

Attachment 1 - PLN11/0750 - 1-21 Robert Street Collingwood - Planning Permit (Amended)

Helping you understand your planning needs

**PLANNING PERMIT (Amended)**

Permit No: PLN11/0750
Planning Scheme: Yarra
Responsible Authority: City Of Yarra

ADDRESS OF THE LAND:

1-21 Robert St Collingwood VIC 3066

THE PERMIT ALLOWS:

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

To use and develop the land for the construction of buildings and works; use of part of the land as a food and drinks premises (café) and a convenience shop (deli); reduction in the car parking requirements associated with dwellings, a food and drinks premises (café) and a convenience shop (deli), waiver of the loading bay requirement; waiver of the bicycle change room requirement at 1-21 Robert Street, Collingwood.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- 1 Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the original decision plans (A12.02B-A12.10A, A6.02-A6.05A, , received by Council on 4 July 2012) and the Section 87A Amendment plans (A12.01, A12.02A, A6.06-A6.09 dated 26/06/2013, 27/06/2013 and 28/6/2013 and received by Council 12 July 2013) but modified to show:

Built form

- (a) level 2 of the Robert Street building (dwellings NW 2.20 to NW 2.23) setback an additional 450mm from the west title boundary;
- (b) where habitable room windows and private open space areas of the following may provide internal overlooking opportunities (within a 9m radius and 45 degree arc), they are to be treated with 1.7m high, fixed obscure glazing or fixed, minimum 1.7m high, maximum 25 per cent transparent screens or the like:
- (i) central row of south facing dwellings within the 14 storey Robert Street building to the northernmost unit in the 10 storey building;

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

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- (ii) easternmost dwellings in the cellar building and the westernmost dwellings in the stables building;
- (iii) balconies at the first floor of the 17 storey building;
- (iv) south apartments (closest exposed apartment) and the 10 storey building (closest apartment in the south-west corner);
- (v) brew tower apartments and the adjacent Robert street building to the north (level 2 and above);
- (vi) brew tower apartments and the south apartments (level 2 and above); and
- (vii) 14 and 17 storey Robert Street buildings (levels 3 and above);
- (c) where habitable room windows and private open space areas of the following may provide external overlooking opportunities (within a 9m radius and 45 degree arc), they are to be treated with 1.7m high, fixed obscure glazing or fixed, minimum 1.7m high, maximum 25 per cent transparent screens:
 - (i) NW G.10 – NW G.13;
 - (ii) HST G.09;
 - (iii) HST 1.13;
 - (iv) HST 2.12; and
 - (v) HST 3.10;
- (d) details of all screening types proposed;
- (e) identify all sliding shading louvers;
- (f) the fences adjacent to Robert Street be a maximum 1.5m high and a minimum 75 per cent transparent;
- (g) all elevations (internal and external) of the development, in colour;
- (h) an updated schedule of all external materials and finishes (including materials samples, colours and coloured elevations/perspectives). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences;

General

- (i) provision of an externally accessible storage cage (minimum 3m³) or above bonnet store where possible (a minimum of 304 storage cages);

Traffic, car parking and bicycle parking

- (j) basement levels B1 and B2 generally as per sketch plan A12.01A prepared by Hayball Pty Ltd, dated 17/09/13, showing:
 - (i) except for small car spaces, tandem spaces with a minimum width of 2.6m or a minimum length of 10.8m;
 - (ii) column locations (excluding within car parking stackers) as per diagram 1 of clause 52.06-8 of the Yarra Planning Scheme;
 - (iii) columns within stackers correctly spaced to allow platforms to slide horizontally;
 - (iv) a maximum car stacker size of 30 spaces;
 - (v) the 29 car stacker bay located in basement level B2 to be accessed via remote;
 - (vi) repositioned car stacker bays in the south-west corner of each basement level to accommodate vehicular access and modified storage cage and motor cycle parking layouts;
 - (vii) increased car parking space lengths in the north-east corner of the basement (from 4.9m to 5.4m);
 - (viii) a minimum of 362 car parking spaces; and
 - (ix) the westernmost spaces in the basement level B2, 21 bay stacker (located in the south-west corner of the site) for small cars only.

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- (k) car parking spaces adjacent to walls or fixed objects (including those spaces within car stackers) provided with a minimum width of 2.7m, or 2.6m for small car spaces, in accordance with Australian Standard AS/NZS2890.1;
- (l) at least 25 per cent of all car stacker spaces provided with a height clearance of at least 1.8m, in accordance with clause 52.06-8 (Design Standard 4) of the Yarra Planning Scheme;
- (m) small car spaces are to be labelled on the plans;
- (n) shared zone signage along Robert Street and Wellington Street, including details and location of signage;
- (o) bicycle parking dimensions in accordance with clause 52.34-4 of the Yarra Planning Scheme, or otherwise to the satisfaction of the Responsible Authority;
- (p) bicycle signage in accordance with clause 52.34-5 of the Yarra Planning Scheme;
- (q) car parking spaces (except for small car spaces) must be a minimum 2.6m wide, or 2.4m wide with a minimum length of 5.4m;
- (r) a pedestrian sight distance triangle at the property boundary on the west side of the accessway measuring 2.0m wide, 2.5m deep and be 50% clear of obstructions in accordance with clause 52.06-8 (Design Standard 1) of the Yarra Planning Scheme;
- (s) the intercom at the entrance side of the driveway;
- (t) a cross sectional drawing of the crossover, demonstrating that an 85th percentile vehicle profile as per AS/NZS 2890.1:2004 or similar can traverse the proposed vehicle crossing fronting Robert Street. The reduced levels within the road reserve must be actual levels and not interpolated levels from the architectural drawings (i.e. through a dumpy level survey [or similar method]);
- (u) removable bollards adjacent to the Waterloo Road entrance, with a notation confirming they will only be removed by the Owners Corporation to facilitate residential loading (i.e. moving vehicles);

Landscape plan

- (v) updated landscape plans generally in accordance with the Landscape Concept Plans (August and October 2011) prepared by Tract Consultants Pty Ltd and the evidence of Tract Consultants Pty Ltd dated 21 January 2013 to the satisfaction of the Responsible Authority must be prepared by a suitably qualified professional. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - (i) re-design of the neighbourhood square to include additional soft landscaping;
 - (ii) deletion of landscaping proposed within the 'way' easement located outside the title boundaries;
 - (iii) details of landscaping to level 9 (central building) roof terrace;
 - (iv) detailed planting plan with plant schedule (common and botanical plant names, density, quantities, size at planting and maturity height);
 - (v) cross sections demonstrating how landscaping will function above the basement;
 - (vi) the location of all areas to be covered by lawn or other surface materials;
 - (vii) the location of any permanent structures, furniture, public seating or other facilities;
 - (viii) the location of all underground and overhead services;
 - (ix) all public area footpaths, steps, ramps and crossings to comply with DDA – Tactile indicators, nosing's and handrails where necessary;
 - (x) grades of all ramps shown on plan;
 - (xi) grades of all footpaths shown on plan;
 - (xii) details of street furniture, including bench seats and street tree planters;
 - (xiii) existing and proposed levels including top wall and fence heights (where relevant);
 - (xiv) ongoing maintenance and management details of all publically accessible spaces; and
 - (xv) a schedule of 'way finding' signage;

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- (xvi) * built form and associated landscaping changes as a result of the amended ground floor plan (A12.02A dated 26/06/2013 prepared by Hayball); and
- (w) details of landscaping in front of dwellings G01D-G03D, adjacent to the Waterloo Road entry and the 10 storey building lobby (eastern access).

Lighting plan

- (x) a detailed lighting plan, confirming:
 - (i) * the car parking spaces, storage, rubbish bin, recycling bin, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer pedestrian and vehicular entries to the site from Robert Street and the carriageway easement will be illuminated (including the neighbourhood square, deli and café);
 - (ii) street lighting for pedestrian areas will be designed in accordance to the requirements of AS1158.3.1;
 - (iii) standard street lighting luminaries are as approved by Citi Power;
 - (iv) street lighting luminaire are from the Energy Efficient list (Council's Engineering Services Unit); and
 - (v) power supply to the proposed lighting poles will be underground;

Acoustic

- (x) all works recommended in the report of the professional acoustic engineer referred to in condition 8;

ESD

- (y) all works recommended in the ESD report referred to in condition 12;

Waste management

- (z) all works recommended in the waste management plan referred to in condition 15;
- (aa) removable bollards within the easternmost Waterloo Road entrance, with a notation confirming they will only be removed by the Body Corporate for residential loading (i.e. moving vans); and

Other

- (bb) all required changes to the original decision plans as a result of the Section 87A Amendment plans.

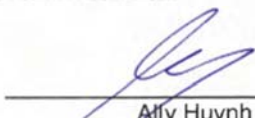
Endorsed Plans

- 2 All development and use must accord with the endorsed plans. Any alterations must be approved in writing by the Responsible Authority.
- 3 Floor levels shown on the endorsed plans must not be altered or modified. Any alterations must be approved in writing by the Responsible Authority.

Section 173 agreement

- 4 The development approved under this permit must not commence until:

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- (a) the section 173 agreement (Agreement) entered into on 3 August between the Responsible Authority, the Heritage Council and Treeline Pty Ltd and recorded against the title to the subject land is ended; and
- (b) the owner enters into a new section 173 agreement with the Responsible Authority, the Heritage Council with respect to the development of the land in accordance with any requirements of Heritage Victoria; or alternatively;
- (c) the Agreement entered into on 3 August between the Responsible Authority, the Heritage Council and Treeline Pty Ltd and recorded against the title to the subject land is amended to ensure the requirements of the Agreement are consistent with the development authorised under this permit;

Ongoing involvement of the architect

- 5 As part of the ongoing consultant team Hayball Pty Ltd or an architectural firm to the satisfaction of the Responsible Authority must be retained to complete the design and provide architectural oversight of the delivery of the detailed design as shown in the endorsed plans during the construction unless with the prior written approval of the Responsible Authority.

Road works

- 6 Within 12 months of the development commencing, the design of the Shared Zones in Robert Street (between Wellington and Rokeby Streets) and Waterloo Road (between Wellington and Rokeby Streets) must be prepared by an independent and suitably qualified professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority. The design must be submitted to and approved by the Responsible Authority. Once approved, the design will then form part of the permit. The details of the design must include all dimensions, existing reduced levels, proposed kerb levels, surface treatments, line marking, kerb, channel and footpath works, positions and details of all signs (existing and proposed), accurate locations of any stormwater pits and underground services. The design of the Shared Zones must confirm:
 - (a) the roads (carriageways) will remain in bluestone;
 - (b) the full reconstruction of Robert Street between Wellington and Rokeby Streets to include the relaying of the bluestone;
 - (c) any extension to the south side of Robert Street ('footpath') is to be constructed in asphalt or a material to complement the bluestone;
 - (d) vehicular access to be maintained to the properties on the north side of Robert Street and south side of Waterloo Road;
 - (e) location and details of 'shared zone' signage;
 - (f) the re-setting of stones within the existing bluestone threshold treatment, demonstrating the threshold treatment is robust to accommodate vehicle loadings and repetitive movements, ensuring that stones are not dislodged;
 - (g) removal of parking restrictions and signs (as necessary); and
 - (h) any other works required recommended in the Road Safety Review prepared by GTA Consultants dated 24 July 2012.
- 7 Before the issue of a certificate of occupancy for the final stage of development, all works associated with providing the Shared Zones in Robert Street (between Wellington and Rokeby Streets) and Waterloo Road (between Wellington and Rokeby Streets) as set out in condition 6 must be undertaken and completed at the cost of the permit holder unless with the prior written consent of the Responsible Authority and all to the satisfaction of the Responsible Authority.

Acoustic report

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- 8 Before the plans are endorsed, an updated acoustic report generally in accordance with the report dated November 2011 to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The report must be amended to reflect the plans referenced in condition 1 of the permit. Once approved, the acoustic report will be endorsed and will then form part of the permit.
The report must be prepared by a suitably qualified acoustic engineer and include an assessment of how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1, the State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2 and relevant Australian Standards will be met and must prescribe the form of acoustic treatment to:
- (a) protect all dwelling occupants and nearby occupants from noise generated from the mechanical plant equipment and ventilation mechanisms installed or constructed as part of the development (including the lift, residential air conditioner units and commercial plant and equipment);
 - (b) protect all dwelling occupants and nearby occupants from music noise generated by the café and deli;
 - (c) protect all dwelling occupants from music noise, vibrations and 'weight dropping' within the level 9 gymnasium;
 - (d) protect all dwellings within the development from noise generated from use of the bin chutes; and
 - (e) protect all dwelling occupants within the development from noise generated by the Wellington Street Workshop and Robert Street seafood processing plant and surrounding commercial activities.
- 9 If the development of any stage of the development has not started within 12 months of the date of the approved acoustic report referred to in condition 8, a further acoustic report prepared by a suitably qualified acoustic consultant to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The further acoustic report must demonstrate that the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1, the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 amenity levels as assessed in the acoustic report submitted and approved under condition 7 will still be achieved.
In the event that non-compliance with the State Environment Protection Policy N-1, N-2 levels is demonstrated, the further report must recommend additional measures necessary to achieve compliance to the satisfaction of the Responsible Authority.
- 10 On the completion of any works required by the endorsed acoustic report (under conditions 8 or 9) above and before the residential use commences of any stage of the development, an updated acoustic report prepared by a suitably qualified acoustic consultant to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority demonstrating that the required level of noise attenuation has been achieved. The report must:
- (a) confirm compliance with conditions 8 and 9 of the permit; and
 - (b) provide measurement data taken from inside the dwellings of the development, demonstrating compliance with the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1 and the State Environment Protection Policy (Control of Music Noise from Public Premises), No. N-2.
- 11 The recommendations and any works contained in the approved acoustic reports under conditions 8, 9 and 10 (as applicable) must be implemented and completed and where there are recommendations of an ongoing nature must be maintained all to the satisfaction of the Responsible Authority.

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ESD report

- 12 Before the plans are endorsed, an amended Environmentally Sustainable Report prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will then form part of this permit. The Report must be generally in accordance with the report prepared by Ark Resources (dated 22 August 2011) but modified to include:
 - (a) * amendments as a result of the plans referenced in condition 1;
 - (b) information about the provision of hot water for town houses and the central building;
 - (c) details regarding sliding shading louvers; and
 - (d) confirmation that rainwater tanks will be a minimum 75,000L.
- 13 Within 18 months of the occupation of the development, documentation demonstrating that the development has complied with a 4 Star Green Star Multi Residential As Built rating must be submitted to and approved by the Responsible Authority.

Integrated Art Plan

- 14 Within 12 months of the commencement of the development, or at some other time agreed to be the responsible authority, details of the public artwork to be provided in the locations shown on the endorsed plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the details of the public artwork will be endorsed and will then form part of the permit. The cost of the public artwork is to be borne by the owner or occupier of the land. The artwork must be installed before any part of the development is occupied except with the prior written consent of the Responsible Authority all the satisfaction of the Responsible Authority. The public artwork as approved must then maintained to the satisfaction of the Responsible Authority.

Waste management plan

- 15 Before the plans are endorsed, a Waste Management Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will then form part of this permit. The Report must be generally in accordance with the report prepared by Leigh Design (dated 17 June 2013).
- 16 Residential waste collections and bin transfers may only be carried-out between the hours of 10.00 am and 2.00 pm, unless with the prior written consent of the Responsible Authority.
- 17 The collection of all waste must be in accordance with the approved Waste Management Plan. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view and be managed to the satisfaction of the Responsible Authority in accordance with the approved Waste Management Plan.
- 18 No emptying of bottles into garbage bins (associated with the café and deli uses) is permitted after 10.00 pm on any night, or before 7.00 am on any day.
- 19 All waste must be collected by private collection service to the satisfaction of the Responsible Authority.

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Car and bicycle share

- 20 Before the development starts the owner must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* with and to the satisfaction of the Responsible Authority. The agreement must be registered on the title to each lot. By the agreement, the owner must covenant with the Responsible Authority that provision will be made for at least 2 car share vehicles on-site and 7 bicycle share spaces (provision may be staged) by way of arrangement with a car share operator and/or the future Owners Corporation for a minimum period of 10 years. The agreement will reflect that any costs which may be associated with ensuring ongoing availability of at least 2 car share vehicles on site will be borne by the owner. All costs of preparation and registration of such agreement must be borne by the owner of the land, or the future Owners Corporation, including those incurred by the Responsible Authority.

Transport Management Plan

- 21 Before the development starts, a Transport Management Plan prepared by a suitably qualified professional to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Transport Management Plan will be endorsed and will then form part of the permit. The Transport Management Plan may be amended from time to time to the satisfaction of the responsible authority. The Transport Management Plan must address the following:

General

- (a) an internal signage/line marking plan:
 - (i) distinguishing resident, retail and multi-use parking spaces, with directional arrows and signage;
 - (ii) detailing information signs indicating the location of disabled bays, small parking bays, bicycle parking and exits;
 - (iii) detailing line marking and signage to the entry and exit lanes to all car parking areas and exits (including at the Robert Street frontage);
 - (iv) confirming 'give way' signs will be installed facing motorists on both legs of the north-south carriageway easement at the intersection with Waterloo Road;
- (b) security arrangements;

Car Parking

- (c) a minimum 349 residential car parking spaces;
- (d) residential car parking must be allocated such that all two and three bedroom dwellings are provided with at least one on-site car parking space;
- (e) other car parking must be allocated as follows:
 - (i) deli/café – 2
 - (ii) multi-use – 9 (inclusive of one disabled bay);
- (f) a minimum of 18 motorcycle parking bays;
- (g) a minimum of 2 car spaces for a car share programme;
- (h) management details of the car share programme provided;
- (i) allocation, signage and management of the small car spaces shown within the car parking areas;
- (j) how all residents will be informed of the waste collection times (and associated restricted access to the car park);
- (k) the 29 vehicle stacker within basement level B2 will be accessed via remote;

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Bicycle spaces

- (l) a minimum of 135 bicycle parking spaces as follows:
 - (i) dwelling – 88;
 - (ii) visitor – 40; and
 - (iii) bicycle share – 7;

Loading and Deliveries

- (m) details regarding management of loading and unloading of goods in compliance with any other condition(s) of this permit; and
 - (n) management arrangements for resident loading (i.e. moving vans), including:
 - (i) safety procedures for vehicles reversing onto Waterloo Road; and
 - (ii) the maximum permitted vehicle size within the Waterloo residential loading bay, based on the archway size.
- 22 Except with the further written consent of the Responsible Authority, the management of the car park must, at all times, comply with the approved Transport Management Plan.

Car parking, crossovers and footpaths

- 23 Before the occupation of the development, the area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:
- (a) be constructed and completed;
 - (b) thereafter maintained;
 - (c) be made available for such use at all times and not used for any other purpose;
 - (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
 - (e) be drained and sealed with an all-weather seal coat, all to the satisfaction on the Responsible Authority.
- 24 Any redundant vehicle crossings must be broken out and reinstated with paving, kerb and channel of the surrounding area to the satisfaction of the Responsible Authority. The cost of these reinstatement works must be borne by the Permit Holder.
- 25 Any damaged road(s) and footpath(s) adjacent to the development site as a result of the development (including as a result of trenching and excavation for underground utility service connections) must be reinstated to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.
- 26 All vehicle crossings must be constructed to the satisfaction of the Responsible Authority.
- 27 The development's finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with the Australian/New Zealand Standard AS/NZS 2890.1:2004.
- 28 All existing kerb and channel, and road pavement surface levels must not be altered, unless with the prior written approval of the Responsible Authority. Council may permit the adjustment of Building Line levels to provide access in accordance with AS/NZS 2890.1:2004.

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Amenity

- 29 Alarms associated with the commercial premises must be directly connected to a security service and must not produce unreasonable noise beyond the premises.
- 30 The development and use of the café and deli must be managed so that the amenity of the area is not detrimentally affected including through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials; and
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the presence of vermin.
- 31 All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 32 Noise levels emanating from the development, including plant and other equipment, must comply with the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 to the satisfaction of the Responsible Authority.
- 33 Noise levels emanating from the commercial uses within the development must comply with the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2.

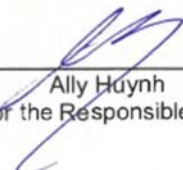
Landscaping

- 34 Before the occupation of the final stage of development or by such later date as is approved by the Responsible Authority, the landscaping works shown on the endorsed landscaping plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 35 The landscaping shown on the endorsed landscaping plans must be maintained to the satisfaction of the Responsible Authority including that any dead or diseased or damaged plants are to be replaced.
- 36 Unfettered public access must be maintained through the central open space area.

Lighting

- 37 External lighting must be designed, baffled and located so as to prevent any adverse amenity or impact to any person within and beyond the site, to the satisfaction of the Responsible Authority.
- 38 Within 6 months of the development commencing, a public lighting plan for Waterloo Road to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved the plan will be endorsed and will then form part of the permit. The plan must detail:
 - (a) the level of lighting complying with level "P4" (or higher) as per Australian Standard AS1158.3.1;
 - (b) use of standard Citi Power energy efficient luminaries;
 - (c) no light spillage occurring into windows of the proposed residential properties and should comply with the requirements of Australian Standard AS 4282;
 - (d) a consultation plan detailing consultation with the existing occupiers regarding the proposed location for the new street lighting poles; and

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- (e) the process of the implementation of new scheme must not cause any disruption to the existing public lighting -ensure continuity of public lighting during the installation process.

The cost of the design/consultation and installation of lighting scheme will be borne by the permit holder.

General

- 39 Before any stage of the development is occupied, privacy screens for that stage as required in accordance with the endorsed plans must be installed to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority thereafter.
- 40 All new on boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 41 All piping and ducting, other than for drainage above the ground floor storey of the building must be concealed.

Food and drinks premises (café)

- 42 The food and drinks premise (café) may only operate between the hours of 7.00 am and 11.00 pm, seven days, unless with the prior written consent of the Responsible Authority.
- 43 The outdoor seating area (designated area within the 'neighbourhood square') must not be used beyond 10.00 pm on any night, unless with the prior written consent of the Responsible Authority.
- 44 No more than 5 staff members may be on the site at any one time, unless with the prior written consent of the Responsible Authority.
- 45 No more than 40 patrons may be inside the food and drinks premises (café) at any one time, with an additional 40 patrons permitted within the designated area within the neighbourhood square', unless with the prior written consent of the Responsible Authority.
- 46 Speakers must not be located outside the building.
- 47 Deliveries may only occur between 8.00 am and 4.00 pm, unless with the prior written consent of the Responsible Authority.

Convenience shop (deli)

- 48 The convenience shop (deli) may only operate between the hours of 7.00 am and 11.00 pm, seven days, unless with the prior written consent of the Responsible Authority.
- 49 Deliveries may only occur between 8.00 am and 4.00 pm, unless with the prior written consent of the Responsible Authority.

Public Transport Victoria Conditions (50 to 52)

- 50 Before the development is occupied, a Green Travel Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority following consultation with the Department of Transport (Public Transport Division) must be submitted to and approved by the Responsible Authority. Once approved, the plan will then form part of the permit. The Plan

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must encourage the use of non-private vehicle transport modes by the occupiers of the land. The Plan must include:

- (a) a description of the location in the context of alternate modes of transport and objectives for the Green Travel Plan;
- (b) outline Green Travel Plan measures for the development including, but not limited to:
 - (i) household welcome packs – tram, train and bus timetables relevant to the local area must be included in the pack of information provided to purchaser's upon a purchaser's occupation of an apartment;
 - (ii) include a minimum to 10 by 2 hour Metcard (zone one / two) within the household welcome pack or a Myki pass (of equivalent value) and registration information;
 - (iii) bicycle parking and facilities available on the land; and
 - (iv) pedestrian routes to key destinations.

- 51 The Green Travel Plan must not be amended without the written consent of the Responsible Authority following consultation with the Department of Transport (Public Transport Division).
- 52 The permit holder must ensure that the undertakings outlined in the approved Green Travel Plan (and any ongoing obligations) are complied with at all times, to the satisfaction of the Responsible Authority.

Construction Management Plan

- 53 Before any development starts, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Construction must be carried out in accordance with the endorsed plan to the satisfaction of the Responsible Authority. The plan must provide:
 - (a) a pre-conditions survey (dilapidation report) of the subject site and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
 - (c) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
 - (d) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site;
 - (e) on-site facilities for vehicle washing;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards that the activities on-site pose including but not limited to: contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, washing of concrete trucks and other vehicles and machinery, spillage from refuelling cranes and other vehicles and machinery;
 - (i) construction program;
 - (j) preferred arrangements for trucks delivering to the site including delivery and unloading points and expected frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that sub-contractors/tradespersons operate in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;

Date: 27 March 2013

 Ally Huynh
 Signature for the Responsible Authority

Attachment 1 - PLN11/0750 - 1-21 Robert Street Collingwood - Planning Permit (Amended)

- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a noise and vibration management plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008, to the satisfaction of the Responsible Authority. In this regard, consideration (amongst other matters) may be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the site for the use of an electric crane;
 - (iii) mitigating noise from all mechanical plant by the best practical means using current technology; and
 - (iv) fitting all pneumatic tools operated near a residential area with an effective silencer on their air exhaust port.

- 54 During the construction, the following must occur:
 - (a) any stormwater discharged into the stormwater drainage system to comply with EPA guidelines;
 - (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
 - (c) vehicle borne material must not accumulate on the roads abutting the site;
 - (d) the cleaning of machinery and equipment must take place on site and not on adjacent footpaths or roads;
 - (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
 - (f) all site operations must comply with the EPA Publication TG302/92.
- 55 The development once commenced, must be completed to the satisfaction of the Responsible Authority.

Expiry

- 56 This permit will expire if one of the following circumstances applies:
 - (a) the development is not started within two years of the date of this permit;
 - (b) the development is not completed within four years of the date of commencement.
 The Responsible Authority may approve extensions to these time limits if requests are made before the permit expires or within 3 months afterwards.

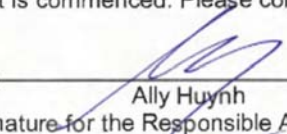
NOTE: The site is located within an Environmental Audit Overlay. Pursuant to clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of works permitted under the permit.

NOTE: The site is listed on the Victorian Heritage Register. Please contact Heritage Victoria to ascertain permit requirements.

NOTE: The proposal includes construction over a carriageway easement. As easements are not strictly planning matters in this regard, the Permit Holder is required to consider this obligation.

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

Date: 27 March 2013


 Ally Huynh
 Signature for the Responsible Authority

Attachment 1 - PLN11/0750 - 1-21 Robert Street Collingwood - Planning Permit (Amended)

NOTE: In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution may apply in the event of the subdivision of the land.

NOTE: The design and construction of the vehicle crossing must also satisfy the requirements of Council's Community Amenity unit's Vehicular Access into Properties (Info Sheet and Application Form) before a vehicle crossing permit can be issued.

NOTE: The Permit Holder must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the Building Regulations 2006 from Yarra Building Services Unit.

NOTE: Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 610.

NOTE: Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

NOTE: The Permit Holder is required to identify any overflow paths surrounding the site and ensure that they are not obstructed. Please contact Council's Engineering Services Unit on 9205 5555 to discuss.

NOTE: The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

NOTE: All future residents, employees and occupiers residing within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

NOTE: A copy of this permit and the endorsed plan (and any subsequent variation) must form part of the document to any Contract of Sale or Lease for any part of the site after the date of the permit.

NOTE: The food premises are required to comply with health and food safety regulations before commencing operation. Please contact Council's Public Health Unit on 9205 5166.

THIS PERMIT WAS ISSUED AT THE DIRECTION OF VCAT AS FOLLOWS:

Date of Order	
27 March 2013	Planning Permit PLN11/0750 was issued in accordance with the order of the Victorian Civil and Administrative Tribunal, reference: P2985/2012.
10 October 2013	Planning Permit PLN11/0750 was amended in accordance with the order of the Victorian Civil and Administrative Tribunal, reference: P1621/2013.

THIS PERMIT HAS BEEN CORRECTED AS FOLLOWS

Date of Correction Order	
15 May 2013	Planning Permit PLN11/0750 was corrected in accordance with the order of the Victorian Civil and Administrative Tribunal, reference: P2985/2012. In particular, condition 20 was corrected.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS

Date of Amendment	
5 August 2014	Pursuant to Sections 73 and 74 of the Planning and Environment Act 1987, amendment to allow additional time to satisfy the requirements of conditions 6 and 14 of the permit.

Date: 27 March 2013

Ally Huynh
Signature for the Responsible Authority

PLANNING PERMIT

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

WHEN DOES A PERMIT BEGIN?

A permit operates:

* from the date specified in the permit; or

* if no date is specified, from—

(i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or

(ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—

* the development or any stage of it does not start within the time specified in the permit; or

* the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or

* the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.

2. A permit for the use of land expires if—

* the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or

* the use is discontinued for a period of two years.

3. A permit for the development and use of land expires if—

* the development or any stage of it does not start within the time specified in the permit; or

* the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or

* the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or

* the use is discontinued for a period of two years.

4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—

* the use or development of any stage is to be taken to have started when the plan is certified; and

* the permit expires if the plan is not certified within two years of the issue of the permit.

5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

* The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.

* An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.

* An application for review is lodged with the Victorian Civil and Administrative Tribunal.

* An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.

* An application for review must state the grounds upon which it is based.

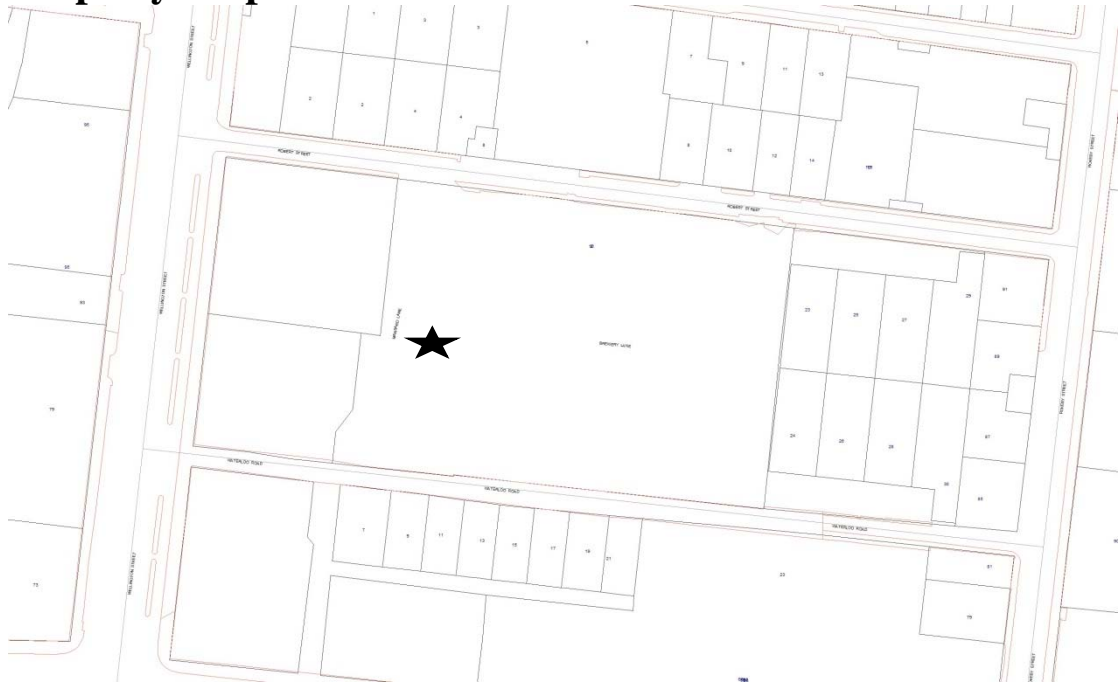
* An application for review must also be served on the Responsible Authority. Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

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

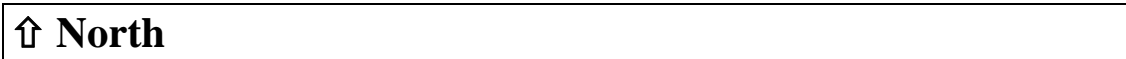
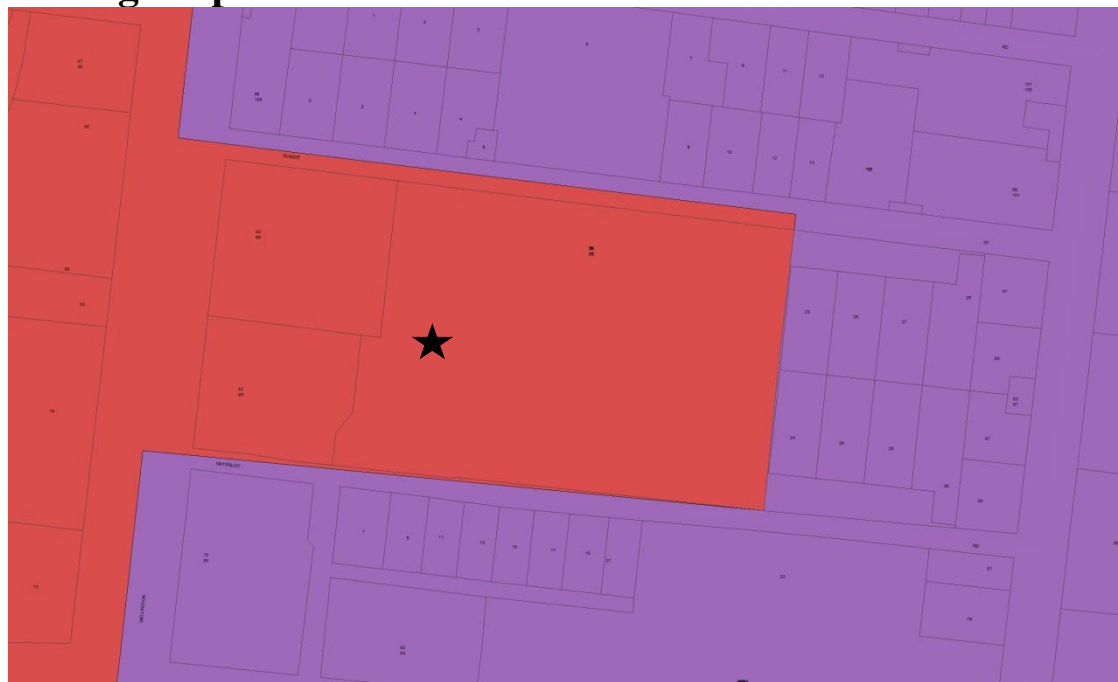
Attachment 2 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Subject Land Map

SUBJECT LAND:

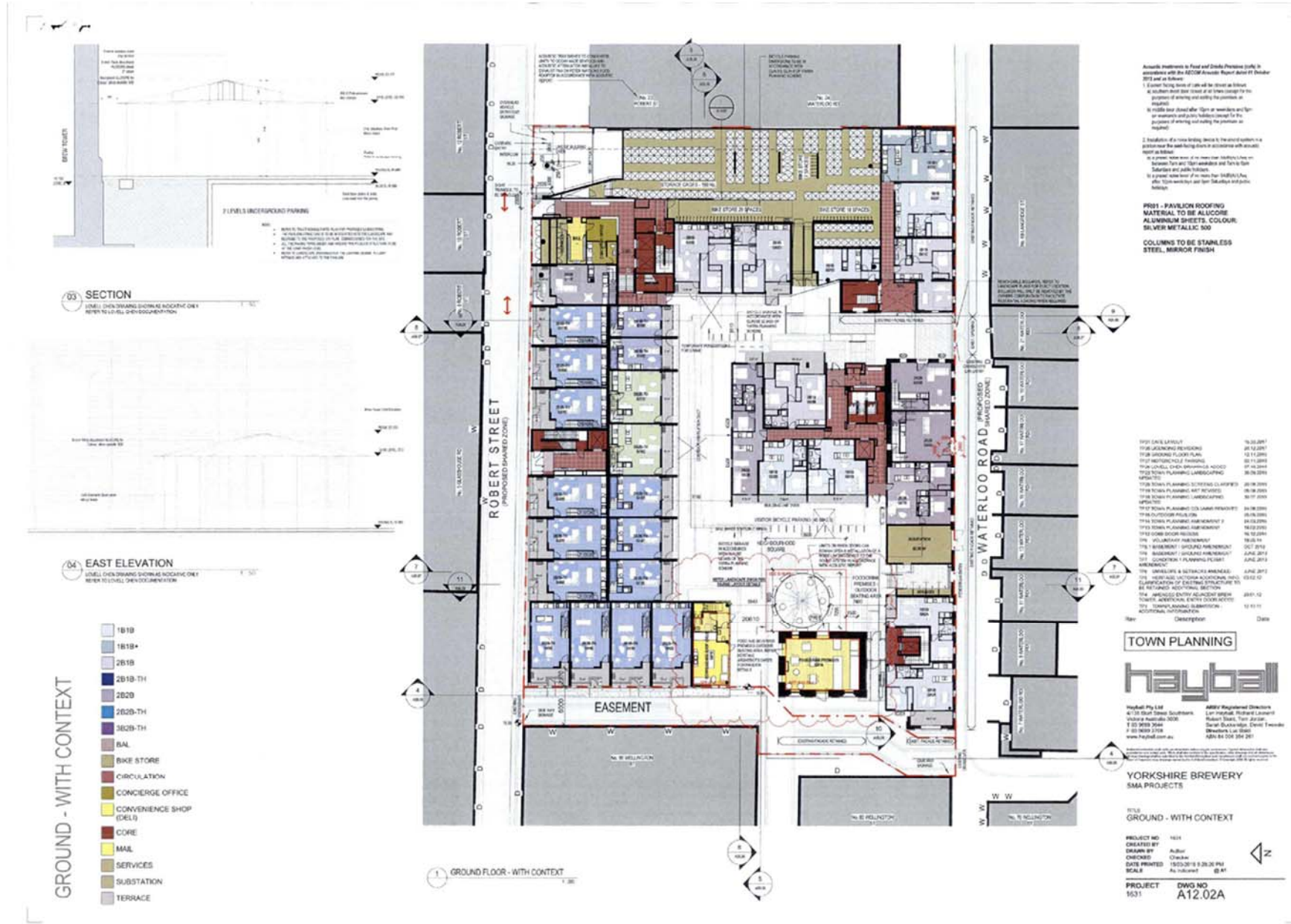
Property Map



Zoning Map



Attachment 3 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Floor Plan



Attachment 4 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Referral Comments from Council's Social Policy and Research Unit



MEMO

TO: Nikolas Muhllechner, Principal Statutory Planner
FROM: Erika Russell, Senior Planner (Community Health and Safety)
DATE: 4 May 2018
ADDRESS: 2-4 Mansard Lane, Collingwood
APPLICATION NO: PLN18/0021
DESCRIPTION: THE SALE OF LIQUOR FOR THE CONSUMPTION ON AND OFF THE PREMISES IN ASSOCIATION WITH A FOOD AND DRINK PREMISES (CAFE) AND A CONVENIENCE SHOP (DELI).

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 Mixed Use Zone and forms part of the Yorkshire Brewery redevelopment that was permitted under planning permit PLN11/0750. As part of the broader development this permit allowed for a food and drinks premises (café) with operating hours of between 7am and 11pm seven days a week, with the outdoor area restricted to 10pm. The permit also stated that *No more than 40 patrons may be inside the food and drinks premises (café) at any one time, with an additional 40 patrons permitted within the designated area within the neighbourhood square*. The permit also allowed for a nearby (separated by part of the neighbourhood square) convenience shop (deli) with hours also between 7am and 11pm seven days a week.
- The onsite liquor consumption relates to the café and the offsite relates to the deli. The application suggests that the site will operate under a Restaurant and Café liquor licence, however a General licence is typically utilised for both onsite and offsite consumption. Additionally, this would appear to be the logical choice of licence given that it appears that both parts of the site will be managed together and not independently. The other less likely option (given the physical separation of the uses) is a separate Restaurant and Café liquor licence and Packaged Liquor licence.
- It appears that the original proposal under consideration sought to extend the hours permitted for the outdoor area to 11pm, however 10pm as per PLN11/0750 is now sought. Therefore consideration is limited to the sale and consumption of alcohol within the existing hours approved for the use, and an additional 10 patrons for the café.

Attachment 4 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Referral Comments from Council's Social Policy and Research Unit

COMMENTS / RECOMMENDATIONS

- A General licence while appropriate for when alcohol is going to be supplied for consumption both on and off the premises is one of the least restrictive licence types. Therefore adequate planning permit conditions regarding hours, patrons and management of the venue are required to ensure that the venue operates in an appropriate manner, and to ensure that any liquor licence reflects these conditions.
- At a minimum the same conditions for a Restaurant and Café licence should be ensured for the cafe. 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. It is unclear what proportion of seating is being provided for the 50 patrons but a condition should ensure that at a minimum the 75% requirement is met (and this calculation should not include the outdoor seating as this will not be available for use in inclement weather). Given the context of the site (i.e. surrounded by and within the same overall development as residential uses), it would not be unreasonable to expect a higher amount of seating to further ensure the food focus. There are ongoing compliance issues with restaurants and cafes morphing into bars later in the evening, as alcohol rather than food becomes the focus. Clause 22.09 acknowledges that: *Higher risk venues which operate late at night and encourage vertical drinking through having a low proportion of seating and a limited food offering have a greater capacity to cause adverse impacts compared to lower risk venues including restaurants and cafes which have a substantial food focus and a high proportion of seating.*
- A planning permit for the café and deli uses has been granted previously and the provision of alcohol (limited onsite to 50 people) will not be the main focus of either. Instead, alcohol will complement and be secondary to the food offering. While 11pm is currently permitted for the uses, 10pm may be appropriate now that a liquor licence is being added. This would be in accordance with clause 22.09 which states *Licensed premises in a Mixed Use Zone should not provide for the sale and consumption of liquor beyond 10pm.* 10pm for the use and sale and consumption of alcohol (on and offsite) in addition to a high proportion of seating would ensure that the commercial operation (and any associated amenity impacts) of the site would be similar to that facilitated under the existing planning permit.
- Clause 22.09 also states that licensed premises should not commence the sale and consumption of liquor before 9am. Consideration should therefore be given to enforcing commencement hours of 9am, rather than 7am as proposed.

Attachment 5 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Acoustic Referral Comments from SLR Consulting



13 July 2018

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City of Yarra
P.O. Box 168
Richmond VIC 3121

Attention: Nikolas Muhllechner

Dear Nikolas

1A/2 and 1E/4 Mansard Lane, Collingwood Development Application Acoustical Review

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the food and beverage premises proposed for 1A/2 and 1E/4 Mansard Lane, Collingwood.

Details of the report are as follows:

- Title: 1A and 1E Mansard Lane, Collingwood, Environmental Noise Assessment
- Reference: Tp 001 R03 20180616
- Date: 3 July 2018
- Prepared by: Marshall Day Acoustics Pty Ltd

The report was prepared to address noise impacts from the proposed use.

1 Background Information

(Sections 1 and 2 of the report)

The acoustically significant aspects of the proposal are described below:

- The project is a ground floor pizza restaurant and associated outdoor patron area.
- The outdoor patron area is located in a neighbourhood square, and is overlooked by a number of residential towers.
- The proposed hours of operation are midday to 11 pm, 7 days a week.
- The outdoor patron area is subject to Condition 43 of PLN11/750 which requires the area to be closed after 10 pm unless written consent to operate beyond this time is provided by the Responsible Authority.
- The nearest noise sensitive receivers are the occupants of the surrounding residential towers. There is also a residence directly above the food and drink premises.

The report has been prepared to address music, mechanical plant and patron noise impacts.

SLR Consulting Australia Pty Ltd Suite 2, 2 Domville Avenue Hawthorn VIC 3122 Australia
T: +61 3 9249 9400 F: +61 3 9249 9499 E: melbourne@slrconsulting.com
www.slrconsulting.com ABN 29 001 584 612

Attachment 5 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Acoustic Referral Comments from SLR Consulting

City of Yarra
1A/2 and 1E/4 Mansard Lane, Collingwood
Development Application Acoustical Review

Job No: 640.10090.03960
Filename: 640.10090.03960 2 Mansard Ln Collingwood
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Date: 13 July 2018

SLR Comments: *The project, potential noise impacts and the nearest noise sensitive receivers have been identified.*

2 Background Noise Monitoring

(Section 4 and Appendix D of the report)

Environmental noise limits typically take into consideration existing background noise levels. MDA have monitored existing background noise levels on the roof of a nearby four storey building. The monitor location is shown in Figures 8 and 9.

Monitoring results are summarised in Table 3 and full graphical data is provided in Appendix E. The summary results are the lowest calculated day / evening or night average levels and are equal to 48 dBA (day), 46 dBA (evening) and 41 dBA (night).

SLR Comments: *The monitoring location is appropriate for quantifying ambient noise at similarly elevated locations. Lower levels may be measured at ground and first level apartments.*

We do not recommend averaging noise data to obtain background noise levels for the setting of SEPP N-2 or patron noise limits (our approach is to use the lowest measured noise level), however the results obtained by MDA are close to those we would identify using the monitoring data presented in the report.

3 Patron Noise (Outdoor Area)

3.1 Assessment Criteria

(Sections 3.2, 7.1 and Appendix C7 of the report)

Patron noise is proposed to be assessed to MDA design targets based on measured background noise levels. The targets are: 'background + 10 dB' for the day and evening periods and 'background + 5 dB' for the night period. The MDA targets and guidelines for using them are provided in Appendix C7.

Noise limits are provided in Table 8 and are equal to: 58 dBA (day), 56 dBA (evening) and 46 dBA (night).

SLR Comments: *The proposed assessment criteria are considered reasonable. Lower limits may be applicable to apartments at lower levels, which may be more shielded from ambient noise.*

3.2 Prediction of Impacts

(Section 7 of the report)

Patron noise has been modelled using sound power data developed for representing 'taverns with significant food offerings'. A level of 90 dBA Leq has been used for both patrons within the restaurant and patrons in the outdoor area. The data in Table 9 suggests that 40 patrons are assumed to be located in both areas (this number is consistent with Condition 45 of PLN11/0750).

Predictions to residential receivers have been conducted using a 3-D noise modelling package. Information about the noise model is provided in Section 5.

The predicted patron noise levels at representative locations on the façade of overlooking buildings range from 61 dBA to 66 dBA Leq.

Attachment 5 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Acoustic Referral Comments from SLR Consulting

City of Yarra
1A/2 and 1E/4 Mansard Lane, Collingwood
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SLR Comments: *The noise data used in the report appears low for 40 people outdoors, and is closer to the level MDA propose for 'Restaurant dining' (given as 89 dBA for 40 people in Table 10) than for taverns (94 dBA for 40 people).*

Our indicative calculations of patron noise to residential receivers, assuming a sound power level of 90 dBA Leq, is reasonably consistent with MDA's predicted levels.

3.3 Assessment

(Section 7.4 of the report)

The predicted patron noise levels exceeded the identified noise limits by up to 8 dBA during the day period, and by up to 10 dBA during the evening period. MDA do not provide an assessment of patron noise from the outdoor area for the night period on the grounds that the area is not proposed to be used after 10 pm.

MDA also consider noise impacts from the outdoor patron area to inside apartments, assuming that apartment windows are closed. The windows are assumed to comprise double glazed units of 6 mm glass / 12 mm airgap / 6 mm glass. The predicted internal level is 44 dBA Leq.

The internal noise levels are compared with the AS/NZS2107 design noise targets of 35 to 40 dBA for living rooms, which they exceed by up to 4 dB. MDA observe that levels at bedrooms need not be considered given that day/evening operation only is proposed. The internal targets referred to by MDA were nominated in the endorsed acoustic report for the residential development prepared by AECOM.

SLR Comments: *The assessment provided indicates that use of the outdoor patron area in the manner proposed will not achieve the identified external noise limits or the internal targets of 35 to 40 dB nominated in the original AECOM report for the site. The external exceedances are in the range that MDA indicate could be expected to cause noise impacts.*

The internal exceedances are up to 4 dB if the upper end of the design range is considered (40 dBA), however these targets were not explicitly nominated in the AECOM report for patron noise, which is a particularly characteristic, and potentially annoying, source. In our opinion the lower end of the range (35 dBA) should be targeted for voice noise in living rooms for voice noise. This would result in internal exceedances of up to 9 dB.

The application of internal targets for voice noise is unusual on projects where the residences are existing, and the outdoor patron area is the subject of the application. Internal targets for patron noise are generally only applied to new residential developments in the vicinity of an existing outdoor patron area. However, it is understood that this is a unique situation, where the dwellings and the restaurant / outdoor patron were developed concurrently, and the dwellings were required to be constructed to take noise from the food and drinks tenancy into consideration. On these grounds consideration of internal targets is reasonable. However, as indicated above, in our opinion the lower internal target of 35 dBA should be met in habitable rooms.

The predicted nuisance is also potentially greater than MDA indicate due to the fact that lower external limits may apply to some apartments (due to the possibility of lower background noise levels), and because the patron sound power data used to predict impacts may be several decibels lower than could be expected from a 'tavern' crowd.

On the basis of the above, more controls surrounding the use of the outdoor area would be appropriate. The following could be considered:

Attachment 5 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Acoustic Referral Comments from SLR Consulting

City of Yarra
1A/2 and 1E/4 Mansard Lane, Collingwood
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- *Limitation on the patrons in the outdoor area to a number that can be comfortably seated. It is unclear what this number would be from the provided drawings, however as a guide, we would suggest about 25. The object of this limitation is to encourage patrons to behave in a manner more consistent with 'restaurant' diners, rather than 'tavern' diners, as well as to limit the number of people outdoors.*

AND

- *Limitation on the use during the day and early evening period only (say, to 7 or 8 pm).*

The above restrictions are recommended until such time that compliance with the MDA external targets can be demonstrated, taking into consideration lower background noise levels if they are found to apply.

4 Music Noise to Residents of Adjacent Buildings

4.1 Noise Limits

(Section 8.1 of the acoustic report)

Music emissions are proposed to be assessed to SEPP N-2. Day and evening limits are provided in Tables 11 of the report and night limits are provided in Table 12. The limits are based on the background noise data discussed in Section 2 of this review.

SLR Comments: *The identified limits are reasonable provided that lower background noise levels do not apply to some (less elevated) receivers.*

4.2 Assessment

(Sections 8.2 to 8.7 of the acoustic report)

Music is not proposed to be played outside the subject building. Music indoors is proposed to be played at 'background' levels only. A typical background level and spectrum is provided in the report. The level is 67 dBA L10.

Predictions of music to nearby receivers is provided for the day/evening period assuming all doors and windows are open, and for the night period assuming all doors and windows are closed. The predicted levels comply with the identified limits for all scenarios.

MDA recommend a music noise limiter or noise monitor be installed and set up by a suitably qualified person to ensure that the nominated levels are not exceeded. They also recommend that all external doors be fitted with automatic door closes to limit noise transfer to the environment at night.

SLR Comments: *The proposed levels of music are low and are likely to comply with SEPP N-2. The recommended controls are appropriate.*

Attachment 5 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Acoustic Referral Comments from SLR Consulting

City of Yarra
1A/2 and 1E/4 Mansard Lane, Collingwood
Development Application Acoustical Review

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5 Music and Patron Noise to Apartment 201

(Section 9 of the report)

Apartment 201 is directly above the food and drink tenancy and is separated from the tenancy by a 120 mm thick concrete slab. MDA propose to assess music and patron noise to SEPP N-2 base noise limits.

An internal level (music and patron noise combined) of 80 dBA L10 has been assumed, and noise to the apartment above has been calculated. The calculated level exceeds the SEPP N-2 base noise limit in the 250 Hz and 500 Hz octave bands by 9 and 10 dB respectively.

MDA recommend installation of 16 mm thick suspended plasterboard ceiling in the venue, with insulation to the cavity. They also propose adding absorptive treatments within the venue to reduce the reverberant noise level.

SLR Comments: *Music and patron noise to the apartment above has been appropriately assessed and the advice for noise control provided can be expected to achieve compliance with the nominated noise targets.*

6 Mechanical Plant Noise

(Section 6 of the report)

A new extraction fan is proposed to be installed on the project. The fan will be ducted from the pizza oven to a ground level vent.

Mechanical plant noise is proposed to be assessed to SEPP N-1. SEPP N-1 limits are presented in Table 5 with details of their derivation provided in Appendix C1.3. The limits are based on 'neutral' background noise levels and the critical limit, which applies at night, is 48 dBA Leq. The equipment is proposed to be designed to comply with the night noise limit.

A noise level of 46 dBA is predicted at the potentially most impacted dwelling, taking into consideration the details of the duct configuration, and sound power data for a typical pizza oven fan.

SLR Comments: *The assessment provided addresses the issue of the proposed new plant.*

Attachment 5 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Acoustic Referral Comments from SLR Consulting

City of Yarra
1A/2 and 1E/4 Mansard Lane, Collingwood
Development Application Acoustical Review

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7 SLR Summary

SLR has reviewed the acoustic report for the food and drink tenancy proposed for 1A/2 and 1E/4 Mansard Lane, Collingwood. The main issues on the project relate to noise from the outdoor patron area.

The assessment provided indicates that noise from the outdoor area is likely to exceed the nominated external and internal targets for patron noise. Given this, it is recommended that further controls on the use be implemented until such time as it can be demonstrated that the noise limits will be met:

- Limitation on the patrons in the outdoor area to a number that can be comfortably seated. It is unclear what this number would be from the provided drawings, however as a guide, we would suggest about 25. The object of this limitation is to encourage patrons to behave in a manner more consistent with 'restaurant' diners, rather than 'tavern' diners as well to limit the number of people outdoors.

AND

- Limitation on the use during the day and early evening period only (say, to 7 or 8 pm).

A revised assessment, if provided, should demonstrate that the measured background noise levels on the roof of nearby building are applicable to lower level receivers.

Regards,



Dianne Williams
Associate - Acoustics

Checked/
Authorised by: JA

**Attachment 6 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Acoustic Report
Prepared by Marshall Day Acoustics**



MARSHALL DAY
Acoustics 

1A & 1E, 2 MANSARD LANE, COLLINGWOOD
ENVIRONMENTAL NOISE ASSESSMENT

Rp 001 R03 20180616 | 3 July 2018

**Attachment 6 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Acoustic Report
Prepared by Marshall Day Acoustics**



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Project: **1A & 1E, 2 MANSARD LANE, COLLINGWOOD**

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Report No.: **Rp 001 R03 20180616**

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1.0 INTRODUCTION

It is proposed to operate an existing food and beverage space within the “Brew Tower” of the Yorkshire Brewery development which is located at 1A & 1E, 2 Mansard Lane in Collingwood.

AECOM prepared a town planning stage acoustic report, “*Town Planning Submission Report –1-21 Robert Street Collingwood*” 60216961, dated 1st August 2013 which addressed external noise ingress to the buildings as well as noise produced by uses within the development, such as the Gym.

The AECOM report did not specifically address noise from the food and drinks premises and therefore Marshall Day Acoustics Pty Ltd (MDA) has been commissioned to undertake a noise assessment to consider music, mechanical plant and patron noise levels from the proposal.

A glossary of acoustic terms used within this report is provided in Appendix A.

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2.0 SITE DESCRIPTION

The food and drink premises is on the ground floor of the existing brew tower structure and is bounded by the following:

- Mansard Lane to north with commercial uses beyond at ground and first floor level and residences above
- A shared courtyard to the east with residential dwellings beyond
- Residential dwellings to the immediate south
- Mansard Lane to the west with commercial buildings beyond.
- There is a residential dwelling within the building directly above.

An aerial photograph of the subject site and its surrounds is provided in Figure 1.

Figure 1: Site location and surrounds (Image: Nearemap)



The subject site is located in a Mixed Use Zone (MUZ) with Commercial 2 Zone (C2Z) in the immediate environs.

A map of the land uses in the vicinity of the site is presented in Appendix B.

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2.1 Project description

It is understood that the proposal will refurbish the ground floor space as a pizza restaurant. The existing outdoor seating area will be utilised.

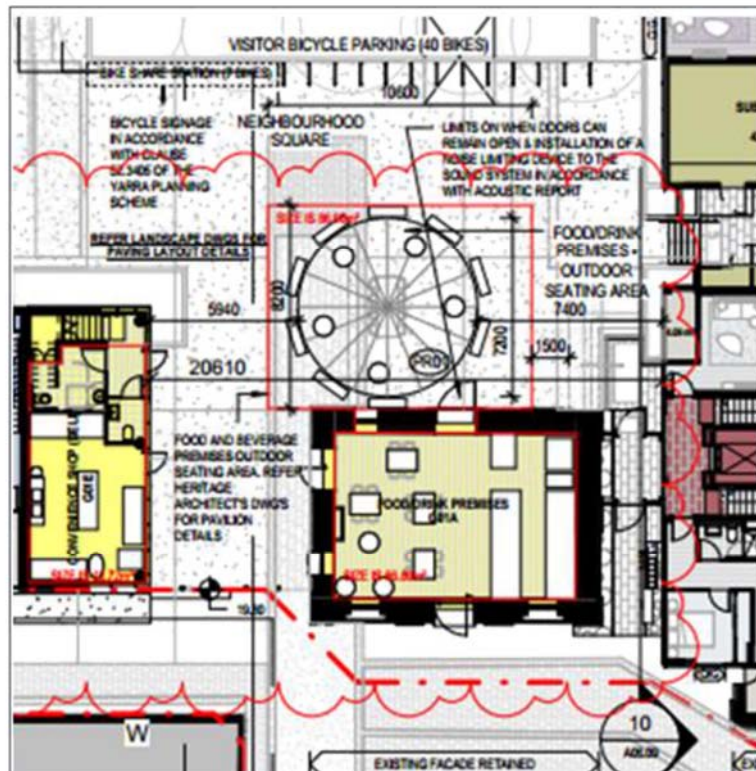
The proposed hours of operation are as follows:

- 1200 hrs – 2300 hrs, Wednesday to Saturday
- 1200 hrs – 2300 hrs, Sunday to Monday
- 1200 hrs– 2300 hrs, Good Friday
- 1200 hrs– 2300 hrs, Anzac Day.

In addition, it is understood that the outdoor area will close at 2200 hrs on any day as required by Condition 43 of Planning Permit PLN11/750.

The proposed food and drinks premises is shown in Figure 2.

Figure 2: proposed layout



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3.0 LEGISLATION AND GUIDELINES

A range of guidelines and legislation are used in Victoria to assess and control environmental noise. This section provides an overview of the key documents and guidelines that are applicable to the premises.

3.1 Victorian Legislation

A summary of the relevant Victorian legislation is provided in Table 1. Refer to Appendix C for further details.

Table 1: Relevant Victorian noise legislation

Document	Overview
Environment Protection Act 1970 (the Act)	The Act provides the overarching legislative framework for the protection of the environment in Victoria. It establishes obligations for the control of environmental noise and applies to all types of noise sources except rail operations. The legislation does not specify noise limit values, but sets out legal requirements to comply with State environment protection policies and prescribed standards.
State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1)	SEPP N-1 defines mandatory noise limits for commercial, industrial or trade premises in the Metropolitan Region of Melbourne. The limits apply to the level of noise occurring at neighbouring sensitive receivers. The noise limits are determined on the basis of land zoning and background noise levels, and are separately defined for day, evening and night periods. Refer to Appendix C1 for further detail and noise limit derivation
State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2)	SEPP N-2 defines mandatory noise limits for music associated with public premises in the State of Victoria, including indoor and outdoor venues. The limits apply to the level of noise occurring at neighbouring sensitive receivers. Noise limits are determined on the basis of background noise levels, and are separately defined for day, evening and night periods. Refer to Appendix C2 for further detail and noise limit derivation.

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3.2 Guidelines

A summary of relevant guidelines referenced in Victorian noise assessments is presented in Table 2.

Table 2: Relevant Victorian references and guidelines

Reference	Overview
EPA Publication 1254 <i>Noise Control Guidelines</i> (EPA Guidelines)	Provides an overview of noise policies and legislation in Victoria for a range of different noise sources, and provides supplementary guidance for situations where there is no policy or legislation. Refer to Appendices C3 and C4 for further detail.
Sleep disturbance criteria sourced from NSW Road Noise Policy 2011 (Sleep disturbance criteria)	The provisions of this document are often referred to in Victoria for general guidance on potential sleep disturbance. Based on a review of research into sleep disturbance, the NSW policy nominates maximum external night-time noise levels at noise sensitive locations which are unlikely to disturb sleep. Refer to Appendix C5 for further detail.
Australian/New Zealand Standard AS/NZS 2107:2016 <i>"Acoustics - Recommended design sound levels and reverberation times for building interiors"</i> (AS 2107)	Provides recommendations for acceptable internal noise levels. Table 1 of AS 2107 presents the recommended internal noise levels for "houses and apartments near major roads", which is considered to be applicable to the development site. Refer to Appendix C6 for further detail.
Marshall Day Acoustics patron noise assessment methodology (MDA design targets)	Noise predominantly related to voices of patrons in outdoor areas is not covered under any State Environment Protection Policy or general Victorian guideline. In lieu of an established state policy or criterion, MDA has developed a set of design targets which have been referenced as part of numerous planning applications and VCAT hearings for proposed external patron noise areas. The design targets are defined separately for day, evening and night periods and are determined on the basis of background noise levels. Refer to Appendix C7 for further detail.

3.3 City of Yarra Amendment C209

The City of Yarra is proposing to change its Licensed Premises Policy to improve the way licensed venues are managed. Amendment C209 to the City of Yarra Planning Scheme states the following with respect to noise:

Noise

- *The operation of licensed premises have minimal impact on the amenity of the area, in relation to noise.*
- *Noise emissions from licensed premises comply with the standards specified in the State Environmental Protection Policy or any other requirement such as accepted sleep disturbance criteria or relevant Australian Standards.*
- *On-site noise attenuation measures be considered for licensed premises where amenity impacts on the surrounding area may result from the proposed activities. A licensed premises must be designed and managed in accordance with an acoustic report approved by the responsible authority, where required.*

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4.0 EXISTING NOISE ENVIRONMENT

The assessment criteria presented in Section 3.0 include noise limits that are defined on the basis of background noise levels in the absence of noise associated with the operation of the venue.

Measurements have therefore been undertaken in the vicinity of the subject site to enable appropriate criteria to be defined.

4.1 Background noise

Measured noise levels are summarised in Table 3 and Appendix D presents further detail on the monitoring position and methodology.

Table 3: Measured background noise levels

Description	Day	Evening	Night
Background noise level, dB L _{A90}	48	46	41

The lowest measured spectral background levels, taken during the period when the premises is closed at present but is proposed to operate in the future, expressed as a 15-minute measurement, are presented in Table 4.

Table 4: Measured background noise spectrum

Description	Octave Band Centre Frequency (Hz)							
	63	125	250	500	1000	2000	4000	A
Background noise level, dB L ₉₀	46	44	40	36	35	29	22	39

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5.0 NOISE PREDICTION METHOD

To predict noise levels to nearby neighbouring residences, the following factors have been considered:

- The amount of noise being generated within the premises
- The distance between the sources and receivers
- The presence of obstacles such as buildings or screens that obstruct the noise path
- The ground between the source and receiver
- The presence of hard reflective surfaces that may enable additional noise paths.

The following sections describe the modelling used to extrapolate that data to surrounding receiver locations, accounting for the above factors.

5.1 Calculation Method

A 3-dimensional digital model of the premises and surrounding built environment has been created using SoundPLAN proprietary modelling software (version 7.4).

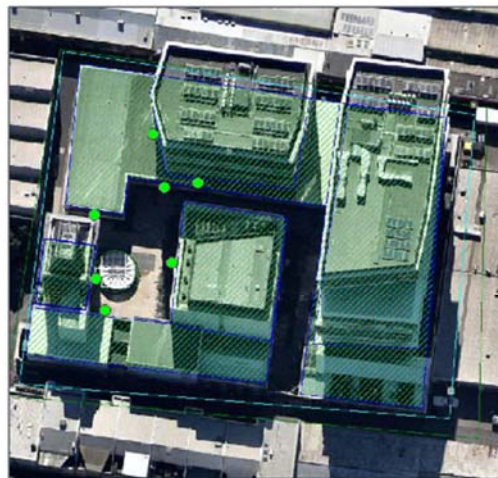
Geometry data for the model has been sourced from public aerial photography, visual inspections of the area, and building heights defined on the basis of standard assumed heights per floor level. The geometries in the model are simplified representations of the built environment that have been configured to a level of detail that is appropriate for noise calculation purposes.

The SoundPLAN digital model has been used to calculate noise levels using the International Standard *ISO 9613-2: 1996 Acoustics – Attenuation of sound during propagation outdoors – Part 2: General method of calculation* (ISO 9613). ISO 9613 is a general environmental noise calculation standard that has been used extensively throughout Australia, New Zealand, and Europe since its publication in 1996.

The implementation of ISO 9613 within proprietary noise modelling software enables multiple sound transmission paths, including reflected and screened paths, to be accounted for in the calculated noise levels. While atmospheric effects are expected to have a negligible effect on the transmission of sound from the premises to neighbouring sensitive receiver locations, it is noted that the ISO 9613 predicts noise levels for conditions which favour the propagation of noise.

A screen shot of the noise model are presented below as Figure 3.

Figure 3: Screenshot of the noise model – plan view



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6.0 MECHANICAL PLANT ASSESSMENT

The following sections provide the predicted noise levels from the sources covered under SEPP N-1.

6.1 SEPP N-1 Limits

Table 5 details the SEPP N-1 day, evening and night noise limit for each period. A full derivation is provided in Appendix C1.3.

Table 5: SEPP N-1 time periods and noise limits

Period	Noise limit, dB L_{eff}
Day	59
Evening	53
Night	48

On the basis that plant and equipment may operate at any time, noise from the site must comply with the SEPP N-1 night-time noise limits in Table 5.

6.2 Mechanical services equipment

It is understood that the only new plant relating to the proposed food and drink premises will be an extract fan for the pizza oven. The extract air will be ducted out of the building via the basement car park to a vent in the courtyard.

Figure 4 shows the path of the duct through the premises and Figure 5 and Figure 6 show the vent in the courtyard.

Figure 4: pizza oven extract fan

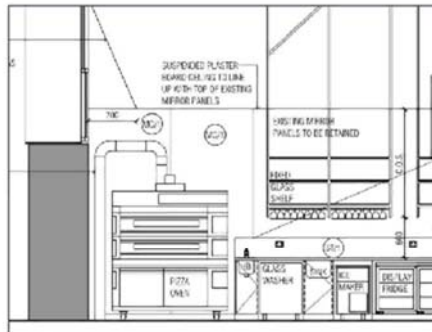


Figure 5: Extract vent



Figure 6: Extract vent



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A rectangular duct penetrates the basement level and goes through multiple bends before turning back up through the slab to the grille in the court yard. The duct is about 350 x 200mm (by visual estimation) and is approximately 10 m long with 3 radius bends.

For estimating fan/oven noise, calculations have been based on the level of a backward curved inline fan that would be slightly louder than the oven (400 mm Box centrifugal fan).

Table 6 provides indicative noise levels for the pizza oven extract fan.

Table 6: Typical fan sound power level

Description	Octave Band Centre Frequency (Hz)							A
	63	125	250	500	1000	2000	4000	
Backward curved inline fan	83	81	76	66	67	67	60	74

6.3 Predicted mechanical services noise

Table 7 provides predicted mechanical services noise levels at the worst affected receptor for the indicative equipment selection detailed in Section 6.2. It should be noted that the predictions assume that the fan operates continuously for the full 30 minute assessment period. No adjustments have been applied for tonal or impulsive characteristics of the noise.

Table 7: Predicted mechanical services noise

Period	Predicted mechanical services noise levels, dB L _{eff}	Noise limit, dB
Day	46	59
Evening	46	53
Night	46	48

The mechanical services equipment is predicted to comply with the relevant SEPP N-1 noise limits.

6.4 Deliveries and waste collection

Deliveries and waste collection should be limited to the recommended time outlined in EPA (Vic) publication no.: 1254, *Noise Control Guidelines* (Guidelines) (Appendices C3 and C4).

It is note that this is also addressed by Conditions 15-19 of Planning Permit PLN11/750.

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7.0 PATRON ASSESSMENT

MDA has extensive experience in the assessment of patron noise and has developed a set of proposed guidelines. These guidelines have been implemented on many projects to date.

This section presents a summary of the patron noise assessment as follows:

- The design target applicable to the use of the outdoor areas
- Noise data used to represent the behaviour of patrons in the outdoor areas
- Conceptual noise mitigation measures to control patron noise
- Predicted noise levels from the proposed arrangement of the outdoor areas.

As outlined Appendix F, noise levels of patrons within dining and licensed premises are highly variable according to a wide range of factors including:

- The type of premises
- The function of the space within the premises (i.e. seated areas for dining or standing areas with a focus on alcohol consumption)
- Total crowd numbers
- The composition of the total patron numbers in terms of demographics and group sizes
- Weather
- Alcohol consumption
- Background noise levels
- The acoustic properties of the space.

Total patron noise will vary significantly between different premises and from day to day depending upon the influence of these factors.

7.1 Design Targets

The applicable semi-steady design targets for patron noise are summarised in Table 8, based on the method defined in Appendix C6 and the background noise data presented in Section 4.1.

Table 8: Patron noise design targets

Property	Patron noise target, dB $L_{Aeq, 15 min}$		
	Day	Evening	Night
Residents overlooking the courtyard	58	56	46

In addition to the night-time semi-steady design target it is noted that a design target of 60-65 dB L_{Amax} also applies to address sleep disturbance considerations.

7.2 Derived Sound Power Data

The number of patrons assumed for each space has been based on the maximum allowable under the liquor licence or one patron per square metre of floor space, whichever is the higher.

The empirical data for taverns with significant food offerings has been adjusted accordingly to account for the maximum number of patrons utilising the space. Refer to Appendix F for further detail.

The sound power level used for both internal and external spaces during all periods is provided in Table 9.

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Table 9: Patron sound power level data

Area (Patrons)	Octave Band Centre Frequency (Hz)							
	63	125	250	500	1k	2k	4k	A
Interior (40)								
Semi-steady state component, dB L _{eq}	78	80	81	88	86	82	75	90
Maximum noise level, dB L _{max}	89	91	92	99	97	93	86	101
Outdoor (40)								
Semi-steady state component, dB L _{eq}	78	80	81	88	86	82	75	90
Maximum noise level, dB L _{max}	89	91	92	99	97	93	86	101

7.3 Calculation Method

The calculation method employs the same procedure for plant noise and is outlined in Section 5.1.

7.4 Predicted Patron Levels - external

Residential dwellings have been identified to all sides of the courtyard. A summary of the predicted semi-steady noise levels at the worst-case floor is provided in Table 10. The objective of the predictions was to establish if patron noise levels could achieve the design target detailed in Section 7.1.

It should be note that the outdoor area will close at 2200 hrs and therefore that the night period is not relevant.

Table 10: Predicted quasi-steady state worst-case patron noise levels

Receiver	Predicted Noise Level, dB L _{Aeq, 15 minute}	Margin to design target, dB		
		Day	Evening	Night
North	63	+5	+7	N/a
East	61	+3	+5	N/a
South	66	+8	+10	N/a

The predicted worst-case quasi-steady state patron noise level is up to 10 dB above the design target at the nearest apartment to the south.

According to the interpretation matrix included in Appendix C6, an exceedance of the design target of 10 dB indicates that there will be a noise impact.

In addition, the predictions indicate that short term maximum noise levels could be above upper range of the design target of 60-65 dB L_{Amax}. Predicted Patron Levels - internal

The MDA patron noise criteria is designed as a risk assessment tool with respect to external noise levels. It is considered appropriate, since the outdoor patron area and the apartments in the vicinity exist at present and no physical changes to either are proposed, to compare the predicted patron noise levels to an internal criterion.

It is understood that the apartments in the building are fitted with 6/12/6 mm double glazing. This is also the level of glazing that AECOM specified in their planning stage noise report.

The AECOM report nominated internal noise targets for other external sources (e.g. traffic) of 35-40 dB in living rooms. Criteria for bedrooms is not relevant as the outdoor area will not operate at night. AECOM has taken these criteria from AS2107:2000. A standard approach.

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On the basis of the predicted external patron noise levels and the apartment layouts provided it is estimated that the worst case internal level due to patron noise coming through the windows (as opposed to through the floor, as in the case of Apartment 201, refer Section 9) would be of the order of 44 dB L_{Aeq} .

An average case would be in range of 40-44 dB L_{Aeq} within apartments on the lower floors of the building which have direct line of sight to the outdoor area.

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8.0 MUSIC ASSESSMENT

The following sections present a summary of the music assessment as follows:

- Noise limits applicable to music from the premises
- Data used to represent music levels at the premises
- Conceptual mitigation measures to control music from the premises.

8.1 SEPP N-2 Limits

Table 11 and Table 12 detail the SEPP N-2 day, evening and night noise limit for the refurbishment. A full derivation is provided in Appendix C2.

Table 11: SEPP N-2 day and evening period noise limits

Period	Noise limit, dB L_{eff}
Day	53
Evening	51

Table 12: SEPP N-2 derived night-time noise limit, dB

	Octave Band Centre Frequency (Hz)						
	63	125	250	500	1000	2000	4000
Night-time noise limit, L_{10}	54	52	48	44	43	37	30

8.2 Music data – Exterior spaces

Condition 46 of PLN11/0750 prohibits speakers located outside of the building. Therefore, there will be no music in the outdoor area.

8.3 Music data – Interior spaces

It is understood that music within the redeveloped internal area will be limited to background levels only.

The term “background music” was defined in a VCAT decision (Ref B2/2005 Whiting v Hosier Bar Pty Ltd). In this decision, which is reproduced in the Liquor Control Reform Act, a background level requires that music be played at a level enabling normal voice level conversation at a distance of 600 mm.

This is equivalent to a music noise level of approximately 67 dB L_{A10} , as detailed below in Table 13.

Table 13: Typical background music levels

Description	Octave Band Centre Frequency (Hz)							
	63	125	250	500	1000	2000	4000	A
Background music, L_{OCT10} dB	65	65	65	60	60	60	60	67

8.4 Construction assumptions

Inspections undertaken on site indicate that the existing structure is masonry.

The calculations have been based on the following construction:

- 110 mm brick walls
- 6 mm single glazing to existing windows and doors.

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8.4.1 Ingress and egress points

It is recommended that, if it is not the case at present, all swing doors should be fitted with automatic closing mechanisms to prevent the escape of noise through open doors.

8.5 Predicted Pre-recorded Music Levels - day/evening

The predicted pre-recorded music noise levels from the premises presented in Table 14 have been based upon the music levels detailed in Table 13 and the music noise controls outlined below in Sections 8.8.1 and 8.8.2.

The following has been assumed:

- Background music internally
- All windows and doors open
- Music as per the levels in Table 13
- No music outdoors.

Table 14: Predicted pre-recorded music levels – day/evening

Receiver	Predicted Noise Level, dB L _{Aeq, 15 minute}	Noise limit, dB (D/E)
North	38	53/51
East	37	53/51
South	47	53/51

Pre-recorded music is predicted to be in compliance with the applicable SEPP N-2 noise limit during the day and evening with windows and doors open.

8.6 Predicted Music Levels – night

The predicted music noise levels from the proposal are presented Table 15 have been based upon the music levels detailed in Table 13 and the music noise controls outlined below in Sections 8.7.1 and 8.7.2.

The following has been assumed:

- Background music internally
- All windows and doors closed
- Music as per the levels in Table 13
- No music outdoors.

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Table 15: Predicted pre-recorded music levels – night – windows closed

Description	Octave Band Centre Frequency (Hz)						
	63	125	250	500	1000	2000	4000
North	<30	<30	<30	<30	<30	<30	<30
East	<30	<30	<30	<30	<30	<30	<30
South	<30	<30	<30	<30	<30	<30	<30
Night-time noise limit, dB L ₁₀	54	52	48	44	43	37	30
Compliance?	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Music noise from the refurbishment is predicted to be in compliance with the applicable SEPP N-2 noise limit during the night with windows and doors to the premises closed.

8.7 Music noise controls

8.7.1 Limiting devices

It is recommended that music levels are managed by installing and calibrating a suitable noise limiter system.

Two main types of internal music controllers are currently available, a limiting device and a monitoring device.

A limiting device automatically limits the sound system volume by compressing the signal to ensure that the music noise does not exceed a preset internal level, even if the volume is turned up by the sound system operator.

A monitoring system continually measures the music noise in a space and has warning lights which indicate when the volume is excessive. The unit can be set to cut power to amplification equipment if the music noise level exceeds the predetermined music noise limit. Power will be reinstated after a short time delay.

Either system should be installed in a tamper proof enclosure. Music volumes should be set by a suitably qualified person.

The internal music levels detailed in Table 13 are considered to be appropriate settings for the limiter.

8.7.2 Windows and doors

To allow compliance with SEPP N-2, Table 16 provides a schedule detailing when windows and doors to the premises must be closed.

Table 16: Managerial controls – Windows and doors

Period	Location	Type of music	Windows and doors
Day/Evening	Ground Floor	Background	Open
	Outdoor	None	N/A
Night	Ground Floor	Background	Closed
	Outdoor	None	N/A

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If it is not the case at present, all swing doors should be fitted with automatic closing mechanisms to prevent the escape of noise through open them.

9.0 INTERNAL TRANSFER OF MUSIC AND PATRON NOISE

The assessments presented in Sections 7 and 8 are concerned with external noise since the applicable criteria are based on an external assessment point.

However, the nearest residential apartment is directly above the premises.

9.1 Interface with Apartment 201

The calculations have been based on the following construction:

- 110 mm brick walls
- 6/12/6 mm double glazing to the apartment windows
- The slab between the premises and Apartment 201 is 120 mm thick concrete.

9.2 Music and patron noise criteria - internal

In the absence of internal background noise measurements, comparison has been made to the SEPP N-2 "base" noise limits which are outlined in Section B3 of the document and are reproduced Table 17.

Table 17: SEPP N-2 base night-time noise limit, dB

	Octave Band Centre Frequency (Hz)						
	63	125	250	500	1000	2000	4000
Base noise limit, L ₁₀	40	30	20	20	15	10	10

The predicted music noise levels from internal areas of Apartment 201 presented in Table 18 have been based upon the following assumptions

- All windows and doors to the premises are closed
- Patrons as per Table 9
- Music as per Table 13.

Table 18: Predicted pre-recorded music and patron levels – night – internal

	Octave Band Centre Frequency (Hz)						
	63	125	250	500	1000	2000	4000
Bedroom	63	125	250	500	1000	2000	4000
Reverberant sound pressure level – music and patrons, dB L ₁₀	68	69	70	76	74	70	74
Calculated sound insulation performance of the slab, dB	-40	-43	-41	-46	-54	-60	-65
Apt 201–predicted internal level, dB L ₁₀	29	27	29	30	<20	<20	<20
SEPP N-2 base limit, dB L ₁₀	40	30	20	20	15	10	10
Compliance?	Yes	Yes	No	No	Yes	Yes	Yes

It can be seen that the predicted noise level due internal transfer of patron noise to Apartment 201 is above the SEPP N-2 base limits in the 250 Hz and 500 Hz bands. Music noise is predicted to be within the SEPP N-2 base limit.

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It should be noted that in reality, the background level in the apartment is likely to be higher than the SEPP N-2 base limits. Therefore, this represents a conservative approach.

The predicted noise level is driven by patrons on the basis of 40 patrons indoors. Given that the maximum number of patrons allowed, indoors and outdoors combined, is 50, this is considered to be a conservative approach.

Notwithstanding the above it is recommended that a suspended light steel grid be installed underneath the slab with a 200 mm air gap, insulation and one layer of 16 mm fire rated plasterboard. A structure of this nature is anticipated to increase the noise insulation performance of the interface between Apt 201 and the premises by at least 10 dB.

In addition, as much absorptive material as possible should be added to the space to reduce patron noise levels. As a guide the target minimum area of absorption should be equivalent to the area of the ceiling with a Noise Reduction Coefficient (NRC) of at least 0.7.

An efficient way to introduce absorption to the space could be to hang baffles from the ceiling, as shown in Figure 7.

Figure 7: Baffles hung from the ceiling.



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10.0 SUMMARY

It is proposed to operate an existing food and beverage space within the "Brew Tower" of the Yorkshire Brewery development which is located at 1A & 1E, 2 Mansard Lane in Collingwood.

The AECOM town planning acoustic report did not specifically address noise from the food and drinks premises and therefore Marshall Day Acoustics Pty Ltd (MDA) has been commissioned to undertake a noise assessment to consider music, mechanical plant and patron noise levels from the proposal.

MDA has carried out an environmental noise assessment of the proposed renovation in accordance with the relevant Victorian EPA legislation, guidelines and accepted industry practice.

This assessment has been based on:

- Existing noise conditions determined from measurement surveys at the site;
- Limits determined in accordance with the relevant Victorian EPA legislation, guidelines and accepted industry practice; and
- Detailed 3-dimensional modelling of the site and surrounding environment, accounting for typical worst case atmospheric conditions which favour the propagation of noise.

The proposed mechanical services equipment noise is predicted to comply with the relevant SEPP N-1 limits.

In addition, a level has been provided that would allow the premises to play pre-recorded music during the day and evening periods with windows and doors open. Windows and doors to the premises must be closed during the night.

The predicted worst-case quasi-steady state patron noise level from activity in the outdoor area is up to 10 dB above the design target at the nearest residents.

According to the interpretation matrix included in Appendix C6, an exceedance of the design target of 10 dB indicates that there will be a noise impact.

In addition, the predictions indicate that short term maximum noise levels could be close to the upper range of the design target of 60-65 dB L_{Amax} .

It is recommended that:

- As much absorptive material as possible be added to the space to reduce patron noise levels
- A suspended light steel grid be installed to the interface between Apt 201 and the premises with a 200 mm air gap, insulation and one layer of 16 mm fire rated plasterboard
- A noise limiter, as described in Section 8.7.1, should be installed and calibrated such that SEPP N-2 compliance is achieved
- Windows and doors to the premises should be closed during the night
- If it is not the case at present, all doors should be fitted with automatic closing mechanisms to prevent the escape of noise through them.

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APPENDIX A GLOSSARY OF TERMINOLOGY

Ambient	The ambient noise level is the noise level measured in the absence of the intrusive noise or the noise requiring control. Ambient noise levels are frequently measured to determine the situation prior to the addition of a new noise source.
A-weighting	The process by which noise levels are corrected to account for the non-linear frequency response of the human ear.
dB	Decibel. The unit of sound level.
Frequency	The number of pressure fluctuation cycles per second of a sound wave. Measured in units of Hertz (Hz).
Hertz (Hz)	Hertz is the unit of frequency. One hertz is one cycle per second. One thousand hertz is a kilohertz (kHz).
L_{A90}(t)	The A-weighted noise level equalled or exceeded for 90% of the measurement period. This is commonly referred to as the background noise level.
L_{Aeq}(t)	The A-weighted equivalent continuous sound level. This is commonly referred to as the average noise level and is measured in dB.
L_{Amax}	The A-weighted maximum noise level. The highest noise level which occurs during the measurement period.
L_{OCT10}	The noise level exceeded for 10% of the measurement period in the octave bands 63Hz-4kHz. Commonly referred to as the average maximum noise level.
L_{OCT90}	The noise level exceeded for 90% of the measurement period in the octave bands 63Hz-4kHz. Commonly referred to as the background noise level.
Octave Band	A range of frequencies where the highest frequency included is twice the lowest frequency. Octave bands are referred to by their logarithmic centre frequencies, these being 31.5 Hz, 63 Hz, 125 Hz, 250 Hz, 500 Hz, 1 kHz, 2 kHz, 4 kHz, 8 kHz, and 16 kHz for the audible range of sound.
SWL or L_w	<u>Sound Power Level</u> A logarithmic ratio of the acoustic power output of a source relative to 10 ⁻¹² watts and expressed in decibels. Sound power level is calculated from measured sound pressure levels and represents the level of total sound power radiated by a sound source.
Sound Insulation	When sound hits a surface, some of the sound energy travels through the material. 'Sound insulation' refers to ability of a material to stop sound travelling through it.

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APPENDIX C LEGISLATION AND GUIDELINES

C1 SEPP N-1

C1.1 Application

State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1) sets noise limits that apply to commercial, industrial and trade premises within the Melbourne metropolitan region. Compliance with SEPP N-1 is mandatory under section 46 of the Environment Protection Act 1970.

SEPP N-1 defines a 'commercial, industrial and trade premises' as:

any premises except:

(a) residential premises as defined in section 48A of the [Environment Protection] Act;

(b) a street or road, including every carriageway, footpath, reservation and traffic island on any street or road;

(c) a tram, light rail or railway line not being a siding, marshalling yard or maintenance depot of any tram, light rail or railway line; and

(d) [land situated at Luna Park, St Kilda].

Section 48A of the Act defines residential premises as:

any building or part of a building used as or for the purposes of a private residence or residential flat.

C1.2 Assessment methodology

SEPP N-1 is a policy and technical document. The Policy prescribes the methodology and measurement procedure used to determine applicable noise limits and assessment of compliance.

The Policy requires that proposed commercial premises be designed to comply with SEPP N-1 noise limits. Clause 16 of the Policy states:

Where it is planned to develop new commercial, industrial or trade premises, the premises shall be designed so that the noise emissions do not exceed the noise limits

Further, the occupier of commercial, industrial or trade premises has an ongoing obligation to meet the SEPP N-1 noise limits. Clause 15 of the Policy states:

where noise emissions from existing commercial, industrial or trade premises exceed the requirements set out in the Policy, steps shall be taken by the occupier to reduce the level of these noise emissions to, or below, the relevant Policy noise limits.

SEPP N-1 defines a 'noise sensitive area' as an area of land within 10m outside the external walls of:

a dwelling or residential building

a dormitory, ward or bedroom of a caretaker's house, hospital, hotel, institutional home, motel, reformative institution, tourist establishment or work release hostel.

The assessment of noise from the subject site under SEPP N-1 is based on the calculation of a noise limit at a receiver position, taking into account a zoning noise level derived from the land zoning types in the surrounding area and the background noise level.

Once a noise limit is established, the noise level (L_{Aeq}) due to the commercial premises is measured or predicted. If necessary, the L_{Aeq} noise level is adjusted for noise character and duration to give the effective noise level (L_{eff}). If the L_{eff} level exceeds the noise limit, then remedial action is required.

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C1.3 Calculation of noise limits

SEPP N-1 noise limits are calculated taking into account land 'zoning types' within a 70 m and 200 m radius of a noise sensitive building. Zoning types are categorised as type 1, 2 or 3.¹ A prescribed formula is used to calculate a corresponding Zoning Level. In general, zone type designations are as follows.

- areas such as residential, rural and open space are type 1;
- areas such as commercial, business and light industry are type 2; and
- areas such as general industry and major roads are type 3.

Greater areas of type 2 and 3 land within a 200 m radius of a noise sensitive site result in higher Zoning Levels than a site with respectively larger areas of type 1 land.

The SEPP N-1 Noise Limit is equal to the 'zoning level' unless the background level at the noise sensitive site is categorised as low or high according to Clause B3 of the Policy. If the background level is low or high, the Noise Limit is calculated from a formula taking into account the Zoning Level and the Background Level.

The limits are separately defined for the day, evening and night periods as defined in Table 19. The measured background noise levels have been based on the lowest of the day and night periods collected during the unattended survey. The evening background level has been based on the lower, attended measurements to enable a conservative assessment.

Table 19: SEPP N-1 time periods and noise limits

Period	Day of week	Start time	End time	Measured background, LA90 dB	Zoning level, dB	Background relative to zoning level	Noise limit, L _{eff} dB
Day	Monday-Friday	0700 hrs	1800 hrs	48	59	Neutral	59
	Saturday	0700 hrs	1300 hrs				
Evening	Monday-Friday	1800 hrs	2200 hrs	46	53	Neutral	53
	Saturday	1300 hrs	2200 hrs				
	Sunday, Public holidays	0700 hrs	2200 hrs				
Night	Monday-Sunday	2200 hrs	0700 hrs	41	48	Neutral	48

¹ EPA Publication no.: 316a, 17 February 2000, *Designation of Types of Zones and Reservations in the Metropolitan Region Planning Schemes for the Purposes of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1* <<http://www.epa.vic.gov.au/our-work/publications/publication/2000/february/316a>>

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C2 SEPP N-2

Music noise from entertainment venues is controlled by *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2* (SEPP N-2). Compliance with SEPP N-2 is mandatory under section 46 of the Environment Protection Act 1970.

Clause 20 of SEPP N-2 provides that:

Where the level of music noise from indoor or outdoor venues exceeds the noise limit, steps shall be taken by the occupier to reduce those levels to, or below, the noise limit.

SEPP N-2 sets noise limits that must be achieved in a 'noise sensitive area'. The Policy defines a noise sensitive area as:

(a) that part of the land within the apparent boundaries of any piece of land which is within a distance of 10 metres outside the external walls of any of the following buildings:

- *Dwelling (except Caretaker's House), [or] Residential Building.*

(b) that part of the land within the apparent boundaries of any piece of land on which is situated any of the following buildings which is within a distance of 10 metres outside the external walls of any dormitory, ward or bedroom of such buildings:

- *Caretaker's house, Hospital, Hotel, Institutional Home Motel, Reformatory Institution, Tourist Establishment, Work Release Hostel.*

For indoor venues, SEPP N-2 sets noise limits as shown in Table 20.

Table 20: SEPP N-2 criteria (music on more than 3 nights per week)

Time period		Noise limit
Day/Evening	Saturday 1000 - 2200hrs	Music noise (L_{Aeq}) not permitted to exceed background noise (L_{A90}) plus 5dB
	Sunday 1200 - 2100hrs	
	Other 0900 - 2200hrs	
Night	Saturday 2200 - 1200hrs	Music noise (L_{OCT10}) is not permitted to exceed the background noise level (L_{OCT90}) by more than 8dB in any octave band (63Hz-4kHz) at a noise-sensitive area
	Sunday 2100 - 0900hrs	
	Other 2200 - 0900hrs	

The derived SEPP N-2 night-time music noise limits are outlined in Table 21.

Table 21: SEPP N-2 derived night-time noise limit, dB

	Octave Band Centre Frequency (Hz)						
	63	125	250	500	1000	2000	4000
Measured background noise level, L_{90}	46	44	40	36	35	29	22
	+8	+8	+8	+8	+8	+8	+8
Night-time noise limit, L_{10}	54	52	48	44	43	37	30

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C3 Industrial Waste Collection

EPA (Vic) publication no.: 1254, *Noise Control Guidelines* (Guidelines) provides the following recommendations for industrial waste collections:

- Refuse bins should be located at sites that provide minimal annoyance to residential premises
- Compaction should be carried out while the vehicle is moving
- Bottles should not be broken up at the collection site
- Routes which service predominantly residential areas should be altered regularly to reduce early morning disturbances
- Noisy verbal communication between operators should be avoided where possible.

The Guidelines recommend that collections should be restricted to the following times:

One collection per week

6:30am-8pm Monday to Saturday

9am-8pm Sunday and Public Holidays

Two or more collections per week

7am-8pm Monday to Saturday

9am-8pm Sunday and Public Holidays.

C4 Deliveries

EPA (Vic) publication no.: 1254, *Noise Control Guidelines* states the following concerning store deliveries:

Where a residential area will be impacted by noise from deliveries, the deliveries should be inaudible in a habitable room of any residential premises (regardless of whether any door or window giving access to the room is open) outside the hours contained in the schedule

Schedule: Deliveries to shops, supermarkets & service stations

7am-10pm Monday to Saturday

9am-10pm Sunday and Public Holidays.

C5 Sleep Disturbance

The NSW Road Noise Policy 2011 produced by the NSW EPA, provides guidance on potential for sleep disturbance. While the Policy applies strictly only in NSW, the provisions of the document are often referred to in Victoria for general guidance on potential sleep disturbance.

The NSW policy notes that from the research on sleep disturbance to date it can be concluded that:

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

C6 Internal noise levels – AS2107

Australian Standard 2107-2016 *Acoustics - Recommended design sound levels and reverberation times for building interiors* provides recommendations for acceptable internal noise levels. Table 21 shows the recommended internal design sound levels stated in AS2107 for “houses and apartments in inner city areas or entertainment districts or near major roads”, which is considered to be applicable to the proposed development.

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Table 22: AS2107 recommended internal noise levels

Area	Recommended design sound level range, dB L_{Aeq}
Living areas	35-45
Sleeping areas	35-40
Work areas	35-45

Compliance with the lower level is preferred, but compliance with the maximum noise level is considered to be acceptable.

AS2107 does not specify the measurement procedure to determine whether compliance has been achieved but does state the following:

In situations where traffic (or other) noise levels may vary widely over a 24-hour period, measurements to assess compliance with this Standard should be taken at the relevant time according to the area of occupancy or activity in the building.

Given the above, it could be argued that compliance measurements for bedrooms should be made during the period between 2200-0700 hrs (commonly referred to as the night period), although this does not allow for those occupants who may be shift workers or such like that may have a requirement to sleep during the day. For living and dining rooms, the compliance measurement should be made during the period between 0700-2200 hrs (commonly referred to as the day/evening period).

Further, AS2107 does not specify the noise measurement duration. It is recommended that compliance generally be assessed based on the typical worst-case 15-minute L_{Aeq} noise level throughout the relevant time period (eg, night-time for bedrooms).

C7 Patron Noise

Noise from voices of patrons outdoors is not covered under any State Environment Protection Policy or general Victorian guideline.

There has been extensive discussion between members of the Association of Australian Acoustical Consultants (AAAC) in regards to suitable criteria but consensus between members has not yet been reached.

In lieu of an established state policy or criterion, MDA has developed a set of design targets which have been referenced as part of numerous planning applications and VCAT hearings for proposed external patron noise areas.

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The structure of the patron noise design targets is summarised in Table 23.

Table 23: Recommended design targets for night-time patron noise

Description	Design Target	Purpose
Semi-steady noise levels - L_{Aeq}	Day Period - 50 dB or background noise (L_{A90}) + 10 dB, whichever is higher Evening Period - 45 dB or background noise (L_{A90}) + 10 dB, whichever is higher Night Period - 40 dB or background noise (L_{A90}) + 5 dB, whichever is higher	Amenity protection
Short-term maximum noise levels L_{Amax}	60-65 dB (refer to Appendix C5)	Sleep disturbance protection

For a theoretical assessment of a venue, the purpose of the proposed patron noise criteria is not to provide an absolute limit but to provide an indication of whether a venue has the potential to cause an unreasonable impact.

It is difficult to propose an absolute limit because unlike other noise sources (e.g. mechanical equipment), there is a large variation in patron noise and this variation is not always linked to the number of patrons.

The results of the analysis are interpreted as follows:

Table 19: Interpretation of patron noise assessment results

Predicted noise level	Likely impact
Meets the proposed criteria	No impact likely
Exceeds the proposed criteria by up to 2 dB	No impact likely
Exceeds the criteria by 3-5 dB	There is a possibility of impact and the proposal should be assessed with measurements once it is operational to determine typical crowd noise levels from the venue. Provision should be made to adopt managerial controls and retrofit engineering controls if deemed necessary
Exceeds the criteria by 5-8 dB	There is a strong possibility of impact and engineering controls should be incorporated. Managerial controls should also be considered at the planning stage. Further measurements will be required once the development is operational to determine appropriate managerial controls
Exceeds the criteria by more than 8 dB	There will be noise impact and major changes to the design and/or operation of the proposed outdoor area will be required

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APPENDIX D UNATTENDED BACKGROUND MEASUREMENTS

Background noise levels at the site were measured on the roof of an existing building using a 01dB Duo precision integrating sound level meter fitted with a windshield.

The microphone was mounted on a tripod at a height of approximately 1.5 m above ground level under freefield conditions.

Measurements were obtained using the 'F' response time and A-weighting frequency network. The equipment was checked before and after the survey and no significant calibration drifts were observed.

Consecutive measurements were obtained between 1600 hrs on Tuesday 22 and 1300 hrs on Tuesday 29 May 2018.

The prevailing noise environment when consultants attended site to install and collect the equipment was dominated by road traffic on surrounding roads.

Figure 8: Unattended noise monitoring location



Figure 8 provides an aerial view of the monitoring location.

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Figure 9: Monitoring location

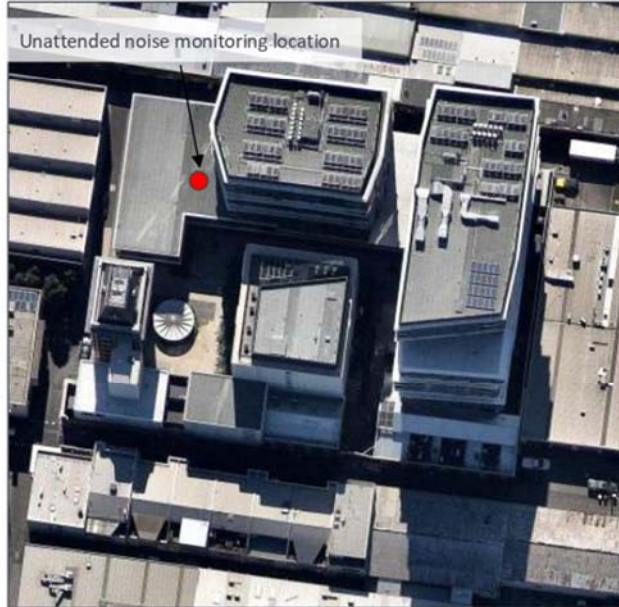


Table 24 provides a summary of the measured noise levels.

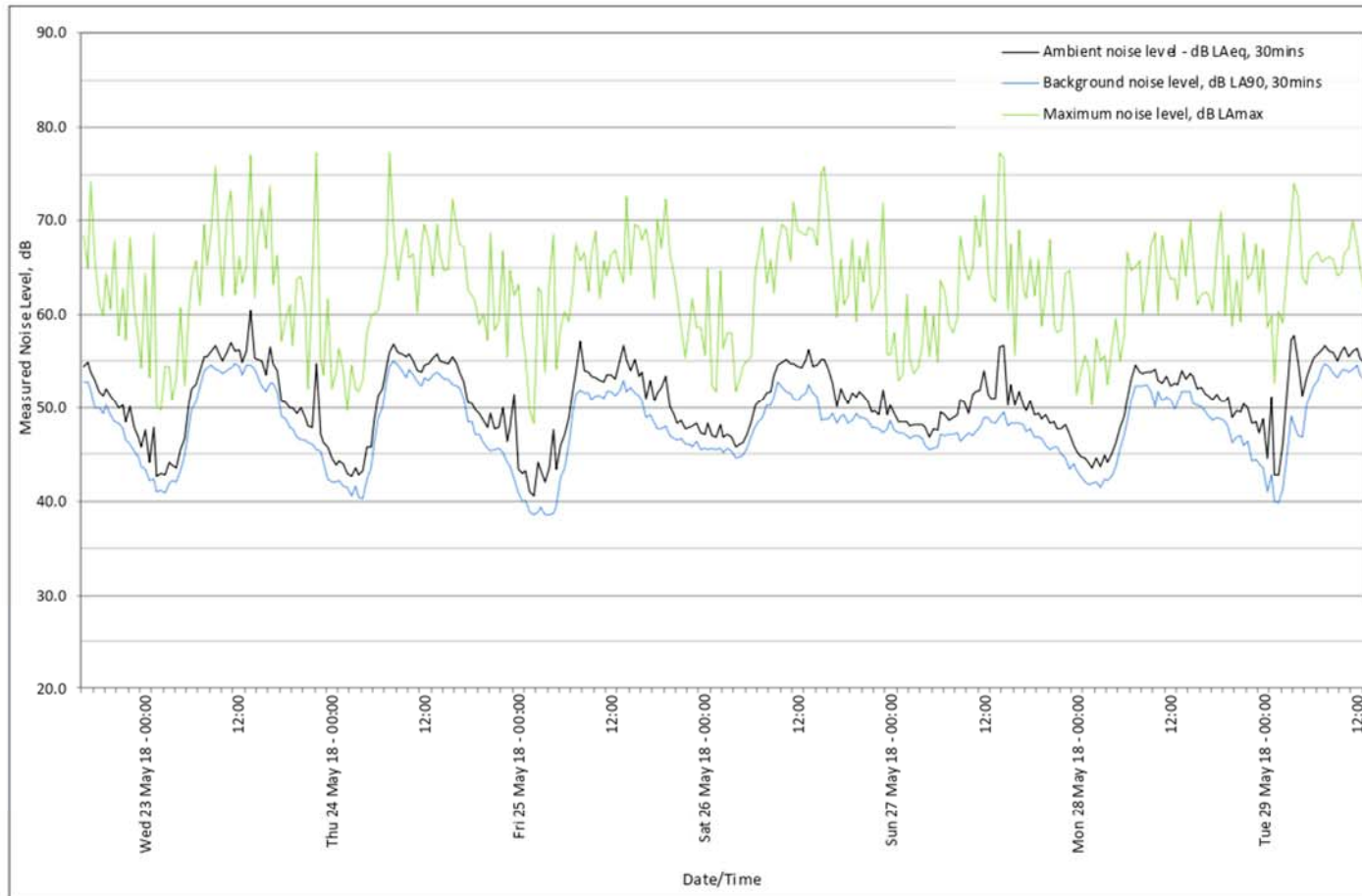
Table 24: Measured background noise levels

Description	Average Background Noise Level, dB LA90		
	Day	Evening	Night
Tuesday, 22 May 2018	-	49	44
Wednesday, 23 May 2018	53	47	43
Thursday, 24 May 2018	53	46	41
Friday, 25 May 2018	51	47	46
Saturday, 26 May 2018	50	49	47
Sunday, 27 May 2018	48	46	44
Monday, 28 May 2018	51	48	45
Tuesday, 29 May 2018	54	-	-
Minimum	48	46	41

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APPENDIX E UNATTENDED BACKGROUND NOISE MONITORING RESULTS



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APPENDIX F PATRON NOISE DATA

The noise of patron areas associated with dining and licensed venues is highly variable according to a wide range of factors including:

- The type of venue
- The function of the space within the venue (i.e. seated areas for dining or standing areas with a focus on alcohol consumption)
- Total crowd numbers
- The composition of the total patron numbers in terms of demographics and group sizes
- Weather
- Alcohol consumption
- Background noise levels
- The acoustic properties of the space

Based on the above considerations, total patron noise emissions will vary significantly between different venues. Further, for a given venue patron noise emissions will vary from day to day and hour to hour according to these types of factors.

The individual and cumulative effect of these factors cannot be precisely calculated. Accordingly, to provide a practical basis for assessing the noise from proposed external areas, a simplified method has been developed to characterise the noise emissions of four broad categories of venue type for different number of patrons. The method is based on a single representative vocal effort to characterise the range of emissions of all individuals within the crowd.

It is assumed that a portion of the crowd may be speaking at any given point in time.

In practice, the vocal effort of each individual will vary across the crowd and throughout the assessment period. The portion of the crowd will also vary. The selected values are therefore not considered exact representations of a crowd's patterns. The values have been chosen to enable a simple relationship to be formulated which provides close agreement with patron noise measurements conducted at a range of venues.

Marshall Day Acoustics and other acoustic consultants in Melbourne have measured patron noise from several different venues. These measurements indicate a large variation in the noise levels of crowds. Variations are due to a number of factors including the situational context of the crowd.

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For the purpose of predicting noise levels from a venue, external patron areas are categorised according to the descriptions outlined in Table 25. Reference sound power data for one person is detailed in the 2011 Hayne paper².

Table 25: Patron area use categories

Area use category	Reference sound power data per one person		Area use definition
	Equivalent	Maximum	
Vertical drinking ('worst-case' crowd)	88 dB <small>L_{Aw}</small>	104 dB <small>L_{Aw}</small>	Standing patrons drinking and talking Focus of activity on drinking and socialising
Taverns with significant food offerings	83 dB <small>L_{Aw}</small>	104 dB <small>L_{Aw}</small>	Predominantly seated patrons, drinking, dining and talking Focus of activity on drinking, whilst dining and socialising
Restaurant dining	78 dB <small>L_{Aw}</small>	98 dB <small>L_{Aw}</small>	Seated patrons, drinking, dining and talking Focus of activity on dining and socialising
Small smoking areas (<40 patrons)	73 dB <small>L_{Aw}</small>	98 dB <small>L_{Aw}</small>	Patrons using area for smoking Focus of activity on smoking rather than socialising (data also includes outdoor areas with alcohol consumption)

Based on the above reference sound power data and measurements by Marshall Day Acoustics, a simplified empirical relationship to represent the total sound power level for which crowd numbers and character were varied has been derived for determining design equivalent and maximum sound power level as follows:

- Design equivalent sound power level - derived by assuming that one third of the total crowd speaks continuously over the duration of the assessment period, and each of these speakers emit a constant total sound power level over the duration of the assessment period. In practice, the actual number of individuals speaking, the sound power emitted by each individual, and the temporal characteristics of each speaker will vary considerably over the assessment period. The derived values therefore do not represent the actual percentage of patrons speaking, or the emission of each patron, but simply represent the total sound power level for the number of patrons
- Design maximum sound power level - derived by assuming that the maximum noise level occurs as a result of two (2) individuals simultaneously producing a maximum level. Smoking areas and restaurants are considered to have the same maximum sound power level characteristics, as are taverns with significant food offerings and vertical consumption crowds.

² Hayne et al 2011, 'Prediction of noise from small to medium sized crowds', in *Acoustics 2011: Breaking New Ground, Proceedings of the Annual Conference of the Australian Acoustical Society, AAS Queensland Division 2011, Gold Coast*, paper number 133.

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Figure 10 provides the total equivalent sound power based on patron numbers.

Figure 10: Total equivalent sound power based on patron number

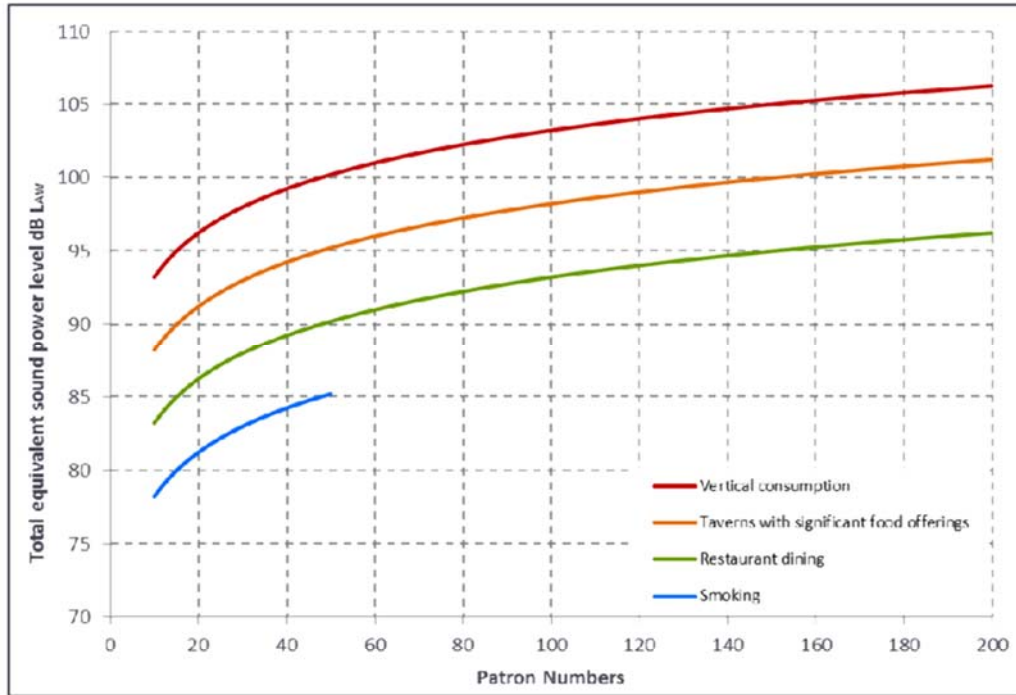


Table 26 provides the octave band spectral correction applied to the calculated patron sound power.

Table 26: Octave band spectral correction

Source	Octave Band Centre Frequency (Hz)						
	63	125	250	500	1000	2000	4000
Spectral Correction	-12	-10	-9	-2	-4	-8	-15

Attachment 7 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Noise and Amenity Action Plan

SJB Planning



Noise and Amenity
Action Plan (NAAP)

21 Robert Street
Collingwood

March 2018

Attachment 7 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Noise and Amenity Action Plan

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Attachment 7 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Noise and Amenity Action Plan

Executive Summary

This Noise and Amenity Action Plan has been prepared by SJB Planning in conjunction with a Liquor License planning application at the food and drink premises (café) and convenience shop (deli) at No. 21 Robert Street, Collingwood.

This Noise and Amenity Action Plan has been prepared pursuant to Clause 22.09-4.2 to the Yarra Planning Scheme. The objective of this Noise and Amenity Action Plan is to ensure that the proposed operation of the premises with a Restaurant and Café liquor license does not unreasonably affect the amenity of the surrounding area.

NAAP (RFI)

4/9

SJB Planning

SJB Planning Pty Ltd ACN 007 427 554

Attachment 7 - PLN18/0021 - 1A/2 and 1E/4 Mansard Lane Collingwood - Noise and Amenity Action Plan

1.0 Location and Surrounds

The proposed liquor license application is in relation to a food and drink premises and convenience shop (deli) located on the ground floor of the Yorkshire Brewery, at 1-21 Robert Street, Collingwood, approved under Planning Permit PLN11/0750. Surrounding the subject site (within a 500 metre radius), there are approximately 55 other licensed premises in the immediate area. We note that 19 of the licensed premises proximate to the subject site operate under an on-premises restaurant and café license.

The café and deli will both be accessible from the public, pedestrian link.

The café and deli will operate within the standard Restaurant and Café trading hours of:

- 7am – 11pm, Monday to Saturday (excluding ANZAC Day and Good Friday)
- 7am – 11pm on Sunday
- 7am – 11pm, ANZAC Day and Good Friday

1.1 Identification of Noise Sources Associated with Restaurant and Café License

The following noise sources are associated with the applications proposal:

- Patron Noise
- Background Music
- Deliveries; and
- Waste Management

1.1.1 Patron Noise

As identified by the correspondence dated 21 December 2017 from Phillip Chun Pty Ltd, the maximum patron capacity for the cafe is 50 patrons. It is considered that the maximum number of patrons will not unreasonably impact the residential amenity of the apartments above and surrounding area, as patrons will be contained within the café and deli.

Patrons who wish to smoke or leave will be required to exit the café utilising the public, pedestrian link.

In the event of noise complaints by members of the public, either the manager or authorised manager on duty will co-operate with the relevant authorities and parties to resolve the issues. In the event of any incidents or complaints that are unable to be resolved immediately, a written record of the complaint will be logged and the appropriate action by the proprietor, manager or manager on duty will achieve the appropriate resolution.

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1.1.2 Background Music

The café and deli will not operate any form of live music or entertainment and will strictly be limited to background music contained within the café. To ensure minimal impact to the amenity of the surrounding area, the manager or authorised manager on duty will passively monitor the noise emissions generated by the café. It is considered that the background music and operation noise of the premises will comply with the State Environment Protection Policy (SEPP N-2) Control of Music Noise from Public Premises at all times.

Any complaints in relation to the premises' operations that are unable to be resolved immediately will be logged and recorded. The proprietor, manager or manager on duty will then co-operate with the relevant authorities and parties to resolve any disputes or complaints where necessary.

1.1.3 Deliveries

Deliveries to the café and deli will only operate during trading hours of 8am – 4pm (as detailed in Planning Permit PLN11/0750 Condition 47 and 49) and will not detrimentally impact the amenity to the surrounding community. Deliveries will be scheduled in advance to avoid deliveries at inappropriate hours and made from using the proposed entry point.

In the event of noise complaints by members of the public, either the manager or authorised manager on duty will co-operate with the relevant authorities and parties to resolve the issues. In the event of any incidents or complaints that are unable to be resolved immediately, a written record of the complaint will be logged and the appropriate action by the proprietor, manager or manager on duty will achieve the appropriate resolution.

1.1.4 Waste Management

All waste generated by the café and deli will be in accordance with the Waste Management Plan endorsed by Council in accordance with Planning Permit PLN11/0750.

Waste will be disposed of in the appropriate bins and recycling bins at the close of business each night the premises are in use. Recycling of bottles will be disposed of as quietly as possible to ensure minimal loss of amenity to the surrounding area.

As specified in Council's Local Law No.3, waste shall not be collected between: 8pm Sunday and 7am the following Monday; 8pm on any day between Monday and Friday inclusive and 7am on the following day; or 8pm any Saturday and 9am the following Sunday. Also, the waste collector shall protect the acoustic amenity by minimising the noise during collection.

Accordingly, the noise associated with waste collection is proposed at appropriate hours to ensure minimal amenity impacts to the residential apartments above the café. In the event of noise or amenity complaints by members of the public, a written record of the complaint will be logged and the appropriate action by the proprietor, manager or manager on duty will achieve the appropriate resolution, cooperating with the relevant authorities when necessary.

NAMP (RFI)

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2.0 Staff Management and Premises

A manager or authorised manager on duty will always be present during trading hours to supervise and monitor the café. An authorised manager on duty will also ensure that the service of alcohol will only be handled by qualified staff members. The proprietor, manager or manager on duty will also be responsible for communication and management of complaints in relation to amenity impacts.

All complaints in relation to the deli and café's liquor license operations that cannot be resolved immediately are to be referred to the manager or authorised manager on duty for appropriate attention. Complaints will be handled by Management in a timely and efficient manner. Any complaint and action taken will be recorded in a complaints log, which will retain and detail the actions undertaken to resolve the issues.

All details of the complaint and action taken will be recorded in the security register and /or the venue management communications log.

2.1 Responsible Serving of Alcohol

All staff working at the premises engaged in the service of alcohol are required to have completed Responsible Service of Alcohol (RSA) training and be of at least eighteen (18) years of age by law. The RSA training will ensure that the service of alcohol to patrons will be lawfully served and consumed within the designated areas. The RSA training will ensure liquor is consumed and contained within the designated areas on the premises to minimise the amenity impact to the surrounding area.

A register of RSA certificates, and completed RSA refresher courses, for all staff engaged in the serving of alcohol will be maintained on premises to ensure the lawful service of alcohol.

2.2 Display of Liquor License

As mandated by the *Liquor Control Reform Act 1998*, the liquor license will be displayed at all times. The display of the liquor license to the public will ensure that the service and consumption of alcohol will be lawful.

Management will also undertake to display signage requesting patrons to respect the amenity of the neighbourhood and amenity of the area.

2.3 Service of food

The service of food must be made available at all times liquor is served.

2.4 Lighting

Lighting within the premises will comprise of generally low voltage lights and does not propose any animated or flashing lights that will detrimentally affect the amenity of the surrounding area.

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2.5 Security

Security staff are not required for the operation of the deli and café. The manager or authorised manager on duty will take responsibility and perform the necessary security measures when required. In addition, the manager or authorised manager on shift will passively monitor the café space.

Should any disturbance arise on the premises that cannot be resolved by management, management shall contact law enforcement for assistance when deemed necessary to resolve such incidents.

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3.0 Implementation

The implementation of the Noise and Amenity Action Plan will be implemented upon the commencement of the use of the café and deli operating under a Restaurant and Café license. This Noise and Amenity Action plan relates to the operation and use of the deli and café and should be read in conjunction with PLN11/0750 and any other planning permit and/or liquor license issued in relation to the premises.

It is considered that the statements above will minimise any amenity loss and will not result in an unreasonable loss of amenity to the surrounding area.