

Attachment 1 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Social Planning Referral Comments



MEMO

TO: Chris Stathis, Senior Statutory Planner
FROM: Erika Russell, Senior Planner (Community Health and Safety)
DATE: 19 December 2017
ADDRESS: 100 Scotchmer Street, Fitzroy North
APPLICATION NO: PL09/0904.01
DESCRIPTION: Amendment to planning permit PL09/0904 to allow for the sale and consumption of liquor and an increase in the operating hours (Monday-Wednesday 6:30am - 5:00pm, Thursday and Friday 6:30am - 10:00pm, Saturday 8:00am - 10:00pm and Sunday 8:00am - 5:00pm) and patrons (maximum of 58 patrons) associated with the existing use (cafe).

Social Policy and Research has been requested to make comments on the proposal from a social planning perspective.

PROPOSAL

Key aspects of the site and proposal include:

- The site is located in the Neighbourhood Residential Zone and is surrounded by residential and commercial uses.
- The site is occupied by an existing café. The current permit allows for a maximum of 49 patrons and operating hours of Monday - Friday 7:00am - 5:00pm and Saturday & Sunday 8:00am - 5:00pm.
- The proposal includes the sale and consumption of liquor (associated with a cafe) with hours of Monday - Wednesday 6:30am - 5:00pm, Thursday and Friday 6:30am - 10:00pm, Saturday 8:00am - 10:00pm and Sunday 8:00am - 5:00pm, with a maximum of 58 patrons.

COMMENTS / RECOMMENDATIONS

- A Restaurant and Café liquor licence requires the predominant activity, at all times, to be the preparation and serving of meals for consumption on the premises. It also requires tables and chairs to be available for at least 75% of patrons attending the premises at any one time. The floor plan provided does not seem to allow for 75% seating for the patrons proposed. Additionally, confirmation should be sought to ensure that the outdoor seating is not included in the calculation given that it is exposed to the elements and therefore not always available for usage. The seating requirement should also be included as a condition on any amended planning permit issued, and the licence type should also be clearly stated (restaurant and café) to ensure it is clear in the event that they apply for changes in the future (change of licence type is a planning permit trigger).

Attachment 1 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Social Planning Referral Comments

- Council's draft licenced premises policy (adopted by Council on 15 August 2017) states that licensed premises should not commence the sale and consumption of liquor before 9am. Consideration should therefore be given to restricting commencement hours of 9am, rather than the earlier commencement proposed. The draft policy also makes reference to timeframes for deliveries and waste collection.

Attachment 2 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Peer Review



2 February 2018

640.10090.05170 100 Scotchmer St Fitzroy 20180122.docx

City of Yarra
PO Box 168
RICHMOND VIC 3121

Attention: Chris Stathis

Dear Chris

**100 Scotchmer Street, Fitzroy North
Planning Assessment Acoustical Review
PLN090904.01**

SLR Consulting Australia Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the outdoor patron area proposed for 100 Scotchmer Street, Fitzroy North.

Details of the report are as follows:

- Title: 100 Scotchmer Street, Noise Impact Assessment
- Reference: 20171540.1
- Date: 16 November 2017
- Prepared by: Acoustic Logic

1 Project Details

(Sections 1 to 3 of the acoustic report)

The proposal is for the extension of hours of a café / bar with an outdoor dining area.

The café / bar (which currently operates until 4 pm, 7 days a week) is proposing to operate until 6 pm on Sunday to Wednesday nights and 10 pm Thursday to Saturday nights.

The application is for 38 patrons indoors and 19 patrons in the rear courtyard. Background music is proposed to be played within the building only.

Noise sensitive receivers have been identified, and the critical receivers are described as:

- Level 1 of the existing building (100 Scotchmer Street)
- First floor dwelling to the immediate west (98 Scotchmer Street)
- Residential dwelling to the immediate south (35 Egremont Street)

The report has been prepared to address the City of Yarra RFI for the project, which requires compliance with SEPP N-1, SEPP N-2 and sleep disturbance targets.

Attachment 2 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Peer Review

City of Yarra
100 Scotchmer Street, Fitzroy North
Planning Assessment Acoustical Review
PLN090904.01

Job No: 640.10090.05170
Filename: 640.10090.05170 100 Scotchmer St Fitzroy
20180122.docx
Date: 22 January 2018

SLR Comment:

The site and the proposed use have been described and the nearest existing noise sensitive receivers have been identified. Further information regarding the configuration of the site and nearby dwellings would be useful. From our inspection of the area it appears that the current outdoor patron area has a roof above it, but is open to the south, east and west sides. The noise sensitive receiver location at 100 Scotchmer Street appears to be the balcony directly above the outdoor patron area. The noise sensitive receiver location at 98 Scotchmer Street is the balcony overlooking the outdoor patron area roof. The balconies at both 98 and 100 Scotchmer Street appear to have acoustically transparent balustrades.

*The outdoor area has double wrought iron gates to Egremont Street. Refer to **Figure 1**. Our assumptions about the site should be confirmed or corrected by Acoustic Logic.*

There are also existing dwellings at 34 and 36 Egremont Street, which may have a line of sight to the outdoor patron area.

We note that there is a concurrent application for a multi-level residential development on the eastern side of Egremont Street, with potentially overlooking apartments on the ground to third floor.

2 Background Noise Monitoring

(Section 5 and Appendix 1 of the acoustic report)

Background noise monitoring was undertaken in the existing rear courtyard of the site from Wednesday 8 to Friday 10 November 2017. The results are summarised in Table 2 and presented graphically in Appendix 1. The day and evening results are relevant to the assessment, and these were 38 dBA L90 (day) and 36 dBA L90 (evening).

SLR Comment:

The monitoring location appears to be slightly more shielded from ambient noise than the existing noise sensitive receiver locations, and is representative of a conservative approach to the setting of background based noise limits. The levels presented in Table 2 appear representative of the lower end of the data obtained, and are suitable for setting limits for patron and music noise. The SEPP N-1 policy allows for averaging of background noise over the assessment period, so slightly higher background levels could be used to determine SEPP N-1 limits.

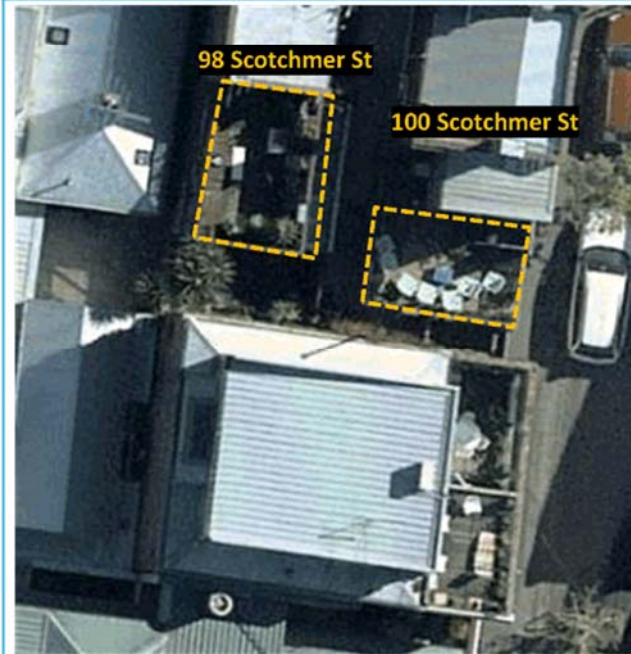
We note that the measured background noise levels are quite low.

Attachment 2 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Peer Review

City of Yarra
100 Scotchmer Street, Fitzroy North
Planning Assessment Acoustical Review
PLN090904.01

Job No: 640.10090.05170
Filename: 640.10090.05170 100 Scotchmer St Fitzroy
20180122.docx
Date: 22 January 2018

Figure 1 Location of outdoor patron area and nearest noise sensitive receivers



The dotted lines show the outdoor private open spaces associated with 98 and 100 Scotchmer Streets.

The outdoor patron area is directly below the POS of 100 Scotchmer Street, and is open to the south, east and west.



View of outdoor patron area and balcony above from Scotchmer Street.

Attachment 2 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Peer Review

City of Yarra
100 Scotchmer Street, Fitzroy North
Planning Assessment Acoustical Review
PLN090904.01

Job No: 640.10090.05170
Filename: 640.10090.05170 100 Scotchmer St Fitzroy
20180122.docx
Date: 22 January 2018

3 Voice Noise

3.1 Noise Limits

(Section 6 of the acoustic report)

Voice noise is proposed to be assessed to SEPP N-1. SEPP N-1 zoning levels are presented in Table 3 of the report and noise limits are derived in Table 4.

SLR Comment:

We agree the voice noise from the outdoor area can reasonably be assessed to SEPP N-1. We have also accepted assessment to background noise based limits developed by Marshall Day Acoustics. The critical limit under that approach would be 'background + 10 dB' for the evening period.

Acoustic Logic have not provided a sleep disturbance assessment in line with the City of Yarra RFI, however as the venue does not currently propose to operate after 10 pm, one is not required for the application.

Our calculations of SEPP N-1 zoning levels and noise limits agree with those provided in the acoustic report.

The critical SEPP N-1 noise limit is the 44 dBA limit for the evening period. The 'background + 10 dB' limit would be slightly higher (46 dBA Leq).

3.2 Assumed Noise Levels

(Section 7.1 of the acoustic report)

A sound power level of 87 dBA L10 has been assumed for patrons in the outdoor courtyard. This is based on the assumptions that there are 19 people in the courtyard area and that 50% of them are talking at 'raised speech' voice levels.

Café windows are assumed to be closed after 6 pm. This assumption effectively eliminates the issue of noise from voice within the café during the evening period.

SLR Comment:

An Leq sound power level for patrons is not provided. This is likely to be 2-3 dB lower than the L10 level (Acoustic Logic to confirm the assumed Leq sound power level of patrons).

A sound power level of 85 dBA Leq is on the low side for 19 patrons. We would expect levels in the order of 90 dBA Leq to be used in a reasonably conservative approach (corresponding to a voice noise level in the order of 77 dBA at 1-2 m above patrons).

Given that this is an existing outdoor patron area, our preferred approach for assessing impacts would be to measure noise from the existing use while the area is fully occupied.

Attachment 2 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Peer Review

3.3 Predictions

(Section 7.2 of the acoustic report)

Predictions of noise from the outdoor deck have been conducted assuming that the noise control treatments provided in Section 7.3 of the report have been implemented. The treatments include additional screening around the existing rear courtyard deck.

Predictions have been made to:

- Receiver 1 – first floor receiver at 98 Scotchmer Street (west)
- Receiver 2 – two level townhouse at 35 Egremont Street (south)
- Receiver 3 – first floor dwelling at 100 Scotchmer Street (directly above)

The predicted noise levels at all receiver locations are below 40 dBA Leq.

SLR Comment:

The assessment methodology is not described in the report, and the extent of the proposed screening is not clearly indicated.

Our indicative modelling of noise to 100 Egremont Street using the sound power levels proposed by Acoustic Logic suggest noise levels in the order of 52 dBA to a receiver in the centre of the private open space above the courtyard area. This prediction assumes that the main sound transmission path is via the wrought iron gates (i.e. outdoor patron area fully enclosed to the west and south). Based on our modelling, noise from the outdoor court is unlikely to comply with the identified limits. The higher sound power level that we have proposed is predicted to result in an even greater exceedance.

Further explanation about the calculation methodology and modelling assumptions may be able to address our concerns on this issue.

4 Mechanical Plant

An assessment is not provided.

SLR Comment: *The RFI requested a SEPP N-1 assessment of noise. This has not been conducted. While there may not be any new items of mechanical plant proposed for the site, it appears likely that the existing plant will operate for longer periods. Consideration of noise from the extended use should be provided in the report.*

5 Music Noise

(Sections 3 and 7.3 of the acoustic report)

Music noise is proposed to be played at background levels only within the venue, and loudspeakers are not proposed to be provided to the rear court. Acoustic Logic also recommend that the doors between the venue and the court are fitted with automatic closers, and kept closed unless in use, after 6 pm.

SLR Comment:

We agree that the measures proposed are likely to be sufficient to address music noise impacts.

Attachment 2 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Peer Review

City of Yarra
100 Scotchmer Street, Fitzroy North
Planning Assessment Acoustical Review
PLN090904.01

Job No: 640.10090.05170
Filename: 640.10090.05170 100 Scotchmer St Fitzroy
20180122.docx
Date: 22 January 2018

6 Piedmontes

Noise to dwellings in the Piedmonte development has not been considered. Given that these are concurrent applications it would not be unreasonable from our perspective for patron noise to be assessed to indoor targets and less stringent external targets on balconies at this location. However this approach may involve imposing planning conditions on the Piedmonte's site to address the issue of patron noise from 100 Scotchmer Street.

7 Summary

Our review of the acoustic report prepared to support the extension of hours of the café bar at 100 Scotchmer Street is provided above. A summary of our comments is given below.

- Voice noise is proposed to be assessed to SEPP N-1 and the critical limit is identified a 44 dBA Leq. This limit applies to the 'evening' period. This is an acceptable approach. Noise from the use could also be assessed to 'background + 10 dB' during the evening period. This would result in slightly higher noise limits (46 dBA Leq).
- Noise from the outdoor patron area has been predicted rather than measured. As this is an existing use, and a fairly complicated modelling exercise, we would prefer that the existing impacts were measured instead of modelled. Monitoring conducted over a suitable period (e.g. a week) at the most impacted receiver location is likely to provide a reasonable indication of noise impacts.
- The sound power data used in the model is, from our understanding, 85 dBA Leq (to be confirmed by Acoustic Logic). This level is about 5 dB lower than we would normally expect for an outdoor patron area of this size used during the evening period.
- The predicted noise levels at receiver locations, using the provided sound power levels, are lower than our indicative calculations suggest. This may be due to a misunderstanding of the site on our part (the specific sound paths and proposed acoustic treatments are not well described in the report). Acoustic Logic may be able to clarify.
- Noise has not been assessed to 34 and 36 Egremont Street, which may have a line of sight to the outdoor patron area. Depending on the noise control treatments proposed, these may be the most sensitive receiver locations.
- Noise has not been predicted to the multi-level residential development proposed for the eastern side of Egremont Street (Piedmontes). The City of Yarra will need to advise on how noise to this site can be addressed, and whether indoor targets are acceptable for this site.

Given the low background noise levels in the area it seems unlikely that use of the external courtyard could achieve compliance with the design targets during the evening, and particularly the late evening period. In our opinion an earlier closing time (say 8 pm Thursday to Saturday) may be more realistic.

Yours faithfully,



Dianne Williams
Associate - Acoustics

Checked/ Authorised by: JA

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

MANAGING DIRECTORS
MATTHEW PALAVIDIS
VICTOR FATTORETTO

DIRECTORS
MATTHEW SHIELDS
BEN WHITE



100 Scotchmer Street, Fitzroy North

Noise Impact Assessment

MELBOURNE
A: 170 - 172 Montague Street
South Melbourne VIC 3205
T: (03) 9272 6800
F: (03) 9645 7839

SYDNEY MELBOURNE BRISBANE CANBERRA
LONDON DUBAI SINGAPORE GREECE

ABN: 11 068 954 343

The information in this document is the property of Acoustic Logic Consultancy Pty Ltd ABN 11 068 954 343 and shall be returned on demand. It is issued on the condition that, except with our written permission, it must not be reproduced, copied or communicated to any other party nor be used for any purpose other than that stated in particular enquiry, order or contract with which it is issued.

I:\Jobs\2017\20171540\20171540.1\20171116\ZA_R1_Noise Impact Assessment.docx

1

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

DOCUMENT CONTROL REGISTER

Project Number	20171540.1
Project Name	100 Scotchmer Street, Fitzroy North
Document Title	Noise Impact Assessment
Document Reference	20171540.1/1611A/R1/JZ
Issue Type	Email
Attention To	Birichino Cafe E Cucina Pty Ltd

Revision	Date	Document Reference	Prepared By	Checked By	Approved By
0	16/11/2017	20171540.1/1611A/R0/JZ	JZ		
1	16/11/2017	20171540.1/1611A/R1/JZ	JZ		

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

TABLE OF CONTENTS

1	INTRODUCTION	4
2	COUNCIL RFI	4
3	SITE DESCRIPTION	5
4	ENVIRONMENTAL NOISE DESCRIPTORS	7
5	NOISE LEVEL MEASUREMENTS	8
5.1	MEASUREMENT LOCATION	8
5.2	MEASUREMENT TIME	8
5.3	MEASUREMENT EQUIPMENT	8
5.4	MEASUREMENT RESULTS	8
6	ENVIRONMENTAL NOISE CRITERIA	9
6.1	ENVIRONMENTAL NOISE CRITERIA – SEPP N-1	9
6.1.1	Zoning Level	9
6.1.2	SEPPN-1 Noise Limits	10
7	NOISE ASSESSMENT	10
7.1	PATRON NOISE	10
7.2	PREDICTED NOISE LEVELS	11
7.3	RECOMMENDATIONS	11
8	CONCLUSION	12
	APPENDIX 1 – NOISE LOGGING DATA	13

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

1 INTRODUCTION

This report presents our acoustic assessment for the proposed café/bar located at 100 Scotchmer Street, North Fitzroy. The report will address Yarra City Council’s additional information request under item(3) to address potential noise emission from the propose development to neighbouring sensitive receivers. The following documents have been referenced for this assessment:

Table 1 – Referenced documents

Type	Reference	Date	Author
RFI	PL09/0904.01	17/10/2017	Yarra City Council
Architectural drawings	TP01, TP02	20/09/2017	SG2 Design

2 COUNCIL RFI

Council have requested under correspondence dated 17 October 2017 with reference PL09/0904.01 the following with respect to the subject planning application with respect to 100 Scotchmer Street, North Fitzroy namely:

3. An acoustic report produced by a suitably qualified acoustic engineer that provides:
 - a. An assessment of the levels of noise pollution associated with the proposed use, with special attention paid to residential uses within the immediate vicinity. The report should be based on the proposed hours of operation, proposed number of patrons and should be generally in accordance with the revised Noise and Amenity Action Plan required at point 2 above.
 - b. An assessment as to whether the proposed use will comply with:
 - i. State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
 - ii. State Environment Protection Policy – Control of Noise from Public Premises (SEPP N-2).
 - iii. An assessment of a published sleep disturbance criteria, such as the World Health Organisation’s ‘Guidelines for Community Noise’, published 1999.
 - c. Should the proposed use not comply with (b) above, a set of recommendations to ensure that the proposed use will comply. This may include acoustic treatments.

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

3 SITE DESCRIPTION

The proposed café/bar is located at 100 Scotchmer Street, Fitzroy North. The proposed development is located in an area with existing retail, commercial and residential dwellings. The development utilises an existing café space on ground level of 100 Scotchmer Street, it is proposed the new café/bar will serve alcohol within the shop and rear backyard till 10pm on Thursday, Friday and Saturday.

The site is bounded by Egremont Street to the east, Scotchmer Street to the north, existing bookshop on ground level and residential dwelling on Level 1 to the west, residential dwelling to the south. There is also an existing residential dwelling on Level 1 of 100 Scotchmer Street.

The existing café space will be renovated to incorporate a new bar/café, it is proposed the new premise will serve alcohol and have the following operation hours:

- Sunday to Wednesday – till 6pm
- Thursday to Saturday – till 10pm

The maximum patron number within the general seating area and rear courtyard are as follows:

- General seating (indoor) – 38 patrons
- Rear courtyard (outdoor) – 19 patrons

The proposed café/bar will not have any live music or DJ, background music will only be played within the general seating area internally.

The aerial map below shows the site location and surrounding area.

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report



Figure 1: Site Map (Source: Google Map)

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

4 ENVIRONMENTAL NOISE DESCRIPTORS

Environmental noise constantly varies in level, due to fluctuations in local noise sources including road traffic. Accordingly, a 15-minute measurement interval is normally utilised. Over this period, noise levels are monitored on a continuous basis and statistical and integrating techniques are used to determine noise description parameters.

In the case of environmental noise three principle measurement parameters are used, namely L_{10} , L_{90} and L_{eq} .

The L_{10} and L_{90} measurement parameters are statistical levels that represent the average maximum and average minimum noise levels respectively, over the measurement intervals.

The L_{10} parameter is commonly used to measure noise produced by a particular intrusive noise source since it represents the average of the loudest noise levels produced by the source.

Conversely, the L_{90} level (which is commonly referred to as the background noise level) represents the noise level heard in the quieter periods during a measurement interval. The L_{90} parameter is used to set the allowable noise level for new, potentially intrusive noise sources since the disturbance caused by the new source depends on how audible it is above the pre-existing noise environment, particularly during quiet periods, as represented by the L_{90} level.

The L_{eq} parameter represents equivalent continuous A-weighted sound pressure level and is the value of the A-weighted sound pressure level of a continuous steady sound that has the same acoustic energy as a given time-varying A-weighted sound pressure level when determined over the same measurement time interval. L_{eq} is important in the assessment of traffic noise impact as it closely corresponds with human perception of a changing noise environment; such is the character of industrial noise.

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

5 NOISE LEVEL MEASUREMENTS

5.1 MEASUREMENT LOCATION

An unattended noise monitor was installed on the existing rear courtyard of the site.

5.2 MEASUREMENT TIME

Unattended noise monitoring was conducted between 8 November 2017 and 10 November 2017.

5.3 MEASUREMENT EQUIPMENT

Unmanned noise monitoring was conducted using an Acoustic Research Laboratory’s EL315 noise monitor. The monitor recorded data continuously throughout the measurement period and the data was post-processed to provide 15-minute statistical noise levels throughout the unmanned monitoring period. Equipment was calibrated at the beginning and the end of the measurement using a Rion NC-74 calibrator for the noise monitor and no significant drift was recorded. All measurements were taken on A-weighted fast response mode.

5.4 MEASUREMENT RESULTS

Tables 2 below detail the results of measurements. 15-minute statistical levels for the entire monitoring period are provided in Appendix 1 – Noise Monitoring Data.

Table 2 – Unattended Background Noise Level Measurements

Period	Time	Measured Background L_{90,15min} (dB(A))¹
Day	7am – 6pm (Mon – Fri) 7am – 1pm (Sat)	38
Evening	6pm – 10pm (Mon – Fri) 1pm – 10pm (Sat) 7am – 10pm (Sun)	36
Night	10pm – 7am	32

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

6 ENVIRONMENTAL NOISE CRITERIA

Inspection on site indicates that patron noise from the rear courtyard will be the dominant noise source. It is noted that background music was playing during the inspection and it is inaudible within the rear courtyard when the entry door to the courtyard is closed.

It is noted that there is no specific guideline assessing patrons, as such patron noise associated with the development will be assessed against EPA State Environment Protection Policy N-1.

6.1 ENVIRONMENTAL NOISE CRITERIA – SEPP N-1

SEPP N-1 details the methodology to be used in assessing environmental noise emissions such that protection of residential amenity may be preserved. SEPP's are statutory instruments that are required to be complied with by private individuals, public and private sector organisations. SEPP N-1 includes both Schedule A and B that provide procedures to measure noise from premises and to determine noise emission limits respectively. To determine the assessment criteria both the 'zoning' level and ambient background noise levels are required to determine if the background noise level is neutral, high or low.

6.1.1 Zoning Level

The 'Zoning' level is determined by the Influencing Factor (IF) and is calculated by the formula nominated in section B.2.4 of SEPP N-1, the 'Zoning Level versus Influencing Factor' graph in section B3 of SEPPN-1 and Victoria's Planning Scheme Maps. The IF is calculated from the proportion of industrial and commercial land around noise sensitive areas (in this case residential premises). Review of the surrounding area indicates an IF of approximately **0.13** which results in the zoning limits detailed in Table 4 below.

Table 3 - Zoning Levels

Period	Zoning Level
Day	52
Evening	46
Night	41

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

6.1.2 SEPPN-1 Noise Limits

Table 5 below details the assessment criteria based on both the zoning levels and the measured background noise levels. Assessment has been made in accordance with SEPP N-1.

Table 4 – SEPPN-1 Noise Limits

Period	Measured Background L _{90,15min} dB(A)	Zoning limit	Classification	Project Noise Limits L _{eq} dB(A)
Day Monday – Friday (7am – 6pm) Saturday (7am – 1pm)	38	52	Low	<u>50</u>
Evening Monday – Friday (6pm – 10pm) Saturday (1pm – 10pm) Sunday (7am – 10pm)	36	46	Low	<u>44</u>
Night Monday – Sunday (10pm – 7am)	32	41	Low	<u>40</u>

7 NOISE ASSESSMENT

7.1 PATRON NOISE

Assessment of patron noise have been conducted to the nearest sensitive residential receivers indicated in Figure 1 and is on the proposed maximum patron number below.

- General seating (indoor) – 38 patrons
- Rear courtyard (outdoor) – 19 patrons

Assessment is based on the following assumptions:

- External windows and doors of the café and restaurant bar area are closed before 7am and after 6pm
- Patron noise – A sound power level per patron of 77dB(A)L₁₀ with one in two people talking at any one time has been adopted for patrons in rear courtyard area. This is based on
 - Sound power level for “raised speech” adopted in Acoustics by Leo Beranek
 - Measurements of similar dining/cafe areas conducted by this office
- Music is assumed to be played at below conversation level as background music internally
- In addition, assessment has been based on the assumption that treatments set out in Section 7.4 of this report are implemented.

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

7.2 PREDICTED NOISE LEVELS

Predicted noise levels from rear courtyard of the subject site are presented in Table 5 below.

Table 5 – Predicted Noise Levels

Period	Receiver	Predicted Noise Levels	Criteria	Complies
Day	1	<40	44 dB(A) L _{eq}	Yes
	2	<40	44 dB(A) L _{eq}	
	3	<40	44 dB(A) L _{eq}	
Evening	1	<40	44 dB(A) L _{eq}	Yes
	2	<40	44 dB(A) L _{eq}	
	2	<40	44 dB(A) L _{eq}	

7.3 RECOMMENDATIONS

The following recommendations shall be adopted and are assumed to have been incorporated into the development as part of the assessment.

- Access door to the rear courtyard shall incorporate self-close mechanism and remain closed after 6pm.
- Trading should be limited to the proposed hours and the rear courtyard vacated between 10pm and 7am
- Any music associated with the development will be limited to background music below conversation level
- Install additional screening around the exiting deck in the rear courtyard area to create an enclosed space for the rear courtyard, suitable material includes imperforate solid sheeting such as fibre cement sheet, Colorbond sheeting, Perspex glass, etc.

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

8 CONCLUSION

This report presents our environmental noise assessment for the proposed café/bar located at 100 Scotchmer Street, Fitzroy North. Provided the recommendations detailed in Section 7 are implemented, compliance with the nominated environmental noise criteria will be achieved.

Please contact us should you have any further queries.

Yours faithfully,

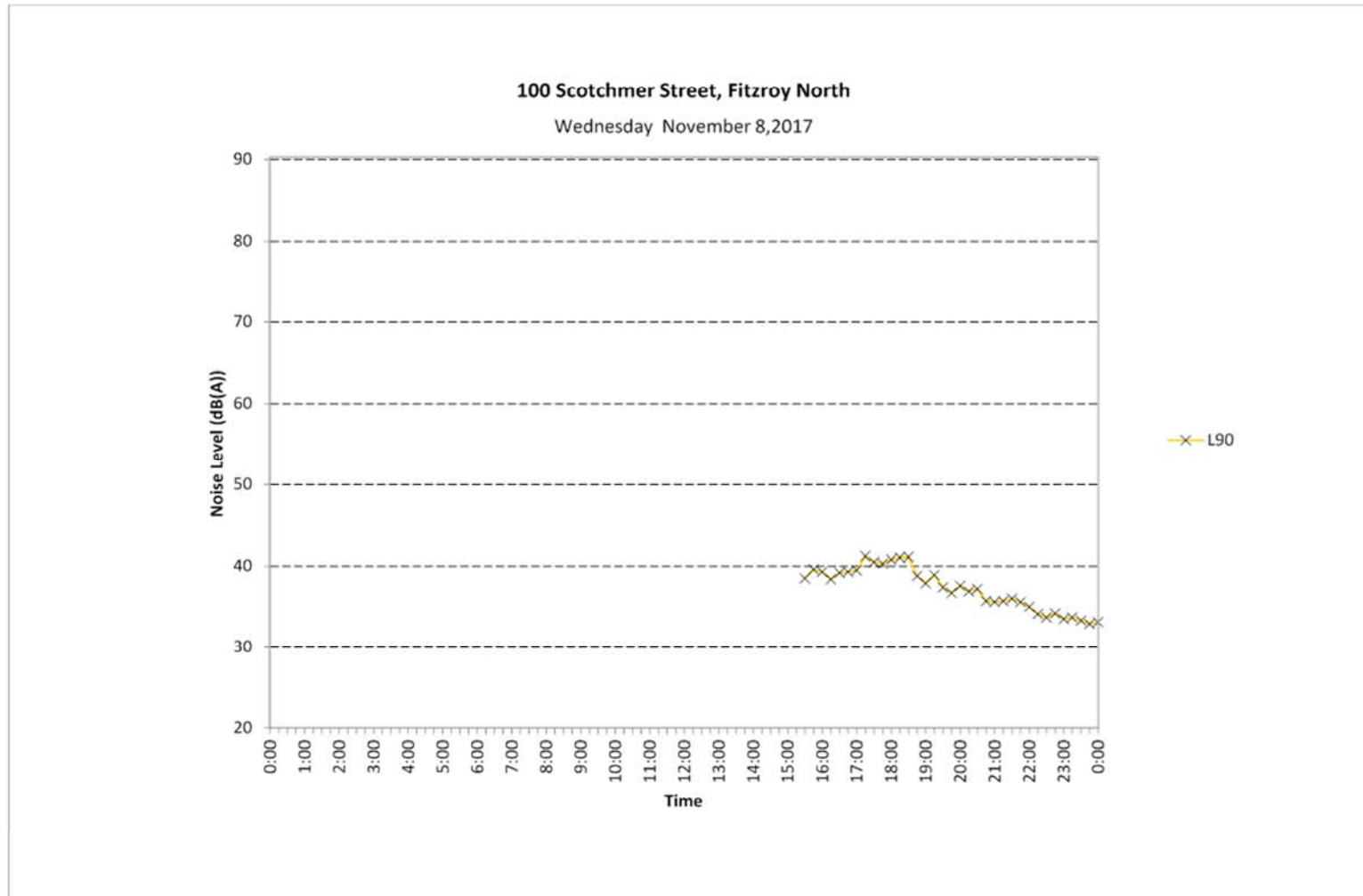


Johnny Zhang

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report

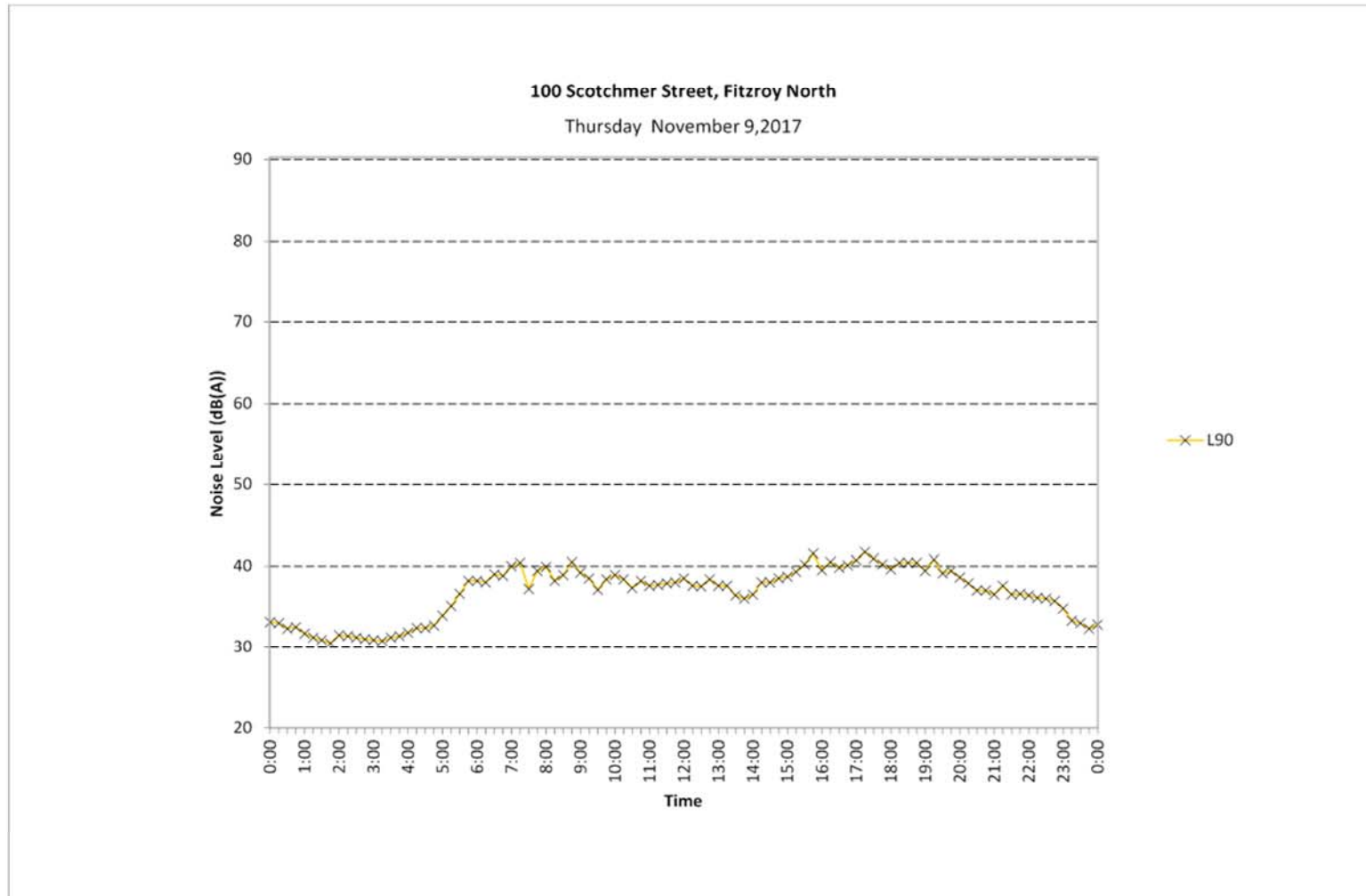
APPENDIX 1 – NOISE LOGGING DATA

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report



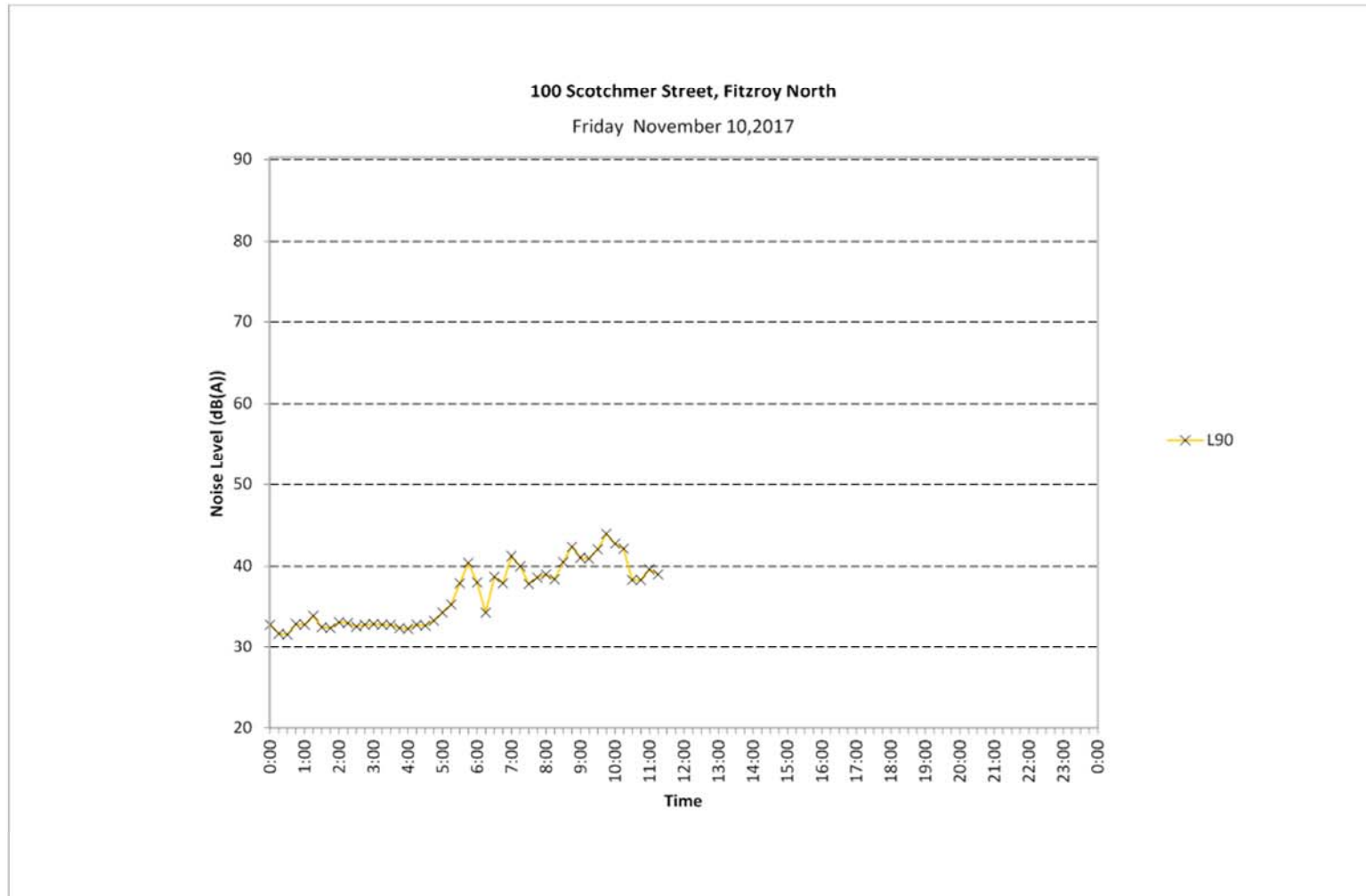
100 Scotchmer Street_Sta_graphed.xls.xlsx

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report



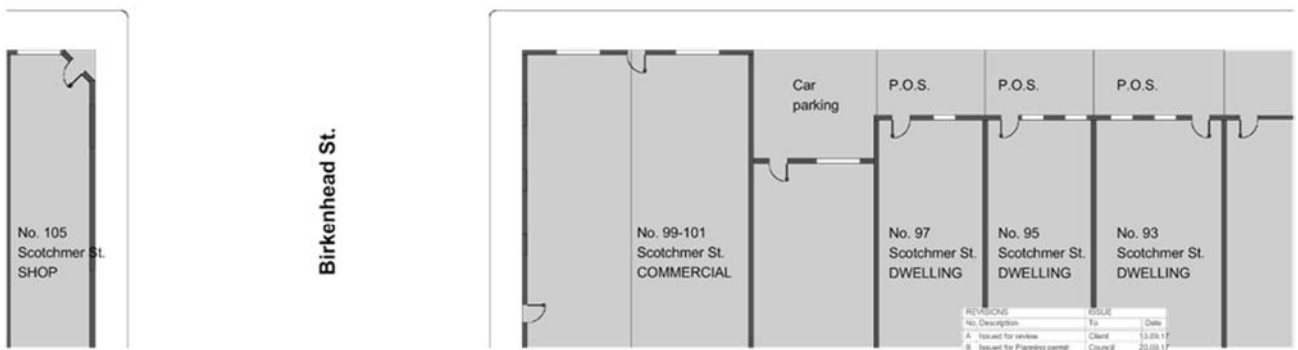
100 Scotchmer Street_Sta_graphed.xls.xlsx

Attachment 3 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Acoustic Report



100 Scotchmer Street_Sta_graphed.xls.xlsx

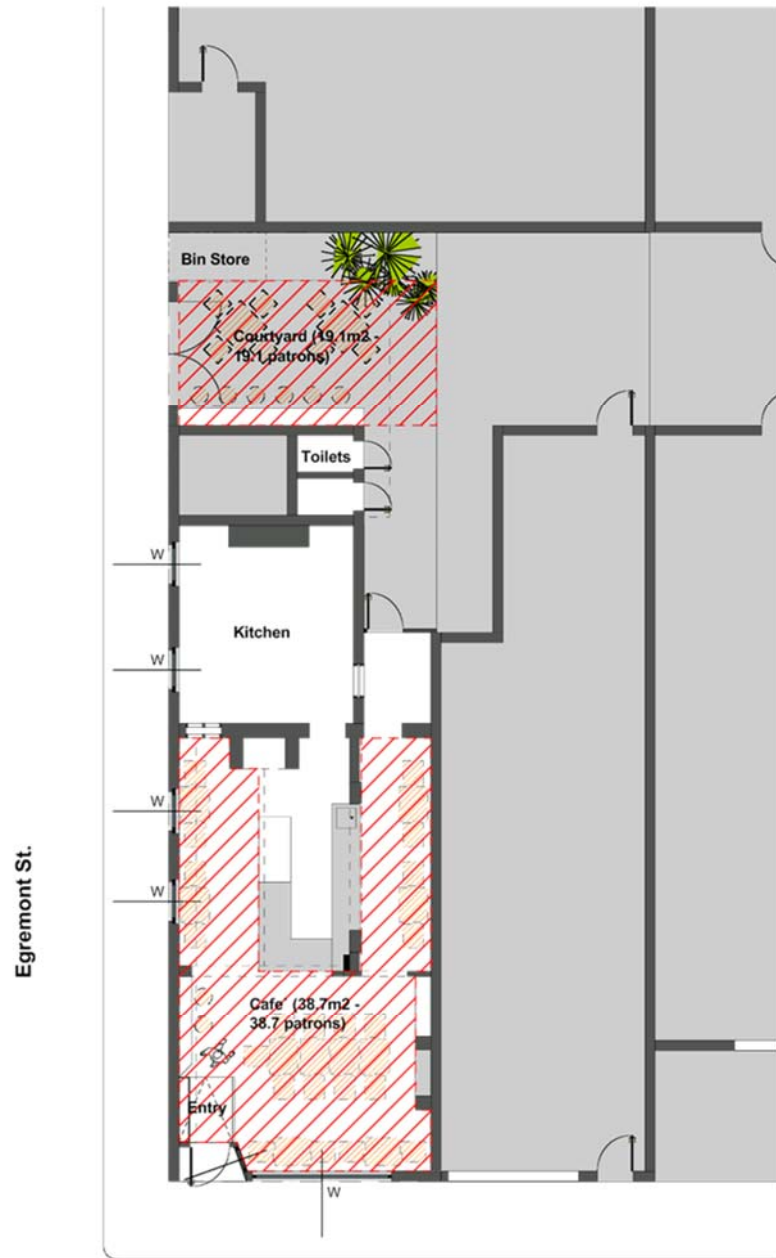
Attachment 4 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Plans




REVISIONS	DATE
No. Checked/plan	To Date
A. Issued for plan	Client 13.06.17
B. Issued for Planning permit	Council 20.06.17
C. Issued for Planning permit	Council 20.06.17

<p>suburbano ghetti architect t: +61 (0)468 801 320 w: web@sgdesign.com www.sgdesign.com abn: 63 251 433 690</p>	<p>Project</p> <p>PROPOSED ALTERATIONS & ADDITIONS TO 100 SCOTCHMER ST FITZROY NORTH, 3088</p>	<p>Drawing Title</p> <p>PROPOSED SITE ANALYSIS PLAN</p>		<p>Drawn SG</p> <p>Scale 1:200 @ A3</p> <p>Date 17/06/2017</p>	<p>Project Number P1750</p> <p>Drawing Number DW01</p> <p>Revision No. C</p>
	<p><small>©2017 suburbano ghetti architects. All rights reserved. This drawing is issued for use as a design document only. It is not to be used for construction without the written consent of the architect.</small></p>				

Attachment 4 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Plans



 Liquor to be sold and consumed within this area only

Scotchmer St.

REVISIONS		ISSUE	
No.	Description	To	Date
A.	Revised for review	Client	13.06.17
B.	Revised for Planning permit	Council	20.06.17
C.	Revised for Planning permit	Council	20.05.17

 sgd@sgdesign.com.au architects t: +61 (0)3438 801 320 w: web@sgdesign.com www.sg2design.com abn: 53 251 836 490	Project PROPOSED ALTERATIONS & ADDITIONS TO 100 SCOTCHMER ST FITZROY NORTH, 3088	Drawing Title PROPOSED FLOOR SITE PLAN		Drawn SG Scale 1:100 @ A3 Date 13/06/2017	Checked JG Date 20/06/17	Project Number P1752	Drawing Number TP02	Revision No. C
	I am/We are a registered architect/s under the provisions of the Architect Act 1993 (Vic) and the Architect Regulation 2003 (Vic) and I/we are a registered architect/s under the provisions of the Planning Act 2002 (Vic) and the Planning Regulations 2002 (Vic).							

Attachment 5 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - IDAC Attachment - Compliance Referral Comments

TO: Chris Stathis
cc:
FROM: Steve Alexander
DATE: 29/12/17
APPLICATION: PL09/0904.01
SUBJECT: Amenity Enforcement Referral

Dear Chris,

Thank you for your referral dated 19 December 2017 in relation to 100 Scotchmer Street, Fitzroy North.

The Compliance Branch has not received any recent complaints in relation to amenity concerns at the above addresses. Considering the hours proposed are between 8am-5pm (Sunday), 6.30am – 5pm (Mon-Wed) and no later than 10pm (Thurs-Frid-Sat) for a café with a maximum of 58 patrons the Compliance branch does not have any concern with the proposed liquor licence.

Should you wish to discuss the application further, please feel free to contact me on 9205-5166.

Regards,



Steve Alexander
Coordinator – Civic Compliance

Attachment 6 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - Advertising S52 - Building Surveyors Report

IBEX Building Consultants

Building Permits / Town Planning / Fire Safety / Construction Administration Services

a: PO Box 25 East Melbourne VIC. 8002 p: 0402 898 136 e: marks@ibexbc.com.au ABN: 83 130 716 291

18 October 2017

Suzi D'Argenio
PO Box 558
North Carlton VIC 3054

Via email:- suzi.dargenio@bigpond.com

Dear Suzi,

Re: REQUEST FOR LIQUOR LICENCE REPORT
Site: 100 Scotchmer street Fitzroy North VIC 33068
Birichino Cafe

I refer to your application requesting the Liquor License Report (Occupancy Numbers) pursuant to Victorian Commission for Gambling and Liquor Regulation requirements.

The following outlines the population levels applicable to be public areas based on floor area / patron ratio calculations, number of existing sanitary amenities and a review of existing Occupancy Permit where available.

1.0 Floor Area Population Ratios Calculations

The floor area and population ratio calculations are based on a walk-through type inspection / measure and desktop audit of existing conditions drawing P1704 TP02A dated 13/09/2017.

Location	Floor Area m ²	Number Patrons
Café	38.7m ²	38.7
External Courtyard Dining	19.1m ²	19.1
TOTAL		57.8*

The calculations are based on a ratio of 1.0m² floor area per person*, for that part of the tenancy relating to the dining entertainment/function areas accessible to the public and excludes back of house ancillary areas such as office, kitchen store and sanitary facilities.

*Ratio as requested by Yarra City Council

2.0 Sanitary Facilities

A number of sanitary facilities occur within the tenancy and under provisions of the Building Code of Australia 2016- Vo.1, the following numbers of patrons are deemed to be served by the existing identified sanitary facilities.

Gender	WC Pan	Urinal	Hand Basin	Number of Patrons
Male	1.0	Nil	1.0	25 [#]
Female	1.0	Na	1.0	25
TOTAL				50

[#]Based on combined WC pan and Urinal Use

Attachment 6 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - Advertising S52 - Building Surveyors Report

IBEX Building Consultants

Building Permits / Town Planning / Fire Safety / Construction Administration Services

a: PO Box 25 East Melbourne VIC. 8002 p: 0402 898 136 e: marks@ibexbc.com.au ABN: 83 130 716 291

3.0 Occupancy Permit Requirements

Review of council's records could not establish any relevant recent Occupancy Permit (issued within the preceding 7 years) for this building and therefore Occupancy Permit population numbers are not available.

Note that from review of the council records it would appear that the tenancy is currently undergoing internal changes [No change of use] as shown on submitted drawings used in this assessment.

Regards:-



Mark Schlueter
Building Surveyor – BSU-1324
0402 989 136

Note: This certificate is not evidence that the building, part of the building or building work listed above complies with the Building Act 1993 or the Building Regulations

Attachment 7 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - Advertising S52 - Current Planning Permit

Helping you understand your planning needs



PLANNING PERMIT

Permit No PL09/0904

Planning Scheme Yarra

Responsible Authority City Of Yarra

ADDRESS OF THE LAND

100 Scotchmer St North Fitzroy VIC 3068

THE PERMIT ALLOWS

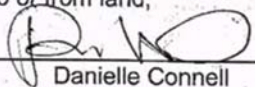
For the purpose of the following, in accordance with the endorsed plan(s).

Use of the site (including the rear courtyard) as a food and drink premises (café), part demolition and buildings and works.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The use and development must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
2. Any damaged road(s) and footpath(s) adjacent to the development site must be reinstated to the satisfaction of the Responsible Authority.
3. No more than 49 patrons are permitted to be on the premises at any one time. No more than 20 of the patrons are permitted to be within the courtyard at any one time.
4. No more than four staff may be present on the site at any one time
5. The use must only operate between the hours of Monday to Friday 7am to 5pm and Saturday and Sunday 8am to 5pm.
6. No external speakers are to be located within the courtyard. Noise in the courtyard must be limited to background noise only.
7. Noise emissions must comply with the State Environment Protection Policy or any other standard recommended by the Environment Protection Authority.
8. No emptying of bottles into garbage bins is permitted outside the operating hours of the café.
9. The amenity of the area must not be detrimentally affected by the use through:
 - (a) The transport of materials, goods or commodities to or from land;

Date: 28 October 2010



 Danielle Connell
 Signature for the Responsible Authority

Planning and Environment Regulations 2005 No. 33 Form 4 Sections 63 and 86

Page 1 of 2

For more information call 9205 5555 or visit www.yarracity.vic.gov.au

Attachment 7 - PL09/0904.01 - 100 Scotchmer Street Fitzroy North - Advertising S52 - Current Planning Permit

- (b) The appearance of any buildings, works or materials;
- (c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
- (d) The presence of vermin.

10. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7.00 am - 6.00 pm, Monday-Friday (excluding public holidays) and 9.00 am - 3.00 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.

11. This permit will expire if the development is not completed within six (6) months from the date of this permit. The Responsible Authority may approve extensions to this time limit if requests are made before the permit expires or within 3 months afterwards.

NOTE: This site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme. Unless hereby approved, a planning permit may be required for any demolition, re-painting or other external alterations, sandblasting, exterior works (including the installation of external airconditioning units, solar panels, and any other heating/cooling units) to an existing building or buildings, construction of a building or fence, changes to the natural topography of the land or the subdivision or consolidation of land.

NOTE: A building permit may be required before development is commenced. Please contact Council's Building Department on Ph. 9205 5351 to confirm.

NOTE: This premises may be required to comply with health safety regulations. Please contact Council's Public Health Unit on 9205 5166 for further information and advice.

Date: 28 October 2010


Danielle Connell

Signature for the Responsible Authority

Planning and Environment Regulations 2005 No. 33 Form 4 Sections 63 and 86

Page 2 of 2