

 DEVELOPMENT ASSESSMENT REPORT	
Application No.	REV/2021/0019
Address	621 Parramatta Road LEICHHARDT NSW 2040
Proposal	S8.2 Review of Determination of DA/2021/0194 which was refused for change of use for the extension of an existing gymnasium on the ground floor of the building, and extension to operating hours
Date of Lodgement	2 November 2021
Applicant	ES Design
Owner	JL and PA Hocking Superannuation Pty Ltd
Number of Submissions	15
Value of works	Nil
Reason for determination at Planning Panel	Number of submissions
Main Issues	Provision of Car Parking Amenity Impacts Hours of Operation Residential Interface
Recommendation	Approval
Attachment A	Recommended Conditions of Consent
Attachment B	Plans of Proposed Development
Attachment C	Plan of Management
Attachment D	Acoustic Report
Attachment E	Traffic Assessment
	
LOCALITY MAP	
Subject Site 	Objectors 
Notified Area 	Supporters 

1. Executive Summary

A Development Application proposing the change of use for the extension of an existing gymnasium on the ground floor of the building, and extension to operating hours at 621 Parramatta Road Leichhardt was refused under Delegated Authority by Determination DA/2021/0194 on 14 July 2021 for the following reasons:

1. *The proposal has not demonstrated compliance with the following Clauses of the Leichhardt Local Environmental Plan 2013 pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979:*
 - a. *Clause 1.2 – Aims of the Plan*
 - b. *Clause 2.3 – Zone objectives and Land Use Table (Zone IN2 Light Industrial)*
2. *The proposal is considered to result in adverse environmental impacts on the built environment pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.*
3. *The proposal is not considered suitable for the site in its current form pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.*
4. *The public submissions raised valid grounds of objection and approval of this application is considered contrary to the public interest, pursuant to Section 4.15(1)(d) and (e) of the Environmental Planning and Assessment Act 1979.*
5. *The proposal is not considered to be in the public interest pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979.*
6. *The proposal has not demonstrated compliance with the following Parts of the Leichhardt Development Control Plan 2013, pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979:*
 - a. *Part C – Section 1 – C1.0 General Provisions*
 - c. *Part C – Section 1 – C1.11 Parking*
 - e. *Part C – Section 2 – C2.2.3.2 West Leichhardt Distinctive Neighbourhood*
 - f. *Part C – Section 3 – C3.1 Residential General Provisions*
 - g. *Part C – Section 4 – C4.5 Interface Amenity*
 - h. *Part C – Section 4 – C4.16 Recreational Facility*
7. *The proposed development is inconsistent and has not demonstrated compliance with the Draft Inner West Local Environmental Plan 2020, pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979:*
 - a. *Clause 3.2 - Zoning Objectives and Land Use Table*

The applicant has requested that Council review the determination under Section 8.2 of the *Environmental Planning and Assessment Act, 1979*. It is noted that the plans submitted with the application for review are largely the same as those originally assessed, although amendments have been made to the Acoustic Report and Traffic Assessment to address the

concerns that previously prevented the granting of development consent under application DA/2021/0194.

The application was notified to surrounding properties and 15 submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

- The provision of adequate car parking; and
- The noise impacts upon nearby residential properties.

Following an assessment of the application, the issues are supported following a merit assessment and therefore the application is recommended for approval.

2. Proposal

The application has been lodged seeking a review under Section 8.2 of the Environmental Planning and Assessment Act 1979 of the refusal of DA/2021/0194, which was refused for change of use for the extension of an existing gymnasium on the ground floor of the building, and extension to operating hours.

Specifically, the application includes:

- Change of use on the ground level for the extension of the existing gymnasium. The ground floor consists of an open plan exercise floor and one exercise bike studios with two bathrooms, a kitchenette, an office and a reception area.
- This proposal seeks that the hours of operation for the building to be extended to 10:00pm on weekdays and 10:00pm on Sundays in order to cater for after work hours use of the gymnasium. The proposed occupancy is to accommodate 35 patrons and 2-3 staff members.

3. Site Description

The subject site is located on the northern side of Parramatta Road, between Flood Street and National Street. The site consists of 1 allotment, is generally rectangular with a total area of 892.4sqm and is legally described as 621 Parramatta Road, Leichhardt. The site has dual frontages, with frontages to both Parramatta Road and Easter Street of approximately 12m.

The site supports a two-storey industrial building. The adjoining properties support single storey industrial buildings.

625 Parramatta Road – CDC/2015/216	Change of use – Automotive sales to automotive repairs. Signage. Additional fire exit point. Modification of bathrooms.	Approved – 9 February 2016
617-619 Parramatta Road – D/2008/486	Change of use for an extension of an existing motor showroom for the sale and display of up to 20 vehicles.	Approved – 17 March 2009

4(b) Application history

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter / Additional Information
02/11/2021	Application lodged
11/11/2021-02/12/2021	Notification period
11/01/2022	Request to withdraw the application sent to the applicant due to concerns relation to provision of on-site car parking, supported by an inadequate traffic assessment.
04/02/2022	Applicant submitted additional information on the NSW Planning Portal in response to Council's withdrawal letter.

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021; and*
- *Leichhardt Local Environment Plan 2013.*

The following provides further discussion of the relevant issues:

5(a)(i) *State Environmental Planning Policy (Resilience and Hazards) 2021*

Chapter 4 Remediation of land

Section 4.16 (1) of the SEPP requires the consent authority not consent to the carrying out of any development on land unless:

“(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.”

In considering the above, there is no evidence of contamination on the site.

There is also no indication of uses listed in Table 1 of the contaminated land planning guidelines within Council’s records. The land will be suitable for the proposed use as there is no indication of contamination.

5(a)(ii) State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport SEPP)

Development with frontage to classified road (Section 2.118)

The site has a frontage to Parramatta Road, a classified road. Under Section 2.118 (2) of Transport SEPP, the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that the efficiency and operation of the classified road will not be adversely affected by the development. Whilst the subject site has the potential to affect the provision of parking in surrounding streets, this element of the application is discussed under the provisions of Part C1.11 of the Leichhardt Development Control Plan 2013 later in this report.

The site does not contain any vehicular access and as such the development will not affect the safety, efficiency and operation of Parramatta Road. In addition, the proposal is for a recreational facility (indoors) and as such is not sensitive to traffic noise or vehicle emissions. The application is considered acceptable with regard to Section 2.118 (2) of Transport SEPP.

5(a)(iii) Leichhardt Local Environment Plan 2013 (LLEP 2013)

The application was assessed against the following relevant clauses of the *Leichhardt Local Environmental Plan 2013*:

- *Clause 1.2 – Aims of the Plan*
- *Clause 2.3 – Zone objectives and Land Use Table*
- *Clause 4.4 – Floor Space Ratio*
- *Clause 4.5 – Calculation of floor space ratio and site area*
- *Clause 5.21 – Flood Planning*
- *Clause 6.9 – Business and officer premises in Zone IN2*

Assessment of the proposal against Clauses 1.2 and 2.3 of the LLEP are detailed below under Section 5(c) of this report.

5(b) Draft Inner West Local Environmental Plan 2020 (Draft IWLEP 2020)

The Draft IWLEP 2020 was placed on public exhibition commencing on 16 March 2020 and accordingly is a matter for consideration in the assessment of the application under *Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979*.

The amended provisions contained in the Draft IWLEP 2020 are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft IWLEP 2020.

5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Leichhardt Development Control Plan 2013:

LDCP2013	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	N/A

Part C	
C1.0 General Provisions	Yes – Subject to conditions
C1.1 Site and Context Analysis	Yes – Subject to conditions
C1.2 Demolition	N/A
C1.3 Alterations and additions	N/A
C1.4 Heritage Conservation Areas and Heritage Items	N/A
C1.5 Corner Sites	N/A
C1.6 Subdivision	N/A
C1.7 Site Facilities	Yes
C1.8 Contamination	N/A
C1.9 Safety by Design	Yes
C1.10 Equity of Access and Mobility	Yes
C1.11 Parking	Acceptable on merit – See discussion under section 5(d).
C1.12 Landscaping	N/A
C1.13 Open Space Design Within the Public Domain	N/A
C1.14 Tree Management	N/A
C1.15 Signs and Outdoor Advertising	Yes
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	N/A
C1.17 Minor Architectural Details	N/A
C1.18 Laneways	N/A
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	N/A
C1.20 Foreshore Land	N/A
C1.21 Green Roofs and Green Living Walls	N/A
Part C: Place – Section 2 Urban Character	
C2.2.3.3 Piperston Distinctive Neighbourhood	Yes – Subject to conditions
Part C: Place – Section 3 – Residential Provisions	N/A
Part C: Place – Section 4 – Non-Residential Provisions	
C4.1 Objectives for Non-Residential Zones	Yes – Subject to conditions
C4.2 Site Layout and Building Design	N/A
C4.3 Ecologically Sustainable Development	N/A
C4.4 Elevation and Materials	N/A
C4.5 Interface Amenity	Yes – Subject to conditions
C4.6 Shopfronts	N/A
C4.7 Bulky Goods Premises	N/A
C4.8 Child Care Centres	N/A
C4.9 Home Based Business	N/A
C4.10 Industrial Development	N/A
C4.11 Licensed Premises and Small Bars	N/A
C4.12 B7 Business Park Zone	N/A
C4.13 Markets	N/A
C4.14 Medical Centres	N/A
C4.15 Mixed Use	N/A
C4.16 Recreational Facility	Yes – Subject to conditions
C4.17 Sex Services Premises	N/A
C4.18 Vehicle Sales or Hire Premises And Service Stations	N/A
C4.19 Vehicle Repair Station	N/A

C4.20 Outdoor Dining Areas	N/A
C4.21 Creative Industries	N/A
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	
D2.1 General Requirements	Yes – Subject to conditions
D2.2 Demolition and Construction of All Development	N/A
D2.3 Residential Development	N/A
D2.4 Non-Residential Development	Yes – Subject to conditions
D2.5 Mixed Use Development	N/A
Part E: Water	N/A
Part F: Food	N/A
Part G: Site Specific Controls	N/A

Further discussion against key development controls within the LDCP 2013 have been provided below, in conjunction with the reasons for refusal of DA/2021/0194.

5(d) Reasons for Refusal of DA/2021/0194

Given that the plans submitted with the application for review include minimal amendments to the refused application, it is considered appropriate that assessment against the provisions of *Leichhardt Local Environment Plan 2013* (LLEP 2013) and *Leichhardt Development Control Plan 2013* (LDCP 2013) be in the form of an analysis against the reasons for refusal of the original determination.

The following provides an assessment of the review application against the reasons of refusal for DA/2021/0194 having regard to the relevant clauses of:

- *Leichhardt Local Environmental Plan 2013 (LLEP 2013).*
- *Draft Inner West Local Environmental Plan 2020.*
- *Leichhardt Development Control Plan 2013 (LDCP 2013).*

(i) Reason 1

1. *The proposal has not demonstrated compliance with the following Clauses of the Leichhardt Local Environmental Plan 2013 pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979:*
 - a. *Clause 1.2 – Aims of the Plan*
 - b. *Clause 2.3 – Zone objectives and Land Use Table (Zone IN2 Light Industrial)*

Clause 1.2 – Aims of Plan

It is considered that the proposed development is generally consistent with the aims of LLEP 2013 set out in Clause 1.2(2).

The proposed development is situated in an accessible location, as the site is located within 900m of Petersham and Lewisham train stations, as well as several frequent bus routes along Parramatta from the City to Inner west. Given the accessibility of the location, the shortfall of on-site car parking spaces is supportable on merit as the development aligns with Clause 1.2(2)(i) of the LEP through reducing car dependency and promoting other forms of active transportation. Objectives O1-O5 under Part C1.11 – Parking of the LDCP 2013 emphasises reducing car dependency.

Clause 1.2(2)(q) of the LLEP 2013 establishes the need to create opportunities for equitable and social activities. The development is achieving this objective by providing an indoor recreational facility along the highly accessible Parramatta Road. The gymnasium is providing an inclusive space for people to engage in physical activity. The proposal is contributing to the commercial character of the Parramatta Road corridor and is of a suitable use and scale for the West Leichhardt Distinctive Neighbourhood.

Clause 1.2(2)(e) of the LLEP 2013 establishes the need to protect and enhance the amenity, vitality and viability of Leichhardt for existing and future residents, and people who work in and visit Leichhardt. The development is achieving this objective, as the submitted acoustic report has addressed the noise impacts under development application DA/2021/0194. The acoustic report has demonstrated that operation of the premises achieves compliance with the relevant noise criteria, including the Protection of the Environment Operations Act 1997, Liquor & Gaming NSW and the NSW Environment Protection Authority's Noise Policy for Industry (NPI) and Noise Control Manual. As a result of demonstrating consistency with the above aim, it is considered the proposal is also consistent Clause 1.2(2)(r), which states "to promote the health and well being of residents, business operators, workers and visitors".

Clause 2.3 – Zone objectives and Land Use Table (Zone IN2 Light Industrial)

The site is located within the *IN2: Light Industrial* zone under the LLEP 2013. Recreational facilities (indoor) are a permissible land use, subject to development consent.

The objectives of the *IN2: Light Industrial* zone are as follows:

- *To provide a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To support and protect industrial land for industrial uses.*
- *To retain existing employment uses and foster a range of new industrial uses to meet the needs of the community.*
- *To ensure the provision of appropriate infrastructure that supports Leichhardt's employment opportunities.*
- *To retain and encourage waterfront industrial and maritime activities.*
- *To provide for certain business and office premises and light industries in the arts, technology, production and design sectors.*

The proposal has demonstrated that subject to conditions of consent, that the proposal satisfies the objectives of the IN2 zone. The site was originally approved as an indoor recreational facility under development consent D/2016/495. The proposal is not changing the site's existing use but seeking consent to use the ground floor and intensify the site's existing use.

Information has been provided with the application to demonstrate how the increased impacts associated with an increased intensification of the site's usage, such as associated acoustic emissions and impacts upon on-street car parking, will be mitigated to negate adverse amenity impacts upon surrounding residential properties.

The submitted acoustic report has demonstrate compliance with the Protection of the Environment Operations Act 1997, Liquor & Gaming NSW and the NSW Environment Protection Authority's NPI and Noise Control Manual. An assessment of the internal noise levels found that the music playing within the exercise bike room and the ground floor gymnasium area complies with the NPI requirements for sleep disturbance when measured at the nearest residential properties along Easter Street. Recommendations within the acoustic report have also been provided to further attenuate noise, which include music and complaints handling recommendations. Recommendations for music include shutting all roller doors and windows fronting Easter Street during night-time hours (from 10pm-7am). A complaints handling register must be kept on-site and readily available at all times and provides details on what should be addressed as part of the complaints handling procedures if any complaints arise due to noise or vibration generated from the premise.

Despite a shortfall in the requirement of on-site car parking by 11 car parking spaces, the traffic assessment has demonstrated that there is sufficient availability of on-street car parking during the peak hours of operation within 250 metres of the subject site. The "on-street" parking surveys show a maximum 70% occupancy of "on street" parking, which should be satisfactory to cater for the shortfall in "on-site parking" and minimise adverse impacts upon residential properties that are within 250 metres of the site.

As such, it has been demonstrated that subject to conditions of consent, the proposal is generally consistent with the relevant objectives of the IN2 zone, as the proposed use will minimise any adverse effect of industry on other land uses, whilst retaining existing employment uses which meet the needs of the community.

(ii) Reason 2

2. *The proposal is considered to result in adverse environmental impacts on the built environment pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.*

As discussed throughout this report, an assessment of the application has determined that the site is considered suitable for the proposed development, subject to recommended conditions, including to mitigate adverse amenity impacts on the locality. Despite the increased intensity of the proposed use and the site's proximity to residential properties:

- An Acoustic Report has been provided which demonstrates that the noise emissions comply with the relevant provisions of the Protection of the Environment Operations Act 1997, Liquor & Gaming NSW and the NSW Environment Protection Authority's Noise Policy for Industry and Noise Control Manual, which will be reinforced by conditions;
- A Traffic Assessment has been provided that concludes that there is sufficient availability of on-street car parking during the peak hours of operation within 250 metres of the subject site; and
- Whilst the Plan of Management has not been amended following submission of the application, a condition of consent has been imposed requiring the POM to be amended which addresses the following:
 - Compliance with the relevant conditions of approval;
 - Hours of operations (as approved) and number of staff;

- Effectively minimise and manage anti-social behaviour, including loitering;
- Minimise noise emissions and associated nuisances;
- Effectively manage and respond to resident complaints;
- Part 3.18 (Noise) shall be corrected to ensure that the roller door and any windows fronting Easter Street are kept shut from 8pm-8am, 7 days a week.
- Correction of parking spaces (6) and the parking arrangements for 3 staff parking spaces and 3 customer parking, including measures and procedures to inform patrons of the parking arrangement and the public and active transport options available; and
- The Green Travel Plan required to be issued as part of the Occupation Certificate.

The application is therefore recommended for approval, subject to recommended conditions.

(iii) Reason 3

3. *The proposal is not considered suitable for the site in its current form pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.*

As discussed throughout this report, an assessment of the proposal has determined that the site is ultimately considered suitable for the development.

The application is therefore recommended for approval, subject to recommended conditions.

(iv) Reason 4

4. *The public submissions raised valid grounds of objection and approval of this application is considered contrary to the public interest, pursuant to Section 4.15 (1)(d) and (e) of the Environmental Planning and Assessment Act 1979.*

It is noted under DA/2021/0194 that the submitted Acoustic Report and Traffic Assessment were inadequate for the development proposal, with the public submissions well founded based on the information provided.

The Acoustic Report provided as part of DA/2021/0194 was dated from 2016, which therefore only assessed noise generated from the use of the first floor of the site and did not take into account the change in size and use of certain areas within the premises. An amended Acoustic Report has been provided with this application, which has addressed the concerns raised under assessment of application DA/2021/0194. As such, the submissions in relation to noise emissions have been addressed by the documentation provided as part of this S8.2 review, with further details provided throughout this report.

No addendum was submitted to the parking and traffic report for assessment of DA/2021/0194 as a result of the increased patronage associated with the use of the ground floor. The Traffic Assessment submitted with this application was amended to address the deficiencies identified in the assessment of DA/2021/0194.

(v) Reason 5

5. *The proposal is not considered to be in the public interest pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979.*

The site is considered suitable for the proposed development as discussed throughout this report, due to demonstration of acceptable acoustic emissions and car parking impacts as a result of the increased intensity of the proposed use and the sites proximity to residential properties. The application is therefore considered to be within the public interest, and is recommended for approval.

(vi) Reason 6

6. *The proposal has not demonstrated compliance with the following Parts of the Leichhardt Development Control Plan 2013, pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979:*

a. Part C – Section 1 – C1.0 General Provisions

c. Part C – Section 1 – C1.11 Parking

e. Part C – Section 2 – C2.2.3.2 West Leichhardt Distinctive Neighbourhood

f. Part C – Section 3 – C3.1 Residential General Provisions

g. Part C – Section 4 – C4.5 Interface Amenity

h. Part C – Section 4 – C4.16 Recreational Facility

Section 1 – C1.0 General Provisions

Part C1.0 of LDCP 2013 sets out objectives and controls that aim to maximise opportunities for good urban design to make a positive contribution to streetscapes and public spaces throughout the municipality whilst promoting the amenity of property, its occupiers and the prosperity of businesses.

As the proposal has demonstrated that it has satisfactorily addressed the acoustic and car parking impacts that resulted in the refusal of DA/2021/0194, the proposal has subsequently demonstrated consistency with the objectives and relevant controls under Part C1.0 of the LDCP 2013.

Part C – Section 1 – C1.11 Parking

Part C1.11 of LDCP 2013 sets out objectives and controls relating to car parking, including the provision of car parking for uses in particular zones.

The Leichhardt DCP does not have a category for recreational facilities (indoors), therefore the appropriate parking rate is obtained from the RTA Guide to Traffic Generating Development which provides a rate of 3 spaces/100sqm. Based on the total floor area of the Gym (both ground and first floor) of 551sqm, this equates to a parking provision of 17 spaces. The proposal provides for only 6 spaces in a stacked formation, which provides a shortfall of 11 spaces.

A Traffic Assessment undertaken by Auswide Consulting was submitted in support of the application. The assessment surveyed Albert and Station Street that are within 250 metres of the site, in which the “on street” parking surveys demonstrated a maximum 70% occupancy of “on street” parking, which is considered satisfactory to cater for the shortfall in on-site parking. The site is well serviced by public transport during the day and early evening, being less than 500m from Lewisham Train Station and having bus stops directly outside the site along Parramatta Road.

Furthermore, the parking arrangement has been amended to ensure that all spaces comply with AS2890.1:2004 in terms of dimensions, and clearances from columns and other obstructions. Swept path diagrams have been provided, which confirm that access to the car parking spaces are satisfactory.

As such, the lack of on-site car parking can be supported following a merit assessment. It has been demonstrated that there is sufficient on street parking during peak hours of operation within 250 metres of the site, and there is sufficient access to public transport to further mitigate the impacts that can arise from a lack of on-site car parking. However, given the shortfall in car parking, it is recommended that the application be approved as a 12 month trial to ensure the proposal does not have any unforeseen impacts.

Part C – Section 2 – C2.2.3.2 West Leichhardt Distinctive Neighbourhood

Part C2.2.3.2 of the LDCP 2013 contains the following objectives and controls relevant to the development:

- *O1 – To facilitate development that is consistent with the Desired Future Character and Controls for the Distinctive Neighbourhood.*
- *C1 – Ensure the ongoing viability of industrial and commercial uses, where they occur.*
- *C2 – Encourage developments which have higher vehicle and noise impacts along Parramatta Road.*
- *C3 – Promote industrial businesses suitable to residential areas, which have a low noise and vehicle impact.*
- *C7 – Development is to be consistent with any relevant objectives and controls within West Leichhardt Distinctive Neighbourhood.*

An assessment of the application has demonstrated that the proposal is suitable to adjoin the nearby residential properties, given the noise and vehicle impacts have been demonstrated as being acceptable. As such, the proposal is consistent with the objectives and relevant controls under Part C2.2.3.2 of the LDCP 2013.

Part C – Section 3 – C3.1 Residential General Provisions

Part C3.1 of LDCP 2013 contains objectives and controls relevant to ensure that the amenity, including solar access and visual privacy, of the development and adjacent properties is not adversely impacted.

As assessment of this S8.2 review has demonstrated that the proposed use has not adversely impacted the amenity, including solar access, acoustic and visual privacy, of the development or to adjacent residential properties. As such, the proposal is consistent with Part C3.1 of the LDCP 2013.

Part C – Section 4 – C4.5 Interface Amenity

Part C4.5 of LDCP 2013 contains the following objectives and controls relevant to the development:

- *O1 – To ensure that development does not impact the surrounding area or cause unreasonable nuisance to any other use by way of:*
 - a. noise;*
 - b. odour;*
 - c. vibration;*

- d. *overshadowing; and*
- e. *overly bulky or overbearing development that significantly reduces outlook or privacy.*
- *C1 – Development complies with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Clean Air) Regulation 2010.*
- *C4 – Noise generating activities are located within buildings.*
- *C5 – Noise generating activities are located and oriented away from residential uses or other sensitive receiving environments.*
- *C6 – Noise generating activities are screened from residential uses or other sensitive receiving environments by acoustic barriers such as solid walls or acoustic fencing.*
- *C14 – Site facilities are screened from view from the street.*

Councils Health Officer has supported the acoustic report and recommendations for the use of the site as an indoor recreation facility. Recommendations are provided within the submitted assessment requiring all roller doors and windows that front onto Easter Street must be kept closed between 10pm-7am from Monday to Saturday, and 10pm-8am on Sundays and Public Holidays. The implementation of this measure will assist in reducing the impacts of all noise generating activities to be contained within the building.

The assessment also determined that the nearest residential receptors (being 68-72 Albert Street and 1 Flood Street) receive calculated noise levels of between LAeq 28-30 dB during the evening hours, which is beneath the night-time noise criteria of 43dB and the sleep disturbance criteria of 49dB. Given the assessment has demonstrated that the proposal is capable of complying with the relevant noise criteria, condition of consents have been imposed requiring the development to comply with the *Protection of the Environment Operations Act 1997* and the NSW Environment Protection Authority's Noise Policy for Industry and Noise Control Manual.

All internal site facilities, such as bathrooms, kitchenettes, and office/reception areas are contained within the building and will not be visible from the public domain.

Part C – Section 4 – C4.16 Recreational Facility

Part C4.16 of LDCP 2013 contains the following objectives and controls relevant to the development:

- *O1 – To ensure that development for a recreational facility:*
 - a. *does not have a significant adverse amenity impacts on the neighbourhood; and*
 - b. *makes a positive contribution to streetscape quality.*
- *O2 – Encourage use of sustainable transport modes.*
- *C1 – Development does not significantly impact the amenity of the neighbourhood or create a nuisance by way of car parking, traffic generation, noise, vibration or any other emission.*
- *C2 – Hours of operation will be established considering the following:*
 - a. *proximity to the R1 Residential Zone;*
 - b. *impacts on amenity of surrounding areas, including noise and light;*
 - c. *intensity of the proposed use; and*
 - d. *accessibility, traffic and parking considerations.*
- *C3 – Adequate car and bicycle parking is provided on site in accordance with the provisions within Part C1.11 – Parking in this Development Control Plan.*
- *C4 – Where an application is made for development for the purpose of a Recreation Facility (Outdoors) or for any Recreation Facility with extended hours of operation, a*

detailed Plan of Management (POM) is to be submitted. The POM shall address at a minimum the following:

- a. proposed hours and days of operation;*
- b. provisions or management to reduce impacts on amenity of surrounding areas, including noise and light;*
- c. intensity of the proposed use;*
- d. numbers of patrons and numbers of staff, including maximum numbers;*
- e. accessibility, traffic and parking considerations;*
- f. proposed facilities (e.g. toilets) to be used; and*
- g. emergency procedures.*

As discussed in detail earlier in the report, the application has demonstrated that the proposed use will not result in adverse impacts to nearby residents as a result of noise and vibration, with conditions of consent recommended accordingly.

As discussed in detail under the heading *Part C1.11 Parking* above, the application has demonstrated that the proposed use is capable of minimising adverse impacts to nearby residents as a result of non-compliance with on-site car parking requirements. Conditions of consent have been recommended accordingly.

The applicant has submitted a POM for consideration of how the site will be managed as part of the request for extended hours of operation. Further details of the hours of operation and the submitted POM are discussed below.

Hours of Operation

Details of the site’s approved hours of operation, and proposed hours of operation are outlined in the following table:

Approved Hours of Operation – D/2016/495 (Trial Period)	Monday to Friday – 5:30am to 8:00pm Saturday – 6:00am to 4:00pm Sunday – 7:30am to 12pm
Approved Hours of Operation – D/2016/495 (Following Trial Period)	Monday to Friday – 7:00am to 6:00pm Saturday – 8:00am to 4:00pm Sunday – 8:00am to 12pm
Proposed Hours of Operation	Monday to Friday – 5:00am to 10:00pm Saturday & Sunday – 6:00am to 10:00pm
Class Hours	Monday to Friday – 5:00am-8:00am, 9:30am-10:30am, 12:30pm-1:30pm, 5:00pm-8:00pm Saturday – 6:30am to 12:00pm Sunday – 7:00am to 10:00am
Staffed Hours	Monday to Thursday – 10:00am to 7:00pm Friday – 10:00am to 3:00pm Saturday – 7:00am to 11:00am

It is noted that the site is currently operating beyond the hours of operation that development consent D/2016/495 permits, which is shown in the table above. Consent is sought to formalise the hours of operation that the site is currently operating on, which is outlined in the proposed trading hours.

The extended trading hours are proposed on the basis that the gymnasium will not cause unreasonable nuisance as a result of demonstrating acceptable noise emissions and car parking impacts, thus the activities proposed will not have any adverse effects on the nearest residential properties.

Given the residential interface of the site, it is pertinent to consider the appropriateness of the extended hours sought in the context of the current commercial operations of the area. The below table summarises the approved uses and operating hours of adjoining development on Parramatta Road:

Address	Application & Date	Approved Use	Hours of Operation
611 Parramatta Road	D/2009/47 27 April 2009	Vehicle Body Repair Workshop	7.00 am to 5:30 pm Monday to Friday 7.00 am to 1.00 pm on Saturday Closed on Sunday or public holidays
617-619 Parramatta Road	D/2008/486 17 March 2009	Vehicle Sales or Hire Premises	8.00am to 5.30pm Mondays to Saturdays Closed on Sunday or public holidays
625 Parramatta Road	CDC/2015/216 9 February 2016	Vehicle Body Repair Workshop	7.00 am to 7.00 pm Monday to Saturday Closed on Sunday or public holidays
631 Parramatta Road	D/2009/563 30 September 2010	Business Premises	9.00 am to 6.00 pm Monday to Friday

As demonstrated by the above table, the commercial activities surrounding the subject site are generally not as extensive as the hours proposed by this application. However, the surrounding businesses are primarily vehicle sales and hire premises/vehicle body repair workshops where extended trading hours are uncharacteristic for such uses, with a Vehicle Body Repair Workshop more likely to present adverse amenity impacts upon nearby residential properties if operating hours were extensive.

The submitted acoustic assessment has demonstrated that the current noise levels are acceptable with respect to the applicable noise criteria, which is the primary impact that may arise as a result of extended trading hours for the proposed use. The site does not require frequent or overnight deliveries to service the site's operation, nor require garbage collection beyond the requirements of residential properties since the site will not be serving food and therefore anticipates minimal food-based waste to be generated on site.

In addition to conditions to reduce parking demand, the conditioned hours of operation will also alleviate environmental impacts of the site to adjoining residential dwellings. As the use is permissible in the zone, balance is required to ensure the proposal can meet the objectives of the clause pertaining to noise within the site and occupants entering and leaving the site.

Given the above, operation of the premises will be conditioned to cease by 9pm, as such hours of operation are not unreasonable within the context of the locality considering that the site adjoins Parramatta Road. The conditioned hours of operation will ensure that any acoustic impacts associated with the premise will not result in impacts such as sleep disturbance upon

the surrounding residential properties, given the objectives of the IN2 zone require consideration of impacts upon other land uses.

As such, the following condition of consent is recommended regarding the site's hours of operation:

- a. The hours of operation of the premises must not exceed the following:

Day	Hours
Monday to Friday	6:00am to 9:00pm
Saturday, Sunday & Public Holidays	8:00am to 8:00pm

Plan of Management

The proposal includes a POM which largely provides the details required under Control 4 above, however the POM has not been updated following the submission of original documentation with the application.

The POM has not been updated to reflect the maximum occupancy that is outlined in the submitted Statement of Environmental Effects, which states that the maximum number of attendees on site will be 35 patrons and 2-3 staff members. Given the acoustic concerns that were identified in the assessment of the original development application, a condition of consent will be imposed requiring the POM to be updated to address loitering so that risks of acoustic impacts following the ceasing of operation of the premise will not continue during night time hours.

Part 3.18 of the POM states that the roller door will be kept shut between 10pm – 7am on Monday – Saturday, and 10pm – 8am on Sundays and Public Holidays. The roller door being kept open as late as 10pm from Monday-Friday is considered to result in acoustic emissions that are not in accordance with the objectives of the LDCP 2013, particularly the following:

Part C – Section 4 – C4.5 Interface Amenity

- **O1 – To ensure that development does not impact the surrounding area or cause unreasonable nuisance to any other use by way of:**
 - a. **noise;**
 - b. **odour;**
 - c. **vibration;**
 - d. **overshadowing; and**
 - e. **overly bulky or overbearing development that significantly reduces outlook or privacy.**

Part C – Section 4 – C4.16 Recreational Facility

- **O1 – To ensure that development for a recreational facility:**
 - a. **does not have a significant adverse amenity impacts on the neighbourhood; and**
 - b. **makes a positive contribution to streetscape quality.**

As such, the POM has been conditioned to be amended, so that the roller doors are bound to be shut from 8pm-8am, 7 days a week.

The POM has also been conditioned to address and minimise traffic impacts, with the following amendments recommended as a condition of consent:

- Correction of parking spaces (6) and the parking arrangements for 3 staff parking spaces and 3 customer parking, including measures and procedures to inform patrons of the parking arrangement and the public and active transport options available; and
- Details of the Green Travel Plan, that is conditioned as a requirement prior to the issue of the site's Occupation Certificate.

Given the above, the amendments recommended to the POM will ensure that the POM addresses all relevant impacts that are outlined under control C4 within Part C4.16 of LDCP the 2013. The amendments will ensure the POM will address all relevant impacts associated with the use of the premise and enable the consent authority to be satisfied that the impacts as a result of the proposed use will achieve the objectives of the LDCP 2013 & LLEP 2013.

5(d) The Likely Impacts

The assessment of the section 8.2 review demonstrates that subject to conditions of consent, the proposal will have acceptable environmental impacts on the locality and surrounding residential properties.

5(e) The suitability of the site for the development

It is considered that the proposal will have an acceptable impact on the nearest residential properties, and therefore it is considered that subject to conditions of consent, that the site is suitable to accommodate the intensification of the site's approved use.

5(f) Any submissions

The application was notified in accordance with Council's Community Engagement Framework for a period of 21 days to surrounding properties. 15 submissions were received in response to the initial notification.

The following issues raised in submissions have been discussed in this report:

- Car parking – See Reason 6.
- Noise emissions – See Reason 6.
- Hours of operation not in accordance with the approved DA – See Reason 6.
- Operation within the adjoining laneway.

5(g) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

Having regard to the submissions received and the concerns raised with regard to amenity impacts to the nearby residential properties as a result of the proposed use, assessment of the application has determined the proposal has an acceptable impact upon neighbouring residential properties, and will not present any adverse amenity impacts. As such, approval of the application is within the public interest.

6 Referrals

6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

- Health – No objections, subject to conditions;
- Engineering – No objections, subject to conditions.

6(b) External

- Nil

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions/7.12 levies are not payable for the proposal.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Leichhardt Local Environmental Plan 2013* and *Leichhardt Development Control Plan 2013*.

The development will not result in any significant impacts on the amenity of the adjoining premises/properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, approve Development Application No. REV/2021/0019 for a Section 8.2 Review of Determination of DA/2021/0194 which was refused for change of use for the extension of an existing gymnasium on the ground floor of the building, and extension to operating hours at 621 Parramatta Road LEICHHARDT NSW 2040 subject to the recommended conditions of consent included in Attachment A.

Attachment A – Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
20362-01, Issue C	Site Location/Site Analysis Plan	03.02.22	ES Design
20362-04, Issue C	Proposed Ground Floor Plan	03.02.22	ES Design
20362-05, Issue B	Proposed First Floor Plan	01.10.21	ES Design
-	Plan of Management	October 2021	ES Design
Version 3	Acoustical Report	12.10.21	Koikas Acoustics Pty Ltd
Revision 1.2	Parking Demand Assessment	February 2022	Auswide Consulting

As amended by the conditions of consent.

FEES

2. Security Deposit - Custom

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	\$8,432.00
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Inspection Fee:	\$241.50
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Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the initial consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

GENERAL CONDITIONS

3. Noise – Consultant's Recommendations

All recommendations contained in the acoustic report prepared by Koikas Acoustics Pty Ltd, reference 5022R20210920mj621ParramattaRoadLeichhardt_DAV3.doc.x, dated 12 October 2021 must be implemented.

4. Works Outside the Property Boundary

This development consent does not authorise works outside the property boundaries on adjoining lands.

5. Maximum Persons Permitted on site

A maximum of 35 patrons and 3 staff members are allowed on the premises at any given time.

6. Trial Operative Period

The consent be limited to a 12-month trial period. The applicant must then submit a modified application requesting deletion of the trial period condition under the *Environmental Planning and Assessment Act 1979*.

PRIOR TO ANY DEMOLITION

7. Hoardings

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property.

PRIOR TO CONSTRUCTION CERTIFICATE

8. Noise General – Acoustic Report

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with an acoustic report demonstrating that noise and vibration from the operation of the premises will satisfy the relevant provisions of the *Protection of the Environment Operations Act 1997* and Regulations and relevant state and local policies and guidelines. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.

9. Parking Facilities

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) demonstrating that the design of the vehicular access, off-street parking facilities and associated vehicle standing

areas comply with Australian Standard AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking and AS/NZS 2890.3-2015 Parking facilities: Bicycle Parking, AS/NZS 2890.6-2009 Parking facilities: Off-street parking for people with disabilities and the following specific requirements:

- a. The layout of the carspaces shall be in accordance with architectural plan 20362-04 (issue C) by ES designs dated 3/2/22
- b. The spaces shall be line marked with suitable signage to identify staff parking and customer parking;
- c. The minimum dimensions of any standing area comply with clause 2.4 of AS/NZS 2890.1-2004 such that:
 - i. Car spaces adjacent to walls or fences are increased in width by an additional 300mm; and
 - ii. The location of columns within the carpark complies with figure 5.1 of AS/NZS 2890.1-2004.
- d. A bicycle storage area must be provided to accommodate 3 bicycles and be designed in accordance with relevant provisions of AS 2890.3-2015.

10. Flood Risk Management Plan

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a Flood Risk Management Plan prepared and certified by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng). The Plan must be prepared/amended to make provision for the following:

- a. Recommendations on all precautions to minimise risk to personal safety of occupants and the risk of property damage for the total development. Such recommendations must be consistent with the approved development. The flood impacts on the site must be assessed for the 100-year ARI and Probable Maximum Flood (PMF) storm events. The precautions must include but not be limited to the following:
 - i. All new building works below the flood planning level shall be constructed from flood compatible materials;
 - ii. All new electrical wiring shall be installed above the flood planning level;
 - iii. Flood warning signs/depth indicators for areas that may be inundated;
 - iv. A flood evacuation strategy; and
 - v. On-site response plan to minimise flood damage, demonstrating that adequate storage areas are available for hazardous materials and valuable goods above the flood level.
- b. All works must be designed to comply with the Standard for Construction of Buildings in Flood Hazard Areas in accordance with Section 3.10.3 of the Building Code of Australia. Note that some terms defined in this standard have equivalent meaning to terms used in Council's Development Control Plan as listed below:

- i. Building Code of Australia;
- ii. Defined flood level (DFL) 100-year Average Recurrence Interval flood level;
- iii. Defined flood event (DFE) 100-year Average Recurrence Interval flood; and
- iv. Flood hazard level (FHL) Flood Planning Level (FPL).

11. Amended Architectural Plans to Reflect Flood Risk Management Plan

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended architectural plans that incorporate the recommendations of the Flood Risk Management Plan. The design must be prepared to make provision for the following:

- a. Specification of materials; and
- b. Waterproofing works, where applicable.

No changes to the external form or appearance of the development contrary to the approved plans must occur except as identified by this condition. Any changes to such must be subject to separate approval.

PRIOR TO OCCUPATION CERTIFICATE

12. Noise – Acoustic Report

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with an acoustic report prepared by suitably qualified acoustic consultant which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of *the Protection of the Environment Operations Act 1997*, NSW Environment Protection Authority's Noise Policy for Industry and Noise Control Manual and conditions of Council's approval, including any recommendations of the acoustic report referenced in the conditions of the approval. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.

13. Premises – Plan of Management

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with an amended Plan of Management for the operation of the Indoor recreational facility that addresses the following:

- a. Compliance with the relevant conditions of approval;
- b. Hours of operations (as approved) and number of staff;
- c. Effectively minimise and manage anti-social behaviour, including loitering;
- d. Minimise noise emissions and associated nuisances;

- e. Effectively manage and respond to resident complaints;
- f. Part 3.18 (Noise) shall be corrected to ensure that the roller door and any windows fronting Easter Street are kept shut from 8pm-8am, 7 days a week.
- g. Correction of parking spaces (6) and the parking arrangements for 3 staff parking spaces and 3 customer parking, including measures and procedures to inform patrons of the parking arrangement and the public and active transport options available; and
- h. The Green Travel Plan required to be issued as part of the Occupation Certificate.

14. Light Spill

Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with details demonstrating that any lighting of the premises complies with Australian Standard AS4282:1992: Control of Obtrusive Effects of Outdoor Lighting.

15. Green Travel Plan

Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with a Green Travel Plan certified by a suitably experienced Civil Engineer in the field of transport who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) addressing the following:

1. A travel plan is a set of measures designed to reduce private car dependency for a development by encouraging use of more sustainable transport modes.
2. Such a plan should contain a series of complementary measures which will act in unison to discourage private car dependency.
3. transport choices including bus stops, light rail stops, cycleways and public transport timetables;
4. site-specific bike facilities;
5. management initiatives for employees including subsidised public transport
6. on-site displays, or digital apps, as information for both staff and visitors.
7. The travel plan must include:
 - o targets including reductions in car trips and increased mode share for sustainable transport;
 - o travel data including baseline travel demand and mode share estimates derived from experience with comparable developments;
 - o action plan which outlines the measures to be implemented as part of the travel plan, associated promotional, information and education initiatives, and management mechanisms to be introduced as part of the travel plan;
 - o commitment to the on-going maintenance and adaptation of the action plan to ensure its long term success.

- There should also be a management mechanism introduced which will bind future owners or lessees of the development to the travel plan;
- monitoring and review shall be conducted.

16. Redundant Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that all redundant vehicular crossings to the site have been removed and replaced by kerb and gutter and footpath in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications". In addition the adjacent damaged kerb and stormwater outlet shall be made good. Where the kerb in the vicinity of the redundant crossing is predominately stone the replacement kerb must also be in stone or to the requirements of TfNSW.

17. Public Domain Works

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with written evidence from Council that the following works on the Road Reserve have been completed in accordance with the requirements of the approval under Section 138 of the *Roads Act 1993* including:

- a. The redundant vehicular crossing to the site must be removed and replaced by kerb and gutter and footpath. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb must also be in stone;
- b. The existing damaged kerb and stormwater outlet has been repaired; and
- c. Other works subject to the *Roads Act 1993* approval.

All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-"Roadworks Specifications".

18. Parking Signoff – Minor Developments

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with certification from a qualified practising Civil Engineer that the vehicle access and off street parking facilities have been constructed in accordance with the approved design and relevant Australian Standards.

19. Flood Risk Management Plan - Certification

Prior to the issue of an Occupation Certificate, the Principal Certifier must be provided with Certification by a qualified practising Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that all aspects of

the flood risk management plan have been implemented in accordance with the approved design, conditions of this consent and relevant Australian Standards.

ON-GOING

20. Noise General

The proposed use of the premises and the operation of all plant and equipment must not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* and Regulations, NSW EPA Noise Policy for Industry and NSW EPA Noise Guide for Local Government.

21. Commercial Waste/Recycling Collection

The collection of waste and recycling must only occur between 7:00am and 8:00pm weekdays and 9:00am and 5:00pm weekends and public holidays, to avoid noise disruption on the surrounding area,

Garbage and recycling must not be placed on the street for collection more than one (1) hour before the scheduled collection time. Garbage bins and containers are to be removed from the street within one (1) hour after collection.

22. Plan of Management - Operation

The operation of the premises shall comply at all times with the approved Plan of Management. The Plan of Management is not to be further amended without the prior written approval of the Council. If there is any inconsistency between the Plan of Management and the conditions of this consent, the conditions of consent shall prevail to the extent of that inconsistency.

23. Hours of Operation

- a. The hours of operation of the premises must not exceed the following:

Day	Hours
Monday to Friday	6:00am to 9:00pm
Saturday & Sunday	8:00am to 8:00pm

24. Flood Risk Management Plan

The Flood Risk Management Plan approved with the Occupation Certificate, must be implemented and kept in a suitable location on site at all times.

ADVISORY NOTES**Mechanical Ventilation System Certification**

The mechanical ventilation systems are to be designed, constructed and operated in accordance with the following:

- a. Australian Standard AS 1668 Part 1 – 1998;
- b. Australian Standard AS 1668 Part 2 – 2012;
- c. Australian Standard 3666.1 – 2011;
- d. Australian Standard 3666.2 – 2011; and
- e. Australian Standard 3666.3 - 2011.

The system must be located in accordance with the approved plans and/or within the building envelope, design and form of the approved building. Any modifications to the approved plans required to house the system must be the subject of further approval from Council.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Other Approvals may be needed

Approvals under other acts and regulations may be required to carry out the development. It is the responsibility of property owners to ensure that they comply with all relevant legislation. Council takes no responsibility for informing applicants of any separate approvals required.

Failure to comply with conditions

Failure to comply with the relevant provisions of *the Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

Obtaining Relevant Certification

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):

- a. Application for any activity under that Act, including any erection of a hoarding;
- b. Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*;
- c. Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*;
- d. Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed;
- e. Application for Strata Title Subdivision if strata title subdivision of the development is proposed;
- f. Development Application for demolition if demolition is not approved by this consent;
or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

Disability Discrimination Access to Premises Code

The *Disability Discrimination Act 1992* (Commonwealth) and the *Anti-Discrimination Act 1977* (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

National Construction Code (Building Code of Australia)

A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges

from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

Fire Safety Certificate

The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, must:

- a. Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales and the Council; and
- b. Display a copy of the Final Safety Certificate and Fire Safety Schedule in a prominent position in the building (i.e. adjacent the entry or any fire indicator panel).

Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety Statement for each of the Fire Safety Measures listed in the Schedule. The Annual Fire Safety Statement must be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Permits

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a. Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application;
- b. A concrete pump across the roadway/footpath;
- c. Mobile crane or any standing plant;
- d. Skip Bins;
- e. Scaffolding/Hoardings (fencing on public land);

- f. Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.;
- g. Awning or street veranda over the footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

Public Domain and Vehicular Crossings

The vehicular crossing and/or footpath works are required to be constructed by your contractor. You or your contractor must complete an application for *Design of Vehicle Crossing and Public Domain Works – Step 1* form and *Construction of Vehicle Crossing and Public Domain Works – Step 2* form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works.

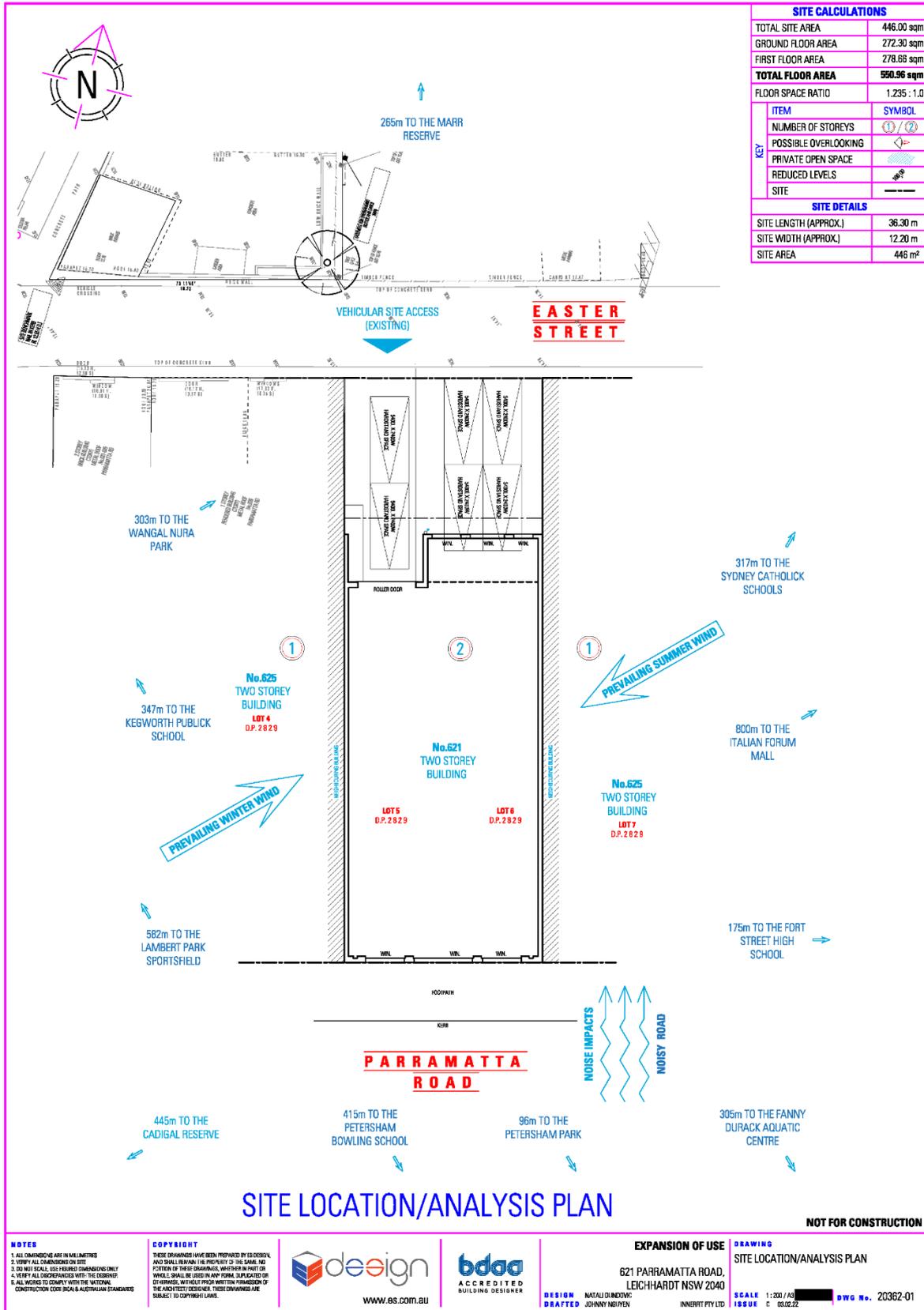
You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be at no cost to Council

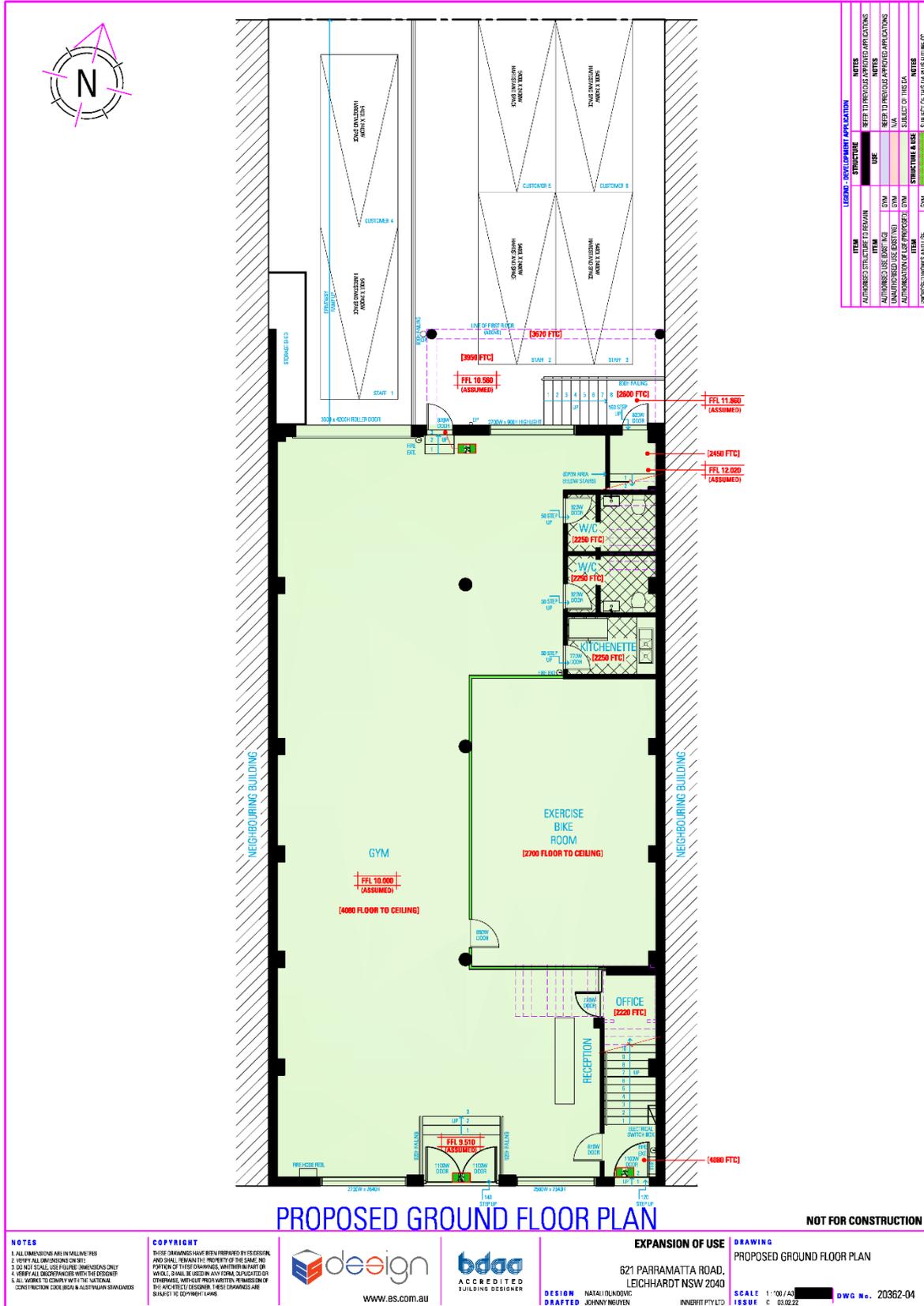
Any damage caused during construction to Council assets on the road reserve or on Council or Crown land must be repaired at no cost to Council.

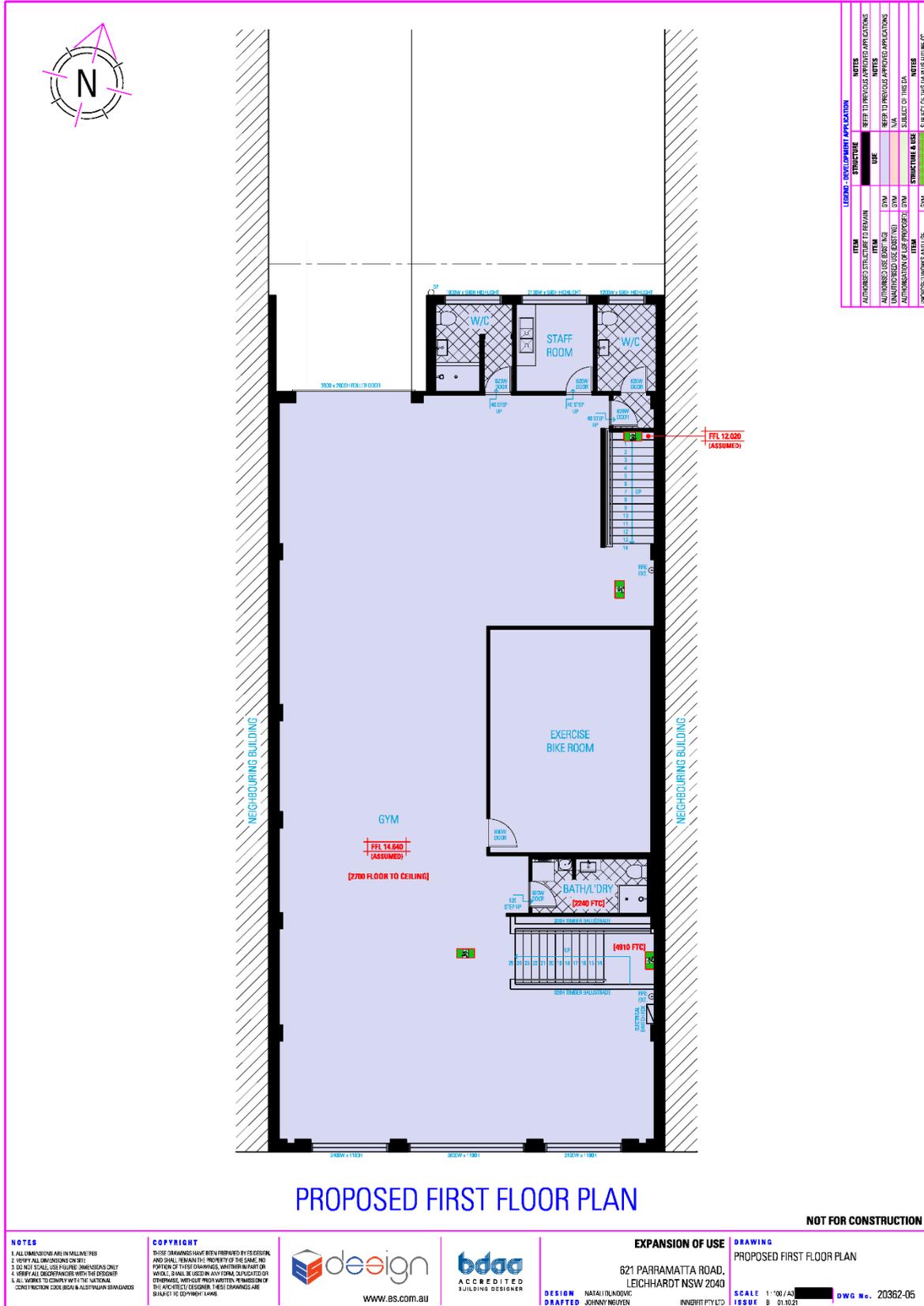
Any driveway crossovers or other works within the road reserve must be provided at no cost to Council.

No consent is given or implied for any Encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, eaves, awnings, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever, including when open.

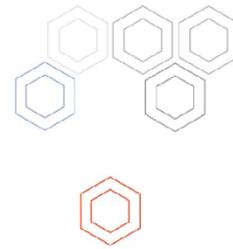
Attachment B – Plans of proposed development







Attachment C – Plan of Management



**Division 8.2 Review
Plan of Management**

621 Parramatta Road, Leichhardt NSW 2040

*Change of use for the extension of an existing
gymnasium on the ground floor of the building,
and extension to operating hours.*

submitted to
City of Inner West Council

October, 2021

1. Introduction

This report has been prepared by ES Planning in support of a Division 8.2 Review to Inner West Council with regards to the land at No. 621 Parramatta Road, Leichhardt NSW 2040.

The Division 8.2 seeks to approve the change of use of the premises to "Change of use for the extension of an existing gymnasium on the ground floor of the building, and extension to operating hours" in order to operate a gymnasium within the premises.

This report describes the business structure and the day-to-day operations. All work carried out on site are to comply with all the requirements of the National Construction Code (NCC), relevant Australian Standards and Canada Bay Council's regulations.

This report should be read in conjunction with the architectural plans attached with the submission prepared by ES Design, the Parking Demand Assessment and the Acoustic Report.

Any environmental concerns not covered directly in this document or which arise during construction will be handled in an appropriate fashion, so as to minimize environmental concerns.

2. Site Analysis

2.1. Location

The subject site is located on the north side of Parramatta Road and is legally identified as Lot 5 Sec 1 DP 2826 and Lot 6 Sec 1 DP 2829 – 621 Parramatta Road, Leichhardt NSW 2040 (refer to Figure 1 & Figure 2). The locality is a light industrial area with surrounding development consisting of low-medium density residential developments and mixed-use developments north of the site.

3. Management details

3.1. Business Name

Innerfit Pty Ltd

3.2. Business Office / Telephone Number

Phone Number: 0422 151 103

3.3. Manager

The Manager shall be responsible for day to day operations of the premises and business conducted therein in accordance with the plan of management, all relevant government guidelines and best practice guidelines.

3.4. Services

- Group Fitness Classes (between 45 minutes to 1 hour sessions)
- Free weights and equipment

The gym allows members to use the equipment and open floor to practice exercises.

The classes/sessions have their own designated areas within the facility. The start and end times are staggered with at least 15-minute intervals between sessions to allow sufficient time for departures prior to the commencement of new classes.

3.5. Business Hours

The current hours of operation for the building approved under DA D/2016/495 are:

- Monday to Friday – 5:30am – 8:00pm
- Saturday: 6:00am – 4:00pm
- Sunday – 7:30am – 12pm

This proposal seeks that the hours of operation for the building to be extended to 10:00pm on weekdays and 10:00pm on Sundays in order to accommodate for after work hours use of the gymnasium. The proposed occupancy is to accommodate up to 40 patrons and 2-3 staff members (refer to DA D/2016/495).

An acoustic report had been prepared assessing noise emission from the use and operation of the gymnasium. The proposed extension of the gymnasium will not exceed the noise assessment criteria (refer to Acoustic report), therefore the activities proposed will not have any adverse effects on the neighbours.

The proposed hours of operation for the site are:

- Monday to Friday – 5:00am to 10:00pm
- Saturday & Sunday – 6:00am to 10:00pm

The proposed hours for class times to take place at the site are:

- Monday to Friday – 5:00am-8:00am, 9:30am-10:30am, 12:30pm-1:30pm, 5pm-8pm
- Saturday – 6:30am to 12:00pm
- Sunday – 7:00am to 10:00am

The proposed Staffed Hours are:

- Monday to Thursday – 10:00am to 7:00pm
- Friday – 10:00am to 3:00pm
- Saturday – 7:00am to 11:00am

3.6. Staff Details

A maximum of three (3) employees will be working on the premises per day.

- One (1) Manager
- One (1) Receptionist
- One (1) Training instructor

The duty of the Manager/Receptionist is to ensure the day to day running of the business

activities. The Manager will also be attending to members/guests upon entry. The training instructor will be assigned hours as per their set schedule and class timetable.

3.7. Target Demographic

The main target demographic is adults from the local community and surrounding suburbs (predominantly residents within walking distance).

3.8. Number of Users

The maximum number of expected users at any time would not exceed 35 people.

3.9. Anticipated Age of Patrons

The anticipated age of customers is between 18 - 60 years old.

3.10. Amenity issues

The proposed change of use for the extension of an existing gymnasium on the ground floor of the building, and extension to operating hours will not have adverse impacts to the future amenity of the locality. The site is located in a light industrial zone where the noise impacts have been identified within the Acoustic report. The building is existing and there will be no additional solar impacts to the adjoining developments.

3.11. Gym Equipment and Flooring

The majority of weights used will be "Pin Loaded" machines with some "Free Weights" Pin loaded machines are controlled by a system of Pulleys and Cables which allow control over the movement of such weights.

The gym will be fitted out with rubber style flooring in the areas where the gym equipment and limited weights equipment are located. This flooring has a high load and impact resistance and is a preferred choice for gyms and any other noise sensitive businesses and areas. The flooring absorbs in excess of 95% of the sound made by the dropping of 'heavy weights equipment' and comfortably satisfies any related noise concerns.

3.12. Customer access

Customers will access the premises during the operational hours. Members will have access to the gymnasium via a swipe card that is provided to them when they sign up to a membership. Members that have also signed up to the group fitness classes will be required to wait in the waiting area prior to commencement of class.

3.13. Emergency Procedures

The Manager will ensure that the premises will be:

- (a) Evacuated when emergency conditions arise and staff security
- (b) Contact emergency agencies following emergency evacuations.

3.14. Building Upgrades

All rooms will comply with BCA requirements at all times.
All proposed upgrades to comply with relevant BCC/NCC requirements, with rooms maintained and/or cleaned as necessary for operations.

3.15. Cleaners

The premises will be cleaned, by staff, on a regular basis for a healthy and safe environment for workers and clients. Due to COVID-19 requirements, members are required to bring their own towels and yoga mats and all gym equipment will be cleaned after each session with "WOW" disinfected wipes. The receptionist/manager will wipe down high touched areas such as door handles and stair railings on a regular basis.

3.16. Waste Management

The amount of waste/garbage generated will be minimal and would likely require emptying by staff approximately two times a week. There will be no food-based waste generated at the premises. Bins will be provided within the premises and adjacent the entry.

All wastes will be stored in approved containers placed inside the premises before being removed for disposal by Council or appropriate contractors.

3.17. Utilities and Services

Utilities, health, and cleanliness will be of a high quality in line with client and customer expectations.

3.18. Noise

Noise mitigation measures have been identified in the Acoustic report and would be taken to reduce noise impact to the neighborhood. These include:

- Keeping all rollers doors and windows fronting Easter Street shut during nighttime hours outlined below:
 - Monday – Saturday: 10pm – 7am
 - Sunday and Public Holidays: 10pm – 8am
- Complaints handling – a site contact and phone number will be distributed to all surrounding premises and displayed on the site noticeboard for any complaints that arise during the operation of the gym. A register of all complaints will be kept on-site and readily available with the noted down (and not limited to) date, time, person receiving a complain, contact details, description of complaint, actions to be taken and time frame for the action to be implemented.

Other noise mitigation measures include a compliance inspection and noise measurements to be conducted prior to occupation of the gym. This would confirm the music and operational noise levels are adequate and do not pose any additional noise impacts to the adjoining residential zones.

3.19. Money Handling

If required, a safe will be located in the staff room away from the view of the public, with continuous camera surveillance. Money will be locked up daily and placed away from the view of the public as to deter any criminal activity.

3.20. Security and Safety

To ensure security and safety of patrons at all times:

- The receptionist will assist with signing in all clients into the premises.
- All members will be required to wait in the waiting area located at the entrance of the facility prior to their class starting.
- Operational parts of the premises are fitted with smoke detectors and fire extinguishers in accordance with our fire emergency plan.

3.21. Parking Considerations

A Parking Demand Assessment accompanies this application. 8 parking spaces are provided in the ground level car park. The 8 spaces will be able to accommodate peak weekday parking requirements along with the available vacant on-street parking spaces. It is concluded that the proposal will have less than minor effect on the existing traffic in the surrounding roads and on-street parking in the vicinity of the site. Please refer to Parking Demand Assessment for more detail.

3.22. Deliveries

Any deliveries made would be via front door if only a small parcel. If a large delivery is due, it would be via the back parking lot to minimize disruption on Parramatta Road. There are no regular deliveries expected on site.

3.23. Complaints Handling

The owners and managers will deal with complaints on a case-by-case scenario. Should the matter require further attention, the appropriate authorities will be Contacted.

3.24. First Aid and Accident Report

If a patron or staff member injures themselves at work, it is imperative that the manager/supervisor is notified immediately for first aid. If they require further medical/hospital attention the manager/supervisor will arrange transport. Due to OH & S regulations, all injuries must be recorded and placed in the staff member's personal file or incident book.

4. Conclusion

4.1. Action Plan

The business will implement the details in this Plan of Management immediately on approval of the development application.

The assessment illustrates that the proposed change of use for the extension of an existing gymnasium on the ground floor of the building, and extension to operating hours will not have adverse effects to the surrounding community development. The site will be upgraded and will improve the amenity of the local community.

If you require any additional information or clarification of any matters raised in this report, please do not hesitate to contact the undersigned.

If you require additional information or clarification, please do not hesitate to contact the undersigned on 0449 500 500 or via email at planning@es.com.au

Emily Shum
Bachelor of City Planning (Hons)
Town Planner

Attachment D – Acoustic Report



Commercial 1 (Unit 27)

+612 9587 9702

DELIVERING SOUND ADVICE

637-645 Forest Road

office@koikasacoustics.com

Bexley NSW 2207

www.koikasacoustics.com

ABN: 12 058 524 771

ACOUSTICAL REPORT

PROPOSED GYM EXPANSION

621 PARRAMATTA ROAD, LEICHHARDT NSW

Date: Tuesday, 12th October 2021

File Reference: 5022R20210920mj621ParramattaRoadLeichhardt_DAv3.docx

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Version	Date	Author	Review	Notes
V1	22/09/2021	MJ	NK	Report version 1 available for issue
V2	28/09/2021	MJ	NK	Report version 2 available for issue
V3	12/10/2021	MJ	NK	Report version 3 available for issue

Approved by	Nick Koikas M.A.A.S Director
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Client	Inner Fit Attention: Simone Alice Email: simone@innerfit.com.au Attention: ES Design - Natali Dundovic Email: Natali@es.com.au
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The information contained herein should not be reproduced except in full. The information provided in this report relates to acoustic matters only. Supplementary advice should be sought for other matters relating to construction, design, structural, fire-rating, waterproofing, and the likes.

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ACOUSTICAL REPORT
PROPOSED GYM EXPANSION
621 PARRAMATTA ROAD, LEICHHARDT NSW

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Appendix A: Cadna/A Noise Model



1.0 INTRODUCTION

Koikas Acoustics Pty Ltd was commissioned to prepare a noise impact assessment for the proposed development at 621 Parramatta Road, Leichhardt seeking approval for the expansion of the existing Inner Fit gymnasium.

For this DA, the acoustical adequacy of the proposed design must be assessed in terms of standard planning guidelines issued by the Council in their Local Environment Plan (LEP), Development Control Plan (DCP), and other standard planning guidelines related to common sources of noise.

This assessment aims to ascertain the type and extent of noise mitigation measures required to improve the acoustic performance of the flooring and any noise equipment/activities.

This assessment considers the following:

- Measurements of the operational noise levels from the proposed gymnasium to the adjoining residential and commercial units;
- Discussion of the noise criteria that applies to surrounding premises, and
- Provide recommended noise mitigation measures where necessary

so that the premises may operate in compliance with the nominated acoustic planning levels.

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2.0 THE PROPOSED DEVELOPMENT

The development is proposed to occupy the ground floor site at 621 Parramatta Road, Leichhardt.

This location is situated in a primarily urban residential area classified as IN2 ‘Light Industrial’ as per relevant land zoning maps included in the Inner West Council Local Environment Plan 2013 (Leichhardt Council).

Surrounding properties are predominantly residential, commercial and industrial in classification, located within the IN2 ‘Light Industrial’ and R1 ‘General Residential’ Zoning. The subject site and surrounding properties are identified in the aerial photograph in Figure 1.

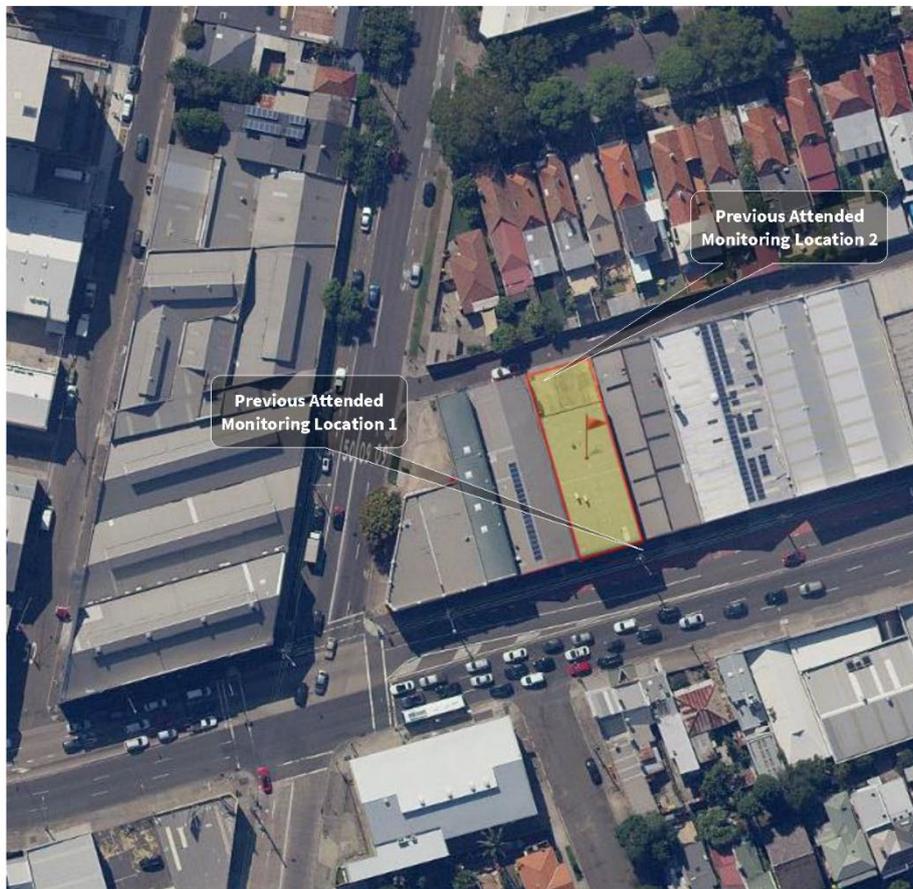


Figure 1. Aerial photo of the subject site, monitoring location and surrounding area – Image from SixMaps

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Prevailing ambient noise conditions on-site and in the local area are generally the result of typical environmental noise such as traffic, aircraft fly-overs and localised domestic noise sources.

This acoustic report and any associated recommendations are based solely on the architectural design and drawings by ES Designs (Dated 05/03/2021). Any unapproved changes to the design may impact the findings of this report and associated noise control recommendations.

The gymnasium currently occupies the first floor of the site at 621 Parramatta Road, Leichhardt and this Development Application would see the expansion of the gymnasium to the existing ground floor of the subject site.

The site is surrounded by commercial/industrial facilities to the east and west, residential properties to the north and Parramatta Road, as well as mixed commercial and residential to the south.

As per the architectural drawings prepared by ES Designs, the proposed development will include a two-storey open plan gym facility.

The Inner Fit gymnasium is proposed to operate between:

- 5:00 am – 10:00 pm Monday to Friday
- 6:00 am – 10 pm Saturday to Sunday

The proposed Inner Fit gymnasium is a class-based facility with typical class times being:

- Monday to Friday;
 - 5:00 am – 8:00 am
 - 9:30 am – 10:30 am
 - 12:30 pm – 1:30 pm
 - 5:00 pm – 8:00 pm
- Saturday
 - 7:00 am – 10:00 am

The operational activities are typical of a standard gymnasium consisting of:

- dumbbells,
- barbells,
- kettlebells,

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- pin-loaded/plate-loaded machines,
- cardio and
- boxing equipment.

The maximum number of people occupying the premises at any one time will be 35 people.

Background music is expected to be played through the gymnasium's internal sound system.

The subject site at 621 Parramatta Road, Leichhardt is located marginally within the 20 Aircraft Noise Exposure Forecast (ANEF) contour in the 2039 chart that identifies areas in Sydney that are likely to be affected by aircraft departures/arrivals from the Kingsford Smith Airport in Sydney.

In this case, the assessment site is located marginally within the 20 ANEF contour. According to AS2021:2015, the site is 'acceptable' for the proposed development. According to clause 2.3.1 of AS 2021:2015 *Acoustics - Aircraft Noise Intrusion - Building Siting and Construction (AS2021:2015)*, when the subject site is deemed 'acceptable' under Table 2.1 of the standard, there is typically no further requirement for building construction to be analysed to reduce the impact of aircraft noise into the development.

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3.0 ATTENDED NOISE MONITORING

Measurements were conducted inside the proposed gymnasium facility at 621 Parramatta Road, Leichhardt to identify and quantify the noise levels of typical operational activities emanating from the gymnasium, that may affect surround residents.

The noise survey was conducted between 3:30 pm and 4:30 pm on Wednesday 15th of September 2021.

The survey was conducted with a NATA calibrated NTi XL2 sound level meter set to A-frequency weighting and Fast-time response. Surveys were conducted for durations deemed sufficient to represent the underlying ambient and background noise environment without the influence of extraneous noise or noise from the subject development. The measured ambient noise levels were dominated by road traffic noise from Parramatta Road. Inclement weather conditions did not adversely impact the noise survey.

Previous ambient background noise monitoring was undertaken by GHD Group in their previous acoustic report (*File Ref: '621 Parramatta Rd Leichhardt Acoustic Report', dated 21st September 2016*), hereby referred to as the 'previous acoustic report'.

Monitoring was conducted between 5 am and 6 am on Tuesday 13th of September to quantify the ambient background noise levels surrounding the subject site, excluding noise associated with the proposed InnerFit gymnasium. The monitoring was undertaken at the locations shown in Section 2.0 of this report. Further details regarding the noise monitoring conducted by GHD can be found under Section 3.1 of the previous acoustic report.

A summary of the ambient noise levels, outlined in the previous acoustic report is provided in Table 2.

Table 2. Summary of criteria noise survey results – GHD Engineering [dB]		
Location	L _{Aeq}	L _{A90}
Monitoring Location 1 (Parramatta Road, Leichhardt)	78	64
Monitoring Location 2 (Easter Street)	51	44



The above noise levels have been adopted for this assessment to assess operational and mechanical plant noise to surrounding properties. It is the professional opinion of Koikas Acoustics that compliance with these noise levels is conservative, as it is reasonable to expect that ambient background noise levels will have increased at this location over 5-years due to an increase in road traffic volumes.

Therefore, compliance to the criteria adopted using the above noise levels implies compliance at all other times, which may have less stringent noise criteria.



4.0 ACOUSTIC REQUIREMENTS

4.1 EPA NOISE POLICY FOR INDUSTRY

Noise emission design targets have been referenced from the NSW Environmental Protection Authority (EPA) Noise Policy for Industry (NPfI).

The NPfI is designed to assess environmental noise impacts associated with scheduled activities prescribed within the Protection of the Environment Operations Act 1997, Schedule 1. It is also used as a reference tool for establishing suitable planning levels for noise generated by mechanical plant and equipment and noise emission from commercial operations.

For residential receivers, the guideline applies limits on the short-term intrusive nature of a noise or noise-generating development (project intrusive noise level), as well as applying an upper limit on cumulative industrial noise emissions from all surrounding development/industry (project amenity noise level). The most stringent of the project intrusive noise level and project amenity noise level is applied as the **project noise trigger level (PNTL)**. To determine which of the intrusive and amenity noise criteria is more stringent, the underlying noise metrics must be the same. As the intrusive noise level is defined in terms of an $L_{Aeq, 15 \text{ minutes}}$ and the amenity noise level is defined in terms of an $L_{Aeq, \text{Period}}$, a correction +3 dB correction is applied to the project amenity noise level to equate the $L_{Aeq, \text{Period}}$ to $L_{Aeq, 15 \text{ minutes}}$.

Non-residential receivers are assessed to project amenity noise levels relevant to the applicable receiver category (industrial/commercial).

Where noise is measured or predicted below the project noise trigger level, the noise outcome is deemed acceptable. Above the project noise trigger level, management responses such as applying reasonable and feasible noise mitigation measures are to be recommended, along with assessing any residual noise impacts once noise mitigation has been considered.

The policy is designed in such a way that the assessing authority would consider the project noise trigger levels, reasonable and feasible mitigation measures, and any residual noise impacts when deciding on acceptable noise outcomes.

The site-specific project noise trigger levels need only be considered for the hours under which the

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noise or activity occurs, which is limited to daytime hours.

Table 1. NPfI planning levels – $L_{Aeq, 15 \text{ minutes}}$ [dB]								
Period, T (Note 1)	Intrusive		Amenity				Project noise trigger level	
	RBL	RBL + 5	Area classification	Recommended amenity noise level	High traffic area	Project amenity noise level		+3dB correction
Night (Front)	64	69	Urban	45	No	40	43	43
Night (Rear)	44	49	Urban	45	No	40	43	43
Notes:	<ol style="list-style-type: none"> EPA defines the following periods: Day: 7 am to 6 pm Mon to Sat and 8 am to 6 pm Sun and public holidays, Evening: 6 pm to 10 pm Mon to Sun, Night: 10 pm to 7 am Mon to Sat and 10 pm to 8 am Sun and public holidays. Project noise amenity level = recommended noise amenity level – 5 dB, except where specific circumstances are met, such as high traffic. 							

Surrounding commercial properties must not be exposed to noise emitting from the premise that exceeds $L_{Aeq, 15 \text{ minutes}}$ 63 dB.

Surrounding industrial properties must not be exposed to noise emitting from the premise that exceeds $L_{Aeq, 15 \text{ minutes}}$ 73 dB.

4.2 SLEEP DISTURBANCE/AROUSAL

The NPfI also guides on assessing potential sleep disturbance for residents affected by maximum noise levels from a particular development or assessment site. Although the current literature is yet to define a quantifiable noise level above which sleep disturbance is experienced, guidelines are provided by the EPA for assessing the potential for sleep disturbance as follows:

- $L_{Aeq, 15 \text{ minutes}}$ 40 dB or the prevailing RBL plus 5 dB, whichever is the greater, and/or
- L_{Amax} 52 dB or the prevailing RBL plus 15 dB, whichever is the greater.

The DECCW Road Noise Policy (RNP) also provides some guidance for assessing noise that may result in sleep disturbance. This document suggests that a low probability for sleep disturbance can be achieved where L_{Amax} noise levels within a bedroom are kept below 50-55 dB, and $L_{A1, 1 \text{ minute}}$ noise levels do not exceed the background level by more than 1.5dB.



A summary of the existing sleep disturbance guidelines are as follows:

Table 3. Sleep disturbance assessment guidelines					
Location	Period, T	Noise Policy for Industry		Road Noise Policy	
		LAeq 15 mins	LAmx	LAmx	LA1, 1 min
Residential (Rear)	0500-0700	49	59	50-55 indoors	59
Notes	1. Day: 7 am to 6 pm Monday to Saturday and 8 am to 6 pm Sunday and public holidays Evening: 6pm to 10pm Night: 10 pm to 7 am Monday to Saturday and 10 pm to 8 am Sunday and public holidays				
Definitions	Leq, T: The continuous steady-state sound level represents the same amount of acoustic energy as a varying sound level over the nominated period, T. L90, T: The 10 th percentile minimum noise level over a defined monitoring period, T. Taken as the average minimum level on an analogue sound level meter.				



5.0 ANALYSIS

5.1 SOURCE NOISE LEVELS

All noise activity events were identified with a software program called XL2 Data Explorer which allows for the analysis and play-back of recorded sound files.

Noise level measurements of the following activities were undertaken to the identified spaces above in Section 3.0:

- **Test 01¹:** Music played off the sound system in the spin classroom (Spatial L_{Aeq} 81 dB).
- **Test 02:** Music played off the sound system on the first floor (Spatial L_{Aeq} 59 dB).
- **Test 03¹:** Music played off the sound system on the ground floor (Spatial L_{Aeq} 71 dB).
- **Test 04:** Music played off the sound system on the ground floor (Spatial L_{Aeq} 61 dB).

Note 1: These measurements were conducted with elevated noise levels to simulate the running of a gym class

During each measurement, the other rooms within the gymnasium facility were also playing music off the facilities sound system. Thus, the noise levels presented below are considered to be a worst-case scenario, when the gymnasium is operating at a maximum capacity with maximum noise levels.

Koikas Acoustics has been advised that the following mechanical plant has been installed on-site.

Table 6. Schedule of equipment and noise levels				
Item	Model	Location	Descriptor	Noise level, [dBA]
AC Condenser Units	Panasonic Inverted Ducted S-140/U-140 – 14 kW	Roof	L _p at 3 m	55

L_p = Sound Pressure Level

Toilet exhaust fans have not been considered in this assessment due to their low inherent noise levels and limited acoustic impacted associated with their intermittent use.

5.2 CALCULATED NOISE LEVELS

Noise emissions from the proposed gymnasium have also been assessed to neighbouring residential and commercial receivers by way of preparing an acoustic model and conducting point-to-point calculations based on standard sound propagation algorithms. All calculations consider music played off the facilities speaker system to be the most dominant noise source emanating from the proposed indoor recreation centre through the façade elements.

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Reference should also be made to additional noise control recommendations included within Section 6.0 of this report, which also govern the calculated receiver noise levels.

Due to the size of the development, several potentially affected receiver locations must be assessed in terms of their respective noise exposure from mechanical plant and equipment associated with the development. The most noise-sensitive receiver locations are summarised below.

Table 6. Assessment locations

ID	Receiver type and address	Assessment location
R1	Residential / 1 Flood Street	Nearest boundary
R2	Residential / 72 Albert Street	Nearest boundary
R3	Residential / 70 Albert Street	Nearest boundary
R4	Residential / 68 Albert Street	Nearest boundary
R5	Commercial / 617 Parramatta Road	Nearest boundary
R6	Commercial / 617 Parramatta Road	Nearest boundary
R7	Residential / 720 Parramatta Road	Nearest boundary
R8	Commercial / 726 Parramatta Road	Upper floor level
R9	Commercial / 625 Parramatta Road	Nearest boundary
R10	Commercial / 625 Parramatta Road	Nearest boundary

Predicted operational noise levels are as follows:

Table 7. Calculated Noise Levels, $L_{Aeq,15\text{-minutes}}$ [dB]

ID	Calculated Noise Levels	Nighttime Noise Criteria	Sleep Disturbance Criteria
R1	29	43	49
R2	30		
R3	28		
R4	29		
R5	25	63	--
R6	25		
R7	29	43	49
R8	31	63	--
R9	28		
R10	28		

Compliance with the most stringent nighttime noise criteria implies compliance during all other periods of the day with less stringent noise criteria.



5.3 OFFENSIVE NOISE CHECKLIST (EPA NOISE GUIDE FOR LOCAL GOVERNMENT, 2013)

The EPA NGLG provides a checklist that is proposed to assist with establishing if a particular noise is offensive. The checklist is covered based on the above recommendations being properly implemented. The checklist is summarised as follows concerning the recommendations being implemented:

- **Is the noise loud in an absolute sense? Is it loud relative to other noise in the area?**
Provided the recommendations have been implemented, measured noise levels are expected to be barely audible to inaudible.
- **Does the noise include characteristics that make it particularly irritating?**
The nature of the music may be considered irritating, however, expected to be barely audible to inaudible.
- **Does the noise occur at times when people expect to enjoy peace & quiet?**
The gymnasium is proposed to operate from 5:00 am, however, expected to be barely audible to inaudible. Therefore, the noise should be barely audible to inaudible at times when people expect peace and quiet.
- **Is the noise atypical for the area?**
Ambient noise levels inside are dominated by road traffic and aircraft noise that is well above the adopted noise criteria.
- **Does the noise occur often?**
Provided the recommendations have been implemented, measured noise levels are expected to be barely audible to inaudible.



6.0 RECOMMENDATIONS

It is the opinion of Koikas Acoustics that compliance with the nominated acoustic criteria will be achieved, provided the following recommendations are implemented in the cycling fitness centre.

6.1 MUSIC

Music is expected to be played at a level where people can hear the instructors voice clearly over the top of the music. Koikas Acoustics measured internal music levels within the proposed gymnasium to be a maximum of L_{Aeq} 81dB (spatial average) in the spin room and L_{Aeq} 71dB (spatial average) in the ground floor gymnasium area and found this to be compliant with the adjoining premises.

A spatial average of L_{Aeq} 81 dB and L_{Aeq} 71 dB is considered conservative for the proposed activities at the subject premise, and the operational noise levels of the proposed gymnasium are expected to be lower.

All roller doors and windows fronting Easter Street must be kept closed during nighttime hours which are outlined below:

- Monday – Saturday: 10 pm – 7 am
- Sundays and Public Holidays: 10 pm – 8 am

Internal noise levels should not exceed L_{Aeq} 84 (spatial average) within the ground floor gymnasium area when a class is running during nighttime hours (outlined above).

The gymnasium may consider reducing the internal noise level of the music and the class instructor, to be below the recommended maximum noise level outlined above (L_{Aeq} 84 (spatial average)). This would further reduce the calculated noise levels at the residential receivers along Easter Street.

However, it is noted that with the current recommendations in place, the calculated noise levels at all residential receivers are expected to be compliant with the adopted noise criterion, which is considered to be conservative.

koikasacoustics

Date: Tuesday, 12th October 2021

File Reference: 5022R20210920mj621ParramattaRoadLeichhardt_DAv3.docx

Prepared For: Inner Fit

Acoustical Report: Proposed Gym Expansion, 621 Parramatta Road, Leichhardt NSW

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6.2 COMPLAINTS HANDLING

A site contact and phone number should be distributed to all surrounding premises and displayed on the site noticeboard for any complaints arising due to noise and/or vibration generated during the proposed gymnasium operation. The site should have clear complaints handling procedures and staff who are well-versed in the complaints handling procedures.

A register of all complaints must be kept on-site and be readily available. Details within the complaints register should include, but not be limited to:

- Date and time of the complaint,
- The person receiving a complaint,
- Complainant phone number,
- Site contact who the complaint was referred to for action,
- Description of the complaint,
- Action to be taken,
- The time frame for action to be implemented.

All complaints should be given a fair hearing and adequately investigated. This may involve scheduling a relevant consultant to substantiate or refute any received complaint, and/or verifying any remedial action taken by the site manager by way of on-site testing.

koikasacoustics

Date: Tuesday, 12th October 2021

File Reference: 5022R20210920mj621ParramattaRoadLeichhardt_DAv3.docx

Prepared For: Inner Fit

Acoustical Report: Proposed Gym Expansion, 621 Parramatta Road, Leichhardt NSW

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7.0 CONCLUSION

Koikas Acoustics was requested to prepare a noise impact assessment for the proposed InnerFit gymnasium expansion at 621 Parramatta Road, Leichhardt.

Approval of the development is subject to conditions of consent imposed by the Council to ensure the development complies with all relevant statutory requirements and is consistent with the development standards required in the respective Local Government Area.

Noise measurements were conducted inside occupied premises at 621 Parramatta Road Leichhardt and noise levels were calculated to the nearest residential and commercial receivers to identify the proposed gymnasium activities and mechanical plant impact to the adjoining premises.

When the recommendations provided in Section 6.0 of this report are implemented (if necessary), it is in Koikas Acoustics opinion that operational noise emanating from the operation of the proposed cycling fitness centre will be compliant with the nominated noise criteria outlined in the EPA's Noise Policy for Industry.

koikasacoustics

Date: Tuesday, 12th October 2021

File Reference: 5022R20210920mj621ParramattaRoadLeichhardt_DAv3.docx

Prepared For: Inner Fit

Acoustical Report: Proposed Gym Expansion, 621 Parramatta Road, Leichhardt NSW

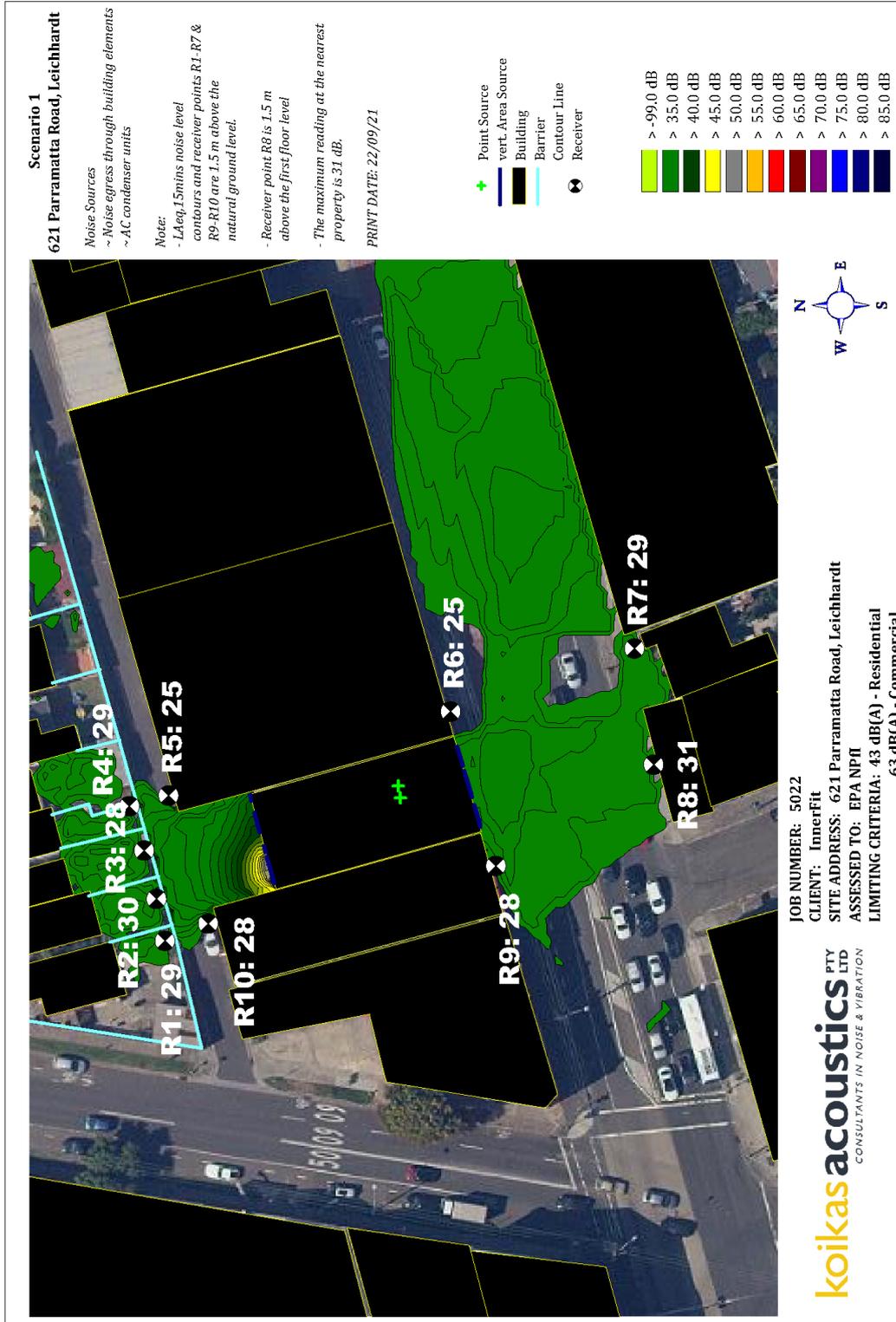
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APPENDIX A

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APPENDIX A



Attachment E – Traffic Assessment



Tel: 02 8004 0460

www.auswideconsulting.com.au

info@auswideconsulting.com.au

ABN 18 162 361 042

PARKING DEMAND ASSESSMENT

621 PARRAMATTA ROAD, LEICHHARDT NSW 2040

Proposed Gymnasium Expansion

Prepared for:	ES Design
Date Prepared:	February 2022
Revision:	1.2
Leichhardt Council Application #:	T.B.A.



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INTRODUCTION

AusWide Consulting was engaged by ES Design to prepare a Parking Demand Assessment for a proposed expansion of an existing Gymnasium at 621 Parramatta Road, Leichhardt, NSW 2040.

This report will assess the implications of the proposed development on existing parking and transport conditions surrounding the site. The following items have been included in the subsequent sections of this report:

- Public transport service accessibility at the site;
- Parking demand assessment of the proposed development.
- Traffic impact assessment of the proposed development.

During the course of preparing this assessment, the subject site and its environment have been inspected, and all relevant traffic and parking data collected and analysed.

BACKGROUND AND EXISTING CONDITIONS

Location and land use

The development site is currently occupied by an existing building at 621 Parramatta Road, Leichhardt. The proposed development is to modify the existing building on the site to expand the space for the Gymnasium. The total number of staff is expected to be 5 staff at peak times. The associated ground-level car park will have 8 car spaces proposed.

The subject site is located at 621 Parramatta Road and the main vehicle entrance to the site car park is from an existing cross over from Easter Street. The main pedestrian entrance is from Parramatta Road into the building entrance. The City of Leichhardt Council has designated the site as an Industrial Zone (INZ).

Figure 1 below shows the site location on a street map.

Figure 2 below shows an aerial view of the subject site.

Figure 2 below shows a street view of the subject site from Parramatta Road.

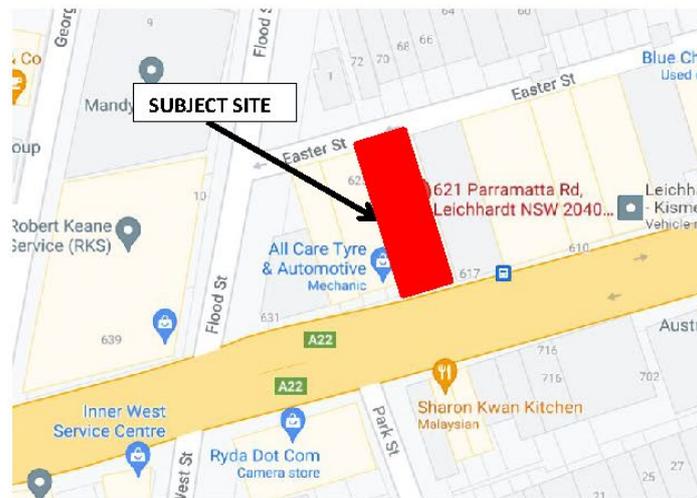


Figure 1: Location of the Subject Site on a Street Map



Figure 2: Aerial view of the subject site

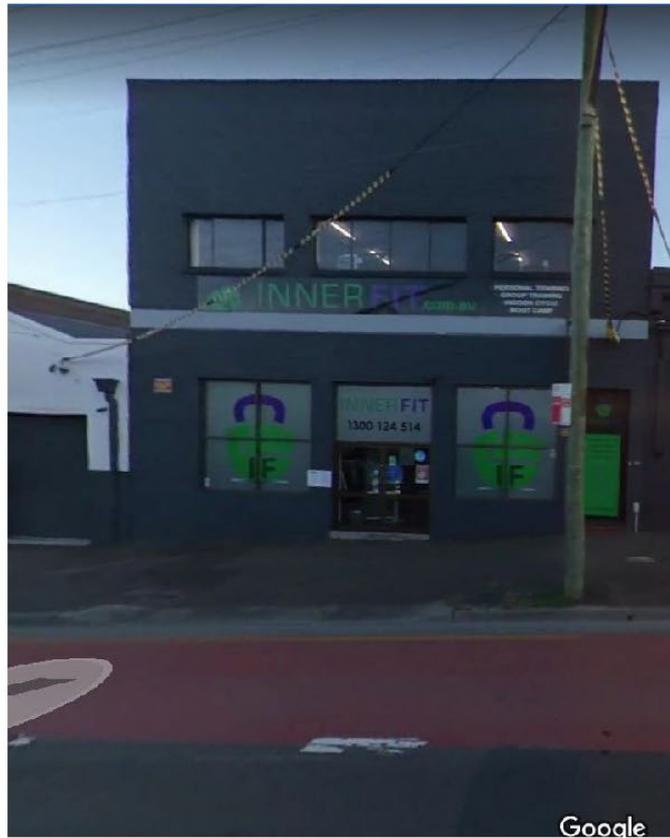


Figure 3: Street view of the subject site from Parramatta Road



PUBLIC TRANSPORT

Bus services

The subject site is located in an area that has direct access to frequent bus services on the route 461X from Sydney Central stopping on Parramatta Road at Park Street. This is within a 127 metre walk or 1 minute walk to the site. Figure 4 below shows a route map of bus route 461X.

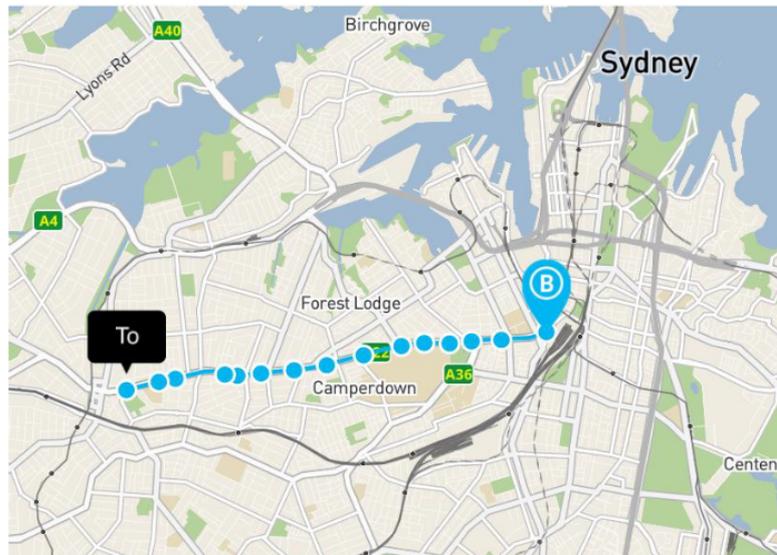


Figure 4: Map of bus route 461X from Sydney Central station to the site

Figure 5 below shows a map of the short walk from the bus stop of route 461X to the site.

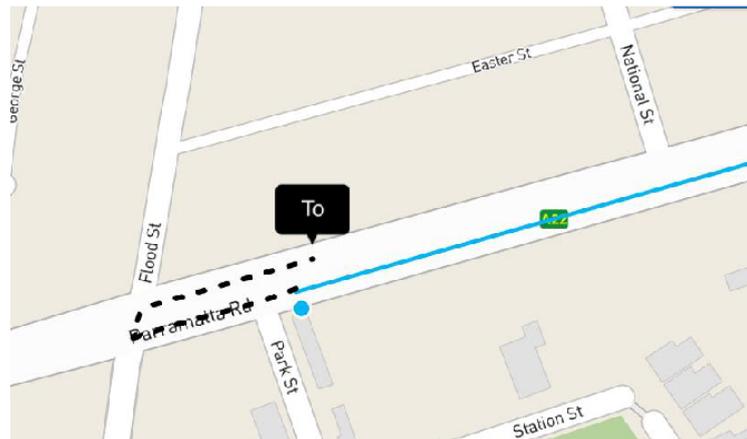


Figure 5: Map of the walk from bus stop route 461X to the site



Table 1 below shows the bus route 461X service details.

Table 1: Public transport – Bus route 461X service details

BUS ROUTE	STOP LOCATION	WALK DISTANCE TO THE SITE(M)	ORIGIN	DESTINATION	BUS FREQUENCY (MINS) 7am to 10pm
461X	Parramatta Road at Park St	127/1 min	City	Strathfield Station	Mon-Fri: 15
	Parramatta Road at Park St	127/1 min	Strathfield Station	City	Mon-Fri: 15
	Parramatta Road at Park St	127/1 min	City	Strathfield Station	Sat: 17
	Parramatta Road at Park St	127/1 min	City	Strathfield Station	Sun: 18

The above bus service details show that there are frequent bus services between the City and Leichhardt.

There are also two other bus routes, 413 and 480 which provide the same service as route 461X.

In light of the information provided above, it can be concluded that the site has good access to frequent bus services to and from the city and Leichhardt. There are frequent bus services also on routes 480, 413, and 461X which stop within a short 1 minute walk to the site. This indicates that the site staff and clients would have the choice of driving to the site or using the convenient bus transport. This would reduce parking demand on the subject site.



PROPOSED DEVELOPMENT

The subject site is currently occupied by an existing building which is used as a Gymnasium. The proposed development is to modify the existing building on the site to expand the space for the existing number of members. The total number of staff is expected to be 5 maximum at peak times during opening hours. The associated ground-level car park will have 6 proposed car spaces.

The site is zoned as an Industrial zone (INZ) in the Leichhardt Council Planning Scheme.

The proposed operating days and hours of the Gymnasium are:

Monday to Friday: 5am -10pm.

Saturday & Sunday: 6am - 10pm.

The expected peak patronage at the new Gymnasium is 35. The maximum class number is 20. The parking demand has been assessed at the RTA NSW parking rate of 3 spaces per 100m² of GFA.



CAR PARKING DEMAND ASSESSMENT

The Leichhardt Council Planning Scheme, Table 1, parking requirement:

The Leichhardt Council Planning Scheme, Clause 52.06-5, Table 1, does not provide a specific parking requirement for a Gymnasium.

RTA NSW Guide 2002 parking demand assessment

The RTA NSW Guide 2002 provides a parking rate of 3 spaces per 100m² of GFA. The total GFA of the Gym is 551 m².

The parking required is 3 X (551/100), which is rounded up to 17 spaces.

The parking requirement for the proposed Gym (17 spaces) can be accommodated partly within the on-site car park of 6 spaces and the parking shortfall of 11 spaces can be accommodated within the available on-street spaces.

On-street parking surveys were carried out within 250 metres of the site, to determine the existing availability of parking to cater for the parking shortfall of 11 spaces.

Council's comments on the proposed car park

1. That cars will be blocked in the tandem arrangement.
This will not happen because the rear spaces will be reserved for staff as shown on the Architectural plans.
2. The cars won't be able to turn from Easter Street because it's too narrow. Swept path diagrams have been provided in Appendix C to show that's not true either.
3. That the parking spaces do not comply with AS standard because of columns. The arrangement has been changed to 6 tandem spaces to avoid columns.
4. The result is 6 tandem spaces and a parking shortfall of 11 spaces. It should be noted that Council previously approved the previous use of the site with only 2 parking spaces and a deficiency in providing parking on the same site.



TRAFFIC IMPACTS OF THE PROPOSED DEVELOPMENT

The proposed development at the subject site includes the operation of a Gym in an existing building.

The recommended trip generation rate for Gyms is given in the NSW RTA Guide to Traffic Generating Development (2002) document as detailed below:

For Gyms located in Metropolitan Sub-Regional areas, the daily and peak hour trip rates are:

The daily trip rate is 45 trips/100m² GFA.

PM Peak Hour trip rate is 9 trips/100m² GFA.

The GFA of the Gym is 551m².

The Daily Trip rate is 45 x (551/100) = 248 trips/day.

For a 17 hour Gym operation day, this equates to 15 trips per hour or 1 trip every 4 minutes.

The peak hour traffic generated by the proposed development is 9 x (551/100) = 50 vehicles/hour. This equates to 1 vehicle trip every 1.2 minutes.

The Daily trip rate from the Gym = 1 vehicle trip every 4 minutes.

The PM Peak hour trip rate from the Gym = 1 Vehicle trip every 1.2 minute.

These are very low trip rates compared to the existing traffic flow on Parramatta Road and the surrounding streets and it will have no significant effect on traffic volumes on the existing streets.

Table 2 below shows a summary of traffic counts on Parramatta Road near the site (Transport for NSW data).

Table 2: Summary of traffic counts on Parramatta Road near the site

LOCATION	5 DAY AVERAGE DAILY TRAFFIC		TOTAL (Vehs/day)	PEAK HOUR TRAFFIC		TOTAL (Vehs/hr)
	Eastbound	Westbound		Eastbound	Westbound	
Parramatta Rd at (2021)	29,889	30,981	60,870	AM:2984 PM:1927	1433 2705	4417 4632

The daily traffic generated by the proposed development is 248 trips per day.

This represents only (248/ 60,870) or a 0.4% increase in the daily traffic on Parramatta Road, which is insignificant,

The peak hour traffic generated by the development is 50 vehicle trips per hour.

This represents only (50/ 4,417) or a 1.1% increase in the am peak hour traffic on Parramatta Road, which is insignificant,



ON-STREET CAR PARKING OBSERVATION SURVEYS

The site is located in an Industrial zone (INZ) in the Leichhardt Council Planning Scheme. On-Street car parking surveys were carried out mainly along the sections of Parramatta Road, Flood Street, George Street, National Street, Upward Street, Andreas Street, Albert Street, Station Street, Park Street, West Street and Carrington Road. The on-street parking survey covered an area within 250 metres from the site.

On-street car parking surveys

Figure 6 below shows the extent of the on-street parking surveys, which were carried out on the following days and times:

Monday 31st January 2022: 5am to 9pm.

Wednesday 2nd February 2022: 6am to 9pm.

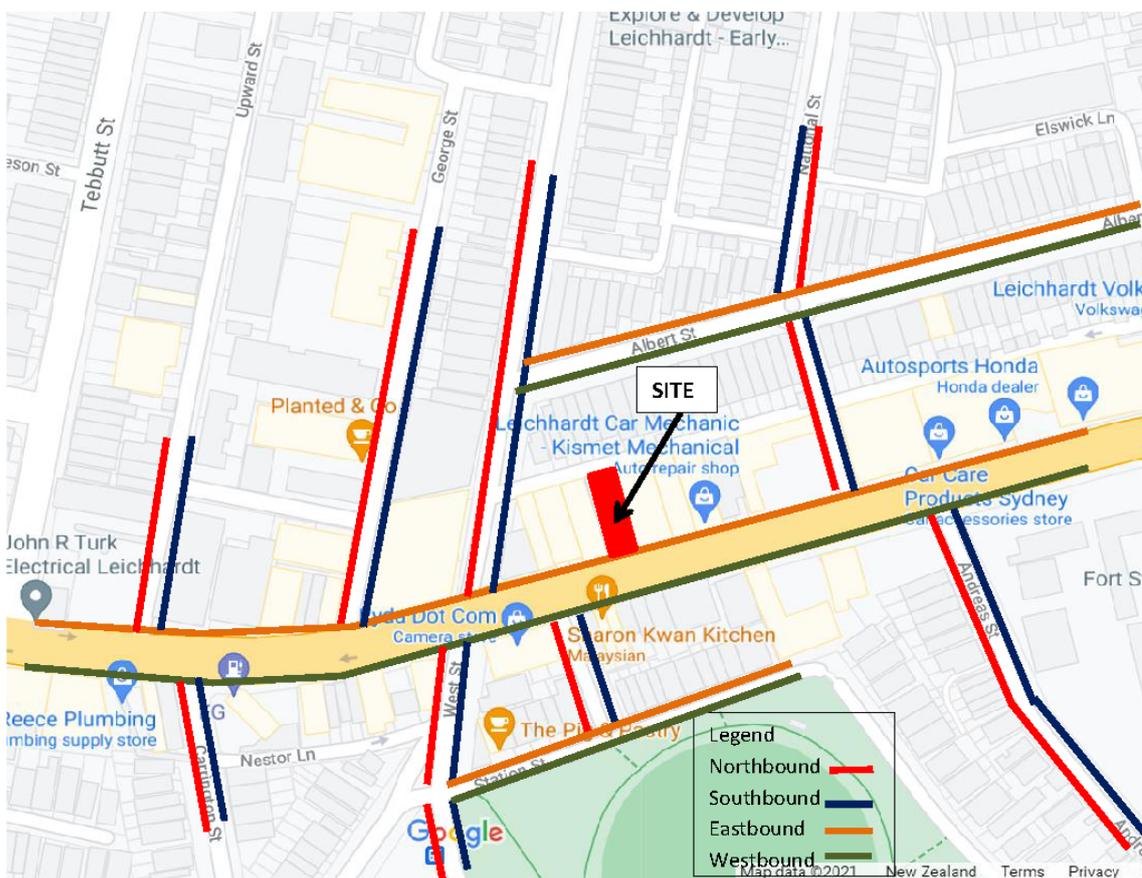


Figure 6: Map showing the extent of the on-street parking surveys

Tables 3 and 4 below show a summary of the parking survey results.



Table 3: On-street parking survey results for Monday 31st January (5am to 9pm)

Street	Parking controls	Available parking spaces	Parking occupancy at times below																
			5 am	6 am	7 am	8 am	9 am	10 am	11 am	12 pm	1 pm	2 pm	3 pm	4 pm	5 pm	6 pm	7 pm	8 pm	9 pm
Parramatta Eastbound & Westbound	CW (6-10am & 3-7pm M-F)/No stopping	0	CW	CW	CW	CW	CW	CW	CW	CW	CW	CW	CW	CW	CW	CW	CW	CW	CW
Flood St Northbound & Southbound	No control	29	7	7	10	12	13	15	16	17	19	17	16	17	21	20	15	13	12
West St Northbound & Southbound	No control	11	2	3	4	4	5	5	6	7	7	6	6	7	8	7	6	5	4
Park St Northbound & Southbound	No control	18	5	4	6	7	9	9	9	11	11	11	9	11	14	12	9	9	7
Andreas St Northbound & Southbound	No control	15	3	4	5	6	7	7	8	9	9	9	8	9	10	10	8	7	6
Carrington Rd Northbound & Southbound	No control	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
	1P(8-6 M-F & 8-12 Sat.)	5	1	1	2	2	2	2	3	3	3	3	3	3	3	2	3	2	2
George St Northbound	No control	12	2	3	4	5	5	6	7	7	8	7	7	7	8	8	6	5	5
Upward St Northbound	No control	5	1	1	2	2	2	2	3	3	3	3	3	3	3	3	3	2	2
Albert Street Eastbound & Westbound	No control	83	18	20	29	34	37	42	46	50	52	49	45	50	58	53	44	37	34
Station Street Eastbound	2P/8.30am-6pm (M-Fri) Permit holders exempted	38	9	9	13	15	17	20	21	23	24	22	21	23	27	25	20	17	15
Station Street Westbound	No control	32	7	8	11	13	14	15	18	19	20	19	18	19	22	21	17	14	13
	TOTAL	250	57	62	87	100	112	120	137	150	157	147	137	150	175	162	132	112	100
	% Occupancy		23 %	25 %	35 %	40 %	45 %	48%	55%	60 %	63 %	59 %	55%	60%	70 %	65 %	53%	45 %	40%
	Vacant spaces		193	188	163	150	138	130	113	100	93	102	113	100	75	88	118	138	150



Table 4: On-street parking survey results for Wednesday 2nd February (6am to 9pm)

Street	Parking controls	Available parking spaces	Parking occupancy at times below																
			6 am	7 am	8 am	9 am	10 am	11 am	12 pm	1 pm	2 pm	3 pm	4 pm	5 pm	6 pm	7 pm	8 pm	9 pm	
Flood St (Northbound & Southbound)	No control	29	7	10	12	13	15	16	17	19	17	16	17	21	20	15	13	12	
West St (Northbound & Southbound)	No control	11	3	4	4	5	5	6	7	7	6	6	7	8	7	6	5	4	
Park St (Northbound & Southbound)	No control	18	4	6	7	9	9	9	11	11	11	9	11	14	12	9	9	7	
Andreas St (Northbound & Southbound)	No control	15	4	5	6	7	7	8	9	9	9	8	9	10	10	8	7	6	
Carrington Rd (Northbound & Southbound)	No control	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
	1P 8-6 M- F & 8 -12 Sat.	5	1	2	2	2	2	3	3	3	3	3	3	3	2	3	2	2	
George St (Northbound)	No control	12	3	4	5	5	6	7	7	8	7	7	7	8	8	6	5	5	
Upward St (Northbound)	No control	5	1	2	2	2	2	3	3	3	3	3	3	3	3	3	2	2	
Albert Street (Eastbound & Westbound)	No control	83	12	20	26	30	33	31	43	52	49	47	50	51	50	40	33	30	
Station Street (Eastbound)	2P/8.30am-6pm (Mon-Fri) Permit holders exempted	38	7	11	11	13	14	15	19	24	22	21	23	22	22	18	15	14	
Station Street (Westbound)	No control	32	7	10	11	13	13	13	17	20	19	18	19	21	20	16	13	12	
	TOTAL	250	50	75	87	100	107	112	137	157	147	139	150	162	155	125	105	95	
	% Occupancy		20%	30%	35%	40%	43%	45%	55%	63%	59%	55%	60%	65%	62%	50%	42%	38%	
	Vacant spaces		200	175	163	150	143	138	113	93	103	111	100	88	95	125	145	155	



Table 5 below shows an overall summary of the on-street parking survey results.

Table 5: Overall summary of on-Street parking survey results

Day	Time period	On-street (250 Spaces)	
		Max. occupancy	Min. no. of vacant spaces
Monday 31 st January 2022	5am to 9pm	70% (175)	75
Wednesday 2 nd February 2022	6am to 9pm	65% (162)	88

Survey results

A total of 250 acceptable on-street spaces in roads were surveyed within 250 metres of the site for the two days above.

An overall summary of the on-street parking survey results is shown in Table 5 above.

On Monday 31st January in the period of 5am to 9pm, the peak occupancy on-street was 70% and the minimum number of vacant spaces at peak times was 75 spaces.

On Wednesday 2nd February in the period of 6am to 9 pm the peak occupancy on-street was 65% and the peak

minimum number of vacant spaces at peak times was 88 spaces.

Even at peak occupancy times, the total minimum number of vacant on-street spaces was 75 to 88 spaces, which is more than sufficient to cater for the parking shortfall of 11 spaces for the proposed Gymnasium expansion development. Already the proposed on-site parking has 6 spaces compared to the assessed parking demand of 17 spaces.

Contrary to Council’s concerns that available on-street parking on Albert Street and Station Street will be used up by the parking shortfall from the development, the parking surveys show that at peak occupancy times, on Albert and Station Street there is a total of 64 vacant spaces on Monday. On Wednesday, there is a total of 46 spaces. So even if all the parking shortfall cars park on Albert Street and Station Street, they’ll only occupy 17 % to 24% of the available vacant spaces.



CONCLUSIONS

The site is located in an industrial zone in the Leichhardt council planning scheme. The proposed development will initially provide a total of 8 spaces in the ground-level car park.

The Leichhardt Council Scheme parking requirements do not provide a parking rate for Gymsnasiums. Therefore, an assessment was carried out based on the parking rates in the RTA NSW Guide 2002. It provides a parking requirement of 17 spaces for the proposed Gym.

Street parking surveys on a Monday and a Wednesday show that even at peak occupancy times, there is a minimum of 75-88 vacant spaces. These are more than sufficient together with the proposed 6 on-site spaces to cater for the parking shortfall of 11 spaces for the proposed Gymnasium.

Council has criticized the proposed Tandem parking layout expecting vehicles to be blocked. It does not take into account that the 3 spaces at the blind end of the car park will be reserved for staff. Patrons will use the front 3 spaces which will not be blocked.

Council has also pointed out that the parking arrangement does not comply with AS standard, because of columns and that vehicles can't turn into the car park due to the narrow width of Easter Street. Swept path diagrams have been provided to disprove this assertion. The parking arrangement has been modified to provide 6 tandem spaces clear of columns

The Gymnasium is aimed at residents and employees, who may choose to walk or cycle there. There are frequent bus services from Sydney City to Leichardt. The bus trip stops within a 1-minute walk to the site or a 127 metre walk to the. This will reduce the need for driving for the staff and clients and therefore reduce the parking demand on site.

The traffic generated by the proposed development has been assessed as 248 trips per day, which equates to 1 vehicle trip every 4 minutes. The peak hour traffic generated is 50 trips per hour, which equates to 1 vehicle trip every 1.2 minutes.

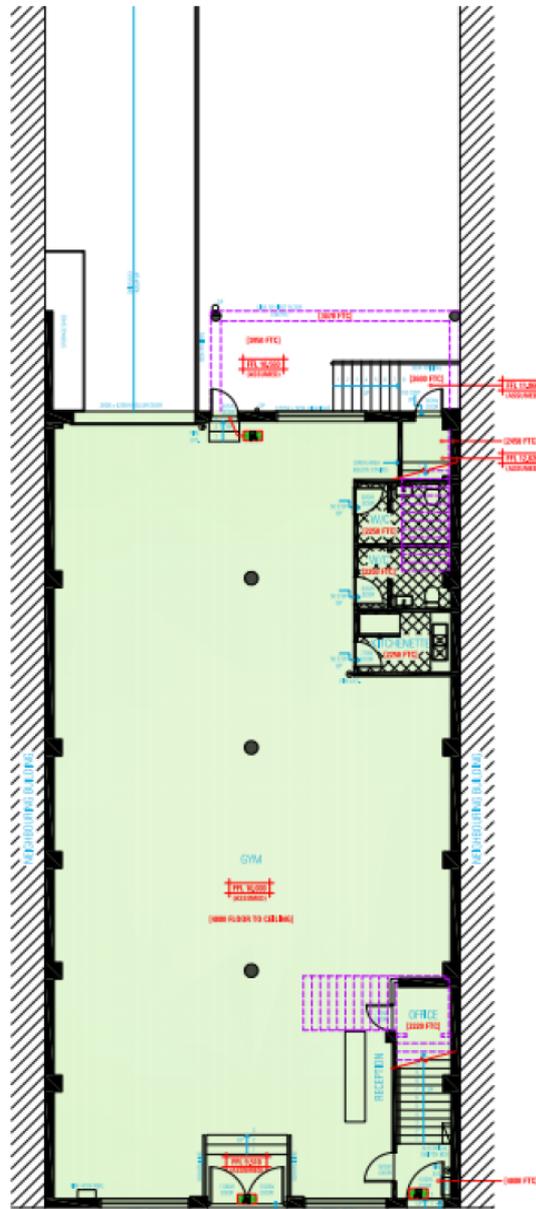
The impact of the traffic generated by the development on the existing traffic on Parramatta Road has been assessed as a 0.4% increase in traffic daily and a 1.1% increase in the AM peak hour traffic. These are considered to be an insignificant effect.

In conclusion, this study indicates that the proposed use of the site for a Gymnasium is not expected to have adverse impacts on the surrounding traffic conditions and public parking provided. The peak weekday parking requirements for the proposed development can be partly accommodated by the on-site parking for 6 spaces and the available vacant on-street parking spaces.

Therefore, based on the assessment presented in this report, it is considered that the proposed development will have a less than minor effect on the existing traffic in the surrounding roads and very little effect on the on-street parking in the vicinity of the site.



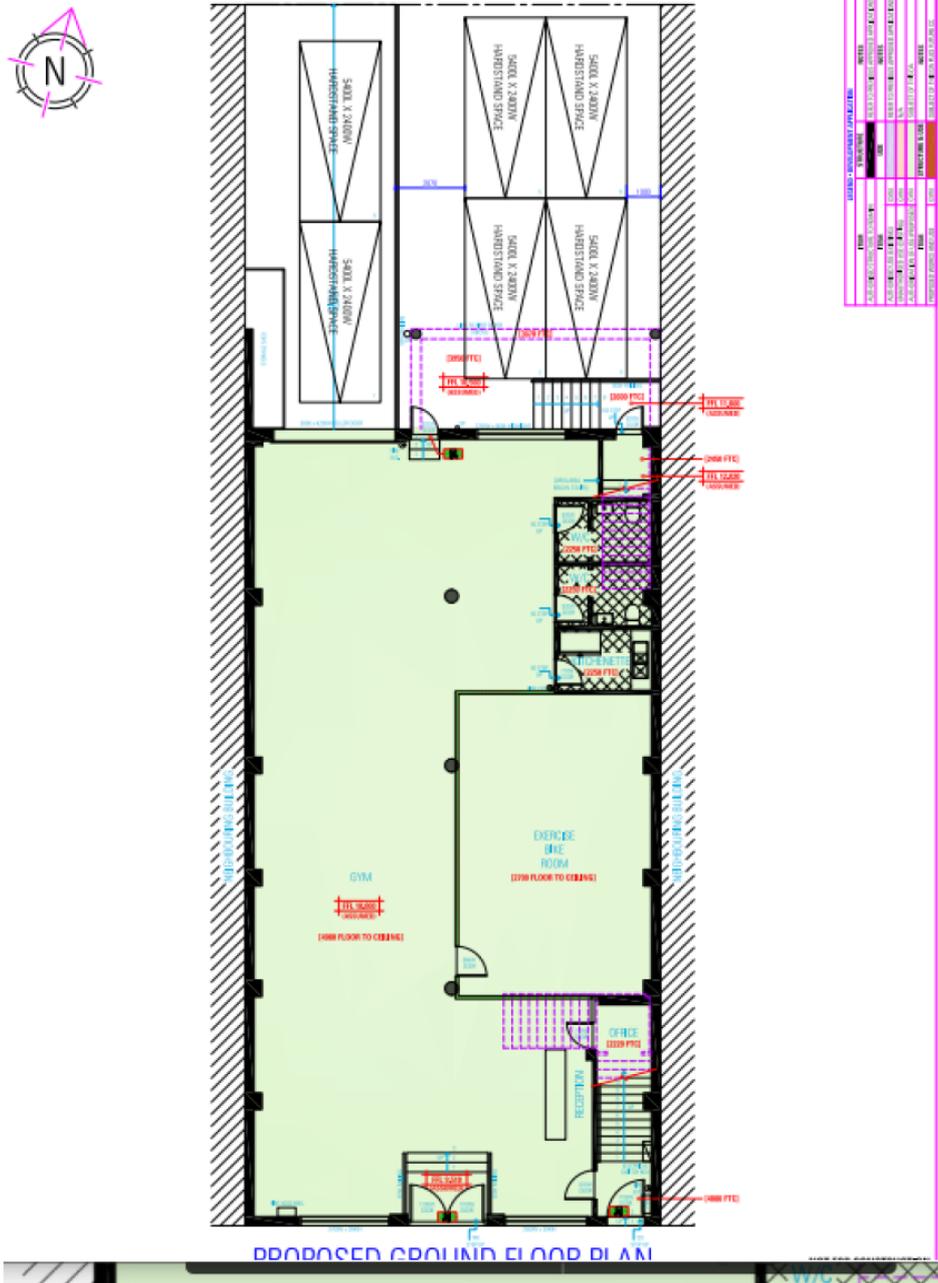
APPENDIX A: PROPOSED GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



APPENDIX B: PROPOSED GROUND FLOOR PARKING PLAN



PROJECT NAME	621 PARRAMATTA RD, LEICHARDT NSW 2040
CLIENT	621 PARRAMATTA RD, LEICHARDT NSW 2040
DATE	10/01/2024
SCALE	AS SHOWN
PROJECT NO.	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT TITLE	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT LOCATION	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT STATUS	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT TYPE	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT PHASE	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT DESCRIPTION	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT CONTACT	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT CONTACT NO.	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT CONTACT EMAIL	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT CONTACT ADDRESS	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT CONTACT PHONE	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT CONTACT FAX	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT CONTACT WEBSITE	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT CONTACT SOCIAL MEDIA	621 PARRAMATTA RD, LEICHARDT NSW 2040
PROJECT CONTACT OTHER	621 PARRAMATTA RD, LEICHARDT NSW 2040

