

**CITY OF UNLEY**  
**COUNCIL ASSESSMENT PANEL**

Dear Member

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 15 November 2022 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



**Don Donaldson**  
**ASSESSMENT MANAGER**

**Dated 02/11/2022**

**KAURNA ACKNOWLEDGEMENT**

*Ngadlurlu tampinhi, ngadlu Kurna yartangka inparrinhi. Ngadlurlu parnuku tuwila yartangka tampinhi.*

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yaitya, parnuku tapa purruna yalarra puru purruna.\**

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

\*Kurna Translation provided by Kurna Warra Karrpanthi

**CITY OF UNLEY**

**COUNCIL ASSESSMENT PANEL**

**15 November 2022**

**MEMBERS:** Ms Colleen Dunn  
Mr Michael McKeown  
Mr Ross Bateup

**APOLOGIES:** Mr Brenton Burman

**CONFLICT OF INTEREST:**

**APPOINTMENT OF ACTING PRESIDING MEMBER:**

**CONFIRMATION OF MINUTES:**

MOVED:

SECONDED:

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 11 October 2022, as printed, and circulated, be taken as read and signed as a correct record.

## AGENDA

Apologies  
Conflict of Interest  
Appointment of acting Presiding Member  
Confirmation of the minutes

<b>Item No</b>	<b>Planning, Development Infrastructure Act Applications</b>	<b>Page</b>
1.	51 Frederick Street, Clarence Park – 22023994	4-118

<b>Item No</b>	<b>Appeals Against Decision of Assessment Manager (PDI Act)</b>	<b>Page</b>
	Nil	

<b>Item No</b>	<b>ERD Court Compromise Reports - CONFIDENTIAL</b>	<b>Page</b>
	<b>Motion to move into confidence</b>	
	Nil	
	<b>Motion to move out of confidence</b>	

<b>Item No</b>	<b>Council Reports</b>	<b>Page</b>
2.	City of Unley Council Assessment Panel Meeting Dates 2023	119-119

<b>Item No</b>	<b>Any Other Business</b>	
3.	21 Clifton Street, Millswood ( <i>Information to be distributed under separate cover</i> )	

**ITEM 1****DEVELOPMENT APPLICATION – 22023994 – 51 FREDERICK STREET, CLARENCE PARK SA 5034**

<b>DEVELOPMENT NO.:</b>	22023994
<b>APPLICANT:</b>	Carisma Dance and Fitness
<b>ADDRESS:</b>	51 FREDERICK ST CLARENCE PARK SA 5034
<b>NATURE OF DEVELOPMENT:</b>	Change of use from Community Facility to an Indoor Recreation Facility (Dance Studio) – (Retrospective)
<b>ZONING INFORMATION:</b>	<p><b>Zones:</b></p> <ul style="list-style-type: none"> <li>• Established Neighbourhood</li> </ul> <p><b>Overlays:</b></p> <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated)</li> <li>• Building Near Airfields</li> <li>• Historic Area</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Stormwater Management</li> <li>• Traffic Generating Development</li> <li>• Urban Tree Canopy</li> </ul> <p><b>Technical Numeric Variations (TNVs):</b></p> <ul style="list-style-type: none"> <li>• Maximum Building Height (Metres) (Maximum building height is 6m)</li> <li>• Minimum Frontage (Minimum frontage for a detached dwelling is 15m)</li> <li>• Minimum Site Area (Minimum site area for a detached dwelling is 700 sqm)</li> <li>• Maximum Building Height (Levels) (Maximum building height is 1 level)</li> <li>• Minimum Side Boundary Setback (Minimum side boundary setback is 1m for the first building level; 3m for any second building level or higher)</li> <li>• Site Coverage (Maximum site coverage is 50 per cent)</li> </ul>
<b>LODGEMENT DATE:</b>	9 Aug 2022
<b>RELEVANT AUTHORITY:</b>	Assessment Panel
<b>PLANNING &amp; DESIGN CODE VERSION:</b>	4 August 2022 - 2022.14
<b>CATEGORY OF DEVELOPMENT:</b>	Code Assessed - Performance Assessed
<b>NOTIFICATION:</b>	Yes
<b>RECOMMENDING OFFICER:</b>	Mark Troncone Planning Officer
<b>REFERRALS STATUTORY:</b>	N/A
<b>REFERRALS NON-STATUTORY:</b>	Traffic Engineer

**CONTENTS:**

<b>ATTACHMENT 1:</b>	Application Documents
<b>ATTACHMENT 2:</b>	Representations
<b>ATTACHMENT 3:</b>	Response to Representations
<b>ATTACHMENT 4:</b>	Internal Referrals



## **DETAILED DESCRIPTION OF PROPOSAL:**

The proposal is for a change in use from Community Facility (Scout Hall) to an Indoor Recreation Facility (Dance Studio).

The proposed dance studio will comprise of a studio area within the former hall, an ancillary waiting area, office, kitchen, male & female toilets and four (4) storage areas. Minor works have been proposed for the building to assist with noise attenuation:

- Upgrading the front entry doors (both internal and external) to solid core doors
- Installing automatic, soft close mechanisms to the front entry doors (both internal and external)
- Upgrading the double doors (northern side) and windows within the hall to an airtight seal
- Installation of acoustic vinyl flooring over the existing wooden floors
- Sealing the openings at the junctions between the walls and roof, and along the ridgeline packing in heavy duty insulation
- Installation of a ceiling under the rafters
- Upgrading the existing evaporative cooling system ductwork to incorporate internal acoustic installation
- Sealing of all air vents with heavy duty insulation and sealed airtight with plasterboard

The proposed hours of operation are:

- Monday to Friday – 3:45pm to 9:15pm
- Tuesday (Only) – 1:00pm to 1:30pm
- Saturday – 9:00am to 5:30pm
- Sunday – Typically closed – Sunday rehearsals will occur over five (5) weekends in November and December for an end of year concert.
- Public Holidays – Closed

The dance studio will consist of a mix of private lessons and group-based classes. A maximum of two (2) classes will run at any given time. Each class will range from four 4-12 students per class with one (1) to two (2) staff on-site at one time.

No car parking has been provided on-site. Music is proposed to be played through wireless Bluetooth speakers.

## **SUBJECT LAND & LOCALITY:**

### **Site Description:**

**Location reference:** 51 FREDERICK ST CLARENCE PARK SA 5034

**Title ref.:** CT 5837/678 **Plan Parcel:** D676 AL65 **Council:** CITY OF UNLEY

The subject land is located on the eastern side of Frederick St. The site is rectangular in shape, with a frontage to Frederick St of 15.24m and a depth of 45.30m. The allotment has an approximate site area of 690m<sup>2</sup>.

The Scout Hall (3rd Goodwood Scout Group Hall) operated on the site since approx.1960 until 2020. The Carisma Dance & Fitness studio have operated upon the site since January 2021.

Existing vehicle access is located adjacent to the southern boundary in the front yard of the property. The subject land is relatively flat and does not contain any regulated or significant trees.


## Locality

The locality is characterised predominantly by residential dwellings in the form of detached housing and unit development.



Subject Site 

Locality 

Representor 





*Figure 1: View of the subject land as taken from Frederick St looking east*

**CONSENT TYPE REQUIRED:**

Planning Consent

**CATEGORY OF DEVELOPMENT:**

- **PER ELEMENT:**  
Indoor recreation facility: Code Assessed - Performance Assessed
  
- **OVERALL APPLICATION CATEGORY:**  
Code Assessed - Performance Assessed
  
- **REASON**  
Indoor Recreation Facility is not listed within an assessment pathway of the Established Neighborhood Zone. Therefore defaults to Performance Assessed Development.

## PUBLIC NOTIFICATION

- REASON**

Indoor Recreation Facility is not listed within Table 5 (Procedural Matters (PM) - Notification). Therefore public notification is required.

- LIST OF REPRESENTATIONS**

	<b>Representor Name/Address</b>	<b>Support/Support with Concerns/Oppose</b>	<b>Request to be heard</b>	<b>Represented by</b>
1	[REDACTED]	Support with concerns	No	
2	[REDACTED]	Oppose	No	
3	[REDACTED]	Oppose	No	
4	[REDACTED]	Oppose	No	
5	[REDACTED]	Oppose	Yes	
6	[REDACTED]	Oppose	Yes	
7	[REDACTED]	Oppose	Yes	
8	[REDACTED]	Oppose	No	
9	[REDACTED]	Oppose	No	
10	[REDACTED]	Oppose	No	
11	[REDACTED]	Oppose	Yes	Don Palmer - Clarence Park Ward Councillor
12	[REDACTED]	Oppose	No	
13	[REDACTED]	Oppose	Yes	Don Palmer - Clarence Park Ward Councillor

14	██████████ ██████████████████ ██████████████	Oppose	Yes	Gregg Jenkins - Heynen Planning Consultants
15	██████████ ██████████████████ ██████████████	Oppose	Yes	

**SUMMARY**

15 representations were received regarding the development, six (6) of which wished to be heard. A copy of the representations can be found in **Attachment 4**.

The matters raised by the representations primarily consisted of the following:

- Land use
- Noise impacts
- Car parking and traffic impacts
- Site contamination
- Impact on property value

Other than impact on property values, the assessment of the proposal takes into account the matters raised within the representations.

The impact on property value is not a valid consideration within the assessment of development applications and therefore does not form part of the assessment.

**AGENCY REFERRALS**

N/A

**INTERNAL REFERRALS**

**Council Traffic Engineer**

See Attachment 4

**RULES OF INTERPRETATION**

The application has been assessed against the relevant provisions of the Planning & Design Code (the Code). The Code outlines zones, subzones, overlay and general provisions policy which provide Performance Outcomes (POs) and Desired Outcome (DOs).

In order to interpret Performance Outcomes, the policy includes a standard outcome that generally meets the corresponding performance outcome (Designated Performance Feature or DPF). A DPF provides a guide as to what will satisfy the corresponding performance outcome. Given the assessment is made on the merits of the standard outcome, the DPF does not need to be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

Part 1 of the Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

- the provisions of an overlay will prevail over all other policies applying in the particular case;
- a subzone policy will prevail over a zone policy or a general development policy; and
- a zone policy will prevail over a general development policy.

## PLANNING ASSESSMENT

The application has been assessed against the relevant policies of the Code, which are found at the following link:

[Planning & Design Code Extract](#)

### Land Use

**Performance Outcome (PO) 1.3 of the Established Neighbourhood Zone** states that non-residential development should be '*.... sited and designed to complement the residential character and amenity of the neighbourhood.*

The proposed indoor recreation facility (dance studio) utilises the existing building. The building has historically been used as a community hall operated by the Scouts. The proposed land use will not be at odds with the locality given the re-use of the existing building and its continued operation as a non-residential use.

It should be noted that residential zones do cater for non-residential uses that support the use and enjoyment of the local area (i.e. schools, local shops, community centres). Therefore, adaptive re-use of a local facility may be reasonable where the impacts of the new use is in keeping with the non-residential uses that could be expected in a residential area. In addition, the proposed use will allow for enforceable conditions upon the land including hours of operation, noise, and patron numbers, that are currently not enforceable upon the land.

Given the above, the proposed land use is considered to be consistent with **PO 1.3 & 1.4** of the **Established Neighbourhood Zone**.

### Car Parking and Traffic

**PO 1.1 Transport, Access and Parking** section states that development should be '*...integrated with the existing transport system and designed to minimise its potential impact on the functional performance of the transport system.*' **PO 5.1** states that sufficient car parking should be provided to '*...meet the needs of the development or land use*'. The corresponding **Designated Performance Outcome (DPF) 5.1** identifies that the on-site rate should be no less than the amount identified in **Table 1 - General Off-Street Car Parking Requirements**.

**Table 1 - General Off-Street Car Parking Requirements** identifies the car parking rate of an Indoor Recreation Facility as 4.5 spaces per 100m<sup>2</sup> of total floor area. The building has an approximate floor area of 290m<sup>2</sup> and therefore the proposal requires 14 on-site car parks. However, it is noted that the existing use of the building, as a Community Facility, has a desired car parking rate of 10 spaces per 100m<sup>2</sup> resulting in a car parking demand of 29 car parks. The shortfall of car parking upon the site has therefore reduced from 29 to 13 car parks.

As part of the assessment, it was requested that the applicant consider a degree of off-street car parking given the open ground on the site. The applicant declined the request as outlined within their submission (MasterPlan Planning Report).

Whilst the demand for on-site car parking has been reduced as a result of the change in use, it is acknowledged that the increased use of the building will result in greater traffic movements along Frederick St.

A Traffic and Parking Impact Assessment, by MFY Traffic Engineering Consultants, was submitted within the proposal. The report undertook an assessment of the proposal against the previous use, the Planning &

Design Code policies, and the Council's Local Area Traffic Management Plan. The report made the following findings:

- The demand for on-site car parking has reduced from 29 (Community Facility) to 13 (Indoor Recreation Centre) as a result of the change of use
- The estimated overlap demand will result in a potential demand of 25 car parking spaces for the dance studio (*this is on the assumption all patrons will park for the duration of the class*)
- There is potential for approx. 46 vehicles to be parked along Frederick St, between George Street and Francis Street
- The number of daily trips along Frederick St during the afternoon peak period will increase by 25 trips per hour (from 44 to 69 trips per hour)
- The increase of 25 trips per hour will equate to an additional 250vpd (vehicles per day), increasing the daily vehicle rate from 300vpd to approx. 500-600vpd along Frederick St which is below the technical volume of Frederick St (1500vpd)

Council's Traffic Engineer has provided the following response (the full response is attached in **Attachment 4**) to the MFY Traffic report:

- *'...as it is expected that the Dance Studio will generate a peak parking demand in the order of 25 parking spaces, there is currently adequate on-street parking capacity to cater for this demand, noting at least 39 spaces were available during the expected peak period. This is considered acceptable in this case given the site's previous use as a Scout Hall would have generated a similar peak parking demand.'*
- *'The assessment for the previous use included all the relevant information associated with the operation of a typical scout hall and indicated that the previous Scout Hall would likely generate a peak hour traffic generation rate of 44 trips/hour. This generation rate has been reviewed and is considered acceptable.'*
- *'The assessment for the proposed use included all the relevant information associated with the operation of this dance studio and indicated that the site would likely generate a peak hour traffic generation rate of 69 trips/hour. This generation rate has been reviewed and is considered acceptable.'*
- *'When assessing the increase in traffic volumes against the desired functional performance limits for a local residential street within the City of Unley, the total traffic volumes in Frederick Street following the change of use (550-650 vpd) will still operate well within an acceptable range for a local residential street (500-1,500 vehicles per day). This would indicate that there is adequate traffic volume capacity in the street to cater for the proposed dance studio. This is considered acceptable in this case, given the site previous use as a Scout Hall, the increase in traffic would only be moderate in comparison.'*

Given the above response from Council's Traffic Engineer, it is considered that the proposal meets PO 1.1 and 5,1 of the **Transport, Access and Parking** section and therefore is acceptable in this instance.

## Noise

**PO 1.2** of the **Interface between Land Uses** section states that development *'adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.'*

**PO 4.6** of the section also states that development incorporating music should achieve *'suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers. To achieve this the music noise levels should be 'less than 8dB above the level of background noise (L90,15min) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB) which is to be taken 'externally at the nearest existing or envisaged noise sensitive location'.*



An acoustic report prepared by Echo Acoustic Consulting for the proposed development provides an assessment against the standards of the Code and Environment Protection (Noise) Policy 2007 (the Policy).

The report concludes that the proposal will achieve the relevant standards of the Code and the Policy by implementing the following:

- *Upgrading the doors and glazing within the masonry hall and entries to ensure they are solid, sealed and kept normally closed*
- *Using a vinyl floor covering such as Tarkett over the wooden floors during all dance classes*
- *Sealing the openings at the junctions between the walls and roof, and along the ridge line*
- *Upgrading the existing evaporative cooling system ductwork*
- *Sealing all wall vents in the masonry hall*
- *Ensuring the music levels are maintained as measured (as background music)*

In addition, conditions and notes have been added within the recommendations to reinforce noise requirements as required by the Environment Protection (Noise) Policy 2007.

Given the above, it is considered that the noise generated from the development will satisfy **PO 2.1 & PO 4.6** of the **Interface between Land Uses** section.

### **Hours of Operation**

**PO 2.1** of the **Interface between Land Uses** section states that non-residential development should be designed so as to *'not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:*

- (a) the nature of development*
- (b) measures to mitigate off site impacts*
- (c) the extent to which the development is desired in the zone*
- (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land'*

The relative Designated Performance Outcome (DPF) 2.1 states that non-residential land uses (offices, consulting rooms and shops) should operate between the following hours to limit amenity impacts:

- Monday to Friday – 7am to 9pm
- Saturday – 8am to 5pm

The proposed hours of operation for the dance studio are:

- Monday to Friday – 3:45pm to 9:15pm
- Tuesday (Only) – 1:00pm to 1:30pm
- Saturday – 9:00am to 5:30pm
- Sunday – Typically closed – Sunday rehearsals will occur over five (5) weekends in November and December for an end of year concert.
- Public Holidays – Closed

It is important to note that the current Scout Hall does not have any conditions regarding hours of operation. Although the proposed hours of operation for the dance hall will exceed the times listed in DPF 2.1 by a total of 105 minutes a week in terms of finishing hours, the length of operation is well below the maximum 14 hours of operation from Monday to Friday (6.5 hours and 7 hours for Tuesday) and 8 hours for Saturday (7.5 hours).

It is therefore considered that the proposed hours of operation are acceptable and consistent with the intent of PO 2.1 of the **Interface between Land Uses** section.

### Site Contamination

PO 1.1 of the **Site Contamination** section of the Code states that land should be ‘... suitable for use when land use changes to a more sensitive use.’ In order to determine if a use is more sensitive, the relevant authority must have regard to the land uses specified in the Land Use Sensitivity Hierarchy as detailed within **Table 1 of Practice Direction 14 - Site Contamination Assessment 2021** (see below).

**TABLE 1: Land Use Sensitivity Hierarchy**

Item	Land use	Description and examples
1	Residential class 1	Domestic residential
	Educational premises class 1	Pre-school or primary school premises
2	Residential class 2	Commercial aged care or other residential care facility
3	Open space/recreation area	Parks, playgrounds, playing ovals and other recreational areas in the open
4	Educational premises class 2	Secondary school premises, university or other tertiary educational premises
	Hospitals	Hospitals and hospices where persons with vulnerable physiology typically reside
	Tourist Accommodation	Hotels, motels and other forms of tourist accommodation
	Community centre	Land used for social, recreational or educational purposes for local community, but not including school premises or university or other tertiary educational premises or indoor recreation centres
5	Commercial class 1	Shops, offices, consulting rooms and the like
Item	Land use	Description and examples
6	Primary production	Farming, horticulture and intensive animal husbandry
	Commercial class 2	Petrol stations, dry cleaners warehouses and other commercial uses (other than Commercial class 1)
7	Industrial	Light, service, general or special industry

As detailed within Table 1 above, Community Centre is listed as Item 4 however Indoor Recreation Centre is excluded from the Community Centre listing.

Part 5(c) of the Land use sensitivity section of Practice Direction 14 states the following –

*if the proposed or previous land use is not represented in the land use sensitivity hierarchy, the use closest in nature to the use specified in the hierarchy should be considered;*

Whilst Indoor Recreation Centres are excluded from the meaning of Community Centre, it is considered that the proposed use aligns most with the listed uses within Item 4 as the proposed use is not an open recreation area (item 3) nor a commercial premise (Item 5) in the nature of a shop, office or consulting room.

It is considered that the change of use did not warrant a Preliminary Site Investigation report (site contamination report) given the close alignment between the existing and proposed land use.

## **CONCLUSION**

Other than the impact of property values, the matters raised by the representors have been considered in the course of this assessment. Having considered all the relevant assessment provisions, the proposal is not considered to be seriously at variance with the Planning and Design Code and is considered to satisfy the relevant policies for the following reasons:

- The proposed development is considered to satisfy the relevant Performance Outcomes of the Established Neighbourhood Zone, Overlays and General Development Policies;
- The nature of the proposed Indoor Recreation Facility will not unreasonably impact upon the amenity of adjacent properties due to noise mitigation measures, appropriate operating hours and sufficient on-street car parking.

## **RECOMMENDATION**

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 22023994, by Carisma Dance and Fitness is GRANTED Planning Consent subject to the following conditions:

## **CONDITIONS**

### **Planning Consent**

#### **Condition 1**

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

#### **Condition 2**

The hours of operation of the premises must not exceed the following period:

- Monday to Friday – 3:45pm to 9:15pm
- Tuesday (Only) – 1:00pm to 1:30pm
- Saturday – 9:00am to 5:30pm
- Five (5) Sunday rehearsal sessions to occur within the calendar year.

#### **Condition 3**

The premises will not cater for, nor accommodate, more than 26 persons in total at any one time.

#### Condition 4

Noise levels shall not exceed 47 dB(A) over an assessment period of 15 minutes.

#### Condition 5

The acoustic measures listed in the conclusion section of the Echo Acoustic Consulting report dated 5 August 2022 (Reference ID:37-2), shall be undertaken within a period of 3 months from the date of the Development Approval.

### ADVISORY NOTES

#### Planning Consent

##### Advisory Note 1

The applicant/developer is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure the activities on the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm. This includes being mindful of and minimising off site noise, dust and vibration impacts associated with development.

##### Advisory Note 2

The development (including during construction) must not at any time emit noise that exceeds the relevant levels derived from the Environmental (Noise) Policy 2007.

##### Advisory Note 3

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

##### Advisory Note 4

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

##### Advisory Note 5

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

##### Advisory Note 6

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

### OFFICER MAKING RECOMMENDATION

**Name:** Mark Troncione  
**Title:** Planning Officer  
**Date:** 31/10/2022

## **ATTACHMENT 1**





 Subject Site

**Site Plan**  
CHANGE OF USE TO DANCE STUDIO

51 FREDERICK STREET  
CLARENCE STREET

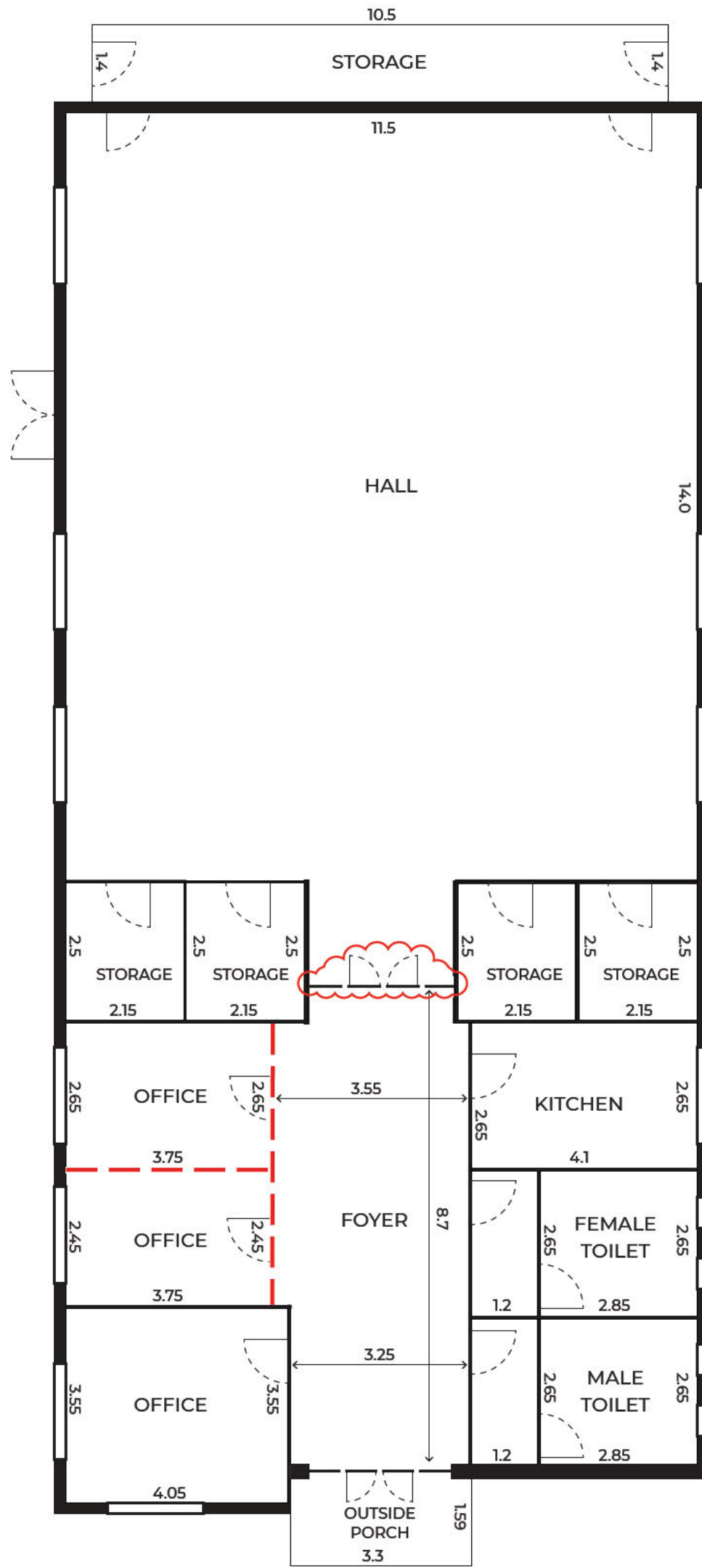




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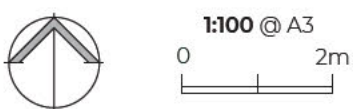


-  Self-closing Doors
-  Walls to be Demolished

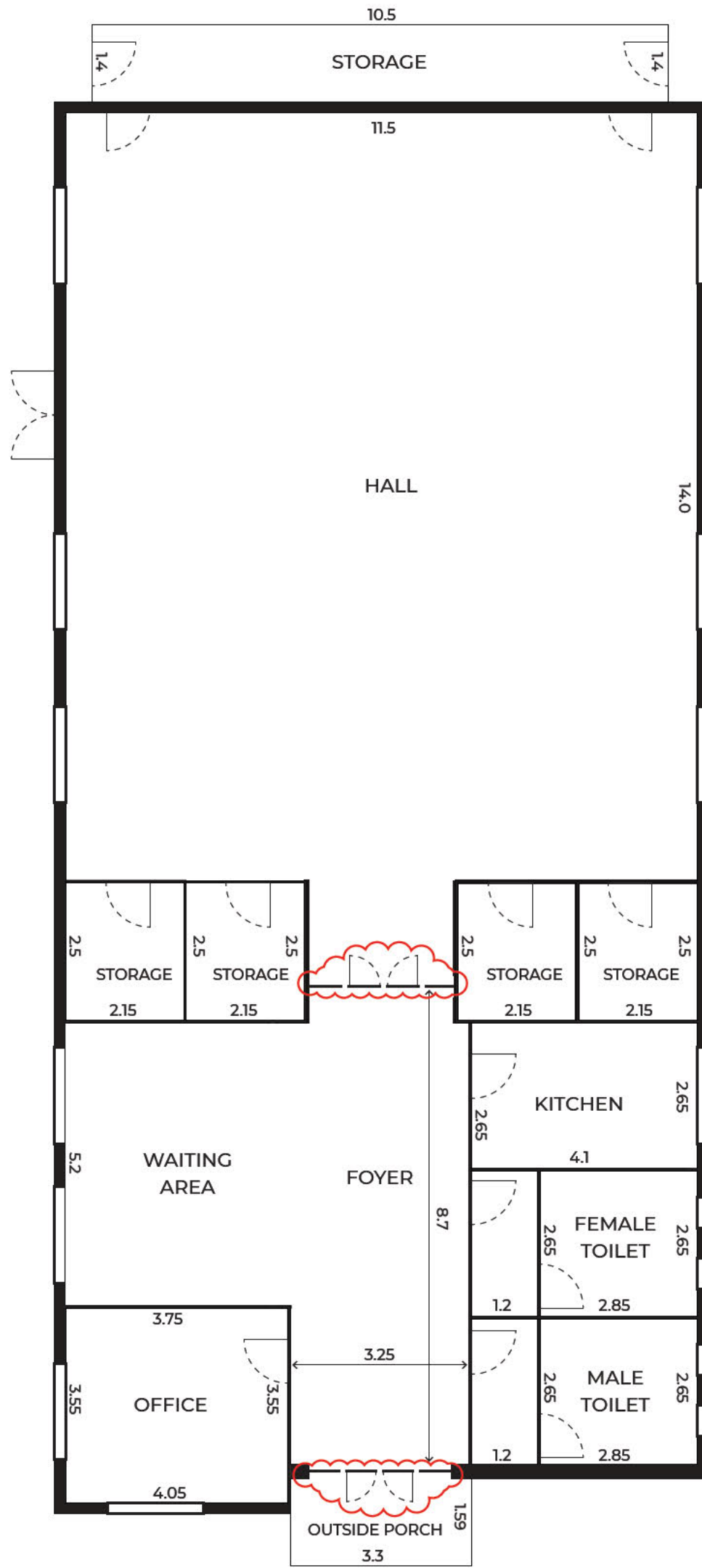
## Floor Plan

### CHANGE OF USE TO DANCE STUDIO

51 FREDERICK STREET  
CLARENCE PARK



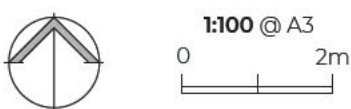




 Self-closing Doors

## Proposed Floor Plan CHANGE OF USE TO DANCE STUDIO

51 FREDERICK STREET  
CLARENCE PARK



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 **MASTERPLAN**  
TOWN + COUNTRY PLANNERS

## PLANNING REPORT

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# Change of Land Use from Community Facility to an Indoor Recreation Facility

AT: 51 Frederick Street, Clarence Park

FOR: [REDACTED] Carisma Dance and Fitness

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### EXECUTIVE SUMMARY

MasterPlan have been engaged by [REDACTED] Carisma Dance & Fitness ('our clients'), to review and prepare supporting documentation to accompany the lodgement of an application to change the use of the former Scout and Guide Hall at 51 Frederick Street, Clarence Park ('the subject site') and use it as an Indoor Recreation Facility by Carisma Dance and Fitness.

The dance and fitness studio will be provided with ancillary functions including a waiting room, an office space, and amenities. Carisma Dance and Fitness have been renting the Community Facility for dance classes on a Monday and Friday since January 2021.

It is proposed to provide a dance studio consisting of a studio area, as well as ancillary functions including a waiting room, an associated office, and amenities. The dance studio will primarily run a mix of private and group-based dance classes for children. A maximum of two (2) classes will run at any given time and class size will range from 4– 12 students per class.

Classes will occur outside of school hours, Monday to Friday from 3.45 pm to 9.15 pm and on Saturday from 9.00 am to 5.30 pm. The use of the premises on Sunday will be limited to rehearsals and private lessons. Rehearsals on a Sunday are usually limited to the five (5) weekends in the lead up to the end of year production in November/December. Classes are not normally held on Public Holidays.

The application does not seek consent for any physical building work. Minor changes to the internal layout of the building are proposed, however these alterations do not require Planning or Building Rules Consent.

We have concluded from our detailed and balanced assessment of the proposed development that it sufficiently accords with the relevant provisions of the Planning and Design Code (the Code) to warrant Planning Consent.

## INTRODUCTION

This Planning Report has been prepared in collaboration with our clients and contains a description of the subject land, the locality and the proposed development, as well as our assessment of the proposed development against the relevant provisions of the Planning and Design Code.

Our planning report has been informed by and should be read in conjunction with the following documentation:

- the Certificate of Title (**Attachment A**);
- the Site Plan prepared by MasterPlan (**Attachment B**);
- the Existing Floor Plan prepared by MasterPlan (**Attachment C**); and
- the Proposed Floor Plan prepared by MasterPlan (**Attachment D**).

## SITE OF THE DEVELOPMENT

This section of the Report describes the characteristics of the land and evaluates the constraints and opportunities presented by the site which inform and influence the proposal. We also describe the characteristics of the locality which would be relevant to an assessment of the proposal's merits.

The site is located at 51 Frederick Street, Clarence Park. The land is formally identified in Certificate of Title Volume 5837 Folio 678 as Allotment 65 in Deposited Plan 676 (**Attachment A**).

## SITE CHARACTERISTICS

The site presents a frontage of 15.24 metres to Frederick Street (**Attachment B**). The site area is approximately 697 square metres and is occupied by a single-storey community facility, formerly used as a Scout and Guide Hall.

The former Scout and Guide Hall has a total floor area of approximately 290 square metres. It is setback approximately 15.7 metres from Frederick Street and approximately 900 millimetres from both the northern and southern side boundaries. The Scout and Guide Hall is not heritage listed.

The allotment is flat and level. There are no significant or regulated trees on the site or on adjacent sites.

No on-site parking is provided in the front setback area.

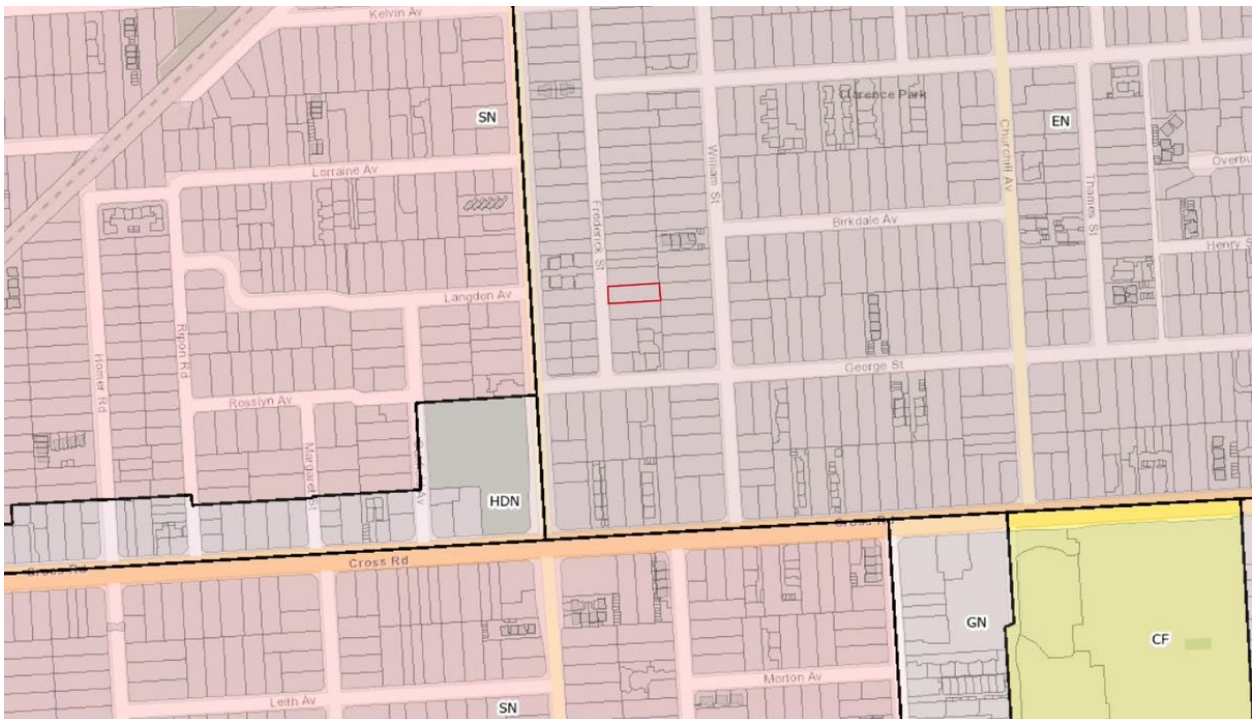
The site contains no constraints that would preclude the operation of a small scale and well-managed dance studio in the manner proposed by this development application.



**Image 1: Street view of subject site (Google Maps, Image Capture December 2020)**

## LOCALITY DESCRIPTION

The site is situated within the City of Unley Local Government Area, and is located in the Established Neighbourhood Zone. The immediate neighbourhood is characterised by low density residential development.



**Image 2: Surrounding zone detail, in relation to the subject site (SAPPA Maps)**

Frederick Street, Clarence Park is a local street under the care and control of the City of Unley. The City of Unley 'Local Area Traffic Management Plan Zone 3 – Clarence Park / Millswood 2019', indicates that Frederick Street carries a low traffic volume (approximately 370 vehicles per day). Parking is not restricted on either side of the street.

## **PROPOSED DEVELOPMENT**

### **Change of Use**

The development application proposes a change of use from a Community Facility to an Indoor Recreation Facility.

An Indoor Recreation Facility is defined in the Code to mean “*....a building designed or adapted primarily for recreation or fitness purposes*”. The definition includes bowling alley; squash courts; gymnasium; pilates studio; yoga studio; dance studio; indoor swimming centre; indoor trampoline centre; indoor rock-climbing centre; indoor children’s play centre; indoor skating rink.

The proposed use is for a dance studio consisting of a studio space, as well as ancillary functions including a waiting room, an office, and amenities. The dance studio will primarily run a mix of private and group-based dance classes for children. A maximum of two (2) classes will run at any given time and class size will range from 4 – 12 students per class.

The proposed use aligns with the Code’s definition of an Indoor Recreation Facility as it will involve the use of the floor space for indoor recreation.

### **Operation**

#### **Class Structure**

The dance studio will primarily run a mix of private lessons and group-based classes. A maximum of two (2) classes will run at any given time and class size will range from four 4 – 12 students per class.

#### **Staff**

One (1) – two (2) instructors will be on site.

#### **Hours of Operation**

Proposed hours operation are as follows:

- Monday to Friday      3.45 pm to 9.15 pm; and
- Saturday                      9.00 am to 5.30 pm.

The use of the premises on Sunday will be limited to rehearsals and private lessons. Rehearsals on a Sunday are usually limited to the five (5) weekends in the lead up to the end of year production in November/ December.

Classes are not normally held on Public Holidays.



## Music

Noise generation associated with the proposed use will be music played through wireless speakers within the dance studio space. Music will not be played consistently during a class and will only be played when the class is performing a routine. The volume of music will be maintained at less than 65dB(A) so that instructors can communicate with students. At this level it will be at a volume equivalent to background music.

## PLANNING AND DESIGN CODE

The Planning and Design Code identifies and applies policies for the assessment of development relative to each zone.

For each zone, policies and rules are identified and applied to classes of development within the zone, including by the application of policies within subzones and overlays that apply only in the area affected by the subzone/overlay, together with the relevant general development policies.

**Table 1** below summarises the applicable zone, overlays and general development policy sections that have been identified as applicable to the development application.

**Table 1: Planning and Design Code**

PLANNING AND DESIGN CODE SUMMARY	
Version and Date	2022.11
Zone	Established Neighbourhood
Overlays	Airport Building Heights (Regulated) (All structures over 15 metres) Building Near Airfields Historic Area (Un14) Prescribed Wells Area Regulated and Significant Tree Stormwater Management Traffic Generating Development Urban Tree Canopy
General Development Policies	Interface between Land Uses Transport, Access and Parking

## PROCEDURAL MATTERS

The zones, overlays and general development policies that apply may contain sections headed 'Procedural Matters', including the requirement to notify certain applications for planning consent, and referrals to prescribed bodies.

## Relevant Authority

The subject land is located with the City of Unley Council area.

As the proposed development is to be undertaken within the City of Unley Council area the City of Unley Assessment Panel is considered to be the relevant authority in accordance with Section 93 (1)(a) of the *Planning Development and Infrastructure Act 2016* unless the Council's Assessment Manager is identified during the course of the assessment as being the relevant authority.

### **Assessment Pathway**

An assessment of each of the development elements against the assessment pathways identified in the Planning and Design Code (the Code). This identifies that the proposed development requires assessment against the Performance Assessed pathway.

### **Statutory Referrals**

It is our opinion that the proposed use of the land does not trigger any referrals under the relevant Overlays or planning legislation.

## **ASSESSMENT**

The Code enunciates a Policy Framework for development at 51 Frederick Street, Clarence Park. Our assessment of the policies identified in the Code as being relevant to the proposed Change in Land Use are detailed **below**.

### **Overlay Assessment**

The overlays prescribed by the Code, in relation to the subject site, primarily relate to building heights, heritage and traffic generation.

The application neither involves nor seeks consent for any physical works. Minor changes to the internal layout of the building are proposed however these alterations do not require Planning or Building Rules Consent (**Attachment C**).

In this regard, the proposal, being a change in use from a Community Facility to an Indoor Recreation Facility only, will not increase the height of the building, will not affect nearby heritage buildings, will not impact traffic or be impactful in the generation of additional traffic to the area.

### **Established Neighbourhood Zone Assessment**

The subject site is located within the Established Neighbourhood Zone under the Code. The objectives of the Established Neighbourhood Zone are:

- To provide a range of housing types.
- To enable other land uses that are compatible with residential development.
- To protect the established residential character and amenity of the neighbourhood.



ESTABLISHED NEIGHBOURHOOD ZONE	
Land Use and Intensity	
<p>PO 1.1</p> <p>Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> <li>(a) Ancillary accommodation</li> <li>(b) Community facility</li> <li>(c) Consulting room</li> <li>(d) Dwelling</li> <li>(e) Office</li> <li>(f) Recreation area</li> <li>(g) Shop.</li> </ul>
<p>PO 1.3</p> <p>Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Non-residential development located and designed to improve community accessibility to services, primarily in the form of:</p> <ul style="list-style-type: none"> <li>(a) small scale commercial uses such as offices, shops and consulting rooms</li> <li>(b) community services such as educational establishments, community centres, places of worship, pre-schools, childcare and other health and welfare services</li> <li>(c) services and facilities ancillary to the function and operation of supported accommodation or retirement facilities</li> <li>(d) open space and recreation facilities</li> </ul>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>

The application does not seek consent for any physical works, but rather to change the use of the building from a Community Facility (Scout and Guide Hall) to an Indoor Recreation Facility (Dance Studio). Minor changes only to the internal layout of the building are proposed (**Attachment D**):

- Demolition of internal walls to reconfiguration two (2) of the existing offices into a waiting room.

These alterations do not require Planning or Building Rules Consent. The proposal therefore aligns with the aims of the Policy within the Established Neighbourhood Zone.

## General Development Policies Assessment

There are a range of policies within the General Development Policies of the Code that are specific to non-residential development:

<b>INTERFACE BETWEEN LAND USES</b>									
<b>General Land Use Compatibility</b>									
<p>PO 1.2</p> <p>Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>								
<b>Hours of Operation</b>									
<p>PO 2.1</p> <p>Non-residential development does not unreasonable impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <p>(a) the nature of the development</p> <p>(b) measures to mitigate off-site impacts</p> <p>(c) the extent to which the development is desired in the zone</p> <p>(d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of the land.</p>	<p>DTS/DPF 2.1</p> <p>Development operating within the following hours:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Class of Development</th> <th style="text-align: left;">Hours of operation</th> </tr> </thead> <tbody> <tr> <td>Consulting room</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td>Office</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td>Shop, other than any one or combination of the following: 1. restaurant 2. cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday</td> </tr> </tbody> </table>	Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Shop, other than any one or combination of the following: 1. restaurant 2. cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday
Class of Development	Hours of operation								
Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Shop, other than any one or combination of the following: 1. restaurant 2. cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday								
<b>Activities Generating Noise or Vibration</b>									
<p>PO 4.6</p> <p>Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 4.6</p> <p>Development incorporating music includes noise attenuation measures that will achieve the following noise levels:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Assessment location</th> <th style="text-align: left;">Music noise level</th> </tr> </thead> <tbody> <tr> <td>Externally at the nearest existing or envisaged noise sensitive location</td> <td>Less than 8dB above the level of background noise (<math>L_{90,15min}</math>) in any octave band of the sound spectrum (LOCT10, <math>15 &lt; LOCT90</math>, <math>15 + 8dB</math>)</td> </tr> </tbody> </table>	Assessment location	Music noise level	Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ( $L_{90,15min}$ ) in any octave band of the sound spectrum (LOCT10, $15 < LOCT90$ , $15 + 8dB$ )				
Assessment location	Music noise level								
Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ( $L_{90,15min}$ ) in any octave band of the sound spectrum (LOCT10, $15 < LOCT90$ , $15 + 8dB$ )								

INTERFACE BETWEEN LAND USES	
Transport, Access and Parking	
Vehicle Parking Rates	
<p>PO 5.1</p> <p>Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:</p> <ul style="list-style-type: none"> <li>(a) availability of on-street car parking</li> <li>(b) shared use of other parking areas</li> <li>(c) in relation to a mixed-use development where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared</li> <li>(d) the adaptive reuse of a State or Local Heritage Place.</li> </ul>	<p>DTS/DPF 5.1</p> <p>Development provides a number of car parking spaces on-site at a rate of no less than the amount calculated using one of the following, whichever is relevant:</p> <ul style="list-style-type: none"> <li>(a) Transport, Access and Parking Table 1 – General Off-Street Car Parking Requirements</li> <li>(b) Transport, Access and Parking Table 2 – Off-Street Vehicle Parking Requirements in Designated Areas</li> <li>(c) If located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.</li> </ul>

We have identified parking provisions and acoustic impact as assessment matters that will be of interest to the relevant authority.

### Parking and Access

The total floor area of 51 Frederick Street, Clarence Park is approximately 290 square metres laid out as a dance studio and ancillary office, waiting room and amenities.

**Table 1** – General Off-Street Car Parking Requirements applies to various classes of development. The parking rate specified for Indoor Recreation Facility is:

Class of Development	Car Parking Rate
Indoor recreation facility	4.5 spaces per 100m <sup>2</sup> of total floor area for all other Indoor recreation facilities.

Applying the car parking rate for Indoor Recreation Facility, the proposed development requires 13 on-site parking spaces.

No on-site parking is provided, on the basis that:

- The site is well serviced by public transport. Pre-school, Primary School and High School aged students typically catch public transport to the dance studio and are then collected at the end of class by their parent/ caregiver.
- If students do not walk or travel via bus, they will be transported by parents or care-givers in a passenger vehicle via a 'kiss and drop' type arrangement.



- Parents and/or caregivers are not expected to remain at the dance studio while classes are in progress, except for the 'Fairies and Elves' class which caters for 2.5 – 4 year old students. Indeed, the applicant has confirmed that parents and caregivers are discouraged from remaining on site when dance lessons are in progress.
- The volume of vehicles is further reduced by a number of students attending more than one class, reducing the number of students arriving and departing the premises at any given time.

The dance studio will run a mix of private lessons and group-based classes with a maximum of two (2) classes running at any given time. Given a total of 8 – 24 students and two (2) instructors will be involved in classes at the premises at any given time, it is considered sufficient that parents and caregivers be permitted to continue to park in Frederick Street to drop off and pick up students just as they did when the building was used as a Scout and Guide Hall.

Carisma Dance and Fitness has conducted dance classes at the facility on a Monday and Friday in this manner since January 2021 without complaint from surrounding owners and occupiers.

It is also relevant to note that the Community Facility has until recently operated as a Scout and Guide Hall for 68 years (we understand 3rd Goodwood Group was established in 1953) with no provision for on-site parking.

### **Acoustic Amenity**

Consideration has been given to the impact on acoustic amenity of nearby residents. It is considered that there will be two (2) sources of noise generation associated with the proposed land use:

1. music played from speakers within the dance studio; and
2. noise from students.

We consider that noise from the dance studio will not adversely impact on nearby residential uses because:

- Proposed noise mitigation measures, as detailed on the Floor Plan prepared by MasterPlan, will be implemented prior to operation. These measures include:
  - upgrading the existing double exit doors on the northern side of the hall with an airtight seal;
  - upgrading the existing glazing into the hall, ensuring an airtight seal;
  - installing acoustic vinyl flooring (Tarkett) over the wooden floors;
  - sealing the openings at the junctions between the walls and roof, and along the ridgeline packing in heavy duty insulation and then installing a ceiling under the rafters to achieve an airtight seal;
  - upgrading the existing evaporative cooling system ductwork to incorporate internal acoustic installation;

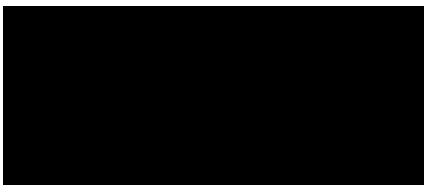
- sealing all air vents by packing in heavy duty insulation and using plasterboard to seal airtight;
  - upgrading the front entry doors (both the external and internal set) to solid core doors ensuring an airtight sea; and.
  - installing automatic, soft close mechanisms to the front entry doors (both the external and internal set) to ensure doors are predominately closed during classes.
- Music will not be played consistently during a class and will only be played when the class is performing a routine. The volume of music will be maintained at less than 65dB(A) allowing instructors to communicate with students. This is equivalent to background noise.
  - Proposed hours of operation are Monday to Friday, 3.45 pm – 9.15 pm and Saturday 9.00 am – 5.30 pm. Noise generating activities will cease at the end of class time. The use of the premises on Sunday will be limited to rehearsals and private lessons. Rehearsals on a Sunday are usually limited to the five (5) weekends in the lead up to the end of year production in November/December. Classes are not normally held on Public Holidays.
  - Students will be required to wait inside (as distinct to congregating on the lawned areas) before being picked up.

With these measures and management practices in place, noise generation associated with these activities will be commensurate to the modest scale of the studio and will have no adverse impact on the acoustic amenity of neighbours.

## **CONCLUSION**

We have concluded from our review of the proposed development to change the use to the existing premises at 51 Frederick Street, Clarence Park from a Community Facility to an Indoor Recreation Facility warrants Planning Consent. Our evaluation of the proposal confirms that the proposed use is small in scale and is capable of being managed to ensure that the amenity of nearby residents will not be adversely impacted.

Should you require any additional information or clarification, please do not hesitate to contact the undersigned by phone on 8193 5600 or [kirstenf@masterplan.com.au](mailto:kirstenf@masterplan.com.au)



**Kirsten Falt**

13 July 2022



# Carisma Dance and Fitness

## Environmental Noise Assessment

5 August 2022  
Reference ID: 37-2

# Contents

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Executive Summary .....	1
Introduction .....	2
Assessment.....	8
Conclusion .....	12
References .....	13

## Figures

Figure 1 The hall and ancillary functions .....	2
Figure 2 The Dance Studio and surrounding dwellings.....	3
Figure 3 Acoustic recommendations.....	10

## Tables

Table 1 Measured background noise levels and music criteria .....	6
Table 2 Predicted music levels .....	8



## Abbreviations

DO	Desired Outcome of the Code
DTS	Deemed to Satisfy criteria of the Code
EPA	South Australian Environment Protection Authority
PO	Performance Outcome of the Code

## Glossary

<b>A-weighting</b>	A mathematical adjustment to the measured noise levels to represent the human response to sound. An <i>A-weighted noise level</i> is presented as dB(A).
<b>Ambient noise level</b>	The noise level associated with the environment in the absence of the activity under investigation.
<b>Background music</b>	Music played at a level which does not require people to raise their voices to be heard. For the purposes of this assessment, background music is an $L_{Aeq}$ of no greater than 65 dB(A) in the centre of the dance studio
<b>Background noise level</b>	The noise level exceeded for 90% of the measurement period. The background noise level represents the lulls in the ambient environment.
<b>Characteristic</b>	A characteristic determined in accordance with the <i>Environment Protection (Noise) Policy 2007</i> (the Policy) to be fundamental to the nature and impact of the noise. For example, a noise source is deemed to exhibit a characteristic if it produces distinctive tonal, impulsive, low frequency or modulating features.
<b>Code</b>	<i>Planning and Design Code</i> Version 2022.14 dated 4 August 2022, PlanSA.
<b>Day</b>	A period defined by the <i>Environment Protection (Noise) Policy 2007</i> as between 7am and 10pm.
<b>EP Act</b>	<i>Environment Protection Act 1993</i>
<b>EPA Music Guidelines</b>	EPA Guidelines titled <i>Assessing music noise from indoor venues</i> , dated October 2021
<b>Equivalent noise level</b>	The A-weighted noise level which is equivalent to a noise level which varies over time. The descriptor is $L_{Aeq}$ and it is the A-weighted <i>source noise level (continuous)</i> referenced in the Policy. The $L_{Aeq}$ is also referenced as an average noise level for simplicity.
<b>dB</b>	The logarithmic unit of measurement to define the magnitude of a fluctuating air pressure wave. Used as the unit for <i>sound or noise level</i> . An <i>A-weighted noise level</i> is presented as dB(A).

<b>Frequency</b>	Represents the number of fluctuating air pressure waves in one second. High frequency sound (high pitch or squeal) will generate many waves and low frequency sound (bass or rumble) will generate a small number of waves. The unit of frequency is Hz
<b>Indicative Noise Level</b>	The noise level assigned by the Policy at a location to represent an impact on the acoustic amenity at that location. No further action is required to be taken under the <i>Environment Protection Act 1993</i> for noise levels which are lower than the Indicative Noise Level.
<b>Night</b>	A period defined by the <i>Environment Protection (Noise) Policy 2007</i> as between 10pm and 7am.
<b>Noise</b>	An interchangeable term with sound but which is most often described as <i>unwanted sound</i> .
<b>Noise Sensitive Premises</b>	Premises that could be "noise-affected". For the purposes of this assessment, the noise sensitive premises are residential dwellings. Commercial properties are not considered sensitive to the sources of noise considered in this assessment.
<b>Octave Band</b>	The segregation of sound into discrete frequency components. For example, the 63 Hz octave band is a low frequency component of sound/noise, and the 2000 Hz octave band is a high frequency component of sound/noise
<b>Policy</b>	The <i>Environment Protection (Noise) Policy 2007</i>
<b>Sound</b>	An activity or operation which generates a fluctuating air pressure wave. The ear drum can perceive both the frequency (pitch) and the magnitude (loudness) of the fluctuations to convert those waves to sound.
<b>Sound pressure level</b>	The magnitude of sound (or noise) at a position. The sound pressure level can vary according to location relative to the noise source, and operational, meteorological and topographical influences. The terms <i>Sound Pressure Level</i> and <i>Noise Level</i> are used interchangeably in this assessment.
<b>WHO Guidelines</b>	<i>Guidelines For Community Noise</i> Birgitta Berglund Thomas Lindvall Dietrich H Schwela London, United Kingdom, April 1999, World Health Organization.

# Executive Summary

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Carisma Dance and Fitness seeks Planning Consent to change the land use at 51 Frederick Street, Clarence Park, from Community Facility to Indoor Recreation Facility (Dance Studio).

The City of Unley has requested an acoustic report which demonstrates that the proposed use and associated activities meet the relevant policies of the *Planning and Design Code* and the *Environment Protection (Noise) Policy 2007*.

The Community Facility has been operated as a Scout and Guide Hall for 68 years with its wide range of external and internal activities. The Community Facility is located in an *Established Neighbourhood Zone* and is surrounded by dwellings.

The proposed Dance Studio provides low intensity dance classes using background levels of music only to ensure instructions can be heard and is restricted to internal activity within the (masonry) hall other than the arrival and exit of class participants and/or carers.

The Dance Studio already operates at the Community Facility and inspections made during classes indicates innocuous noise levels at surrounding dwellings due to the low intensity of the activity inside the hall.

Notwithstanding these observations, an objective assessment has been made in accordance with the City of Unley request which compares noise levels generated by the Dance Studio against standards established in accordance with the *Planning and Design Code* to ensure the acoustic amenity of the surrounding dwellings is not adversely impacted upon.

The assessment determines the Dance Studio can reasonably and practicably achieve the relevant standards required by the *Planning and Design Code* at all surrounding dwellings through implementation of the following recommendations which ensure the building is well sealed, ensures floor coverings are used (as currently occurs), and music levels are maintained (as also currently occurs):

- Upgrading the doors and glazing within the masonry hall and entries to ensure they are solid, sealed and kept normally closed
- Using a vinyl floor covering such as *Tarkett* over the wooden floors during all dance classes
- Sealing the openings at the junctions between the walls and roof, and along the ridge line
- Upgrading the existing evaporative cooling system ductwork
- Sealing all wall vents in the masonry hall
- Ensuring the music levels are maintained as measured (*background music*), noting this will occur inherently due to the need to provide clear instruction without the instructor raising their voice.

The objective assessment outcomes are consistent with the observations made on site, being that the Dance Studio activity is only just audible outside of the hall (and then, only in the vicinity of the building) and innocuous where the building is well sealed with doors closed during classes.

# Introduction

Carisma Dance and Fitness seeks Planning Consent to change the land use at 51 Frederick Street, Clarence Park, from Community Facility to Indoor Recreation Facility (Dance Studio).

The Community Facility has been operated as a Scout and Guide Hall for 68 years with its wide range of external and internal activities. The Community Facility is in an Established Neighbourhood Zone near dwellings.

The proposed Dance Studio provides low intensity dance classes using background levels of music only to ensure instructions can be heard and is restricted to internal activity within the (masonry) hall other than the arrival and exit of class participants and/or carers.

The Dance Studio will include ancillary functions comprising a waiting room, an office space, storage, a kitchen, and amenities. The primary use of the building will be a mix of private and group-based dance classes for children in the hall. A maximum of two classes (one instructor per class) will run in the hall at any given time and class size will range from four to twelve students per class.

Figure 1 The hall and ancillary functions



Source MasterPlan Report 52793REP01 13 July 2022



Classes will occur during the following hours:

- Monday to Friday from 3.45 pm to 9.15 pm
- Saturday from 9.00 am to 5.30 pm
- The use of the premises on Sunday will be limited to rehearsals and private lessons. Rehearsals on a Sunday are usually limited to the five (5) weekends in the lead up to the end of year production in November/December. Classes are not normally held on Public Holidays.

The Dance Studio already operates at the Community Facility and inspections made during classes indicates innocuous noise levels at surrounding dwellings due to the low intensity of the activity inside the hall.

Notwithstanding these observations, an objective assessment has been made which compares noise levels generated by the Dance Studio against standards established in accordance with the *Planning and Design Code* to ensure the acoustic amenity of the surrounding dwellings is not adversely impacted upon.

The proposed Dance Studio and closest dwellings are shown and numbered in Figure 2 below.

Figure 2 The Dance Studio and surrounding dwellings



Source Plan SA – SA Property & Planning Atlas

Figure 2 shows the dwellings in proximity to the hall. Dwelling 1 incorporates a rear vegetable garden which aligns with the northern double doors into the hall. The assessment has been made to this location as all other dwellings will be exposed to lower environmental noise levels. That is, compliance with the standards established in accordance with the *Planning and Design Code* at Dwelling 1 will ensure compliance at all dwellings.



# Assessment Criteria

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## The Code

The facility and surrounding dwellings are in an *Established Neighbourhood Zone* within the *Planning and Design Code* Version 2022.14 dated 4 August 2022 (the Code). The following provisions within the Code are considered relevant to the environmental noise assessment.

### Established Neighbourhood Zone

#### Performance Outcome PO 1.3

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

### Interface between Land Uses (Part 4 – General Development Policies)

#### Desired Outcome DO 1

Development is located and designed to *mitigate adverse effects* on or from neighbouring and proximate land uses.

#### Performance Outcome PO 1.2

Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is *designed to minimise adverse impacts*.

#### Performance Outcome PO 2.1

Non-residential development *does not unreasonably impact the amenity of sensitive receivers* (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

- a) the nature of the development
- b) measures to mitigate off-site impacts
- c) the extent to which the development is desired in the zone
- d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.

#### Performance Outcome PO 4.1

Development that emits noise (other than music) *does not unreasonably impact the amenity of sensitive receivers* (or lawfully approved sensitive receivers).

#### Deemed to Satisfy Criteria DTS 4.1

Noise that might affect sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.

#### Performance Outcome PO 4.5

Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to *not cause unreasonable noise impact* on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).

#### Performance Outcome PO 4.6

Development incorporating music *achieves suitable acoustic amenity* when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.

#### *Deemed to Satisfy Criteria DTS 4.6*

Development incorporating music includes noise attenuation measures that will achieve the following noise levels:

Assessment location	Music noise level
Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ( $L_{90,15min}$ ) in any octave band of the sound spectrum ( $L_{OCT10,15} < L_{OCT90,15} + 8dB$ )

## Music

*Interface between land uses Deemed to Satisfy (DTS) Criteria 4.6* provides music level criteria that are based on the EPA approach of *Assessing music noise from indoor venues*, dated October 2021.

The music criteria are established by the lowest *background noise levels* measured over a 15-minute period during the time when music is proposed.

This approach ensures music at neighbouring dwellings is not significantly different to the rise and fall of ambient noise in the environment, and as such, does not adversely impact on the acoustic amenity of that environment.

*DTS 4.6* was developed to assess the impacts from dedicated music venues operating late into the night. It is not typically applied to background music because, by definition, background music is within the rise and fall of the ambient environment and therefore, subject to all other aspects being satisfactory, cannot adversely impact on the acoustic amenity of that environment.

Background music is (and is proposed to be) used sporadically during class in the Dance Studio at levels which are lower than instructional voice. Notwithstanding the fact that the music already occurs and will be at low (background music) levels, for reasons of conservatism and the avoidance of doubt, an objective assessment has been made against *DTS 4.6*, to assist in review of the proposal and to show the innocuous nature of this aspect of the operation.

The background noise level was measured at 9.15pm (after a dance class) on Monday 11 April 2022 on a night with no breeze and no local ambient activity. The measured background noise levels ( $L_{90,15min}$ ) and the resulting music noise criteria ( $L_{10,15min}$ ) are provided in Table 1 below.

Table 1 Measured background noise levels and music criteria

Scenario	Octave Band Centre Frequency dB(A)					
	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz
Measured Background Noise Level (L <sub>A90,15min</sub> )	23	27	32	34	36	32
Adjustment to determine Music Criteria from background noise as per DTS 4.6	+8dB	+8dB	+8dB	+8dB	+8dB	+8dB
<b>Music Criteria (L<sub>A10,15min</sub>)</b>	<b>31</b>	<b>35</b>	<b>40</b>	<b>42</b>	<b>44</b>	<b>40</b>

## Other Noise (Classes)

*Interface between land uses DTS Criteria 4.1* references the *Environment Protection (Noise) Policy 2007* (the Policy).

The Policy was developed under the *Environment Protection Act 1993* (the EP Act). The EP Act incorporates a requirement to ensure the acoustic *amenity of a locality is not unreasonably interfered with*. The Policy provides a quantitative approach to satisfy this requirement underpinned by the World Health Organization's *Guidelines for Community Noise* (WHO Guidelines) as it relates to community annoyance and sleep disturbance.

Compliance with the Policy will satisfy the Code's *Interface between land uses* Deemed to Satisfy criteria *DTS 4.1* and is considered to also satisfy the subjective requirements of the Desired and Performance Outcomes in the *Established Neighbourhood Zone PO 1.3*, and *Interface between land uses DO 1, PO 1.2, PO 2.1, PO 4.1* and *PO 4.5*.

The Policy establishes noise levels that apply at noise sensitive premises for both the day (7am to 10pm) and night (10pm to 7am the following day). The noise levels vary according to the land use zoning in which the facility and the dwellings are located.

The noise levels are also adjusted according to whether the activity is an existing approved use or an entirely new development. More stringent noise levels are applied to new development in acknowledgement of the additional sensitivity of dwellings to a new activity in their environment (amongst other factors). In this circumstance, the Community Facility has been operated as a Scout and Guide Hall for 68 years with its wide range of external and internal activities and therefore the (relaxed) noise levels which apply *to an existing approved use* could be adapted to the assessment.

Notwithstanding, as for the music component, for conservatism and the avoidance of doubt, an objective assessment has been made against the more stringent noise levels applied by the Policy to *new development*, to assist in review of the proposal and to confirm the innocuous nature of the dance class activities.

An outcome of this approach is that the Dance Studio is being assessed as an entirely *Greenfields* site where no activity (other than say residential) previously occurred and does not account for the existence of the Scout and Guide Hall and the potential to reduce impacts for those living in the vicinity.

Based on the above, the "average noise level" that applies under the Policy at existing dwellings during the day (prior to 10pm) is 47 dB(A). The "average noise level" is an *equivalent noise level* over a default assessment period of 15 minutes.

When predicting noise levels for comparison to the Policy, the predicted *equivalent noise levels* are to be adjusted (increased) where the activities exhibit "annoying" characteristics (dominant tonal, impulsive, low frequency content or modulation characteristics) in comparison to the surrounding ambient environment.

# Assessment

## Music

This assessment has been made based on music levels measured during a class at the hall on Monday April 11 2022, and separately, continuously over a day during classes at the Latvian Hall (located at 4 Clark Street, Wayville) being the venue currently utilised by Carisma Dance and Fitness for their weekend classes.

The transfer of music from inside to outside was also measured due to the ability to access the existing hall and surrounding outdoor spaces. It is noted that most planning stage assessments rely on predictions of the building performance, but in this circumstance, the performance could be accurately measured in-situ.

The following acoustic recommendations are provided to satisfy the Code based on the site measurements described above:

- All music to be:
  - played inside the hall only
  - restricted to a background level of music such that instructors do not need to raise their voice to be heard. For the purposes of this assessment, such a level when measured at any opening in the hall is an *equivalent noise level* ( $L_{Aeq}$ ) of 65 dB(A), or less
  - played with all doors and windows into the hall and the building remaining normally closed other than for access (further recommendations for the doors, windows and other building elements are provided below).

With the above recommendations in place and with the further recommendations for the doors, windows and other building elements as provided below also in place, then the predicted music levels at the closest dwelling (Dwelling 1 in Figure 1) are:

Table 2 Predicted music levels

Scenario	Octave Band Centre Frequency dB(A)					
	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz
Music Criteria ( $L_{A90,15min}$ )	31	35	40	42	44	40
<b>Predicted music level at Dwelling 1 (<math>L_{A10,15min}</math>)</b>	23	32	23	20	26	24

Table 2 indicates the music levels are easily compliant with *DTS 4.6* and are consistent with the site observations and measurements, that music outside of the hall during dance classes is only *just audible* (and then, only in the vicinity of the building) and innocuous.



## Other Noise (Classes)

The noise sources in a class comprise instructional voice, interactional conversation, and movement on a timber floor. Two evaporative cooling units and a hot water heating system serve the building but are residential in nature and do not change because of the proposed change in land use and, as such, are not considered further in this assessment.

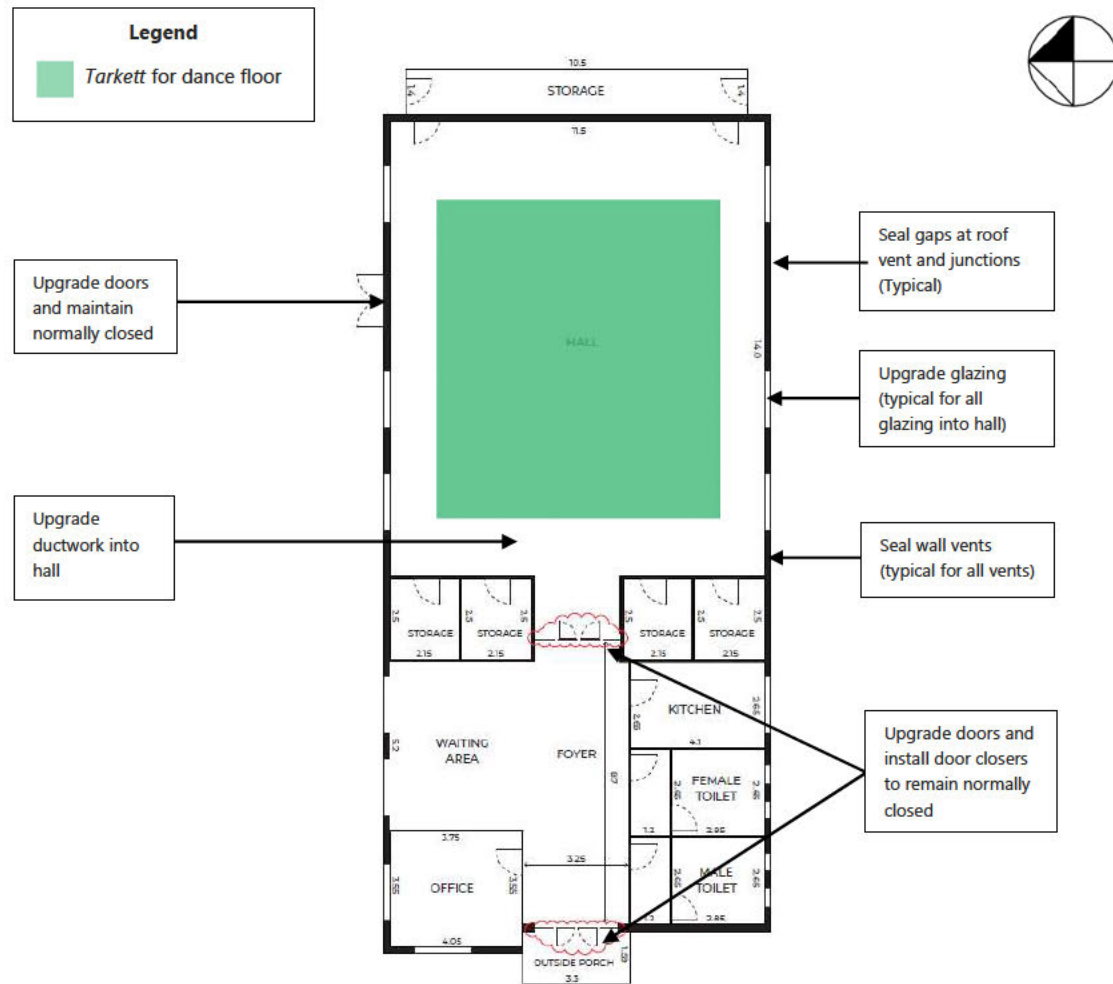
This assessment has been made based on class noise levels measured at the hall on Monday April 11 2022, and separately during weekend classes at the Latvian Hall. The transfer of noise from inside to outside the Dance Studio was also measured due to the ability to access the existing hall and surrounding outdoor spaces.

The following acoustic recommendations are provided to satisfy the Code based on the site measurements described above:

- Upgrade the existing double exit doors on the northern side of the hall to 40mm thick solid core doors with *Raven RP8, 10 and 16Si* rubber seals or acoustic equivalent to all junctions (sides, threshold and stile respectively), to ensure an airtight seal when closed
- Maintain the upgraded double exit doors to be closed (except for emergency exit)
- Upgrade the existing glazing into the hall to 6.38mm laminated glazing which seals airtight when closed (the existing glazing can be replaced, or be installed in addition to, the existing glazing)
- Maintain the new glazing as normally closed
- Utilise a vinyl floor covering such as *Tarkett* over the wooden floors during all dance classes (as is understood to currently occur)
- Seal all openings at the junctions between the walls and roof, and along the ridge line. This can be achieved by packing insulation (with a density of at least 32 kg/m<sup>3</sup>) within the gaps and then installing a ceiling under the rafters. The sealing up of openings could also be achieved by using local plasterboard infills over the packed insulation
- Upgrade the existing evaporative cooling system ductwork to be internally lined with 50mm thick insulation (with a density of at least 32 kg/m<sup>3</sup>)
- Seal all wall vents into the hall by packing in insulation (with a density of at least 32 kg/m<sup>3</sup>) where possible and using plasterboard to seal airtight over
- Install an air relief duct for the evaporative cooling system (noting that the hall will now be well sealed). The duct should be internally lined with 50mm thick insulation (with a density of at least 32 kg/m<sup>3</sup>) and a minimum of 3m in length between the internal air relief grille and the external roof mounted cowl. The system can incorporate a damper to retain heating warmth in winter. The cowl should be as close to the roof ridge line as practical
- Upgrade the front entry doors (both the external set between the lawned area and the waiting space, and the internal set between the waiting space and the hall) to 40mm thick solid core doors with *Raven RP8, 10 and 16Si* rubber seals or acoustic equivalent to all junctions (sides, threshold and stile respectively), to ensure an airtight seal when closed

- Maintain the front entry doors (both the external set between the lawned area and the waiting space, and the internal set between the waiting space and the hall) as normally closed during classes by installing automatic door closers (as they will be used by students and parents for regular access).

Figure 3 Acoustic recommendations



Source MasterPlan Report 52793REP01 13 July 2022

## Predicted Noise Level

With the above recommendations in place, then the predicted noise level at the closest dwelling (Dwelling 1 in Figure 1) is less than 40dB(A), with lower noise levels at all other surrounding dwellings.

The predictions indicate that the noise levels are easily compliant with the Policy assessment criterion of 47 dB(A) and are consistent with the site observations and measurements, that activity outside of the hall during dance classes is only *just audible* (and then, only in the vicinity of the building) and innocuous.

The values above do not include a characteristic penalty due to the limited audibility of the classes within the surrounding ambient environment. However, even if a penalty was conservatively applied, the noise criterion would easily be achieved.

Based on the predictions, the noise from the facility will achieve the Policy noise levels at all surrounding dwellings.

# Conclusion

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Carisma Dance and Fitness seeks Planning Consent to change the land use at 51 Frederick Street, Clarence Park, from Community Facility to Indoor Recreation Facility (Dance Studio).

The Community Facility has been operated as a Scout and Guide Hall for 68 years with its wide range of external and internal activities. The Community Facility is in an *Established Neighbourhood Zone* and is surrounded by dwellings.

The proposed Dance Studio provides low intensity dance classes using background levels of music only to ensure instructions can be heard and is restricted to internal activity within the (masonry) hall other than the arrival and exit of class participants and/or carers.

The environmental noise assessment compares noise levels generated by the Dance Studio against standards established in accordance with the *Planning and Design Code* and concludes that the facility can reasonably and practicably achieve the *Planning and Design Code* through implementing the following measures:

- Upgrading the doors and glazing within the masonry hall and entries to ensure they are solid, sealed and kept normally closed
- Using a vinyl floor covering such as *Tarkett* over the wooden floors during all dance classes
- Sealing the openings at the junctions between the walls and roof, and along the ridge line
- Upgrading the existing evaporative cooling system ductwork
- Sealing all wall vents in the masonry hall
- Ensuring the music levels are maintained as measured (*background music*), noting this will occur inherently due to the need to provide clear instruction without the instructor raising their voice.

The objective assessment outcomes are consistent with the observations made on site, being that the Dance Studio activity is only just audible outside of the hall (and then, only in the vicinity of the building) and innocuous where the building is well sealed with doors closed during classes.

With the implementation of the above measures, the assessment concludes the Dance Studio will not adversely impact on the amenity of existing and approved dwellings in the locality and will provide a facility which will meet the relevant *Planning and Design Code* provisions.

# References

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*EPA Noise Guidelines - Assessing music noise from indoor venues*, dated October 2021

*Planning and Design Code* Version 2022.14 dated 4 August 2022, PlanSA

*Environment Protection (Noise) Policy 2007*, SA EPA

*Guidelines For The Use Of The Environment Protection (Noise) Policy 2007*, SA EPA June 2009

*Guidelines For Community Noise* Birgitta Berglund Thomas Lindvall Dietrich H Schwela London, United Kingdom, April 1999, World Health Organization

*MasterPlan PLANNING REPORT Change of Land Use from Community Facility to an Indoor Recreation Facility 52793REP01* 13 July 2022



# Document History

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## Distribution:

<b>Issue date</b>	5 August 2022
<b>Issued to</b>	Carisma Dance and Fitness and MasterPlan
<b>Description</b>	Environmental Noise Assessment

## Author Details:

<b>Author</b>	Mathew Ward
<b>[REDACTED]</b>	[REDACTED]
<b>[REDACTED]</b>	[REDACTED]

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MLM/22-0246



20 October 2022

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MFY Pty Ltd

ABN 79 102 630 759

Dear Greg,

## **PROPOSED CHANGE OF USE TO DANCE STUDIO 51 FREDERICK STREET, CLARENCE PARK**

I am in receipt of a request for information from Council in relation to the proposed change of use from a Community Facility to an Indoor Recreation Facility at 51 Frederick Street, Clarence Park. Specifically, Council has included the following advice in its correspondence.

*I have reviewed the planning report and a number of objections to the application, noting the objections main areas of concern are around traffic and parking impacts. In order to appropriately review the change in use, the applicant will need to submit a transport/parking report prepared by a suitable qualified transport engineer.*

*The report should include an assessment of both parking and traffic generation for the change of use, and its potential impact on Frederick Street (this should include both a traffic and parking survey undertaken at expected peak times of operation). This will then allow council to review and determine if the impact is acceptable for Frederick Street.*

Further to the above request, I have completed a traffic and parking assessment for the proposed change of use with a view to assisting Council in its assessment of the proposal.

### **1 EXISTING SITUATION**

The subject site is located at 51 Frederick Street, Clarence Park. Frederick Street is a local road within the care and control of City of Unley and has a carriageway width of approximately 7.35m. A 40km/h precinct wide speed limit applies to this street.

No reported crashes have been recorded over the past five years on Frederick Street, albeit one crash was report at the intersection of Frederick Street and George Street during this period.

#### **1.1 SUBJECT LAND**

A scout hall is currently located on the subject site. While the hall is not currently utilised by a scout troop, the site was previously the home of the Third Goodwood Scout and Guide Troop which



offered Joeys, Cubs and Scouts plus Guides, with activities occurring on-site after school and on weekends.

The existing access is located adjacent the southern boundary of the site. No formal parking is currently provided on the land and hence all parking associated with the use of the site and a scout hall would have occurred on the adjacent street network.

Based on the requirements of the Planning and Design Code, the existing use of the land would generate parking at a rate of 10 spaces per 100m<sup>2</sup>, which would generate a demand for 29 parking spaces.

### 1.2 EXISTING ON-STREET PARKING

Observations of existing parking on the road network in close proximity to the subject land were completed on Wednesday 21<sup>st</sup> of September, 2022 to understand the existing parking demand on Frederick Street and surrounding roads during the expected peak period associated with the proposed development (weekdays after school). These observations identified that there were only seven vehicles recorded on Frederick Street, albeit the hall was not operational during this review and hence the on-street parking demand would have previously been greater.

A review of existing kerbside parking potential identified that there is an opportunity for approximately 46 vehicles to be parked on Frederick Street, between George Street and Francis Street. Accordingly, the forecast demand for 29 spaces could have been accommodated on-street in close proximity to the subject site.

### 1.3 EXISTING TRAFFIC ENVIRONMENT

The *Local Area Traffic Management Plan Zone 3 – Clarence Park/Millswood (2019)* identifies that Frederick Street has a daily traffic volume in the order of 370 vehicles and an 85<sup>th</sup> percentile speed of 47km/h.

Figure 1 illustrates an extract from this report (Table 4.2) which is a table documenting Council’s traffic warrants for residential streets.

Applicable In local residential streets only	Daily Traffic Volume	85th percentile speed (40km/h streets)	% of daily traffic in peak AM and PM	Casualty crashes in 5 year period	Action
Substantial problem (Deficiency Standard)	> 3000	>= 50	> 20	3+	Further investigation required
Acknowledged technical problem (Planning Standard)	> 2000	48-49	17-20	3+	
Possible technical problem	> 1500	46-47	14-16	3+	
No agreed problem	< 1500	<= 45	< 13	< 3	No investigation required

Table 4.2 Traffic warrants for the City of Unley

**Figure 1: Table illustrating City of Unley traffic warrants relating to residential streets**



Subsequent data collected by Council in 2022 identified a daily traffic volume of approximately 300 vpd and an 85<sup>th</sup> percentile speed of approximately 43km/h.

It can be seen on the above table that the volumes in Frederick Street are well below the 1500 vpd which Council has identified as the volume where a “technical problem” may exist.

The 85<sup>th</sup> percentile speed identified in Council’s report does identify that a “possible technical problem” in relation to the speed of vehicles although the more recent data identifies a speed of less than 45km/h which requires no investigation.

## **2 PROPOSAL**

The proposal is for a change of use from a Community Facility to an Indoor Recreation Facility to develop a dance studio consisting of a studio area and ancillary office and amenity facilities. Classes will be held between 3:45 pm and 9:15 pm on weekdays and between 9:00 am and 5:30 am on Saturdays. In addition, one class is proposed on a Tuesday between 1:00 pm and 1:30 pm. The studio will accommodate up to two classes of 4 to 12 students per class and two instructors. The parking demand for the site is proposed to be accommodated on-street.

### **2.1 PARKING ASSESSMENT**

The Planning and Design Code identifies a parking rate of 4.5 spaces per 100m<sup>2</sup> for an Indoor Recreation Facility. This will result in a demand for 13 parking spaces associated with the proposed use which is less than half the demand associated with the existing use. Accordingly, the existing on-street parking will be considerably reduced as a result of the proposal.

Notwithstanding the above, I have completed a comparative technical assessment of the parking which could be anticipated by the existing and proposed land uses in order to assess the potential impact on the adjacent street network, noting that such an impact will relate to increased parking demand which could be generated by the proposed use of the facility as a dance hall when compared with the previous use as a scout hall.

#### **2.1.1 Scout Troop Parking**

Scout troops have sessions for various ages, with attendances ranging between 15 and 30 members at any one time. Most participants are delivered and collected, thus only requiring short term parking, albeit a number of parents may also volunteer each week and hence park for the duration of the session. Troop leaders typically drive to the session and hence require parking.

Based on an average of 25 troop members being on-site during a session, there would be a demand for approximately four parking spaces for troop leaders and volunteers during the session and 21 short term spaces for set-down and pick-up of scouts (assuming a vehicle occupancy of 1.2 troop members per vehicle). At peak times, therefore, there would have been an estimated on-street demand for 25 spaces.



### **2.1.2 Dance Studio Parking**

The proposal will result in the potential for two dance classes of up to 12 students at any one time, albeit it is not anticipated that all sessions will include 12 students, particularly in both sessions at any one time. There will be a requirement for one instructor per class. The majority of dancers will be delivered and collected from the classes, albeit a higher proportion of parents or carers could choose to stay on site to watch the class.

Based on an average attendance of ten students in one class and eight in a simultaneous class, there would be a requirement for 15 parking spaces associated with delivery and collection of dancers (assuming 1.2 dancers per vehicle). There could also be an estimated overlap demand of approximately 50% between sessions which would result in a demand of approximately 23 spaces.

Instructors associated with the proposal will generate two spaces and therefore there will be a potential demand of 25 spaces associated with the proposed use.

By way of comparison, an assessment of the forecast peak parking demand for the proposed studio has been undertaken using empirical parking data collected at a recreational facility where younger students were delivered and collected to a class. These data identified a set-down/pick-up rate of approximately one space per two students.

Applying this rate and the above scenario of a class of ten and eight students with 50% overlap, there would be a requirement for 14 parking spaces during pick-up and set-down periods plus two additional spaces for the instructors (or a total of 16 spaces).

Even in the unlikely event that there was to be two full classes in the facility, this would only result in a peak demand for 20 spaces during the pick-up/set-down period (inclusive of staff and overlap parking requirements).

### **2.1.3 Parking Comparison**

It is identified in the above assessment that the parking demand associated with the proposed use will be lower than the existing when reviewing the requirements in the Planning and Design Code.

Further, the technical assessment identifies that the proposal will be anticipated to generate a lower on-street parking demand at any one time than would have been generated when the Goodwood Third Scout Troop was located at the hall. As such there will not be an increase in parking demand or an impact on the adjacent road network as a result of the proposed change of use.

Importantly, the site observations confirm that there will be adequate parking in Frederick Street and the adjacent road network to accommodate the peak parking demand on-street, noting that such a demand will occur during the short pick-up/set-down periods. Further, there will be a reduction in staff at the site and hence fewer vehicles parked for extended periods.

## **2.2 TRAFFIC ASSESSMENT**

Similar to the parking assessment, the potential traffic impact will relate to the differential in traffic volumes which could be generated by the proposal when compared to its previous use.

### **2.2.1 Scout Troop Traffic Volumes**

The forecast traffic volumes associated with the use of the hall by a scout troop is estimated to include:

- Approximately 40 trips (20 to and 20 from) the site prior to the session;
- Approximately 40 trips (20 to and 20 from) the site following the session; and
- Approximately eight trips associated with the Troop Leaders (four to the site prior to the session and four from the site following the session).

Accordingly, it is estimated that there would be in the order of 44 trips per hour generated by a Scout session.

### **2.2.2 Dance Studio Traffic Volumes**

The proposed dance studio will generate traffic volumes associated delivery and collection of students for each class. Further, while a number of students will be delivered and collected to and from classes there will equally be parents or carers who park for the period of the session.

For the purpose of this assessment, it has been assumed that:

- 50% of drivers will park for the duration of a class;
- 50% will depart the site and return to collect dancers; and
- adjacent classes will generate volumes during the same hour.

Based on the above, the proposed facility will generate approximately 69 trips per hour (assuming there are two sessions scheduled simultaneously which will not always be the case), when simultaneous sessions are scheduled with eight to ten dancers attending each session.

### **2.2.3 Traffic Comparison**

The above assessment has identified that the proposed change of use will result in an increase of approximately 25 trips per hour on Frederick Street during the afternoon peak period. Such an increase will only be during periods when classes are scheduled and will be lower during periods when only one class is scheduled or a specialist class with lower participants is held.

The forecast increase of 25 trips per hour is very low and will have no impact on the nature or function of Frederick Street. Further, the volumes will be dispersed such that the actual increase on any one section of road within the network will be lower and, hence, there will be negligible impact on the adjacent area. Importantly, Frederick Street will continue to act as a residential street.

Importantly, Frederick Street has capacity to tolerate an increase of over 1000 vpd and still satisfy Council's criteria where no agreed problem exists on the road. The forecast increase of 25vph during the peak would equate to approximately 250vpd which would still mean the volume on Frederick Street is well below 1500 vpd (in the order of 500 to 600 vpd).

### 3 REPRESENTATIONS

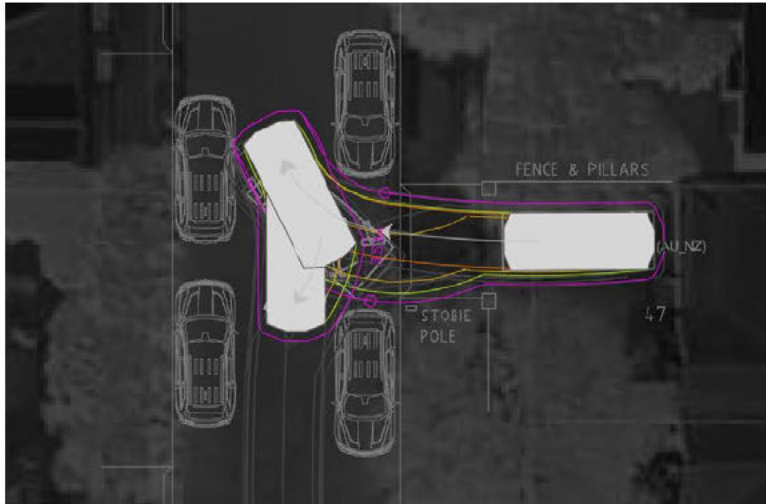
In addition to the request for information from Council, you have sought my response to traffic and parking concerns raised in representations associated with the subject proposal. I have, therefore, reviewed the representation and note the following traffic and parking matters were raised by representors:

- the width of the road is too narrow to accommodate additional traffic;
- the additional traffic generated by the site will result in congestion and safety issues;
- on-street parking which will occur as a result of the proposal will result in increased congestion;
- there will be an increase in speeding along the street; and
- access for residents will be restricted as a result of the additional on-street parking.

In regard to the above matters, I provide the following additional information to assist Council in its assessment of the proposal:

- Frederick Street is approximately 7.35m wide which is wider than the standard residential street requirement of 7.2m. It is adequate width to safely cater for vehicles parked on both sides of the road and provide for a single lane of traffic in accordance with the Australian Road Rules;
- the traffic volumes on Frederick Street are much lower than those experienced on most residential streets. There is adequate capacity to cater for the small increase in volumes associated with the proposal. Further, in accordance with Council's traffic warrant criteria, the volumes will be less than half the anticipated volume which is expected on a residential street;
- the proposal will not generate any additional parking on the street than would have been experienced by the existing use but rather should result in a reduced parking demand. What is important to consider when assessing the parking demand associated with the change of use is that parking which could occur and undertake a comparative assessment with the potential parking demand associated with the proposal. The proposed use will reduce the parking demand when compared with the existing use;
- the proposal will not encourage any increased speeds in Frederick Street. If speeding is a concern to residents on-street parking should be encouraged as parked vehicles (and the effective narrowing of the carriageway) will result in a reduction in the 85<sup>th</sup> percentile speed on the road; and
- access to and from properties on Frederick Street is consistent with all residential streets which are 7.2m in width. Importantly, the turn path figure provided in the representations has not

been accurately modelled. Figure 2 is a correctly generated turn path superimposed on the representor's figure.



**Figure 2: B85 turn path exiting driveway**

The above figure demonstrates that not only can the vehicle be reversed from the driveway if vehicles are parked on-street as shown but appropriate clearances will also be maintained (even in the event that all parked vehicles were to be B85 vehicles which is unlikely).

#### **4 SUMMARY**

In summary, the proposed change of use will considerably reduce the theoretical on-street parking demand when assessed in accordance with the requirements in the Planning and Design Code. More importantly, it will reduce the parking demand on-street at any one time associated with the actual use of the site.

While traffic volumes will be expected to increase as a result of the proposal, such increases will be well within the capacity of the road network and will be consistent with the nature and function of Frederick Street. Importantly the volumes will still be well below those identified in Council's traffic warrant criteria.

There will, therefore, be minimal impact on the adjacent road network as a result of the proposed change of use and the proposal will provide for safe and convenient access for participants through use of existing on-street parking adjacent the site.

Yours sincerely,  
**MFY PTY LTD**



**MELISSA MELLEN**  
Director



2010 NATIONAL WINNER  
2010 TELSTRA SOUTH AUSTRALIAN  
BUSINESS WOMAN OF THE YEAR

## ATTACHMENT 2



# Details of Representations

## Application Summary

Application ID	22023994
Proposal	Change of use from Community Facility to an Indoor Recreation Facility (Dance Studio)
Location	51 FREDERICK ST CLARENCE PARK SA 5034

## Representations

### Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	30/08/2022 06:29 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns

#### Reasons

Will the premises be hired out for functions and parties? Concerned about liquor licensing and late night noise. Concerned about parking in the local area.

## Attached Documents

## Representations

Representor 2 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	31/08/2022 04:50 PM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
<b>Reasons</b> Traffic & parking main issues	

## Attached Documents

Epson_310820221653531-3711341.jpg
Epson_310820221653532-3711342.jpg

## REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant: **CARISMA DANCE & FITNESS** [applicant name]  
Development Number: **22023994** [development application number]  
Nature of Development: **DANCE STUDIO** [development description of performance assessed elements]  
Zone/Sub-zone/Overlay: [Click here to enter text](#) [zone/sub-zone/overlay of subject land]  
Subject Land: **51 FREDERICK ST** [street number, street name, suburb, postcode]  
**CHARENCE PARK** [lot number, plan number, certificate of title number, volume & folio] **5034**  
Contact Officer: [Click here to enter text](#) [relevant authority name]  
Phone Number: [Click here to enter text](#) [authority phone] **08 8372 5111**  
Close Date: **5/9/22** [Click here to enter text](#) [closing date for submissions]

My position is:  I support the development  
 I support the development with some concerns (detail below)  
 I oppose the development — *strongly!*

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

- \* POSSIBLY 48 VEHICLES COMING & GOING EVERY 60 MINUTES EVERY DAY (MON 4AM — FRIDAY 9.15 PM) AND SATURDAYS (9AM — 5.30PM)
- \* THE STREET IS VERY NARROW AS IT IS & MORE CARS WILL MAKE IT WORSE.
- \* CURRENTLY ONLY ONE CAR AT A TIME CAN TRAVEL FREDERICK ST, IF CARS ARE PARKED ON EITHER SIDE OF THE ROAD
- \* IT WILL NO LONGER BE A QUIET RESIDENTIAL STREET!
- \* MY HOUSE WILL LOSE VALUE —
- \* IT WILL BE VERY NOISY WITH CARS/PEOPLE COMING & GOING AT ALL HOURS.
- \* I STRONGLY OPPOSE THE DEVELOPMENT!!

PS I DID TRY TO COMPLETE THIS ON LINE [attach additional pages as needed]  
& UNFORTUNATELY IT DID NOT WORK!



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

[Redacted]

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

- By:
- appearing personally
  - being represented by the following person: [Click here to enter text.](#)

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

[Redacted]



## Representations

Representor 3 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	01/09/2022 11:31 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

### Reasons

The number one concern I hold around this proposed development is the congestion in the street. Frederick St of which I live on, is already overpopulated for parked cars. The property across the road at 32A Frederick St is approx 350sqm and has 3 individual tenants living there with a single carport, this in turn means that there are 3 large vehicles, plus partners or friends who may visit. As a result on St parking at our particular part of the street is both sides of the road across 2-4 houses, often I will have to park 4 or 5 houses away to walk back to my house. This is not ideal particularly if the development is going to result in an increased number of additional parked cars for taking students to the dance studio. Furthermore, Frederick St is often used as a thoroughfare for cars trying to skip traffic along East Ave which means people speed down the road which poses a massive safety concern for both children crossing the road from the dance studio and also for damage to vehicles (I have already once had my mirror taken off from a car passing by along this road due to the narrowness of the street and parking congestion. I have also heard about an incident in the last 12 years at the end of the street at the T-junction near to the proposed plans where a car rear ended a parked car at around 40kms an hour due to someone pulling around the corner at speed, not realising there was a great build up parked cars near the T-junction). This development will make an already incredibly frustrating and dangerous St for motorvehicle accidents significantly worse!!! Final point on the safety aspect, there has been a couple of break ins that I am aware of along our St in the last few years including a home invasion only a few months ago. Additionally, the same 5 individuals attempted to break in to my vehicle parked out the front a couple years ago, thankfully my family member intervened but only to have a makeshift wooden spear javelined at head height. This resulted in damage caused to the front of our property and we no longer felt safe so have installed an electronic gate a several bluetooth cameras around the property to monitor for potential break ins, etc. Unfortunately not a lot we can do about this however, having an additional 20+ cars parked along the St would simply give these individuals a greater number a targets for breaking into vehicles to steal valuables.

### Attached Documents



## Representations

Representor 4 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	01/09/2022 11:49 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

### Reasons

Proposed studio/change of land use to an Indoor Recreation Facility is completely inappropriate for this residential street for the following reasons: • Proposed hours of operation of this business - incompatible with a residential area. Increased activity, foot & vehicle traffic 6 days/nights a week plus, unspecified frequency/hours of use on Sundays & possibility of use on public holidays will disturb this quiet residential street. On weeknights especially, studio will be operating just when majority of residents will be on way home or at home wanting to relax. • MasterPlan's planning report provides no details re actual number of classes/private lessons or duration thus obscuring scale of business & degree of movement of people on & off premises. Contrary to planning report's claim, this is actually quite a large-scale enterprise for its kind. 2022 Term 1/2 timetable, available on studio website ([carismadancefitness.com.au](http://carismadancefitness.com.au)), indicated studio ran at least 54 sessions Mon-Thurs & Sat in 4 locations. Sessions currently operating on Friday at Frederick Street are not included in this figure nor are private lessons. Lesson duration 30-90minutes. 12 staff members. • Contrary to planning report's claim, studio will inevitably "impact traffic / be impactful in the generation of additional traffic to the area." Frederick Street is very narrow. With cars parked on both sides of the street, there is only just enough room for one car, not two-way traffic. Only 3 years ago (2019) Unley Council proposed blocking off Frederick Street to reduce traffic volume. Proposed studio will add to number of cars already using street as a "rat-run" in afternoon peak hour, when weekday classes would be operating. For example, during changeover of classes, every 30-90 minutes, potentially up to 52 cars could be jostling for space. (2 classes of up to 12 students = 24 + 2 teachers x2 = 52). The street simply cannot cope with more traffic. • Though planning regulations require 13-14 off-street parking spaces, none are provided for in proposed development inevitably resulting in parents/caregivers parking in the street during lesson changeovers &/or part/all of lessons. Available parking spaces limited by numerous double driveways on western side of street, leading to vehicles parking further down street, thus affecting more residents. This on-street parking will create hazards in terms of through traffic on this very narrow road & difficulties for residents accessing their properties, particularly on weeknights when returning home from work. Reasons put forward in planning report for non-provision of on-site parking are disingenuous & contrary to actual experience of residents. Most children/teenagers these days are transported to/from extracurricular activities by parents in cars. Some parents remain in vehicles for part/all of lessons. They certainly park in the street to deliver or pick up children. Though they may not have lodged complaints, residents have already had to request parents to shift cars blocking their driveways. • The impact of studio's current use of premises 2 nights/week & previous use by Scouts Association cannot be compared to proposed 6-7 days/week operation of this business. Parking conditions at other venues currently being used by this studio stand in stark contrast to those existing in Frederick Street. Based on increased level of activity, likely increased volume of traffic & issues associated with on-street parking that will be generated by this studio & the adverse impact this will have on the amenity of residents in this street, I oppose this development & urge planning authorities do likewise.

Detailed\_Representation\_on\_Application\_- [REDACTED] -1101571.pdf

Carisma\_Dance\_and\_Fitness\_2022\_Timetable-1101572.pdf

**This proposed development is a commercial enterprise that is completely unsuitable for a residential street for the following reasons:**

**Re: Proposed hours of operation:**

Monday to Friday 3.45pm-9.15pm

- The studio currently runs classes for younger children between 1-2pm suggesting the possibility of classes being run outside times stated in the proposal.
- No indication of the number or duration of classes is provided in the report but the Term 1 and Term 2 Timetable for 2022 published on the studio website (carismadancefitness.com.au) showed that during this period in its 4 locations the studio ran 54 sessions per 5-day week, (Monday-Thursday and Saturday) with sessions ranging in duration from 30 minutes to 90 minutes, the majority being 60 minutes long. Terms run for 40 weeks of the year but the website also advertises a Summer School during January, a Winter Graded School during the midyear break plus other holiday workshops. A Demonstration Day is also held in Term 2, the day of week unspecified.
- The studio caters for adults as well as children and teenagers, so the potential exists for the expansion of studio hours outside of those stated, to cater more fully for this cohort.

Saturday 9.00am-5.30pm

*“The use of premises on Sunday will be limited to rehearsals and private lessons.”*

- The report claims Sunday rehearsals are usually limited to the 5 weekends leading up to end of year production in November December – the word “usually” is very open-ended, plus the studio website states these rehearsals actually start in Term 4 (commencing 15 October in 2022) and that extra rehearsals occur closer to production.
- Private lessons – no indication of the number or frequency of these sessions on Sunday. Potentially they could be occurring all day on Sunday.

*“Classes are not normally held on public holidays.”*

- this statement does not preclude classes actually running on public holidays.

The planning report prepared by MasterPlan, claims that that this studio is “small in scale.” By omitting details such as the number of classes, staff and actual student enrolments, it obscures the fact that this studio is **in fact quite a large commercial operation**. A large number of classes were timetabled in Term 1 and 2, 2022 but actually likely more than the number indicated above because the classes that have already been running at the Scout Hall in Frederick Street on Fridays **were not featured on the published timetable and no information is available about the current number of private classes**. According to their website, this studio has 12 members of staff (no doubt currently mostly part-time). This also gives an idea of the scale of the operation of this dance studio business and its potential to expand.

The proposed frequency of operation of the studio 6 days a week will have a significant enough impact on the residents in Frederick Street, especially at times when residents would be at home relaxing after a day’s or week’s work/schooling. But given the site could also potentially be used

from 9am (or earlier) to 3.15pm Monday to Friday as well as on Sundays, dance and fitness sessions could conceivably be operating for the best part of the day, 7 days a week. **This is entirely unsuitable in a residential area.**

#### **Re Class structure & Staff and its impact on traffic and parking:**

Mixture of private lessons and group-based classes.

A maximum of two classes to run at any given time with class sizes between 4-12.

- potentially up to 24 students per session meaning up to 24 cars parked on the street at any one time
- changeover of classes means potentially 48 cars attempting to negotiate this narrow street and find parking spaces.

One or two instructors will be on-site.

- an additional 2 vehicles parked on the street for the duration of their classes.

#### **Re Parking and Access:**

The planning report points out the following:

*“Applying the car parking rate for Indoor Recreation Facility, **the proposed development requires 13 on-site parking spaces**”* but

*“No on-site parking is provided in the front set back area.”*

- Why not? What other use is proposed for this area?

*“Parking is not restricted on either side of the street” and “Frederick Street carries a low traffic volume (approximately 370 vehicles per day).”* But

- This traffic volume will have to increase with this studio.
- The street is **extremely narrow** and when cars are **parked on both sides of the street**, it is already **difficult for one car to get through**, let alone cars travelling in opposite directions.
- Only 3 years ago (2019) Unley Council was proposing to block off Frederick Street to reduce the volume of traffic. The proposed studio will add to the number of cars already using the street as a “rat-run” in the afternoon peak hour, when weekday classes would be operating.
- On the western side of the street there are **many double driveways which limit the number of parking spaces**, which will no doubt lead to people parking further and further down the street from the hall thus impacting on more residents.
- During the operation of the Scout and Guide Hall, there have been occasions when the street would be full of parked cars, with some of them actually **obstructing driveways or at the very least making it difficult for residents to get in and out of their own driveways.**



**Contrary to the assessment contained in the Planning Report, the increased volume of traffic and number of cars parked in the street associated with this studio will have a significant impact on residents.**

The planning report claims that **no on-site parking** is provided on the basis that:

*“The site is well serviced by public transport. Pre-school, Primary School and High School aged students typically catch public transport to the dance studio and are then collected at the end of class by their parent and caregiver.”*

- **This claim is disingenuous.** It is well known that most children these days are driven to and from school and to their extra-curricular activities by their parents/caregivers. School students (especially pre, primary and younger high school students) are most unlikely to be catching public transport to late afternoon or evening classes, especially in the winter months. It is hard to imagine that parents would allow their children to walk from bus stops or the train station to the studio especially along such a poorly lit street as Frederick Street.
- Even if some students did come to classes on public transport, parents/caregivers collecting their children at the end of classes would contribute to increased traffic and issues with parking.

*“If students do not walk or travel via bus, they will be transported by parents or caregivers in a passenger vehicle via a ‘kiss and drop’ type of arrangement.”*

*“...parents and caregivers are discouraged from remaining on-site when dance lessons are in progress.”*

- The experience of residents during the current operation of the studio in Frederick Street is that parents quite often sit in their cars for some / all of the lesson.

The planning report claims that the studio has conducted dance classes at the facility on a Monday and Friday *“in this manner since January 2021 without complaint from surrounding owners and occupiers.”*

- That no-one has complained to the studio does not mean there have not been issues with people parking outside residents’ properties. There have been instances of owners having to ask parents to move their cars which have been blocking their driveways.
- The studio has only been running in the street 2 nights a week. Increasing the operation of the studio 3-fold plus to 6-7 days a week means the potential inconvenience to residents will increase significantly and therefore the potential for complaints.

The planning report draws attention to the fact that the former Scout and Guide Hall operated for 68 years with no provision for on-site parking but ignores the fact that:

- Meetings were held there only a couple of nights a week and other events such as fairs infrequently. **This contrasts with the significant increase in the frequency and hours of use of the premises proposed by the studio.**



- During COVID, meetings of scout and guide groups have ceased, so recent activity at the hall is no indication of how this proposed studio will impact on the residents of this street.
- The parking of those involved in Scout and Guide Hall activities did from time-to-time impact on residents who perhaps chose not to complain because the Scouts were a not-for-profit community organization offering benefits to the local community as opposed to a **commercial enterprise** which this studio clearly is.
- Many years ago, the hall was let out for private functions which caused such disturbance to the residents due to noise, traffic, parking and unsociable behaviour that the ensuing complaints from residents resulted in the Scouts organization ceasing to hire out the hall for such functions. Local residents will complain when the situation becomes intolerable for them.

It should be noted that the dance studio currently runs classes in 3 other locations:

- Church of Trinity at 318 Goodwood Road, Clarence Park which has **ample off-street parking**
- Latvian Hall at 4 Clark Street, Wayville which is situated in a **very wide street**.
- Clarence Park Community Centre at 72-4 East Avenue, Clarence Park, which is a major thoroughfare and also a **wide street**.

**The parking conditions in these locations stand in significant contrast to those in Frederick Street, Clarence Park.**

**Based on the increased level of activity, likely increased volume of traffic & issues associated with on-street parking that will be generated by this studio & the adverse impact this will have on the amenity of residents in this street, including myself, I oppose this development & urge the planning authorities do likewise.**



www.carismadancefitness.com.au

email- [carissa@carismadancefitness.com.au](mailto:carissa@carismadancefitness.com.au)

ph- 0438900388 Postal address- PO Box 312 Goodwood SA 5034

TERM ONE & TWO 2022- subject to change depending on class #s

- VENUE LOCATIONS- Church of Trinity- 318 Goodwood Road, Clarence Park, 5034  
 - Scouts Hall- 51 Frederick Street, Clarence Park, 5034  
 - Latvian Hall- 4 Clark Street, Wayville, 5034

Monday @ Frederick St	Tuesday @ CP day @Trinity night classes	Tuesday @ CP day classes @Trinity night classes	Wednesday @ Trinity	Wednesday @Trinity	Thursday @ Trinity
4.15-5.15- Grade 1	1-1.30/ 1.30-2 Fairies & Elves	4-5 Boys Class	4.00-4.45 Grade 4	4-4.30 Grade 5 Dances	
5.15-6.15- Open Class- Inter Fdn/Inter/ Adv Fdn	4.30-6.00- Advanced Two	5-6 Inter Jazz 2 (IFdn/Inter/Adv Fdn)	4.45-5.30 Grade 5 + 4	4.30-5.30 Grade 3	4.30-5.30- Pre Primary/ Primary
6.15-7.15- Pointe Class – Inter Fdn- Adv Fdn	6-7- Senior Tap (Vocational)	6-7 Disc Rep Level 4 (Adv)	5.30-6.30- Stretch Class (Grade 3 & Above)	5.30-6.30- Inter Fdn	
7.15-8.15- Disc Rep Lvl2 Class (Beg)	7-8 Senior Jazz	7-7.45 Barre Class	6.30-7.45- Advanced Fdn	6.30-7.45- Intermediate	6.00-7.00- Stretch class
8.15-9.15- Disc Rep Lvl 3 Class (Int)	8-9.15 Advanced One	8-9 Senior Contemporary	7.45-9- Advanced Two	7.30-9 Advanced One	7.00-8.30- Advanced Open Class

Saturday @ Latvian Hall		
9.00-9.45- Fairies & Elves	9.00-10.00- Pre Primary	9.00- 10.00- Primary
10.00-11.00- Grade 4	10.00-11.00- Grade 1	10.00-11.00- Grade 3
11-11.30- Grade 4 Dances	10.00-11.00- Grade 2	11-11.30- Grade 3 Dances
11-11.30- Junior Jazz (P-Gd 2)	11.00-12.00- Intermediate	11.30-12.45- Adv Fdn
11.30-12- Junior Tap (P-5)		
12.00-1.00- Inter Jazz (Gd 3,4,5)	12.00-1.00- Intermediate Fdn	
1.15-2.00- Lyrical	1.00-2.00- Senior/ Voc Pointe Class (AF+)	1.30-3.00- Adult Ballet Variations
2.00-2.45- Junior Contemporary (Gd 3-7)	2.00-3.00- Grade 8	
3.00-4.00- Grade 5	3.00-4.00- Grade 7	3.00-4.00-Grade 6
4.00-5.00-Troupe	4.00-5.00- Silver Swans	

## Representations

Representor 5 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	01/09/2022 02:19 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

### Reasons

1. Frederick Street is in a residential area and not compatible with the establishment and conduct of a commercial business. The dance studio is a profit, money-making business which has no place in a narrow residential street with limited on street parking. It does not protect the residential character and amenity of the neighbourhood. 2. Lack of parking The application mentions the area of the building is approximately 290 sq m and therefore requires 14 on site parking places ( see table 1 page 9) there is an assertion in the application that students of all ages will catch public transport. In my experience parents will transport the children/ youth in cars. If there are one or two concurrent classes, there will be minimum 24 cars coming and going and sometimes staying a the hours stipulated in the application. This will cause traffic chaos; even more so when there are full rehearsals. Our street is narrow (7.3m wide) with not many kerbside places for legal parking. This poses real safety issues for residents, children and parents, even more so as the street is often used as a short cut by cars during afternoon rush hours. 3. Noise levels Previous use has meant that there is thumping and music which is uncomfortable and intrusive when I'm outside in my garden and inside with doors and windows open, thus reducing my quality of life. Traffic noise will also be difficult to cope with for extended periods of the day and evening.

## Attached Documents



## Representations

Representor 6 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	01/09/2022 09:00 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

### Reasons

My first concern with this development is specifically in relation to the lack of on-site parking in the proposed plan despite the proposed development requiring 13 on-site car parking spaces. My second concern is the increase in car traffic on Frederick st that this development will bring. I believe that planning consent should be refused on this basis until these specific concerns are addressed. As a resident of Frederick street, my day to day experience is that it is narrow with many cars parked on-street. At peak times and on weekends it is already very difficult to navigate, with cars having to pull off to the side to let others through. This raises safety concerns - many young families live in the area with small children. Cars heavily parked on narrow streets reduces visibility, and drivers become frustrated. It only takes one child to walk out from behind a parked car, a driver not to see them and for there to be a serious accident. I know that many families with young children live on this street. Parking is not controlled on this street so cars already park opposite each other. We have already had to negotiate with our neighbours and ask them to park their truck elsewhere so that we can exit our property without doing a 6-point turn on a daily basis. The difficulty in navigating this narrow street is exacerbated on weekends when Sublime cafe is busy. Increased car traffic and increased on-street car parking as a result of this development would make both ends of Frederick street congested.

## Attached Documents

Frederick\_St\_Dance\_studio\_development\_-\_Objection\_[REDACTED]1101782.pdf

My first concern with this development is specifically in relation to the lack of on-site parking in the proposed plan despite the proposed development requiring 13 on-site car parking spaces. My second concern is the increase in car traffic on Frederick st that this development will bring. I believe that planning consent should be refused on this basis until these specific concerns are addressed.

As a resident of Frederick street, my day to day experience is that it is narrow with many cars parked on-street. At peak times and on weekends it is already very difficult to navigate, with cars having to pull off to the side to let others through. This raises serious safety concerns - many young families with small children (including us) live on this street. Cars heavily parked on narrow streets reduces visibility, and drivers become frustrated. It only takes one child to walk out from behind a parked car, a driver not to see them and for there to be a serious accident.

Parking is not controlled on this street so cars already park opposite each other. We have already had to negotiate with our neighbours and ask them to park their truck elsewhere so that we can exit our property without doing a 6-point turn on a daily basis. The difficulty in navigating this narrow street is exacerbated on weekends when Sublime cafe is busy. Increased car traffic and increased on-street car parking as a result of this development would make both ends of Frederick street congested.

I have further explained my concerns below in response to the planning proposal document:

*Applying the car parking rate for Indoor Recreation Facility, the proposed development requires 13 on-site parking spaces.*

*No on-site parking is provided, on the basis that:*

- The site is well serviced by public transport. Pre-school, Primary School and High School aged students typically catch public transport to the dance studio and are then collected at the end of class by their parent/ caregiver.*

As a teacher and a parent I want to highlight that pre-school and the majority of primary school aged students are not old enough to be catching public transport independently and unaccompanied from school. It is of great concern to me that the people operating a dance studio, and who are caring for young children are using this as a reason to state why they do not need to provide car-parking. It should be acknowledged that these children will be driven to dance classes by a parent/caregiver.

*If students do not walk or travel via bus, they will be transported by parents or care-givers in a passenger vehicle via a 'kiss and drop' type arrangement.*

Further planning documentation should be required to show exactly how this "kiss and drop" arrangement will operate on this street in terms of traffic flow. The street is narrow, and along with extra on-street parking from the dance studio this will increase traffic and congestion for residents. Increased traffic and on-street parking will decrease safety of children and access for residents on this street. It should be acknowledged that the "kiss and drop" arrangement will only be suitable for older children and the 2.5-7 year old age group will not use this, and so will require parking.

- Parents and/or caregivers are not expected to remain at the dance studio while classes are in progress, except for the 'Fairies and Elves' class which caters for 2.5 – 4 year old students. Indeed, the applicant has confirmed that parents and caregivers are discouraged from remaining on site when dance lessons are in progress.*



The planning documentation should show how parking for the 2.5-7 year old age group will be catered for. How many students in a day will be in this age group? Where exactly will these parents park? For the older children, if classes are less than 1hr it should be expected that some parents will want to remain. It should be expected and acknowledged that parents will want to watch their children at times. For parents who travel some distance, it should be acknowledged that they will want to remain parked somewhere if the class is less than 1hr.

- *The volume of vehicles is further reduced by a number of students attending more than one class, reducing the number of students arriving and departing the premises at any given time. The dance studio will run a mix of private lessons and group-based classes with a maximum of two (2) classes running at any given time. Given a total of 8 – 24 students and two (2) instructors will be involved in classes at the premises at any given time, it is considered sufficient that parents and caregivers be permitted to continue to park in Frederick Street to drop off and pick up students just as they did when the building was used as a Scout and Guide Hall. Carisma Dance and Fitness has conducted dance classes at the facility on a Monday and Friday in this manner since January 2021 without complaint from surrounding owners and occupiers. It is also relevant to note that the Community Facility has until recently operated as a Scout and Guide Hall for 68 years (we understand 3rd Goodwood Group was established in 1953) with no provision for on-site parking.*

Further information should be provided with regards to class sizes and frequency. If two classes are running – does this mean that there could be 48 students and cars coming and going? What will happen if the Dance school operators decide to increase their class numbers or class frequency? This is of serious concern given that the Dance studio will be operation from 3:45pm-9:15pm Monday to Friday and 9-5pm on Saturday. It will result in a relentless increase in on-street parking, traffic congestion and noise for residents, turning our street into a busy car park. Frederick street is a quiet, narrow, residential street and not suitable for a commercial dance studio that does not provide any parking facilities.

With regards to complaints not having been made since 2021, it is not a reasonable assumption to conclude that residents have not been bothered by it. I have been affected by the increase in cars parked on Frederick street, however I was not aware that a dance studio was operating in the scout hall. We had assumed that the many cars parked on the street were residents, and this is not something that you would make a complaint to a council about.

In closing, I do not directly oppose the development of this Dance studio. However, I believe that approval for this commercial development should be refused on the basis that there is a significant lack of planning and consideration for managing the increase in on-street parking and traffic flow on this quiet, narrow residential street. This lack of consideration shows a lack of respect for residents. It will jeopardise the safety of young children living on this street and have a significant impact on resident access.

## Representations

Representor 7 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	02/09/2022 09:14 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
<b>Reasons</b> Traffic and parking	

## Attached Documents

CarismaDanceAndFitness-3723636.pdf



**CAUTION:** This email originated from outside the organisation. Do not act on instructions, click links or open attachments unless you recognise the sender and know the content is safe.

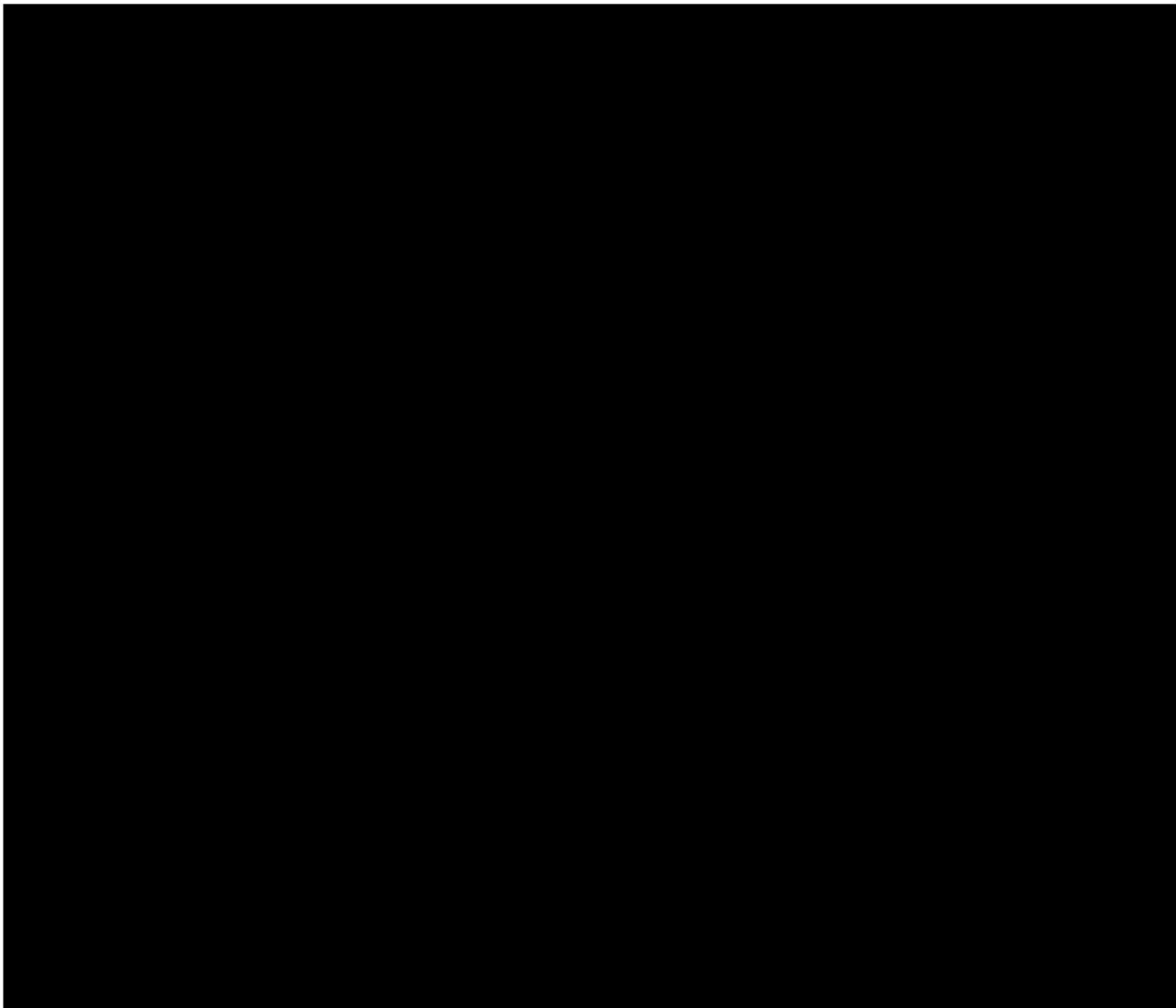
To Whom It May Concern,

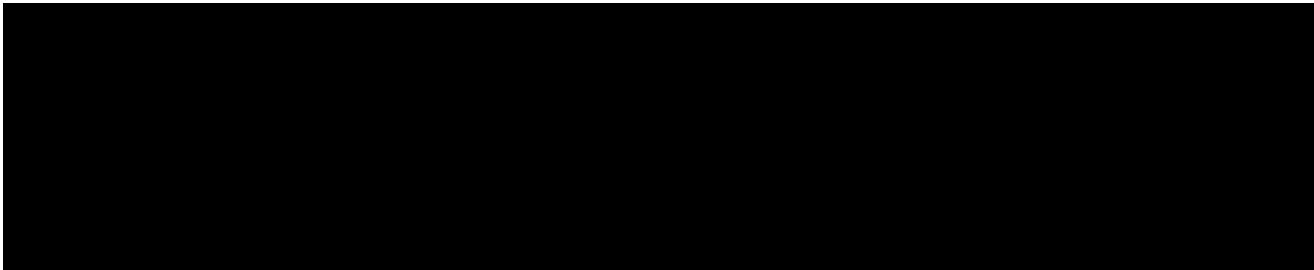
I wish to put forward my objection to the proposed application for Carisma Dance and Fitness Studio.

51 Frederick Street Clarence Park.

Please see below.

- Firstly this street is a very quiet street which is part of its charm.
- There is barely enough parking for the residents that live here.
- Many children that play around Frederick street
- This is also a throughfare for traffic that speed down there at around 530 to 6pm avoiding east avenue.. this will make it without doubt more dangerous
- Noise level at that time of night will be terrible for people who go to work early.
- All in all what a terrible idea for a quiet street!!!!





## Representations

Representor 8 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	02/09/2022 11:53 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

### Reasons

REFUSED. Frederick Street was originally planned as having rear access for East Avenue homes with homes on Frederick Street on one side only. The Street is narrow. A number of subdivisions occurred prior to a full review & rewrite of the Planning code by Unley council, I believe 8-10 years ago at significant cost, with the creation of the Millswood Heritage precinct. With modern families, 2/3 vehicles per household is common. With vehicles on either side of the road already common & can be difficult to pass through. Problems have been exacerbated with development approved approximately 2 years ago with approval in contravention of the planning code of 32A Frederick Street which sees 4 vehicles in residence 3 of which are parked on the street. Additionally, Corner Frederick + Mill St business of T&M Auto Repair will often have clients cars parked in Frederick Street. Both ends of the street can be congested with cars parked whilst using the 2 coffee shops on East Ave. It is already not uncommon for a vehicle to have to reverse/back up to Kelvin Street if another vehicle enters from Mill Street. Similar occurrences can occur at other end Corner of Frederick & George Street mainly due to a small medium aged Gum/Qld Box Tree with one of the limbs allowed to grow low across the road certain lying impeding Trucks & 4WD vehicles. Whilst the building when utilised as the Scout Hall impacted on traffic it was not often & tolerated being a community minded organisation. Proposal is for a business to operate with significant parking requirements which are beyond the streets capabilities & surrounding for that matter. To allow this proposal to proceed would be ludicrous & follows on from the proposal to allow a further rear subdivision at either 77 or 79 East Ave. ( we are currently travelling & can't identify from the plans provided) Proposal is strongly apposed.

## Attached Documents



## Representations

Representor 9 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	04/09/2022 06:52 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

### Reasons

This street is a quiet and residential area. Several reasons as to why this should not be granted: The street is ridiculously narrow as it is, and with it parked out continuously already makes it difficult to get down the street in a regular sized car. Add in more street parking and additional traffic from a business would not only make travelling down the street unsafe, but near impossible. The noise that this establishment would generate in a residential area would also be ridiculous. Not considering the opening hours they wish to operate in: 5pm to 9pm? The noise of people and cars at that time, in a neighbourhood with many starting their day at the early hours of the morning make for late and noisy nights. Absolutely ridiculous.

## Attached Documents

## Representations

Representor 10 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	04/09/2022 09:28 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

### Reasons

In relation to the section 'Parking and Access' 'Applying the car parking rate for Indoor Recreation Facility, the proposed development requires 13 on-site parking spaces. No on-site parking is provided, on the basis that:

- The site is well serviced by public transport. Pre-school, Primary School and High School aged students typically catch public transport to the dance studio and are then collected at the end of class by their parent/caregiver.
- If students do not walk or travel via bus, they will be transported by parents or care-givers in a passenger vehicle via a 'kiss and drop' type arrangement. Parents and/or caregivers are not expected to remain at the dance studio while classes are in progress, except for the 'Fairies and Elves' class which caters for 2.5 – 4 year old students. Indeed, the applicant has confirmed that parents and caregivers are discouraged from remaining on site when dance lessons are in progress.
- The volume of vehicles is further reduced by a number of students attending more than one class, reducing the number of students arriving and departing the premises at any given time. Given a total of 8 – 24 students and two (2) instructors will be involved in classes at the premises at any given time, it is considered sufficient that parents and caregivers be permitted to continue to park in Frederick Street to drop off and pick up students just as they did when the building was used as a Scout and Guide Hall.

My concerns in short are (1) noise due to the large increase in car usage (2) safety based on the narrow street and parking each side of the street (3) possibility of people who are visiting me being able to park, especially since some of them are elderly and not at the peak of their mobility (4) privacy being affected by up to 12 cars being parked in front of our place, 2/hour afternoon and evening and longer on Saturdays (5) the aesthetic considerations. More detailed comments: Frederick St is a tiny, narrow, peaceful residential street. The development would fundamentally change its nature via the introduction of potentially heavy traffic M-F from around 3.30pm to 9.30pm, Saturday 8.45am-5.45pm and some Sundays. Presumably as a business paying a lot for the premises, it would also be intending usage during the rest of the day hours, much as this is not addressed in the present application. The applicant claims that there is no need to provide the called for 13 car parks, but the reasons given (that customers will be dropped off and picked up, or use public transport) are dubious. In a city with such a poor record of using public transport we could take it as a given that usage of public transport to get to the dance business will be rare. If it is so that customers will be dropped off and picked up (as the applicant also states), then the number of cars will be up to 48 coming and going every hour for 6+ hours. It is rather disingenuous to argue that the outcome will be similar to the previous community use for Scouts/Guides, since that did not involve 6+ different sessions per day, which will be the case with the commercial application. If, on the other hand, the area in front of the building is used as a large carpark, this is an aesthetic affront to the residential nature of the area, replete as it is with lovely front gardens which is also a point of concern.

## Attached Documents

## Representations

Representor 11 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	05/09/2022 03:19 PM
Submission Source	Other
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
<b>Reasons</b> Traffic	

## Attached Documents

Re\_CommentOnApplication22023994-3741428.pdf

[Redacted]

[Redacted]

Good afternoon,

Please see the following comment made by a community member via Planning Alerts. As the currently allocated Relevant Authority for Development application 22023994 we are forwarding this on for your review and action.

If you have any questions please let us know.

Your reference number is: 52047

[Redacted]



[Redacted]

[Redacted]

## **For the attention of the General Manager / Planning Manager / Planning Department**

Application	22023994
Address	51 Frederick St Clarence Park SA 5034
Description	Change of use from Community Facility to an Indoor Recreation Facility (Dance Studio)





## Comment

We as residents of Frederick Street are very concerned that a Dance Studio is to be operated from Monday to Saturday and possibly on Sundays as we already struggle with reversing out of our driveway as it is a very narrow street . With more cars continually coming this will become disastrous and off street parking will also be a challenge for our family who visit regularly. The planning code requires 13 Off Street car parks to be provided but this appears not to be the case . WHY ?????

It was used as a scout hall but this was ONCE a week NOT every night and ALL day Saturday

.  
This Dance Studio will turn Frederick Street into a carpark and more of a struggle to reverse out of a driveway .

---

This comment was submitted via PlanningAlerts, a free service run by [the OpenAustralia Foundation](#) for the public good. [View this application on PlanningAlerts](#)



## Representations

Representor 12 - [REDACTED]

Name	[REDACTED]
[REDACTED]	[REDACTED]
Submission Date	05/09/2022 04:46 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

### Reasons

Frederick Street is part of a quiet residential area and Frederick Street itself is a narrow street which already has significant use in the 'going to work' and 'getting home from work' time slots as drivers seek to avoid using East Avenue and getting caught at traffic lights. The proposed use of the site with students/parents coming and going on Monday to Friday 3.30 to 9.15 and all day Saturdays ( and some Sundays) greatly exceeds the previous use of the Scout Hall and will adversely affect my quality of life and also of other local residents. My only garden actually 'fronts' Frederick Street as it is on the corner of George and Frederick streets, and the proposed development will greatly increase the street noise level, also increase air pollution, thus adversely affecting my quality of life.

## Attached Documents

## Representations

Representor 13 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	05/09/2022 04:55 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
<b>Reasons</b> Please refer attached representation.	

## Attached Documents

Frederick\_HPC\_Objection\_Final-1103068.pdf



2 September 2022

T 08 8271 7944  
Suite 15, 198 Greenhill Road  
EASTWOOD SA 5063

City of Unley  
ATT: Planning Department

ABN 54 159 265 022  
ACN 159 265 022

**By Upload**

To Whom it May Concern

**RE: 22023994 - 51 FREDERICK STREET CLARENCE PARK**

I confirm that the owners of the property located at 47 Frederick Street, Clarence Park have engaged Heynen Planning Consultants to consider the planning issues associated with the proposed indoor recreation facility at 51 Frederick Street, Clarence Park.

For clarity, my client's land at which they have resided for over 15 years is located approximately 23 m north of the subject land where the indoor recreation facility is proposed, as highlighted within Figure 1.



**Figure 1:** Location of Subject Development Relative to 47 Frederick Street, Clarence Park

I confirm that I have viewed the MasterPlan planning submission and the Echo Acoustic Consulting acoustic report, considered my client's land and the locality more generally, viewed the subject site and locality, reviewed the Planning and Design Code (the Code), considered Practice Direction 14 as issued by the State Planning Commission and examined aerial imagery in order to form an opinion on the proposed development.

I have also considered the vehicle swept path diagrams provided by my client as included within Appendix 1.

By way of summary, I hold significant concerns with the proposed development as a consequence of the following planning issues:

- the inappropriateness of the land use;
- the unsuitability of the use of the land in a residential setting;
- the adverse impact on safe and convenient vehicle movement and parking in the area; and
- the potential for an inappropriate acoustic impact on residents.

The representor likewise is concerned about the development for the reasons noted above. This representation has been lodged to ensure that these key issues are addressed in full as part of the planning assessment.

Council will note that my client has requested to be heard at the eventual CAP meeting as a consequence of this representation.

The planning issues are distilled and raised hereafter, having undertaken a complete assessment of the proposed development against all relevant provisions of the Planning and Design Code.

#### *Environmental Consideration of the Land Use*

The applicant confirms that a change in land use is proposed. Accordingly, consideration of whether the proposed use is a more sensitive land use must follow. For the purposes of determining whether a change in land use is to a more sensitive use, per the Planning, Development and Infrastructure (General) Regulations 2017 (the Regulations) and the Code, the relevant authority must have regard to the land uses specified in the land use sensitivity hierarchy within Table 1 of *Practice Direction 14* (see Figure 2).

On review it is apparent that an "indoor recreation centre" is specifically excluded from the "community centre" and is therefore not a defined use. In circumstances when this occurs, the relative sensitivity of the proposed use, per *Practice Direction 14*, requires the following:

#### ***Part 2 – Land use sensitivity***

##### ***5 – Land use sensitivity***

*(2) In the event that the proposed or existing land use is not specified in Table 1, the relevant authority must have regard to:*

- (a) the sensitivity of the human populations proposed to be using the land following the change in use; and*
- (b) the potential for exposure of those populations to chemicals from site contamination following the change of use.*



**TABLE 1: Land Use Sensitivity Hierarchy**

Item	Land use	Description and examples
1	Residential class 1	Domestic residential
	Educational premises class 1	Pre-school or primary school premises
2	Residential class 2	Commercial aged care or other residential care facility
3	Open space/recreation area	Parks, playgrounds, playing ovals and other recreational areas in the open
4	Educational premises class 2	Secondary school premises, university or other tertiary educational premises
	Hospitals	Hospitals and hospices where persons with vulnerable physiology typically reside
	Tourist Accommodation	Hotels, motels and other forms of tourist accommodation
	Community centre	Land used for social, recreational or educational purposes for local community but not including school premises or university or other tertiary educational premises or indoor recreation centres
5	Commercial class 1	Shops, offices, consulting rooms and the like

**Figure 2:** Practice Direction 14 Table 1: Land Use Sensitivity Hierarchy

In relation to Part 2, 5(2)(a) the “sensitivity of the human populations” to be using the land, per the MasterPlan submission, includes:

- two classes simultaneously;
- up to 12 students per class;
- students from 2 ½ years and up will attend; and
- 1 to 2 staff will be located onsite.

Further clarity is provided on review of applicant’s website and the Carisma Dance and Fitness 2022 timetable<sup>1</sup> which confirms:

- back-to-back classes are booked, for example 4:15pm to 5:15pm, 5:15pm to 6:15pm, 6:15pm to 7:15pm, 7:15pm to 8:15pm, 8:15pm to 9:15pm;
- dance as a SACE subject (educational purposes) is offered; and
- students range from “pre-primary” age upwards.

Noting the above, the use will include up to 24 persons at any time when “overlap” occurs, in addition to the two staff onsite for supervision of children as young as pre-primary. With two classes starting and stopping concurrently a degree of unsupervised attendance is possible.

<sup>1</sup> [http://www.carismadancefitness.com.au/files/8016/4176/6781/2022\\_Timetable.pdf](http://www.carismadancefitness.com.au/files/8016/4176/6781/2022_Timetable.pdf)



Noting that the use of indoor recreation facility and dance school are not listed as an “item” in Table 1 (save for the specific exclusion from the item “community centre” land use per item 4), *Practice Direction 14* requires the following (my underlining added):

*(5) The following qualifications apply in relation to Table 1:  
(c) if the proposed or previous land use is not represented in the land use sensitivity hierarchy, the use closest in nature to the use specified in the hierarchy should be considered;*

The “use closest in nature” is clearly either item 1 “pre-school or primary school premises” given the commonality of the age of children proposed to attend the site and the type of learning and recreational activity offered by the proposed indoor recreation centre. As noted per the MasterPlan submission, the classes offered by the proposed use intentionally follow on from school hours (i.e. from 3.45 pm) are our designed to operate as an after school curricular activity.

Likewise MasterPlan note that “Pre-school, Primary School and High School aged students typically catch public transport to the dance studio and are then collected at the end of class by their parent/ caregiver.” This likeness places the proposed use as closest to the comparative item 1 per Table 1 of *Practice Direction 14*.

So as to ensure that the sensitivity of the change of use has been considered by the relevant authority, and as required by *Practice Direction 14* a Preliminary Site Investigation (PSI) or a Site Contamination Audit Report (SCAR) should be provided. I note that one has not been made available for review during notification and in the absence of either of these documents the development cannot be consistent with the Code, see for example:

**Part 4 - General Development Policies**

**Site Contamination**

DO 1 Ensure land is suitable for the proposed use in circumstances where it is, or may have been, subject to site contamination.

PO 1.1 Ensure land is suitable for use when land use changes to a more sensitive use.

*Unsuitability of the Use in the Established Neighbourhood Zone*

The proposed use of the land as an indoor recreation facility is not contemplated in Table 3 - Applicable Policies for Performance Assessed Development of the Established Neighbourhood Zone, and nor is the development assigned the Restricted or Deemed-to-Satisfy pathway. As a consequence the Code requires the following:

**Part 1 - Rules of Interpretation**

**Application of Policies to Performance Assessed Classes of Development**

Development that does not fall within one of the specified classes of development in Table 3 will be designated in the table as 'All Other Code Assessed Development'. To assess such development, all policies from the zone and subzone, and all policies in overlays that have application to the spatial location of the development, and all general development policies, apply for the purpose of assessment.

The proposed development seeks to undertake a non-residential use in the Established Neighbourhood Zone which is a zone that seeks “*predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.*”

As per the MasterPlan submission, within the relatively short timeframe between 3.45 pm and 9.15 pm it is proposed that up to 60 students will attend dance lessons. Beyond this timeframe additional activities are observed on the Carisma Dance & Fitness website including by appointment dancing, dance as a SACE subject, group fitness classes and personal training.

The non-residential use must be considered against the following Code provisions (my underlining added):

**Out of Activity Centre Development**

PO 1.1 Non-residential development outside Activity Centres of a scale and type that does not diminish the role of Activity Centres:

- (a) as primary locations for shopping, administrative, cultural, entertainment and community services
- (b) as a focus for regular social and business gatherings
- (c) in contributing to or maintaining a pattern of development that supports equitable community access to services and facilities.

**Out of Activity Centre Development**

PO 1.2 Out-of-activity centre non-residential development complements Activity Centres through the provision of services and facilities:

- (a) that support the needs of local residents and workers, particularly in underserved locations
- (b) at the edge of Activities Centres where they cannot readily be accommodated within an existing Activity Centre to expand the range of services on offer and support the role of the Activity Centre.

Based on the intensity of the proposed use of the land, it is likely that the indoor recreation facility will diminish the role of Activity Centres<sup>2</sup> and detract from Activity Centres. Put another way, the services are better provided within an Activity Centre so as to bolster the liveliness of these designated areas, and create a focus of “activity” in areas that are well placed to cater for the demands of gatherings of people on a regular basis. Clearly, this residential area is not established for this purpose and not does the street or the locality have the capacity to cater for the proposes services and facilities offered by the indoor recreation facility.

Accordingly, the proposed use requires a detailed assessment pertaining to the *Interface between Land Use* provisions of the Code including (my underlining added):

**Interface between Land Uses**

PO 2.1

Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

- (a) the nature of the development
- (b) measures to mitigate off-site impacts
- (c) the extent to which the development is desired in the zone
- (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.

The MasterPlan submission confirms that the use includes weekends, public holidays and Sundays, while the Carisma Dance & Fitness website confirms that dancing is to occur during summer and winter school holidays.

<sup>2</sup> Out of Activity Centre Development PO 1

Noting this, along with the fact that classes will “run” until 9.15 pm on weeknights, the nature of the use and the intensity of the use is expansive and simply inappropriate. The intensity of activity and the hours of operation cannot be consistent with the following provisions of the Code (my underlining added):

**Interface between Land Uses**

PO 1.2 Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.

**Established Neighbourhood Zone**

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

**Historic Area Overlay**

DO 1 Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

Accordingly, the proposed is not suitable in the Established Neighbourhood Zone and Historic Area Overlay. In this regard, the coherent pattern of development is residential in nature, with one incoherent development (i.e. the community centre). In my opinion, it is not appropriate to simply assume that a change of use from non-residential development to another non-residential development satisfies the Code.

The proposed land use will unreasonably impact the amenity experienced within the locality (to be discussed further) and likely jeopardise the role of the Activity Centres observed along Goodwood Road, Cross Road and South Road. The characteristics of the predominately residential setting will be diminished by the continuation of a non-residential use in the form of an indoor recreation centre.

*Vehicle Movement and Parking*

Significant concerns are held with regard to the suitability of Frederick Street for a non-residential land use of the intensity of that proposed. In my opinion, 26 people (24 dancers overlapping between sessions of up to 12 and 2 staff) attending the site at any one time will create significant traffic congestion and require total reliance on on-street car parking or “kiss and drop” facilities which do not exist (and the street was not designed for).

By my measure, Frederick Street is very narrow and provides a kerb to kerb width in the order of 7.35 m. When vehicles are parked on Frederick Street my client has regularly not been able to reverse out of their driveway, with this vehicle manoeuvre confirmed in Appendix 1. The proposed indoor recreation facility will increase the regularity of vehicles parked on-street noting that no off-street car parking is proposed.

As previously confirmed, with 26 people attending the site at any one time, the proposed use will add considerably to adverse traffic and parking conditions along Frederick Street. In this regard the proposal fails the following provisions from the Code.

### **Design in Urban Areas**

DO 1 Development is:

contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality

### **Transport, Access and Parking**

PO 4.1 Development is sited and designed to provide safe, dignified and convenient access for people with a disability.

PO 6.2 Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.

PO 6.4 Pedestrian linkages between parking areas and the development are provided and are safe and convenient.

PO 6.5 Vehicle parking areas that are likely to be used during non-daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.

Simply put, to rely fully on on-street car parking for up to 60 students and all staff in a condensed timeframe (3.45 pm to 9.15 pm) in a narrow residential street does not satisfy the Code.

### *Acoustic Impact*

As the development seeks to change the use to an indoor recreation facility, by definition (see Code extract below) the proposed use may include activities beyond dancing and particularly those advertised on the Carisma Dance and Fitness website (i.e. group fitness classes and personal training).

### **Part 7 - Land Use Definitions**

Means a building designed or adapted primarily for recreation or fitness pursuits.

#### **Includes (Column C)**

Bowling alley;	Dance studio;
Squash courts;	Indoor swimming centre;
Fitness centre;	Indoor trampoline centre;
Gymnasium;	Indoor rock climbing centre;
Pilates studio;	Indoor children's play centre;
Yoga studio;	Indoor skating rink.

In this regard, the Echo Acoustic Consulting report assesses the acoustic impact of *Music* and *Other Noise (Classes)* of dancing however the additional classes that are listed per the Carisma Dance and Fitness website below have not been considered:

- Group barre classes (including weights, cardio, stretch and resistance);
- Personal Training;
- Fitness options including:
  - Fitball classes;
  - Circuit classes; and
  - Pilates.



It is my experience that the above noted activities are very different to dance classes (see points below) warrant consideration of their acoustic impact in a residential setting:

- bouncing of balls and other fitness equipment;
- moving and dropping of weights;
- music that is played at high volume to “motivate” rather background music or music to dance to;
- the duration of music, noting the application advises that music is limited to performances only;
- raised voices in a circuit or group setting;
- raised voices for motivational purposes in fitness classes; and
- the use of the area outside of the building for personal training and fitness.

If the proposed use is to include the above noted activities an updated acoustic report should be provided. Alternatively, a condition of consent excluding all activities except those considered in the acoustic report (group dance classes) is warranted.

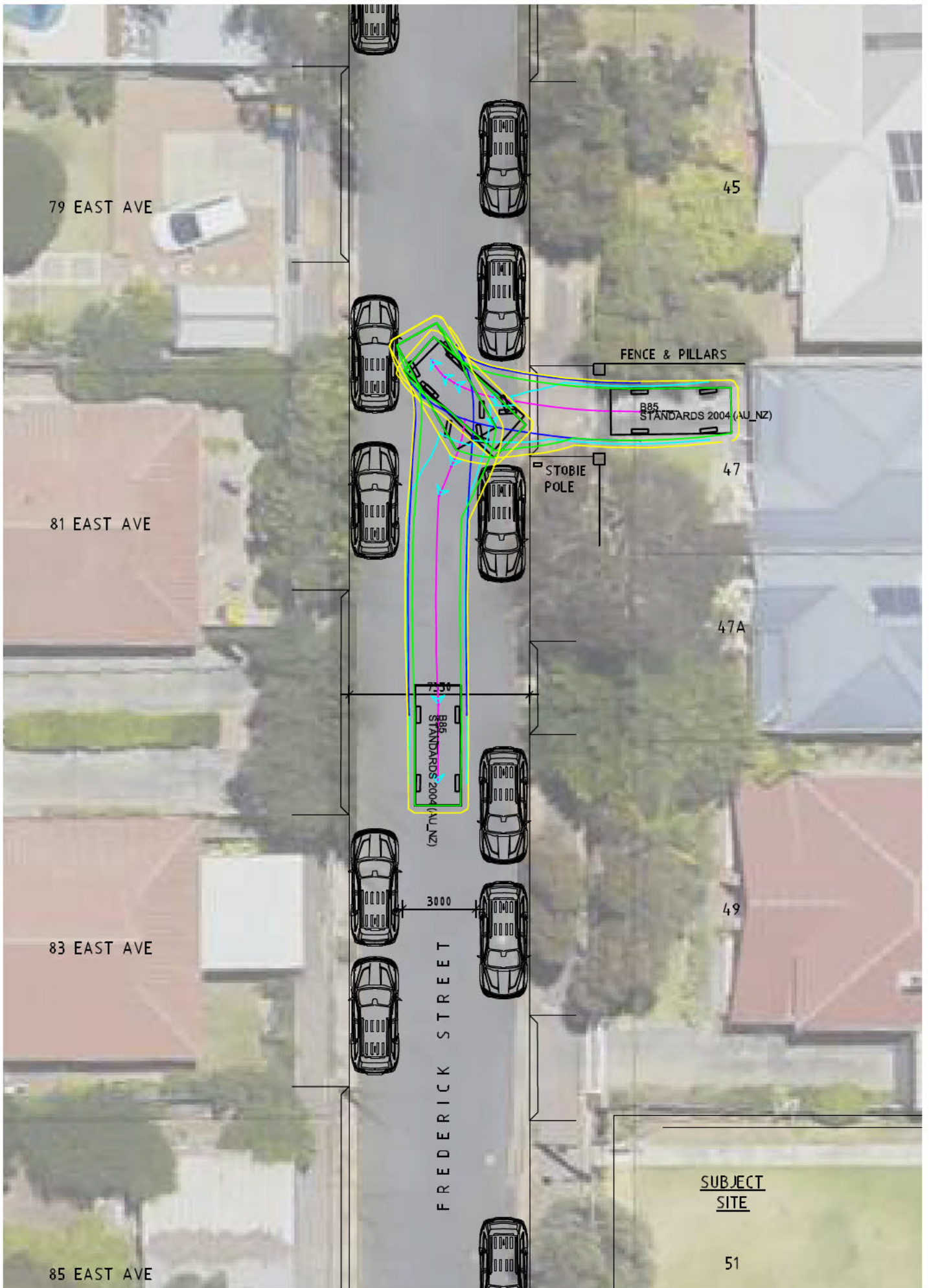
To summarise, in my opinion, the proposed development is of an intensity and use that manifests as a development which displays insufficient merit to warrant the grant of planning consent.

Noting all of the above, I am of the opinion that the development warrants refusal.

My client has requested that I be available to present at the relevant Council Assessment Panel meeting.

Should you have any queries, please contact me at your convenience otherwise I look forward to





## Representations

Representor 14 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	05/09/2022 08:16 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

### Reasons

This street is a quiet and residential area. Several reasons as to why this should not be granted: The street is already quite narrow and with the increased activity and parking, this will only add to the congestion of the street and narrow the traffic area even further making travelling down the street unsafe, but also near impossible. With operating hours being 5pm to 9pm I would be extremely concerned by the noise generated from the establishment. The noise of people and cars at that time, in a neighbourhood with many starting their day at the early hours of the morning make for late and noisy nights.

## Attached Documents

## Representations

Representor 15 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	06/09/2022 08:10 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
<b>Reasons</b> Amenity, traffic & parking	

## Attached Documents

Fw\_51FrederickStreetClarencePark-ChangeOfUse-3744595.pdf





**CAUTION:** This email originated from outside the organisation. Do not act on instructions, click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sirs

I have recently received advice re a Notice of Development Application regarding the subject property.

The proposed change is from Community Facility to commercial recreation business.

I object to the proposed change of use on the following grounds:

#### Objection 1

- The previous use was a non-commercial social activity and its activities had a minimal impact on the ambience of the street.
- The proposed new use is a commercial business.
- The address is not in a commercial business zone.
- Commercial activity will deplete the general residential character of the street.
- The business will attract up to forty or more people and their vehicles per session of dance lessons on weekday evenings and all day at weekends..
- The volume of traffic generated by this number of people will not only adversely affect the quiet residential character of Frederick Street but also the safety of motorists and pedestrians.
- Commercial activities extending into weekends will further deplete the normal quiet residential character of the street which people at home for the weekends rely on to relax and recharge.
- All of the above will almost certainly reduce the value of properties in the area with its relevant reduction in rates returns to council.

#### Objection 2

- The proposed change of use does not comply with planning codes for off street parking. Without off-street parking there will be a substantial increase in volume of on street parking from 3:30pm to 9:45pm Monday to Friday and all day Saturday, plus potentially Sundays.

This will have a negative effect on Council's proposal to reduce the impact of peak hour traffic; refer Objection 3.

#### Objection 3

- Unley Council has already notified local residents of a project to fix problems caused by existing elevated peak hour traffic activity in the area around Frederick Street from 3:30pm on Mondays to Fridays.

The elevated activity is related to existing problems identified by Council which occur at the following times:-

- From 3:00 pm - school pick-up runs
- From 4:00pm – local commuter traffic
- From 4:00pm - Short cut traffic (Mill Street, East Avenue, Kelvin Avenue, Francis



Street, William Street, Goodwood Road, Cross Road).

- Increased on-street parking as a result of commercially generated traffic will only serve to negate Council's efforts to improve this situation.

In conclusion I would summarise my position as follows:-

Frederick Street is a socially interactive community, it is not a business centre or shopping mall where large numbers of people come and go on a regular basis.

It is certainly not suited to the inclusion of the proposed commercial activity which will attract increased numbers of people as indicated by its programme of classes.

An ingress of this indicated large number of complete strangers to the street will adversely deplete our feeling of community.

It will also threaten our feeling of wellbeing, security and quality of life to which we have become accustomed.

I therefore put it to council that there are many reasons why a commercial activity of the nature proposed at 51 Frederick Street should not be allowed

I respectfully request that my objections be considered and tabled at the next relevant council meeting.

Regards

[Redacted signature block]

•



## ATTACHMENT 3

20 October 2022

City of Unley  
PO Box 1  
UNLEY SA 5061

Via: PlanSA Portal

Attention: Mark Troncone, Planning Officer

Dear Mark

**Re: Development Application 22023994  
Response to Representations**

MasterPlan have been engaged by [REDACTED] Carisma Dance & Fitness ('our clients') to review and respond to representations received during the public notification period with respect to Development Application 22023994 for the Change of Land Use from Community Facility to an Indoor Recreation Facility at 51 Frederick Street, Clarence Park ('the subject site').

Public notification was required for this proposal and concluded on 5 September 2022. At the conclusion of the notification period, fifteen (15) representations were received. The representations are summarised in **Table 1** below.

**Table 1: Details of Representations Received**

NAME	AFFECTED PROPERTY	POSITION	WISH TO BE HEARD
[REDACTED]	[REDACTED]	Supportive – with concerns	No
[REDACTED]	[REDACTED]	Oppose	No
[REDACTED]	[REDACTED]	Oppose	No
[REDACTED]		Oppose	No
[REDACTED]	[REDACTED]	Oppose	Yes
[REDACTED]	[REDACTED]	Oppose	Yes
[REDACTED]	[REDACTED]	Oppose	Yes

NAME	AFFECTED PROPERTY	POSITION	WISH TO BE HEARD
[REDACTED]	[REDACTED]	Oppose	No
[REDACTED]	[REDACTED]	Oppose	No
[REDACTED]	[REDACTED]	Oppose	No
[REDACTED]	[REDACTED]	Oppose	Yes
[REDACTED]	[REDACTED]	Oppose	No
[REDACTED]	[REDACTED]	Oppose	Yes
[REDACTED]	[REDACTED]	Oppose	Yes
[REDACTED]	[REDACTED]	Oppose	No

The concerns raised by the representors with respect to the proposal can be summarised into the following:

- Appropriateness of Land Use.
- Land Contamination Procedural Matter.
- Noise Impact.
- On Street Vehicle Parking.
- Increase in Traffic Generation.
- Impact on Property Value.

A response to each of these issues is provided **below**.

**Points of clarification**

Before responding to the specific concerns expressed in the representations we can confirm the following details with respect to the proposed change of use which some representors sought clarification on or interpreted from information available on our clients' website:

- The Dance Studio will not be made available to hire for functions.
- The Dance Studio will not be subject to a Liquor Licence Application.

- The Dance Studio will be used solely for dance lessons and not as a general fitness studio as our client no longer provides the services asserted in the submission by Heynen Planning Consultants.
- The timetable referenced by representors from our clients' website is not reflective of the intended use of the premises and is based on the previous availability of space within venues. The applicant has confirmed that the timetable will be tailored to suit the capacity of the venue, and accordingly, as outlined in the application documents and for convenience, the hours of operation sought are confirmed **below**.

**Table 2: Hours of Operation**

DAY	HOURS
Monday to Friday	3.45pm to 9.15pm
Tuesday (Only)	1.00pm to 1.30pm
Saturday	9.00am to 5.30pm
Sunday	Typically Closed*1
Public Holidays	Closed

**Note \*1:** Sunday rehearsals in November and December over five (5) weekends for an end-of-year concert.

### **Appropriateness of Land Use**

It is asserted that the proposed land use for a Dance Studio is inappropriately located within an Established Neighbourhood Zone, citing amongst other references, the Out of Centre Zone Performance Outcomes, PO1.1 and PO1.2, and the Interface Between Land Uses Performance Outcome PO 2.1 relating to hours of operation.

While an indoor recreation facility is not expressly listed under the DTS/DPF 1.1 for Land Use and Intensity within the zone, the following Performance Outcomes are relevant, and provide guidance when considering the "Rules of Interpretation" for assessment against the relevant policies of the Planning and Design Code, and in particular, the application of a hierarchy of weighting to the policies which will prevail in such an assessment.

Under the rules of interpretation, the zone policies prevail over the General Policies.

**PO 1.1 Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.**

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

**PO 1.3 Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.**



**PO 1.4 Non-residential development located and designed to improve community accessibility to services, primarily in the form of:**

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

Having regard to the above performance-based policies for the Established Neighbourhood Zone we note that:

- PO1.1 contemplates non-residential activities compatible with the established development pattern of the neighbourhood, and that the existing Community Hall (Scout Hall):
  - is on an allotment of a size and dimension which reflects the size and dimensions of residential allotments in the locality;
  - has a built form and site coverage consistent with the scale of buildings in the zone; and
  - forms part of the established development pattern, noting it's long history of providing non-residential activities on the land conveniently located to the resident population.
- PO1.2 contemplates commercial activities where they improve community access and are of a scale and type to maintain residential amenity, and that the existing Community Hall (Scout Hall):
  - represents an existing non-residential use with no limitations or restrictions on its hours of operation;
  - has no on-site car parking; and
  - is conveniently located to provide access to the community.
- PO1.3 relates specifically to the siting and design of development to not impact on the residential character and amenity of the neighbourhood, and that the activities associated with the proposed dance school does not require, or result in any external changes to the design and siting of the existing Community Hall.
- PO1.4 expressly seeks that non-residential development is located and designed to improve community accessibility to services, and specifically includes reference to "recreation facilities". PO1.4 does not distinguish between indoor or outdoor recreation facilities.

It is therefore important to note and acknowledge the fact that the subject land is already occupied by a non-residential land in any assessment of the change of use within this zone. The Scout and Guide Hall has been established on the subject land for in excess of 68 years (we understand the third Goodwood Group was established at the facility in 1953) and had evolved to offer, through the hire of the facility, a wide range of activities and singular events in addition to its core function.

The existing Scout Hall contributes to the “existing residential amenity” in this location in terms of available use, access to on-street car parking and traffic generation. It is also relevant to note that the existing use, despite how it might have been most recently occupied, does not have any restrictions in terms of the hours or days of operation.

The Scout and Guide Hall arguably acted as a focus for non-residential activity generation in the area.

The former Scout and Guide Hall is an appropriate venue for the proposed Dance Studio and offers a continuation of use within the confines of an established, non-residential use.

The Established Neighbourhood Zone does contemplate non-residential development in the form of recreational facilities, and it just so happens that the proposed recreation activity, is an indoor activity that seeks to use an existing building that also services the local community.

The proposed hours of operation are generally consistent with the hours contemplated for non-residential development located adjacent lawfully approved sensitive land uses expressed in Interface Between Land Uses DTS/DPF 2.1 and associated PO 2.1 pertaining expressly to hours of operation and the potential impact on the amenity.

The Planning and Design Code PO 2.1 relates to Hours of Operation:

**PO 2.1 Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:**

- a) the nature of the development**
- b) measures to mitigate off-site impacts**
- c) the extent to which the development is desired in the zone**
- d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of the land.**

It is our position, that the retention, adaption, and reuse of the former Scout and Guide Hall as a Dance Studio reinforces the setting, landscape and valued streetscape of the neighbourhood reinforced by the Residential Spacious Clarence Park Historic Area Statement (Un14).

It is considered that the proposed use of the premises is acceptable to have regard to the objectives of the Established Neighbourhood Zone.

### **Land Contamination Procedural Matter**

One (1) representor references the State Planning Commission Practice Direction 14 Site Contamination Assessment 2021. It is important to note, the objectives of this practice direction are to:

- (a) support site contamination assessment steps that must be taken when land use is proposed to be changed to a more sensitive use or, with respect to land division, where a sensitive use is proposed, and there is reason to believe that site contamination exists or may exist because of various activities or conditions; and*

- (b) *set out forms and other requirements that are contemplated by provisions of the Planning, Development and Infrastructure (General) Regulations 2017 that relate to the assessment and remediation of site contamination in connection with applications for planning consent; and*
- (c) *specify conditions that will apply in connection with planning consent for land that may be subject to site contamination; and*
- (d) *provide guidance and other information associated with the assessment and remediation of site contamination.*

The proposed development is for a Change of Land Use from a Community Facility to an Indoor Recreation Facility. As detailed in the Planning Report, the building has a longstanding history as a Scout and Guide Hall, providing programmes for children from six years of age.

While we acknowledge that a change of land use is proposed, the relevant authority must turn its mind to whether such land use represents a change to a more sensitive land use. An Indoor Recreational Facility is not listed as a land use within the list of land uses categorised within the Land Use Sensitivity Hierarchy, other than to be expressly excluded from the Community Centre Land Use.

The use of the terms in Practice Direction 14 are different from the defined land uses in the Planning and Design Code (albeit subtle). The Practice Direction gives guidance and qualification to the interpretation of whether a development represents a change of use to a more sensitive land use, and expressly states:

- (c) *if the proposed or previous land use is not represented in the land use sensitivity hierarchy, the use closest in nature to the use specified in the hierarchy should be considered;*

While the representative asserts that the use of a dance school is more closely aligned to that of a preschool or primary school based on the ages of children attending the site, it would be disingenuous to disregard the fact that as a Scout Hall, children as young as six years of age would have attended the site to undertake both indoor and outdoor activities.

Accordingly, we submit in accordance with clause (5)(c) of Practice Direction 14 that regardless of which land use category you assign to the existing and proposed use the nature of the activities undertaken are similar in nature and based on the representors position should reasonably fall within the same level of sensitivity in the identified hierarchy.

It is our position, that City of Unley, as the Relevant Authority has rightly determined that a Preliminary Site Investigation (PSI) or a Site Contamination Audit Report (SCAR) are not required for the assessment of this application.

**Vehicle Parking**

With regard to Vehicle Parking Rates, the Planning and Design Code PO 5.1, states:

- PO 5.1 Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:**
- a) **availability of on-street car parking**
  - b) **shared use of other parking areas**
  - c) **in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared**
  - d) **the adaptive reuse of a State or Local Heritage Place.**

Table 1 – General of Street Car Parking Requirements of the Planning and Design Code establishes the following on-site car parking rates:

CLASS OF DEVELOPMENT	CAR PARKING RATE	REQUIREMENT
Community facility	10 spaces per 100m <sup>2</sup> of total floor area.	29 spaces
Indoor Recreation Facility	4.5 spaces per 100m <sup>2</sup> of total floor area for all other recreation facilities.	13 spaces

As demonstrated above, the proposed development requires a minimum of 13 car parking spaces on-site to support the proposed use.

It has been long held supported by case law, that it is an appropriate approach to compare the existing situations (Community Facility), with predicted parking demand for the proposal (Indoor Recreation Facility) and therefore, assess the net change in car parking demand associated with the proposed development.

The site currently provides for no on-site car parking. As such, the site currently presents a shortfall of 29 car parking spaces. The proposed change of use would result in a decrease to that existing shortfall by 16 car parking spaces, during the operating hours of the premises. The car parking shortfall generated by the site would significantly decrease as a result of the proposal.

The proposed development is supported by a Traffic and Parking Impact Assessment Report prepared by MFY which determines that, in accordance with PO 5.1, the streets surrounding the premises have the capacity to accommodate the additional parking generated by the use during the hours of operation proposed.

Given the findings of the Traffic and Parking Impact Assessment Report, and when assessed against the Planning and Design Code, the proposed development should not be required to provide any additional on-site car parking, to warrant being considered an appropriate re-use of the existing building.

## Traffic Generation

The Traffic and Parking Impact Assessment Report identified that the proposed change of use will result in an increase of approximately 25 trips per hour on Frederick Street during the afternoon peak period. Such an increase will only be during periods when classes are scheduled and will be lower during periods when only one (1) class is scheduled or a specialist class with lower participants is held.

The volume of vehicular movements generated by the use is commensurate to the scale of the use, being modes. The Traffic and Parking Assessment Report concluded that the forecast increase of 25 trips per hour is very low and will have no impact on the nature or function of Frederick Street. Further, the volumes will be dispersed such that the actual increase on any one section of road within the network will be lower and, hence, there will be negligible impact on the adjacent areas. Importantly, Frederick Street will continue to act as a residential street and will maintain the reasonable residential amenity noting the existing use rights associated with the Scout Hall on the subject land.

## Noise

An assessment of the proposed development had been undertaken prior to lodging the application on the basis that there was a potential to result in adverse acoustic impacts on the surrounding locality due to the use of music associated with the dance lessons.

The Planning and Design Code DTS/DPF 4.1 provides the parameters for assessment as follows:

**DTS/DPF 4.6      Development incorporating music includes noise attenuation measures that will achieve the following noise levels.**

<b>Assessment location</b>	<b>Music noise level</b>
<b>Externally at the nearest existing or envisaged noise sensitive location</b>	<b>Less than 8dB above the level of background noise (L90,15min) in any octave band of the sound spectrum (LOCT10,15 &lt; LOCT90,15 + 8db)</b>

An Environmental Noise Assessment has been undertaken by Echo Acoustics and provided to the City of Unley upon their request. This Environmental Noise Assessment compared noise levels generated by the Dance Studio against standards established in the Planning and Design Code DTS/DPF 4.6 to ensure the acoustic amenity of surrounding dwellings is not adversely impacted upon.

Until the sale of the property, Carisma Dance and Fitness had been renting the Community Facility for dance classes on Mondays and Fridays since January 2021. Inspections (observations and measurements) made by Echo Acoustics during classes indicated innocuous noise levels at surrounding dwellings due to the low intensity of the activity.

The noise sources in a class comprise instructional voice, interactional conversation, and movement on a timber floor. As stated in the Planning Report, music is not played consistently during class and is only played when the class is performing a routine. The volume of music is maintained so that instructors can communicate with students.



This is consistent with the site observations and measurements, undertaken by Echo Acoustics, who confirmed that music levels are easily compliant with DTS/DPF 4.6. Further, the Environmental Noise Assessment states, that:

*'Outside the hall during dance classes is only just audible (and then, only in the vicinity of the building) and innocuous.'*

The Environmental Noise Assessment concluded that the Dance Studio can reasonably and practicably achieve the relevant standards required by the Planning and Design Code, and all surrounding dwellings, though the implementation of the following recommendations:

- Upgrading the doors and glazing within the masonry hall and entries to ensure they are solid, sealed and kept normally closed.
- Using vinyl floor coverings such as 'Tarkett' over the wooden floors during all dance classes.
- Sealing the openings at the junctions between the walls and roof, and along the ridge line.
- Upgrading the existing evaporative cooling system ductwork.
- Sealing all wall vents in the masonry hall.
- Ensuring the music levels are maintained as measured (background music), noting this will occur inherently due to the need to provide clear instruction without the instructor raising their voice.

As stated in the Planning Report, the Applicant has committed to undertake the above recommendations to ensure the building is well sealed, Tarkett floor coverings are installed, and music levels are maintained, prior to operation.

The report determines that the predicted noise levels emitted from the premises are acceptable with regard to the requirements of DTS/DPF 4.6 and therefore, will not result in an unacceptable impact on the reasonable residential amenity.

### **Impact on Property Value**

The issue of property values is a concern often expressed in representations against development in one form or another. As often as there have been assertions that policy changes and/or development proposals reduce the value of existing properties so have there been assertions that the value of existing properties can be increased. The issue has been considered by the ERD Court from time to time and in particular the matters of:

- *Meyer and Northern Areas Council & Broughton Hills [1998] SAERDC 471*, where it was stated in the judgement that:

*"The development plans applicable to the regions and districts of South Australia do not refer to land values except in the most oblique and inferential way here and there and the demonstration of any link, if it is possible, could only be made by very specialised evidence from a range of experts including planners, valuers, land economists and the like."*

and

- *St Raphael's School v Unley City Council [1995] EDLR 113*, where it was stated:

*"Fear of, and even actual, reductions in property value are rarely relevant in deciding a development application."*

We, therefore, submit that this issue raised by the representors is not a valid consideration of the matter before Council, and regardless, the representors have not demonstrated that there will be a devaluation of the properties.

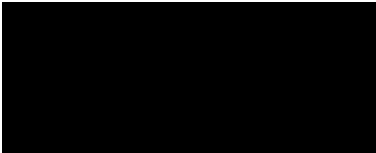
### **Attendance at the Council Assessment Panel Meeting**

It is noted that six (6) representors have indicated that they desire to make a verbal submission to the Council Assessment Panel (CAP) at the meeting where the application is considered.

Our client, either personally or by their agent, will be in attendance at the meeting to respond to verbal submissions and answer any questions that the CAP has in respect of its proposal.

Please confirm the location and timing of the meeting with the writer.

Yours sincerely



**Greg Vincent**  
MasterPlan SA Pty Ltd

MLM/22-0246



20 October 2022

[REDACTED]  
[REDACTED]  
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## **PROPOSED CHANGE OF USE TO DANCE STUDIO 51 FREDERICK STREET, CLARENCE PARK**

I am in receipt of a request for information from Council in relation to the proposed change of use from a Community Facility to an Indoor Recreation Facility at 51 Frederick Street, Clarence Park. Specifically, Council has included the following advice in its correspondence.

*I have reviewed the planning report and a number of objections to the application, noting the objections main areas of concern are around traffic and parking impacts. In order to appropriately review the change in use, the applicant will need to submit a transport/parking report prepared by a suitable qualified transport engineer.*

*The report should include an assessment of both parking and traffic generation for the change of use, and its potential impact on Frederick Street (this should include both a traffic and parking survey undertaken at expected peak times of operation). This will then allow council to review and determine if the impact is acceptable for Frederick Street.*

Further to the above request, I have completed a traffic and parking assessment for the proposed change of use with a view to assisting Council in its assessment of the proposal.

### **1 EXISTING SITUATION**

The subject site is located at 51 Frederick Street, Clarence Park. Frederick Street is a local road within the care and control of City of Unley and has a carriageway width of approximately 7.35m. A 40km/h precinct wide speed limit applies to this street.

No reported crashes have been recorded over the past five years on Frederick Street, albeit one crash was report at the intersection of Frederick Street and George Street during this period.

#### **1.1 SUBJECT LAND**

A scout hall is currently located on the subject site. While the hall is not currently utilised by a scout troop, the site was previously the home of the Third Goodwood Scout and Guide Troop which

offered Joeys, Cubs and Scouts plus Guides, with activities occurring on-site after school and on weekends.

The existing access is located adjacent the southern boundary of the site. No formal parking is currently provided on the land and hence all parking associated with the use of the site and a scout hall would have occurred on the adjacent street network.

Based on the requirements of the Planning and Design Code, the existing use of the land would generate parking at a rate of 10 spaces per 100m<sup>2</sup>, which would generate a demand for 29 parking spaces.

### 1.2 EXISTING ON-STREET PARKING

Observations of existing parking on the road network in close proximity to the subject land were completed on Wednesday 21<sup>st</sup> of September, 2022 to understand the existing parking demand on Frederick Street and surrounding roads during the expected peak period associated with the proposed development (weekdays after school). These observations identified that there were only seven vehicles recorded on Frederick Street, albeit the hall was not operational during this review and hence the on-street parking demand would have previously been greater.

A review of existing kerbside parking potential identified that there is an opportunity for approximately 46 vehicles to be parked on Frederick Street, between George Street and Francis Street. Accordingly, the forecast demand for 29 spaces could have been accommodated on-street in close proximity to the subject site.

### 1.3 EXISTING TRAFFIC ENVIRONMENT

The *Local Area Traffic Management Plan Zone 3 – Clarence Park/Millswood (2019)* identifies that Frederick Street has a daily traffic volume in the order of 370 vehicles and an 85<sup>th</sup> percentile speed of 47km/h.

Figure 1 illustrates an extract from this report (Table 4.2) which is a table documenting Council’s traffic warrants for residential streets.

Applicable In local residential streets only	Daily Traffic Volume	85th percentile speed (40km/h streets)	% of daily traffic in peak AM and PM	Casualty crashes in 5 year period	Action
Substantial problem (Deficiency Standard)	> 3000	>= 50	> 20	3+	Further investigation required
Acknowledged technical problem (Planning Standard)	> 2000	48-49	17-20	3+	
Possible technical problem	> 1500	46-47	14-16	3+	
No agreed problem	< 1500	<= 45	< 13	< 3	No investigation required

Table 4.2 Traffic warrants for the City of Unley

**Figure 1: Table illustrating City of Unley traffic warrants relating to residential streets**



Subsequent data collected by Council in 2022 identified a daily traffic volume of approximately 300 vpd and an 85<sup>th</sup> percentile speed of approximately 43km/h.

It can be seen on the above table that the volumes in Frederick Street are well below the 1500 vpd which Council has identified as the volume where a “technical problem” may exist.

The 85<sup>th</sup> percentile speed identified in Council’s report does identify that a “possible technical problem” in relation to the speed of vehicles although the more recent data identifies a speed of less than 45km/h which requires no investigation.

## **2 PROPOSAL**

The proposal is for a change of use from a Community Facility to an Indoor Recreation Facility to develop a dance studio consisting of a studio area and ancillary office and amenity facilities. Classes will be held between 3:45 pm and 9:15 pm on weekdays and between 9:00 am and 5:30 am on Saturdays. In addition, one class is proposed on a Tuesday between 1:00 pm and 1:30 pm. The studio will accommodate up to two classes of 4 to 12 students per class and two instructors. The parking demand for the site is proposed to be accommodated on-street.

### **2.1 PARKING ASSESSMENT**

The Planning and Design Code identifies a parking rate of 4.5 spaces per 100m<sup>2</sup> for an Indoor Recreation Facility. This will result in a demand for 13 parking spaces associated with the proposed use which is less than half the demand associated with the existing use. Accordingly, the existing on-street parking will be considerably reduced as a result of the proposal.

Notwithstanding the above, I have completed a comparative technical assessment of the parking which could be anticipated by the existing and proposed land uses in order to assess the potential impact on the adjacent street network, noting that such an impact will relate to increased parking demand which could be generated by the proposed use of the facility as a dance hall when compared with the previous use as a scout hall.

#### **2.1.1 Scout Troop Parking**

Scout troops have sessions for various ages, with attendances ranging between 15 and 30 members at any one time. Most participants are delivered and collected, thus only requiring short term parking, albeit a number of parents may also volunteer each week and hence park for the duration of the session. Troop leaders typically drive to the session and hence require parking.

Based on an average of 25 troop members being on-site during a session, there would be a demand for approximately four parking spaces for troop leaders and volunteers during the session and 21 short term spaces for set-down and pick-up of scouts (assuming a vehicle occupancy of 1.2 troop members per vehicle). At peak times, therefore, there would have been an estimated on-street demand for 25 spaces.



### **2.1.2 Dance Studio Parking**

The proposal will result in the potential for two dance classes of up to 12 students at any one time, albeit it is not anticipated that all sessions will include 12 students, particularly in both sessions at any one time. There will be a requirement for one instructor per class. The majority of dancers will be delivered and collected from the classes, albeit a higher proportion of parents or carers could choose to stay on site to watch the class.

Based on an average attendance of ten students in one class and eight in a simultaneous class, there would be a requirement for 15 parking spaces associated with delivery and collection of dancers (assuming 1.2 dancers per vehicle). There could also be an estimated overlap demand of approximately 50% between sessions which would result in a demand of approximately 23 spaces.

Instructors associated with the proposal will generate two spaces and therefore there will be a potential demand of 25 spaces associated with the proposed use.

By way of comparison, an assessment of the forecast peak parking demand for the proposed studio has been undertaken using empirical parking data collected at a recreational facility where younger students were delivered and collected to a class. These data identified a set-down/pick-up rate of approximately one space per two students.

Applying this rate and the above scenario of a class of ten and eight students with 50% overlap, there would be a requirement for 14 parking spaces during pick-up and set-down periods plus two additional spaces for the instructors (or a total of 16 spaces).

Even in the unlikely event that there was to be two full classes in the facility, this would only result in a peak demand for 20 spaces during the pick-up/set-down period (inclusive of staff and overlap parking requirements).

### **2.1.3 Parking Comparison**

It is identified in the above assessment that the parking demand associated with the proposed use will be lower than the existing when reviewing the requirements in the Planning and Design Code.

Further, the technical assessment identifies that the proposal will be anticipated to generate a lower on-street parking demand at any one time than would have been generated when the Goodwood Third Scout Troop was located at the hall. As such there will not be an increase in parking demand or an impact on the adjacent road network as a result of the proposed change of use.

Importantly, the site observations confirm that there will be adequate parking in Frederick Street and the adjacent road network to accommodate the peak parking demand on-street, noting that such a demand will occur during the short pick-up/set-down periods. Further, there will be a reduction in staff at the site and hence fewer vehicles parked for extended periods.

## **2.2 TRAFFIC ASSESSMENT**

Similar to the parking assessment, the potential traffic impact will relate to the differential in traffic volumes which could be generated by the proposal when compared to its previous use.

### **2.2.1 Scout Troop Traffic Volumes**

The forecast traffic volumes associated with the use of the hall by a scout troop is estimated to include:

- Approximately 40 trips (20 to and 20 from) the site prior to the session;
- Approximately 40 trips (20 to and 20 from) the site following the session; and
- Approximately eight trips associated with the Troop Leaders (four to the site prior to the session and four from the site following the session).

Accordingly, it is estimated that there would be in the order of 44 trips per hour generated by a Scout session.

### **2.2.2 Dance Studio Traffic Volumes**

The proposed dance studio will generate traffic volumes associated delivery and collection of students for each class. Further, while a number of students will be delivered and collected to and from classes there will equally be parents or carers who park for the period of the session.

For the purpose of this assessment, it has been assumed that:

- 50% of drivers will park for the duration of a class;
- 50% will depart the site and return to collect dancers; and
- adjacent classes will generate volumes during the same hour.

Based on the above, the proposed facility will generate approximately 69 trips per hour (assuming there are two sessions scheduled simultaneously which will not always be the case), when simultaneous sessions are scheduled with eight to ten dancers attending each session.

### **2.2.3 Traffic Comparison**

The above assessment has identified that the proposed change of use will result in an increase of approximately 25 trips per hour on Frederick Street during the afternoon peak period. Such an increase will only be during periods when classes are scheduled and will be lower during periods when only one class is scheduled or a specialist class with lower participants is held.

The forecast increase of 25 trips per hour is very low and will have no impact on the nature or function of Frederick Street. Further, the volumes will be dispersed such that the actual increase on any one section of road within the network will be lower and, hence, there will be negligible impact on the adjacent area. Importantly, Frederick Street will continue to act as a residential street.

Importantly, Frederick Street has capacity to tolerate an increase of over 1000 vpd and still satisfy Council's criteria where no agreed problem exists on the road. The forecast increase of 25vph during the peak would equate to approximately 250vpd which would still mean the volume on Frederick Street is well below 1500 vpd (in the order of 500 to 600 vpd).

### 3 REPRESENTATIONS

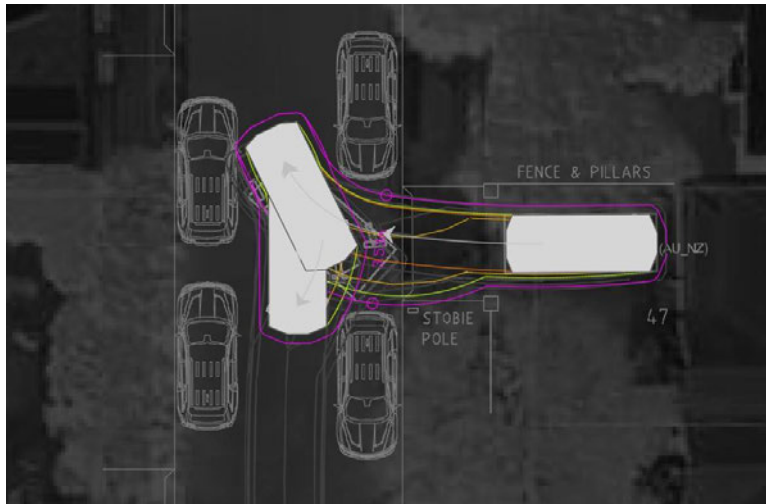
In addition to the request for information from Council, you have sought my response to traffic and parking concerns raised in representations associated with the subject proposal. I have, therefore, reviewed the representation and note the following traffic and parking matters were raised by representors:

- the width of the road is too narrow to accommodate additional traffic;
- the additional traffic generated by the site will result in congestion and safety issues;
- on-street parking which will occur as a result of the proposal will result in increased congestion;
- there will be an increase in speeding along the street; and
- access for residents will be restricted as a result of the additional on-street parking.

In regard to the above matters, I provide the following additional information to assist Council in its assessment of the proposal:

- Frederick Street is approximately 7.35m wide which is wider than the standard residential street requirement of 7.2m. It is adequate width to safely cater for vehicles parked on both sides of the road and provide for a single lane of traffic in accordance with the Australian Road Rules;
- the traffic volumes on Frederick Street are much lower than those experienced on most residential streets. There is adequate capacity to cater for the small increase in volumes associated with the proposal. Further, in accordance with Council's traffic warrant criteria, the volumes will be less than half the anticipated volume which is expected on a residential street;
- the proposal will not generate any additional parking on the street than would have been experienced by the existing use but rather should result in a reduced parking demand. What is important to consider when assessing the parking demand associated with the change of use is that parking which could occur and undertake a comparative assessment with the potential parking demand associated with the proposal. The proposed use will reduce the parking demand when compared with the existing use;
- the proposal will not encourage any increased speeds in Frederick Street. If speeding is a concern to residents on-street parking should be encouraged as parked vehicles (and the effective narrowing of the carriageway) will result in a reduction in the 85<sup>th</sup> percentile speed on the road; and
- access to and from properties on Frederick Street is consistent with all residential streets which are 7.2m in width. Importantly, the turn path figure provided in the representations has not

been accurately modelled. Figure 2 is a correctly generated turn path superimposed on the representor's figure.



**Figure 2: B85 turn path exiting driveway**

The above figure demonstrates that not only can the vehicle be reversed from the driveway if vehicles are parked on-street as shown but appropriate clearances will also be maintained (even in the event that all parked vehicles were to be B85 vehicles which is unlikely).

#### **4 SUMMARY**

In summary, the proposed change of use will considerably reduce the theoretical on-street parking demand when assessed in accordance with the requirements in the Planning and Design Code. More importantly, it will reduce the parking demand on-street at any one time associated with the actual use of the site.

While traffic volumes will be expected to increase as a result of the proposal, such increases will be well within the capacity of the road network and will be consistent with the nature and function of Frederick Street. Importantly the volumes will still be well below those identified in Council's traffic warrant criteria.

There will, therefore, be minimal impact on the adjacent road network as a result of the proposed change of use and the proposal will provide for safe and convenient access for participants through use of existing on-street parking adjacent the site.

Yours sincerely,  
**MFY PTY LTD**



**MELISSA MELLEN**  
Director

## ATTACHMENT 4



MEMORANDUM

THE CITY of



To PLANNING AND  
DEVELOPMENT

FROM TRANSPORT ENGINEER

DATE 26 OCTOBER 2022

FILE

SUBJECT **Traffic comments on development application 22023994 – Proposed Change of Use (Dance Studio) – 51 Frederick Street, Clarence Park**

**Proposal:**

- The refurbishment of the existing Scout and Guide Hall (Community Facility) at 51 Frederick Street and change of use to a Dance Studio (Indoor Recreation facility). The existing and proposed comprises of the following:
  - Existing:
    - Site currently vacant
    - Previously used as a Scout and Guide Hall – (Floor area 290m<sup>2</sup>)
    - No formal off-street parking provided.
  - Proposed:
    - Dance Studio (No Changes to floor area)
    - Hours of operation:
      - Monday-Friday – 3:45pm to 9:15pm
      - Tuesday (Only) – 1:00pm to 1:30pm
      - Saturday – 9:00am to 5:30pm
      - Sunday – Typically Closed (Sunday rehearsals in November & December over five (5) weekends for an end-of-year concert.
      - Public Holidays – Closed
    - Maximum of two classes at any one time, ranging from 4 to 12 students and 2 instructors. (Maximum of 24 students and 2 instructors on-site).
    - No off-street is proposed, with all parking demand to be catered for on-street.
- No changes are proposed to the current vehicle access to Frederick Street, noting that no formal off-street parking is proposed on site.

**Car Park Layout:**

**Vehicle Access:**

- No changes are proposed to existing vehicle access located in southwest corner of site, via Frederick Street, therefore no assessment required.
- Given no off-street parking is proposed on-site, it is recommended applicant reinstate the redundant vehicle crossover, which will result in an increase of up to one (1) on-street parking space.

**Car parking spaces:**

- No off-street parking spaces are proposed as part of this development application
- No assessment required.

**Headroom and gradient of ramps:**

- No Assessment required.

**Parking provisions:**

- Previous use – Scout Hall

- The Planning and Design Code Table 1 – General Off-street car parking requirements indicates that parking generation rate for a Community Facility is:
  - 10 spaces per 100sqm of total floor area
- Based on the above rate, the previous 290sqm Scout Hall would generate a requirement for 29 off-street parking spaces.
- Given no off-street parking was provided on site, this resulted in a shortfall of 29 off-street parking spaces.
- **New use - Dance Studio**
  - The Planning and Design Code Table 1 – General Off-street car parking requirements indicates that parking generation rate for an Indoor Recreation Facility are:
    - 6.5 spaces per 100sqm of total floor area for a Fitness Centre
    - 4.5 spaces per 100sqm of total floor area for all other indoor recreation facilities.
  - Based on the above rates, the proposed 290sqm Dance Studio would generate a requirement for 13 off-street parking spaces.
  - Given the applicant proposes to provide no off-street parking spaces, this results in a shortfall of 13 off-street parking spaces.
- **Assessment**
  - Based on the current Planning and Design code parking generation rates, the proposed Dance Studio would result in a lower parking shortfall by at least 16 parking spaces compared to the previous use as a Scout Hall.
  - The traffic and parking report has undertaken a first principles parking generation assessment for both the previous scout hall and proposed Dance Hall.
    - The assessment for the previous use included all the relevant information associated with the operation of a typical scout hall and indicated that the previous Scout Hall would likely generate a peak on-street parking demand of up to 25 spaces. This generation rate has been reviewed and is considered acceptable.
    - The assessment for the proposed use included all the relevant information associated with the operation of this dance studio and indicated that the site would likely generate a peak on-street parking demand of up to 25 spaces. This generation rate has been reviewed and is considered acceptable.
  - Based on the above assessment, the proposed Dance Studio is likely to have a similar impact to on-street parking as the previous Scout Hall, this assessment has been reviewed and considered appropriate.
  - The traffic and parking report provided to Council has indicated that a parking survey for Frederick Street (and surrounding streets) was undertaken on Wednesday 21<sup>st</sup> September 2022 during the expected peak period associated with the development, which is weekdays after school. The survey identified that all of Frederick Street has capacity for up to 46 vehicles, with a peak demand of seven (7) vehicles observed during the expected Dance Studio peak period. This equates to a capacity of 15%, with at least 39 available car parking spaces. Noting that the scout hall was not operational at this time.
  - Considering the above, as it is expected that the Dance Studio will generate a peak parking demand in the order of 25 parking spaces, there is currently adequate on-street parking capacity to cater for this demand, noting at least 39 spaces were available during the expected peak period. This is considered acceptable in this case given the site's previous use as a Scout Hall would have generated a similar peak parking demand.

### **On Street Parking:**

- The existing on-street parking on Frederick Street, between George Street and Mills Street, is unrestricted at all times.
- The traffic and parking report provided to Council has indicated that a parking survey for Frederick Street (and surrounding streets) was undertaken on Wednesday 21<sup>st</sup> September 2022 during the expected peak period associated with the development, which is weekdays after school. The survey identified that all of Frederick Street has capacity for up to 46 vehicles, with a peak demand of seven (7) vehicles observed during the expected Dance Studio peak period. This equates to a capacity of 15%, with at least 39 available car parking spaces. Noting that the scout hall was not operational at this time.
- Staff/visitors of the development will not be eligible for parking permits and will need to abide by all on-street parking restrictions.

- Council officers will not change any existing on-street parking restrictions along Frederick Street or any nearby residential streets (i.e. George St, Francis St, etc) to cater for either short term visitor parking or longer term staff parking associated with the development.

**Loading and Waste Collection:**

- The applicant has not provided any information regarding waste collection, noting it has been assumed that waste collection will remain unchanged from site previous use as a scout hall, therefore no assessment required.
- Any Waste Management plan must be referred to Council’s Waste Officer for assessment.

**Traffic Generation and Impact:**

- The traffic and parking report has undertaken a first principles traffic generation assessment for both the previous scout hall and proposed Dance Hall.
  - The assessment for the previous use included all the relevant information associated with the operation of a typical scout hall and indicated that the previous Scout Hall would likely generate a peak hour traffic generation rate of 44 trips/hour. This generation rate has been reviewed and is considered acceptable.
  - The assessment for the proposed use included all the relevant information associated with the operation of this dance studio and indicated that the site would likely generate a peak hour traffic generation rate of 69 trips/hour. This generation rate has been reviewed and is considered acceptable.
- Based on the above assessment, the proposed Dance Studio is likely to result in an increase of 25 trips/hour, or 250 vehicles per day, when compared with the previous use as a scout hall.
- Council’s most recent traffic data for Frederick Street, between Francis and George Streets, undertaken in June 2022, indicates the following key information:
  - Average Traffic Speed: 35.8km/h
  - 85<sup>th</sup> Percentile Traffic Speed: 42.8km/h
  - Daily Traffic Volume: 302 vehicles per day
- When assessing the increase in traffic volumes against the desired functional performance limits for a local residential street within the City of Unley, the total traffic volumes in Frederick Street following the change of use (550-650 vpd) will still operate well within an acceptable range for a local residential street (500-1,500 vehicles per day). This would indicate that there is adequate traffic volume capacity in the street to cater for the proposed dance studio. This is considered acceptable in this case, given the site previous use as a Scout Hall, the increase in traffic would only be moderate in comparison.

**Other:**

- All redundant crossovers must be reinstated to Council satisfaction.
- All proposed crossovers must be installed to Council satisfaction.
- Any costs associated with changes to on-street parking signage and/or line marking is to be covered wholly by the applicant.

Jacob Avery  
**Transport Engineer**

## **DECISION REPORT**

**REPORT TITLE:** City of Unley Council Assessment Panel -  
**Meeting Dates for 2023**

**DATE OF MEETING:** 15 November 2022

**AUTHOR:** Sandy Beaton (Development Administration Officer)

### **RECOMMENDATION:**

**MOVED:** **SECONDED:**

That:

1. The meetings of the Unley Council Assessment Panel (the Panel) for 2023 be set as:
  - 17 January
  - 21 February
  - 21 March
  - 18 April
  - 17 May (Wednesday)
  - 20 June
  - 18 July
  - 15 August
  - 19 September
  - 18 October (Wednesday)
  - 21 November
  - 19 December
2. That the meeting of the Panel due to be held on 20 December 2022 be rescheduled to 13 December 2022.

### **DISCUSSION**

The meeting schedule for 2023 needs to be set. It is suggested that the Panel continue to meet on the third Tuesday of the month (subject to discussion below) which suits the meeting cycle of Council, has proven reasonable in terms of the number of applications placed before the Panel, and to-date, has generally been sufficient to adequately meet the demand for reporting and decision making under the Planning, Development, and Infrastructure Act.

The commencement time of 6pm would remain unchanged.

The meeting schedule of the third Tuesday of the month clashes with two scheduled dates (May and October 2023) of Council's Audit Committee, that also uses the Council Chambers. This has also occurred during 2022. For these two months, it is recommended that the Panel meet on the Wednesday of the week rather than, as has occurred during 2022, bringing forward the Panel's meeting by one week (which has tended to prove disruptive to reporting to the Panel).

In addition to adopting the 2023 dates, it is recommended that the December 2022 Panel meeting be brought forward by one week to 13 December to avoid proximity to the Christmas period.