/12/21
8	OFFICE AREA UPDATED	2/2/22

SUPASHOCK

2-6 ARDTORNISH ST, HOLDEN HILL

SITE - OPTION 4

Project number	2003
Date	2/2/22
Drawn by	KVM
Checked by	EL

A101

'As indicated | Rev. 8

MEMBER OF THE API AUSTRALIAN PROPERTY INSTITUTE Leading the property professions

32457_12TRtrVR

Adelaide
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Adelaide SA 5000

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Valuation

13 and 21-27 Valiant Road, Holden Hill SA 5088

Under instructions from:

Ms Rosa Gagetti
Property & Projects Facilitator
City of Tea Tree Gully
Civic Centre, 571 Montague Road
MODBURY SA 5092

McGees (SA) Pty Ltd
ABN 98 504 916 044

Liability limited by a scheme approved under Professional Standards Legislation

Adelaide ▪ Brisbane ▪ Darwin ▪ Perth ▪ Sydney

SUMMARY

Address	13 and 21-27 Valiant Road Holden Hill SA 5088
Instructions	To assess the market value of the freehold interest of the subject properties for strategic advisory purposes. We have been requested to provide an assessment on the following two scenarios: 1) 'As Is' unencumbered market value; and 2) Market value (or equitable value) subject to the proposed Caveat, Deed and Land Management Agreement.
Property Description	The subject of this assessment pertains to two adjoining vacant parcels of land located within an industrial orientated precinct in the mixed-use suburb of Holden Hill, approximately 13 kilometres north-east of the Adelaide Central Business District. Both properties are corner parcels of generally level contour, with a scattering of established trees.
Title Reference(s)	Volume 5274 Folio 794 Volume 5274 Folio 798
Registered Proprietor(s)	City of Tea Tree Gully
Zoning	Employment Zone
13 Valiant Road Land Area	1,585 m² (approx.)
21-27 Valiant Road Land Area	1,587 m² (approx.)
Critical Issues	• The impact of COVID-19 on the real estate market requires ongoing monitoring. • In accordance with our instructions, we have assumed Community Land Status has been revoked and that the land can be developed to its highest and best use under the zoning. • We have assumed none of the trees located on the land are protected trees (regulated or significant) and could be removed as part of a development proposal. • We have provided an assessment on two bases, firstly on an 'As Is' basis and secondly assuming various registered interests in favour of Council.
Highest and Best Use	• Industrial orientated development in line with the prevailing zoning and Land Management Agreement.

Assumptions and Qualifications

- While all reasonable endeavours have been made to clarify the accuracy of the information provided, it is assumed the information provided by the instructing party and/or by the registered proprietor(s) consists of a full and frank disclosure of all information that is relevant.
- Where possible, within the scope of our retainer and instructions, and limited to our expertise as valuers, we have reviewed the information provided to us. Based upon our review, we have no reason to believe that the information provided is not fair and reasonable or that material facts have been withheld. However, our enquiries are necessarily limited by the nature of our role.
- Under Scenario 1 ('As Is' market value), unless otherwise stated we have assumed the properties are free of all easements, encumbrances and interests other than those listed on the Certificate(s) of Title and there are no encroachments outside the boundaries of the plan.
- Under Scenario 2, we have assumed the parcels of land would sell subject to a Deed, Caveat and Land Management Agreement (LMA) in favour of Council and detailed further later herein in Section 2.6.
- The use of the properties as a public reserve is not contained within the List of Potentially Contaminating Activities, Industries and Land Uses identified in Appendix 2 of the Australian Real Property Guidance Note 1 - Land Contamination Issues. We are not experts in the detection or quantification of environmental problems. This valuation is made on the assumption that there are no actual or potential contamination issues affecting the value or marketability of the properties. Should subsequent investigation show that the site is contaminated this valuation will require revision.
- We are not aware of any Native Title claims or any aboriginal heritage sites associated with the subject properties. Our assessment has been completed on the assumption that there are no actual or potential Native Title claims or impacts. Should this prove incorrect this valuation will need to be reviewed.
- This executive summary is an abstract of the contents contained within the body of this report. This summary is to be read in conjunction with the body of the report and any appendix attached, and is subject to all comments therein. This summary is not to be relied upon in isolation.

COVID-19 Impact

- The outbreak of the Novel Coronavirus (COVID-19) was declared a 'Global Pandemic' by the World Health Organisation on 11 March 2020. Globally, and nationally financial and property markets were impacted.
- In response to the COVID-19 pandemic and associated economic impact the Australian Property Institute (API) declared a 'Time of Crisis and/or State of Emergency' effective 29 March 2020. In addition, a 'Significant Valuation Uncertainty' protocol was issued.
- This valuation is current at the Date of Valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the Valuer could not reasonably have been aware of as at the Date of Valuation). We do not accept responsibility or liability for any losses arising from such subsequent changes in value.
- The Major Emergency Declaration in South Australia was ended on 24 May 2022. However, we maintain all other recommendations and qualifications associated with the Australian Property Institute (API) protocols.
- We recommend that the user(s) of this report review this valuation periodically.

13 and 21-27 Valiant Road, Holden Hill SA 5088

Date of Inspection	6 June 2022
Date of Valuation	6 June 2022 (Refer Section 1.4)

Valuation

Approaches Adopted	Direct Comparison
Scenario 1	As Is Market Value
'As Is' Market Value **13 Valiant Road**	**$910,000 GST Exclusive** **(Nine Hundred and Ten Thousand Dollars)**
'As Is' Market Value **21-27 Valiant Road**	**$910,000 GST Exclusive** **(Nine Hundred and Ten Thousand Dollars)**
Scenario 2	Encumbered Equitable Value
Encumbered Equitable Value **13 Valiant Road**	**$685,000 GST Exclusive** **(Six Hundred and Eighty Five Thousand Dollars)**
Encumbered Equitable Value **21-27 Valiant Road**	**$685,000 GST Exclusive** **(Six Hundred and Eighty Five Thousand Dollars**

This Valuation is made subject to the assumptions, remarks and qualifications contained in the following REPORT and is for the use only of the party to whom it is addressed and for no other purpose. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this SUMMARY in isolation. Neither the whole nor any part of this SUMMARY or any reference to it may be included in any document, circular or statement without our written approval of the form and context in which it will appear.

Neither McGees Property nor the signatory to this SUMMARY have any interest financial, pecuniary or otherwise in, or with parties associated with the subject of this assessment that would conflict with the independent valuation of the property. We confirm that this position will be maintained until the purpose for which this valuation is being obtained is completed.

When a report has been provided in digital form only and has not been received directly from McGees Property the report should be verified with the issuing office as bona fide. If the reader of the report suspects that the report has been tampered with in any way we recommend the reader contact McGees Property.

McGEES PROPERTY

TOM ROWE
Director
B. Bus. Prop. (Valuation)
Associate of the Australian Property Institute
Certified Practising Valuer

***NATHAN ROBINS**
Director
B. Bus. Prop. (Valuation)
Associate of the Australian Property Institute
Certified Practising Valuer

SIGNED this 12th day of July 2022.

*The co-signatory (Nathan Robins), who has read and signed this report verifies that the report is genuine and is endorsed by McGees (SA) Pty Ltd. The opinion of the value expressed has been arrived at by the prime signatory (Tom Rowe) alone.

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Letter of Instructions
Current Title Searches
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Planning and Design Code Extracts
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REPORT

1.0 INSTRUCTIONS

1.1 Brief

Instructions were received via email dated 6 June 2022 from Ms Rosa Gagetti, Property & Projects Facilitator, City of Tea Tree Gully to assess the market value of the freehold properties for strategic advisory purposes. Subsequent instructions received via email dated 16 June 2022 from our instructing party requested we consider a second basis of valuation.

We have been requested to provide assessments of market value under the below scenarios:

1) 'As Is' unencumbered market value; and
2) Market value (or equitable value) subject to the proposed Caveat, Deed and Land Management Agreement.

The report has been prepared for the private and confidential use of the City of Tea Tree Gully and it may not be reproduced in whole or in part or relied upon for any other purpose or by any party other than the above without our written authority.

A copy of the Letter of Instructions is contained in the Appendices.

1.2 Purpose of Valuation

This valuation has been prepared on behalf of the City of Tea Tree Gully for strategic advisory purposes and complies with the Australia and New Zealand Valuation and Property Standards (dated January 2012).

We confirm that:

- The statements of fact presented in the report are correct to the best of our knowledge.
- The analysis and conclusions are limited only by the reported assumptions and qualifications and conditions.
- Our fee is not contingent upon any aspect of the report.
- The valuation was performed in accordance with an ethical code and performance standards.
- We have satisfied professional education requirements.
- We have experience in the location and category of the properties being valued.
- We have made a personal inspection of the property.

1.3 Date of Inspection

6 June 2022

1.4 Date of Valuation

6 June 2022

The valuation is based on the following definitions and is current as at the Date of Valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period (including as a result of general market movements or factors specific to the particular property). Liability for losses arising from such subsequent changes in value is excluded as is liability where the valuation is relied upon after the expiration of three months from the Date of the Valuation or such earlier date if you become aware of any factors that have an effect on the valuation.

1.5 Basis of Valuation

1.5.1 Market Value

The International Valuation Standards Council (IVSC) defines market value as:

> *"The estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm's length transaction, after proper marketing where the parties had each acted knowledgeably, prudently and without compulsion."*

The value assessment assumes a professional marketing campaign and reflects a selling period of no more than six months unless otherwise stated.

1.5.2 Highest and Best Use

"Highest and best use" may be defined as that legal and profitable use found to be physically possible, appropriately supported and financially feasible, and which results in the highest value.

1.5.3 Valuer's Interest

Neither McGees Property nor its valuers have any pecuniary interest in, or with parties associated with the subject of this assessment that would conflict with the independent valuation of the property.

1.5.4 GST

We are not experts in GST legislation or implementation. Unless otherwise stated our valuation has been completed on a GST exclusive basis. Furthermore, all sales information herein has been detailed on a GST exclusive basis unless otherwise stated.

1.5.5 Valuation Uncertainty (API Guidance)

Due to COVID-19 global pandemic and the ongoing economic fallout it has caused, we highlight the following definition of “Valuation Uncertainty” as provided by the Australian Property Institute:

> *“The possibility that the Valuer’s professional opinion as to the Market Value of the asset may differ from the price that could be achieved in a transfer of the asset as at the valuation date, assuming all other market conditions and variables remain constant.”*

1.5.6 Market Evidence

Some of the market evidence detailed herein may reflect market conditions during different stages of the COVID-19 pandemic. At various stages in the pandemic there has been a level of ambiguity and uncertainty around the potential impact of the pandemic on values and marketability. Indeed, the current response to COVID-19 means that we are faced with an unprecedented set of circumstances on which to base a judgement. We highlight the API endorsed definition of 'Valuation Uncertainty' previously detailed herein and consequently less certainty and a higher degree of caution should be attached to our valuation. We recommend frequent valuation updates.

1.5.7 Market Uncertainty (API Guidance)

The Australian Property Institute has provided the following guidance in relation to market uncertainty associated with COVID-19. This level of uncertainty may or may not be applicable to the subject properties and its specific market.

> *"The market is being impacted by the uncertainty caused by the COVID-19 pandemic. As at the Date of Valuation we consider that there is market uncertainty resulting in significant valuation uncertainty.*
>
> *This valuation is therefore reported on the basis of 'significant valuation uncertainty'. As a result, less certainty exists than normal and a higher degree of caution should be attached to our valuation than normally would be the case. Given the unknown future impact that COVID-19 might have on markets, we recommend that the user(s) of this report review this valuation periodically.*
>
> *This valuation is current at the Date of Valuation only. The value assessed herein may change significantly and unexpectedly over a relatively short period of time (including as a result of factors that the valuer could not reasonably have been aware of as at the Date of Valuation). We do not accept responsibility or liability for any losses arising from such subsequent changes in value."*

2.0 TITLE PARTICULARS

2.1 Real Property Description

Allotment (Reserve) 16 in Deposited Plan No. 9917
in the area named Holden Hill, Hundred of Yatala

Being a Reserve

Certificate of Title Volume 5274 Folio 794

Allotment (Reserve) 22 in Deposited Plan No. 9918
in the area named Holden Hill, Hundred of Yatala

Being a Reserve

Certificate of Title Volume 5274 Folio 798

2.2 Registered Proprietor(s)

City of Tea Tree Gully

2.3 Easements, Encumbrances and Interests

Both Titles are subject to the below easement:

- Subject to service easement(s) over the land marked easement B on DP 9917 and DP 9918 (respectively) for sewerage purposes to South Australian Water Corporation (223LG RPA)

2.4 Impact of Registered Interests

The easements encumber the boundary of the two sites under review, being the southern boundary of 13 Valiant Road (Lot 16) and the northern boundary of 17-21 Valiant Road (Lot 22).

The easements extend the full width of the sites (east/west), being approximately 3.0 metres wide on 13 Valiant Road (Lot 16) and 1.0 metre wide on 21-27 Valiant Road (Lot 22). The area encumbered is approximately 64.02 square metres on 13 Valiant Road (Lot 16) and 21.34 square metres on 21-27 Valiant Road (Lot 22).

Overall, the easements are not considered to have a material impact on the marketability or value of the sites, and they have been considered in our assessments.

2.5 Unregistered Interests

Our inspection noted what appears to be an electricity transformer located towards the south-eastern corner of 21-27 Valiant Road (Lot 22). There are no registered easements or similar covenants noted on the Title. We have assumed this infrastructure is protected.



2.6 Proposed Interests (Scenario 2)

In addition to providing an assessment of market value on an 'As Is' basis, we have been requested to provide assessments of market value (or equitable value) assuming the following interests in favour of Council as Vendor:

- A Deed providing Council an opportunity to buy-back the subject properties in the event that the proposed development of the land (as a carpark associated with the adjoining property located at 2-6 Ardtornish Street, Holden Hill) were to cease.
- A registered Caveat in favour of Council protecting Council's ability to buy-back the land as per the above Deed.
- A Land Management Agreement (LMA) to ensure the land is developed as a carpark linked with the adjoining property at 2-6 Ardtornish Street, Holden Hill.

2.7 Impact of Proposed Interest (Scenario 2)

In our view the proposed Deed and/or Caveat providing Council the option to buy-back the land at some future stage if the land is not developed as agreed (at an agreed price or market value), would not unto itself have a detrimental impact on the current market value. The current market value is linked to the potential use of the land as at the Date of Valuation, which if developed as proposed would render a future buy-back option moot.

However, the proposed LMA would (in our view) detrimentally impact the value of the land. If, as proposed, a LMA is registered on the Titles providing that the land can only be utilised as a carpark, this clearly reduces the potential uses and pool of potential purchasers (and in our view will impact the market value).

Qualification

Our valuation is based on the attached copies of the current Title searches and Deposited Plans obtained from the *South Australian Integrated Land Information System (Department for Infrastructure and Transport, Government of South Australia)*.

Unless otherwise stated we have assumed that properties are free of all easements, encumbrances and interests other than those recorded on the Titles.

Copies of the Titles and Deposited Plans are contained within the Appendices of this report.

As no current survey has been sighted, unless otherwise stated the valuation is made on the basis that there are no encroachments or restrictions by or upon the properties and this should be confirmed by a Survey Report and/or advice from a registered surveyor. If any encroachments are noted on the Survey Report, we should be consulted to reassess any affect on the values stated in this report.

3.0 PLANNING AND DEVELOPMENT CONTROLS

3.1 Local Authority

City of Tea Tree Gully

3.2 Zoning

As at the Date of Search of the Planning and Design Code (7 June 2022) the properties are contained within the Employment Zone.

The Desired Outcomes of this zone are as follows:

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

DO 2: Distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces.

An extract of the relevant section of the Planning and Design Code is copied into the Appendices.

3.3 Heritage Listing

The subject properties are not listed on any Local or State Heritage Registers.

3.4 Native Title

We are not aware of any Native Title claims or any aboriginal heritage sites associated with the subject properties. Our assessments have been completed on the assumption that there are no actual or potential Native Title claims or impacts.

3.5 Community Land Status

In accordance with our instructions we have assumed Community Land Status has been revoked.

3.6 Protected Vegetation

We have assumed none of the trees located on the land are protected trees (regulated or significant) and could be removed as part of a development proposal.

3.7 Statutory Assessment

For rating and taxing purposes the statutory assessed values of the properties as determined by the Office of the Valuer-General released 1 July 2021 and dated 1 January 2021 are as follows:

Valuation No.	Address	Site Value	Capital Value
2804547000	13 Valiant Road	$295,000	$295,000
2804548003	21-27 Valiant Road	$295,000	$295,000

This information was obtained from the SA Integrated Land Information System (SAILIS) administered by Land Services SA (LSSA) and is assumed to be correct.

The statutory assessments made as at 1 January 2022 are not released until July 2022.

4.0 ENVIRONMENTAL

4.1 Site Contamination

The below comments and observations are to be considered in the knowledge that we do not purport to be environmental experts.

The below questionnaire provides a summary of our observations.

Question	McGees Observation
Is the current use a listed potentially contaminating land use?	No
Is a known previous use a listed potentially contaminating land use?	No
Do the properties have or require an EPA Licence for the current use?	No
Are the properties registered on the EPA site contamination index?	No
Are there any known underground storage tanks (USTs) onsite?	No
Do adjacent properties appear to be utilised for a listed potentially contaminating land use?	No

The current use of the properties as a public reserve is not contained in the List of Potentially Contaminating Activities, Industries and Land Uses identified in Appendix 2 of the Australian Real Property Guidance Note 1 - Land Contamination Issues.

A visual site inspection does not reveal any obvious contamination. We are not aware of any environmental issues affecting the properties. We are not experts in the detection or quantification of environmental problems and, have not carried out a detailed environmental investigation. This valuation is made on the assumption that there are no actual or potential contamination issues affecting the value or marketability of the properties.

If verification is required that the properties are free from contamination and has not been affected by contaminants of any kind, this could be obtained from a suitably qualified environmental professional. Should subsequent investigation show that the site is contaminated this valuation will require revision.

4.2 Flooding

Flooding does not appear to be a risk under normal climatic conditions.

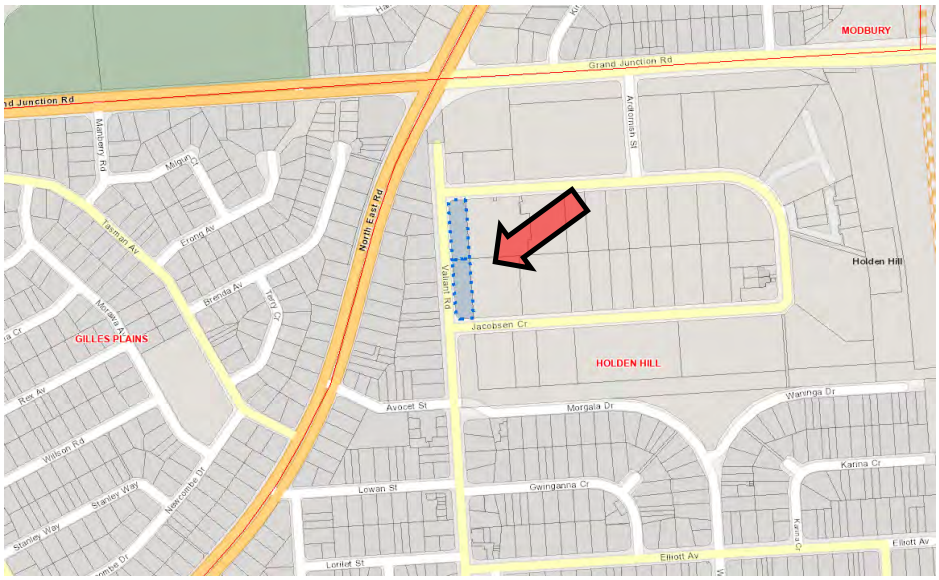
5.0 LOCATION AND SERVICES

5.1 Location and Surrounding Development

The subject properties are located within the mixed-use suburb of Holden Hill, approximately 13 kilometres (by road) north-east of the Adelaide Central Business District.

More particularly, the properties are located on the eastern side of Valiant Road with Jacobsen Crescent adjoining the southern and northern boundaries. 13 Valiant Road is the northern parcel and 21-27 Valiant Road is the southern parcel.

Surrounding development is predominantly industrial in nature, comprising small to medium scale office warehouse accommodation. To the western side of Valiant Road is also a section of residential development and commercial and retail orientated uses (with frontages to North East Road).



5.2 Roads, Access and Exposure

Valiant Road extends adjacent to the western boundary of both sites. It is bitumen sealed with concrete gutters and provides for a single lane of traffic in each direction plus on street carparking.

Jacobsen Crescent is a ring-route roadway which connects with Valiant Road to the immediate north and south of the subject land. It is also bitumen sealed with concrete gutters and provides for a single lane of traffic in each direction.

The properties are located in close proximity to North East Road and Grand Junction Road, and overall are considered to have reasonably good access characteristics.

5.3 Services and Amenities

Services available include electricity, gas, town water, sewerage and telephone/data.

We are unaware of any planned changes in the area, such as amended road patterns, population and demographic movements, Council requests or plans, which may result in an adverse affect to the market value of the property.

6.0 LAND

6.1 Land Area(s)

Description	Land Area
13 Valiant Road (Lot 16)	1,585 m²
21-27 Valiant Road (Lot 22)	1,587 m²
Total Land Area	**3,172 m²**

6.2 Dimensions and Topography

Both sites comprise very similar shaped land parcels with western frontages to Valiant Road of 70.40 metres each. Each site has a corner truncation at the intersection with Jacobsen Crescent and return frontages to this roadway of 17.07 metres.

13 Valiant Road (Lot 16) has a very gentle rise from the northern boundary adjoining Jacobsen Crescent to the south, and a mild rise to the east.

21-27 Valiant Road (Lot 22) has a very gentle rise from the southern boundary (also adjoining Jacobsen Crescent) to the north, and a mild rise to the east.

The sites appear to rise very moderately to the common boundary.

Detailed images are contained upon the Deposited Plans appended hereto.

Qualification

We are unaware of any outstanding Governmental orders or the possibility of future orders being imposed, e.g. road resumptions or any other form of resumptions.

7.0 IMPROVEMENTS

The subject properties are devoid of fixed building improvements. Perimeter fencing is provided to the eastern boundary, comprising a mixture of steel spear/tube and cyclone mesh with barbed wire.

8.0 OCCUPANCY

Our assessments have been provided on a vacant possession basis.

9.0 VALUATION CONSIDERATIONS

9.1 Sales History

Our search of sales records indicates the properties have no recent recorded sales history.

9.2 SWOT Analysis

The following discussion outlines the identified Strengths, Weaknesses, Opportunities and Threats currently relating to the subject properties.

Strengths

- Generally level, corner sites.
- Road frontages to two boundaries.
- Tightly held inner north-eastern industrial precinct.
- Good access to transport corridors.

Weaknesses

- Somewhat narrow, elongated sites.
- Apparent electricity transformer to 21-27 Valiant Road.
- Relatively dense cover of established vegetation.
- Proposed restrictive covenants (Scenario 2).

Opportunities

- Redevelop in line with prevailing zoning.
- Redevelopment as carparking (Scenario 2).
- Piecemeal sale or sale ‘in one line’.

Threats

- Interest rate rises dampen market sentiment.
- Broader deterioration in market conditions.

9.3 Market Commentary

The emergence of the COVID-19 in South Australia in early 2020 had a significant impact on the local economy. Government enforced trading and social restrictions resulted in a closure of many businesses (albeit on a temporary basis) and a substantial impact to economic activity was realised.

Transaction volumes came to a halt in early 2020 during the initial wave of COVID-19. Buyer and tenant demand was non-existent, and owners opted to take a wait and see approach. As a result, the market came to a standstill. Economic data released later in 2020 crystalised the full impact of the initial phase of the virus with Australia experiencing its first recession in around 30 years.

In late 2020, throughout 2021, and into 2022 the property market and broader economy within South Australia rebounded strongly. As the state managed to keep case numbers low trading conditions returned to near normal and confidence improved across the market. The impact of the virus and associated restrictions has been varied across asset classes, with some sectors experiencing renewed demand including industrial, logistics, medical, and residential. Conversely, alternate asset classes including discretionary retail have proven less resilient.

The initial fears of the effect of COVID-19 on the property market appear to have not been realised. Instead, there has been record prices across multiple asset classes in recent times with a large number of buyers remaining active and a strong level of demand evident.

In May 2022 the Reserve Bank of Australia raised the cash rate for the first time in over a decade in face of inflationary pressures. An additional rate rise was implemented in June. With additional rate rises anticipated over the short term, this may have a dampening impact on market sentiment.

The situation is continually evolving and will require ongoing monitoring.

9.4 Market Position of the Subject Properties

9.4.1 Scenario 1 (As Is)

The subject properties comprise two adjoining corner parcels, both contained within an industrial precinct of Holden Hill.

The sites are generally level, and both have an extended road frontage to Valiant Road. That said, we do recognise the somewhat narrow depth of the parcels, which could provide some difficulties from a redevelopment standpoint.

Nonetheless, there is a general scarcity of industrial orientated development land within Holden Hill, and the broader north-east, and we would suggest a good level of interest would be forthcoming if the properties were offered to the open market. We would anticipate interest in the sites on a piecemeal basis and ‘in one line’, with developers the most likely purchaser profile.

9.4.2 Scenario 2 (Encumbered)

On the assumption of the land is to be sold subject to a Land Management Agreement restricting the use to carparking, this will in our view, impact the marketability and value of the land. Clearly, the potential uses of the land have been reduced under this scenario and the depth of purchasers similarly impacted.

10.0 MARKET EVIDENCE

In assessing the market value of the properties, we have obtained and analysed evidence of comparable properties.

In compiling the following market evidence we have relied on a range of external sources including publicly available information, subscription to information databases and information generally provided verbally by others such as real estate agents, property managers, property valuers and consultants. In many instances we have not had access to the original source material. Although we have endeavoured to the best of our ability to confirm the accuracy of the information provided, we have had to rely on some of this information in good faith. We are unable to state with absolute certainty that the information upon which we have relied is consistent with the contractual arrangements between the relevant parties.

Existing sales databases do not currently always differentiate between or record whether or not a transaction is inclusive or exclusive of GST. Where we have not been able to verify the status of a transaction, we have assumed the recorded information is inclusive of GST and have made appropriate adjustments to establish a GST exclusive figure.

The following schedule(s) detail a selection of comparable transactions which we have relied on in making our assessments.

10.1 Scenario 1 Sales Evidence

No.	Address	Purchase Price ($) (Date)	Land Area (m²)	Land Analysis ($/m²)
1	542-548 North East Road Holden Hill	$1,121,000 (Jun 2021)	1,813 m²	$618
General Comment A slightly irregular shaped vacant site. The land is located on the south-eastern side of North East Road (inbound), a short distance north-east of its intersection with Sudholz Road. Exposure to 44,900 vehicles daily. Access for city bound traffic only. The site has a frontage of approximately 75.44 metres to North East Road. Located directly opposite Gilles Plains Shopping Centre and in close proximity to Holden Hill Police Station. The property was zoned District Centre, Policy Area 6 (Gilles Plains) during the marketing campaign and is now zoned Suburban Activity Centre under the Planning and Design Code. To be developed as a child care facility.				
Comparison Superior arterial road location/exposure. Zoning provides scope for commercial/retail land uses. Market conditions have strengthened since this sale occurred. On balance a lower land rate is considered supported.				
2	19 Braeside Avenue Holden Hill	$407,500 (Feb 2020)	1,267 m²	$322
General Comment A near rectangular shaped site with a road frontage of 18.90 metres. Generally level contour.				
Comparison Inferior location further east in a section of Holden Hill providing small scale industrial and residential land uses. Negotiated in mid-2019 and settled in early 2020, market conditions have improved substantially since this sale occurred. A higher land rate is supported.				

No.	Address	Purchase Price ($) (Date)	Land Area (m²)	Land Analysis ($/m²)
3	24 Dundee Avenue Holden Hill	$500,000 (Oct 2021)	704 m²	$710
General Comment A near regular shaped site with a road frontage of 14.15 metres. Level, flat site. Zoned Employment. Located directly adjoining residential land uses. Appears to have transacted 'off-market'.				
Comparison A smaller site than the subject properties. Non-corner position. Located within a small light and service industry precinct, approximately 1.4 kilometres south-west of the subject property. On balance, a lower land rate is anticipated for the subject properties.				
4	77 Graves Street Newton	$920,000 (Jun 2021)	1,703 m²	$540
General Comment A rectangular shaped site of level contour. Frontage of 43.99 metres to Graves Street. Zoned Employment. Located directly opposite residential development.				
Comparison Located within a tightly held inner north-eastern industrial precinct. Openly marketed for sale in late 2020 and early 2021. Market conditions have strengthened since this sale occurred. On balance a higher underlying land rate is considered supported for the subject properties.				
5	20 Benjamin Street Newton	$985,000 (Jun 2021)	1,765 m²	$558
General Comment A slightly irregular shaped site with a rounded street frontage of 37.05 metres. Level site. Zoned Employment.				
Comparison Located within a tightly held inner north-eastern industrial precinct. Openly marketed for sale in late 2020 and early 2021. Market conditions have strengthened since this sale occurred. On balance a higher underlying land rate is considered supported for the subject properties.				
6	16 Benjamin Street Newton	$990,000 (Mar 2022)	2,040 m²	$485
General Comment A rectangular shaped site with a road frontage of 29.30 metres. Level site. Zoned Employment.				
Comparison Located within a tightly held inner north-eastern industrial precinct. Openly marketed for sale in late 2020 and early 2021. Extended settlement period. Market conditions have strengthened since this sale occurred. On balance a higher underlying land rate is considered supported for the subject properties.				

10.2 Scenario 2 Sales Evidence

There is a general scarcity of directly comparable sales of industrial orientated parcels which have sold subject to restrictive Land Management Agreements, as proposed for the subject land.

That said, through our involvement within the property industry we are privy to several transactions (albeit within differing locales and zones) which have sold subject to restrictive covenants. Strick confidentiality restricts full disclosure of the terms of the sales. We have however considered these transactions and have provided below summary details, including our analysis on the prevailing discount relative to the unencumbered market value of the properties at the time.

In our view the following transactions provide some reasonable guidance.

No.	Location	Purchase Price ($)	Restriction	Indicative Discount
1	Northern Metropolitan	$3,400,000	LMA (prescribed land use)	30% to 40%
General Comment Development site sold subject to a LMA restricting land use, albeit inline with uses envisaged within the zone and area. Buy-back option also provided to Vendor at the same price which was executed several years later as the proposed development did not proceed.				
2	Northern Metropolitan	$1,123,500	LMA (prescribed land use)	30% to 50%
General Comment Development site sold subject to a LMA restricting land use, which provided that the land is to be developed for a specific, specialised use which would limit the pool of purchasers if offered to the open market. Buy-back option also provided to Vendor, however land has been developed and buy-back not undertaken.				
3	North-Eastern Metropolitan	$320,000	CLS (community land)	60% to 80%
General Comment Land purchased by Council subject to use at open space only with Community Land Status (CLS). Purchase price reflected the restrictive use of land.				
4	Southern Metropolitan	$6,356,000	Heritage and Land Use (continuation of use)	50% to 75%
General Comment Transfer of land component of operational school with various heritage restrictions, transferred between School and Church entities. Consideration represents discount to independently assessed 'in use' land value, which was assessed as a discount to the unencumbered land value. Consideration represents 50% discount to 'in use' assessment and 75% to the unencumbered assessment.				

11.0 METHODOLOGY AND RATIONALE

11.1 Methodology

Real property is valued in terms of its "highest and best use" which may be defined as the most probable use of a property which is physically possible, appropriately justified, legally permissible, financially feasible and which results in the highest value for the property being valued.

Under Scenario 1, being the 'As Is' value of the land, we consider development in line with the Employment zoning regulations to be the subject properties highest and best and it is on this basis we have assessed market value.

We have utilised the Direct Comparison approach in our assessment of the 'As Is' market value of the subject properties. This approach involves the comparison of the subject properties with the available sales evidence either in their entirety or utilising a common unit of comparison, typically the dollar rate per square metre of the land or the improvements. The market derived rate is then applied to the subject, after first making appropriate adjustments to account for the individual traits of the subject, to arrive at the market value.

Under Scenario 2, being the assessments of value subject to the various interests in favour of Council, we have considered the impact of the proposed LMA on the unencumbered value of the land and applied what we consider to be a reasonable discount.

11.2 Scenario 1 (As Is)

The sales evidence investigated and detailed within Section 10.1 reflects a sale price range of $407,500 to $1,121,000 GST exclusive, with settlements occurring over a period between February 2020 and October 2021.

The sale properties range in scale from 704 square metres to 1,813 square metres, with the corresponding analysis providing a range of $322 to $710 per square metre of land area.

In addition to the sales noted herein we are aware of an offer to purchase a large corner site in Holden Hill (improved) which suggests an underlying land value in excess of $600 per square metre. The offer is from a developer seeking to demolish the existing built form. Confidentially restricts any further disclosure.

We are conscious of the strength within this market segment in recent years, with price growth noted across most inner metropolitan industrial precents. We have considered this within our assessment.

Reconciliation

We have had regard to the above rates and made appropriate adjustments for variations in:

- location and consequent access and exposure attributes;
- shape and topography of the sites;
- zoning and potential land uses;
- land area; and
- prevailing market conditions.

After due consideration, and noting our comparison comments within the sales tables, we have formed the view that the below land rates and market values are supported for the subject properties.

Property	Land Area (m^2)	Land Rate ($/m^2$)	Rounded Value Range (GST Excl.)	Market Value (GST Excl.)
13 Valiant Rd	1,585 m^2	\$550/m^2 to \$600/m^2	\$870,000 to \$950,000	**\$910,000**
21-27 Valiant Rd	1,587 m^2	\$550/m^2 to \$600/m^2	\$870,000 to \$950,000	**\$910,000**

We have formed the view that the market value of both 13 Valiant Road and 21-27 Valiant Road is **\$910,000 (Nine Hundred and Ten Thousand Dollars) exclusive of GST**.

11.3 Scenario 2 (Encumbered Value)

Under the prevailing assumption that the land under review can only be utilised for carparking, and more particularly carparking in association with an adjacent property, we have given consideration to the concept of Equitable Value as defined by the International Valuations Standards Council (IVSC) and noted below.

> *"The estimated price for the transfer of an asset or liability between identified knowledgeable and willing parties that reflects the respective interests of those parties."*

This is essentially the price willing to be paid between known parties, being Council and the adjacent landowner(s) giving consideration to the proposed land use as carparking only.

It is also clear that the adjacent owner of 2-6 Ardtornish Street is eager to secure the land to facilitate further development of their existing property. However, subject to an LMA as previously detailed, there are very limited (if any) alternate buyers of the land. When there is no realistic alternate buyer in the market a discount to the 'market value' of the land may be warranted in order to entice the only known buyer to purchase the land. In our view, this adaptation of Equitable Value, being a discount, is likely in this instance.

It is particularly difficult to accurately quantify an appropriate discount that would be applicable. The full motivations of the purchaser are unknown and the price willing to be paid inevitably is a commercial decision of the entity which is not necessarily linked to market metrics. The potential discount payable can be influenced by a number of factors including, but not limited to, the following:

- the availability (or lack thereof) of alternate sites;
- the purchasers existing holding(s) in the area;
- the planned use of the site and potential for this to be replicated elsewhere;
- the likelihood that the site will become available for sale again (if at all); and
- the motivation (or lack thereof) of the existing owner to dispose of the land.

It is apparent that the adjacent owner has a desire to purchase the land, having approached Council initially. It would appear that the subject properties would likely enhance the value of the adjacent owners existing site, providing the carparking requirements to facilitate further development. This likely enhancement to the existing property somewhat offsets the restriction on use over the subject land. That said, it must still be recognised that there are practically no alternate buyers of the land (subject to the LMA). It is highly likely in our view that an informed, knowledgeable and prudent purchaser would be aware of this.

It should be recognised that there is an inherent level of subjectivity, lack of transparency, and many non-market factors which influence what discount (if any) a party may be willing to accept and what price an adjoining owner may be willing to pay in the knowledge that there are no realistic alternate buyers.

Whilst not directly comparable in terms of location, the transactions detailed within Section 10.2 reflect discounts to the perceived 'unencumbered market value' broadly in the order of 30 to 75 percent. Noting that the adjacent owner has instigated negotiations and the improved efficiencies provided to their existing holding (ability to undertake further development of their site), a discount slightly below this level is considered supported in this instance.

In this instance we would suggest a discount in the order of 20 to 30 per cent is reasonable. Applying the midpoint discount (25%) to the assessed 'As Is' market value of the subject properties results in a (rounded) Equitable Value of each property subject to the proposed restrictive covenant(s) of **$685,000 (Six Hundred and Eighty Five Thousand Dollars) exclusive of GST**.

The below table details our assessments.

Property	'As Is' Market Value	Discount (%)	Equitable Value Range (GST Excl.)	Adopted Equitable Value (GST Excl.)
13 Valiant Rd	$910,000	20%-30%	$640,000 to $730,000	**$685,000**
21-27 Valiant Rd	$910,000	20%-30%	$640,000 to $730,000	**$685,000**

12.0 VALUATION

In accordance with our instructions and any qualifications detailed herein, we assess the Market Value and Equitable Value of **13 Valiant Road and 21-27 Valiant Road, Holden Hill SA 5088** for strategic advisory purposes as at **6 June 2022** as follows:

'As Is' Market Value 13 Valiant Road	**$910,000 GST Exclusive (Nine Hundred and Ten Thousand Dollars)**
'As Is' Market Value 21-27 Valiant Road	**$910,000 GST Exclusive (Nine Hundred and Ten Thousand Dollars)**
Encumbered Equitable Value 13 Valiant Road	**$685,000 GST Exclusive (Six Hundred and Eighty Five Thousand Dollars)**
Encumbered Equitable Value 21-27 Valiant Road	**$685,000 GST Exclusive (Six Hundred and Eighty Five Thousand Dollars)**

This Valuation is made subject to the assumptions, remarks and qualifications contained in this REPORT and is for the use only of the party to whom it is addressed and for no other purpose. No responsibility is accepted to any third party who may use or rely on the whole or any part of the content of this REPORT. Neither the whole nor any part of this REPORT or any reference thereto may be included in any document, circular or statement without our written approval of the form and context in which it will appear.

Neither McGees Property nor the signatory to this REPORT have any interest financial, pecuniary or otherwise in, or with parties associated with the subject of this assessment that would conflict with the independent valuation of the property. We confirm that this position will be maintained until the purpose for which this valuation is being obtained is completed.

When a report has been provided in digital form only and has not been received directly from McGees Property the report should be verified with the issuing office as bona fide. If the reader of the report suspects that the report has been tampered with in any way we recommend the reader contact McGees Property.

McGEES PROPERTY

TOM ROWE
Director
B. Bus. Prop. (Valuation)
Associate of the Australian Property Institute
Certified Practising Valuer

***NATHAN ROBINS**
Director
B. Bus. Prop. (Valuation)
Associate of the Australian Property Institute
Certified Practising Valuer

SIGNED this 12th day of July 2022.

*The co-signatory (Nathan Robins), who has read and signed this report verifies that the report is genuine and is endorsed by McGees (SA) Pty Ltd. The opinion of the value expressed has been arrived at by the prime signatory (Tom Rowe) alone.

LETTER OF INSTRUCTIONS

Subject: FW: Valuation - market value - land at Holden Hill - City of Tea Tree Gully
Attachments: Brief - Valuation - Community Land - Valiant Road Holden Hill.pdf

From: Gagetti, Rosa <rosa.gagetti@cttg.sa.gov.au>
Sent: 06/06/2022 10:49 AM
To: Tom Rowe <trowe@adl.mcgees.com.au>
Subject: RE: Valuation - market value - land at Holden Hill - City of Tea Tree Gully

Hi Tom

I have had your quote approved so please proceed on the basis of the brief and your email. Do you accept credit card payment over the phone? If not, I will issue a purchase order – just makes payment at the end more straightforward.

Please contact me if you have any queries.

Regards

Rosa Gagetti | Property & Projects Facilitator
City of Tea Tree Gully
Civic Centre, 571 Montague Road, Modbury

D 08 8397 7279 | **T** 08 8397 7444

PO Box 571, Modbury, SA 5092
www.teatreegully.sa.gov.au

From: Tom Rowe <trowe@adl.mcgees.com.au>
Sent: Monday, 6 June 2022 9:24 AM
To: Gagetti, Rosa <rosa.gagetti@cttg.sa.gov.au>
Subject: RE: Valuation - market value - land at Holden Hill - City of Tea Tree Gully

EXTERNAL SENDER: Exercise caution before clicking on any links or opening attachments.

Hi Rosa,

Thank you for sending this through, happy to assist.

The proposed timing is tight however we could assist with Council's requirement in this instance (numbers advised by Tuesday 14th midday, with the report to follow thereafter).

Our fee to undertake this would be $+gst.

Please let me know ASAP and I will get things underway.

Kind regards

Tom

McGEES PROPERTY
there is a difference…

Tom Rowe Director
M 0421 964 331 T 08 8414 7833 F 08 8231 1143 E trowe@adl.mcgees.com.au
Level 10, 60 Waymouth Street, Adelaide, S.A. 5000 W adl.mcgees.com.au
■ Sales ■ Leasing ■ Property Management ■ Valuation ■ Advisory



CURRENT TITLE SEARCHES

Product	Register Search (CT 5274/794)
Date/Time	07/06/2022 10:09AM
Customer Reference	32457_12
Order ID	20220607002143

REAL PROPERTY ACT, 1886 South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

Certificate of Title - Volume 5274 Folio 794

Parent Title(s) CT 3932/197

Creating Dealing(s) TG 7829719

Title Issued 23/06/1995 **Edition** 1 **Edition Issued** 23/06/1995

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF TEA TREE GULLY
OF PO BOX 571 MODBURY SA 5092

Description of Land

ALLOTMENT (RESERVE) 16 DEPOSITED PLAN 9917
IN THE AREA NAMED HOLDEN HILL
HUNDRED OF YATALA

BEING A RESERVE

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED EASEMENT B ON DP 9917 FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

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Attachment 7

LAND SERVICES SA

Product	Register Search (CT 5274/798)
Date/Time	07/06/2022 10:10AM
Customer Reference	32457_12
Order ID	20220607002160

REAL PROPERTY ACT, 1886
South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

REGISTRAR - GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 5274 Folio 798

Parent Title(s) CT 3932/197

Creating Dealing(s) TG 7829719

Title Issued 23/06/1995 **Edition** 1 **Edition Issued** 23/06/1995

Estate Type

FEE SIMPLE (RESERVE)

Registered Proprietor

CITY OF TEA TREE GULLY
OF PO BOX 571 MODBURY SA 5092

Description of Land

ALLOTMENT (RESERVE) 22 DEPOSITED PLAN 9918
IN THE AREA NAMED HOLDEN HILL
HUNDRED OF YATALA

BEING A RESERVE

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED EASEMENT B ON DP 9918 FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

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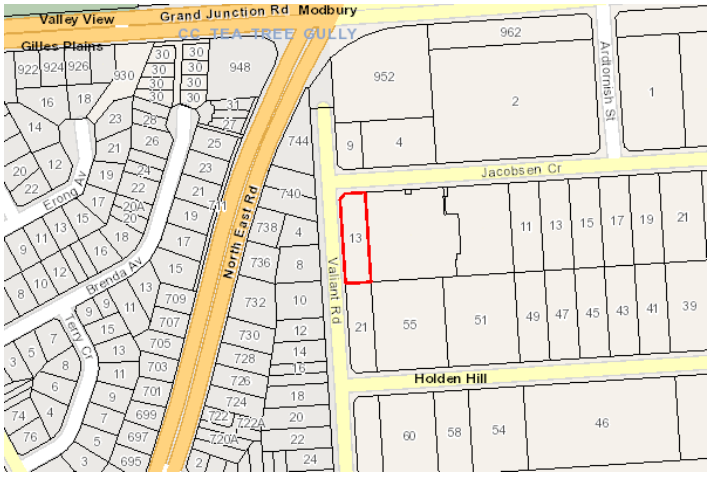
PLANNING AND DESIGN CODE EXTRACT

Policy24 - Enquiry

Address: **13 VALIANT RD HOLDEN HILL SA 5088**

Click to view a detailed interactive SAILIS in SAILIS

To view a detailed interactive property map in SAPPA click on the map below



Property Zoning Details

Local Variation (TNV)
Maximum Building Height (Metres) *(Maximum building height is 9m)*
Maximum Building Height (Levels) *(Maximum building height is 2 levels)*
Overlay
Building Near Airfields
Hazards (Flooding - Evidence Required)
Prescribed Wells Area
Regulated and Significant Tree
Traffic Generating Development
Zone
Employment

Development Pathways

- Employment

1. Accepted Development
   Means that the development type does not require planning consent (planning approval). Please ensure compliance with relevant land use and development controls in the Code.

   - Brush fence
   - Building work on railway land
   - Internal building work
   - Partial demolition of a building or structure
   - Shade sail
   - Solar photovoltaic panels (roof mounted)
   - Water tank (above ground)
   - Water tank (underground)

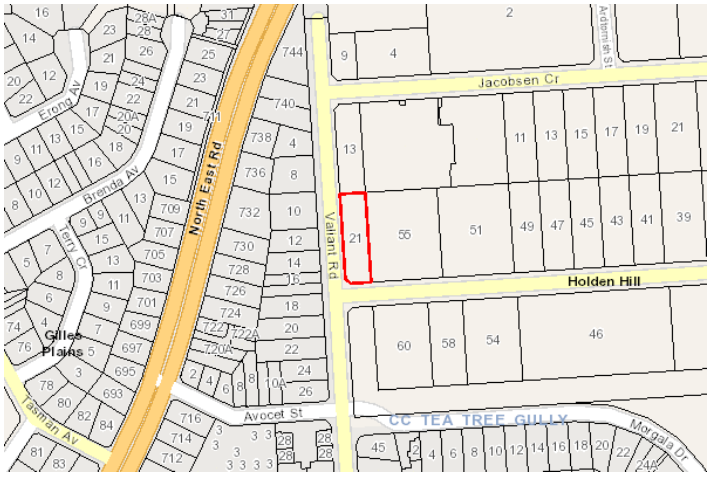
2. Code Assessed - Deemed to Satisfy
   Means that the development type requires consent (planning approval). Please ensure compliance with relevant land use and development controls in the Code.

Policy24 - Enquiry

Address: **21-27 VALIANT RD HOLDEN HILL SA 5088**

Click to view a detailed interactive SAILIS in SAILIS

To view a detailed interactive property map in SAPPA click on the map below



Property Zoning Details

Local Variation (TNV)
Maximum Building Height (Metres) *(Maximum building height is 9m)*
Maximum Building Height (Levels) *(Maximum building height is 2 levels)*
Overlay
Hazards (Flooding - Evidence Required)
Prescribed Wells Area
Regulated and Significant Tree
Traffic Generating Development
Zone
Employment

Development Pathways

- Employment

1. Accepted Development
   Means that the development type does not require planning consent (planning approval). Please ensure compliance with relevant land use and development controls in the Code.

   - Brush fence
   - Building work on railway land
   - Internal building work
   - Partial demolition of a building or structure
   - Shade sail
   - Solar photovoltaic panels (roof mounted)
   - Water tank (above ground)
   - Water tank (underground)

2. Code Assessed - Deemed to Satisfy
   Means that the development type requires consent (planning approval). Please ensure compliance with relevant land use and development controls in the Code.

   - Advertisement

- Advertisement
- Replacement building
- Temporary accommodation in an area affected by bushfire

3. Code Assessed - Performance Assessed
   Performance Assessed development types listed below are those for which the Code identifies relevant policies. Additional development types that are not listed as Accepted, Deemed to Satisfy or Restricted default to a Performance assessed Pathway. Please contact your local council for more information.

   - Advertisement
   - Consulting room
   - Demolition
   - Land division
   - Light industry
   - Office
   - Retaining wall
   - Service trade premises
   - Shop
   - Store
   - Telecommunications facility
   - Warehouse

4. Impact Assessed - Restricted
   Means that the development type requires approval. Classes of development that are classified as Restricted are listed in Table 4 of the relevant Zones.

Property Policy Information for above selection

Part 2 - Zones and Sub Zones

Employment Zone

Assessment Provisions (AP)

Desired Outcome	
DO 1	A diverse range of low-impact light industrial, commercial and business activities that complement the role of other zones accommodating significant industrial, shopping and business activities.
DO 2	Distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 A range of employment-generating light industrial, service trade,	DTS/DPF 1.1 Development comprises one or more of the following:

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motor repair and other compatible businesses servicing the local community that do not produce emissions that would detrimentally affect local amenity.	(a) Advertisement (b) Consulting room (c) Indoor recreation facility (d) Light industry (e) Motor repair station (f) Office (g) Place of worship (h) Research facility (i) Retail fuel outlet (j) Service trade premises (k) Shop (l) Store (m) Telecommunications facility (n) Training facility (o) Warehouse.
PO 1.2 Shops provide convenient day-to-day services and amenities to local businesses and workers, support the sale of products manufactured on-site and otherwise complement the role of Activity Centres.	DTS/DPF 1.2 Shop where one of the following applies: (a) with a gross leasable floor area up to 100m^2 (b) is a bulky goods outlet (c) is a restaurant (d) is ancillary to and located on the same allotment as an industry and primarily involves the sale by retail of goods manufactured by the industry.
PO 1.3 Telecommunication facilities located to mitigate impacts on visual amenity in residential areas.	DTS/DPF 1.3 Telecommunications facility in the form of a monopole: (a) up to a height of 30m (b) no closer than 50m to a neighbourhood-type zone.
PO 1.4 Bulky good outlets and standalone shops are located to provide convenient access.	DTS/DPF 1.4 Bulky goods outlets and standalone shops are located on sites with a frontage to a State Maintained Road.
Built Form and Character	
PO 2.1 Development achieves distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces.	DTS/DPF 2.1 None are applicable.
PO 2.2 Building facades facing a boundary of a zone primarily intended to accommodate residential development, public roads, or public open space incorporate design elements to add visual interest by considering the following: (a) using a variety of building finishes (b) avoiding elevations that consist solely of metal cladding (c) using materials with a low reflectivity (d) using techniques to add visual interest and reduce large expanses of blank walls including modulation and	DTS/DPF 2.2 None are applicable.

incorporation of offices and showrooms along elevations visible to a public road.	
Building height and setbacks	
PO 3.1 Buildings are set back from the primary street boundary to contribute to the existing/emerging pattern of street setbacks in the streetscape.	DTS/DPF 3.1 The building line of a building set back from the primary street boundary: (a) at least the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not separated by a public road or a vacant allotment) (b) where there is only one existing building on adjoining sites which face the same primary street (including those that would adjoin if not separated by a public road or a vacant allotment), not less than the setback to the building line of that building or (c) not less than 3m where no building exists on an adjoining site with the same primary street frontage.
PO 3.2 Buildings are set back from a secondary street boundary to accommodate the provision of landscaping between buildings and the street to enhance the appearance of land and buildings when viewed from the street.	DTS/DPF 3.2 Building walls are no closer than 2m to the secondary street boundary.
PO 3.3 Buildings are set back from rear access ways to provide adequate manoeuvrability for vehicles to enter and exit the site.	DTS/DPF 3.3 Building walls are set back from the rear access way: (a) where the access way is 6.5m wide or more, no requirement (b) where the access way is less than 6.5m wide, the distance equal to the additional width required to make the access way at least 6.5m wide.
PO 3.4 Buildings are sited to accommodate vehicle access to the rear of a site for deliveries, maintenance and emergency purposes.	DTS/DPF 3.4 Building walls are set back at least 3m from at least one side boundary, unless an alternative means for vehicular access to the rear of the site is available.
PO 3.5 Building height is consistent with the form expressed in any relevant *Maximum Building Height (Levels) Technical and Numeric Variation* layer, and is otherwise generally low-rise to complement the established streetscape and local character.	DTS/DPF 3.5 Building height is not greater than: (a) the following: **Maximum Building Height (Levels)** Maximum building height is 2 levels **Maximum Building Height (Metres)** Maximum building height is 9m (b) in all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building height (levels)) - 2 building levels up to a height of 9m.

PHOTOGRAPHS

13 Valiant Road









21-27 Valiant Road

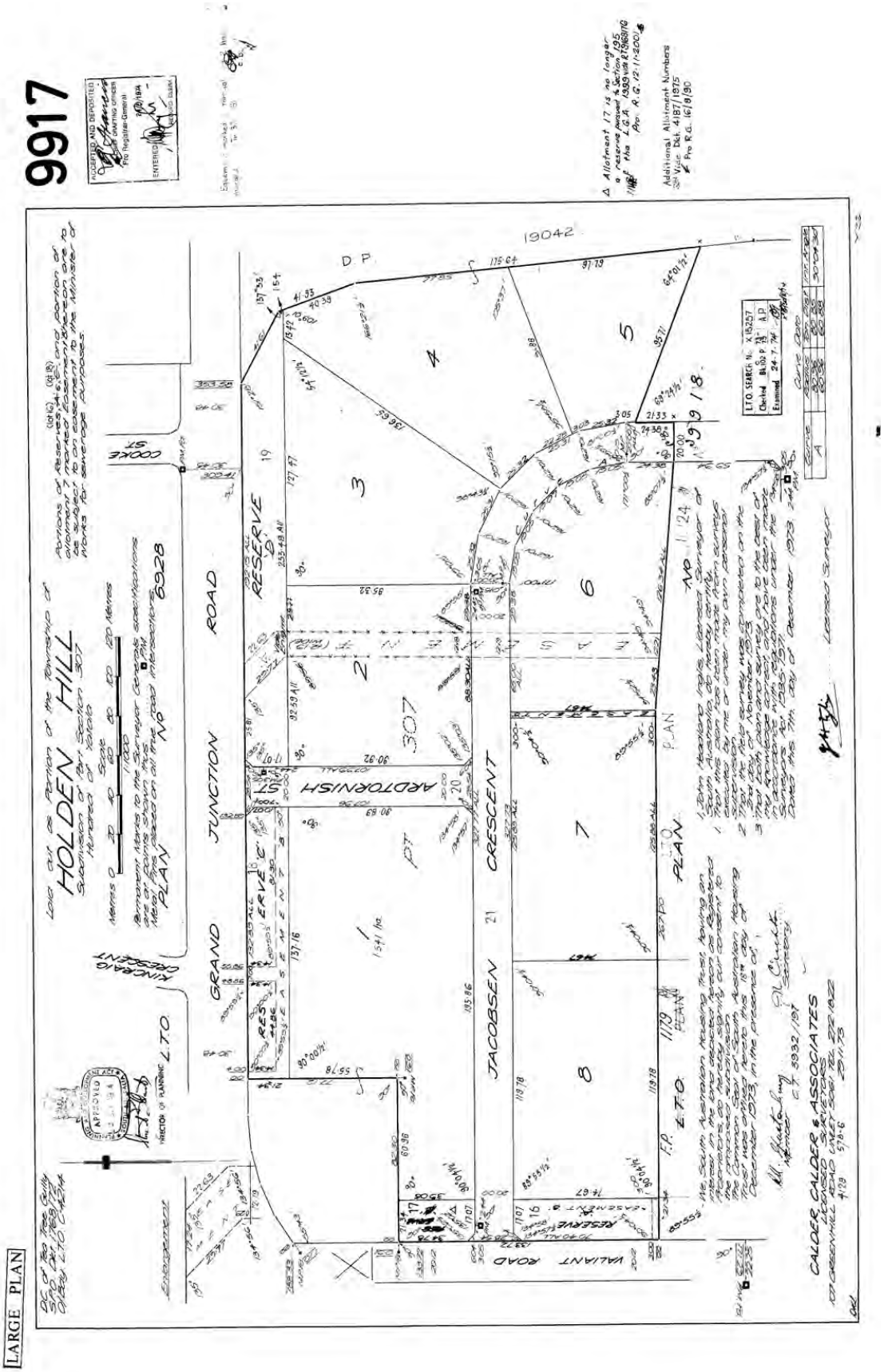




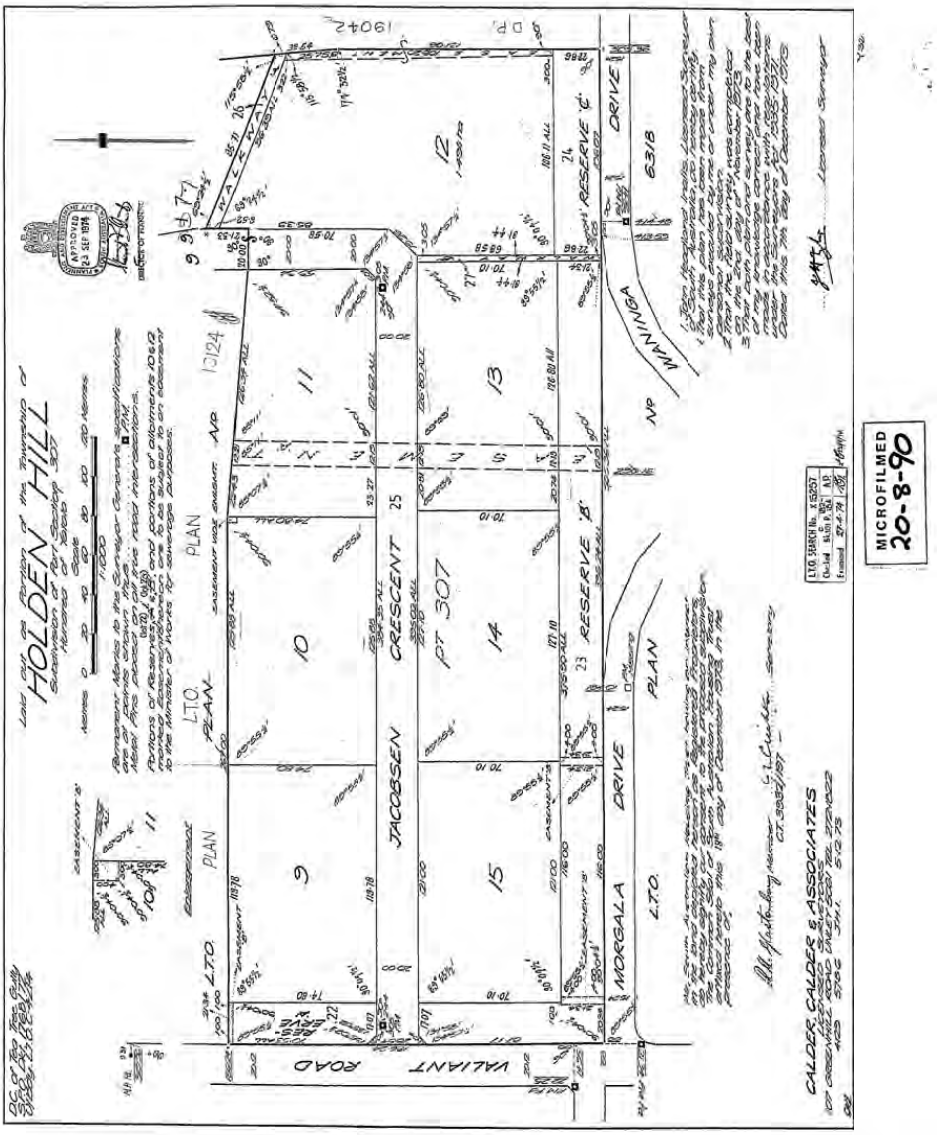




DEPOSITED PLANS



Attachment 7


9918
HOLDEN HILL
JACOBSEN CRESCENT
MORGALA DRIVE
WANINGA DRIVE
VALIANT ROAD
RESERVE 'E'
RESERVE 'F'
PLAN
L.T.O.
MICROFILMED
20-8-90

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