




 DEVELOPMENT ASSESSMENT PANEL REPORT	
Application No.	MOD/2025/0020
Address	96 Illawarra Road MARRICKVILLE NSW 2204
Proposal	Section 4.55(2) to modify modified determination D383/94 dated 18/11/1994, to increase the operating hours of the 'Greek Atlas Cultural and Community Centre' as follows: Internal areas: 8:00am to Midnight, External areas: 8:00am to 10:00pm, 7 days per week and construction of associated acoustic treatments.
Date of Lodgement	04 February 2025
Applicant	Atlas Hall Pty Ltd
Owner	Mr Philip Hardy Mrs Margaret M Hardy
Number of Submissions	Notification: 14 Renotification: 3
Cost of works	\$0.00
Reason for determination at Planning Panel	<ul style="list-style-type: none"> Number of submissions
Key Considerations	<ul style="list-style-type: none"> Part 2.7 – Solar Access and Overshadowing Matters raised in submissions
Recommendation	Approved with Conditions
Attachment A	Recommended Amended Conditions of Consent
Attachment B	Plans of Proposed Development
Attachment C	Plan of Management
Attachment D	Acoustic Report
Attachment E	Plans of Approved DA200800498
Attachment F	Notice of Determination as Last Modified
	
LOCALITY MAP	
Subject Site 	Objectors 
Notified Area 	Supporters 
Note: Due to scale of map, not all objectors could be shown.	

1. Executive Summary

This report is an assessment of the application submitted to Council for Section 4.55(2) to modify modified determination MOD/2020/0216 dated 09/07/2020, to increase the operating hours of the 'Greek Atlas Cultural and Community Centre' as follows: Internal areas: 8:00am to Midnight, External areas: 8:00am to 10:00pm, 7 days per week and construction of associated acoustic treatments at No. 96 Illawarra Road Marrickville.

The application was notified to surrounding properties and 14 submissions were received in response to the initial notification period. The proposal was later renotified a second time in response to the provision of additional information. Three (3) submissions were received during the renotification period.

The main issues that have arisen from the application include:

- Part 2. 7 – Solar Access and Overshadowing
- Matters raised from submissions

Despite the issues noted above, it is considered that the proposed modified development is capable of generally complying with the aims, objectives, and design parameters contained in the relevant State Environmental Policies, *Inner West Local Environmental Plan 2022*, and the Marrickville Development Control Plan 2011, subject to compliance with the conditions imposed and as modified.

The potential impacts to the surrounding environment have been considered as part of the assessment process and given the context of the site and the desired future character of the precinct, these are considered acceptable.

Considering the above, subject to the imposition of appropriate terms and conditions, the application is considered suitable for approval.

2. Proposal

The proposal seeks consent to increase the operating hours of the 'Greek Atlas Cultural and Community Centre' as follows: Internal areas: 8:00am to Midnight, External areas: 8:00am to 10:00pm, 7 days per week.

The previously approved hours of operation of the premises as approved under MOD/2020/0216 are detailed as follows:

- Internal areas: Monday to Sunday: 9:00am to 10:00pm (including public holidays)
- External areas: Monday to Sunday: 11:00am to 8:00pm (including public holidays)

The proposal also seeks consent for the construction of the following associated acoustic treatments:

- Installation of a PVC Curtain to the ground floor rear alfresco area; and
- 400mm addition to the existing southern boundary fence.

3. Site Description

The subject site is located on the north-western side of Illawarra Road, between Council Street and Sydenham Road. The site consists of one (1) allotment and is generally L – Shaped with a total area of 694sqm and is legally described as Lot 961 in DP 813630.

The site has a primary street frontage to Illawarra Road of 13.795m and a secondary frontage of 47.45m to Council Street. The site is affected by a splay corner on the corner of Illawarra Road and Council Street.

The site supports a two-storey community facility, as known as the 'Greek Atlas Cultural and Community Facility' with an alfresco area, storage shed, and hardstand parking area to the rear of the subject site. The adjoining property to the south and to the rear of the subject site contains a two-storey social housing facility, properties to the east include a range of single storey and two-storey residential dwellings, and the adjoining property to the north contains a two-storey commercial premises.

The subject site contains a 2 storey building which is listed as a State Heritage Item – Former Marrickville Town Hall, including interiors (Item No: 11246). The property is not located in or adjacent to a Heritage Conservation Area.

Low-scale vegetation is located on the subject site, particularly within the front setback and along the southern boundary of the subject site.



Figure 8: Photo of subject site as viewed from Illawarra Road



Figure 9: Photo of subject site as viewed from Council Street

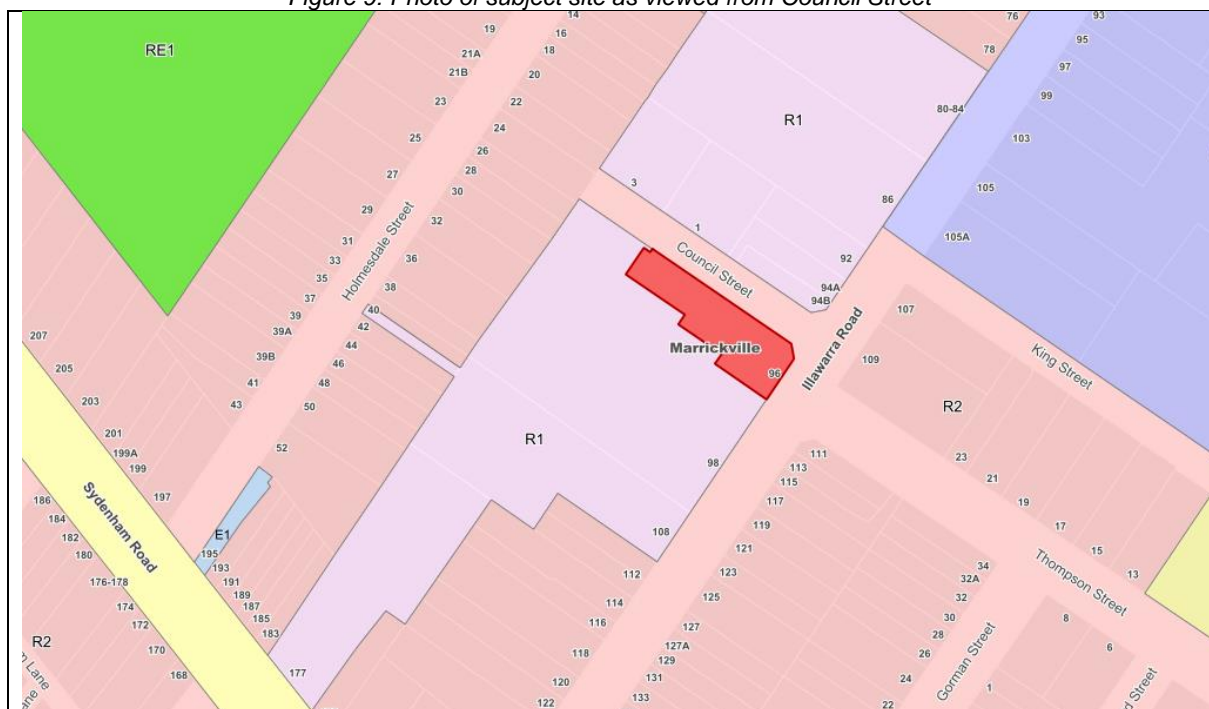


Figure 3: Zoning Map (subject site in red)

4. Background

Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal	Date & Decision
D383/94	Woman's library and room for visiting researchers.	18/11/1994, Approved
DA200800498	To demolish part of the rear of the premises and carry out alterations and additions to erect a new single storey wing to the rear of the former town hall and provide a driveway from Council	11/03/2009, Approved – Local Planning Panel

	Street and 3 off street parking spaces at the rear of the property.	
DA200800498.01	To modify Determination No. 200800498 dated 11 March, 2009 to demolish the rear section of the building along Council Street and reconstruct external wall and chimney and carry out alterations to the approved layout of the premises.	06/04/2010, Approved
DA201900325	To modify Development Application No. 383/94 dated 18 November 1994 to increase the hours of the premises and carry out alterations to the building.	17/12/2019, Approved – Local Planning Panel
MOD/2020/0216	To modify DA/1994/383 correcting a condition.	09/07/2020, Approved
MOD/2023/0353	To modify MOD/2020/0216, to increase the operating hours of the 'Greek Atlas Cultural and Community Centre' as follows: Internal areas: Monday to Sunday: 9:00am to 11:00pm (including public holidays), External areas: Monday to Sunday: 11:00am to 10:00pm (including public holidays).	11/04/2024, Withdrawn by Applicant

Application history

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

Date	Discussion / Letter / Additional Information
21/11/2023	Site Inspection
04/02/2025	Application Lodged
13/02/2025 to 06/03/2025	Notification Period
14/03/2025	A Request for Further Information letter was sent to the Applicant requiring an amended Acoustic Report, Plan of Management, and Shadow Diagrams. Architectural Plans were also requested regarding enquiries associated with additional gross floor area and off-street parking.
08/04/2025	Amended plans and supporting documentation were received. Renotification was required in accordance with Council's Community Engagement Strategy 2025-2029. The amended plans and supporting documentation are the subject of this report.
22/04/2025 to 13/05/2025	Renotification Period.

5. Section 4.55 Modification of Consent

The following is a summary of the assessment of the application in accordance with Section 4.55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979).

Section 4.55(2)

Section 4.55(2) of the *EP&A Act 1979* allows a consent authority to modify a development consent granted by it, if:

- (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*
- (c) it has notified the application in accordance with—*
 - (i) the regulations, if the regulations so require, or*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- (d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.*

In considering the above:

- The proposed development as modified is substantially the same as the original consent for the following reasons:
 - The premises will still be utilised as a community facility as defined by the *IWLEP 2022*;
 - The proposed extended hours of operation are for the purposes to carry out the use of the premises as a community facility (as previously approved); and
 - The proposal seeks to conduct minor alterations to the existing premises (i.e., install a PVC curtain to the rear outdoor area and extend the height of the existing boundary fence) which is in keeping with the original consent granted which was also to conduct alterations to the existing building to protect the acoustic privacy of adjoining properties.
- The application does not require concurrence or General Term of Agreement from any approval body.
- The application was notified in accordance with the Community Engagement Strategy 2025-2029.
- Submissions received have been considered.

Section 4.55(3)

In consideration of Section 4.55(3) of the *EP&A Act 1979* the consent authority has taken into account the following reasons given by the determination authority for the granting of the original consent:

- The proposal generally complies with the aims, objectives and design parameters contained in the relevant environmental planning instruments and development controls plans;
- The proposal will not result in any significant impacts on the amenity of the adjoining properties, the streetscape and is considered to be in the public interest; and
- The proposal is considered suitable for approval subject to the imposition of appropriate conditions.

It is considered that the modified proposal has taken into account the aforementioned reasons that the original development consent was granted.

6. 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* (EP&A Act 1979).

A. Environmental Planning Instruments

The application has been assessed and the following provides a summary of the relevant Environmental Planning Instruments.

State Environmental Planning Policies (SEPPs)

SEPP (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.6(1) of the *Resilience and Hazards 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.

Inner West Local Environmental Plan 2022

The application was assessed against the following relevant sections of the *Inner West Local Environmental Plan 2022* (IWLEP 2022).

Part 1 – Preliminary

Section	Proposed	Complies
Section 1.2 Aims of Plan	<p>The proposal satisfies this Section as follows:</p> <ul style="list-style-type: none"> The proposal protects and promotes the use and development of land for arts and cultural activity, including music and other performance arts; The proposal conserves and maintains the natural, built and cultural heritage of the Inner West; 	Yes

Section	Proposed	Complies
	<ul style="list-style-type: none"> The proposal prevents adverse social, economic and environmental impacts on the local character of the Inner West; and The proposal prevents adverse social, economic and environmental impacts, including cumulative impacts. 	

Part 2 – Permitted or prohibited development

Section	Proposed	Complies
Section 2.3 Zone objectives and Land Use Table <i>R2 – Low Density Residential</i>	<ul style="list-style-type: none"> The application proposes to increase the operating hours of an existing community facility as follows: Internal areas: 8:00am to Midnight, External areas: 8:00am to 10:00pm, 7 days per week and construction of associated acoustic treatments which is permissible with consent in the R2 – Low Density Residential zone. Community facilities are permissible with consent in the R2 zone; and The modified proposal is consistent with the relevant objectives of the zone, as the extension of operating hours will facilitate in providing facilities and services to meet the needs of residents. 	Yes

Part 4 – Principal development standards

Section	Proposed	Complies
Section 4.3 Height of buildings	No changes proposed under this subject application that will alter the existing Height of Building.	Yes
Section 4.4 Floor space ratio	<p>The proposal seeks to install a PVC curtain to the perimeter of the existing alfresco area. Council agrees with the Applicant's following response to Council's Request for Further Information letter:</p> <p><i>The PVC curtain does not have the properties nor function as an external wall, that is, to effectively screen the area from weather. The PVC curtain does not convert the patio into a "habitable" area.</i></p> <p><i>We refer to the following excerpt from Haralambis Management Pty Ltd v Council of the City of Sydney [2013] NSWLEC 1009 where the Court states that "For a balcony to be open space there should be a degree of openness and exposure to the elements. An area that can by choice be permanently enclosed and used as a habitable room would not be open space." We consider the patio to be open space, not habitable and therefore not be calculated as GFA.</i></p>	Yes

Section	Proposed	Complies
	Overall, considering that the PVC curtain will not permanently enclose the existing alfresco area, it is considered no additional gross floor area is proposed as part of this development. Therefore, no changes are proposed under this subject application that will alter the existing Floor Space Ratio on-site.	

Part 5 – Miscellaneous provisions

Section	Proposed	Complies
Section 5.10 Heritage conservation	<p>The subject site is a listed Heritage Item, named, Former Marrickville Town Hall, including interiors (Item No: I1246).</p> <p>The proposal achieves the objectives of this Section as follows:</p> <ul style="list-style-type: none"> • The proposal seeks to increase the height of the existing lapped fencing to 2.5m from 2.1m to provide acoustic separation using a similar detail to the existing fencing. The section of fencing that it is proposed to be modified will not be visible in the streetscape, and therefore, will not have a detrimental heritage impact to the Item which is a satisfactory outcome; and • The installation of a PVC curtain to the rear-facing alfresco area is unlikely to have a heritage impact as the element in question is reversible. <p>Given the above the modified proposal preserves the environmental heritage of the Inner West as the development has been designed to respond to the significance of the Heritage Item.</p>	Yes

Part 6 – Additional local provisions

Section	Proposed	Complies
Section 6.1 Acid sulfate soils	<ul style="list-style-type: none"> • The site is identified as containing Class 5 acid sulfate soils. The proposal is considered to adequately satisfy this section as the application does not propose any works that would result in any significant adverse impacts to the watertable. 	Yes

B. Development Control Plans

Summary

The application has been assessed and the following provides a summary of the relevant provisions of Marrickville Development Control Plan 2011 (MDCP 2011).

MDCP 2011	Complies
Part 2.6 – Acoustic and Visual Privacy	Yes, as conditioned – See discussion
Part 2.7 – Solar Access and Overshadowing	Acceptable, on merit – See discussion
Part 2.8 – Social Impact	Yes, as conditioned – See discussion
Part 2.10 – Parking	Yes – See discussion
Part 2.11 – Fencing	Acceptable, on merit – See discussion
Part 8 – Heritage	Yes – See discussion
Part 9 – Strategic Context	Yes – See discussion

The following provides discussion of the relevant issues:

Part 2 – Generic Provisions

Control	Assessment	Complies
Part 2.6 Acoustic and Visual Privacy	See below for a detailed discussion.	Yes, as conditioned – See below discussion
<u>Part 2.6 – Acoustic and Visual Privacy</u>		
The modified proposal, as conditioned, will have a satisfactory impact on visual and acoustic levels of the surrounds as follows:		
<u>Visual Privacy:</u>		
<ul style="list-style-type: none">• The modified proposal does not seek to alter the openings of the existing building, and therefore, it can be expected that the premises will have substantially the same visual privacy impact as existing;• However, the proposal seeks to heighten a portion of the existing side boundary fence to the south-west, as well as install an acoustic PVC curtain to the existing outdoor alfresco area. With these measures in place, it can be expected that the associated visual privacy impacts (on the occupants of the subject site and neighbouring properties) from the operations of the premises will be improved from existing; thus, satisfying O1 and O2 of this Part of the MDCP 2011.		
<u>Acoustic Privacy:</u>		
<ul style="list-style-type: none">• The modified proposal seeks to increase the hours of operation from existing as detailed below:		
	Indoor Hours of Operation	Outdoor Hours of Operation

Control	Assessment	Complies
Current Hours of Operation	Monday to Sunday (including public holidays): 9:00am to 10:00pm	Monday to Sunday (including public holidays): 11:00am to 8:00pm
Proposed Hours of Operation	Monday to Sunday (including public holidays): 8:00am to 12:00am (midnight)	Monday to Sunday (including public holidays): 8:00am to 10:00pm

The proposed extension of operating hours outside of the traditional business hours has the potential to impact the acoustic amenity of surrounding residential accommodation. Part 2.6 – Acoustic and Visual Privacy of the MDCP 2011 does not include specific provisions relating to community facilities. Nevertheless, an Acoustic Report was provided as part of this subject application which demonstrates that the premises is able to meet compliance with the relevant acoustic noise criteria, subject to adopting the recommendations provided in the Acoustic Report and noise management techniques in the Plan of Management. Examples of these recommendations include:

- There is to be no entertainment in the form of amplified music on any part of the outdoor area at any time;
- All doors and windows to the community centre are to be kept closed (except to allow for ingress / egress) during approved hours of operation;
- The number of patrons using the interior community centre is restricted to 90 persons at any time;
- The number of patrons using the external area is restricted to 14 persons between 8:00pm to 10:00pm;
- No events or activities are to be conducted in the approved car parking area on the premises;
- The kitchen exhaust system must be turned off by 10:00 PM;
- The auditorium condenser must be fitted with night-quiet chips and set to activate night-quiet mode at 10:00 PM;
- No loitering outside of the premises or outdoor areas when leaving the site; and
- To be respectful of surrounding residential accommodation when leaving the premises.

In addition to the above, the modified proposal seeks to increase the height of a portion of the existing side boundary fence to the south and install a PVC curtain sounding the external perimeter of the existing alfresco (as advised in the Acoustic Report) to contain the noise within the subject site and to reduce the transmission of sound waves across neighbouring properties, particularly when utilising the outdoor areas on the premises.

Further, the modified proposal was referred to the NSW Police who raised no objections to the proposed extended hours of operation and made note of the following:

It is the case however that NSW Police often receive disturbance complaints from a single resident of a nearby unit complex. On the occasion where police have been in a position to attend the premises as a result of a disturbance complaint, upon assessment by responding police it was determined that the threshold for 'offensive noise' had not met.

As indicated in the NSW Police referral, it is unlikely that the use of the site will generate 'offensive noise' as defined under the *Protection of the Environment Operations Act 1997* due to the low-intensity use of the site (i.e., film and art exhibitions, occasional barbeques, chess games on Wednesdays, and a community kitchen on Thursdays) in comparison to other noise generating land-uses, such as a pub or a registered club. Nevertheless, to

Control	Assessment	Complies
	<p>ensure the protection of the acoustic amenity of adjoining residential accommodation, the existing conditions are recommended to be modified to reflect the updated Acoustic Report and Plan of Management and the associated recommendations. Refer to <i>Attachment A - Recommended Amended Conditions of Consent</i> of this report for details.</p> <p>Having regard to the above and subject to the abovementioned measures, it is considered that the proposed extension of operating hours are unlikely to have an adverse impact on the acoustic amenity of the surrounding properties. Notwithstanding, to monitor the performance of the facility during the extended operating hours, a condition is included in the recommendation requiring the provision of a 12-month trial for these hours. This condition will allow Council to review the hours of operation 12-months from the issuance of an Occupation Certificate and to determine as to whether the amended hours of operation has had a satisfactory impact on neighbouring properties. A continuance of these hours would require another application to be lodged.</p> <p>In addition, the existing condition 9C will be modified to restrict the number of patrons to the external areas to a maximum of 14 patrons instead of the existing 30 patrons. No evidence has been provided demonstrating that the acoustic levels of 30 patrons from 8:00am to 10:00pm will have an acceptable impact on neighbouring residences. Further, given the extent of noise complaints received particularly due to the noise arising from the external areas of the premises (i.e., the alfresco area), it can be expected that a reduced patron capacity to this area will have improved acoustic outcomes on adjoining properties.</p>	
Part 2.7 Solar Access and Overshadowing	<p>The proposal will have a satisfactory impact in terms of solar access and overshadowing on the surrounds as follows:</p> <p><i>Overshadowing</i></p> <ul style="list-style-type: none"> • The development will not result in adverse amenity impacts as a result of overshadowing; • Neighbouring glazing will not be further overshadowed as a result of the proposed development; and • The proposal seeks to increase the height to a portion of the south side boundary fence by 400mm to assist in mitigating the transmission of noise to neighbouring properties. As a result of this height increase, additional shadows are cast to the private open space area of No. 98 Illawarra Road which contains multiple residential units. The extent of shadows cast will further reduce their access to sunlight, resulting in less than two (2) hours solar access to be obtained to 50% of their private open space on June 21. The premises currently obtains less than two (2) hours solar access to 50% of their private open space area during mid-winter; thus, varying C2 of this Part of the MDCP 2011. See below for a detailed assessment regarding this variation. <p><i>Solar Access</i></p> <ul style="list-style-type: none"> • This Part of the MDCP 2011 does not contain controls regarding minimum requirements for solar access to community facilities. Nevertheless, according to the Shadow Diagrams provided it is clear that the subject 	Acceptable, on merit – See discussion below

Control	Assessment	Complies
	site obtains an optimal level of solar access during the Winter Solstice which is a satisfactory outcome.	
<p><u>Consideration of non-compliances</u></p> <p>Part 2.7 Solar Access and Overshadowing</p> <p><i>Overshadowing</i></p> <p>The Shadow Diagrams provided demonstrate that the proposed side boundary fence height extension will result in additional overshadowing to a residential unit's private open space located at No. 98 Illawarra Road's from 11:00am to 1:00pm on June 21, resulting in less than two (2) hours solar access to be obtained to 50% of the entire surface area. The adjoining property currently receives less than two (2) hours solar access to 50% of their private open space during mid-winter, and the proposal seeks to further reduce this; thus, varying C2 of this Part of the MDCP 2011.</p> <p>It is important to note that the Shadow Diagrams provided show a private open space area to the unit in question at No. 98 Illawarra Road that is of a dimension consistent with C23 of Part 2.18 – Landscaping and Open Spaces of the MDCP 2011. Although the indicated private open space area is compliant with the relevant provisions, it is unclear as to whether the identified area is actually utilised as a private open space area on the adjoining property. Therefore, in order to protect the amenity of the adjoining land-users, the area impacted along the side boundary will be assessed in its entirety against C2 of Part 2.7 of the MDCP 2011.</p> <p>Where a development proposal results in a decrease in sunlight available on 21 June resulting in less than two (2) hours of solar access for the adjoining property, the proposal may be considered on its merit with regard to the criteria of points a to d in C2 contained in Part 2.7 of the MDCP 2011. The planning principle regarding access to sunlight as developed in the case law <i>Benevolent Society v Waverley Council</i> [2010] NSWLEC 1082 is also used as a tool to interpret the following control.</p> <p>C2(ii) of Part 2.7.3 of MDCP 2011 states:</p> <p><i>If the development proposal results in a further decrease in sunlight available on 21 June, Council will consider:</i></p> <p><i>a. The development potential of the site;</i></p> <p>The development potential of the site prescribed by the development standards under the <i>IWLEP 2022</i> is a maximum 9.5m height limit and 0.6:1 FSR. In addition, the subject site is zoned R2 Low Density Residential under <i>IWLEP 2022</i>, which permits mainly low-density residential development.</p> <p>The following is noted with respect to this matter:</p> <ul style="list-style-type: none"> • The proposal retains the community facility use, which is permissible within the site's R2 Low Density Residential zone under <i>IWLEP 2022</i>; • As discussed earlier in this report, the proposal does not seek to alter the Height of Building, Floor Space Ratio and Site Coverage from existing. Therefore, it can be expected that the subject site will have substantially the same impacts in terms of visual bulk and scale upon adjoining properties as existing; • The extent of shadows cast from the development is a direct result of the 400mm height increase to the existing southern side boundary fence. The proposed fence 		

Control	Assessment	Complies
	<p>height increase is a result from the recommendations provided in the Acoustic Report which seek to aid in minimising the noise transmission from the subject site. It is considered that the proposed fence height increase will have improved visual and acoustic privacy outcomes for neighbouring properties;</p> <ul style="list-style-type: none"> • The bulk and scale of the development has been kept to a minimum by only increasing the height of the fence to a portion of the southern side boundary fence, in order to reduce the solar access and overshadowing impacts at No. 98 Illawarra Road; and • Based on the above, it is considered the development is within its development potential and is of an appropriate bulk and scale that is supported by Council. <p><i>b. The particular circumstances of the neighbouring site(s), for example, the proximity of any residential accommodation to the boundary, the resultant proximity of windows to the boundary, and whether this makes compliance difficult;</i></p> <p>The following is noted with respect to this matter:</p> <ul style="list-style-type: none"> • The site's east, west orientation and the natural topography of the site (i.e., slopes downwards to the south) are significant constraints for the neighbouring property's private open space to obtain natural solar access. As such, the proposed built form is elevated in comparison to the neighbouring side-adjointing private open space area; therefore, resulting in southern adjoining properties to be naturally vulnerable to a reduction in solar access on June 21; • The private open space areas to some units at No. 98 Illawarra Road is predominantly located along the southern side boundary; therefore, access to sunlight to these areas is difficult to protect given that it is located along the side boundary. The location and proximity of these areas to the boundary restricts any compliant development on the subject site, making compliance with C2 of Part 2.7 of the MDCP 2011 very difficult; and • No. 98 Illawarra Road will still receive solar access as a result of this proposal to portions of their private open space at various times of the day during mid-winter. <p><i>c. Any exceptional circumstances of the subject site such as heritage, built form or topography; and</i></p> <p>The following is noted with respect to this matter:</p> <ul style="list-style-type: none"> • As indicated earlier, the proposed southern side boundary fence height increase is a direct result from the recommendations provided in the Acoustic Report. Given that noise and associated implications is a sensitive issue on the subject site, strict compliance with the recommendations in the Acoustic Report is strongly recommended and is recommended to be conditioned as part of any consent granted. Therefore, the boundary fence height increase is an exceptional circumstance of the subject site and is considered acceptable given that it will assist in mitigating the noise transmission into neighbouring properties. <p><i>d. Whether the sunlight available in March to September is significantly reduced, such that it impacts upon the functioning of principal living areas and the principal areas of open space. To ensure compliance with this control, separate shadow diagrams for the March/September period must be submitted.</i></p>	

Control	Assessment	Complies
<p>Shadow Diagrams in plan form for the Equinox were submitted to demonstrate the development's impact during this time. Based on an assessment of these diagrams, the following is evident:</p> <ul style="list-style-type: none"> The submitted Equinox Shadow Diagrams show that the side boundary between the subject site and No. 98 Illawarra Road that is utilised as multiple private open space areas to the residential accommodation on-site maintains a minimum two (2) hours solar access to 50% of the surface area from 9:00am to 3:00pm during the Equinox period which is a satisfactory outcome. <p>In assessment of the above and solar access principles, it is considered that the impacts are reasonable, and that the proposal satisfies the objectives of Part 2.7 of the MDCP 2011.</p>		
Part 2.8 Social impact	<p>The proposed modified development satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> A Social Impact Comment was submitted as part of this subject application in accordance with C1 of this Part of the MDCP 2011. Based on this document, it appears that the activities provided at the facility (i.e., film and art exhibitions, occasional barbeques, chess on Wednesdays, and a community kitchen on Thursdays) provide positive benefits to the community. As outlined throughout this report, an Acoustic Report and Plan of Management were submitted as part of this subject application that included measures to manage the potential negative impacts associated with the extended operating hours on the amenity of the surrounds, which will be monitored during a trial period (refer to <i>Part 2.6 – Acoustic and Visual Privacy</i> of this report for a detailed assessment). Considering the above and subject to conditions recommended, it is considered that the proposed extension to the hours of operation will not have an adverse social impact. 	Yes, as conditioned
Part 2.10 Parking	See below for a detailed discussion.	Yes – See discussion below
<p>Part 2.10 – Parking</p> <p>Part 2.10 – Parking of the MDCP 2011 contains objectives and controls relating to the provision of parking to service the development proposed. The provision of parking was assessed and approved under a separate Development Application on the subject site (DA200800498). In addition, it is noted that subsequent applications relating to alterations and additions to the premises included the provision of parking spaces within the rear of the site.</p> <p>Moreover, it is acknowledged that the subject application does not propose any additional Gross Floor Area or additional patron capacity. Therefore, as per the relevant provisions of Part 2.10 of the MDCP 2011 (O1, O4, and C1), additional parking is not required to be provided on the premises. Further, it is considered that the provision of additional parking within the grounds of the site may not be appropriate, as it would reduce the curtilage of the heritage listed former Town Hall building and adversely impact its setting as viewed from the surrounding area including the public domain.</p>		

Control	Assessment	Complies
<p>Notwithstanding the above, it can be expected that the proposed extended hours of operation into the later hours of the night and early morning will have minimal effects on traffic and peak parking demand for the following reasons:</p> <ul style="list-style-type: none"> Given the local nature of the existing community use, it is considered that a significant portion of its users live within the surrounding neighbourhood and currently access the site on foot; The subject site is located within close proximity to multiple public bus stops, which provide access to surrounding suburbs, commercial centres, and the Sydney Central Business District; Fundamentally, the late-night period and early-morning hours, especially at a community facility like the premises, naturally has a lower attendance than busier lunch and dinner periods; The use and the parking on the premises are already approved and operating during the hours of 9:00am to 10:00pm Monday to Sunday (including public holidays); and Given the extension to the existing operating hours occur predominantly outside peak times on both weekdays and weekends, the local road network can readily cater for the minor increase in demand. <p>In light of the above, it is considered that the proposed extension of operating hours will have a satisfactory impact on the surrounding parking and traffic network. Nevertheless, to ensure that the previously approved off-street car parking area on the premises is utilised for its approved purpose (i.e., parking), Condition 2 has been amended to reflect the previously stamped parking diagram under DA201900325 and associated parking conditions under DA200800498. Refer to <i>Attachment A - Recommended Amended Conditions of Consent</i> of this report for details.</p>		
Part 2.11 Fences	<p>The proposed modified development satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> The modified proposal seeks to maintain the existing front fence, and side boundary fence fronting Council Street; The modified proposal seeks to increase the height of the existing southern side boundary fence adjoining No. 98 Illawarra Road to 2.5m from 2.1m. The 400mm height increase is supported given its associated benefits with reducing amenity implications upon the directly adjoining neighbour during the hours of operation of the premises. Therefore, the variation from C21 is supported in this instance; and The materiality of the fence extension is to match existing (i.e., timber lapped fencing) which is compliant with C30 of this Part of the MDCP 2011. 	Acceptable, on merit

Part 8 – Heritage

Control	Assessment	Complies
Part 8.1.7 – Heritage Items	<p>The proposed modified development satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> All new works are located towards the rear and are reversible in order to preserve the significance of the Item. Refer to <i>Section 5.10 – Heritage Conservation</i> of this report for a detailed assessment; 	Yes

	<ul style="list-style-type: none"> • The proposed modifications to the existing premises are unlikely to impact the Heritage Item; and • The proposed alterations to alleviate any acoustic impacts associated with the use of the premises will not result in the removal or covering of the significant building fabric or details which is a satisfactory outcome. 	
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Part 9 – Strategic Context

Control	Assessment	Complies
Part 9.13 Henson Park (Precinct 13)	<p>The proposed modified development satisfies the relevant provisions of this Part as follows:</p> <ul style="list-style-type: none"> • Given the minor nature of the alterations proposed, and the heritage significance of the historic Marrickville Town Hall building, the site will remain visibly unaltered, and therefore, protected, preserving an important part of the Henson Park precinct; and • It is considered that the proposed extent of works and changes to the hours of operation will not impact the existing and desired future character of the Henson Park Precinct. 	Yes

C. The Likely Impacts

These matters have been considered as part of the assessment of the development application. It is considered that the proposed development will not have significant adverse environmental, social or economic impacts upon the locality.

D. The Suitability of the Site for the Development

The proposal is of a nature in keeping with the overall function of the site. The premises are in a residential surrounding and amongst similar uses to that proposed.

E. Submissions

The application was required to be notified in accordance with Council's Community Engagement Strategy 2025-2029 between 13 February 2025 and 06 March 2025.

A total of 14 submissions were received in response to the initial notification.

The application was renotified and three (3) submissions were received.

Issues raised as follows have been discussed in this report:

- Noise Concerns
- Parking / Traffic Impacts
- Number of Patrons
- Loitering

Further issues raised in the submissions received are discussed below:

Concern	Comment
Matters related to the cost of the premises	Concerns were raised in the submissions regarding the price of purchase of the premises and associated grants obtained by the community facility. Concerns associated with this matter are not a matter of consideration under this subject application.
Unauthorised use of the premises as a restaurant and associated issuance of fines / appeal of fines	This concern is not strictly relevant to the subject application. In any case, Council's Development Compliance Team investigated this matter, and advice has been received that it has been resolved. Also, as outlined further within this report, no objection was raised (subject to the recommended imposition of conditions) by Council's Development Compliance Team and the NSW Police with respect to the extension of operating hours.
Consumption of alcohol on the premises	Concerns were raised regarding the consumption of alcohol on the premises. According to Council's Development Compliance Team, the subject site has a Liquor License issued by Liquor and Gaming NSW. Any consumption of alcohol on the site is to be in accordance with the subject site's Liquor License. Any concerns, it is recommended that the objector contacts Liquor and Gaming NSW for advice.
Breach of consent	Concerns were raised regarding previous instances where the premises was operating outside the approved hours of operation (both internal and external areas on the premises). Council has been notified of these breaches of consent and Council's Development Compliance Team have investigated the complaints.
Excessive hours of operation	A review of the documentation provided indicates that the proposed hours of operation are in keeping with the operations of the premises and allow the community to have greater access to a public facility and associated physical, social, cultural and intellectual activities.

F. 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.

This has been achieved in this instance.

7. Referrals

The following internal referrals were made, and their comments have been considered as part of the above assessment:

- Heritage Specialist;
- Environmental Health; and
- Development Compliance.

The following external referrals were made, and their comments have been considered as part of the above assessment:

- NSW Police – No objections were raised to the modified proposal.

8. Conclusion

The proposal generally complies with the aims, objectives and design parameters contained in *Inner West Local Environmental Plan 2022* and Marrickville Development Control Plan 2011.

The development will not result in any significant impacts on the amenity of the adjoining 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 amended conditions.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.55(2) of the *Environmental Planning and Assessment Act 1979*, grant consent to modify modified determination MOD/2020/0216 dated 9 July 2020, to increase the operating hours of the 'Greek Atlas Cultural and Community Centre' for Internal areas from 8:00am to Midnight and External areas from 8:00am to 10:00pm, 7 days per week and construct associated acoustic treatments at No. 96 Illawarra Road MARRICKVILLE subject to the amended conditions listed in Attachment A – Recommended Amended Conditions of Consent below.

Attachment A – Recommended Amended Conditions of Consent

1. The development being carried out substantially in accordance with Plan No. 93.326 S.02, S.03, S.04, S.05 and details submitted to Council on 12th September, 1994, and Drawing: Floor Plans, Drawing No. DA01, Revision: A, dated 3/5/18, by: Weir Phillips Heritage and Drawing: Internal Elevations, Drawing No. 01 by Weir Phillips Heritage **and Drawing 001, Rev 2, Date 09/05/2025, Proposed Plan by 1001 Designs, Drawing 002, Rev 2, Date 09/05/2025, South Elevation by 1001 Designs, Drawing 003, Rev 2, Date 09/05/2025, East & West Elevations by 1001 Designs, Drawing 008, Rev 2, Date 09/05/2025, Proposed Works Specifications by 1001 Designs, Reference: TK758-03F01 (r5), Date 23/05/2025, Acoustic Assessment for Extension of Hours of Operation and Plan of Management: For the Management of Operations at Greek Atlas Cultural and Community Centre – 96 Illawarra Road, Marrickville, received by Council Date 17/04/2025** with the application for development approval and as amended by the following conditions.

Reason: To confirm the details of the application as submitted by the applicant.

(Modified under DA201900325 and MOD/2025/0020 dated 12 August 2025)

- ~~1A. The recommendations contained in Section 6 of the acoustic report prepared by Renzo Tonin & Associates, reference TK758-01F01 Acoustic Assessment (r2) dated 10 September 2019 must be implemented.~~

(Deleted under MOD/2025/0020 dated 12 August 2025)

- ~~2. The area surrounding the building to be landscaped and treated in accordance with the building's Conservation Policy in order to improve and enhance its setting. The provision of car parking to the rear of the building should be investigated, if considered compatible with the heritage character of the building and its setting. A development application outlining any proposals in this regard is to be submitted to and approved by Council prior to commencement of works. Off-street car parking on the subject site is to be provided in accordance with Drawing No. DA01, Rev A – Floor Plans, dated 03/05/2018 by Weir Phillips Heritage. The use of the car parking area is to be in accordance with the relevant conditions under DA200800498.~~

Reason: ~~To improve and enhance the heritage significance of the building and its setting. To ensure off-street car parking is provided on-site.~~

(Condition modified under MOD/2025/0020 on 12 August 2025)

5. ~~The hours of operation being restricted to between the hours of 9.00am to 8.00 pm Mondays to Fridays, and 9.00am to 5.00pm Saturdays, Sundays and Public Holidays.~~

- ~~• Internal areas: Monday to Sunday: 9:00am to 10:00pm (including public holidays).~~
- ~~• External areas: Monday to Sunday: 11:00am to 8:00pm (including public holidays)~~

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

Location	Day	Hours
Auditorium and Internal Areas	Monday – Sunday (including Public Holidays)	9:00am to 10:00pm
Covered Outdoor Area	Monday – Sunday (including Public Holidays)	11:00am to 8:00pm

- b. For a period of not more than 12 months from the issue of any Occupation Certificate, the hours of operation of the premises must not exceed the following:

Trial Period		
Location	Day	Hours
Auditorium and Internal Areas	Monday – Sunday (including Public Holidays)	8:00am to 12:00am (midnight)
Covered Outdoor Area	Monday – Sunday (including Public Holidays)	8:00am to 10:00pm

- c. From 8:00pm to 10:00pm the PVC curtain to the covered outdoor area is to be fixed closed.
- d. Set-up and clean-up operations must commence no earlier or later than 30 minutes before opening and 30 minutes after closing hours (as stipulated by this condition). All doors and windows must remain closed during set-up and cleaning where possible.
- e. Set-up and clean-up operations for outdoor areas must occur during the relevant operating hours.
- f. Activities are to cease 30 minutes before closing time / ceasing of operating hours.

(Condition modified under MOD/2020/0216 dated 9 July 2020 and under MOD/2025/0020 on 12 August 2025)

- 7A. Prior to the issue of a Construction Certificate, amended plans must be submitted to the Certifying Authority demonstrating the recommendations contained in the Acoustic Assessment prepared by Renzo Tonin & Associates, reference TK758-03F01 Acoustic Assessment ~~(r2) dated 10 September 2019~~ — **Extension of Hours (r5) dated 23 May 2025** are incorporated into the design of the proposal.

(Condition added under DA201900325 and modified under MOD/2025/0020 on 12 August 2025)

- 9A. ~~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.~~

During the first sixty (60) days of activities being provided at the premises, the following acoustic measures must be undertaken:

- i. A suitably qualified acoustic consultant must be appointed to:**
 - a. measure and verify the noise emanating from the premises; and**
 - b. if necessary, make recommendations to ensure that the noise emanating from the premises complies with the noise criteria.**
- ii. The noise measurements must be:**
 - a. undertaken without the knowledge of the applicant, manager or operator of the premises;**
 - b. taken on at least three (3) different occasions on three (3) different days of the week (excluding Monday, Tuesday and Wednesday) from 11pm until the end of the public activities or close of business, whichever occurs first, and**
 - c. Submitted to the Certifying Authority within four (4) weeks of testing.**
- iii. If the acoustic consultant recommends that additional treatment or works be undertaken those recommendations must be:**
 - a. submitted to Certifying Authority with the noise measurements;**
 - b. implemented to the acoustic consultant's satisfaction before the end of the first sixty (60) days of public activities provided on the premises; and**
 - c. If the acoustic consultant's recommendations are not implemented in accordance with this condition, the relevant element of trading (ie outdoor area access)/ public activities on the premises must cease until such time as the recommendations are implemented and verified.**

Reason: To protect the amenity of the neighbourhood.

(Condition added under DA201900325 and modified under MOD/2025/0020 on 12 August 2025)

- 9C. ~~*There is to be no entertainment in the form of amplified music on any part of the outdoor area at any time. All doors and windows to the community centre are to be kept closed (except to allow for Ingres/egress) during operation. The number of patrons using the interior community centre is restricted to 90 persons at any time. The number of patrons using the external area is restricted to 30 persons at any time.*~~

The operations of the premises are to be conducted in the following manner:

- (a) There is to be no entertainment in the form of amplified music on any part of the outdoor area at any time;*
- (b) All doors and windows to the community centre are to be kept closed (except to allow for Ingres/egress) during approved hours of operation;*
- (c) The number of patrons using the interior community centre is restricted to 90 persons at any time;*
- (d) The number of patrons using the external area is restricted to 14 persons at any time;*
- (e) No events or activities are to be conducted in the approved car parking area on the premises;*
- (f) The kitchen exhaust system must be turned off by 10:00 PM; and*
- (g) The auditorium condenser must be fitted with night-quiet chips and set to activate night-quiet mode at 10:00 PM.*

(Condition added under DA201900325 and modified under MOD/2025/0020 on 12 August 2025)

- 9D. The operation of the premises complying at all times with the approved Plan of Management (Title: For the Management of Operations at Greek Atlas Cultural and Community Centre – 96 Illawarra Road, Marrickville) **received by Council on 17/04/2025**. 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.

(Condition added under DA201900325 and modified under MOD/2025/0020 on 12 August 2025)

Attachment B – Plans of Proposed Development



GREEK ATLAS LEAGUE
96 Illawarra Rd, Marrickville, NSW 2204

DRAWING LIST	
SHEET NO.	SHEET NAME
000	COVERSHEET
001	PROPOSED PLAN
002	SOUTH ELEVATION
003	EAST & WEST ELEVATIONS
004	2D SHADOW DIAGRAMS
005	2D SHADOW DIAGRAMS
006	2D SHADOW DIAGRAMS
007	2D SHADOW DIAGRAMS
008	2D SHADOW DIAGRAMS
009	2D SHADOW DIAGRAMS
010	2D SHADOW DIAGRAMS
011	2D SHADOW DIAGRAMS
012	2D SHADOW DIAGRAMS
013	2D SHADOW DIAGRAMS
014	2D SHADOW DIAGRAMS
015	2D SHADOW DIAGRAMS
016	PROPOSED WORKS SPECIFICATIONS



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PLANNING CONSULTANT	DESIGN COLLABORATIVE	RYANT DINGI ASAN	02 9292 3210	hvanant@designcollaborative.com.au

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Architect Jimmy Mansour
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1001 designs is a modern

No.	Project Name
A050	Greek Atlas League
Client Name	MICHAEL KOTIS
Project Address	96 ILLAWARRA RD, MARRICKVILLE, NSW 2204
Scope of Work	SHADOW IMPACT ASSESSMENT

Sheet Notes:

Amendment
Revision 4
Revision 5
Private open space assessment
Private open space assessment

Rev.	Date
1	24/03/2025
2	09/05/2025
3	10/07/2025
4	10/07/2025

MICHEAL KOTIS
96 ILLAWARRA RD,
MARRICKVILLE, NSW 2204
SHADOW IMPACT
ASSESSMENT



AIA
Member
Australian Institute
of Architects

DA ISSUE

Drawing Name:
COVERSHEET

000

Revision

Issue Date
Scale

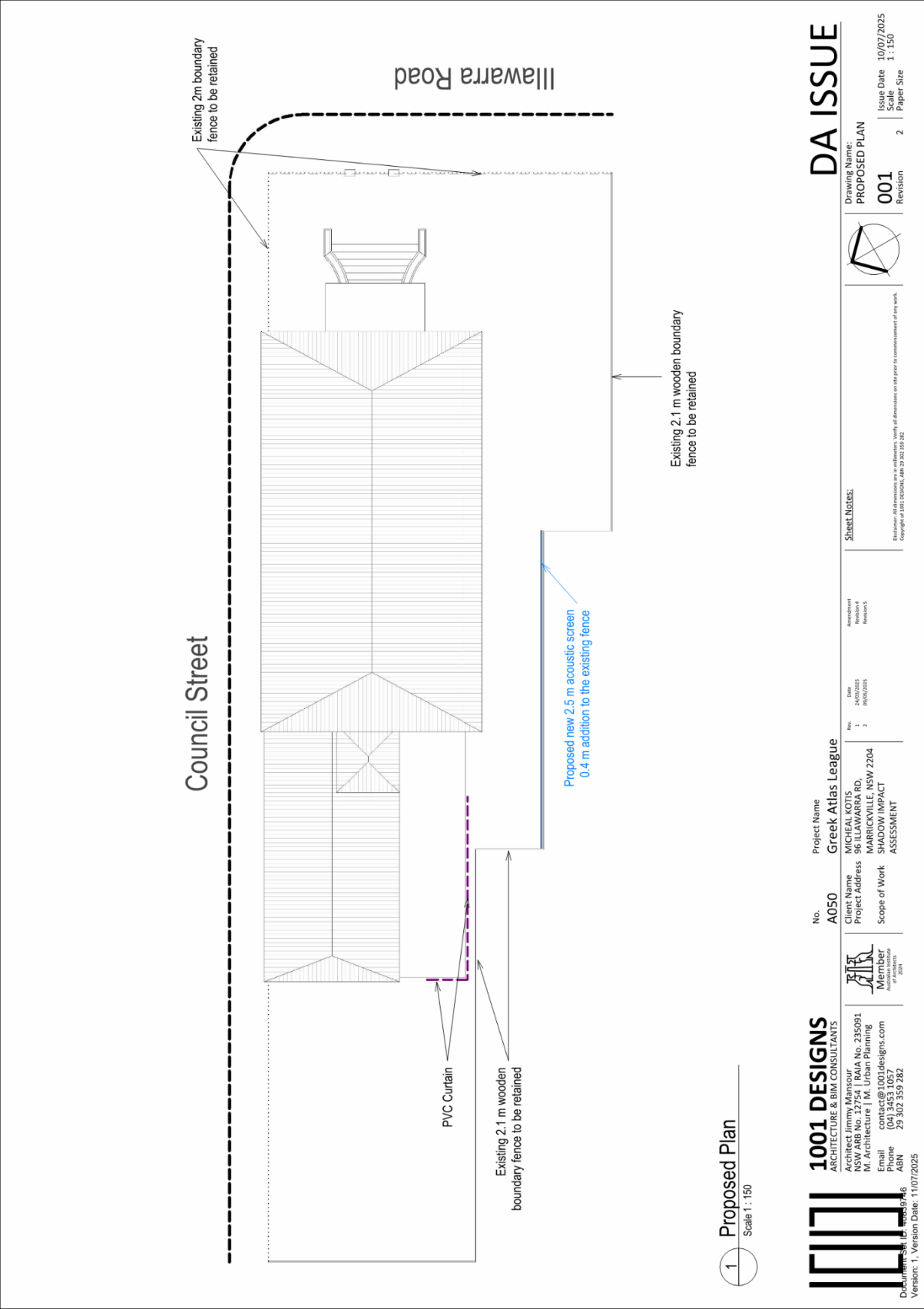
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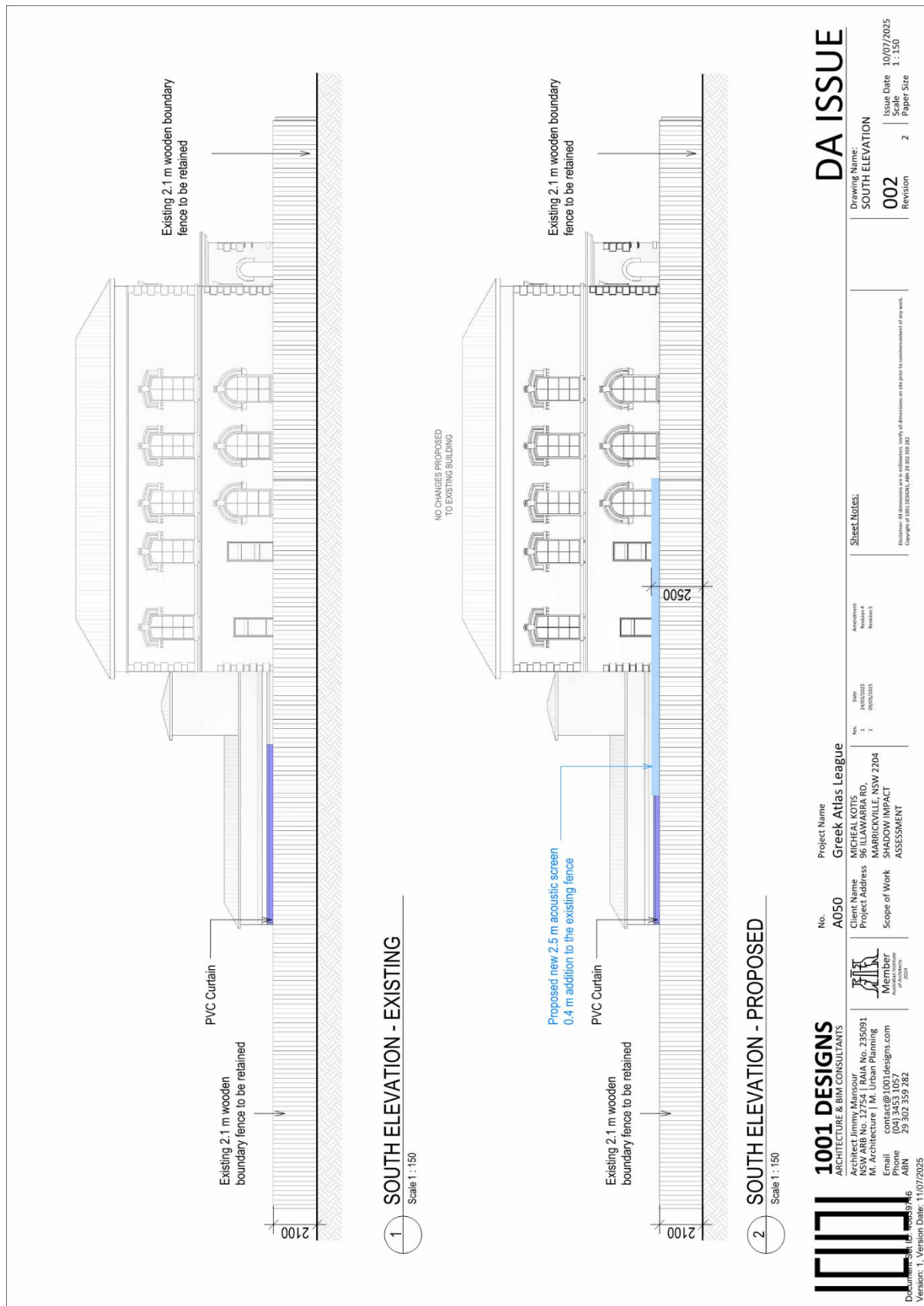
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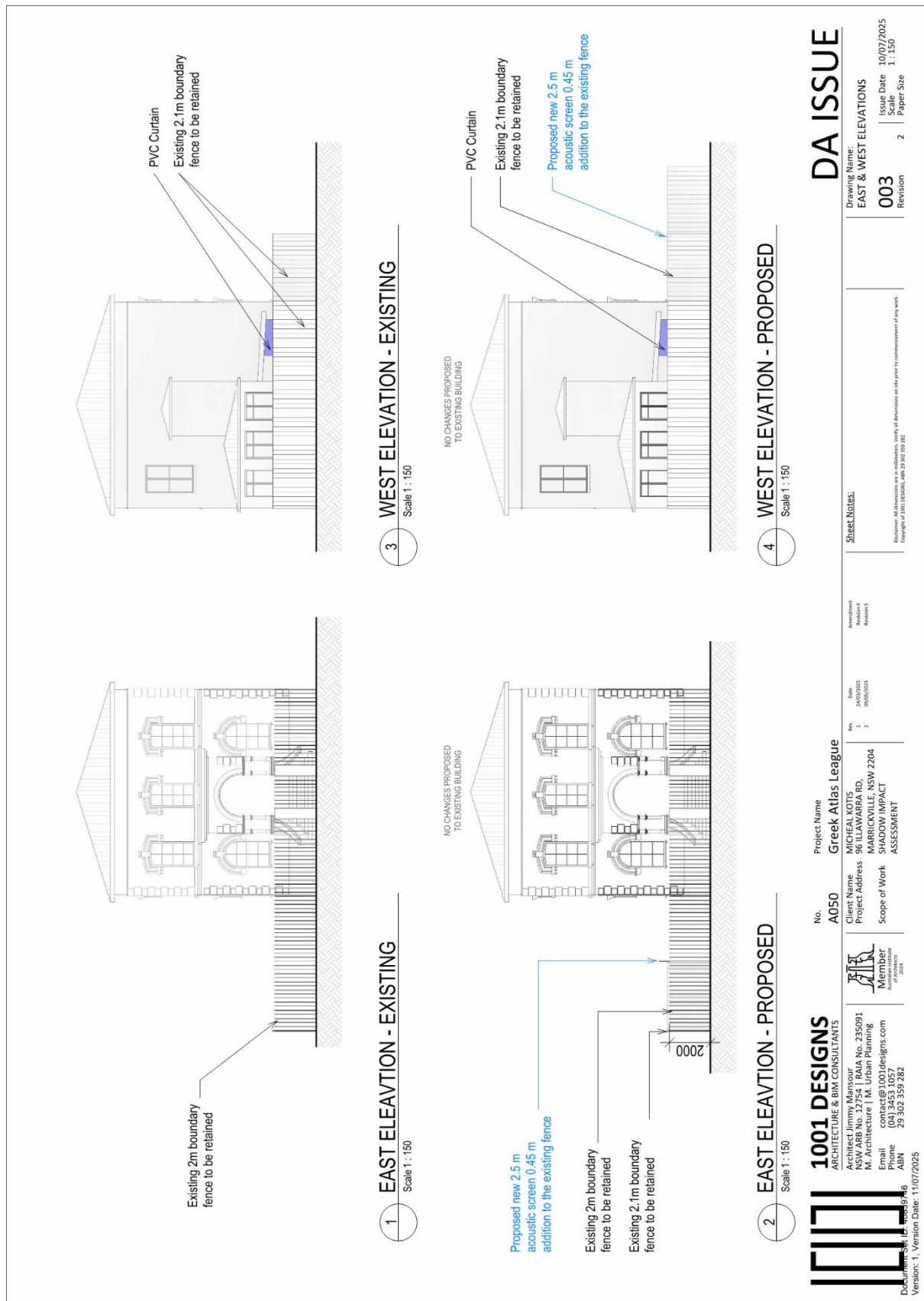
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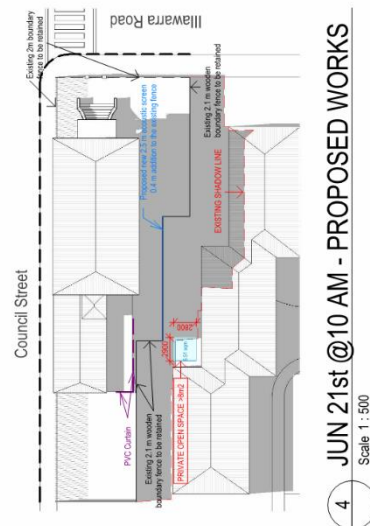
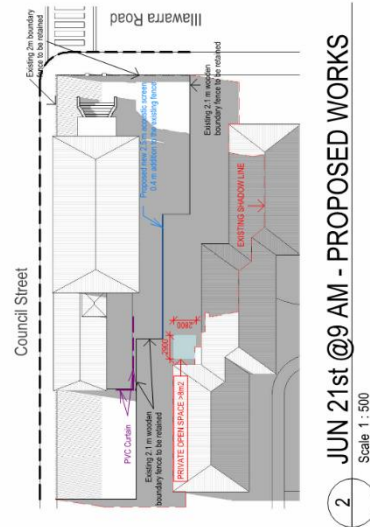
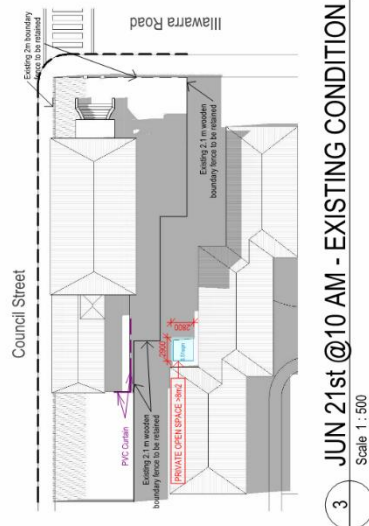
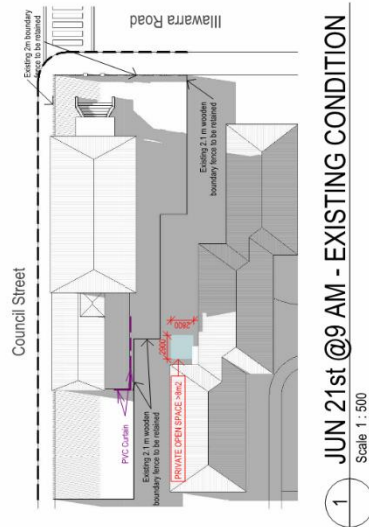
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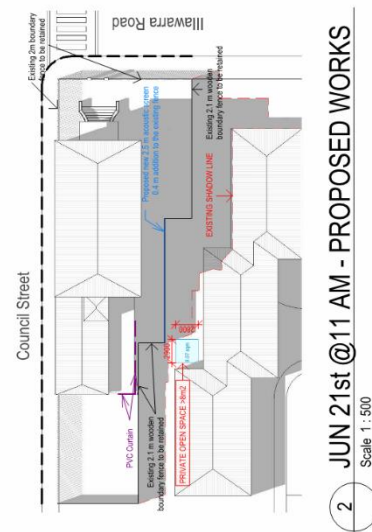
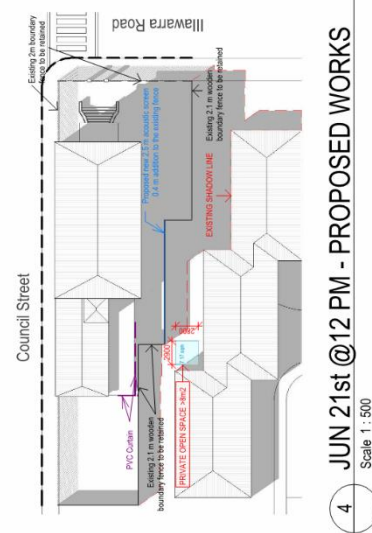
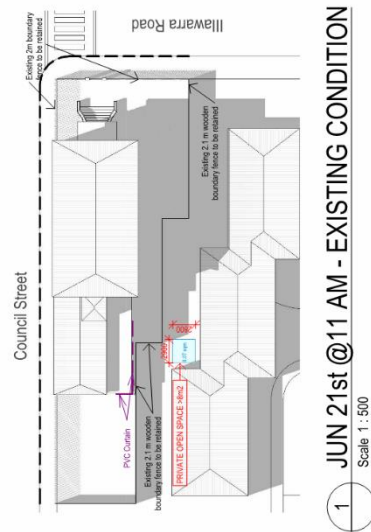
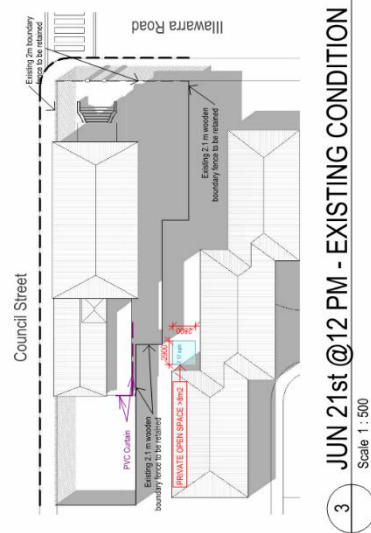




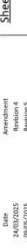



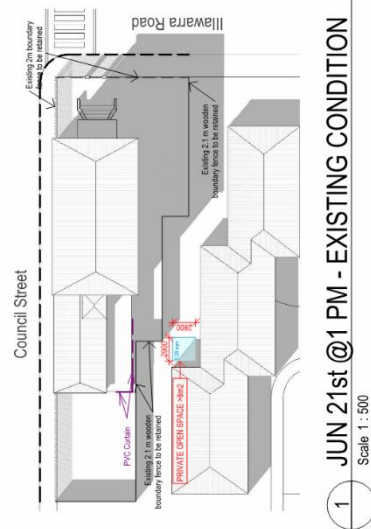




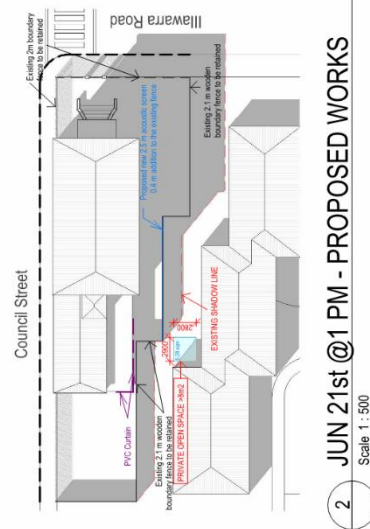
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Architect: Jim M. Urban NSW A66 No. 12754 RIAA No. 235091 NSW A66 No. 12754 Urban Planning Architecture M. Urban Planning		No. A050	
Client Name: MOHEN KOTIS Project Address: 96 LILAWARRA RD. MARRICKVILLE, NSW 2204		No. 24/03/2025 Date: 09/06/2025 Revision: 5 Previous issued under contract: 10/07/2023	
Member Australian Institute of Architects 2024		Scope of Work SHADOW IMPACT ASSESSMENT	
Architect: Jim M. Urban NSW A66 No. 12754 RIAA No. 235091 NSW A66 No. 12754 Urban Planning Architecture M. Urban Planning		Drawing Name: 2D SHADOW DIAGRAMS	
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1001 DESIGNS ARCHITECTURE & CIVIL CONSULTANTS		DA ISSUE	



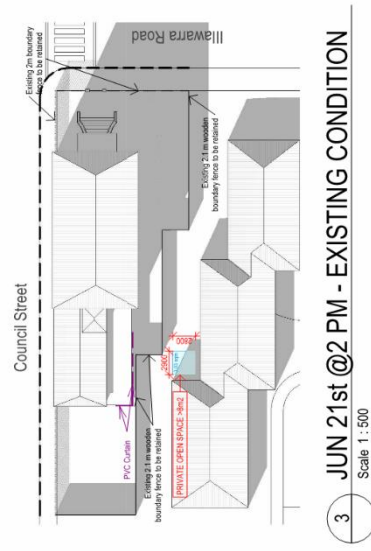
		1001 DESIGNS ARCHITECTURE & BMA CONSULTANTS	
Architect: Jim M. Urban NSW A&B No: 12754 R&A No: 235091 M. Architecture M. Urban Planning		Project Name Greek Atlas League	
Email: contact@1001designs.com Phone: (04) 3453 1057 ABN: 29 302 359 282		No. A050 Project Address Greek Atlas League 96 LILAVARRA RD. MARRICKVILLE, NSW 2204	
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Issue Date 10/07/2025		Scale 1:500	
Revision 3		Paper Size A	
			
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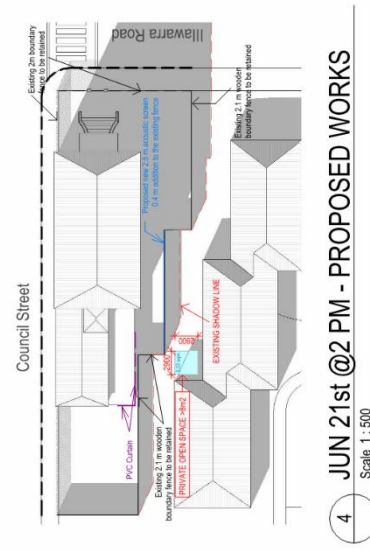
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2 JUN 21st @1 PM - PROPOSED WORKS

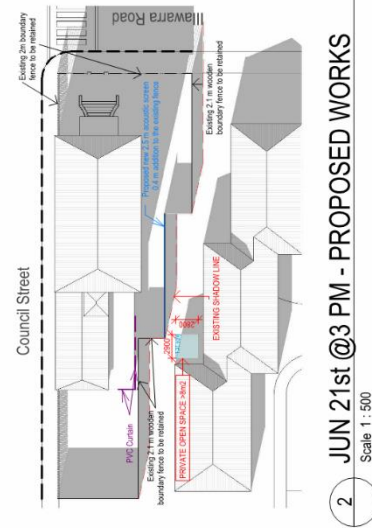
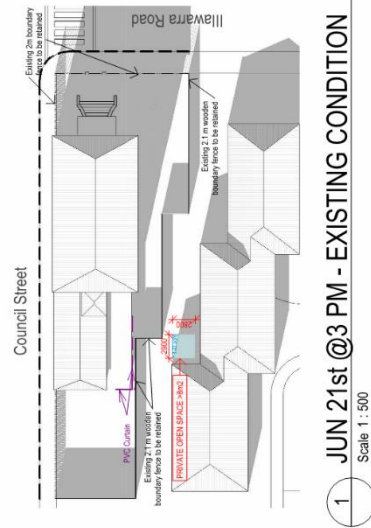






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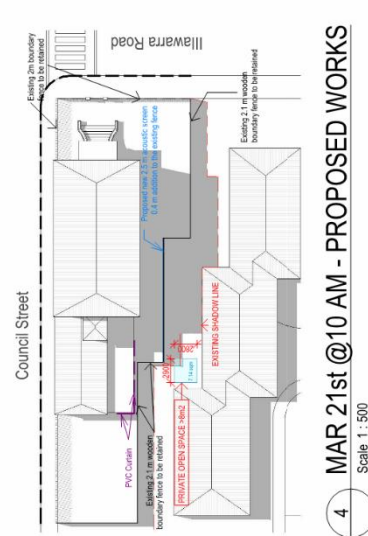
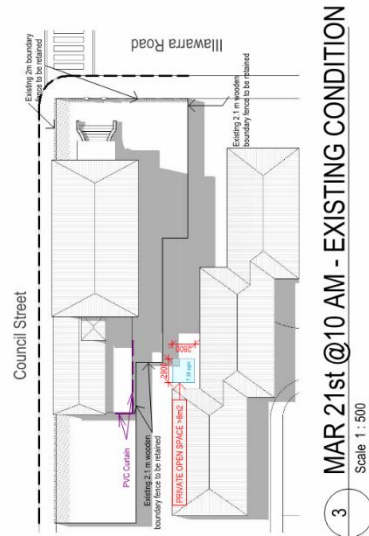
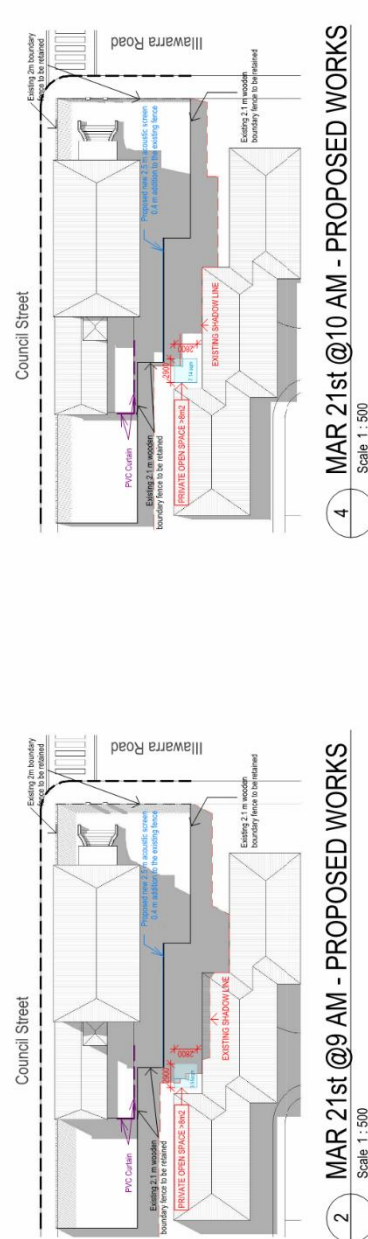
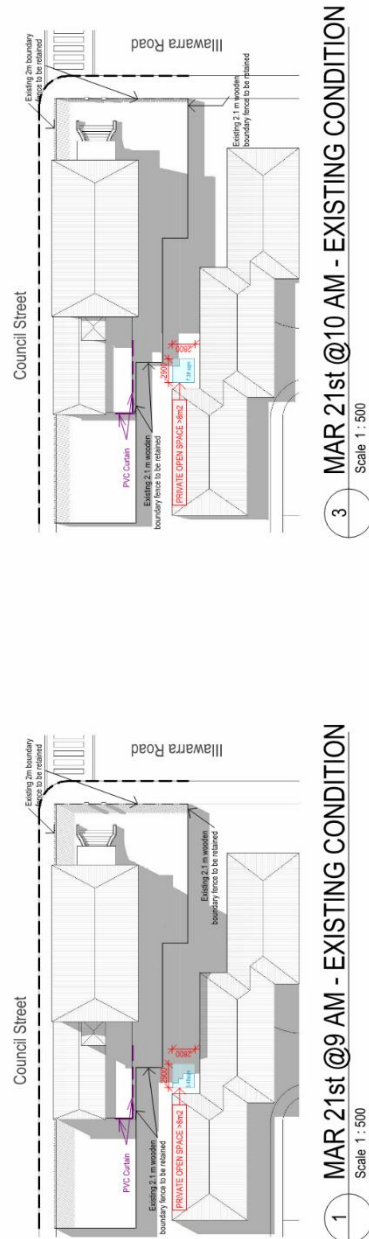


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Architect: John M. Gots NSW A&B No: 12754 R&A No: 235091 M. Architecture M. Urban Planning		Project Name: Greek Atlas League	
Email: contact@1001designs.com Phone: (04) 3453 1057		No. A050 Project Name Greek Atlas League	
ABN: 29 302 359 282		Client Name: MICHAEL GOTS	
		Project Address: 96 LILAVARD RD, MARRICKVILLE, NSW 2204	
Member Architects of Australia 2024		Scope of Work: SHADOW IMPACT ASSESSMENT	
Date: 24/02/2025		Rev. 1	
Revision 1: Physical copy issued on: 10/07/2025		Revision 3: Physical copy issued on: 10/07/2025	
Drawing Name: 2D SHADOW DIAGRAMS		Drawing Number: 007	
Issue Date: 10/07/2025		Scale: 1:500	
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No.	A050	Project Name	Greek Atlas League
Client Name	MICHAEL KOTIS		
Project Address	96 ILLAWARRA RD, MARRICKVILLE, NSW 2204		
Scope of Work	SHADOW IMPACT ASSESSMENT		

Amendment
Revision 4
Revision 5

Sheet Notes:

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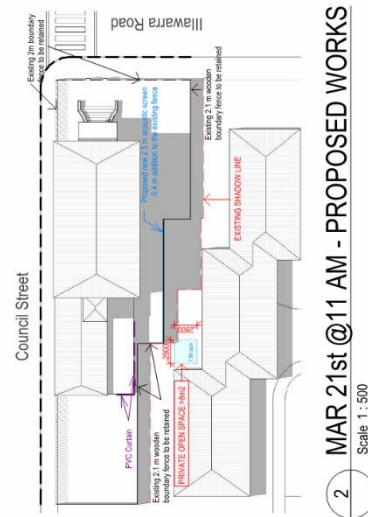
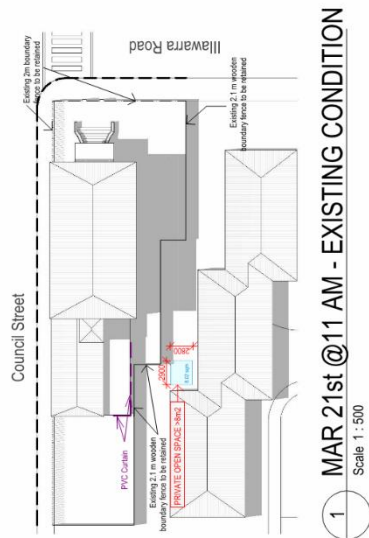
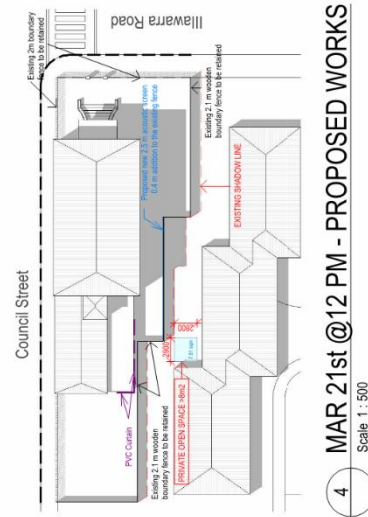
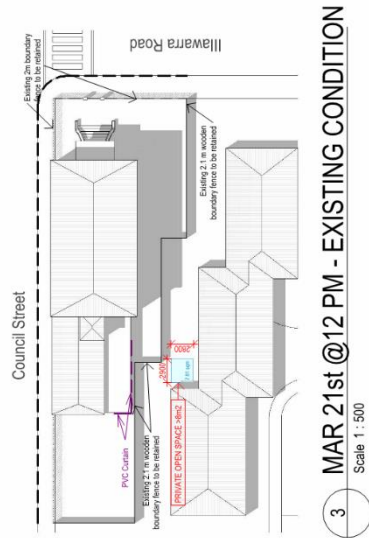
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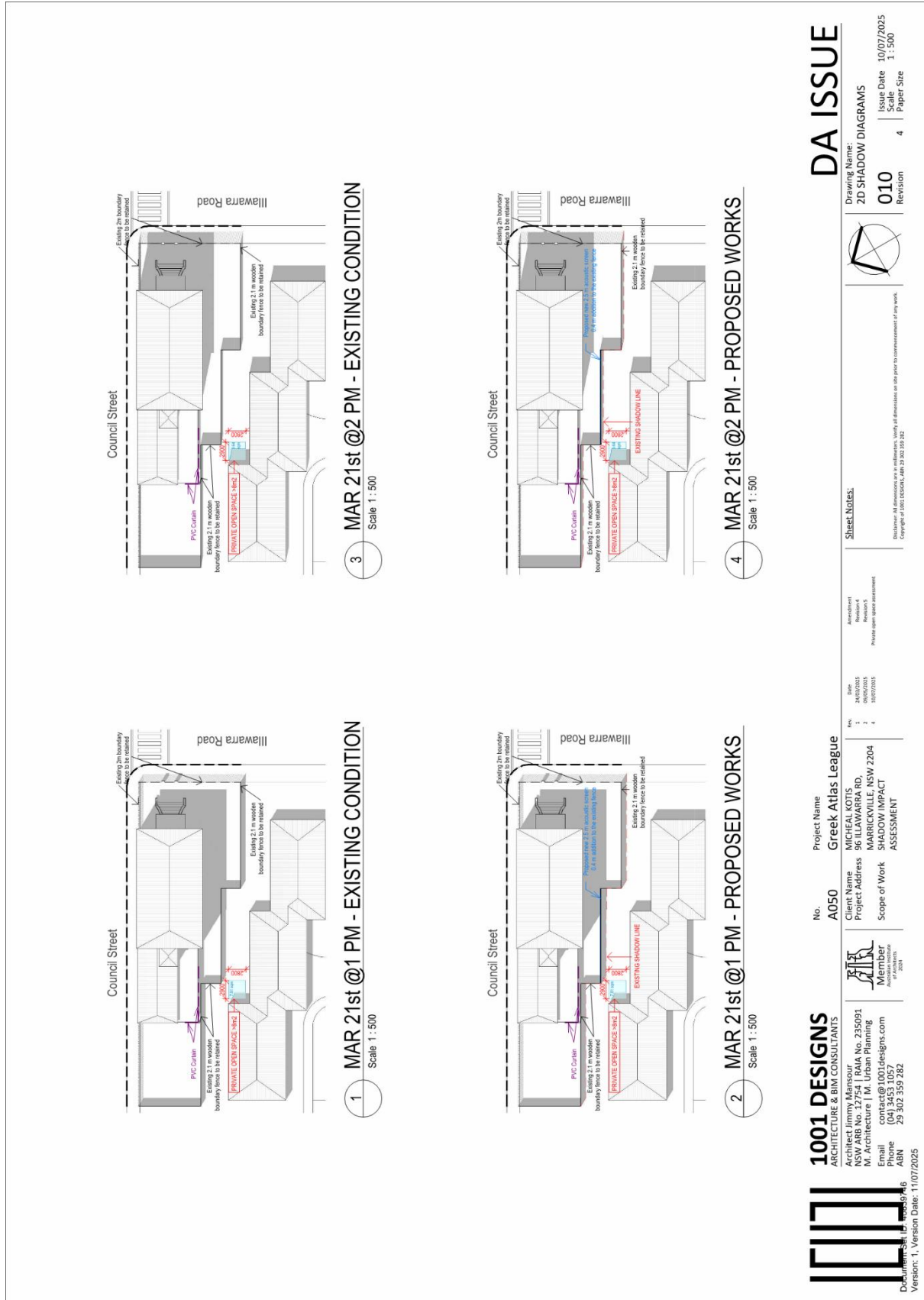
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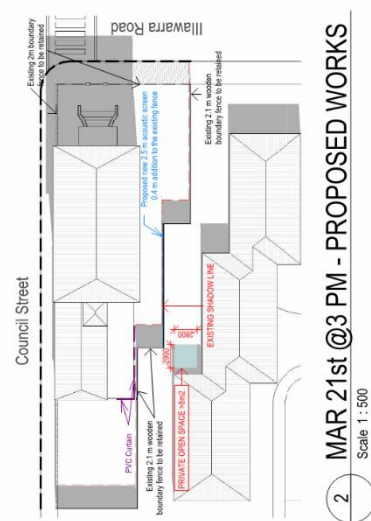
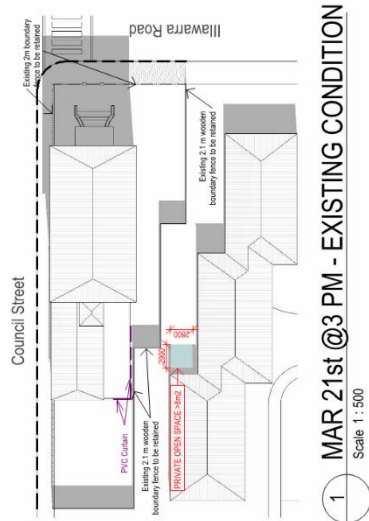
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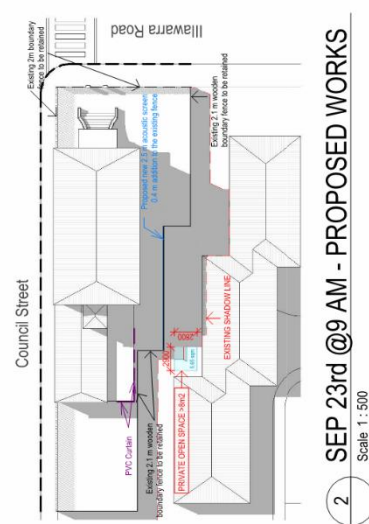
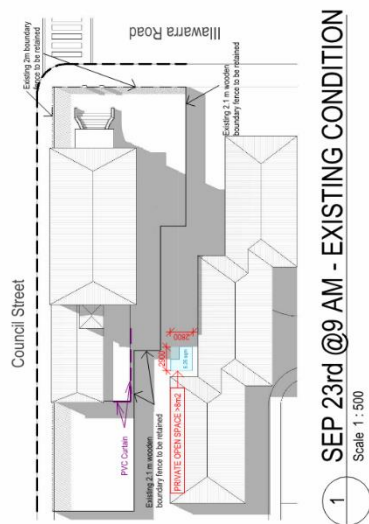
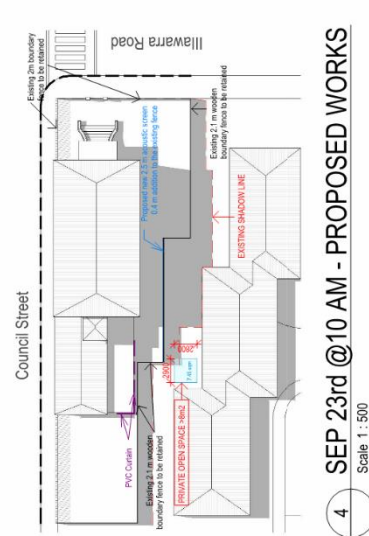
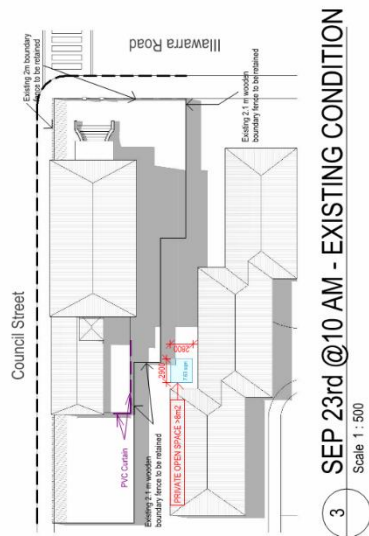




1001 DESIGNS ARCHITECTURE & DESIGN CONSULTANTS		Project Name Greek Atlas League	
Architect Hiram M. Jones NSW A68 No. 12754 RIAA No. 235091 M. Urban Planning		No. A050	
Project Address 96 LILAWARRA RD. MARRICKVILLE, NSW 2204		Client Name MICHEN KOTIS	
Scope of Work SHADOW IMPACT ASSESSMENT		Project Address 96 LILAWARRA RD. MARRICKVILLE, NSW 2204	
Member 041 3453 1057 ABN 29 302 357 282		File 24/03/2025 Revision 5 10/07/2025	
Phone 041 3453 1057 Email contact@1001-designs.com		Map 4	
Document Set ID 1001-0509-16		Project Name Greek Atlas League	
1001 DESIGNS ARCHITECTURE & DESIGN CONSULTANTS		Project Name Greek Atlas League	
Architect Hiram M. Jones NSW A68 No. 12754 RIAA No. 235091 M. Urban Planning		No. A050	
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Member 041 3453 1057 ABN 29 302 357 282		File 24/03/2025 Revision 5 10/07/2025	
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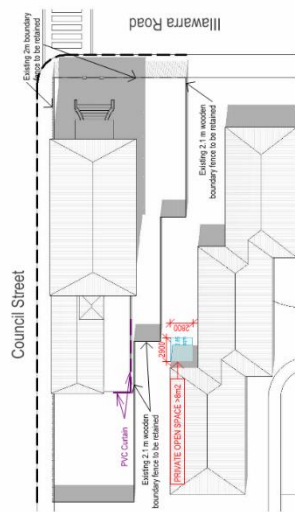




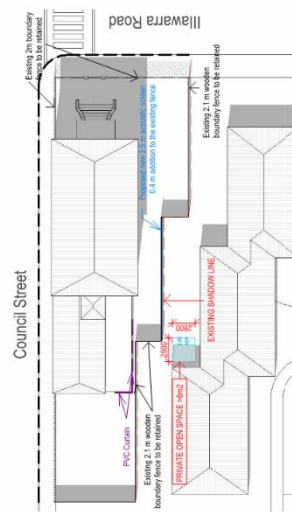
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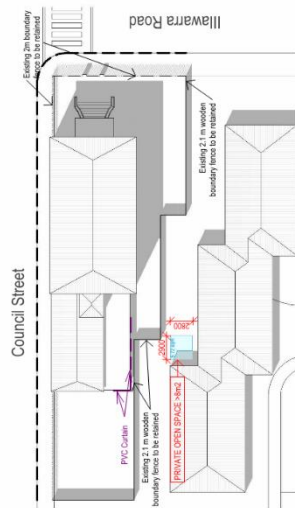
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 Member Association of Architects NSW		Client Name: MICHAEL GOTSIS Project Address: 96 LILAVARRA RD, MARRICKVILLE, NSW 2204	
Email: contact@1001designs.com Phone: (04) 3453 057 Fax: 29 302 359 282		Scope of Work SHADOW IMPACT ASSESSMENT	
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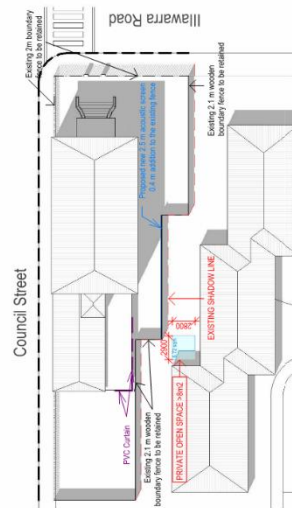
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4 SEP 23rd @2 PM - PROPOSED WORKS

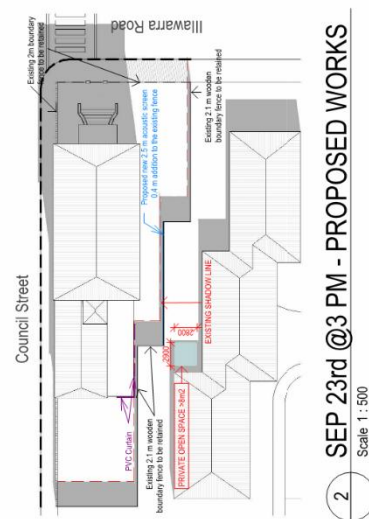
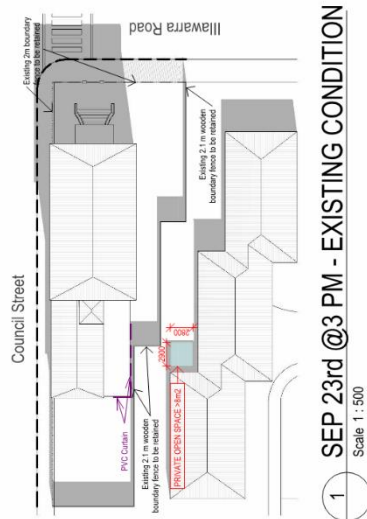





1 SEP 23rd @1 PM - EXISTING CONDITION



2 SEP 23rd @1 PM - PROPOSED WORKS

1001 DESIGNS ARCHITECTURE & DESIGN CONSULTANTS		Project Name Greek Atlas League	
Architect: John M. Gotsis NSW A&D No: 12754 RIAA No: 235091 M. Architecture M. Urban Planning		No. A050	
Member Architectural Association of Australia 2004		Client Name: MICHAEL GOTSIS Project Address: 96 LILAVARRA RD, MARRICKVILLE, NSW 2204	
Email: contact@1001designs.com Phone: (04) 3453 1057 ABN: 29 302 359 282		Scope of Work SHADOW IMPACT ASSESSMENT	
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Decision: T Version Date: 11/07/2025		Date: 24/02/2025	
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		Revision 1	
		Physical space based assessment	
		10/07/2025	
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		Paper Size: A	
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1001 DESIGNS ARCHITECTURE & BMA CONSULTANTS Architects 1001 Design House 235/091 NSW A&B No. 12754 RABIA No. 235091 M. Architecture M. Urban Planning Email contact@1001designs.com Phone (04) 3453 1057 ABN 29 302 359 282		No. A050 Project Name Greek Atlas League		Date 24/07/2025 1 2 3 4		Sheet Notes: Architectural Revision 1 Revision 2 Please refer to plan instrument		Drawing Name: 2D SHADOW DIAGRAMS 015 Issue Date 10/07/2025 Scale 1 : 500 Revision 4 Paper Size	
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Construction Material: Hardwood Paling H3 and H4 for inground posts.

Colour: Colour to match existing.

Design: Overlapped palings built to keep total enclosure in different weather circumstances. Fence to have capping on top.

LAPPED AND CAPPED TIMBER FENCING SPECIFICATION

General Description:
The fence shall be constructed as a lapped and capped timber fence, providing a durable, private, and aesthetically pleasing boundary solution. All materials and workmanship shall comply with relevant AS and Marrickville DCP Generic Fencing Provisions (2.11) unless documented otherwise in drawings.

1. Height and Alignment:
The overall proposed finished height of the fence shall be as documented on drawings. Fence alignment shall follow the designated property boundary as documented on drawings.

2. Fence Palings:
Fence palings shall be vertical timber boards measuring approximately 100mm wide and 10–15mm thick, fixed with an overlap of 25–50mm to eliminate gaps and ensure full privacy. Palings shall be securely nailed or screwed to each horizontal rail using galvanised or stainless-steel fasteners.

3. Rails (Horizontal Members):
Each fence panel shall include two horizontal rails, top and bottom, constructed from treated timber, minimum size 70x35mm or 90x45mm, depending on load and span. Rails shall be securely fixed to fence posts using appropriate corrosion-resistant fixings.

4. Capping Rail:
A timber capping rail, minimum size 90x45mm, shall run horizontally along the top of the fence. This shall cover the top ends of palings, improve water resistance, and enhance the fence's visual appearance. The capping rail shall be neatly joined at corners and securely fixed to the top rail or posts.

5. Fence Posts:
Posts shall be a minimum of 100x100mm treated pine or hardwood, spaced at 2.4-metre centres, and embedded at least 600mm into the ground in a concrete footing (minimum 200mm diameter). Posts shall be vertically aligned and levelled.

6. Timber Treatment:
All timber materials shall be pressure-treated in accordance with relevant standards:

- H3-treated timber for palings, rails, and capping (above-ground use)
- H4-treated timber for in-ground posts

All treatment shall comply with AS/NZS 1604 or equivalent standards for resistance against decay and termites.

8. Fasteners:
All nails or screws used in construction shall be hot-dip galvanised or stainless steel to prevent corrosion. Each paling shall be fixed to all three rails using a minimum of two fasteners per rail.



PROPOSED LAPPED AND CAPPED TIMBER FENCE
DESIGN WITH COLOURS TO MATCH EXISTING



EXISTING TIMBER FENCE



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No. **A050**

Project Name
Greek Atlas League

Client Name
MICHAEL KOTIS

Project Address
**96 LLAWARRA RD,
MARRICKVILLE, NSW 2204**

Scope of Work
**SHADOW IMPACT
ASSESSMENT**



Member
of architects
NSW

Revision 1
Revision 2
Revision 3

Date
24/03/2023
(06/03/2023)

Rev.
1
2

Sheet Notes:

Discussions and decisions are an integral part of the design process. All dimensions on this plan to be confirmed with the client prior to commencement of any work.

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Drawing Name:
PROPOSED WORKS SPECIFICATIONS

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05/09/2025

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Revision
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2

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Attachment C – Plan of Management

PLAN OF MANAGEMENT

FOR THE MANAGEMENT OF OPERATIONS AT
GREEK ATLAS CULTURAL AND COMMUNITY
CENTRE

96 ILLAWARRA ROAD, MARRICKVILLE

TABLE OF CONTENTS

SECTION 1: Overview
SECTION 2: Hours of Operation
SECTION 3: Operational Control - Outdoor Garden
SECTION 4: Operational Control-Indoors
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SECTION 6: Amenity of Neighbourhood
SECTION 7: Noise
SECTION 8: Waste & Recycling Collection
SECTION 9: Care of Building Surrounds
SECTION 10: Patron Behaviour
SECTION 11: Staff & Patron Safety
SECTION 12: Video Surveillance
SECTION 13: Signage
SECTION 14: Amendments

SECTION 1: Overview

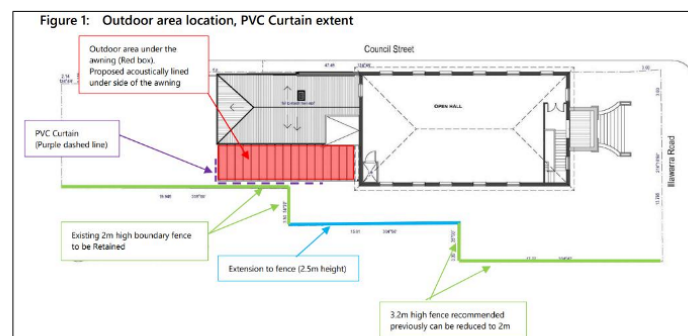
1. (a) This plan of management establishes performance criteria for the operations of the Greek Atlas Cultural and Community Centre, at 96 Illawarra Road, Marrickville.
- (b) All Committee members and volunteers at the Centre are to be made aware of this plan.

SECTION 2: Hours of Operation

2. (a) Subject to paragraph 2(b) below, the Centre may operate between 8:00 am and 12:00 am, Monday to Sunday.
- (b) The hours of operation of the outdoor areas, including the garden, to be between 8:00 am and 10:00 pm, seven days a week.
- (c) No public entertainment, speakers or other amplification equipment is to be provided within the outdoor area unless specific approval from Inner West Council for special events.
- (d) No person may be present at the Centre outside of the Hours of Operation, except in the case of emergency.

SECTION 3: Operation Controls-Outdoor Areas

3. (a) The maximum number of persons permitted to use the outdoor area at any time until 8pm is 30. Between 8pm and 10pm, 14 patrons are limited to the awning marked red below with the PVC curtain extended. After 10pm, use of the outdoor area is restricted.



- (b) The Committee or volunteers are to make regular patrols of the outdoor area to monitor and ensure that the maximum number of

people is not exceeded at any one time and to prevent noise emission to neighbouring properties.

(c) The Committee or volunteers shall ensure that all persons are removed from the outdoor area in accordance with the approved hours of operation.

(d) Speakers must not be installed (see Section 2, paragraph (c)).

SECTION 4: Operational Control - Indoors

4. (a) The maximum number of patrons permitted to use the indoor areas at any time is 120.

(b) Consumption of food or drink is not permitted on the first floor.

(c) The Committee and volunteers are to make regular patrols to monitor and ensure that the maximum number of patrons is not exceeded at any one time and are to move-on any persons who are improperly behaving as to prevent noise emission to neighbouring properties.

SECTION 5: Management of Outdoor Areas

5. The types of activities that may take place in the outdoor areas are:

- smoking
- dining
- board games e.g. chess, backgammon, etc.
- socialising

On special functions, it may include a portable BBQ.

SECTION 6: Amenity of Neighbourhood

6. (a) Signs will be placed in clearly visible positions within the outdoor area requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.

(b) The Committee/volunteers are to ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. The Committee/volunteers are responsible for the control of noise and litter generated by patrons of the premises and are to ensure that patrons leave the vicinity of the premises in an orderly manner.

SECTION 7: Noise

7. The LAI0 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5Hz to 8K.Hz inclusive) by more than SdB between the hours of 9:00am and 11:00pm when assessed at the boundary of any affected residence.
8. The kitchen exhaust fan must not be used between 10pm and 12 midnight.
9. Auditorium condensers must be fitted with a Stage 1 night quiet chip if used after 10pm.

SECTION 8: Waste and Recycling Collection

10. (a) J.J. Richards & Sons Pty Ltd has the contract for the collection of waste and recycling material.
- (b) Waste material is collected on a weekly basis and recycling material is collection on a monthly basis.
- (c) The bins are placed on the footpath the night before the collection and then taken back on the morning after the collection.

SECTION 9: Care of Building Surrounds

11. In addition to Council's street sweeping and cleansing operations, the Committee/volunteers of the Centre shall ensure that the surrounds of the building, including pavements and gutters, are always to be kept clean and free of litter.

SECTION 10: Patron Behaviour

12. The Committee/volunteers shall take reasonable steps to control the behaviour of the patrons of the Centre as they enter and leave the premises, To effect this, the Committee/volunteers shall, except in the case of emergency, ensure all patrons access into and egress from the Centre shall be confined to the Illawarra Road gate, and

the gate to Council street is not to be used as an exit/entry point for patrons of the Centre, except in the event of an emergency and except for the ordinary ingress and egress by any person who has parked in the car parking area.

SECTION 11: Staff and Patron Safety

13. (a) The Committee/volunteers shall be well acquainted with the Plan of Management to enable them to ensure an appropriate standard of behaviour is maintained at the centre.
- (b) The people in charge shall direct the volunteers to:
- bring to the notice of the patron in charge, any person who is not well behaved.
 - monitor the behaviour of patrons in the vicinity of the Centre and encourage them to leave its vicinity a quiet and orderly way.

SECTION 12: Video Surveillance

14. (a) All video equipment shall be maintained in working condition with any repairs or maintenance required being carried out as quickly as is reasonably possible.
- (b) Video surveillance shall operate when the Centre is open and for not less than 30 minutes after closing time.
- (c) Records from the video surveillance tapes will be preserved for at least 21 days after which time they may be reused or destroyed.
- (d) Records from the video surveillance will be made available to police of council officers on receipt of a written request.

SECTION 13: Signage

15. No signs, including banners (other than exempt of complying sign under Council's exempt and complying DCPs) shall be displayed on the exterior of the Centre without prior consent from Council.

SECTION 14: Amendments

16. If, as a result in circumstances, it is reasonable or desirable to amend this plan for the better management of the Centre, that amendment shall be made only with the consent of the Inner West Council's director of planning or his/her delegate or the officer nominated the Inner West council, which consent shall not be unreasonably withheld.

Attachment D – Acoustic Report



Acoustics
Vibration
Structural Dynamics

GREEK ATLAS LEAGUE & COMMUNITY CENTRE, 96 ILLAWARRA ROAD, MARRICKVILLE

Acoustic Assessment for Extension of Hours of Operation

23 May 2025

Atlas Community Centre C/- Design Collaborative (Attn: Bryant Dinglasan)

TK758-03F01 Acoustic Assessment - Extension of hours (r5)



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RENZO TONIN & ASSOCIATES

23 MAY 2025

Document details

Detail	Reference
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Prepared for:	Atlas Community Centre C/- Design Collaborative (Attn: Bryant Dinglasan)
Address:	Suite 2, Level 8, 99 York Street
Attention:	Michael Kotis

Document control

Date	Revision history	Non-issued revision	Issued revision	Prepared	Instructed	Authorised
27.04.2023	Draft report	0	1	S. Khan	T. Taylor	T. Taylor
26.09.2023	Updated as per the client's comments	-	2	S. Khan	T. Taylor	T. Taylor
04.10.2023	Updated as per the client's comments	-	3	S. Khan	T. Taylor	T. Taylor
28.11.2023	Updated report to reflect 12am operations	-	4	S. Khan	T. Taylor	T. Taylor
22.05.2025	Updated report to reflect RFI requirements	-	5	S. Khan	T. Taylor	T. Taylor

Important Disclaimer:

The work presented in this document was carried out in accordance with the Renzo Tonin & Associates Quality Assurance System, which is based on Australian Standard / NZS ISO 9001.

This document is issued subject to review and authorization by the Team Leader noted by the initials printed in the last column above. If no initials appear, this document shall be considered as preliminary or draft only and no reliance shall be placed upon it other than for information to be verified later.

This document is prepared for the particular requirements of our Client referred to above in the 'Document details' which are based on a specific brief with limitations as agreed to with the Client. It is not intended for and should not be relied upon by a third party and no responsibility is undertaken by any third party without prior consent provided by Renzo Tonin & Associates. The information herein should not be reproduced, presented, or reviewed except in full. Prior to passing on to a third party, the Client is to fully inform the third party of the specific brief and limitations associated with the commission.

In preparing this report, we have relied upon and presumed accurate, information (or confirmation of the absence thereof) provided by the Client and/or from other sources. Except as otherwise stated in the report, we have not attempted to verify the accuracy or completeness of any such information. If the information is subsequently determined to be false, inaccurate, or incomplete then it is possible that our observations and conclusions as expressed in this report may change.

We have derived data in this report from information sourced from the Client (if any) and/or available in the public domain at the time or times outlined in this report. The passage of time, manifestation of latent conditions, or impacts of future events may require further examination and re-evaluation of the data, findings, observations, and conclusions expressed in this report.

We have prepared this report in accordance with the usual care and thoroughness of the consulting profession, for the sole purpose described above and by reference to applicable standards, guidelines, procedures, and practices at the date of issue of this report. For the reasons outlined above, however, no other warranty or guarantee, whether expressed or implied, is made as to the data, observations, and findings expressed in this report, to the extent permitted by law.

The information contained herein is for the purpose of acoustics only. No claims are made, and no liability is accepted in respect of design and construction issues falling outside of the specialist field of acoustics engineering including but not limited to structural integrity, fire rating, architectural buildability, and fit-for-purpose, waterproofing, and the like.

Supplementary professional advice should be sought in respect of these issues.

ATLAS COMMUNITY CENTRE C/- DESIGN COLLABORATIVE (ATTN:
BRYANT DINGLASAN)
TK758-03F01 ACOUSTIC ASSESSMENT - EXTENSION OF HOURS
(R5)

GREEK ATLAS LEAGUE & COMMUNITY CENTRE, 96 ILLAWARRA
ROAD, MARRICKVILLE
ACOUSTIC ASSESSMENT FOR EXTENSION OF HOURS OF
OPERATION

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ATLAS COMMUNITY CENTRE C/- DESIGN COLLABORATIVE (ATTN:
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TK758-03F01 ACOUSTIC ASSESSMENT - EXTENSION OF HOURS
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GREEK ATLAS LEAGUE & COMMUNITY CENTRE, 96 ILLAWARRA
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ATLAS COMMUNITY CENTRE C/- DESIGN COLLABORATIVE (ATTN:
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TK758-03F01 ACOUSTIC ASSESSMENT - EXTENSION OF HOURS
(R5)

GREEK ATLAS LEAGUE & COMMUNITY CENTRE, 96 ILLAWARRA
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ACOUSTIC ASSESSMENT FOR EXTENSION OF HOURS OF
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1 Introduction

Renzo Tonin & Associates was engaged to undertake an assessment to support the S4.55 Modification application for the proposed extension of trading hours at Atlas Community Centre, 96 Illawarra Road, Marrickville.

From the original application approved by Inner West Council (Application No. DA-201900325), it is understood that the hours of operation for interior spaces are currently from 9:00am to 10:00pm and for alfresco space from 11:00am to 08:00pm from Monday-Sunday and public holidays.

The current approval permits 120 patrons for the whole centre, including a maximum limit of 30 patrons for the alfresco space.

The subject proposal is for:

- Use of internal areas from 8am to 12am midnight Monday-Sunday, with no change in capacity.
- Use of external (alfresco) areas from 8am to 10pm Monday-Sunday, with a limited capacity of 14 patrons, as outlined in Section 5.1 of this report.

To accommodate the increased use of the outdoor area, additional acoustic treatments are proposed for these spaces, as outlined in Section 10.2.2.

Section 9 of this report addresses the use of mechanical plant and equipment during the proposed extension of trading hours.

No building works are proposed for the auditorium or internal spaces to accommodate the extended hours; however, there is a limitation on the noise levels (amplified music/speech) that can be accommodated within the auditorium. This is detailed in Section 10.

APPENDIX A contains a glossary of acoustic terms used in this report.

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BRYANT DINGLASAN)
TK758-03F01 ACOUSTIC ASSESSMENT - EXTENSION OF HOURS
(R5)

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2 Project Description

The site is located at the corner of Illawarra Road and Council Street, Marrickville.

The internal areas of the existing community centre consist of a lounge, study, kitchen, office, and amenities located on the ground floor and an auditorium located on the first floor.

All events and functions are held within the auditorium and is the primary source of operational noise from site. We note that the glazing to the auditorium has been **recently upgraded** (using secondary glass panels behind the existing) in order to better control noise break out from the auditorium.

There are three (3) visitor car parking spaces including one disabled parking space located north-west of the property, with access from Council Street.

The nearest residential neighbours that are potentially affected by break-out noise from activities and events inside the auditorium have been identified and are outlined in below Table 1 and shown in Figure 1 above.

Table 1: Receiver Locations

Receiver ID	Address	Description
R1-A	94 Illawarra Road (ground floor)	Ground floor receiver location in the rear yard of the double-storey residential property located northeast of the site. The receiver location potentially impacted by noise emissions from the auditorium.
R1-B	94 Illawarra Road (first floor)	First-floor receiver location of the double-storey residential property located directly northeast of the site. The receiver location potentially impacted by noise emissions from the auditorium.
R2-A	1 Council Street (ground floor) ¹	Ground floor receiver location in the front yard of the residential unit located directly north of the site. Receiver location potentially impacted by noise emissions from the auditorium and carpark noise.
R2-B	1 Council Street (first floor) ¹	First floor receiver location of the first-floor residential unit located directly north of the site. Receiver location potentially impacted by noise emissions from the auditorium and carpark noise.
R3-A	3 Council Street (ground floor) ¹	Ground floor receiver location in the front yard of the residential unit located directly northwest of the site. Receiver location potentially impacted by noise emissions from the auditorium and carpark noise.
R3-B	3 Council Street (first floor) ¹	First floor receiver location of the first-floor residential unit located directly northwest of the site. Receiver location potentially impacted by noise emissions from the auditorium and carpark noise.
R4	109 Illawarra Road	Ground floor receiver location in the front yard of the single storey residential property located east of the site. Receiver location potentially impacted by noise emissions from the auditorium.
R5-A & R5-C	106 Illawarra Road (ground floor) ¹	Ground floor receiver location in the rear yard of the residential unit located directly adjacent to the southwest of the site. Receiver location R5-A is potentially impacted by patron noise emissions from the auditorium and carpark noise and Receiver location R5-C is potentially impacted by patron noise emissions from the alfresco/outdoor area noise.

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Receiver ID	Address	Description
R5-B & R5-D	106 Illawarra Road (first floor) ¹	First floor receiver location of the first-floor residential unit located directly adjacent to the southwest of the site. Receiver location R5-B is potentially impacted by patron noise emissions from the auditorium and carpark noise and Receiver location R5-D is potentially impacted by patron noise emissions from the alfresco/outdoor area noise.

Note: 1. Specific unit number not identifiable on site.

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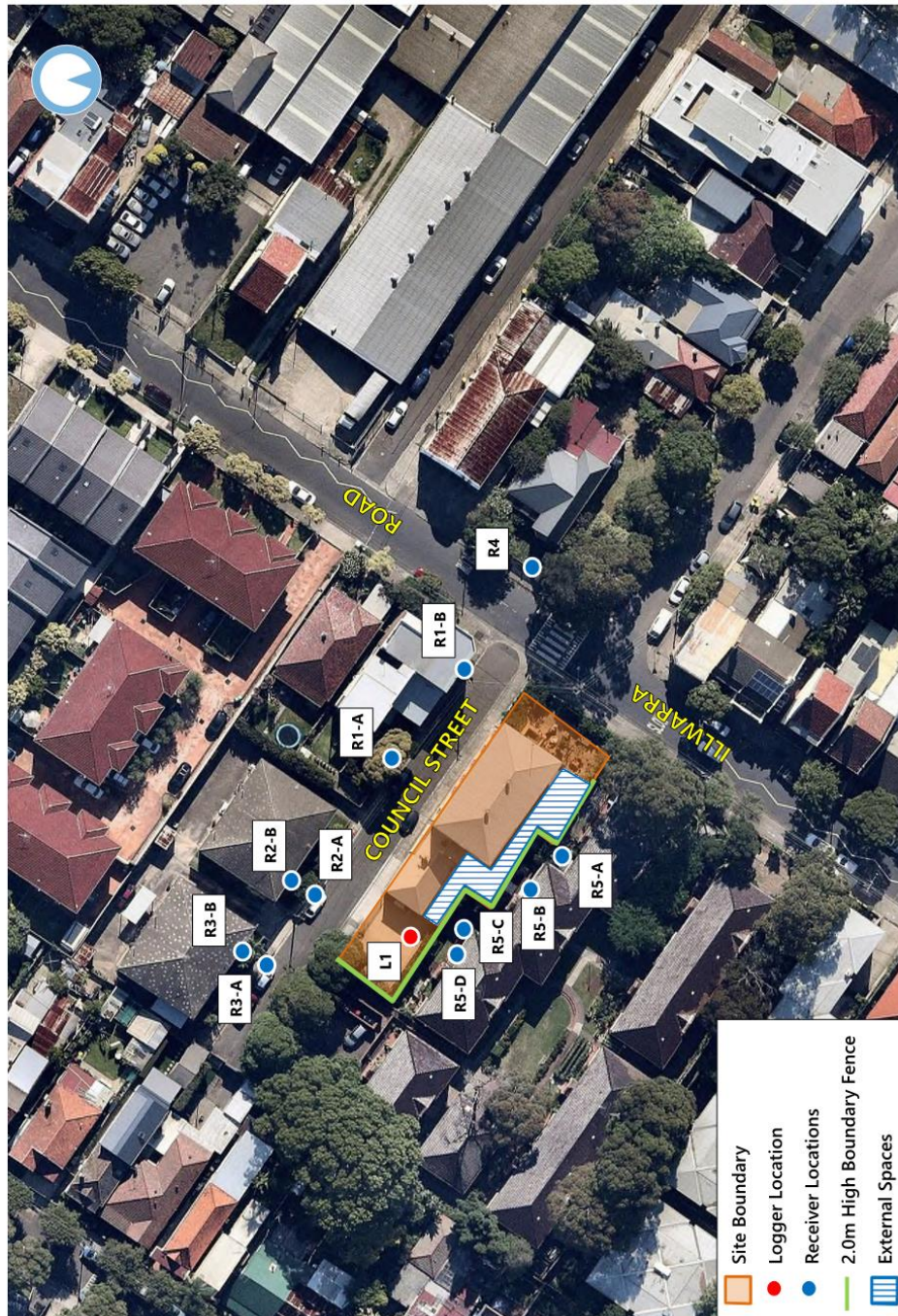
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Figure 1: Site, Surrounds and Receiver and Noise Monitoring Locations



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3 Acoustic Criteria

3.1 DA Condition 1A and 1B

Operational noise emission from the premises is required to comply with DA condition 1A and 1B which states the following.

1A. The recommendations contained in Section 6 of the acoustic report prepared by Renzo Tonin & Associates, reference TK758-01F01 Acoustic Assessment (r2) dated 10 September 2019 must be implemented.

(Condition added under DA201900325)Acoustic Assessment)

1B. The proposed acoustic works (installation of Magnetite acoustic screen) to the first-floor windows are to be overseen by the nominated heritage consultant to ensure that the works are undertaken sensitively and do not adversely impact significant fabric.

(Condition added under DA201900325)

Condition 1A and 1B refers to the acoustic report prepared by Renzo Tonin & Associates [ref. TK758-01F01 Acoustic Assessment (r2) dated 10 September 2019].

The Renzo Tonin report presents noise emission criteria for the site. Noise emission goals in that report were determined based on measured background noise levels and using the NSW EPA Noise Policy for Industry. The EPA Noise Policy for Industry will also be adopted for the proposed Extended Trading Hours, with specific noise targets determined for the 10pm-12am period.

Relevant noise emission goals are as follows:

Table 2: Patron and Music Noise Criteria at Residential Receivers

Receiver Location	L _{Aeq, 15min} Project Noise Trigger Levels ¹			
	Day	Evening	10:00pm – 12:00am	Night
All residential receivers	44	44	42	40

Note: The NPfI outlines the following standard time periods over which the background noise levels are to be determined:

1. Day is defined as 7:00am to 6:00pm, Monday to Saturday and 8:00am to 6:00pm Sundays & Public Holidays.
2. Evening is defined as 6:00pm to 10:00pm, Monday to Sunday & Public Holidays.
3. Night is defined as 10:00pm to 7:00am, Monday to Saturday and 10:00pm to 8:00am Sundays & Public Holidays.

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APPENDIX A of this report presents a description of noise terms. The graphical recorded output from the long-term noise monitoring is included in APPENDIX B. The graphs in APPENDIX B were analysed to determine an assessment background level (ABL) for each day, evening and night period in each 24 hour period of noise monitoring, and based on the median of individual ABLs an overall single Rating Background Level (RBL) for the day, evening and night period is determined over the entire monitoring period in accordance with the NPfl.

Sleep disturbance criteria are addressed separately in Section 8 of this report.

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4 Noise Emission Predictions - Auditorium (Operation up to 12am)

The noise emission assessment for patron activity within the Auditorium, located on the first floor of the community centre, has been conducted in relation to the proposed extension of operational hours (up to 12am).

4.1 Noise Source Description – Auditorium (Operation up to 12am)

For a space of 160m² and approximately 6m high, and accommodating 120 people (40 speaking), it would be expected that the noise level within the space would be approximately 82-83dB(A)Leq (applying Rindel's formula for prediction of noise level from patrons in internal areas, as detailed in *AAAC Licenced Premises Noise Assessment Technical Guideline*). This is a conservative assumption – condition 9C requires no more than 90 people inside and 30 people outside. For the purpose of noise emission prediction, we have assumed 120 people inside in the event that occurred during rain event or similar.

For the purpose of assessment, it will be assumed that the internal noise level (being a combination of music and patron speech) within the auditorium will be 85dB(A). Provided that music noise levels are controlled, a noise level of 85dB(A) would not be expected to be reached within the auditorium.

Assumed noise level in the auditorium are as set out below (this is consistent with the internal noise level adopted before 10pm):

Table 3: Internal music and patron sound pressure levels L_{Aeq}

Noise source	Overall dB(A)	Octave band centre frequency – Hz, dB(Z)								
		31.5	63	125	250	500	1k	2k	4k	8k
Patrons/Music - SPL	85	68	76	73	72	77	80	79	76	70

4.2 Acoustic Performance of Existing Building Shell / Allowable Auditorium Noise

The primary means of noise egress from the site will be noise breakout from the auditorium.

As discussed in Section 2, the glazing of the auditorium has been upgraded to provide better sound attenuation. This improvement in building façade must be considered when determining the noise level that can be accommodated in the auditorium before there is any exceedance of noise goals at the residences.

The acoustic performance of the building shell was measured by onsite testing. This was conducted using the house speaker system speaker to generate noise levels will more than typical noise levels in the auditorium such that it was clearly audible at each of the residences. This enables the noise reduction in octave bands between auditorium and resident to be determined.

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Knowing the noise reduction in octave bands then enables us to determine the reduction in noise level that will occur between auditorium and residences assuming there is a function within the auditorium (patron noise/music etc).

The measured noise reduction between auditorium and residences assuming a combination of patron vocal noise and music within the auditorium was determined to be as follows:

Table 4: Noise Reduction – Auditorium to Residences, Allowable Noise Level in Auditorium

Column 1	Column 2	Column 3	Column 4	Column 5
Receiver ID	Address	Noise reduction – Auditorium to Residence – dB(A)	Permissible Noise Level – dB(A)	Allowable Noise Level In Auditorium – dB(A) _{Leq} (Column 3 + Column 4)
R1-A	94 Illawarra Road (ground floor)	44	42	86
R1-B	94 Illawarra Road (first floor)	44	42	86
R2-A	1 Council Street (ground floor)	49	42	91
R2-B	1 Council Street (first floor)	48	42	90
R3-A	3 Council Street (ground floor)	51	42	93
R3-B	3 Council Street (first floor)	53	42	95
R4	109 Illawarra Road	52	42	94
R5-A	106 Illawarra Road (ground floor)	45	42	87
R5-B	106 Illawarra Road (first floor)	49	42	91
R5-C	106 Illawarra Road (ground floor)	48	42	90
R5-D	106 Illawarra Road (first floor)	52	42	94

Based on the above, a noise level of approximately 86dB(A) can be accommodated in the auditorium before there is an exceedance of noise goals at the nearest residences.

However, as identified in Section 4.1, the anticipated noise level in the auditorium when full of people is 85dB(A). Applying an internal noise level of 85dB(A) and the measured noise reduction in Table 4, the following noise levels are predicted at the nearest residences:

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Table 5: Auditorium Noise Prediction at the Residence using Allowable Noise Level in Auditorium

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Receiver ID	Address	Noise Level in Auditorium dB(A) _{Leq(15min)}	Noise Reduction – Auditorium to Resident dB(A)	Noise Level at Resident dB(A) _{Leq(15min)} (Column 3 + Column 4)	Comply with permissible noise level of 42dB(A) _{Leq(15min)} ?
R1-A	94 Illawarra Road (ground floor)	85	44	41	YES
R1-B	94 Illawarra Road (first floor)	85	44	41	YES
R2-A	1 Council Street (ground floor)	85	49	36	YES
R2-B	1 Council Street (first floor)	85	48	37	YES
R3-A	3 Council Street (ground floor)	85	51	34	YES
R3-B	3 Council Street (first floor)	85	53	32	YES
R4	109 Illawarra Road	85	52	33	YES
R5-A	106 Illawarra Road (ground floor)	85	45	40	YES
R5-B	106 Illawarra Road (first floor)	85	49	36	YES
R5-C	106 Illawarra Road (ground floor)	85	48	37	YES
R5-D	106 Illawarra Road (first floor)	85	52	33	YES

See Section 6.1 showing cumulative noise level assessment of auditorium noise and Alfresco/Outdoor area noise.

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5 Noise Emission Predictions - Alfresco/Outdoor Areas (Operation between 8pm to 10pm)

The noise emission assessment for patron activity in the Alfresco/Outdoor Area, located on the ground floor of the community centre, has been conducted in relation to the proposed extension of operational hours (between 8pm and 10pm).

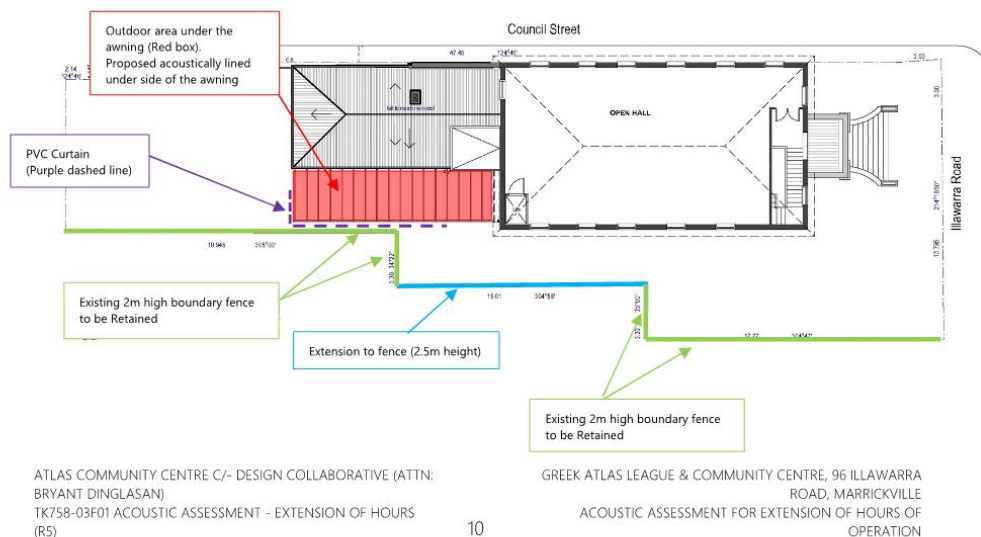
5.1 Noise Source Description – Alfresco/Outdoor Areas (Operation between 8pm to 10pm)

To ensure compliance with the noise criteria and to remove the need to police patrons moving between areas, during the extended operating period we recommend that only the covered outdoor area at the rear of the site is used. By limiting patrons to this area only, patrons will always be in a noise protect area. Adopting this recommendation - 14 patrons must remain within the covered outdoor area beneath the awning, fully enclosed by vinyl blinds.

14 Patrons located at the outdoor area with awning. For the purpose of the assessment to comply with the criteria, a full-length PVC curtain to drop from the edge of the awning to the ground is assumed. Also, a part of boundary fence that is adjacent to Group A is assumed to have **2.5m** high lapped and capped timber fence.

The assessment assumes 14 patrons located in the outdoor area beneath an awning. To achieve compliance with the relevant noise criteria, it is assumed that a full-length PVC curtain will extend from the edge of the awning to the ground. Additionally, the boundary fence adjacent to outdoor area is assumed to comprise a **2.5 m** high lapped and capped timber fence. The underside of the awning is also assumed to be acoustically lined. Figure 2 below illustrates the exact location of the outdoor area, the extent of the PVC curtain, and the extent of the 2.5 m high fence.

Figure 2: Outdoor area location, PVC Curtain extent and 2.5m high fence Outdoor area location, PVC Curtain extent



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It is assumed that only 50% of the patrons are talking at a given time and the patrons are evenly distributed across the external area.

Note: The previously approved patron capacity of 30 patrons for the alfresco space will remain unchanged for already approved hours of operation (i.e., 11:00am to 08:00pm). The proposed patron capacity for extension of hours of alfresco space (i.e., operating between 8:00pm – 10:00pm) is 14 patrons.

Assumed sound power level per person in the alfresco/outdoor area is as follows:

Table 6: Alfresco/Outdoor patron sound power level per person

Noise source	Overall dB(A)	Octave band centre frequency – Hz, dB(Z)								
		31.5	63	125	250	500	1k	2k	4k	8k
SWL per person (based on AS2822, standard vocal noise level)	68	-	-	58	63	68	62	58	53	47

5.2 Alfresco/Outdoor Area Predicted Noise Levels at the Residences

Based on Table 6, a sound power level of approximately 68dB(A) per person is used to predict noise from the Alfresco/Outdoor area at the nearest residences.

Table 7: Noise Reduction – Auditorium to Residences, Allowable Noise Level in Auditorium

Receiver ID	Address	Predicted Noise Level at the nearest residents dB(A)	Allowable Noise Level until 10pm	Comply?
R1-A	94 Illawarra Road (ground floor)	19	44	YES
R1-B	94 Illawarra Road (first floor)	10	44	YES
R2-A	1 Council Street (ground floor)	37	44	YES
R2-B	1 Council Street (first floor)	34	44	YES
R3-A	3 Council Street (ground floor)	29	44	YES
R3-B	3 Council Street (first floor)	32	44	YES
R4	109 Illawarra Road	13	44	YES
R5-A	106 Illawarra Road (ground floor)	36	44	YES
R5-B	106 Illawarra Road (first floor)	41	44	YES
R5-C	106 Illawarra Road (ground floor)	43	44	YES
R5-D	106 Illawarra Road (first floor)	44	44	YES

See Section 6.1 showing cumulative noise level assessment of auditorium noise and Alfresco/Outdoor area noise.

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6 Cumulative Operational Noise Assessment

6.1 Cumulative Noise Emission Assessment – Auditorium and Alfresco/Outdoor area

Predicted noise levels for internal patron noise emitted from the community centre are based on the assumed noise levels in Table 3 and the measured noise reduction between auditorium and residence in Table 4.

All predictions are based on the assumption that the acoustic mitigation as detailed in Section 10 is adopted.

The predicted noise levels are the cumulative noise level from auditorium and alfresco/outdoor area operations (which is also conservative, given the peak period of use of the alfresco/outdoor area is likely to occur after the use of the auditorium ceases).

The cumulative noise levels for each identified receiver are presented in the Table 8 below.

Table 8: Predicted $L_{Aeq\ 15min}$ Operational Noise Levels, dB(A)

Receiver ID	Predicted Noise Levels – Auditorium (Internal level at 85dB(A))	Predicted Noise Levels – Alfresco/outdoor area	Cumulative Noise Level	Allowable Noise Level	Comply?
R1-A	41	19	41	44	YES
R1-B	41	10	41	44	YES
R2-A	36	37	40	44	YES
R2-B	37	34	39	44	YES
R3-A	34	29	35	44	YES
R3-B	32	32	35	44	YES
R4	33	13	33	44	YES
R5-A	40	36	42	44	YES
R5-B	36	41	42	44	YES
R5-C	37	43	44	44	YES
R5-D	33	44	44	44	YES

Note: Project Noise Trigger Levels is for operations until 10:00pm, Monday to Sundays & Public Holidays.

Results presented in Table 8 above indicate that the patron and music noise impacts from the community centre are predicted to comply with the project trigger levels for the specified time period at all identified receivers with the noise mitigation measures mentioned in the acoustic report prepared by Renzo Tonin & Associates [ref. TK758-01F01 Acoustic Assessment (r2) dated 10 September 2019].

Therefore, noise mitigation measures specified in Section 10 will be required to reduce noise to acceptable levels.

7 Noise Emission Predictions - Carpark

The noise emission assessment for carparking activity of the community centre, has been conducted in relation to the proposed extension of operational hours (up to 12am).

7.1 On Site Vehicle Noise

The open car park area of the community centre is located northwest of the property, with access to and from Council Street. The car park is to accommodate staff and/or patron vehicles. The traffic impact statement prepared by Traffix [ref: 19.071r01v01 dated 25th February 2019] stipulates that no additional parking is required for the community centre. Therefore, the on-site car park will still be limited to 3 car spaces.

Noise generated by car park activities that typically contribute to the overall L_{Aeq} noise level emission from a site includes doors closing, vehicle engines starting and vehicles moving. To assess the impact of these noises, the L_{Aeq} noise levels were determined for the relevant period based on the number of vehicle activities expected to occur during that period at the nearest affected residential premises. Sound power level measurements from our database and library files have been used for the purpose of this assessment.

The sound power level of the car park activity which is anticipated to impact the nearest affected receivers is shown in Table 9 below.

Table 9: Sound Power Levels of Car Park Activities

Activity	Sound Power Level, dB(A) re. 1pW
Vehicle door closing	86
Vehicle engine starting	92
Vehicle moving (10km/h) per metre	79

7.2 Prediction Methodology

Noise emissions were predicted by modelling the noise sources, receiver locations, topographical features of the intervening area, and possible noise control treatments using CadnaA (version 2023) noise modelling computer program. The modelling program calculates the contribution of each noise source at each specified receiver point and allows for the prediction of the total noise from a site.

The noise prediction model considers:

- Location of noise sources and receiver locations
- Height of sources and receivers
- Separation distances between sources and receivers
- Ground type between sources and receivers (hard/soft)

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- Attenuation from barriers (natural and purpose built)

7.3 Carpark Prediction Results

Vehicle noise is predicted based on:

- The assumed noise levels in Section 4.3 and
- On the worst-case scenario that 3 vehicles exit the car park at the same time (i.e. 3 vehicles starting their engine, 12 door slams and 3 vehicle movements to exit the premises).

Predicted noise levels are presented below.

Table 10: Predicted $L_{Aeq\ 15min}$ Carpark Noise Levels, dB(A)

Receiver ID	Predicted Noise Levels – Alfresco/outdoor area	Allowable Noise Level until 12am	Comply?
R1-A	20	42	YES
R1-B	26	42	YES
R2-A	36	42	YES
R2-B	35	42	YES
R3-A	28	42	YES
R3-B	30	42	YES
R4	14	42	YES
R5-A	26	42	YES
R5-B	30	42	YES
R5-C	34	42	YES
R5-D	39	42	YES

Note: Project Noise Trigger Levels is defined as 10:00pm to 11:00pm, Monday to Sundays & Public Holidays.

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8 Sleep Disturbance

8.1 Sleep Disturbance Criteria

Given the site is proposed to operate after 10pm, a sleep disturbance assessment should be conducted.

The NSW NPfl includes guidance on assessing the likelihood of disturbing sleeping residents:

The potential for sleep disturbance from maximum noise level events from premises during the night-time period needs to be considered. Sleep disturbance is considered to be both awakenings and disturbance to sleep stages.

Where the subject development/premises night-time noise levels at a residential location exceed:

- $L_{Aeq,15min}$ 40dB(A) or the prevailing RBL plus 5dB, whichever is the greater, and/or
- L_{AFmax} 52dB(A) or the prevailing RBL plus 15dB, whichever is greater,

a detailed maximum noise level event assessment should be undertaken.

The detailed assessment should cover maximum noise level, the extent to which the maximum noise level exceeds the rating background noise level, and the number of times this happens during the night-time period. Some guidance on possible impact is contained in the review of research results in the NSW Road Noise Policy.

The sleep disturbance criteria employed for this assessment are summarized in Table 11 below.

Based on the noise logging data in the DA Stage acoustic report, the background noise level at the site between 10pm and 12am is 40dB(A) L_{90} .

Corresponding sleep disturbance criteria are as follows:

Table 11: Sleep disturbance criteria

Assessment Location	Sleep disturbance criteria, 10pm – 11pm, dB(A)	
	$L_{Aeq,15min}$	L_{AFmax}
All Receivers	45	55

The average ($L_{eq, 15minute}$) noise criteria are assessed in Section 6. Momentary noise events (L_{max}) are assessed below.

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8.2 Noise Sources For Sleep Disturbance

Sleep disturbance would most potentially be caused by a single event of a door slam, or an engine start whilst leaving the subject development, as there is a limited degree of acoustic shielding (compared with internal activities) and due to the relatively high $L_{A\text{Fmax}}$ noise levels that can be generated.

A reference sound power level of a door slam and an engine start were used for the purpose of this assessment and is presented in Table 12 below.

Table 12: Sound power levels

Activity	Sound power level, dB(A) re 1pW
	$L_{A\text{Fmax}}$
Door Slam*	95
Engine Start*	94

Note: * Source reference – Renzo Tonin and Associates data library

8.3 Noise Prediction Results – Sleep Disturbance

Predicted noise levels are presented in Table 13 below.

A car door slam is the loudest momentary noise event that would be expected to occur. The momentary noise level created by a car door slam at the parking space closest to a given residence is presented below.

The table below presents a “Background +15dB(A)” analysis of momentary peak noise events.

Table 13: Sleep disturbance assessment (Door Slam) – Background + 15dB(A) Noise Assessment

Receiver ID	Sleep disturbance criteria for 10:00pm – 12:00am, $L_{A\text{Fmax}}$	Predicted Noise Levels, dB(A)	Comply?
R1-A	55	45	YES
R1-B		54	YES
R2-A		61	NO
R2-B		59	NO
R3-A		52	YES
R3-B		54	YES
R4		39	YES
R5-A		53	YES
R5-B		61	NO

The noise levels are predicted to comply with “Background +15dB(A)” test between 10:00pm and 12:00am with exception of 5dB(A) at receiver location R2-A and R5-B and 3dB(A) at receiver location R2-B.

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Therefore, a more detailed maximum noise level event assessment is undertaken as per the NSW NPfI.

The review of the NSW Road Noise Policy research states:

From the research on sleep disturbance to date it can be concluded that:

- *maximum internal noise levels below 50–55 dB(A) are unlikely to awaken people from sleep*
- *one or two noise events per night, with maximum internal noise levels of 65–70 dB(A), are not likely to affect health and wellbeing significantly.*

In this regard we note:

- The 50-55dB(A) noise levels referred to in the Road Noise Policy relate to *internal* noise levels.
- The noise levels presented in Table 15 are *external* noise levels (predicted at the building façade).
- Assuming that the windows of a bedroom are left open, there is typically a 10dB(A) noise reduction between outside to inside a bedroom.
- The being the case, the noise level that would be predicted within a bedroom (assuming windows open) would be:

Table 14: Sleep disturbance assessment (Door Slam) - dB(A)_{L_{max}}

Receiver ID	EPA Internal Noise Level Guidance	Predicted Noise Level inside Bedroom (windows open) dB(A)	Comply?
R1-A	50-55	35	YES
R1-B	50-55	44	YES
R2-A	50-55	51	YES
R2-B	50-55	49	YES
R3-A	50-55	42	YES
R3-B	50-55	44	YES
R4	50-55	29	YES
R5-A	50-55	43	YES
R5-B	50-55	51	YES

Further, the noise level and number of peak noise events that would occur as a result of the extended hours is not out of keeping with existing ambient environment. Upon reviewing the noise logging data for time period:

- 10:00pm to 11:00am, we note:
 - There are 6 to 9 events of 65dB(A) to 84dB(A) $L_{A_{Fmax}}$ events occur per night caused by aeroplanes passby.

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- There are 6 to 15 events of 59dB(A) to 68dB(A) L_{AFmax} events occur per night caused by vehicles passby.
- 11:00pm to 12:00am (period following commencement of curfew for flight movements), we note:
 - There are 3 to 10 events of 50dB(A) to 62dB(A) L_{AFmax} events occur per night caused by vehicles passby.

Copy of hourly logging data is presented in APPENDIX C.

The pre-existing peak noise events are typically louder and more frequent than the predicted levels for site from use of the car park in the 10pm-11am period, and similar to the pre-existing peak noise events in the 11pm-12am period.

Given the above, the use of the three parking spaces (up to 12am) on site is reasonable.

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9 Noise Emission Prediction – Mechanical Plant and Equipment

In response to Council's concerns regarding the use of mechanical plant during the proposed extension of operating hours, we attended the site on 7 April 2025 and confirm the following mechanical plant is installed on site:

- Two (2) A/C condenser units serving the auditorium (we note that there are two non-operational condensers on the roof also).
- One (1) kitchen exhaust fan serving the ground floor kitchen

Kitchen Exhaust Fan

We note that the kitchen exhaust fan will **not** be used during the proposed extended hours of operation.

A/C Condenser Units

The locations of the mechanical plant units are shown in the Figure 3 below.

Figure 3: Locations of the existing mechanical plant



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The existing A/C condenser units currently create a noise level of 45dB(A) at the nearest residences and as such, do not comply with the applicable noise limit of **42 dBA** for the extended trading period until 12:00 AM.

To achieve compliance, it is recommended that a **Stage 1 "night quiet" turndown** be installed on both units to reduce their noise output to within the required criteria. A stage 1 turndown reduces fan noise level by 3dB(A). This should be introduced such that the night quiet mode commences at 10pm.

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10 Recommendations

10.1 Building envelope

We note that the glazing upgrades as detailed in the DA Stage acoustic report have been installed. No further building works are required to the existing building.

10.2 Noise management

10.2.1 Auditorium

- In order to prevent the internal noise level in the auditorium (patron and music) from exceeding the noise level set out in Section 3, auditorium speaker levels to be limited as follows:

Table 15: Speaker Noise Limits L_{Aeq}

Noise source	Overall dB(A)	Octave band centre frequency – Hz, dB(Z)								
		31.5	63	125	250	500	1k	2k	4k	8k
Loudspeakers	82	65	73	70	69	74	77	76	73	67

- All windows and doors to the auditorium are to be kept closed.
- Auditorium to cease use at 12:00am.

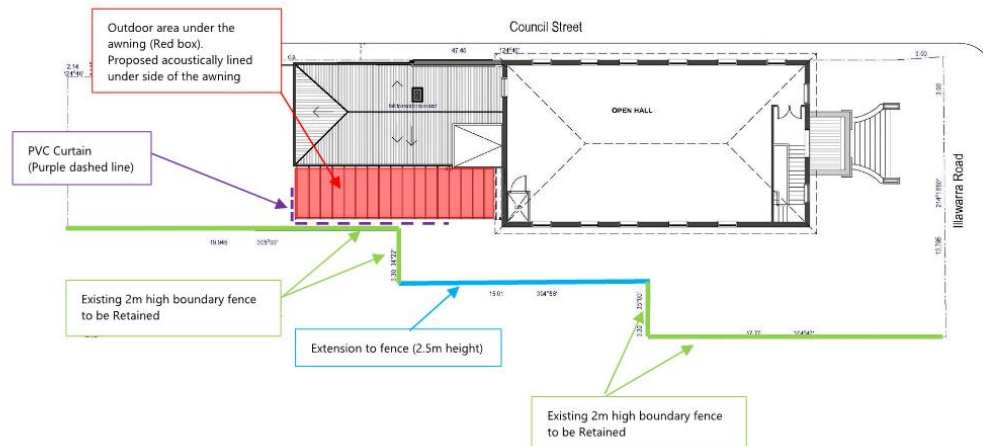
10.2.2 Outdoor/Alfresco Area

- It is proposed to have a part of boundary fence that is directly opposite the opening to the covered area to be **2.5m** high lapped and capped timber fence. (See Figure 2 for the precise location and extent).
- Patrons in outdoor area (marked in red in Figure 2) limited to 14.
- A full-length PVC curtain to drop from the edge of the awning to the ground is to be installed (See Figure 2 for the precise location and extent). Windmaster Outdoor Blind or similar (minimum curtain surface density of 1kg/m^2).
- Under side of the awning is to be acoustically lined. (See Figure 2 for the precise location and extent)
- Outdoor area shall cease operation at 10:00pm.

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Figure 4: Outdoor area location, PVC Curtain extent and 2.5m high fence



10.3 Mechanical Plant and Equipment

- Kitchen exhaust fan not to be used during the propose extended trading period (10pm-12am).
- If the auditorium condensers are to be used later 10pm, the condensers are to be fitted with a Stage 1-night quiet chip, to reduce their noise level by 3db(A).

10.4 Management Controls

Management must ensure that patrons do not wait in external areas when leaving the site.

Patrons are to be reminded at the end of the event that they are in a residential area and must leave the site without loitering and to be respectful of neighbours when walking home or to their car or public transport.

Staff using the car park must not wait in outside areas before leaving.

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11 Conclusion

Renzo Tonin & Associates completed an investigation and assessment of noise emissions from Atlas Community Centre located at 96 Illawarra Road, Marrickville.

The internal areas of community centre are seeking to extend the operating hours to be 8am to 12am midnight Monday-Sunday, with no change in capacity and alfresco/outdoor area of community centre is seeking to extend the operating hours to be 8am to 10pm Monday-Sunday, with a limited capacity of 14 patrons, as outlined in Section 5 of this report.

Provided the recommended acoustic treatments and management measures detailed in Section 1010 of this report is adopted, operational noise emissions from the site will predict to comply with the established noise goals.

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APPENDIX A Glossary of terminology

The following is a brief description of the technical terms used to describe noise to assist in understanding the technical issues presented.

Adverse weather	Weather effects that enhance noise (that is, wind and temperature inversions) that occur at a site for a significant period of time (that is, wind occurring more than 30% of the time in any assessment period in any season and/or temperature inversions occurring more than 30% of the nights in winter).
Ambient noise	The all-encompassing noise associated within a given environment at a given time, usually composed of sound from all sources near and far.
Assessment period	The period in a day over which assessments are made.
Assessment point	A point at which noise measurements are taken or estimated. A point at which noise measurements are taken or estimated.
Background noise	Background noise is the term used to describe the underlying level of noise present in the ambient noise, measured in the absence of the noise under investigation, when extraneous noise is removed. It is described as the average of the minimum noise levels measured on a sound level meter and is measured statistically as the A-weighted noise level exceeded for ninety percent of a sample period. This is represented as the L90 noise level (see below).
Decibel [dB]	The units that sound is measured in. The following are examples of the decibel readings of everyday sounds: 0dB The faintest sound we can hear 30dB A quiet library or in a quiet location in the country 45dB Typical office space. Ambience in the city at night 60dB CBD mall at lunch time 70dB The sound of a car passing on the street 80dB Loud music played at home 90dB The sound of a truck passing on the street 100dB The sound of a rock band 115dB Limit of sound permitted in industry 120dB Deafening
dB(A)	A-weighted decibels. The A-weighting noise filter simulates the response of the human ear at relatively low levels, where the ear is not as effective in hearing low frequency sounds as it is in hearing high frequency sounds. That is, low frequency sounds of the same dB level are not heard as loud as high frequency sounds. The sound level meter replicates the human response of the ear by using an electronic filter which is called the "A" filter. A sound level measured with this filter switched on is denoted as dB(A). Practically all noise is measured using the A filter.
dB(C)	C-weighted decibels. The C-weighting noise filter simulates the response of the human ear at relatively high levels, where the human ear is nearly equally effective at hearing from mid-low frequency (63Hz) to mid-high frequency (4kHz) but is less effective outside these frequencies.
Frequency	Frequency is synonymous to pitch. Sounds have a pitch which is peculiar to the nature of the sound generator. For example, the sound of a tiny bell has a high pitch, and the sound of a bass drum has a low pitch. Frequency or pitch can be measured on a scale in units of Hertz or Hz.
Impulsive noise	Having a high peak of short duration or a sequence of such peaks. A sequence of impulses in rapid succession is termed repetitive impulsive noise.
Intermittent noise	The level suddenly drops to that of the background noise several times during the period of observation. The time during which the noise remains at levels different from that of the ambient is one second or more.
L _{Max}	The maximum sound pressure level measured over a given period.
L _{Min}	The minimum sound pressure level measured over a given period.

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L ₁	The sound pressure level that is exceeded for 1% of the time for which the given sound is measured.
L ₁₀	The sound pressure level that is exceeded for 10% of the time for which the given sound is measured.
L ₉₀	The level of noise exceeded for 90% of the time. The bottom 10% of the sample is the L90 noise level expressed in units of dB(A).
L _{eq}	The "equivalent noise level" is the summation of noise events and integrated over a selected period of time.
Reflection	Sound wave changed in direction of propagation due to a solid object obscuring its path.
SEL	Sound Exposure Level (SEL) is the constant sound level which, if maintained for a period of 1 second would have the same acoustic energy as the measured noise event. SEL noise measurements are useful as they can be converted to obtain Leq sound levels over any period of time and can be used for predicting noise at various locations.
Sound	A fluctuation of air pressure which is propagated as a wave through air.
Sound absorption	The ability of a material to absorb sound energy through its conversion into thermal energy.
Sound level meter	An instrument consisting of a microphone, amplifier and indicating device, having a declared performance, and designed to measure sound pressure levels.
Sound pressure level	The level of noise, usually expressed in decibels, as measured by a standard sound level meter with a microphone.
Sound power level	Ten times the logarithm to the base 10 of the ratio of the sound power of the source to the reference sound power.
Tonal noise	Containing a prominent frequency and characterised by a definite pitch.

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APPENDIX B Noise Monitoring Results

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96 Illawarra Road, Marrickville

Background & Ambient Noise Monitoring Results - NSW 'Noise Policy for Industry', 2017

Date	L _{A90} Background Noise Levels ⁴			L _{Aeq} Ambient Noise Levels		
	Day ¹	Evening ²	Night ³	Day ¹	Evening ²	Night ³
Thursday-07-February-2019	41	40	34	63	63	54
Friday-08-February-2019	37	43	35	62	56	51
Saturday-09-February-2019	40	42	34	62	53	47
Sunday-10-February-2019	37	37	32	51	59	55
Monday-11-February-2019	39	41	35	63	60	56
Tuesday-12-February-2019	41	40	40	61	59	55
Wednesday-13-February-2019	43	43	35	55	53	49
Thursday-14-February-2019	38	-	-	53	-	-
Representative Weekday⁵	40	41	35	61	59	54
Representative Weekend⁵	38	39	33	59	57	53
Representative Week⁵	39	41	35	60	59	53

Notes:

1. Day is 8:00am to 6:00pm on Sunday and 7:00am to 6:00pm at other times
2. Evening is 6:00pm to 10:00pm
3. Night is the remaining periods
4. Assessment Background Level (ABL) for individual days
5. Rating Background Level (RBL) for LA90 and logarithmic average for LAeq
6. Leq is calculated in the free field. 2.5dB is subtracted from results if logger is placed at façade
7. Number in brackets represents the measured (actual) RBL value, which is below the minimum policy value of 30 dB(A) during the evening or night period or 35 dB(A) during the day period.

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Road / Rail Noise Monitoring Results (at one metre from façade)

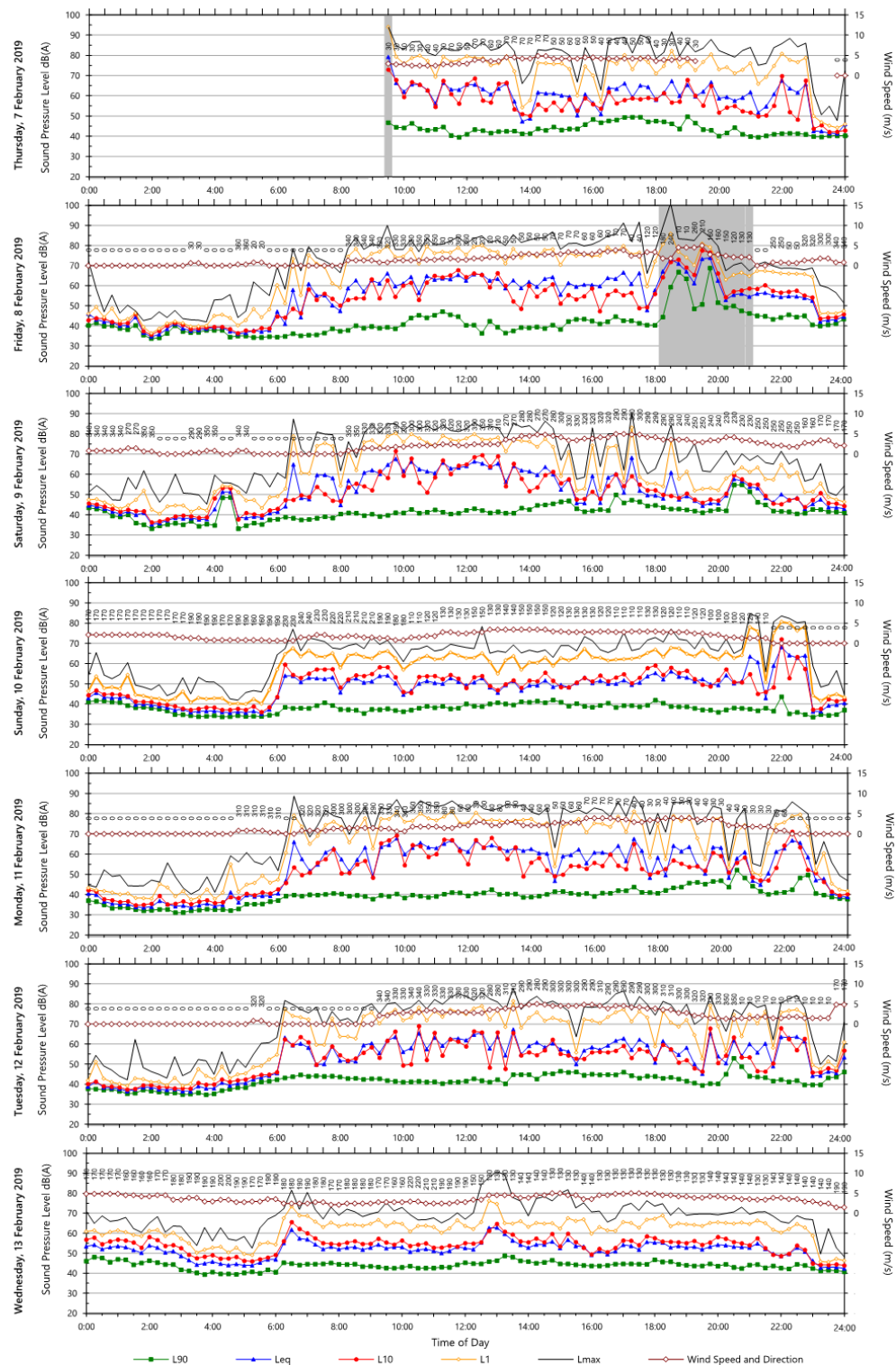
Date	L _{Aeq} Noise Levels		L _{Aeq 1hr} Noise Levels			
	Day ¹	Night ²	Day - Up ⁴	Day - Low ⁵	Night - Up ⁴	Night - Low ⁵
Thursday-07-February-2019	65	57	67	62	60	41
Friday-08-February-2019	64	54	67	59	58	42
Saturday-09-February-2019	63	48	67	55	50	39
Sunday-10-February-2019	57	58	59	52	64	37
Monday-11-February-2019	64	58	67	61	64	40
Tuesday-12-February-2019	63	57	65	59	62	48
Wednesday-13-February-2019	57	51	58	54	54	40
Thursday-14-February-2019	56	-	58	53	-	-
Representative Weekday³	64	57	66	59	60	41
Representative Weekend³	60	53	63	54	57	38
Representative Week³	63	57	66	57	60	40

Notes:

1. Day is 7:00am to 10:00pm
2. Night is 10:00pm to 7:00am
3. Median of daily L_{Aeq}
4. Upper 10th percentile L_{Aeq 1hr}
5. Lower 10th percentile L_{Aeq 1hr}
6. Values are calculated at the façade. 2.5dB is added to results if logger is placed in the free field

Unattended Monitoring Results

Location: 96 Illawarra Road, Marrickville

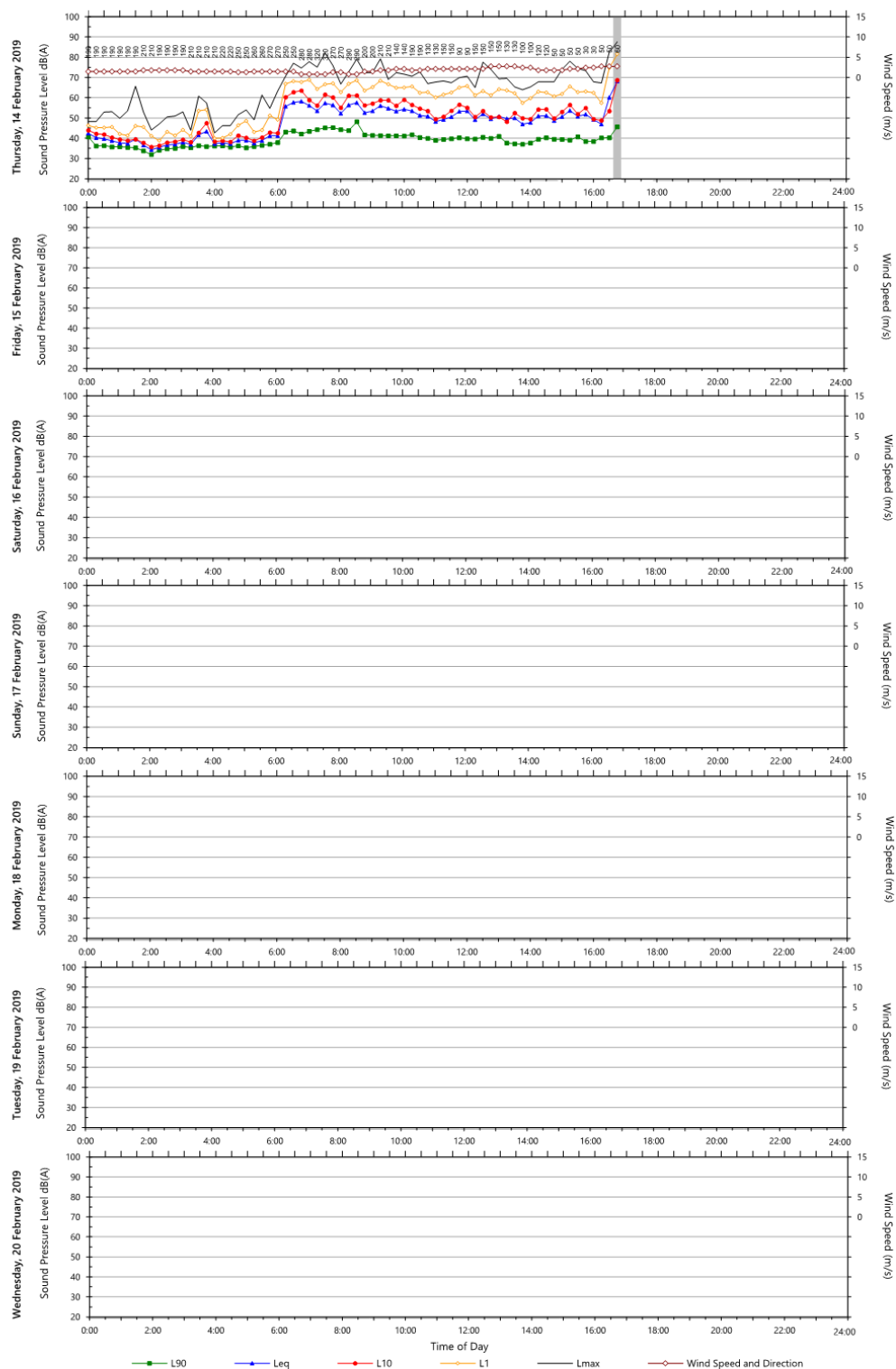


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Unattended Monitoring Results

Location: 96 Illawarra Road, Marrickville



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APPENDIX C Noise Logging Data For Periods 10:00pm-11:00pm

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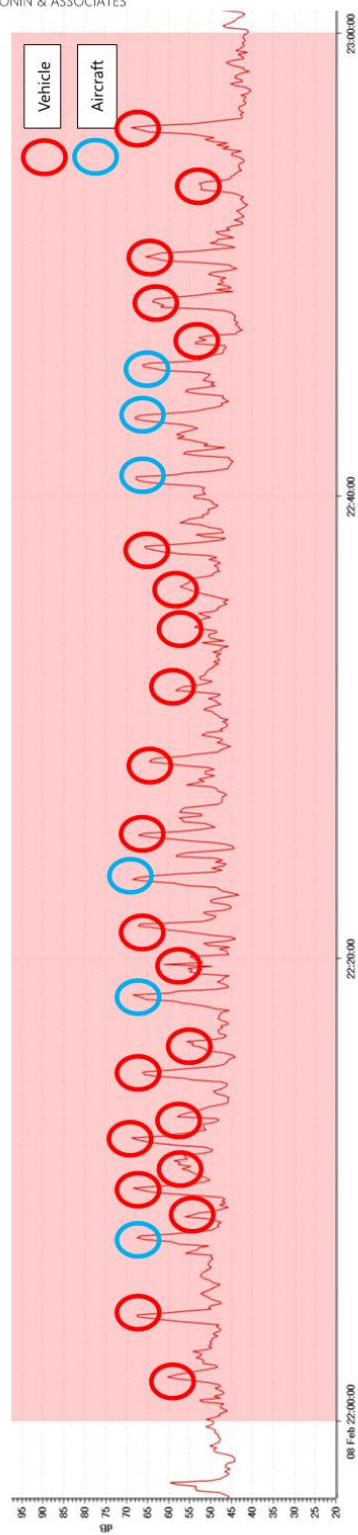
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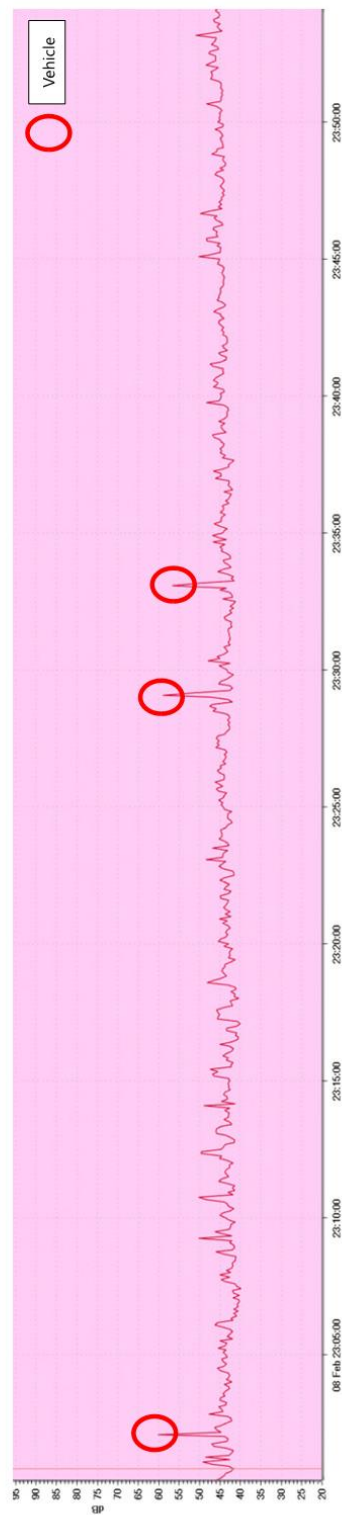
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Logging data for 8/02/2019:

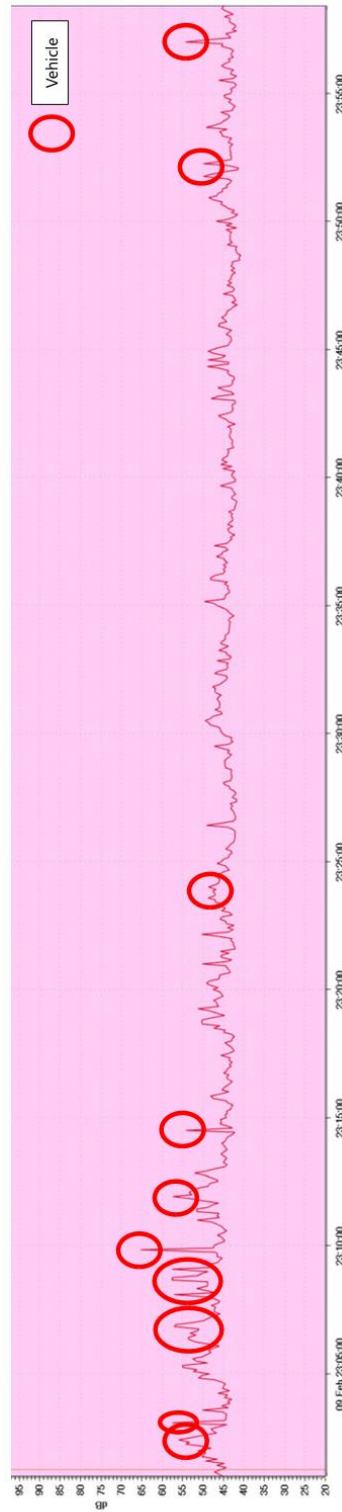
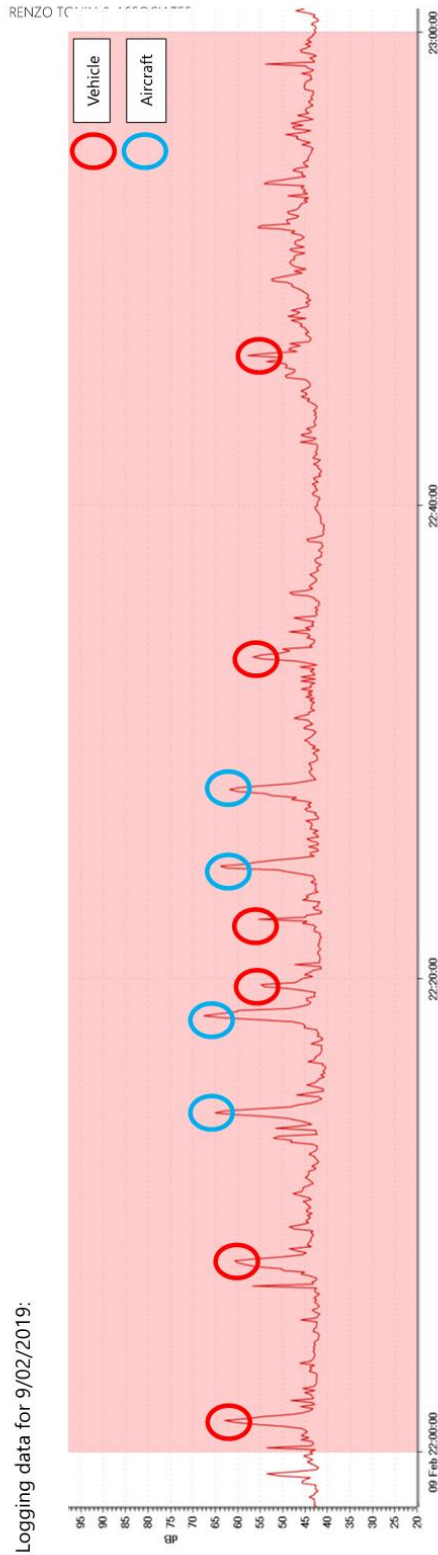


ATLAS COMMUNITY CENTRE C/- DESIGN COLLABORATIVE (ATTN: TK758-03F01 ACOUSTIC ASSESSMENT - EXTENSION OF HOURS



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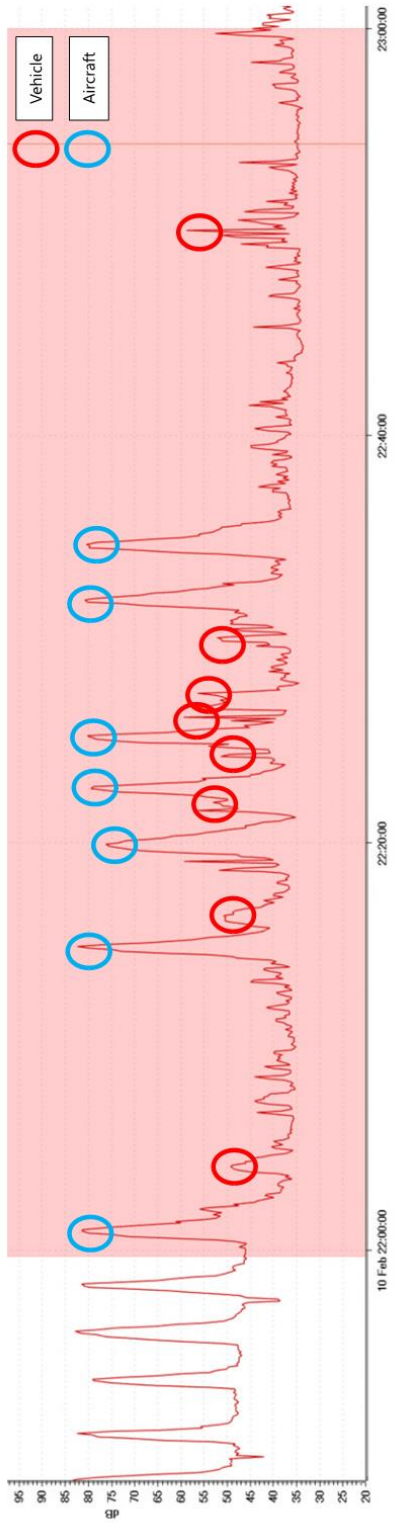
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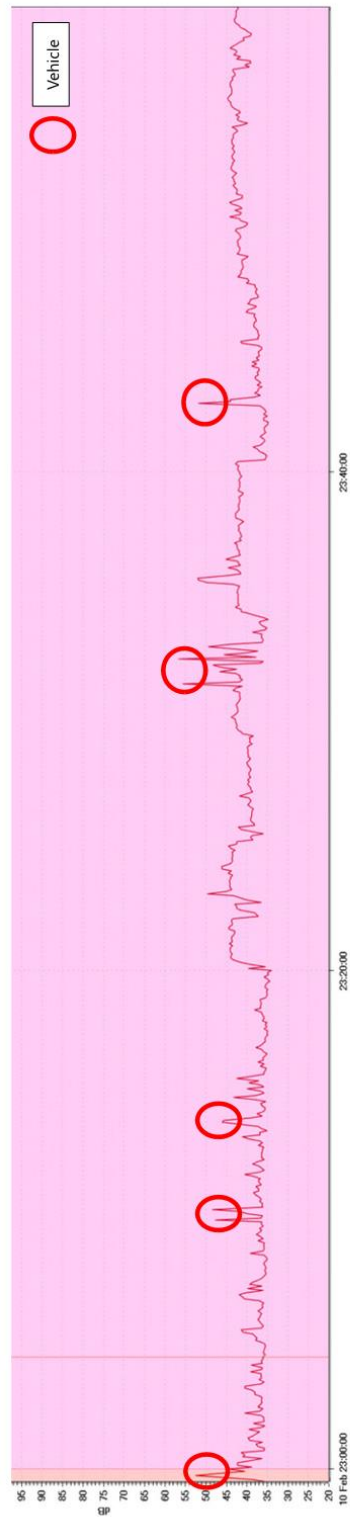
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Logging data for 10/02/2019:



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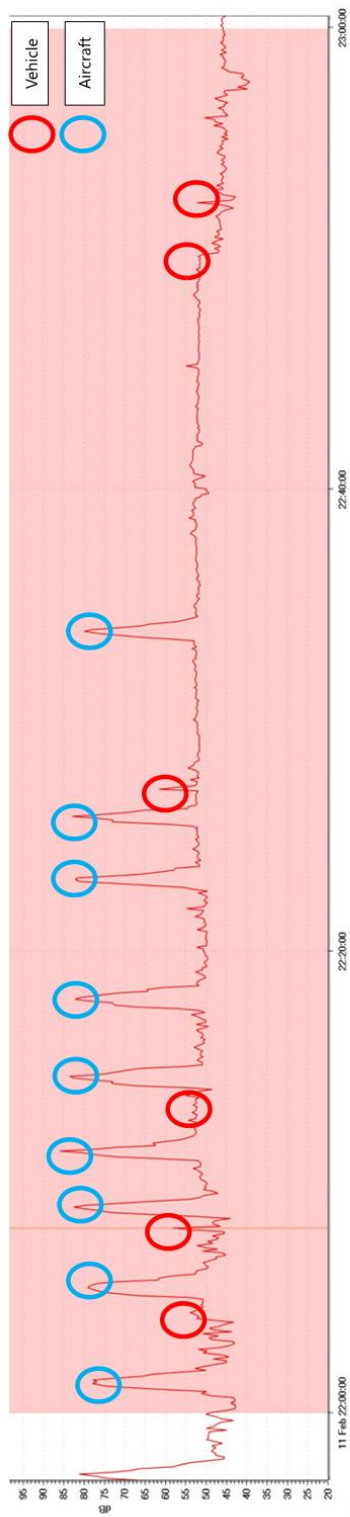
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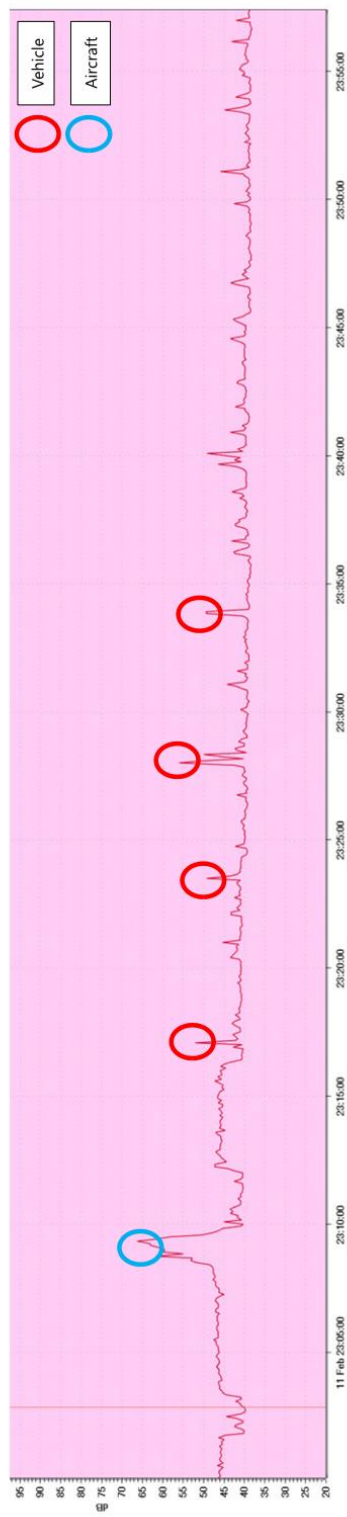
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Logging data for 11/02/2019:



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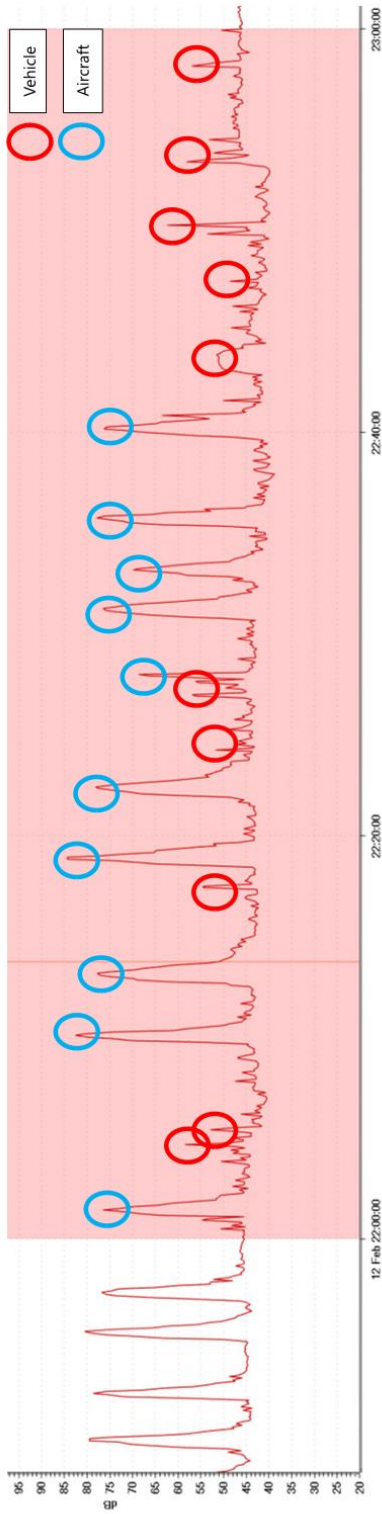
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Version: 1, Version Date: 23/05/2025

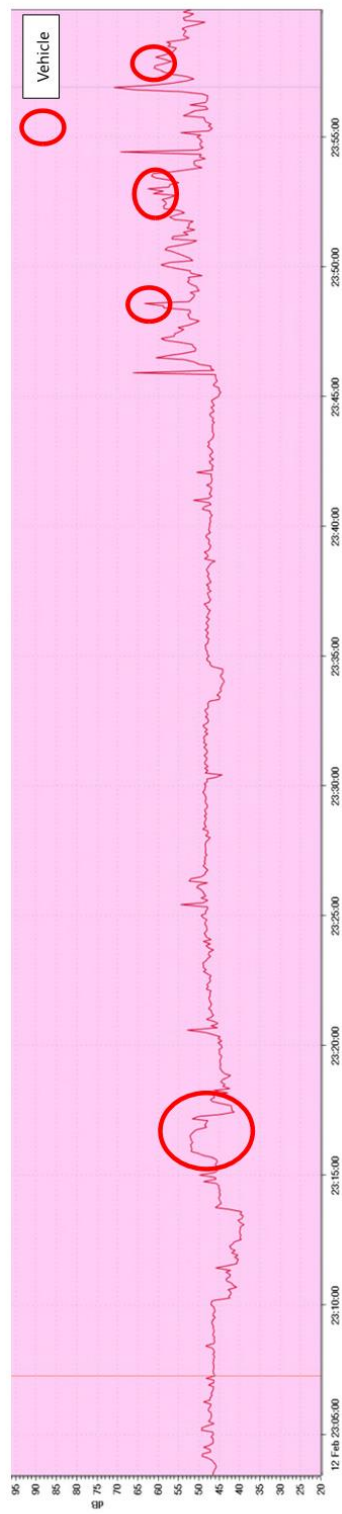
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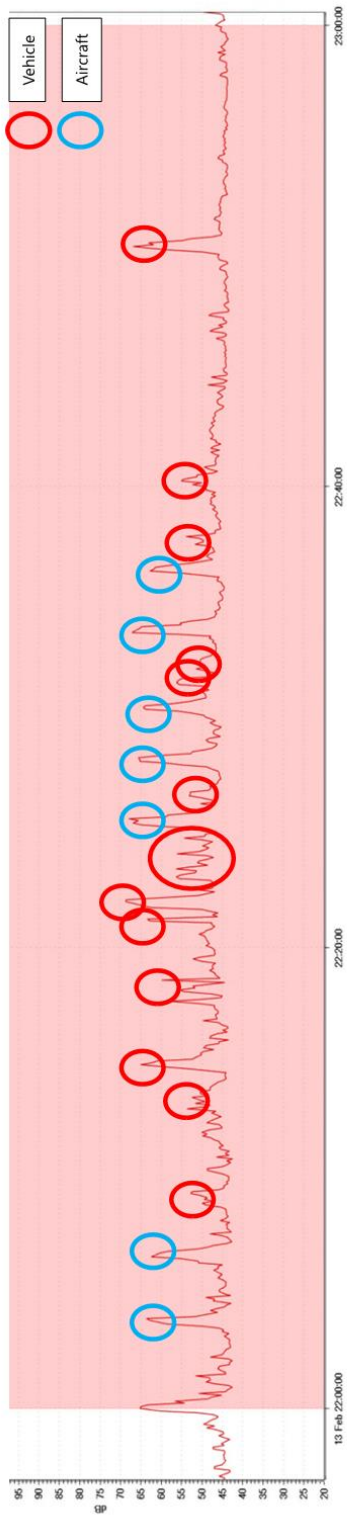
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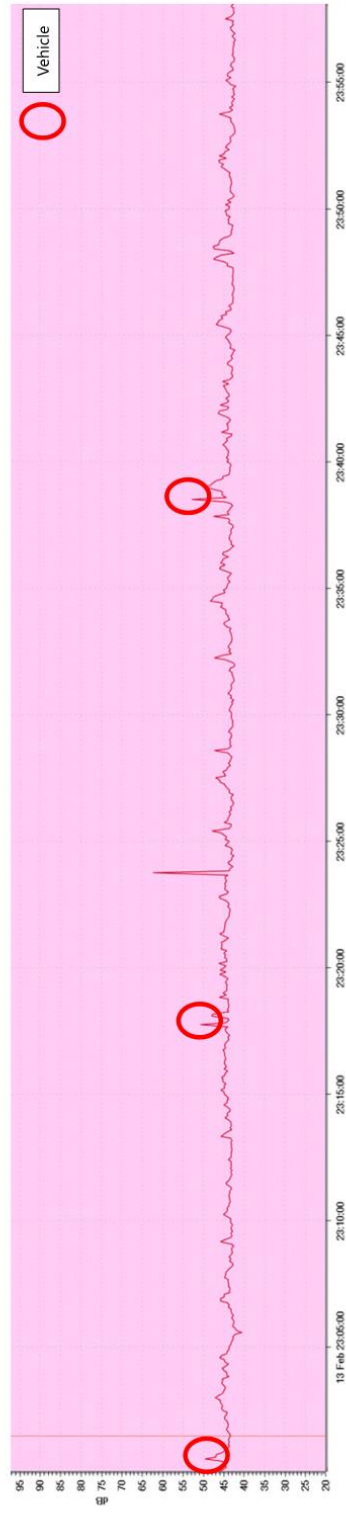
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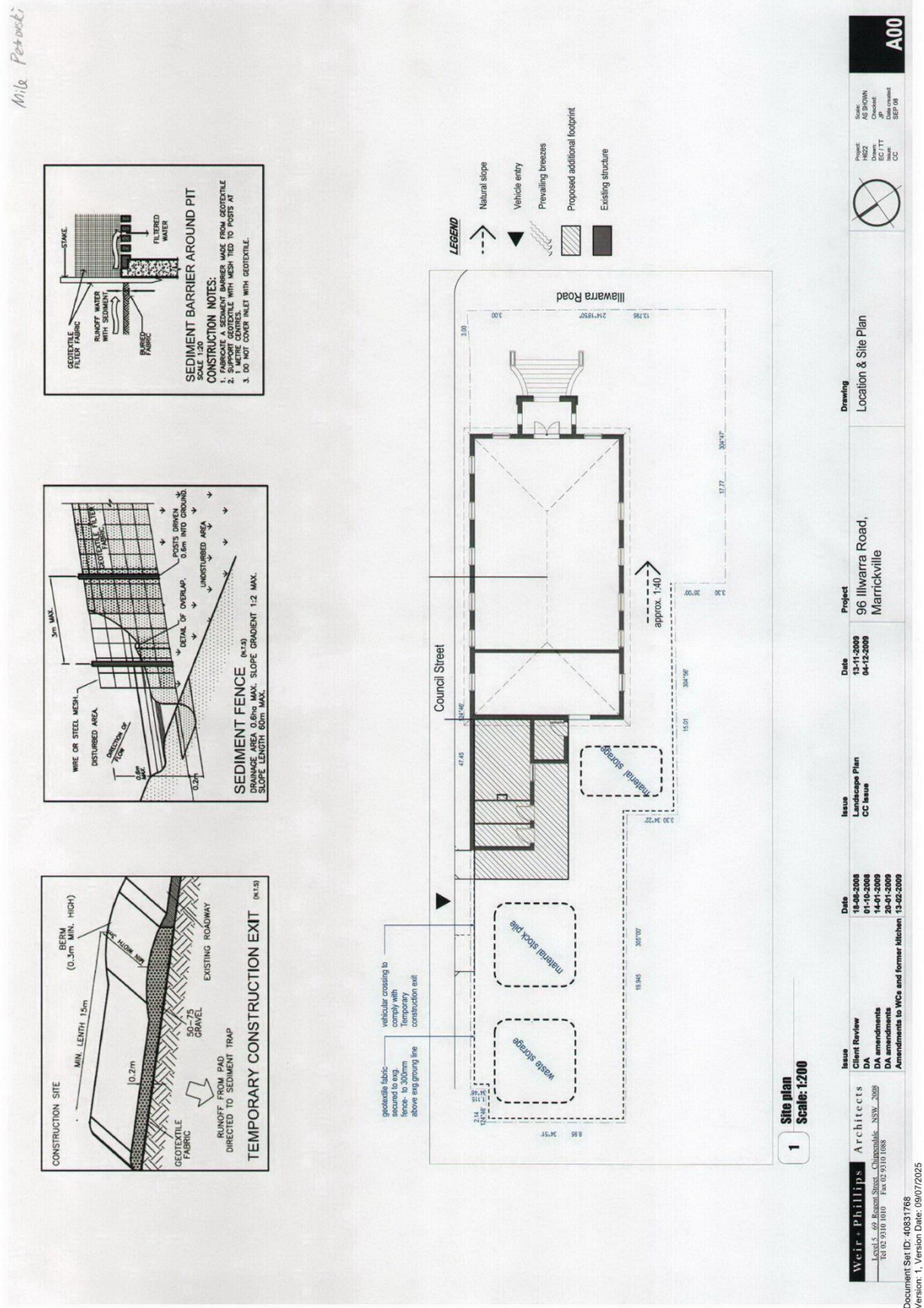
ATLAS COMMUNITY CENTRE C/- DESIGN COLLABORATIVE (ATTN: TK758-03F01 ACOUSTIC ASSESSMENT - EXTENSION OF HOURS



GREEK ATLAS LEAGUE & COMMUNITY CENTRE, 96 ILLAWARRA ACOUSTIC ASSESSMENT FOR EXTENSION OF HOURS OF

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Version: 1, Version Date: 23/05/2025

Attachment E – Plans of Approved DA200800498



General Notes

All dimensions shall be checked on site. Notify the superintendent immediately if any discrepancies are found.

Figured dimensions shall take precedence over scaled dimensions.

Do not scale from ANY architectural drawings

Drawings made to larger scales and those showing particular parts of the works shall take precedence over drawings made to smaller scales and those for more general purposes.

Items shown on a drawing shall be assumed to be included in the contract, unless stated by the superintendent.

The drawings shall be read in conjunction with the specification and schedules.

For details of all structural components refer to the structural and civil engineers documents.



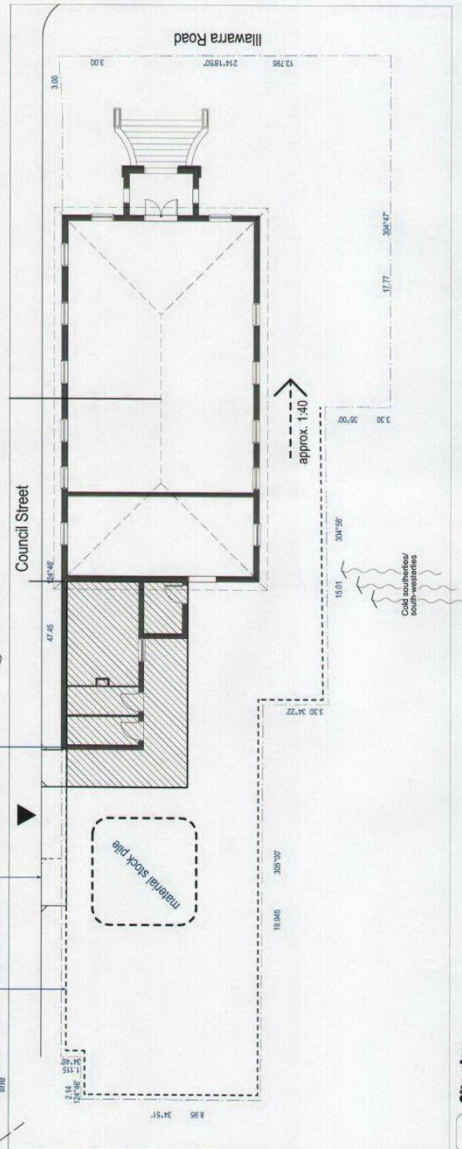
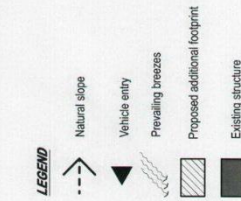
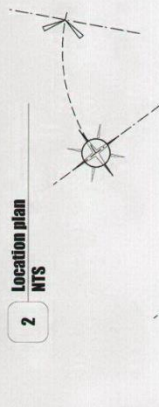
4 Site Photo
NTS



3 Aerial map
NTS



2 Location plan
NTS



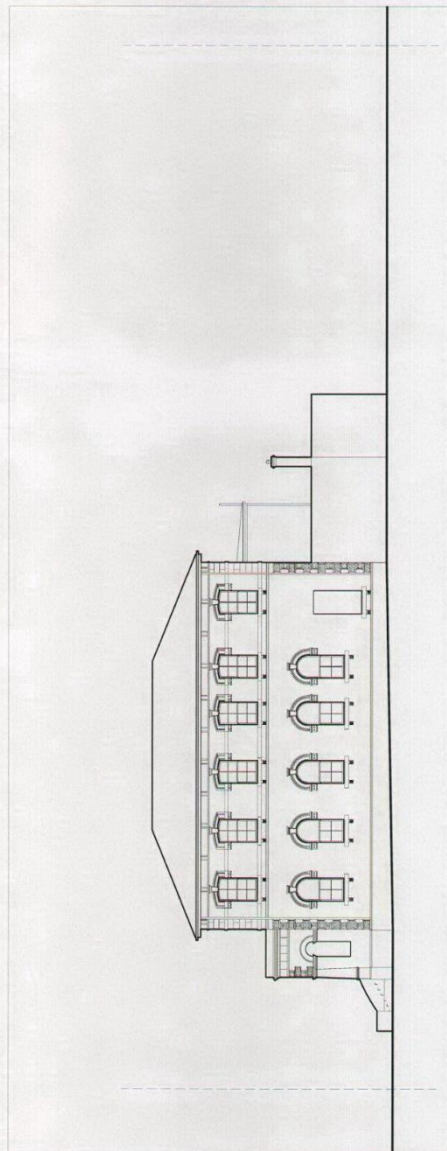
5 Site plan
Scale: 1:200

Weir Phillips Architects Level 5, 69 Regent Street, Chippendale, NSW, 2008 Tel: (02) 9310 1010 Fax: (02) 9310 1088	Client Review DA amendments DA amendments Amendments to WCa and former kitchen	Date 18-08-2009 01-10-2008 14-01-2009 25-01-2009 13-02-2009	Issue Landscape Plan CC Issue	Date 13-11-2009 04-12-2009	Project 96 Illawarra Road, Marrickville	Drawing Location & Site Plan		Name AS SHOWN Checked Drawn Design Rev'd Date created SEP 08	A01
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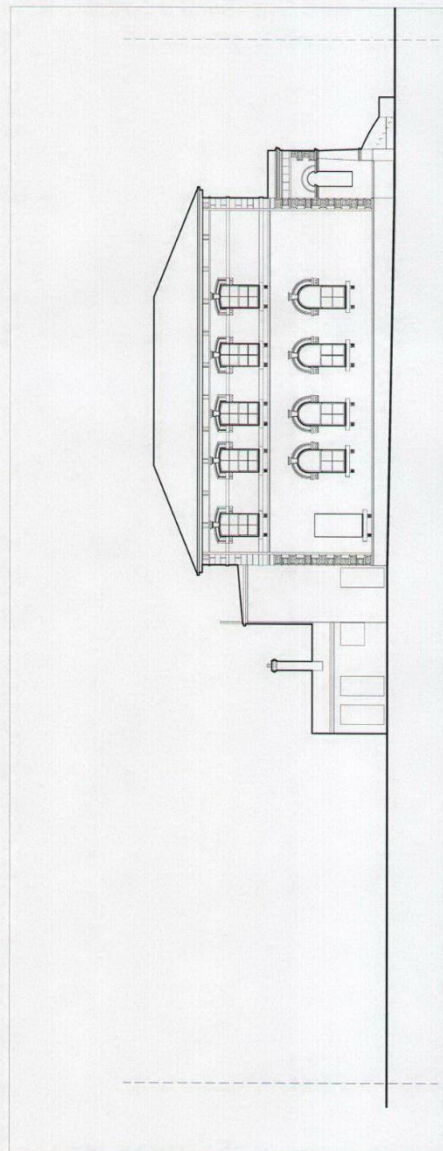
Document Set ID: 10831768
 Version: 1, Version Date: 09/07/2025

General Notes

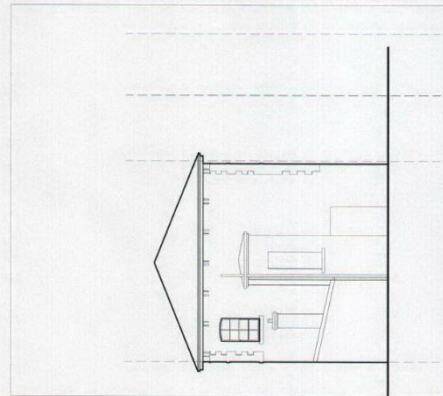
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6 North Elevation
Scale: 1200



7 South Elevation
Scale: 1200



8 West Elevation
Scale: 1200

Weir-Phillips Architects Level 5, 69 Essex Street, Chippendale, NSW, 2008 Tel: (02) 9310 1010 Fax: (02) 9310 1088	Issue Client Review DA amendments DA amendments Amendments to WCs and former kitchen	Date 18-08-2009 01-10-2009 14-01-2009 20-01-2009 13-02-2009	Issue Landscape Plan CC Issue	Date 13-11-2009 04-12-2009	Project 96 Illwarra Road, Marrickville	Drawing Existing Elevations	Scale: 1:100 Drawn: HAZZ Checked: CC Date issued: SEP 08 A02
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Document Set ID: 08831768
 Version: 1, Version Date: 09/07/2025

General Notes

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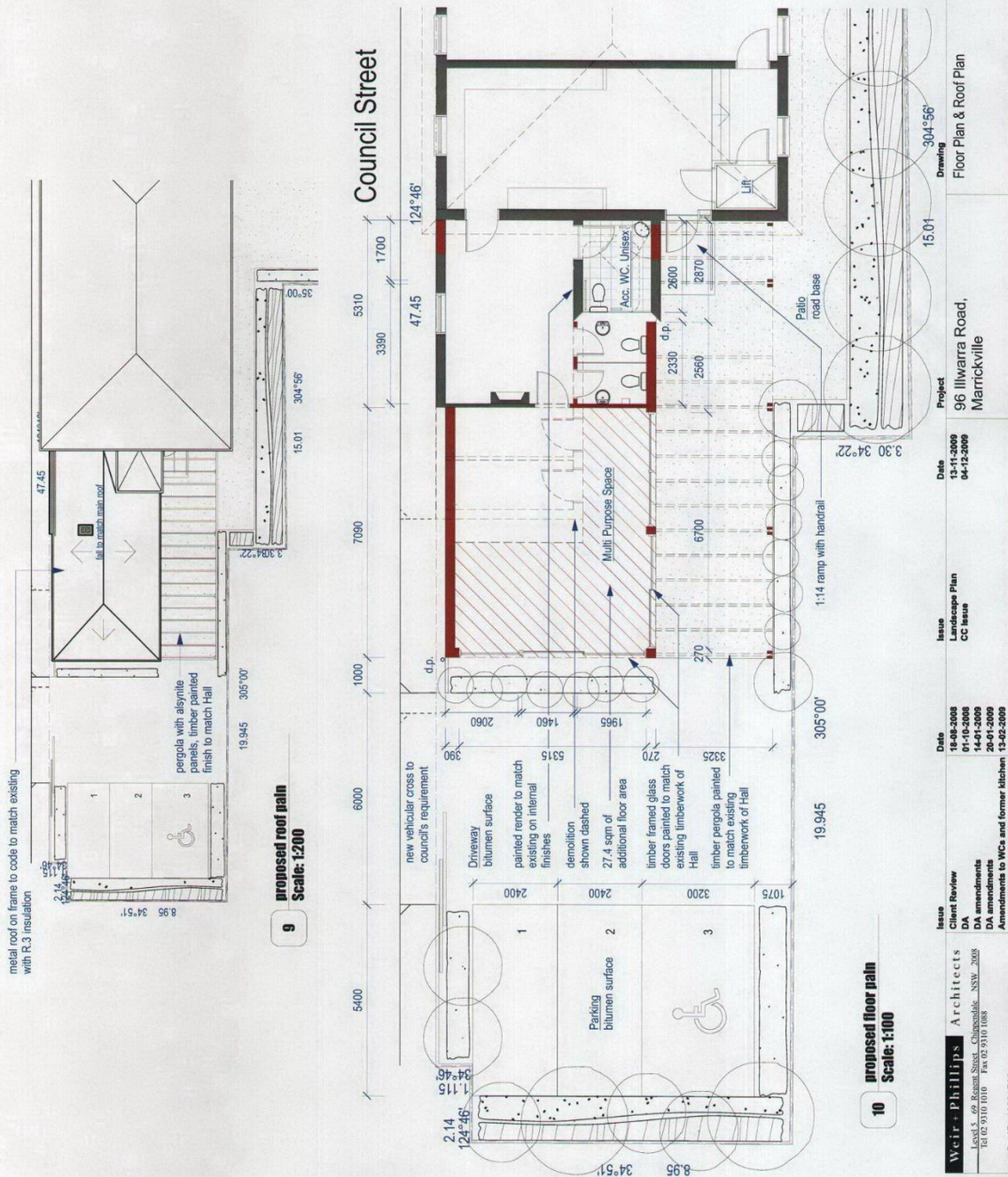
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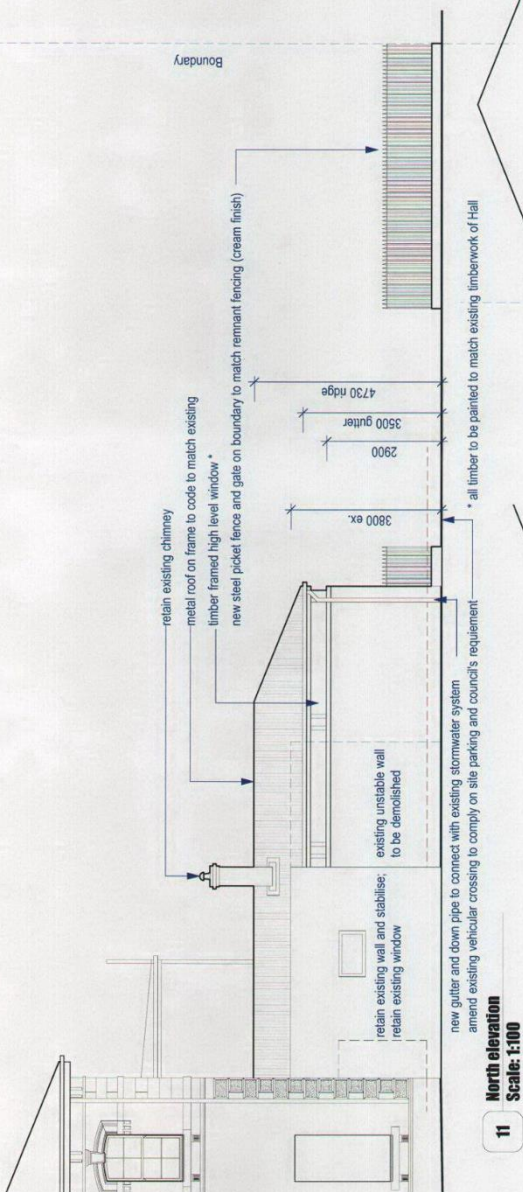
The drawings shall be read in conjunction with the specification and schedules.

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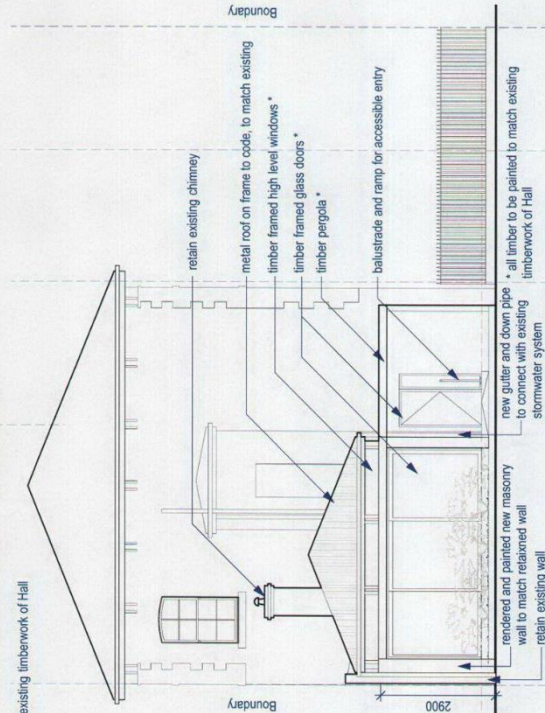


General Notes

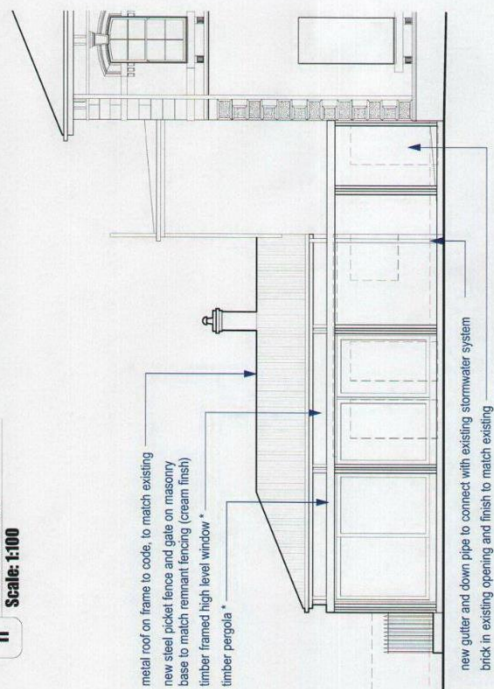
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11 North elevation
Scale: 1:100



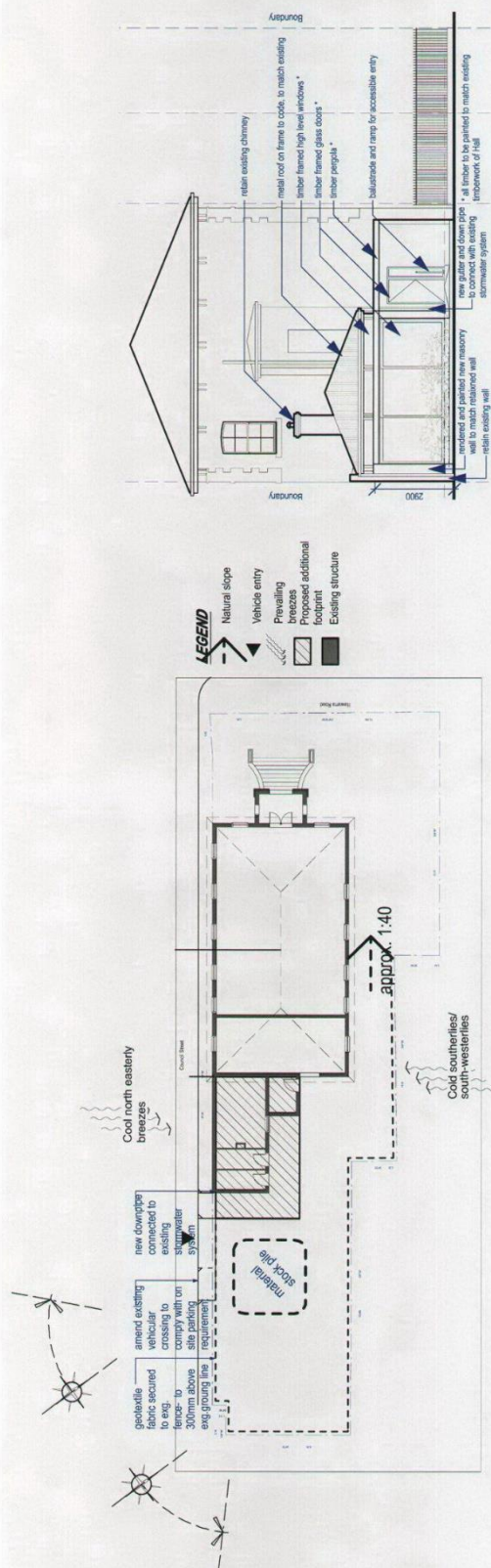
13 West elevation
Scale: 1:100



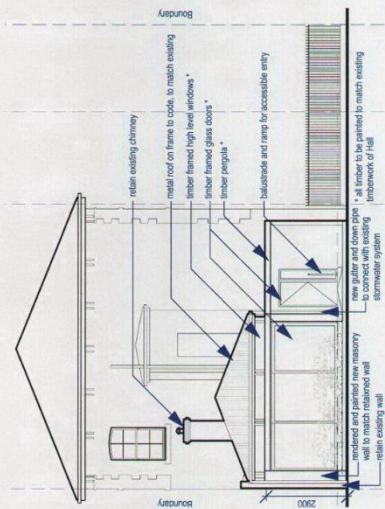
12 South elevation
Scale: 1:100

Weir Phillips Architects Level 5, 89 Regent Street, Chippendale, NSW, 2008 Tel: (02) 9310 1010 Fax: (02) 9310 1088		Issue Client Review DA amendments DA amendments Amendments to WCs and former kitchen	Date 14-02-2009 01-10-2008 14-01-2009 23-01-2009 13-02-2009	Issue Landscape Plan CC Issue	Date 13-11-2009 04-12-2009	Project 96 Illwarra Road, Marrickville	Drawing Elevations	Project H022 Drawn: TT Checked: CC Date created: SEP 08	A04
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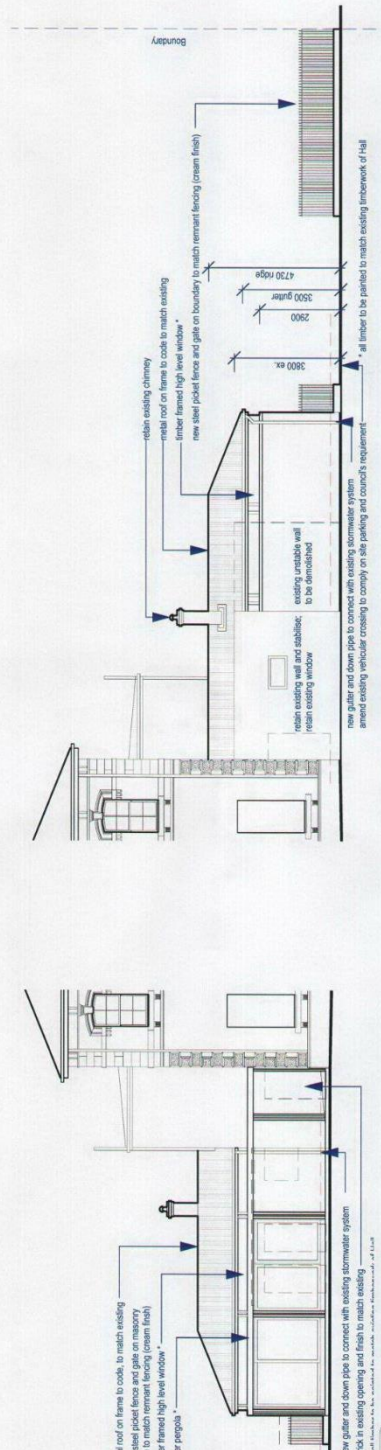
Document Set ID: 10831768
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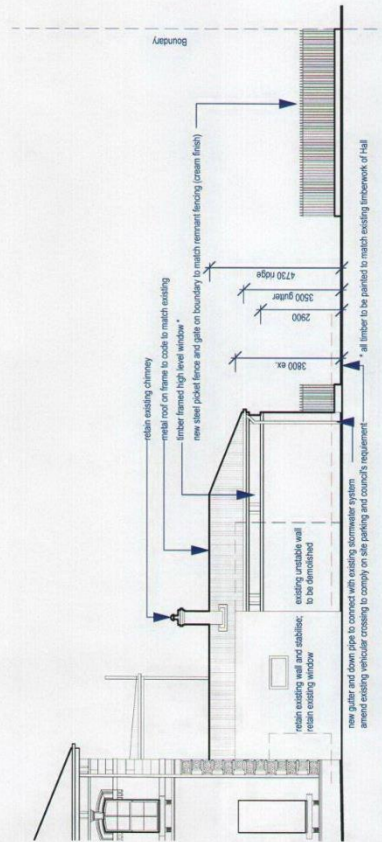
14
Site plan
Scale: 1:400



15
West elevation
Scale: 1:200



16
South elevation
Scale: 1:200



17 **North elevation**
Scale: 1:200

Issue	Date	Issue	Date	Project	Drawing
Weir-Phillips Architects	16-08-2008	Landscape Plan	13-11-2009	96 Illwarra Road,	
Client Review	01-10-2008	CC Issue	04-12-2009	Marrickville	
DA					
DA amendments	14-01-2009				
DA amendments	20-01-2009				
Amendments to WCA and former kitchen	13-02-2009				

Level 5, 69 Regent Street, Chippendale NSW 2008
 Tel: 02 910 1010 Fax: 02 910 1088

Project: H822
 Drawn: ECF TT
 Checked: JAC
 Date created: SEP 08

A020

Printed Set ID: 40831768

Document Set ID: 40831768
Version: 1, Version Date: 09/07/2025

Attachment F – Notice of Determination as Last Modified

**NOTICE OF DETERMINATION - APPROVAL**

Issued under Section 4.55 of the Environmental Planning and Assessment Act 1979

Development Application No. DA/1994/383

Applicant Michael Kotis

Land to be developed 96 Illawarra Road MARRICKVILLE NSW 2204

Approved development S4.55(1) Application to DA/1994/383.
Modification involves correcting a condition.

Cost of development

Determination To use the existing building as a women's library with associated meeting rooms and a tea room involving minor alterations

Other Approvals Before commencing *building work* or *subdivision work*, a relevant Construction Certificate must be obtained from Council or an Accredited Certifier. Council must be appointed the Principal Certifier for any *subdivision work* under the Act.

Date of Development Consent: 18 November 1994

Date of Modification of Consent: 09 July 2020

Modification Number: MOD/2020/0216

Reasons for conditions

To protect the environmental amenity of the area and the public interest.

Inner West Council
innerwest.nsw.gov.au
02 9392 5000

council@innerwestnsw.gov.au
PO Box 14, Petersham NSW 2049

Document Set ID: 40884805
Version: 1, Version Date: 09/08/2025

Right of appeal

If you are dissatisfied with this decision, Section 8.9 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court in accordance with the timeframes set out in [Section 8.10](#) of the *Environmental Planning and Assessment Act 1979*. In addition to the above, third party appeal rights are set out in the *Environmental Planning and Assessment Act 1979* and may be applicable.

Section 8.2 of the *Environmental Planning and Assessment Act 1979* provides that the applicant may request the Council to review the determination. Section 8.2 does not apply to complying development, designated development, a determination made by Council under Section 4.2 in respect of Crown applications, or a decision that is already subject to a Section 8.2 review.

For further information please contact **Matthew Di Maggio** on **02 9392 5215** or **matthew.di.maggio@innerwest.nsw.gov.au**.



Martin Amy

Acting Team Leader Development Assessment (South)

CONDITIONS OF CONSENT

1. The development being carried out substantially in accordance with Plan No. 93.326 S.02, S.03, S.04, S.05 and details submitted to Council on 12th September, 1994, **and Drawing: Floor Plans, Drawing No. DA01, Revision: A, dated 3/5/18, by: Weir Phillips Heritage and Drawing: Internal Elevations, Drawing No. 01 by Weir Phillips Heritage** with the application for development approval and as amended by the following conditions.

Reason: To confirm the details of the application as submitted by the applicant.

(Modified under DA201900325)

- 1A. **The recommendations contained in Section 6 of the acoustic report prepared by Renzo Tonin & Associates, reference TK758-01F01 Acoustic Assessment (r2) dated 10 September 2019 must be implemented.**

(Condition added under DA201900325)

- 1B. **The proposed acoustic works (installation of Magnetite acoustic screen) to the first floor windows are to be overseen by the nominated heritage consultant to ensure that the works are undertaken sensitively and do not adversely impact significant fabric.**

(Condition added under DA201900325)

- 1C. **Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.**

(Condition added under DA201900325)

- 1D. **A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.**

(Condition added under DA201900325)

- 1E. A photographic archival of the windows on the first floor must be prepared prior to the commencement of works, during works and at the completion of works. This recording must be in accordance with the NSW Heritage Division publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to the Heritage, Department of Premier and Cabinet.**

(Condition added under DA201900325)

- 1F. An application under Section 60 of the Heritage Act 1977 must be submitted to and approved by the Heritage Council of NSW prior to work commencing.**

(Condition added under DA201900325)

- 1G. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.**

(Condition added under DA201900325)

- 2. The area surrounding the building to be landscaped and treated in accordance with the building's Conservation Policy in order to improve and enhance its setting. The provision of car parking to the rear of the building should be investigated, if considered compatible with the heritage character of the building and its setting. A development application outlining any proposals in this regard is to be submitted to and approved by Council prior to commencement of works.**

Reason: To improve and enhance the heritage significance of the building and its setting.

- 3. A separate application being submitted to, and approved by, Council prior to the erection of any advertisements or advertising structures.**

Reason: To ensure the compliance of any advertisements or advertising structures with the requirements of Council's Advertising Code and Ordinance 55.

- 4. All loading and unloading in connection with the use being carried out wholly within the property.**

Reason: To prevent use and obstruction of the adjacent public thoroughfare.

5. The hours of operation being restricted to between the hours of ~~9.00am to 8.00 pm~~ Mondays to Fridays, and ~~9.00am to 5.00pm~~ Saturdays, Sundays and Public Holidays

- **Internal areas: Monday to Sunday: 9:00am to 10:00pm (including public holidays).**
- **External areas: Monday to Sunday: 11:00am to 8:00pm (including public holidays)**

(Condition modified under MOD/2020/0216 dated 9 July 2020)

6. The machinery to be installed on the premises being restricted to photocopiers, computers and telephones, with no additional machinery being installed without the prior approval of Council.

Reason: To confirm the details of machinery as submitted with the application.

7. A Building Application being submitted to Council in the prescribed manner, including plans and specifications, complying with the provisions of the Building Code of Australia, with particular reference to:

- (i) Building is classified as a Class 9b building in Type B Construction in accordance with the requirements of the Building Code of Australia.

Reason: To ensure compliance with building classification schedule of the Code.

- (ii) An application for building approval is to be submitted to Council and approved prior to the commencement of any new building works. The building application is to specify all necessary details regarding the materials to be used in the construction, especially proposed office partitions, internal book shelves, fittings and fixtures.

Reason: To comply with the requirements of the Local Government Act 1993.

- (iii) All existing fire emergency service installations, eg. Sprinkler systems, fire hose reels and emergency lighting provisions are not altered or disconnected during or following building works without the prior approval of Council.

Reason: To ensure the existing fire safety of occupants within the building during and after building works.

- (iv) All existing required egress doors and paths of travel to egress doors are not to be blocked or closed off during or following building works without the prior approval of Council.

Reason: To ensure adequate occupant egress safety from the building at all times.

- (v) Compliance with the provisions of the Building Code of Australia, in particular Part C for Type B construction and the requirements of Specifications C1.1.

Reason: Compliance with the Building Code of Australia.

- (vi) Compliance with the provisions of Part C1.10 of the Building Code of Australia in regard to Early Fire Hazard Indices
Reason: To ensure the fire safety of the building and its occupants.
- (vii) Any new construction is to comply with the egress requirements as prescribed by the Building Code of Australia and in particular, Part D1 "Provision for Escape", Part D1.4, D1.5 and D1.6.
Reason: To ensure the escape provisions of the Building Code are complied with.
- (viii) All new exits are to comply with Part D2 construction requirements of the Building Code of Australia and in particular, Part D2.8, D2.9, D2.13, D2.14 and D2.15.
Reason: To ensure all exits are constructed in accordance with the Code.
- (ix) In accordance with E1.6 of the Building Code of Australia, portable fire extinguishers shall be installed in the building to comply with the requirements of Australian Standard AS 2444. Details of the type and location of extinguishers are to be confirmed with Council prior to installation. Installation and maintenance of fire extinguishers shall comply with AS 2444.
Reason: To ensure the fire safety of the building and occupants.
- (x) A system of emergency lighting shall be provided in the building to comply with the requirements of E4.2 of the Building Code of Australia. Details of the design shall be submitted to Council for approval prior to installation.
Reason: To ensure the fire safety of the building and occupants.
- (xi) Illuminated exit signs complying with Australian Standard "AS 2293 Emergency Evacuation Lighting in Buildings" and E4.8 of the Building Code of Australia must be installed over each required exit.
Reason: To provide adequate directions for egress from the building.
- (xii) Access for disabled people is to be provided to the building in accordance with the requirements of Clause 3.2 of the Building Code of Australia.
Reason: To ensure that the building complies with the requirements of the Building Code of Australia.
- (xiii) A proposed demolition works are not to prevent the safe egress from the building by building occupants. In this regard any alternative egress pathways that are required to be provided during the course of demolition/construction are to be approved by Council prior to any changes to paths of travel within the building.
Reason: To protect the occupants of the building from any unnecessary danger in case of an emergency during the course of construction.
- Reason: To advise the applicant of the necessity of submitting a Building Application, and of Council's requirements in that regard, for the proposed development.

- 7A. Prior to the issue of a Construction Certificate, amended plans must be submitted to the Certifying Authority demonstrating the recommendations contained in Section 6 of the acoustic report prepared by Renzo Tonin & Associates, reference TK758-01F01 Acoustic Assessment (r2) dated 10 September 2019 are incorporated into the design of the proposal.**

(Condition added under DA201900325)

8. Compliance with the requirements included in paragraphs (c), (e), (g), (h), (n), (p), (q), (r), (s), (v), (w) and (x) of the Standard Town Planning Conditions, annexed hereto, all of which paragraphs shall be deemed to be included in, and form part of, the conditions attached to this Consent.

Reason: As per the reasons specified on the annexure.

9. Compliance with the requirements included in paragraphs 1(i), 3(a) of the Standard Engineering conditions, annexed hereto, all of which paragraphs shall be deemed to be included in, and form part of, the conditions attached to this Consent.

Reason: As per the reasons specified on the annexure.

- 9A. Prior to the issue of an Occupation Certificate, the Certifying Authority 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 Industrial Noise Policy 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.**

(Condition added under DA201900325)

- 9B. 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.**

(Condition added under DA201900325)

- 9C. *There is to be no entertainment in the form of amplified music on any part of the outdoor area at any time.*
All doors and windows to the community centre are to be kept closed (except to allow for Ingres/egress) during operation.
The number of patrons using the interior community centre is restricted to 90 persons at any time.
The number of patrons using the external area is restricted to 30 persons at any time.

(Condition added under DA201900325)

- 9D. *The operation of the premises complying at all times with the approved Plan of Management (Title: For the Management of Operations At Greek Atlas Cultural and Community Centre – 96 Illawarra Road, Marrickville). 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.*

(Condition added under DA201900325)