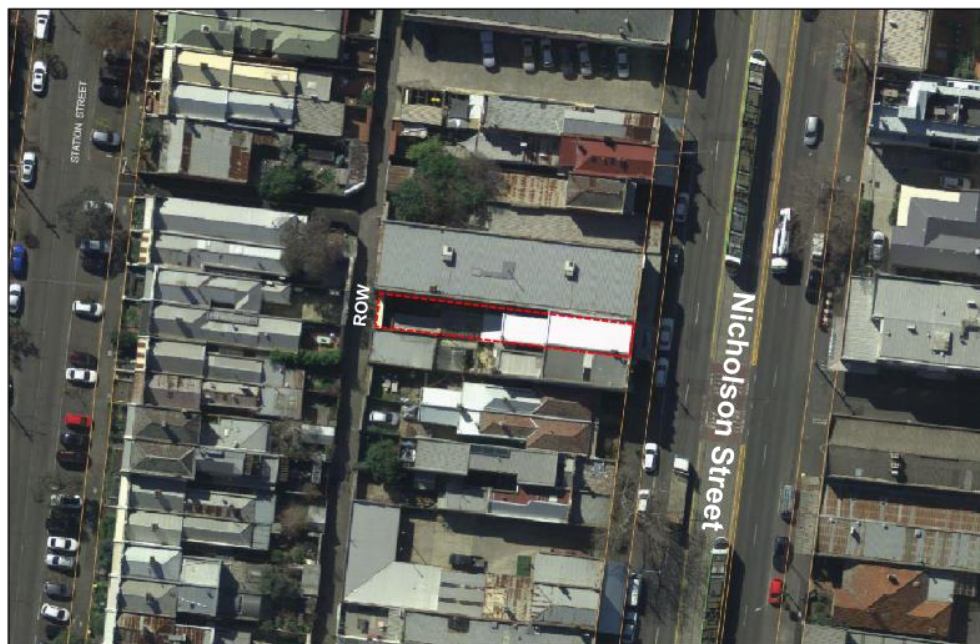
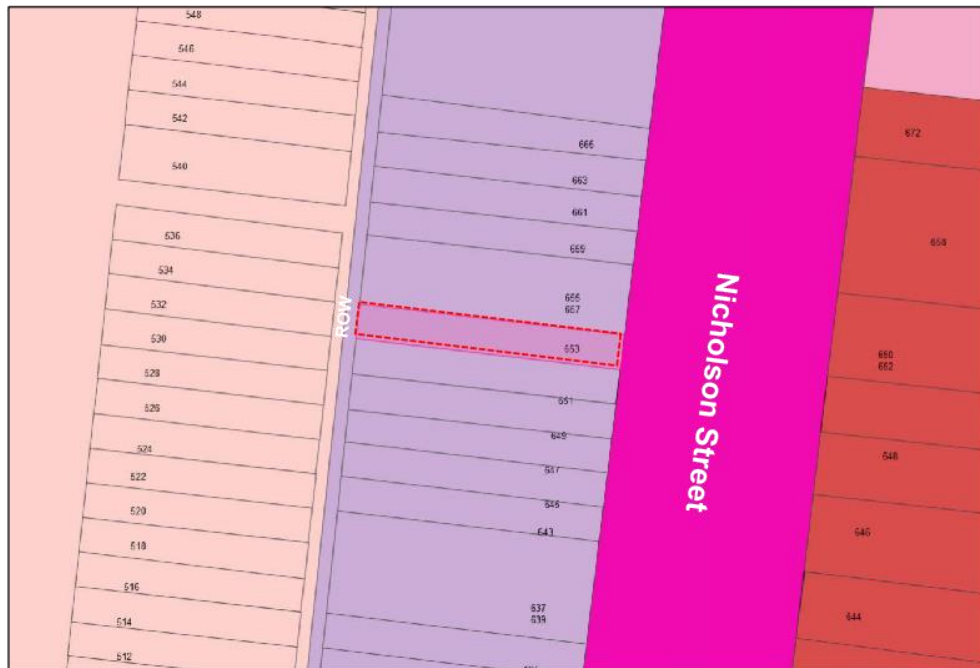
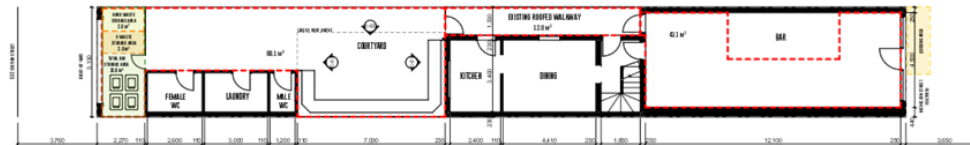
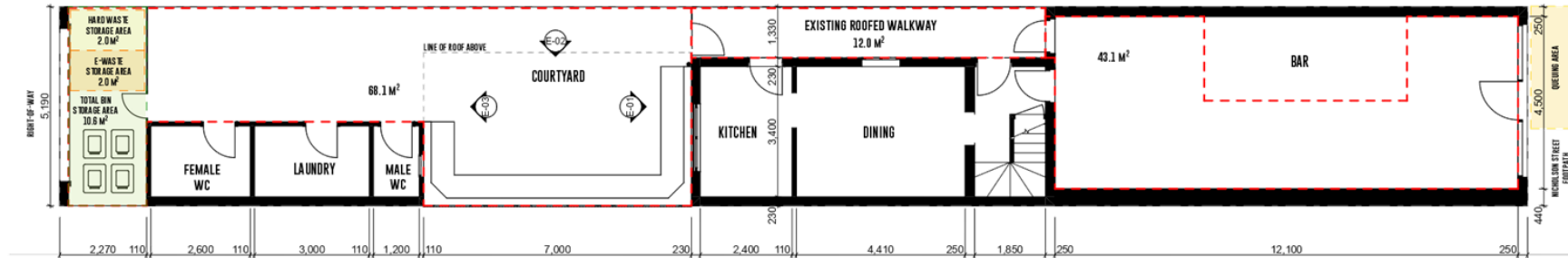


Attachment 1 - PLN19/0281 - 653 Nicholson Street Carlton North - Site Location Plan

SUBJECT LAND: 653 Nicholson Street Carlton North ↑ North  **Subject Site**

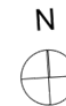


Attachment 2 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Plans



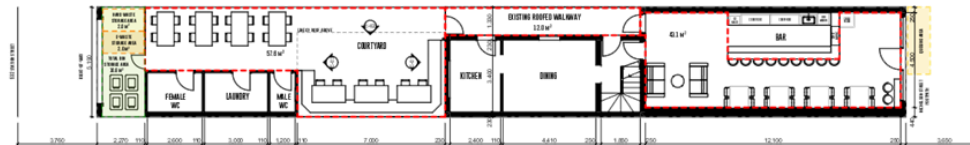
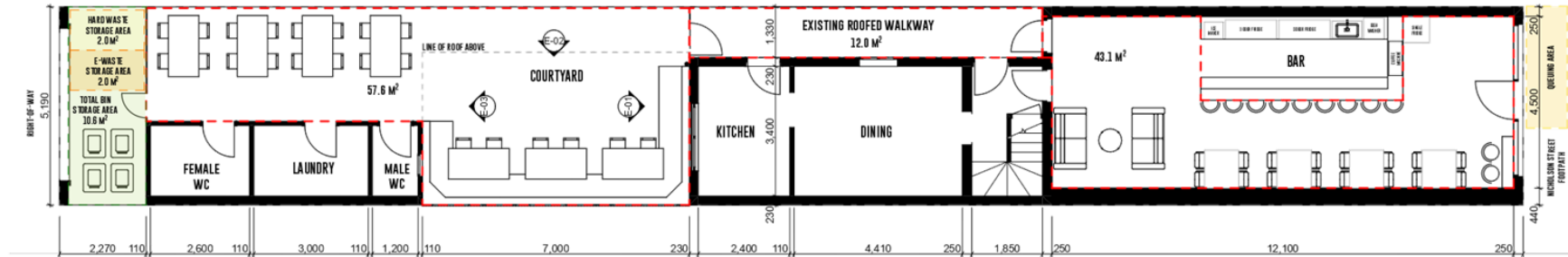
NET LEASABLE FLOOR AREA:	
INDOOR	: 54.7m ²
WALKWAY	: 12.0m ²
COURTYARD	: 68.1m ²
TOTAL AREA	: 134.8m²

NOTE:
 - PATRON ACCESS IS FROM NICHOLSON STREET ONLY.
 - PROPOSED BAR IS LIMITED TO GROUND FLOOR ONLY.
 - OVERALL LEASABLE AREA: 134.8 m²



NO. 653 NICHOLSON STREET, CARLTON NORTH
GROUND FLOOR PLAN
 SCALE : AS SHOWN @ A3 DATE: 1/10/2019

Attachment 2 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Plans

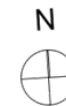


FLOOR AREA AVAILABLE TO PATRONS:

INDOOR	: 43.1 M ²
WALKWAY	: 12.0 M ²
COURTYARD	: 57.6 M ²
TOTAL AREA	: 112.7 M²

NOTE:

- PATRON ACCESS IS FROM NICHOLSON STREET ONLY.
- PROPOSED BAR IS LIMITED TO GROUND FLOOR ONLY.
- OVERALL LEASABLE AREA: 134.8 M²



NO. 653 NICHOLSON STREET, CARLTON NORTH

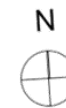
GROUND FLOOR PLAN - FURNITURE LAYOUT

SCALE : 1:100 @ A3 DATE: 1/10/2019

Attachment 2 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Plans

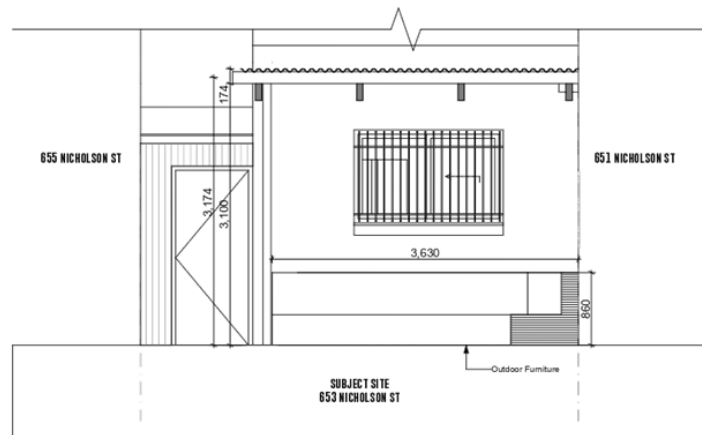


NOTE:
 - PATRON ACCESS IS FROM NICHOLSON STREET ONLY.
 - PROPOSED BAR IS LIMITED TO GROUND FLOOR ONLY.
 - OVERALL LEASABLE AREA: 134.8 M²

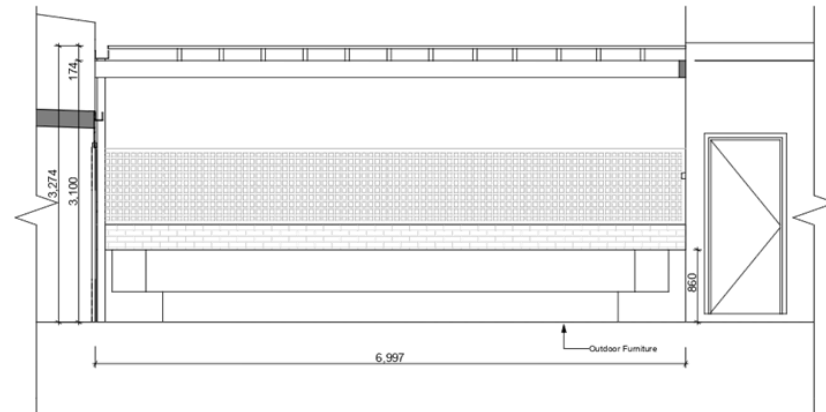


NO. 653 NICHOLSON STREET, CARLTON NORTH
 FIRST FLOOR PLAN
 SCALE : AS SHOWN @ A3 DATE: 1/10/2019

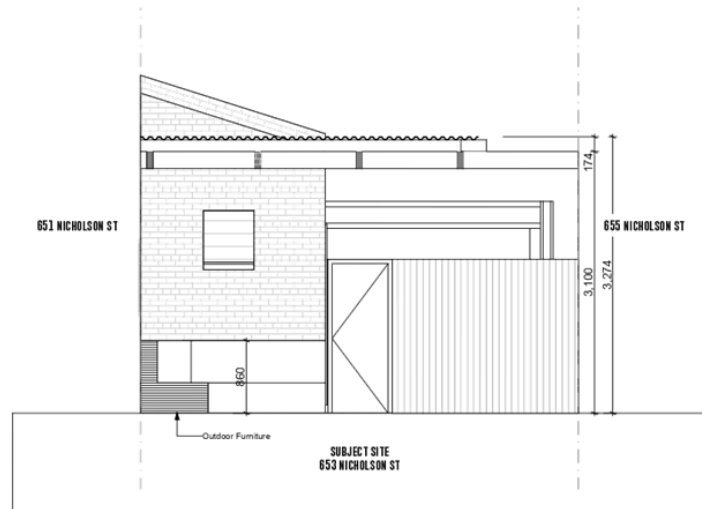
Attachment 2 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Plans



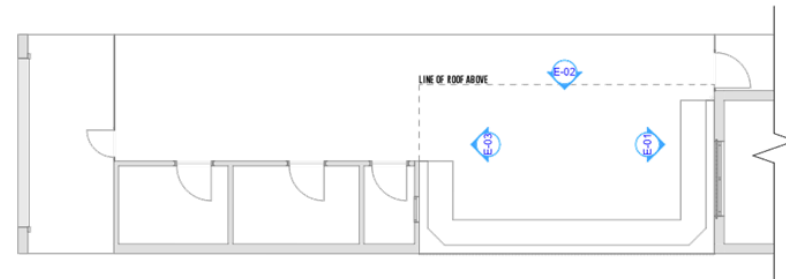
E-01 East Elevation 1:50



E-02 Elevation 1:50



E-03 Elevation 1:50



Key Plan



NO. 653 NICHOLSON STREET, CARLTON NORTH
ELEVATIONS
 SCALE : AS SHOWN @ A3 DATE: 1/10/2019

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report



03 October 2019

Nish Goonetilleke
Statutory Planning Department
Yarra City Council
PO Box 168
RICHMOND VIC 3121

Dear Nish,

Re: Section 57A Amendment | 653 Nicholson Street, North Carlton
Application No: PLN19/0281

Hansen Partnership continue to act on behalf of Moosa Bar Pty Ltd in relation to Planning Permit Application PLN19/0281 at the above address. Please find enclosed a Section 57A Amendment application and all required documents. Please note the enclosed Town Planning Report has been amended to include the new buildings and works permit triggers under Clause 34.01-4 Commercial 1 Zone (C1Z) and Clause 43.01-1 Heritage Overlay, Schedule 326 (H0326). The external buildings and works are limited to the addition of an external seat and a canopy to provide weather protection for patrons.

The following documents have been prepared and are included as part of the planning application package:

- 1 x set of Amended Architectural Plans; and
- 1 x Town Planning Report prepared by Hansen Partnership Pty Ltd, dated October 2019.

The associated fee for the Section 57A Amendment is **\$1,101.19**.

Should you require any further clarification please contact James Permezel on 9664 9828, or via email at jpermezel@hansenpartnership.com.au

Yours faithfully,

Gary Wissenden

Gary Wissenden | **Director**

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report



653 Nicholson Street, Carlton North

Town Planning Report - Section 57A Amendment

Prepared by **Hansen Partnership** for **Moosa Bar Pty Ltd**

Updated October 2019

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

APPLICATION SUMMARY

Permit Preamble

Proposed 'Moosa Bar' in the Commercial 1 Zone (C1Z) within the Nicholson Village activity centre.

As-of-right use of land for a bar and live-music.

Permit Triggers

Construct a building or construct or carry out works (Clause 34.01-4)

Construct a building or construct or carry out works (Clause 43.01-1)

The use of land to sell or consume liquor (Clause 52.27)

Waiver of one (1) bicycle parking space (Clause 52.34)

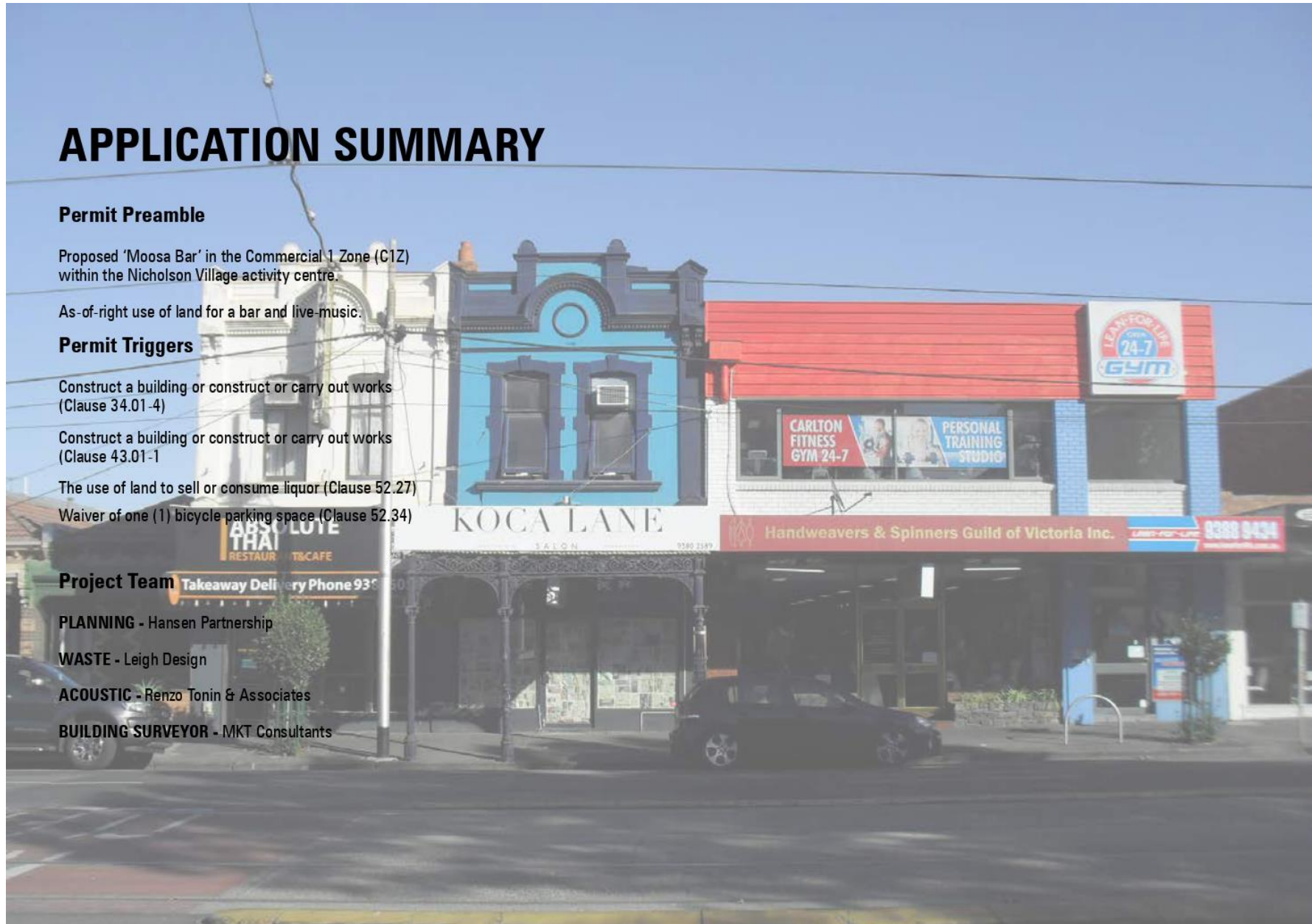
Project Team

PLANNING - Hansen Partnership

WASTE - Leigh Design

ACOUSTIC - Renzo Tonin & Associates

BUILDING SURVEYOR - MKT Consultants



CONTENTS

INTRODUCTION	4
THE SUBJECT SITE & ENVIRONS	6
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Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH

INTRODUCTION

Hansen Partnership has been engaged by the client, Moosa Bar Pty Ltd, and permit applicant to prepare a town planning report for 653 Nicholson Street, Carlton North.

It is proposed to use the land for the purpose of a bar.

Through a planning lens, the site is affected by several planning controls in relation to overlays in addition to the requirements of the Zone.

This report steps through an analysis of the proposal with regard to these controls.

We encourage Council to support the proposal for the following reasons:

- The proposal is consistent with the relevant State and local planning policies;
- The proposal has many exemptions under the Yarra Planning Scheme, the main permit trigger is to use of land to sell or consume liquor;
- The proposal is consistent with the purpose and objectives of the Commercial 1 Zone;
- The proposed bar will result in a greater mix of uses in the Nicholson Village activity centre;
- The proposed bar is small and will not have any adverse affects on surrounding properties.

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report



Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH

THE SUBJECT SITE & ENVIRONS

The Site

The site is located along the western side of Nicholson Street, approximately 90m from the intersection with Richardson Street, in the City of Yarra. The site fronts Nicholson Street, and has rear access to an unnamed laneway (Refer to the aerial).

The site is rectangular in shape and has the following dimensions:

- Frontage of 5 metres;
- Length of 39 metres; and
- Total site area of 195 m².

The site is currently unoccupied, however was previously used as a hair salon.

The building is two storeys, being consistent with the abutting buildings. The ground floor frontage contains large glass windows, with an awning extending to the roadside, covering the footpath in front of the subject site. The first floor contains two small windows, and architectural detail matching the twin building to the south.

The subject site contains a small rear courtyard with an associated outbuilding and rear roller door access to the laneway.

The rear of the subject site abuts an unnamed laneway, and an established residential area.



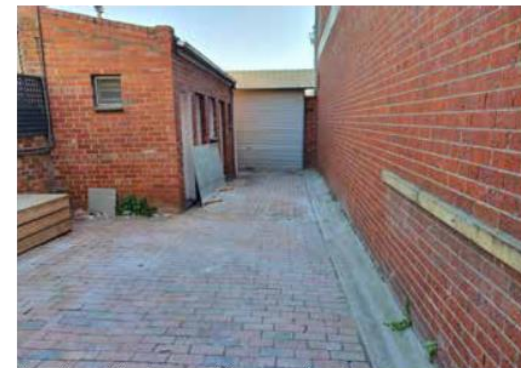
Site - View of Frontage & Abutting Properties



Site - View of Rear Courtyard (facing east)



Rear of Site - From laneway



Site - View of Rear Courtyard (facing west)

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report



Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH

Surrounding Context

The subject site is located in an established commercial strip, with a residential area to the rear. The commercial strip along Nicholson Street consists of single and double storey buildings, with front awnings being a consistent characteristic throughout.

The commercial strip between Pigdon Street/Scotchmer Street and Nicholson Street (Nicholson Village) contains a range of residential and commercial uses, including retail shops, restaurants, cafes and bars. As stated in the *Nicholson Village Snapshot*, approximately 5 per cent of businesses are bars in Nicholson Village. Nicholson Village (Carlton North) is listed as a local centre, being an appropriate location for modest employment growth.

The number 96 tram runs along Nicholson Street, with the closest tram stops to the subject site located at the corner of Richardson Street/Reid Street and Nicholson Street, approximately 100 metres south of the subject site.

To the **north** of the subject site at 655-657 Nicholson Street is a large double fronted commercial building. The building is two storey, and contains the *'Handweavers & Spinners Guild of Victoria'* on the ground floor, and *'Lean for Life 24-7 Gym'* on the first floor.

Beyond this building are several single and double storey commercial and residential buildings. These buildings contain a range of businesses, such as hair salons and restaurant/bars.

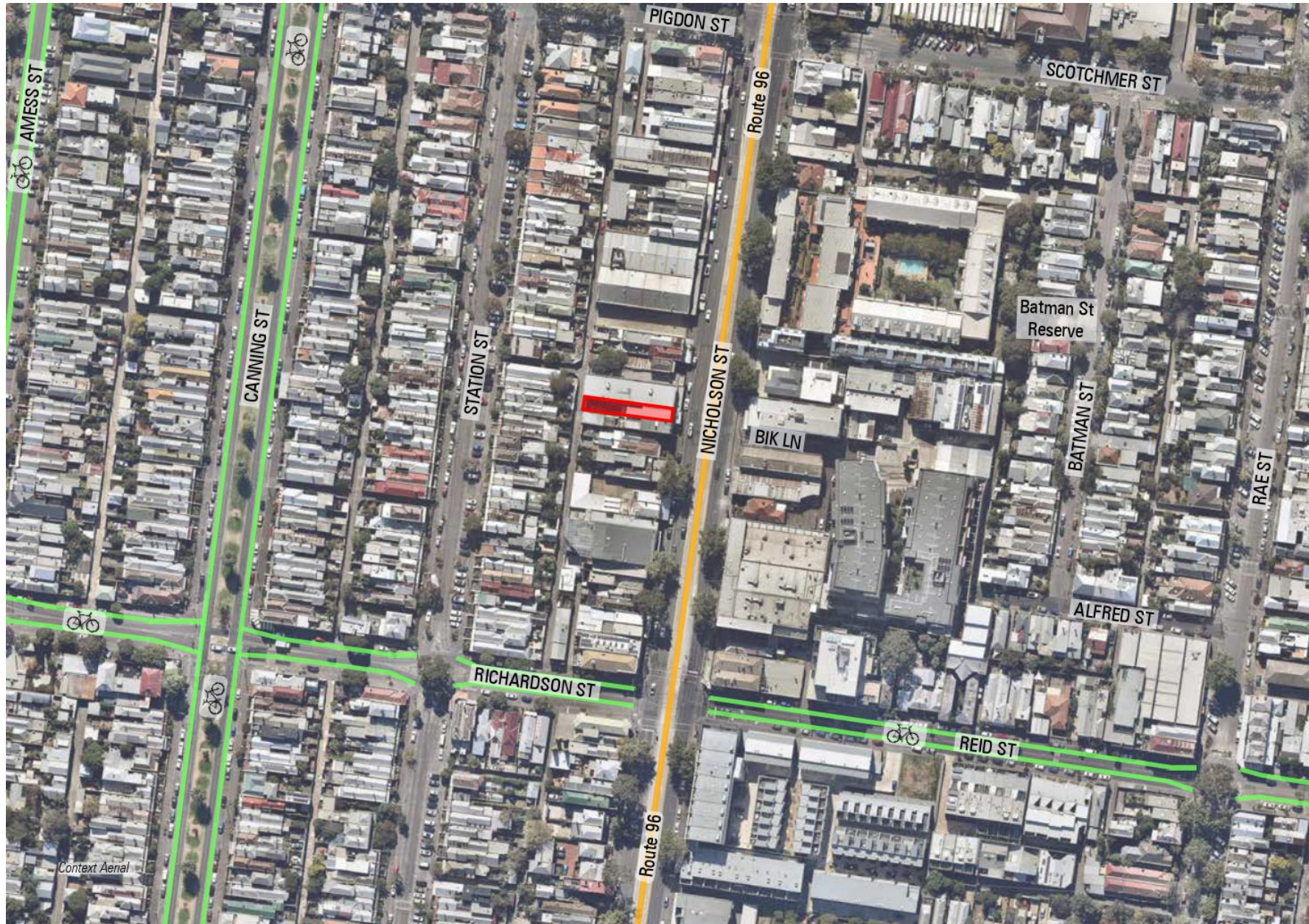
To the **south** of the subject site at 651 Nicholson Street is a two storey commercial building mirrored in design to the subject site building. The building contains *'iAbsolute Thai Restaurant & Cafe'* on the ground floor.

Immediately beyond the abutting building are two single storey residential buildings. Further south along Nicholson street are single and double storey residential and commercial buildings, though Nicholson Village ends at Richardson Street, with only residential buildings beyond this point.

To the **east** of the subject site across the road at 650 Nicholson Street is a large four storey residential building with ground floor commercial space. Adjacent to this building is Bik Lane, which leads to several commercial buildings/warehouses, and a large residential apartment complex. On the south side of Bik Lane is a two storey brown brick building containing a *'Pots Plants Homewares'* business.

To the **west** of the subject site is an unnamed laneway, which lies in between the commercial and residential zones. The residential area to the west contains predominantly single storey Victorian terrace housing with rear extensions. These dwellings are generally located on the western end of the lots, with rear gardens adjacent to the laneway.

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report



Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH



Buildings Opposite Subject Site on Nicholson Street.



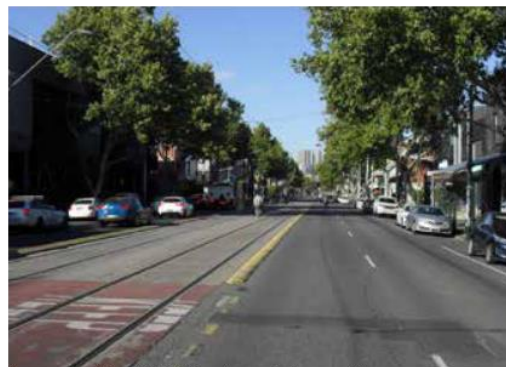
Subject Site Context



Surrounds - North of site - Tram running along Nicholson Street



Buildings Opposite Subject Site on Nicholson Street.



Surrounds - View of Nicholson Street (facing south)



Surrounds - View of Nicholson Street (facing north)

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH

THE PROPOSAL

This application seeks to use land to sell and consume liquor, and undertake external works in the rear courtyard of the property. The proposal is for a Bar at 653 Nicholson Street, Carlton North, and does not include any building and works, and does not include any external alterations to the existing building.

The proposed bar aligns with surrounding land uses in the Nicholson Village activity centre, and will contribute to the mix of land uses provided in the area.

The venue is proposed to be a small bar with a relaxed atmosphere, with a key feature being the sale of a range of craft alcoholic beverages in support small craft breweries.

The venue will operate under a general liquor licence, which authorises the licensee to supply liquor on the licensed premises for consumption on or off the licensed premises.

As discussed in the attached buildings surveyor's report, the venue will accommodate a maximum of 100 patrons, and thus the provided 2 toilets on site is adequate.

The particulars of the proposal include:

- Net Leasable Floor Area of 134.8sqm;
- Floor Area Available to Public of 123.2sqm;
- Rear courtyard with roller door access to laneway - there is to be **no** patron access from the rear roller door;
- Waste collection from rear laneway - as detailed in Waste Management Plan;
- Internal bar area with associated seating and tables; and
- Rear courtyard with seating, toilets and covered area.

The proposed operating hours of the venue are as follows:

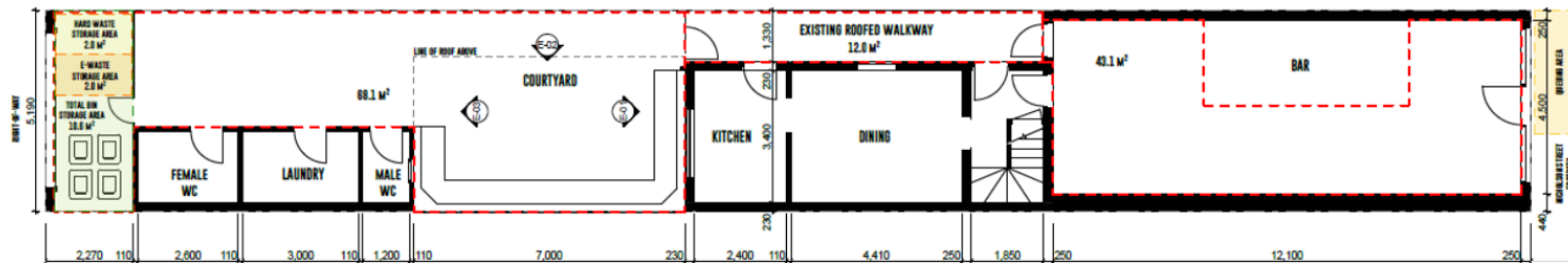
- Sunday to Thursday - 8am to 11pm*
- Friday and Saturday - 8am to 1am the next day*

The proposed trading hours for liquor consumption *on and off* the licensed premises are as follows:

- Sunday to Thursday - 11am to 11pm*
- Friday and Saturday - 11am to 1am the next day*
- Good Friday & Anzac Day - 12pm to 11pm*

*Note the rear courtyard will close at 10pm every day.

The venue will serve coffee and snacks between the hours of 8am and 11am/12pm when liquor is not to be sold.



Proposed Ground Floor Plan

Hansen Partnership

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH

THE PLANNING CONTEXT

Planning Policy Framework

The following clauses of the Planning Policy Framework (PPF) relate to this proposal.

- *Clause 15 Built Environment and Heritage* seeks to ensure that land use and development appropriately responds to its surrounding landscape and character. Of particular relevance is Clause 15.03-1S (Heritage Conservation), which seeks to ensure the conservation of places of heritage significance.
- *Clause 17 Economic Development* seeks to foster economic growth and a strong and innovative economy. Clause 17.01-1S (Diversified Economy) aims to strengthen and diversify the economy through facilitating growth in a range of employment sectors. Clause 17.02-1S (Business) seeks to provide local communities with a range of retail, entertainment, and other commercial services.

Municipal Strategic Statement

The following clauses of the Yarra Planning Scheme Municipal Strategic Statement (MSS) relate to this proposal.

- *Clause 21.02 Municipal Profile* outlines the context of the City of Yarra. This clause outlines the importance of specialised shopping strips with a range of services, as well as the important local role of Neighbourhood Activity Centres.
- *Clause 21.03 Vision* outlines the vision for the City of Yarra in the year 2020. The vision includes increased opportunities for employment, a mix of land uses to provide for a range of activities, as well as retail strip shopping providing for the needs of local residents.
- *Clause 21.04 Land Use* provides objectives relating to future land use management. Objective 3 notes the need to reduce potential amenity conflicts between residential and other uses through application of the Interface Uses Policy and Licensed Premises Policy.
- *Clause 21.05 Built Form* seeks to protect and enhance Yarra's heritage places, and retain Yarra's existing urban framework and identity.
- *Clause 21.08 Neighbourhoods* sets out locally specific implementation of objectives and strategies for North Carlton. The Nicholson Village activity centre is noted to include a range of businesses, including retail, restaurants and cafes.

Local Planning Policy Framework

The following clauses of the Yarra Planning Scheme Local Planning Policy relate to this proposal.

- *Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay* applies to all land within a Heritage Overlay. This policy seeks to conserve Heritage places in the City of Yarra. It is noted that this Clause is not applicable to the site as no external buildings and works are to occur as part of the application.
- *Clause 22.09 Licensed Premises* applies to all application under Clause 52.27. This policy seeks to manage potential amenity impacts between licensed venues and other land uses.

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH

General and Particular Provisions

The following clauses of the Particular and General provisions relate to this proposal.

- *Clause 52.06 Car Parking.*

Pursuant to Clause 52.06-3 a permit is not required for a reduction in car parking to zero.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- *The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.*
- *The gross floor area of the building is not increased.*
- *The reduction does not exceed 10 car parking spaces.*
- *The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.*

The net leasable floor area of the subject site is 134.8sqm, and therefore 4 car parks are proposed to be reduced (within PPTN - Column B). This is under the threshold of 10 spaces. As the proposal meets all of the above requirements, a planning permit is not triggered for the waiver of car parking under the provisions of Clause 52.06.

- *Clause 52.27 Licensed Premises*

As per Clause 52.27 a permit is required to use land or sell or consume liquor.

- *Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road.*

The proposal does not create or alter access to Nicholson Street (Category 1 Road).

- *Clause 52.34 Bicycle Facilities*

Pursuant to Clause 52.34-5, the required number of bicycle parking spaces for the proposal is 1. As such, a permit is required to waive the provision of bicycle parking.

- *Clause 53.06 Live Music and Entertainment Noise*

Pursuant to Clause 53.06-1, this Clause applies to an application under any zone to use land for, or to construct a building or construct or carry out works associated with a live music entertainment venue. A Food and Drink Premises (bar) is included within the definition of a live music entertainment venue.

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH

Zoning

The subject site is within the Commercial 1 Zone (C1Z).

The purpose of the C1Z is:

To implement the Municipal Planning Strategy and Planning Policy Framework;

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses; and

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Pursuant to Clause 34.01-1, a permit is not required for the use of land for a Retail Premises (Bar) within the zone. 'Bar' is nested under Retail Premises in the Yarra Planning Scheme, and there is no reference to a bar use in the use class tables, therefore no permit is required.

As per Clause 34.01-2 (Use of land), a use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land;
- Appearance of any building, works or materials; or
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

As the proposal does not trigger a permit for the use of land, Clause 34.01-2 does not apply. However, as the proposal has no detrimental amenity impacts, the abovelisted affects been addressed in the Response to Commercial 1 Zone.

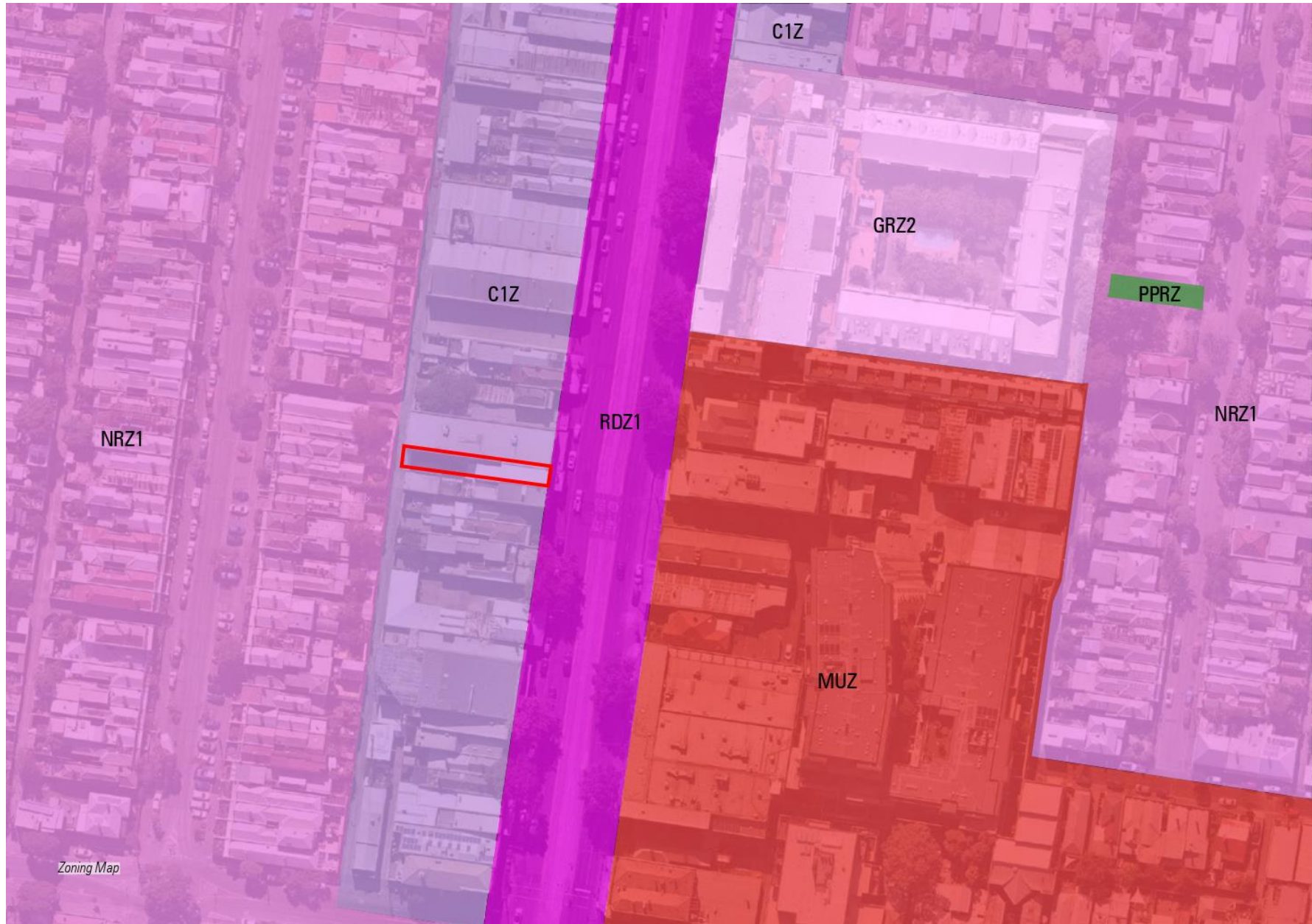
Clause 34.01-4 (Buildings and works) states a permit is required to construct a building or construct or carry out works. The proposal includes minor external works in the rear courtyard, and therefore triggers a planning permit under this Clause.

The external works include construction of a 'bench' style seat along the southern wall of the rear courtyard, and an associated canopy cover in order to provide weather protection for patrons.

Clause 34.01-9 (Signs) notes that signs within the zone are under the requirements of Category 1 of Clause 52.05 (Signs).

The subject site is abutting properties to the east that are within the Neighbourhood Residential Zone, Schedule 1 (NRZ1). The western abuttal is Nicholson Street, a Road within the Road Zone, Category 1 (RDZ1).

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report



Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH

Overlays

The subject site is affected by several overlays, including the Heritage Overlay, Schedule 326 - North Carlton Precinct (Clause 43.01 - H0326) and Environmental Audit Overlay (Clause 45.03 - EAO).

Heritage Overlay - North Carlton Precinct

The purpose of the Heritage Overlay is:

To implement the Municipal Planning Strategy and the Planning Policy Framework;

To conserve and enhance places of natural or cultural significance;

To conserve and enhance those elements which contribute to the significance of heritage places;

To ensure that development does not adversely affect the significance of heritage places; and

To conserve specified heritages places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The subject site is within the precinct Heritage Overlay, Schedule 326. This precinct is characterised by Victorian Period (1851-1901), and Federation/Edwardian Period (1902-1918) buildings. The subject site is an example of an attached two-storey shop and residence in the major north-south streets, and is therefore considered contributory to the Heritage precinct.

The proposal includes minor buildings and works in the rear courtyard, and therefore requires a permit under the Heritage Overlay (Clause 43.01-1).

Environmental Audit Overlay

The purpose of the Environmental Audit Overlay is:

To implement the Municipal Planning Strategy and the Planning Policy Framework; and

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Pursuant to Clause 45.03-1, the proposed use is not listed as 'sensitive', and therefore a certificate of environmental audit is not required to be issued.



Heritage Overlay



Environmental Audit Overlay

KEY PLANNING CONSIDERATIONS

Having regard to the relevant State and Local planning policies, the zoning and overlay provisions and the decision guidelines of Clause 66, it is submitted that the proposed bar is an appropriate response to the existing site context and will result in a positive contribution to Nicholson Village and Carlton North.

It is submitted that the development can be supported under the current planning context and that the key matters for consideration are as follows:

- Permit Triggers and Exemptions;
- Response to overarching State and Local planning policies;
- Response to Zone;
- Response to Heritage Considerations;
- Discussion of Liquor Licensing & Surrounding Venues; and;
- Waste Management Procedures.

Permit Triggers

Clause 34.01 Commercial 1 Zone

Pursuant to Clause 34.01-4, a permit is required to construct a building or construct or carry out works.

Clause 43.01-1 Heritage Overlay, Schedule 326

Pursuant to Clause 43.01-1, a permit is required to construct a building or construct or carry out works.

Clause 52.27 Licenced Premises

The purpose of Clause 52.27 is:

To ensure that licenced premises are situated in appropriate locations; and

To ensure that the impact of the licences premises on the amenity of the surrounding area is considered.

A planning permit is required to use land to sell or consume liquor.

Clause 52.34 Bicycle Facilities

Pursuant to Clause 52.34-5, the required number of bicycle parking spaces for the proposal is 1. The leasable floor area of the venue is 134.8sqm, with a bicycle parking requirement of 1 space per 300sqm (employee) and 1 space per 500sqm (visitor). The bicycle parking requirement is above 0.5, and as such, the provision of bicycle parking is required. A permit is required to waive the provision of bicycle parking.

There is existing bicycle parking directly outside the venue on the Nicholson Street footpath, and therefore the waiver of 1 bicycle parking space is considered appropriate in this case.

Permit Exemptions

Clause 34.01 Commercial 1 Zone

Pursuant to Clause 34.01-1, a permit is not required for the use of land for a Retail Premises (Bar) within the zone.

Clause 52.06 Car Parking

Pursuant to Clause 52.06-3 a permit is not required for a reduction in car parking to zero.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.
- The gross floor area of the building is not increased.
- The reduction does not exceed 10 car parking spaces.
- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

Attachment 3 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Town Planning Report

TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH

Response to Planning Policy

State and local planning policy support new businesses in Commercial areas that are responsive and respectful of any identified heritage, character elements and surrounding land uses.

Under Council's identified vision for land use (Clause 21.03), Yarra will have increased opportunities for employment, a complex mix of land uses, and exciting retail strips. Additionally, Clause 21.04 (Land Use) seeks to reduce potential amenity conflicts between residential and other uses. The proposal helps achieve the land use vision for the municipality, seeking to increase the diversity of commercial activity in the Nicholson Village activity centre. The proposal seeks to reduce adverse impacts to surrounding residential areas, through shortened operating hours and no amplified music to be played in the rear courtyard.

Clause 22.09 (Licensed Premises) seeks to protect the amenity of nearby properties and areas of effectively managing the location, size, operation and hours of licensed premises. The proposal is located in an established commercial strip, and is proposed to hold a maximum of 100 patrons at any time. The small size of the venue, and the proposed operating hours will result in minimal impact to surrounding dwellings.

Response to Commercial 1 Zone (C1Z)

As per the Commercial 1 Zone (C1Z), a planning permit is not required to use land for the purpose of a retail premises (bar). Although a permit is not required, the proposal still meets the objectives of the zone, and does not detrimentally affect the amenity of the neighbourhood. The C1Z seeks to create vibrant mixed use commercial centres. The proposal achieves this objective, providing a greater mix of entertainment uses in the established Nicholson Village activity centre.

Although the use of land for a bar does not require a planning permit, the bar must not detrimentally affect the amenity of the neighbourhood (Clause 34.01-2), including through the:

- *Transport of materials, goods or commodities to or from the land;*

The transport of materials, goods or commodities to and from the land will occur from the front of the venue, and will have no impact on surrounding residential properties.

- *Appearance of any building, works or materials; or*

The appearance of the existing building will not be altered. The minor works in the rear courtyard do not impact the overall appearance of the existing building.

- *Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.*

The proposed venue will not impact any surrounding properties through noise, artificial light, or any other of the abovementioned impacts. Background music is to be played throughout the venue, though the rear courtyard is to close at 10pm every night. Amplified music (live music) will be played for occasional events. When live music is played, it will only occur at the front of the premises (Nicholson Street end). Patrons are to be moved inside at the 10pm, and background music will be stopped, reducing the potential impacts to neighbouring residential properties.

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TOWN PLANNING REPORT | 653 NICHOLSON STREET, CARLTON NORTH

Response to Heritage Considerations

Heritage Overlay

The site is within the North Carlton Precinct Heritage Overlay (H0326). As per the Heritage Overlay, a planning permit is required to construct a building or construct or carry out works.

The subject site building is included as a contributory building in the Heritage Overlay, and according to the Heritage Council of Victoria, is of good integrity.

A contributory building is defined as:

“The place is a contributory element within a larger heritage place. A contributory element could include a building, building groups and works, as well as building or landscape parts such as chimneys, verandahs, wall openings, rooflines and paving.”

The proposed works are minor in nature and confined to the rear courtyard of the property. The works will not adversely affect the significance, character or appearance of the heritage place.

Clause 22.02 Development Guidelines for Sites Subject to the Heritage Overlay

This policy provides guidance for the protection and enhancement of the City of Yarra’s identified places of cultural and heritage significance.

The proposed minor buildings and works are consistent with the objectives of Clause 22.02, with the works being in the rear courtyard of the property and not impacting on the contributory heritage elements of the building facade.

The works will not be visible from the street, and do not cause detriment to surrounding properties. It is noted that the property to the north contains a large brick building extending the length of the land parcel. Additionally, the property to the south contains a rear garage accessible via the laneway, and a similar canopy structure to what is proposed. As such, we believe there to be no material detriment caused by the proposed seating and canopy structure in the rear courtyard.

These additions will create an improved outcome for patrons of the venue, and also serve to reduce any potential noise and smoke impacts to surrounding properties.

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Response to Licensed Premises (Clause 22.09-3)

Location and Access

- The land is not zoned residential.
- Potential amenity impacts from (but not limited to) patron noise, ingress and egress of patrons, queuing of patrons, smoking areas for patrons, and dispersal of patrons from the site can be appropriately managed or buffered.
- This is a low-key venue of a scale and type which is not commonly associated with significant adverse amenity impacts.
- The venue has a capacity less than 200 patrons, and is therefore permitted to be located in the Nicholson Village precinct.
- The venue is located in a Commercial 1 Zone (C1Z), and as discussed in the provided cumulative impact assessment, the venue will not result in any adverse amenity impacts.
- The venue is located on a busy main road, with public transport access, and therefore there is a high level of public safety and surveillance as patrons enter and leave the premises.

Venue Design

- The venue layout and design incorporates the safe design principles detailed in the *Design Guidelines for Licensed Venues*. Clear lines of sight are maintained, with the venue designed to reduce congestion at the entrance.
- The low number of patrons also allows for better communication between staff and patrons, and ensures the venue will not result in any adverse amenity impacts to adjacent properties.
- Waste management and storage is provided on site, and no bottle crushers are to be used on site.

Hours of Operation

- The licensed premises is within 30 metres of a residential zone to the rear of the venue. However, the 1am closing time for Friday and Saturday will not adversely affect the amenity of the area, as discussed in the provided Acoustic Report.
- The sale and consumption of liquor in the rear courtyard will not occur after 10pm.
- The waste collection for the venue will not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday. Additionally, the emptying of bottles into bins in outdoor areas will not occur within the above listed hours. This can be controlled with a permit condition.

- The use of land for a bar and associated live music entertainment lends itself to a 'general' liquor licence.
- The surrounding area includes primarily commercial uses, though residential uses are also nearby in all directions.
- Surrounding commercial uses include:
 - Restaurant & Cafe
 - Gym
 - Beauty Salon
 - Consultant
 - Real Estate Agency

Patron Numbers

- The number of patrons does not exceed the safe and amenable operating capacity of the premises. The patron numbers reflect the strategic and physical context of the site, being located in a Commercial 1 Zone, on a major road and with convenient access to public transport.

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Noise

- The noise emitted from the operation of the venue will not have unreasonable impact on the amenity of the area. The noise emissions will comply with SEPP N-2, as specified in the provided Acoustic Report, prepared by Renzo Tonin & Associates.
- The venue does not have any acoustic attenuation measures in effect as this is not required.
- Live performances will only occur within the indoor area of the venue.

Noise and Amenity Action Plan

- The venue will be managed in accordance with the provided Noise and Amenity Action Plan (NAAP).

Response to Live Music and Entertainment Noise (Clause 53.06-4)

Site analysis

- A site analysis including plans detailing the existing and proposed layout of the building has been provided. The location of doors, windows and open space areas of properties in close proximity has also been provided.

Noise Sensitive Residential Use

- There are no live music entertainment venues within 50m of the site.

Live Music Entertainment Venue

- Noise sensitive residential uses within 50m of the site have been detailed in the site analysis. The hours of operation and live music hours of the proposed venue is discussed within this Report, the Acoustic Report, and the NAAP.

Acoustic Attenuation

- The venue does not require any specific noise attenuation measures, as supported by the provided acoustic report, prepared by Renzo Tonin & Associates.

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Liquor Licence & Surrounding Venues

The proposed venue will be operating under a general liquor licence. A general licence authorises the supply of liquor for consumption both on and off the licensed premises.

A general licence is required in this instance to allow the sale of alcohol to take off premises, primarily to assist in servicing the next door restaurant 'iAbsolute Thai', which currently operates under a BYO Permit.

Several surrounding businesses operate with liquor licences, with Nicholson Village (between Pigdon St & Richardson St) containing five (5) restaurant and cafe licences, one (1) on-premises and limited licence, and one (1) general licence.

The Empress Hotel is currently the only venue in this area that operates under a general licence.

The proposed operating hours of the venue are sympathetic to the sensitive residential area to the west, with the outdoor area closing at 10pm on all days to reduce noise impacts, and the indoor area closing at 11pm from Sunday to Thursday.

The 'redline' plan shown below indicates that the consumption of liquor will occur throughout the venue, including in the rear courtyard. However, as previously noted, the outdoor area will close at 10pm as to avoid potential noise impacts on surrounding properties.

The seating provided in the venue is considered adequate as to not promote 'vertical drinking'.

Bar snacks are to be served at the venue.

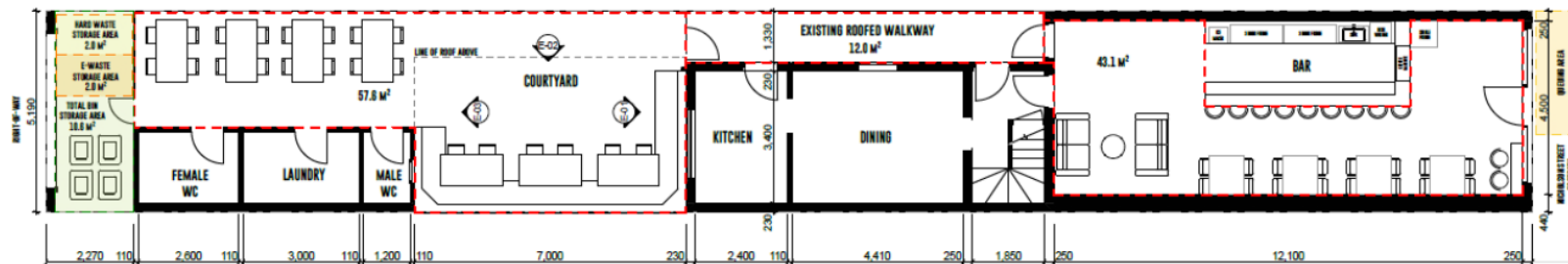
In this circumstance, it is considered that the most appropriate type of liquor licence is general.

Waste Management Procedures

The venue will comply with the terms of the endorsed Waste Management Plan prepared by Leigh Design. This report is included within the planning permit application.

As per the Waste Management Plan, four (4) bins will be provided on site (2 garbage, 2 recycling). Rubbish collection will occur from the rear laneway of the property, for ease of access to the bin area (as seen on plans). The waste will be collected by a private contractor using a small rear-load truck. The rear laneway provides adequate space for a rear-load truck, without the need for reversing.

The waste collection for the venue will not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday. Additionally, the emptying of bottles into bins in outdoor areas will not occur within the above listed hours.



Proposed Redline Plan

CUMULATIVE IMPACT ASSESSMENT

Key Details

Key details of the proposed bar are as follows:

- Seating ratio - seating for approximately 65 people will be provided (65% of patrons).
- Bar snacks will be available on the premises.
- Management procedures are outlined in the accompanying Noise and Amenity Action Plan (NAAP).
- Live music is to be played on the premises (occasionally).
- Capacity 100 patrons maximum.
- Trading Hours for consumption on and off the licensed premises:
 - Sunday to Thursday - 11am to 11pm
 - Friday and Saturday - 11am to 1am the next day
 - Good Friday & Anzac Day - 12pm to 11pm
- The rear courtyard will close at 10pm every day.
- Transport and Parking - no parking provided on site; on-street parking available in surrounding area; trams (number 96) along Nicholson Street.

Policy Provisions

- The proposed use of the site as a bar will achieve an outcome consistent with the objective Clause 13.07-1S by using a vacant building for an appropriate use which will have minimal impact on the nearby residential area.

- The proposed use will contribute to the mix and vibrancy of this part of Carlton North, providing employment and activity in a highly accessible location, consistent with Clause 17.01-1S.
- The proposed use of the site responds to this need and the ongoing demand for craft beer and venues where it can be enjoyed in an intimate and casual environment. This is consistent with Clause 17.02-1S.
- The proposed use raises no issues in relation to Clause 21.08 - Neighbourhood and will complement the mix of uses in the area around Nicholson Street.

Surrounding Land Use Mix

- The surrounding area contains a mix of uses, including residential and commercial uses. The proposed bar fits well within this mix, being unaffected by commercial uses and having very little impact on nearby residential uses.

Transport and Dispersal

- Transport and dispersal is facilitated by the location of the site near multiple intersections, within close proximity to public transport (number 96 tram), and in an easily identifiable position on Nicholson Street.

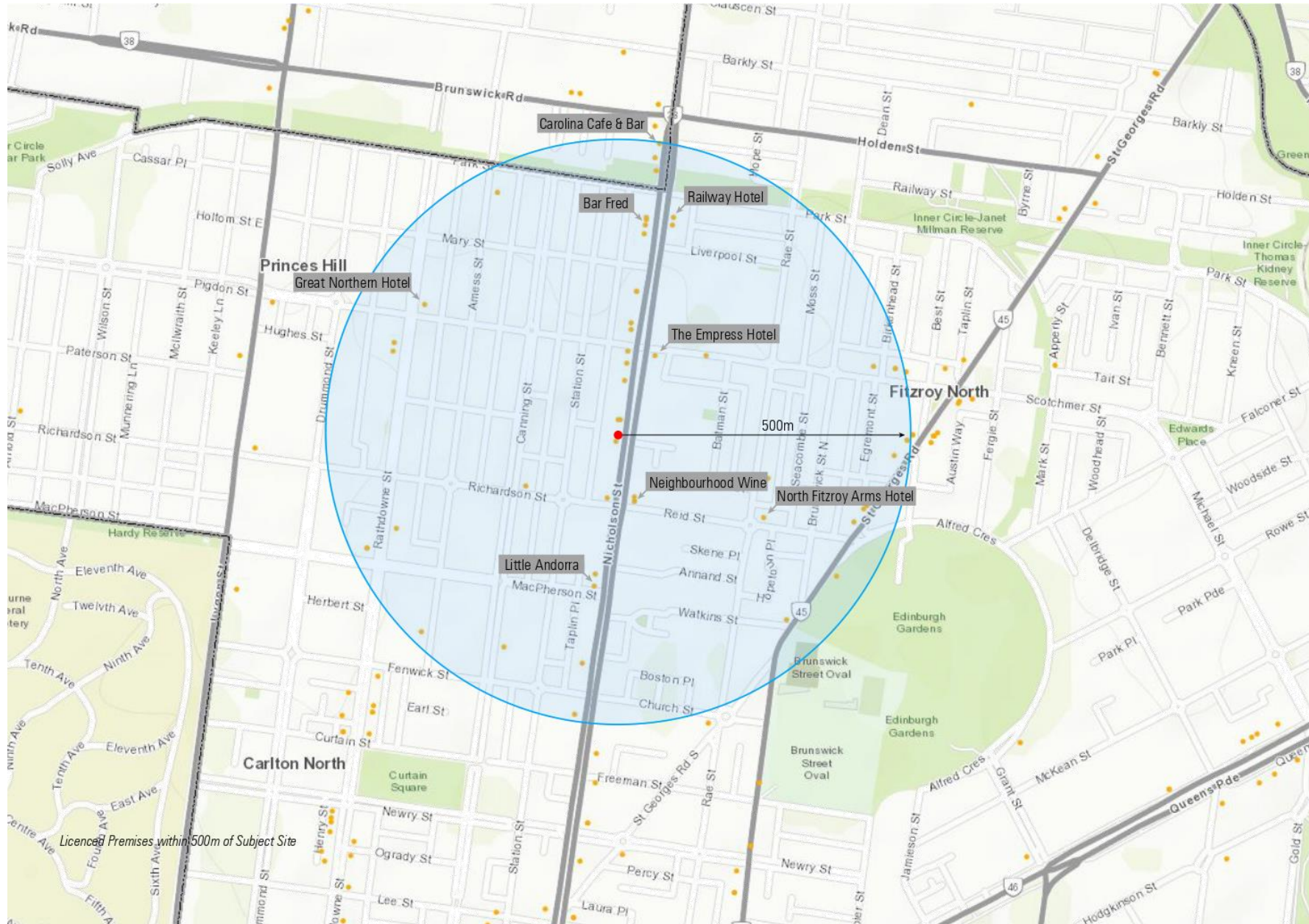
Impact Mitigation

- Impact Mitigation is outlined in the NAAP accompanying the application and demonstrates that a range of appropriate measures will be implemented to mitigate impacts on the surrounding area, such as closing the rear courtyard at 10pm.

Cluster Analysis

- A cluster of licenced premises does exist in the area, with 49 licenced premises within a radius of 500m from the subject land.
- 18 of the licenced premises within this 500m radius are restaurants and cafes along Nicholson Street, which operate with restaurant and cafe, on-premises, BYO and limited licenses.
- Venues within 500m of the subject site which operate as bars/pubs have been identified on the accompanying map (page 22).
- A summary of the licence type, hours of operation, patron numbers and music restrictions for these premises is summarised in the accompanying table (page 24 & 25).
- Of the 49 premises identified, 19 have liquor licenses allowing them to open later than 11pm. 7 of these venues have a patron capacity above the proposed venue (100 patrons).
- In this context, the proposed bar will operate without contributing any significant increase to the cumulative impact on the area.
- The suitable number of patrons on the premises (100) is expected to disperse gradually and can readily move to other venues within the surrounding area.
- The proposed live music will not cause any adverse amenity impacts to surrounds.
- The high seating ratio (65%) discourages 'vertical' drinking.

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	Venue Type	Licence Number	Licence Type	Hours	Patrons	Music
Carolina Café & Bar	Café / Bar	32304727	Restaurant and Café	No later than 11pm; no earlier than 12pm	48	SEPP N-2 Condition.
Pickle 161	Restaurant	32339340	Restaurant and Café	No later than 1am; no earlier than 7am	30	SEPP N-2 Condition.
Green Park Dining	Restaurant	32319015	Restaurant and Café	No later than 11pm; no earlier than 10am	120	Background music levels at all times in external areas.
Handlewell Supermarket	Convenience	32000080	Packaged Liquor	No later than 11pm; no earlier than 9am	N/A	N/A
Bar Fred	Bar	32251990	Restaurant and Café	No later than 1am; no earlier than 7am	62	No live music (or higher than background music level)
Maria's Coffee House & Deli	Café	32051748	Packaged Liquor	No later than 11pm; no earlier than 9am	N/A	N/A
Figs Café	Café	32223701	Restaurant and Café	No later than 11pm; no earlier than 7am	40	No live music (or higher than background music level)
Railway Hotel	Bar / Beer Garden	31911547	General	No later than 1am; no earlier than 7am	300	Live or amplified music until 1am on Thurs, Fri & Sat. Only low level amplified or acoustic permitted in beer garden between 12pm & 8pm (Sat & Sun).
Boxx Café	Café	31820584	On-Premises	No later than 11pm; no earlier than 7am	81	SEPP N-2 Condition.
Wine Republic	Convenience	36128212	Limited	No later than 11pm; no earlier than 10am	N/A	N/A
Great Northern Hotel	Bar / Beer Garden	31906631	General	No later than 1am; no earlier than 7am	406	SEPP N-2 Condition.
Lucky's Pizzeria	Restaurant	31279725	BYO	No later than 11pm; no earlier than 7am	N/A	N/A
Liquor on Rathdowne / Carlton Topend Cellars	Convenience	32067749	Packaged Liquor	No later than 9pm; no earlier than 9am	N/A	N/A
Nik@Nicholson	Function / Restaurant	31822455	On-Premises	No later than 11pm; no earlier than 7am	N/A	SEPP N-2 Condition.
Afro Hub	Restaurant	32289202	Restaurant and Café	No later than 11pm; no earlier than 7am	37	No live music (or higher than background music level)
Happy Inn Restaurant	Restaurant	31261188	BYO	No later than 11pm; no earlier than 10am	N/A	N/A
Babajan	Restaurant	32334578	Restaurant and Café	No later than 11pm; no earlier than 7am	30	No live music (or higher than background music level)
The Empress Hotel	Bar / Beer Garden	31905130	General	No later than 1am; no earlier than 7am	315	SEPP N-2 Condition.
Tim Ward Wines	Convenience	36134823	Limited	N/A	N/A	N/A
Sortino Social Club	Club	31423227	Restricted Club	No later than 12am; no earlier than 9am	200	SEPP N-2 Condition.
Dench Bakers	Café	36127460	Limited	No later than 11pm; no earlier than 9am	N/A	N/A
Café Milato	Restaurant / Café	32290041	Restaurant and Café	No later than 1am; no earlier than 7am	N/A	No live music (or higher than background music level)
Colonial Cellars	Convenience	32054908	Packaged Liquor	No later than 11pm; no earlier than 9am	N/A	N/A
Two Tall Chefs	Restaurant / Café	36133097	Limited	No later than 8pm; no earlier than 9am	N/A	N/A
Two Tall Chefs	Restaurant / Café	32250473	On-Premises	No later than 11pm; no earlier than 7am	47	SEPP N-2 Condition.
I Absolute Thai	Restaurant	31245548	BYO	No later than 1am; no earlier than 12pm	N/A	N/A
1000 Lire	Restaurant	32259134	Restaurant and Café	No later than 1am; no earlier than 7am	100	No live music (or higher than background music level)
Ryne	Restaurant	32299401	Restaurant and Café	No later than 1am; no earlier than 9am	146	No live music (or higher than background music level)
Underwood Wine Bar	Bar	32293560	On-Premises	No later than 1am; no earlier than 8am	20	SEPP N-2 Condition.
Konstantine's	Restaurant	32259972	Restaurant and Café	No later than 11pm; no earlier than 9am	N/A	No live music (or higher than background music level)
Horn Please	Restaurant	31821611	On-Premises	No later than 11pm; no earlier than 7am	90	SEPP N-2 Condition.
Red Gallery	Gallery	36066169	Limited	No later than 8pm; no earlier than 12pm	N/A	SEPP N-2 Condition.
Edinburgh Cricket Club	Club	36130887	Limited	No later than 12am; no earlier than 12pm	N/A	SEPP N-2 Condition.
The Hungarian Reformed Church of Australia	Religious	31287825	BYO	No later than 1am; no earlier than 12pm	N/A	N/A

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North Fitzroy Arms Hotel	Bar / Beer Garden	31909778	General	No later than 1am; no earlier than 7am	116	No amplified music or discotheque style.
No Premises Name Given	N/A	36115544	Limited	N/A	N/A	N/A
Sibling by Kinfolk	Restaurant	32348860	Restaurant and Café	No later than 11pm; no earlier than 9am	88	No live music (or higher than background music level)
L'Osteria	Restaurant	32222690	Restaurant and Café	No later than 11pm; no earlier than 9am	N/A	No live music (or higher than background music level)
Woodstock Deli	Restaurant / Café	32236500	Restaurant and Café	No later than 1am; no earlier than 7am	N/A	No live music (or higher than background music level)
Carlton Cellars	Convenience	32000072	Packaged Liquor	No later than 11pm; no earlier than 9am	N/A	N/A
Alice Ross Catering	Catering	36152740	Limited	No later than 12am; no earlier than 11am	N/A	N/A
Rhapsody's Café	Café	36144941	Limited	No later than 8pm; no earlier than 11am	N/A	N/A
Enoteca (Vino Boutique)	Convenience	33700829	Pre-Retail	No later than 11pm; no earlier than 7am	N/A	N/A
Chubs & Chilly	N/A	36147915	Limited	No later than 1am; no earlier than 8am	N/A	N/A
Zafeera's Fine Malaysian Indian Cuisine	Restaurant	31288342	BYO	No later than 10pm; no earlier than 11am	N/A	N/A
Little Andorra	Bar	31956369	General	No later than 1am; no earlier than 2pm	60	Background music only.
The Thai Classic	Restaurant	32222878	Restaurant and Café	No later than 11pm; no earlier than 7am	172	No live music (or higher than background music level)
Il Carretto Pizza Restaurant	Restaurant	32307767	Restaurant and Café	No later than 12am; no earlier than 12pm	167	No live music (or higher than background music level)
Neighbourhood Wine	Bar	32312178	Restaurant and Café	No later than 12am, no earlier than 11am	99	No live music (or higher than background music level)

SURROUNDING LICENCED VENUE QUEUING ARRANGEMENTS

The queuing arrangements of licenced venues within the Nicholson Village Activity Centre (between Richardson St and Park St) are as follows:

Sibling by Kinfolk - No Queuing Area (footpath if required)

Neighbourhood Wine - No Queuing Area (footpath if required)

L'Osteria - No Queuing Area (footpath if required)

Two Tall Chefs - No Queuing Area (adjacent car park/foopath if required)

iThai Restaurant - No Queuing Area (footpath if required)

Collonial Cellars - N/A

The Empress Hotel - Informal queuing Area on Nicholson St footpath

Cafe Milato - No Queuing Area (footpath if required)

Babajan - Informal queuing Area on Nicholson St / Pigdon St footpath

Happy Inn Restaurant - No Queuing Area (footpath if required)

Afro Hub - Informal queuing Area on Nicholson St footpath

Figs Cafe - No Queuing Area (footpath if required)

Nik@Nicholson - No Queuing Area (footpath if required)

Maria's Coffee House & Deli - No Queuing Area (footpath if required)

Bar Fred - Informal queuing Area on Nicholson St/Scotchmer St footpath (if required)

Handlewell Supermarket - N/A

Boxx Cafe - No Queuing Area (footpath if required)

Railway Hotel - Informal queuing Area on Nicholson St footpath (if required)

It is noted that premises that do not have a queuing area could potentially accommodate a queue of patrons on the footpath in front/to the side of the premises. Though in most cases a queue is unlikely due to the nature of the venue (e.g. Restaurant or Cafe).

The proposed venue includes an informal queuing area on the Nicholson Street footpath to the north of the entrance. Patron queuing is not expected to occur for the proposed venue.

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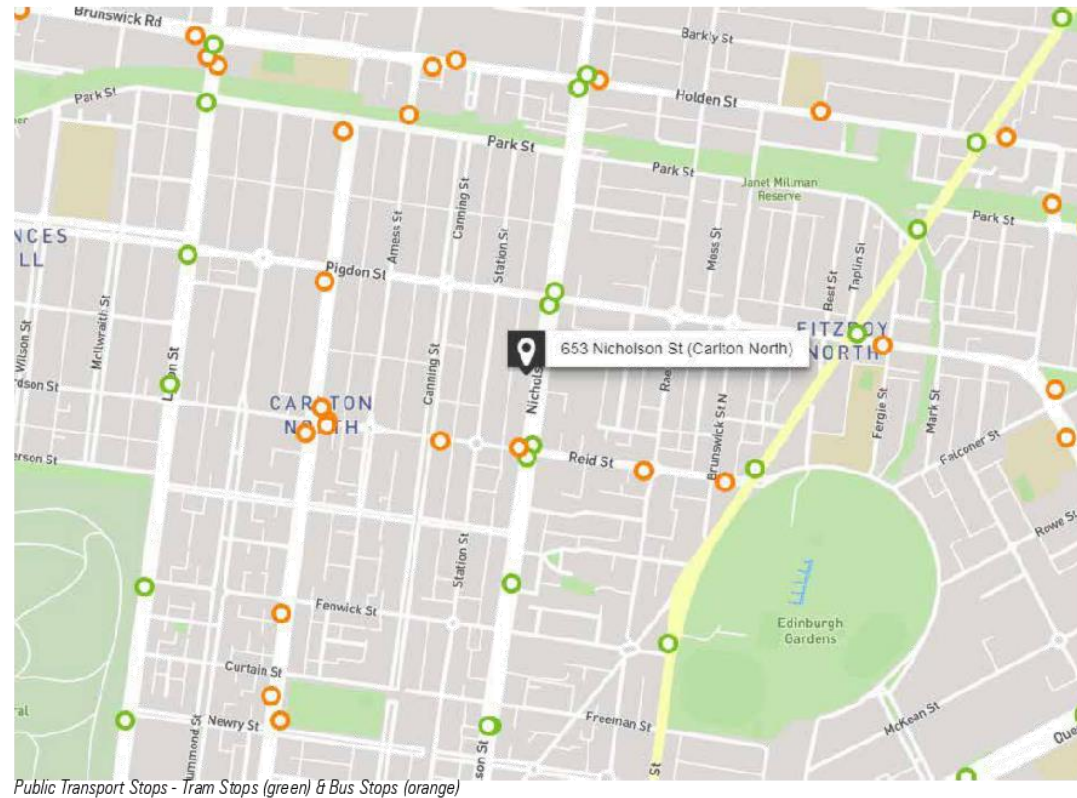
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PUBLIC TRANSPORT ACCESS

The subject site has access to a range of public transport options, including:

- Number 96 tram along Nicholson Street;
- Numbers 1 & 6 tram along Lygon Street;
- Number 11 tram along St Georges Road;
- Number 504 bus along Richardson Street; and
- Numbers 250 & 251 bus along Rathdowne Street.

The range of options will allow patrons to disperse easily and efficiently from the venue after closing. Additionally, it is expected patrons will utilise ride-share apps such as Uber, Ola and DiDi.



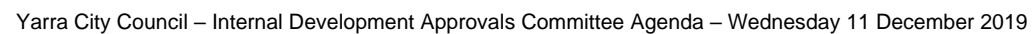
CONCLUSION

It is submitted that the proposed use of land to sell or consume liquor, and the associated buildings and works are suitable for approval for the following reasons:

- The proposal is consistent with the relevant State and local planning policies;
- The proposed use is as-of-right in the Commercial 1 Zone (C1Z).
- The permit triggers are for minor matters, including to use the land to sell or consume liquor, minor buildings and work, and the waiving of one (1) bicycle parking space;
- The proposal is consistent with the purpose and objectives of the Commercial 1 Zone;
- The proposed bar will result in a greater mix of uses in the Nicholson Village activity centre;
- The proposed venue has access to a range of public transport option for patrons; and
- The proposed bar has minimal adverse amenity impacts on surrounding properties.

Accordingly, we respectfully request that Council issue a planning permit for the proposal.





Attachment 4 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Noise and Amenity Action Plan

MOOSA BAR **Noise and Amenity Action Plan** 653 Nicholson Street, North Carlton

Purpose

This Noise and Amenity Action Plan (NAAP) is a necessary management strategy for the operation of the venue 'Moosa Bar' at 653 Nicholson Street, North Carlton. The venue is a bar, located on the ground floor of an existing commercial building. This plan has been prepared to guide and ensure the operation of the licensed premises occurs in a responsible and appropriate manner consistent with council and community expectations.

Venue Layout

Please refer to the Floorplan attached to this document. This layout shows the seating layout and bar location in the venue. Seating is provided as follows:

- Indoor – Seats for approx. 31 patrons
- Rear courtyard – Seats and Tables/Benches for approx. 36 patrons

Operating Hours

The venue will be open earlier than the liquor license allows, in order to provide coffee and snack services from 8am. The venue will operate under the following hours:

Indoor

- Sunday to Thursday – 8am to 11pm
- Friday and Saturday – 8am to 1am the next day

Outdoor

- On any day – 8am to 10pm

Liquor Licence Hours

The venue will operate under a General Liquor License. A general license authorises the licensee to supply liquor on the licensed premises for consumption on or off the licensed premises during the following trading hours:

Indoor

- Sunday to Thursday – 11am to 11pm
- Friday and Saturday – 11am to 1am the next day
- Good Friday & Anzac Day – 12pm to 11pm

Outdoor

- On any day – 11am to 10pm
- Good Friday & Anzac Day – 12pm to 10pm

Music

- Background music will play at all times during the opening hours throughout the venue. However, there will be no music played in the rear courtyard past 10pm on any night.
- Live music will occasionally be played within the indoor area of the venue.

Attachment 4 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Noise and Amenity Action Plan

- Live music performance will largely be limited to solo/duo performances and will utilise the in-house speaker system.
- Live music will not be played past 12am on any day.
- All music will be limited in accordance with the dB requirements of State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2).
- No acoustic attenuation measures are required due to the layout of the venue and the physical characteristics of the building (doors, windows etc.)

How we will manage our patrons

A Venue Manager will be onsite to supervise the venue and staff during all opening hours.

All venue bar staff will be qualified for the Responsible Serving of Alcohol (RSA). The venue requires that all bar staff refresh their knowledge of RSA every two years.

All venue staff will be trained in the following areas:

- *No underage drinking*
Under no circumstances will minors be permitted to enter the venue during trading hours.
Venue staff have the best opportunity to effectively monitor the behaviour of patrons, both within the venue and in the surrounding area. For the above reasons, where venue staff identify a patron either:
 - Nearing intoxication;
 - Being violent;
 - Becoming or appears to be drug affected.
- *Proof of Age:*
Staff will be trained to only accept appropriate evidence of age documents.
- *Refusal of Service*
Staff will be trained to:
 - Be polite when telling a patron they will not be served anymore;
 - Management may offer a non-alcoholic drink. Suggest water, juice or soft drinks;
 - Notify the manager or licensee.
- *Drugs*
We have a zero tolerance policy with regard to trafficking or consuming illicit drugs. Patrons reasonably suspected of consuming or trafficking will be removed from the premises, provided this does not place them in danger.
- *Smoking*
As per Victoria's anti-smoking laws, patrons will not be permitted to smoke indoors or in areas where food is being served. There will be a dedicated smoking area provided in the rear courtyard.

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Venue Maintenance

The venue will be maintained in a safe condition, suitable for occupation by patrons. With that in mind, the venue manager shall ensure that the venue is inspected (and where necessary – equipment tested) on a daily operation basis.

Waste Management

The venue will comply with the terms of the endorsed Waste Management Plan prepared by Leigh Design. The waste collection for the venue will not occur after 10pm on any day, before 7 am Monday to Saturday, or before 9am on a Sunday or public holiday. Additionally, the emptying of bottles into bins in outdoor areas will not occur within the above listed hours.

Patron Numbers

The venue is permitted to allow no more than 100 patrons on the ground floor at any one time, with considerable seating available for patrons. The Venue Manager will ensure that accurate numbers of patrons are maintained in the premises at all times. At the closing of the venue, patrons will be asked to leave the area in order to avoid loitering around the venue.

Patron Dispersal

It is not anticipated that patrons will loiter outside the venue once it closes. Patrons are likely to either go home or travel to venues that are open later. The movement and exit of patrons will be managed by staff, as required.

Group Bookings

In the case of a large group booking, Moosa Bar will be available to be closed to the public. In any other case, groups will be able to book tables, or the outdoor area of the venue.

Pass Outs

Pass outs will only be allowed when a live music event is in progress at the venue. These events may be charged events, depending on the performer and details of the event. These events will occur irregularly.

Minimising Queues

Guests will be greeted by a host inside the venue and will be either seated at a table or offered to wait at the bar while they wait for a table. Queues are not anticipated outside of the venue.

The indicative queuing area outside the venue is indicated on the endorsed architectural plans. In the event of a patron queue forming outside the venue, Moosa Bar management will ensure the queue does not impact the movement of people along the footpath.

Rear Courtyard

The venue includes a licensed outdoor area. This area will be closed at 10pm nightly, in order to respect neighbours, particularly nearby residential properties. At 10pm, patrons will be moved to the front indoor area of the venue in order to reduce noise and potential impacts to neighbours.

The rear courtyard will be utilised (before 10pm) as the designated smoking area for Moosa Bar. After this time, patrons will be asked to smoke at the front of the venue.

Attachment 4 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Noise and Amenity Action Plan

Management of Complaints

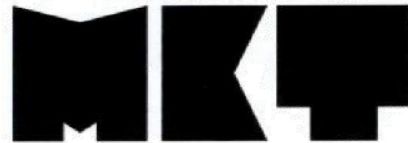
A complaints register kept on the premises will be activated and maintained. The manager on duty will take the complaint and pass on all information to the manager of the venue to appropriately deal with the issue.

Monitor and Review of Procedures

The venue's procedures are intended to be continuously reviewed and refined. Staff are to be regularly trained and briefed in the details of the planning permit, venue management plan, and liquor licence, particularly as part of the induction process.

Attachment 4 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Noise and Amenity Action Plan

Our Ref: Shop Ground Floor 653 Nicholson Street, Carlton North VIC



2 / 603 Keilor Road, Niddrie VIC 3042
P: 03 9379 0009 F: 03 9379 7909 E: office@mktconsultants.com.au
www.mktconsultants.com.au

28 June 2019

Agent: Nick Troung
nick_truong@live.com.au

Dear Sir,

**Re: Ground floor– 653 Nicholson Street, Carlton North VIC
Patron Numbers for Liquor Licence for a Tavern (BCA class 6)**

Upon review of the architectural plans provided, we can confirm the effective floor space available to patrons in the premise is as follows:-

Part of Building:	Floor Area Available to Public (m ²):	Liquor Licence: (calculation of patrons i.e. 0.75m ² per person)
Ground floor	123 m ²	123 ÷ 0.75 = 164
TOTAL:	123 m²	164 People

The following areas are excluded from the above area calculations:

- Bar
- Kitchen area
- Bathrooms

Attachment 4 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Noise and Amenity Action Plan

Occupancy Permit Number

BCA Table D1.13 – Use as Tavern - the maximum number of persons accommodated in the building is 1m² per person

123 m² ÷ 1m² per person = 123 people

BCA F2.3 – Sanitary Facility requirements (number of toilets available within the premises)

	Pans (WC) Provided	Washbasin Provided	Urinal	Disabled WC	Total Occupants
Male	1	1	0	-	50
Female	1	1	-	-	50

Note: Clause F2.3 (d) NCC BCA 2019 Vol 1, allows that employees and the public may share the same facilities in a class 6 building provided that the number of facilities provided is not less than the total number of facilities required for employees plus those required for the public.

BCA D1.6 – Dimension of Exit Width

The minimum unobstructed width of an exit is 1000 mm except for doorways. In this case based on plans submitted the minimum is achieved. Furthermore, the owner must ensure to maintain the unobstructed width of 1000 mm between tables / chairs.

CONCLUSION

Based on the above requirements, in my opinion, the maximum Occupancy Number is **100 people**.

Trusting the above is suitable for your use, if you require any further information please don't hesitate to contact me.

Regards,
MKT BUILDING SURVEYORS PTY LTD



MINH TRAN
Building Surveyor (BS-U 27714)

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report



Acoustics
Vibration
Structural Dynamics

653 NICHOLSON STREET, NORTH CARLTON

Acoustic Report

1 July 2019

Moosa Bar Pty Ltd

MC961-01F01 Acoustic Report (r2).docx



Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

RENZO TONIN & ASSOCIATES

1 JULY 2019

Document details

Detail	Reference
Doc reference:	MC961-01F01 Acoustic Report (r2).docx
Prepared for:	Moosa Bar Pty Ltd
Attention:	Denzel Truong

Document control

Date	Revision history	Non-issued revision	Issued revision	Prepared	Instructed	Authorised
24.06.2019	Draft	0		J.Lee		
25.06.2019	Issued		1	J.Lee	N.Peters	N.Peters
01.07.2019	update		2	N.Peters		N.Peters

Important Disclaimer:

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

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

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

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

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

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

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

MOOSA BAR PTY LTD
MC961-01F01 ACOUSTIC REPORT (R2).DOCX

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653 NICHOLSON STREET, NORTH CARLTON
ACOUSTIC REPORT

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

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Executive summary

Renzo Tonin & Associates has conducted an acoustic assessment for a proposed venue, to be located at 653 Nicholson Street, Carlton North (Subject Site/Venue).

City of Yarra 'Request-for-Further-Information' dated 3 June 2019, regarding the planning application PLN19/0281, contains the following request:

8. Whilst the courtyard is proposed to close at 10pm at all nights, please provide an Acoustic Report prepared by a qualified acoustician in order for Council to determine the potential for any noise disturbance to residents within close proximity to the site;

Renzo Tonin & Associates has reviewed the proposed application and associated supporting materials. The proposed operational details are understood to be:

Predominant activity	Indoors:	Small bar, selling craft alcoholic beverages and bar snacks
	Outdoors:	As above
Provision of music:	Indoors:	Recorded music indoors at background music levels, provided by fixed small scale in-house speakers, solo/duo live music.
	Outdoors:	Recorded music at background music levels until 10pm. After 10pm, no music outside.
Provision of food		Yes
Patron capacities:	Total:	100
	Indoors:	Assumed 43, based on 1 patron per square metre
	Outdoors:	Not more than 57 - based noise assessment
Trading hours:	Indoors:	Friday and Saturday: 8am to 1am the next day Other days: 8am to 11pm
	Outdoors:	Service in rear courtyard area to cease at 10:00pm

The Subject Venue proposes to implement the following noise control measures for noise limit and criteria compliance.

- Whilst typical venue mechanical services are expected to conform with SEPP N-1, the mechanical contractor shall ensure that installed is selected such that it complies with SEPP N-1 at all times
- Outdoors, no recorded background music shall be played after 10pm
- Music noise levels be maintained at *background music* levels, per Clause 5.9A(5) of the Liquor Control Reform Act 1998, (ie. "...a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial degree.")
 - As a guide, music noise, in particular outdoors shall be configured to emit a noise level of L_{eq} 67dB(A) at 1 metre from speakers.

Outdoor speakers are to be located in general accordance with Figure 2
- Music shall be provided via small in-house speakers, selected and controlled so as not to emphasise bass content in the music beyond typical equalisation.
- Windows and doors to areas with music shall be kept closed, except to provide patron access or egress
- Live music, if provided, shall be provided by solo/duo, amplified through the in house sound system only, such that live music noise levels do not exceed background music levels

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- No more than 57 patrons are to occupy the outdoor area at any one time
- Alcohol is not permitted in the outdoor area after 10pm
- After 10pm, whilst patrons shall require to pass through the outdoor area to access toilets, patrons shall be encouraged by management not to linger or group in the outdoor area.
- Patrons in the outdoor queuing area shall be managed by security so as to not generate excessive noise
- The Subject Venue shall provide food on site, and management measures consistent with that required of a tavern with food offerings
- The following typical Noise and Amenity Action Plan control measures should be implemented:
 - Demonstrate incorporation of safe design principles as detailed in the 'Design Guidelines for Licensed Venues (Victorian Commission of Gambling and Liquor Regulation 2017)'.
 - Install appropriate signage throughout the venue and in common areas instructing patrons on expected behaviour, including to minimise levels of noise whilst leaving the premises
 - The maintenance of a complaints register
 - Provide a telephone number to contact the premises, provided on the internet and a notice put on the door and linked to the complaints register
 - Set out procedures to be undertaken by staff in the event of a complaint by a member of the public, the Victoria Police, an 'authorised officer' of Council, or an officer of the Victorian Commission for Gambling and Liquor Regulation
 - Details of training provide for bar staff in the responsible serving of alcohol.
 - Plans for measures to be taken by management and staff to ensure patrons do not cause nuisance or annoyance beyond the land.
- Waste collection shall be conducted in accordance with EPA Publication 1254 'Noise Control Guidelines' and shall not occur after 8pm, and before 7am weekdays or 9am all other days.
- Deliveries shall be conducted in accordance with EPA Publication 1254 'Noise Control Guidelines' and shall not occur after 10pm, and before 7am weekdays or 9am all other days.
- Emptying bottles into bins and glass crushing shall not occur after 10pm, and before 7am weekdays or 9am all other days. Noise enclosures are required for any bottle crushers that are to be used.

With the incorporation of the proposed control measures, Renzo Tonin & Associates expects that the Subject Venue can operate without adverse noise impact on residential amenity in the area.

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

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1 Introduction

Renzo Tonin & Associates was engaged to conduct an acoustic assessment for a proposed venue, to be located at 653 Nicholson Street, Carlton North (Subject Site/Venue).

City of Yarra 'Request-for-Further-Information' dated 3 June 2019, regarding the planning application PLN19/0281, contains the following request:

8. Whilst the courtyard is proposed to close at 10pm at all nights, please provide an Acoustic Report prepared by a qualified acoustician in order for Council to determine the potential for any noise disturbance to residents within close proximity to the site;

We understand that the proposed operating conditions are as follows:

Predominant activity	Indoors:	Small bar, selling craft alcoholic beverages and bar snacks
	Outdoors:	As above
Provision of music:	Indoors:	Recorded music indoors at background music levels, provided by fixed small scale in-house speakers, solo/duo live music.
	Outdoors:	Recorded music at background music levels until 10pm. After 10pm, no music outside.
Provision of food		Yes
Patron capacities:	Total:	100
	Indoors:	Assumed 43, based on 1 patron per square metre
	Outdoors:	Not more than 57 - based noise assessment
Trading hours:	Indoors:	Friday and Saturday: 8am to 1am the next day Other days: 8am to 11pm
	Outdoors:	Service in rear courtyard area to cease at 10:00pm

The work documented in this report was carried out in accordance with the Renzo Tonin & Associates Quality Assurance System, which is based on Australian Standard / NZS ISO 9001. Appendix A contains a glossary of acoustic terms used in this report.

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2 Site overview

Table 1: Land uses surrounding the subject site

Subject Site	<p>653 Nicholson Street</p> <ul style="list-style-type: none"> Commercial 1 Zone (C1Z) Two-storey commercial building Rear of Subject site: Roller door approximately 2.8 metres in height Subject Venue
North of Subject Site	<p>655-657 Nicholson Street</p> <ul style="list-style-type: none"> Commercial 1 Zone (C1Z) Two-storey commercial building Ground floor: Handweavers & Spinners Guild of Victoria Level 1: Lean for Life 24-7 Gym
East of the Subject Site	<p>Nicholson Street</p> <ul style="list-style-type: none"> Commercial 1 Zone (C1Z) Four lanes, 50km/h Tram line, Route 96 <p>650 Nicholson Street</p> <ul style="list-style-type: none"> Mixed Use Zone (MUZ) Four-storey mixed-use building Ground floor: cafe and commercial First floor to third floor: residential dwellings Approximately 29 metres from Subject venue, across Nicholson Street
South of the Subject Site	<p>651 Nicholson Street</p> <ul style="list-style-type: none"> Commercial Zone (CRZ1) Two-storey commercial premises Ground floor: Restaurant & café Level 1: Storage
West of the Subject Site	<p>532 Station Street</p> <ul style="list-style-type: none"> Neighbourhood Residential Zone 1 (NRZ1) Single storey residential building Rear of 532 station street: Roller door approximately 2.8 metres in height Separated from the Subject Site by laneway, approximately 4 metres across Worst affected receiver location

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Figure 1: Site overview



WDCSA RRP Pty Ltd
VIC951-0121 Acoustic Report (R01).DOCX

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3 Existing noise environment

Renzo Tonin & Associates has conducted measurements of noise levels in the area, at locations described in Table 2 and shown in Figure 1. Appendix B presents noise monitor result graphs.

Table 2: Environmental noise measurements

ID	Location	Details
M1	165 Rae Street: south boundary	<ul style="list-style-type: none"> Monitoring period: Friday 13th to Friday 20th July 2018 The microphone was set up 4.5 metres above ground level The monitor was set to record broadband and spectral noise descriptors, and audio to assist in source recognition
M2	Playground Garden, abutting 303 Park Street	<ul style="list-style-type: none"> Monitoring duration: Tuesday 24th May to Tuesday 3rd March 2015 Microphone was protruded from window of first floor of building The monitor was set to record broadband and spectral noise descriptors, and audio to assist in source recognition
M3	Rear laneway abutting 653 Nicholson Street (Subject Venue)	<ul style="list-style-type: none"> Attended measurement: Wednesday 19th June 2019 The microphone was set up 1.5 metres above ground level The monitor was set to record broadband and spectral noise descriptors, and audio to assist in source recognition

Notes: Three NTI-XL2 Class 1 noise monitors were used for the campaign. The calibration of the devices was checked in the field immediately before and after the measurement using a Brüel & Kjær Type 4231 calibrator; no drift in calibration was observed. The noise monitors conform with IEC 61672-3:2013 and IEC 61260-3:2016; the sound calibrator conforms with IEC 60942:2017; and, all carry manufacturers certification or NATA certification detailing Standard conformance testing within the last two years and one year respectively.

Table 3: Period average background noise levels

Location	Period average background noise level, L_{90} dB(A)		
	Day	Evening	Night
M1	49	49	43
M2	46	46	39
M3	-	-	-

Period Definitions: Day: 7am-6pm; Evening: 6-10pm; Night: 10pm-7am.

Notes: Period average background levels for each period, over the duration of monitoring.

Table 4 below presents relevant background noise measurements.

Table 4: Background noise measurement summary

Description	Background noise level L_{90} dB, at frequency band (Hz):							
	dB(A)	63	125	250	500	1k	2k	4k
M1, 165 Rae Street: south boundary								
Monday 16 July 2018, 11:15-11:30pm	42	47	44	41	38	37	30	18
Saturday 14 July 2018, 00:45-01:00pm	43	48	46	43	40	37	28	15
M2, Playground Garden, abutting 303 Park Street								
Saturday 28th February 2015, 01:15-1:30am	36	46	43	35	32	30	25	18
Monday 2nd March 2015, 11:15-11:30pm	36	46	44	36	32	31	26	18

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Description	Background noise level L_{50} dB, at frequency band (Hz):							
	dB(A)	63	125	250	500	1k	2k	4k
Monday 2nd March 2015, 10:00-10:15pm	39	48	46	40	35	35	30	22
M3, Rear of 653 Nicholson Street (Subject Site)								
Wednesday 19th June 2019, 9:00pm-9:15pm	38	42	42	37	33	32	26	18
Wednesday 19th June 2019, 10:43am-10:58am	39	43	44	38	35	33	27	18

3.1 Noise source measurements

The following noise source measurements have been referred to in this assessment

Table 5: Typical mechanical services noise levels

Description	Noise level L_{eq} dB(A) at distance
Kitchen exhaust fan	68 dB(A) at 1 metre
Three refrigeration compressors side by side	65 dB(A) at 1 metre
Toilet exhaust fan	57 dB(A) at 0.5 metres
Outdoor air conditioner cassette	60 dB(A) at 1 metre

Notes: Proposed mechanical services are yet to be installed at the Subject Site. As such the above previously measured noise levels have been referred to, from a similar venue.

Table 6: Patron sound power levels: YPS Amendment GC37 (C/- Marshall Day)

Area use category	Average sound power level per patron, $L_{W,eq}$ dB(A)	Maximum sound power level from 2 patrons shouting $L_{W,max}$ dB(A)	Area use definition
Vertical drinking ('worst-case' crowd)	88	104 (does not scale with patron number)	Standing patrons drinking and talking. Focus of activity on drinking and socialising.
Taverns with significant food offerings	83	104 (does not scale with patron number)	Predominantly seated patrons, drinking, dining and talking. Focus of activity on drinking, whilst dining and socialising.
Restaurant dining	78	98 (does not scale with patron number)	Seated patrons, drinking, dining and talking. Focus of activity on dining and socialising.
Small smoking areas, <40 patrons	73	98 (does not scale with patron number)	Patrons using area for smoking. Focus of activity on smoking rather than socialising (data also includes outdoor areas with alcohol consumption).

Notes: Acoustic consultants in Melbourne have measured patron noise levels from numerous venues at varying distances and under various operational conditions with a significant degree of variation in results.

As part of acoustic evidence for Yarra Planning Scheme Amendment GC73, Marshall Day Acoustics presented the following commentary regarding patron noise for the purpose of predicting noise levels from external patron areas (quotations in grey, understood paraphrase or comments in black). Renzo Tonin & Associates has measured noise levels consistent with these.

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Area use category	Average sound power level per patron, $L_{w,eq}$ dB(A)	Maximum sound power level from 2 patrons shouting $L_{w,max}$ dB(A)	Area use definition
	Sound power levels appear to be generally referenced from Lazarus, H 1986, "Prediction of verbal communication in noise – a review: Part 1", Applied Acoustics, vol. 19, pp., as cited in 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.		
$L_{w,eq}$	Scaled as 3 dB per doubling/halving of patron numbers, assuming that at any one time, two patrons will be listening quietly for every patron talking (Per Figure from MDA Evidence)		
$L_{w,max}$	Maximum sound power level from two patrons shouting simultaneously, facing in opposite directions such that noise emissions may be modelled as omnidirectional. This sound power level does not scale with patron number.		

4 Criteria

4.1 SEPP N-1 commercial noise legislation

Within the Melbourne metropolitan region, noise from commercial plant affecting residential properties is governed by the Victorian EPA *State Environmental Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1* (SEPP N-1); which is legislated by way of the *Environment Protection Act 1970*. SEPP N-1 noise limits are calculated from planning overlays and background noise levels measured within an area in absence of intrusive commercial noise sources. Table 7 presents the applicable noise limits.

Table 7: SEPP N-1 criteria

Period	SEPP N-1 limit L_{eq} dB(A)			
Day	55			
Evening	48			
Night	43			
Period:	Day:	Weekdays 7am - 6pm;	Saturdays 7am - 1pm;	Sundays NA
Definitions:	Evening:	Weekdays 6pm - 10pm;	Saturdays 1pm - 10pm;	Sundays 7am - 10pm;
	Night:	All days 10pm - 7am		
Notes:	1. The day, evening and night noise limit have been determined using neutral background noise methodology.			

The applicable location of assessment is summarised below. Assessment is conducted of noise impacts over a 30 minute period.

	External assessment location	Internal assessment location
Assessment location	Outside a dwelling, at locations where impact on normal domestic activities (in particular sleep during night) may occur.	Inside habitable rooms of applicable premises, with windows and doors closed.
Reason for measuring at this location	All instances except...	... Where an outdoor assessment does not represent the noise impact within the habitable room. A +15dB adjustment is applied for indoor assessments

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4.2 SEPP N-2 music noise legislation

Music noise emissions from public premises are controlled and assessed in accordance with *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2* (SEPP N-2), which is legislated by way of the *Environmental Protection Act 1970*. The goal of SEPP N-2 is to

... protect residents from levels of music noise that may affect the beneficial uses ... in particular, sleep in the night period... while recognising the community demand for a wide range of musical entertainment.

SEPP N-2 applies the following noise limits for indoor venues:

Indoor venues

- For the day/evening period: Music noise L_{eq} dB(A) shall not exceed the background noise $L_{90} + 5$ dB(A)
- For the night period: Music noise L_{OCT10} dB shall not exceed the background noise $L_{OCT90} + 8$ dB

The night time criteria are generally more stringent than those applied during the day/evening periods; in particular at bass frequencies. Therefore, compliance with night period criteria generally indicate compliance with the day and evening period criteria.

The applicable location of assessment is summarised below. Assessment is conducted of noise impacts over a 15 minute period.

	Internal assessment location	External assessment location
Reason for measuring at this location	Where an outdoor measurement does not represent the noise exposure within the habitable room	All other instances
Day /evening	Inside a habitable room	Outside, near a habitable room
Night	Inside a room used for the purposes of sleep	Outside a room used for the purposes of sleep

Noise limits derived from the measured background noise levels are presented below.

Table 8: SEPP N-2 day/evening music noise limits

Description	Background noise level, L_{90} dB(A)	SEPP N-2 limit, L_{eq} dB(A)
Day, until 6pm	46	+5 = 51
Evening	38	+5 = 43

Period Definitions: For venues that operate more than three times a week, the day/evening periods are defined as:
Saturdays 10am – 10pm; Sundays 12noon – 9pm; Other 9am – 10pm

Notes:

- Background noise levels from Table 3 and Table 4

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Table 9: SEPP N-2 night music noise limits

Description	Noise level, at frequency band (Hz):						
	63	125	250	500	1k	2k	4k
Background L_{ocn} dB, 9-to-11pm	42	42	37	33	32	26	18
	+8=	+8=	+8=	+8=	+8=	+8=	+8=
SEPP N-2 limit, L_{ocn} dB, 9-to-11pm	50	50	45	41	40	34	26
Background L_{ocn} dB, to 1am Friday and Saturday	42	42	35	32	30	25	18
	+8=	+8=	+8=	+8=	+8=	+8=	+8=
SEPP N-2 limit, L_{ocn} dB, to 1am Friday and Saturday	50	50	43	40	38	33	26

Period Definitions: For indoor venues that operate more than three times a week, the day/evening periods are defined as follows:

Saturdays 10am – 10pm; Sundays 12am – 9pm; Other 9am – 10pm

Night is defined as all other times

Notes: Background noise levels from Table 4

4.2.1 Background music noise

The term background music noise is defined by Clause S.9A(5) of the Liquor Control Reform Act 1998, which states:

...background music level, in relation to premises, means a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial degree.

Generally, noise levels from speaker configurations set up to achieve background music levels indoors will achieve compliance with stated SEPP N-2 limits.

4.3 Criteria for patron noise

There are currently no legislated policies or guidelines in Victoria for the control or assessment of noise from patrons at venues. However following from Planning Panel and VCAT precedents, Amendment GC73 to the Yarra Planning Scheme 37.01 *Special Use Zone* set out the following criteria for patron noise:

2.0 Use of land

Management of Noise

The use of land must be managed so as to limit noise in accordance with the following Patron Noise Criteria:

For LAeq noise levels, the less stringent of the following:

- a. If noise is assessed external to a Noise Sensitive Building, noise emissions must comply with the following patron noise design targets: (nb. average outdoor patron noise targets)
 - Day period (from 0700 to 1800) – 50 dB or background noise (LA90) + 10 dB, whichever is higher.
 - Evening period (from 1800 to 2200) – 45 dB or background noise (LA90) + 10 dB, whichever is higher.
 - Night period (from 2200 to 0700) – 40 dB or background noise (LA90) + 5 dB, whichever is higher.
- b. If noise is assessed internal to a Noise Sensitive Building, noise emissions must achieve the lower of the design sound level range for (whichever is relevant) houses and apartments in inner city areas, entertainment districts, or near major roads, as provided in Australian Standard AS2107:2016 'Acoustics—Recommended design sound levels and reverberation times for building interiors'

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- o For L_{max} noise levels, during the hours of 10pm-7am: (nb. maximum patron noise targets)
'Sleep Disturbance Criteria', being a noise level of 55dB L_{max} , assessed inside a habitable room of a Noise Sensitive Building normally used for the purpose of sleeping.

The above criteria were derived from:

- Average outdoor patron noise targets developed by Marshall Day Acoustics (MDA), where (paraphrasing MDA commentary):
 - Target exceedance up to 2 dB have no likely impact
 - Target exceedance of 3-to-5 dB has possibility of impact: Provisions for managerial and engineering controls may be appropriate
 - Target exceedance of 6-to-8 dB has strong possibility of impact: Provisions for managerial and engineering controls should be incorporated
 - Target exceedance more than 8 dB will result in noise impacts: major changes to the design and/or operation of the proposed outdoor area will be required
- Average indoor noise targets based on *Australian Standard AS2107:2016 'Acoustics— Recommended design sound levels and reverberation times for building interiors.'* This document sets a target of L_{eq} 35 dB(A) within habitable rooms of houses near major roads or entertainment districts
- Maximum (or event peak) noise targets based on a survey of studies on sleep disturbance documented in NSW EPA document *Environmental Criteria for Road Traffic Noise, 1999* (ECRTN) and the subsequent New South Wales Office of Environment and Heritage *Road Noise Policy, March 2011* (RNP) – these documents set a target of L_{max} 50-55 dB(A)

When a window to a room is open (such as might be required for natural ventilation during the night), it is commonly accepted that the noise level inside the room due to external sources would be 10dB(A) lower than the noise level outside the room.

To summarise, the applicable criteria for the Subject Venue are presented in Table 10 below. These have been adopted as targets for patron noise. A 15-minute duration is considered appropriate for assessment over. Note that the following limits are based on background noise levels collected on the Bell Street side of the development as these provide the more stringent noise goals.

Table 10: Patron noise targets

Noise type	Period	Criterion
Average patron noise level	Day	L_{eq} 56 dB(A) outside (nb. $L_{90}46 + 10 = 56$)
	Evening	L_{eq} 48 dB(A) outside (nb. $L_{90}38 + 10 = 48$)
	Night, to 11pm	L_{eq} 43 dB(A) outside (nb. $L_{90}38 + 5 = 43$)
	Night, to 1am Fri and Sat	L_{eq} 41 dB(A) outside (nb. $L_{90}36 + 5 = 41$)
Maximum (or event peak) patron noise level	Night:	L_{max} 50-55 dB(A) inside a bedroom
		or L_{max} 60-65 dB(A) outside an open bedroom window
Period Definitions: Day: 7am - 6pm; Evening: 6pm - 10pm; Night: 10pm - 7am		

4.4 Deliveries to- and waste collection from retail tenancies

EPA Victoria Publication 1254 *Noise Control Guidelines* provides the following guidelines to mitigate the impact of deliveries and waste collection on residential amenity.

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4.4.1 Deliveries

EPA Victoria Publication 1254 *Noise Control Guidelines* provides the following guidelines for deliveries:

Schedule: Deliveries to shops, supermarkets & service stations

- 7 am — 10 pm Monday to Saturday
- 9 am — 10 pm Sundays and public holidays

(Outside these hours)... deliveries should be inaudible in a habitable room of any residential premises ... regardless of whether any door or window ... is open

4.4.2 Waste collection

EPA Victoria Publication 1254 *Noise Control Guidelines* provides the following guidelines for waste collection:

- Refuse bins should be located at sites that provide minimal annoyance to residential premises.
- Compaction should be carried out while the vehicle is moving
- Noisy verbal communication between operators should be avoided where possible.

The following times are recommended for waste collection:

One collection per week

- 6:30 am - 8 pm Monday to Saturday
- 9 am - 8 pm Sunday and public holidays

Two or more collections per week

- 7 am - 8 pm Monday to Saturday
- 9 am - 8 pm Sunday and public holidays

4.4.3 Glass disposal

EPA Publication 1254 *'Noise Control Guidelines'* does not provide explicit guidance for disposal of glass. However, Yarra Planning Scheme 22.09 provides the following best practice guidance:

- The layout and design of new licensed premises incorporate safe design principles as detailed in the *Design Guidelines for Licensed Venues* (Victorian Commission of Gambling and Liquor Regulation 2017).
- Waste management and storage is provided on-site, and noise enclosures are provided where bottle crushers are to be used.
- Deliveries to and waste collection from a licensed premises should not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday except for those allowed under any relevant local law.
- Emptying bottles into bins in outdoor areas should not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday.

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5 Noise impact assessment

5.1 Noise propagation model

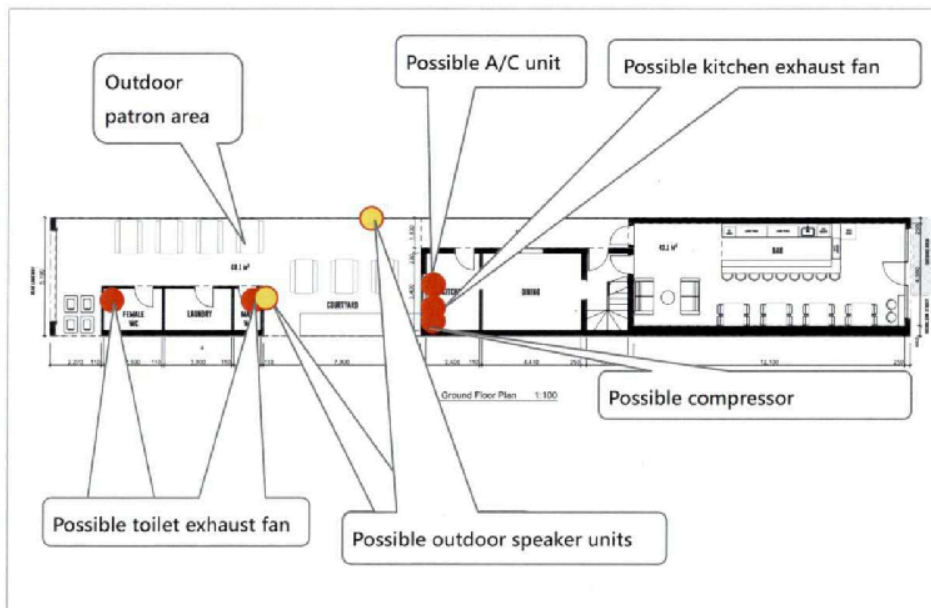
A CadnaA three-dimensional noise model, implementing ISO 9613 noise propagation algorithms was built, to calculate noise propagation from the Subject venue to surrounding residential premises.

The built form of the Subject venue and surrounding dwellings were integrated into the model. The following propagation effects were included in the predictive model:

- Mitigation of noise with distance, including geometrical spreading and air absorption
- Reflections from buildings and environment
- Barrier effects due to obstructions between noise sources and residential receivers
- Ground absorption effects where appropriate
- Local topography

There are currently no operational mechanical services or speakers on site. As such Renzo Tonin & Associates has made the following assumptions about possible locations of these, in Figure 2. These noise sources shall be located no nearer to dwellings to the west than shown.

Figure 2: Assumed locations of possible noise sources



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5.2 Mechanical services noise assessment

Table 11 presents the results from the noise modelling and compares them to SEPP N-1 noise criteria. As shown, noise levels from typical mechanical services are expected to conform with SEPP N-1 noise criteria

Table 11: Noise assessment for typical mechanical services

Noise source	Predicted noise level L_{eq} dB(A) at 532 Station Street	Complies with SEPP N-1 ?		
		Day, 55 dB(A)	Evening, 48 dB(A)	Night, 43 dB(A)
Combined mechanical services noise levels	38	✓	✓	✓
Notes: <ul style="list-style-type: none"> • Paths/locations of noise sources described in Figure 2 				

Renzo Tonin & Associates recommend that the following control measure is employed:

- The mechanical contractor shall ensure that installed is selected such that it complies with SEPP N-1 at all times.

5.3 Music noise

The Subject Venue is proposed to operate under the following conditions:

Provision of music:	Indoors:	Recorded music indoors at background music levels, provided by fixed small scale in-house speakers, solo/duo live music.
	Outdoors:	Recorded music at background music levels until 10pm. After 10pm, no music outside.

The term *background music* is defined by Clause S.9A(5) of the Liquor Control Reform Act 1998, which states:

"...background music level, in relation to premises, means a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial degree."

Noise levels from speaker configurations set up to achieve background music levels indoors are expected to achieve compliance with stated SEPP N-2 limits, in particular with windows and doors closed at night. Note that the Subject Venue already possesses an effective airlock between the main bar area and the outdoor courtyard.

Table 12 presents the results from the music noise predictions and compares them to SEPP N-2 noise criteria established in Section 4.2.

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Table 12: Predicted music noise levels from outdoor speakers (L_{eq} 67 dB(A) at 1 metre)

Receiver location	Time period		dB(A)	Octave band centre frequency - Hz (dBZ)						
				63	125	250	500	1k	2k	4k
532 Station Street	Day/Evening	Predicted noise level, L_{eq}	30	-	-	-	-	-	-	-
		Noise limit, L_{eq}	43	-	-	-	-	-	-	-
		Compliance (✓/X)	✓							
	Night	Predicted noise level, L_{10}	-	39	38	36	30	28	25	22
		Noise limit, L_{10}	-	50	50	45	41	40	34	26
		Compliance (✓/X)		✓	✓	✓	✓	✓	✓	✓

Notes: * Worst affected receiver location presented.

Music noise levels are predicted to comply with SEPP N-2 criteria at the identified noise sensitive receiver location.

Renzo Tonin & Associates recommends the Subject Venue employs the following management measures to assist with maintaining ongoing conformance with SEPP N-2:

- Outdoors, no recorded background music shall be played after 10pm
- Music noise levels be maintained at *background music* levels, per Clause 5.9A(5) of the Liquor Control Reform Act 1998, (ie. "...a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial degree.")
 - As a guide, music noise, in particular outdoors shall be configured to emit a noise level of L_{eq} 67dB(A) at 1 metre from speakers.
 - Outdoor speakers are to be located in general accordance with Figure 2
- Music shall be provided via small in-house speakers, selected and controlled so as not to emphasise bass content in the music beyond typical equalisation.
- Windows and doors to areas with music shall be kept closed, except to provide patron access or egress
- Live music, if provided, shall be provided by solo/duo, amplified through the in house sound system only, such that live music noise levels do not exceed background music levels

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5.4 Patron noise

Table 13 presents the results from the patron noise predictions and compares them to night-time noise targets determined in accordance with criteria presented in Section 4.3.

Table 13: Predicted patron noise levels

Receiver location	Predicted noise level	Criterion	Conformance (✓/X)
Evening noise assessment			
Assuming 57 patrons outdoors with noise levels per tavern with food offering			
532 Station Street dwelling	L_{eq} 48 dB(A)	L_{eq} 48 dB(A)	✓
Night noise assessment,			
Assuming, outdoor area closed with no alcohol permitted, assuming 10 incidental patrons smoking			
532 Station Street dwelling	L_{eq} 32 dB(A)	L_{eq} 41 dB(A)	✓
532 Station Street dwelling	L_{max} 52 dB(A)	L_{max} 60-65 outside a bedroom window	✓
r2 1 July 2019 update: night noise assessment of recently added east outdoor queueing area assuming 10 incidental patrons controlled by security (noise emissions per smoking area)			
650 Nicholson Street	L_{eq} 41 dB(A)	L_{eq} 41 dB(A)	✓
650 Nicholson Street	L_{max} 60 dB(A)	L_{max} 60-65 outside a bedroom window	✓

Patron noise levels are predicted to comply with the nominated noise criteria at the identified noise sensitive receiver locations, with appropriate noise management measures, detailed following:

- No more than 57 patrons are to occupy the outdoor area at any one time
- Alcohol is not permitted in the outdoor area after 10pm
- After 10pm, whilst patrons shall require to pass through the outdoor area to access toilets, patrons shall be encouraged by management not to linger or group in the outdoor area.
- Patrons in the outdoor queueing area shall be managed by security so as to not generate excessive noise
- The Subject Venue shall provide food on site, and management measures consistent with that required of a tavern with food offerings
- The following typical Noise and Amenity Action Plan control measures should be implemented:
 - Demonstrate incorporation of safe design principles as detailed in the 'Design Guidelines for Licensed Venues (Victorian Commission of Gambling and Liquor Regulation 2017)';
 - Install appropriate signage throughout the venue and in common areas instructing patrons on expected behaviour, including to minimise levels of noise whilst leaving the premises
 - The maintenance of a complaints register
 - Provide a telephone number to contact the premises, provided on the internet and a notice put on the door and linked to the complaints register
 - Set out procedures to be undertaken by staff in the event of a complaint by a member of the public, the Victoria Police, an 'authorised officer' of Council, or an officer of the Victorian Commission for Gambling and Liquor Regulation
 - Details of training provide for bar staff in the responsible serving of alcohol.
 - Plans for measures to be taken by management and staff to ensure patrons do not cause nuisance or annoyance beyond the land.

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5.5 Activity scheduling

Renzo Tonin & Associates recommends that venue maintenance activities be scheduled in accordance with the following, per Section 4.4

- Waste collection shall be conducted in accordance with EPA Publication 1254 'Noise Control Guidelines' and shall not occur after 8pm, and before 7am weekdays or 9am all other days.
- Deliveries shall be conducted in accordance with EPA Publication 1254 'Noise Control Guidelines' and shall not occur after 10pm, and before 7am weekdays or 9am all other days.
- Emptying bottles into bins and glass crushing shall not occur after 10pm, and before 7am weekdays or 9am all other days. Noise enclosures are required for any bottle crushers that are to be used.

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6 Conclusion

Renzo Tonin & Associates has conducted an acoustic assessment for a proposed venue, to be located at 653 Nicholson Street, Carlton North (Subject Site/Venue).

City of Yarra 'Request-for-Further-Information' dated 3 June 2019, regarding the planning application PLN19/0281, contains the following request:

8. *Whilst the courtyard is proposed to close at 10pm at all nights, please provide an Acoustic Report prepared by a qualified acoustician in order for Council to determine the potential for any noise disturbance to residents within close proximity to the site;*

Renzo Tonin & Associates has reviewed the proposed application and associated supporting materials. The proposed operational details are understood to be:

Predominant activity	Indoors:	Small bar, selling craft alcoholic beverages and bar snacks
	Outdoors:	As above
Provision of music:	Indoors:	Recorded music indoors at background music levels, provided by fixed small scale in-house speakers, solo/duo live music.
	Outdoors:	Recorded music at background music levels until 10pm. After 10pm, no music outside.
Provision of food		Yes
Patron capacities:	Total:	100
	Indoors:	Assumed 43, based on 1 patron per square metre
	Outdoors:	Not more than 57 - based noise assessment
Trading hours:	Indoors:	Friday and Saturday: 8am to 1am the next day Other days: 8am to 11pm
	Outdoors:	Service in rear courtyard area to cease at 10:00pm

The Subject Venue proposes to implement the following noise control measures for noise limit and criteria compliance.

- Whilst typical venue mechanical services are expected to conform with SEPP N-1, the mechanical contractor shall ensure that installed is selected such that it complies with SEPP N-1 at all times
- Outdoors, no recorded background music shall be played after 10pm
- Music noise levels be maintained at *background music* levels, per Clause 5.9A(5) of the Liquor Control Reform Act 1998, (i.e. "...a level that enables patrons to conduct a conversation at a distance of 600 millimetres without having to raise their voices to a substantial degree.")
 - As a guide, music noise, in particular outdoors shall be configured to emit a noise level of L_{eq} 67dB(A) at 1 metre from speakers.
 - Outdoor speakers are to be located in general accordance with Figure 2
- Music shall be provided via small in-house speakers, selected and controlled so as not to emphasise bass content in the music beyond typical equalisation.
- Windows and doors to areas with music shall be kept closed, except to provide patron access or egress
- Live music, if provided, shall be provided by solo/duo, amplified through the in house sound system only, such that live music noise levels do not exceed background music levels

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- No more than 57 patrons are to occupy the outdoor area at any one time
- Alcohol is not permitted in the outdoor area after 10pm
- After 10pm, whilst patrons shall require to pass through the outdoor area to access toilets, patrons shall be encouraged by management not to linger or group in the outdoor area.
- Patrons in the outdoor queuing area shall be managed by security so as to not generate excessive noise
- The Subject Venue shall provide food on site, and management measures consistent with that required of a tavern with food offerings
- The following typical Noise and Amenity Action Plan control measures should be implemented:
 - Demonstrate incorporation of safe design principles as detailed in the 'Design Guidelines for Licensed Venues (Victorian Commission of Gambling and Liquor Regulation 2017)'.
 - Install appropriate signage throughout the venue and in common areas instructing patrons on expected behaviour, including to minimise levels of noise whilst leaving the premises
 - The maintenance of a complaints register
 - Provide a telephone number to contact the premises, provided on the internet and a notice put on the door and linked to the complaints register
 - Set out procedures to be undertaken by staff in the event of a complaint by a member of the public, the Victoria Police, an 'authorised officer' of Council, or an officer of the Victorian Commission for Gambling and Liquor Regulation
 - Details of training provide for bar staff in the responsible serving of alcohol.
 - Plans for measures to be taken by management and staff to ensure patrons do not cause nuisance or annoyance beyond the land.
- Waste collection shall be conducted in accordance with EPA Publication 1254 'Noise Control Guidelines' and shall not occur after 8pm, and before 7am weekdays or 9am all other days.
- Deliveries shall be conducted in accordance with EPA Publication 1254 'Noise Control Guidelines' and shall not occur after 10pm, and before 7am weekdays or 9am all other days.
- Emptying bottles into bins and glass crushing shall not occur after 10pm, and before 7am weekdays or 9am all other days. Noise enclosures are required for any bottle crushers that are to be used.

With the incorporation of the proposed control measures, Renzo Tonin & Associates expects that the Subject Venue can operate without adverse noise impact on residential amenity in the area.

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APPENDIX A Glossary of terminology

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

Ambient noise	The all-encompassing noise associated within a given environment at a given time, usually composed of sound from all sources near and far.
Background noise	Background noise is the term used to describe the underlying level of noise present in the ambient noise, measured in the absence of the noise under investigation, when extraneous noise is removed. It is described as the average of the minimum noise levels measured on a sound level meter and is measured statistically as the A-weighted noise level exceeded for ninety percent of a sample period. This is represented as the L90 noise level (see below).
Decibel [dB]	The units that sound is measured in. The following are examples of the decibel readings of every day sounds: 0dB The faintest sound we can hear 30dB A quiet library or in a quiet location in the country 45dB Typical office space. Ambience in the city at night 60dB CBD mall at lunch time 70dB The sound of a car passing on the street 80dB Loud music played at home 90dB The sound of a truck passing on the street 100dB The sound of a rock band 120dB Deafening
dB(A)	A-weighted decibels. The A-weighting noise filter simulates the response of the human ear at relatively low levels, where the ear is not as effective in hearing low frequency sounds as it is in hearing high frequency sounds. That is, low frequency sounds of the same dB level are not heard as loud as high frequency sounds. The sound level meter replicates the human response of the ear by using an electronic filter which is called the "A" filter. A sound level measured with this filter switched on is denoted as dB(A). Practically all noise is measured using the A filter.
dB(C)	C-weighted decibels. The C-weighting noise filter simulates the response of the human ear at relatively high levels, where the human ear is nearly equally effective at hearing from mid-low frequency (63Hz) to mid-high frequency (4kHz), but is less effective outside these frequencies.
Frequency	Frequency is synonymous to pitch. Sounds have a pitch which is peculiar to the nature of the sound generator. For example, the sound of a tiny bell has a high pitch and the sound of a bass drum has a low pitch. Frequency or pitch can be measured on a scale in units of Hertz or Hz.
L _{Max}	The maximum sound pressure level measured over a given period.
L ₁₀	The sound pressure level that is exceeded for 10% of the time for which the given sound is measured.
L ₉₀	The level of noise exceeded for 90% of the time. The bottom 10% of the sample is the L90 noise level expressed in units of dB(A).
L _{eq}	The "equivalent noise level" is the summation of noise events and integrated over a selected period of time.
Sound	A fluctuation of air pressure which is propagated as a wave through air.
Sound level meter	An instrument consisting of a microphone, amplifier and indicating device, having a declared performance and designed to measure sound pressure levels.
Sound pressure level	The level of noise, usually expressed in decibels, as measured by a standard sound level meter with a microphone.
Sound power level	Ten times the logarithm to the base 10 of the ratio of the sound power of the source to the reference sound power.

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APPENDIX B Noise monitor results

MOOSA BAR PTY LTD
MC961-01F01 ACOUSTIC REPORT (R2).DOCX

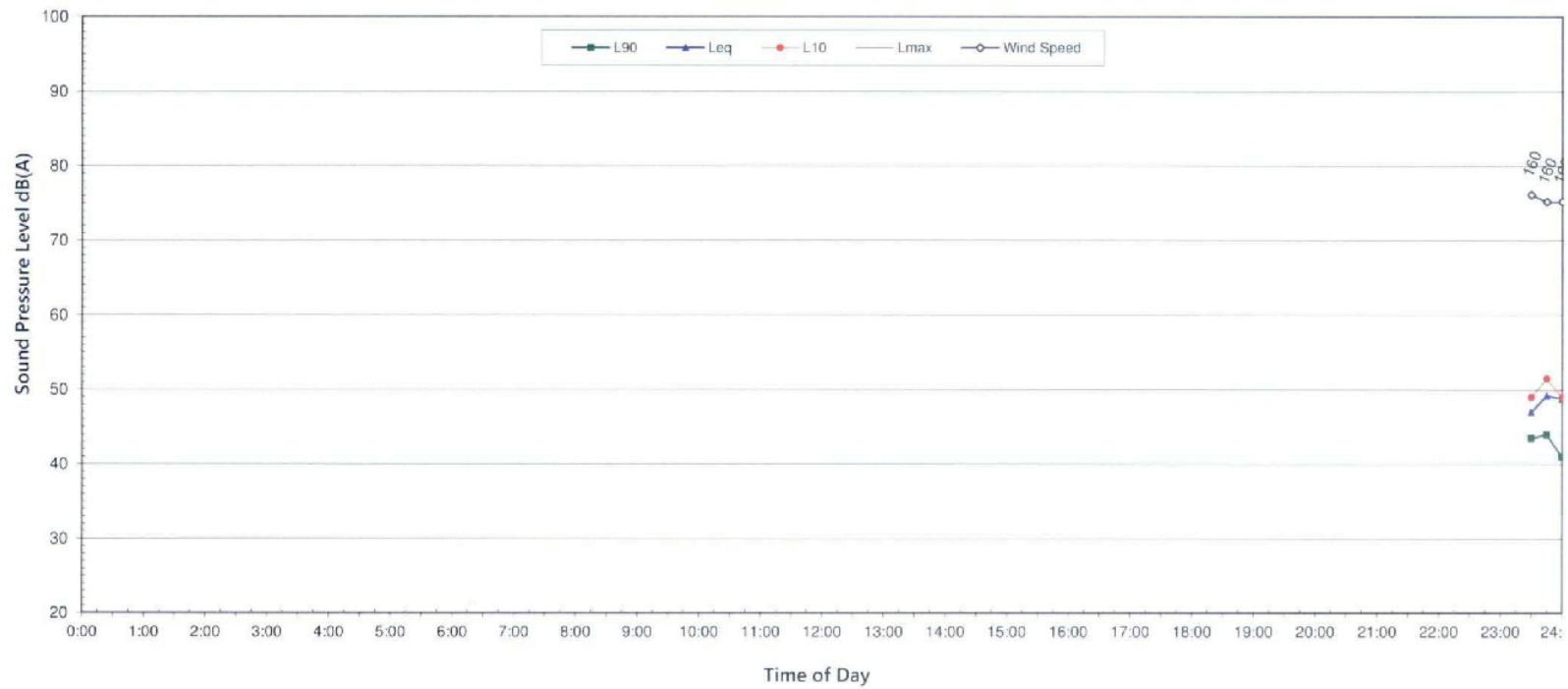
19

653 NICHOLSON STREET, NORTH CARLTON
ACOUSTIC REPORT

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

Unattended Noise Monitoring Results
Playground Garden abutting 303 Park Street

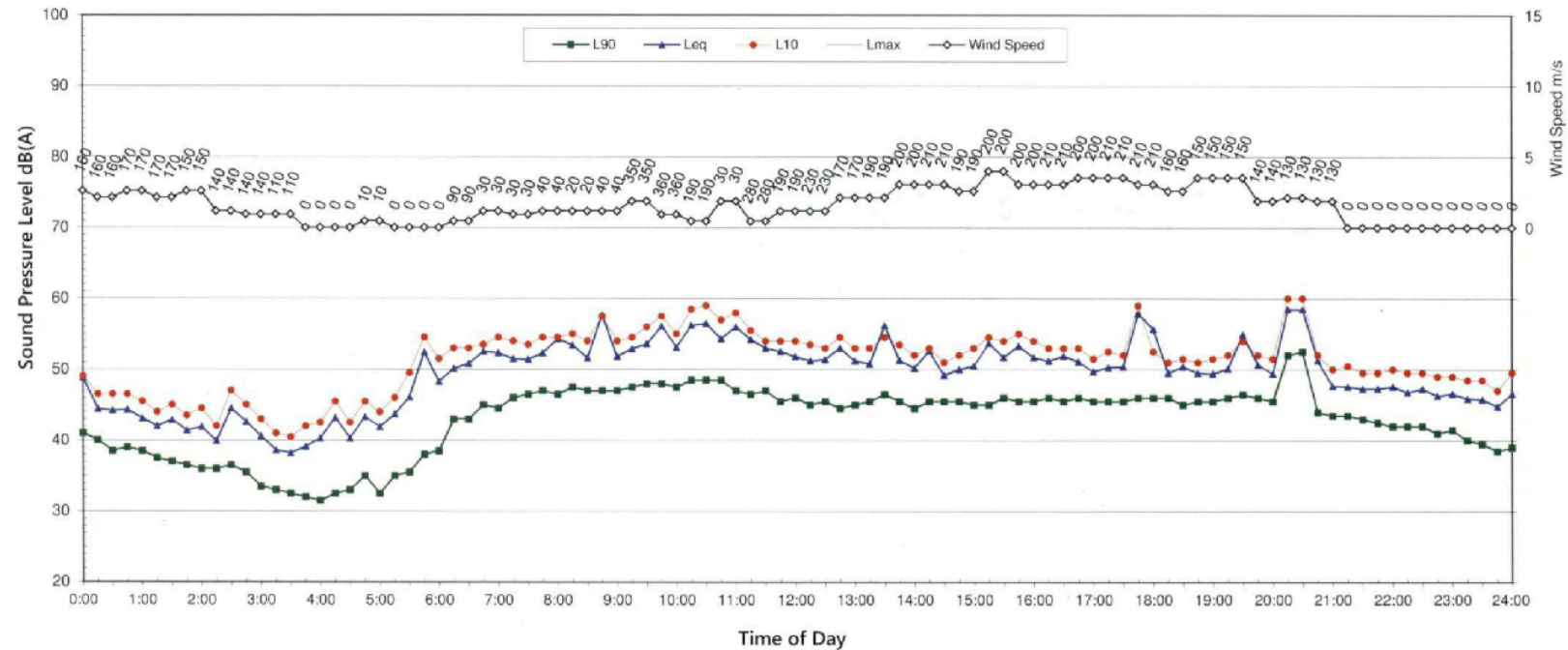
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Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

Unattended Noise Monitoring Results
Playground Garden abutting 303 Park Street

Wednesday, 25 February 2015



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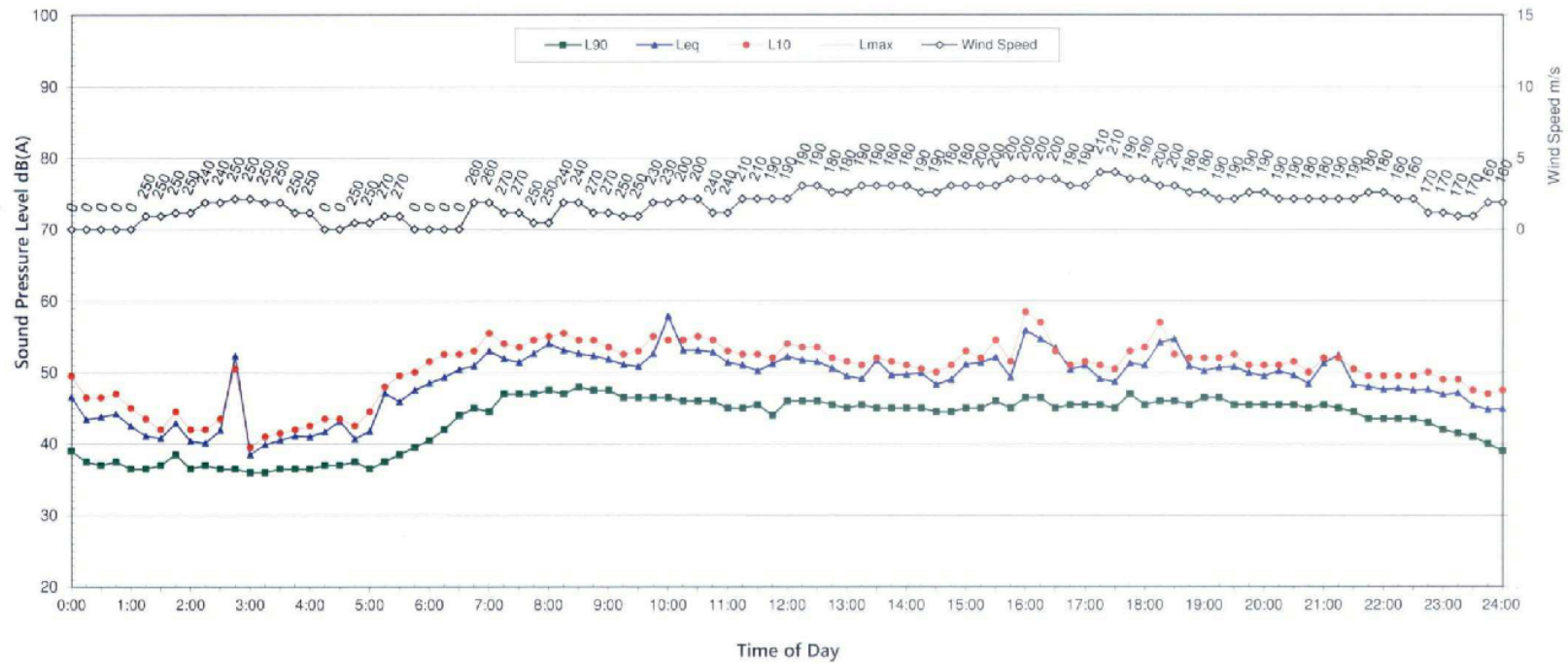
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Template: QTE-02 (rev 49) Melbourne Logger Graphs

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

Unattended Noise Monitoring Results
Playground Garden abutting 303 Park Street

Thursday, 26 February 2015



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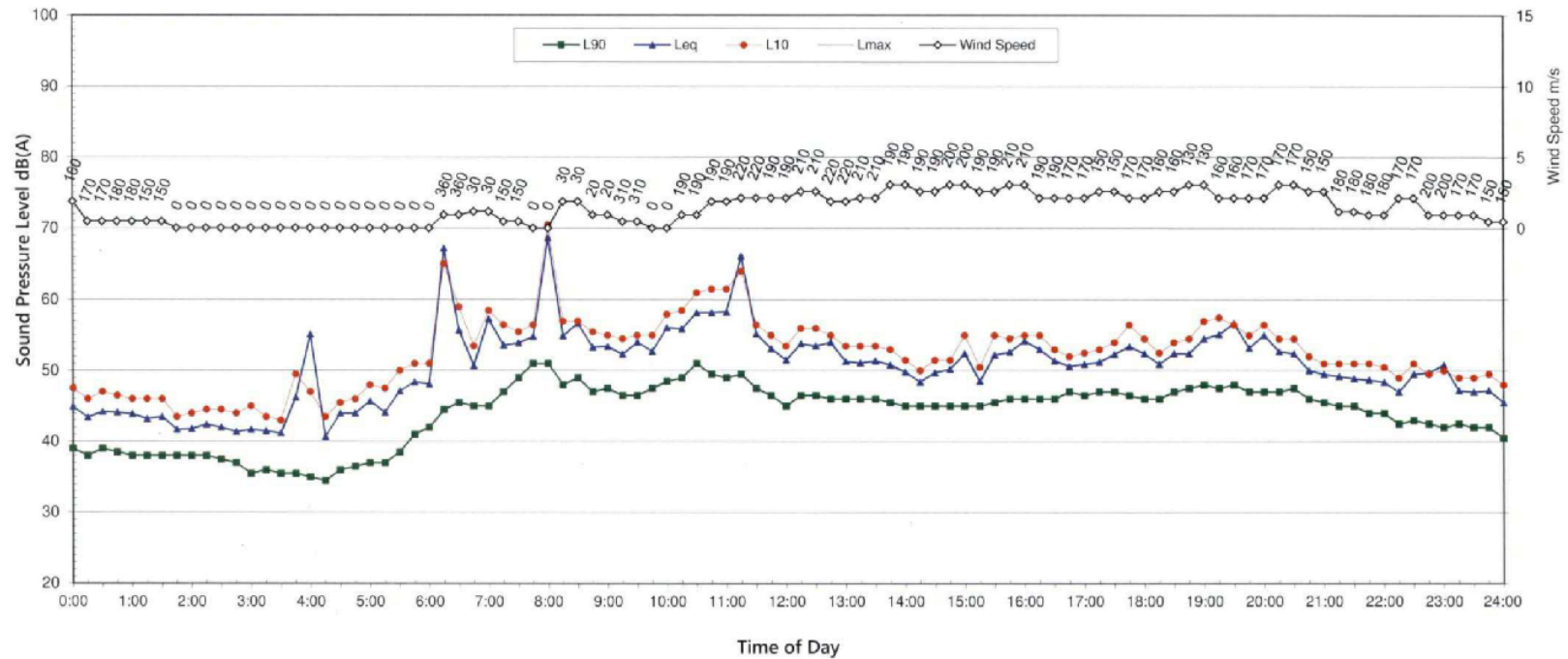
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Template: QTE-02 (rev 49) Melbourne Logger Graphs

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

Unattended Noise Monitoring Results
Playground Garden abutting 303 Park Street

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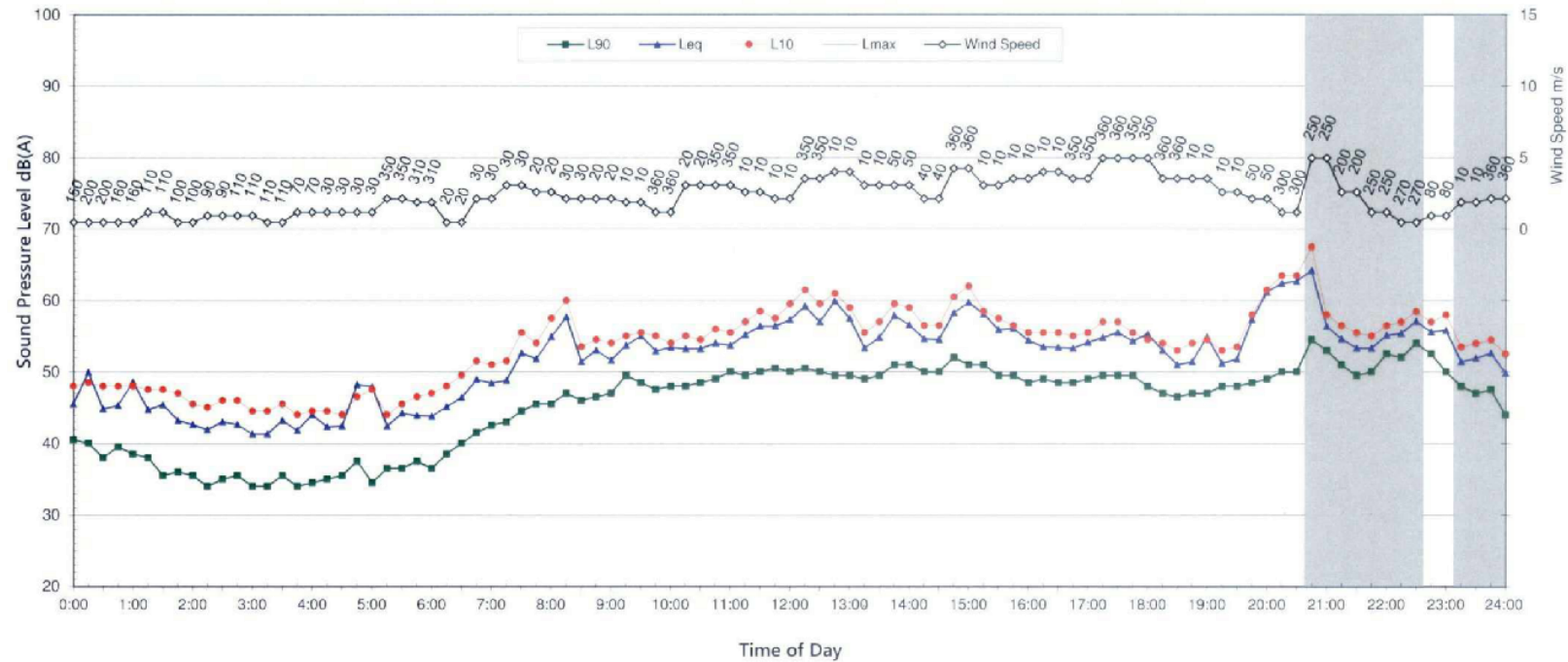
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Template: QTE-02 (rev 49) Melbourne Logger Graphs

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

Unattended Noise Monitoring Results
Playground Garden abutting 303 Park Street

Saturday, 28 February 2015



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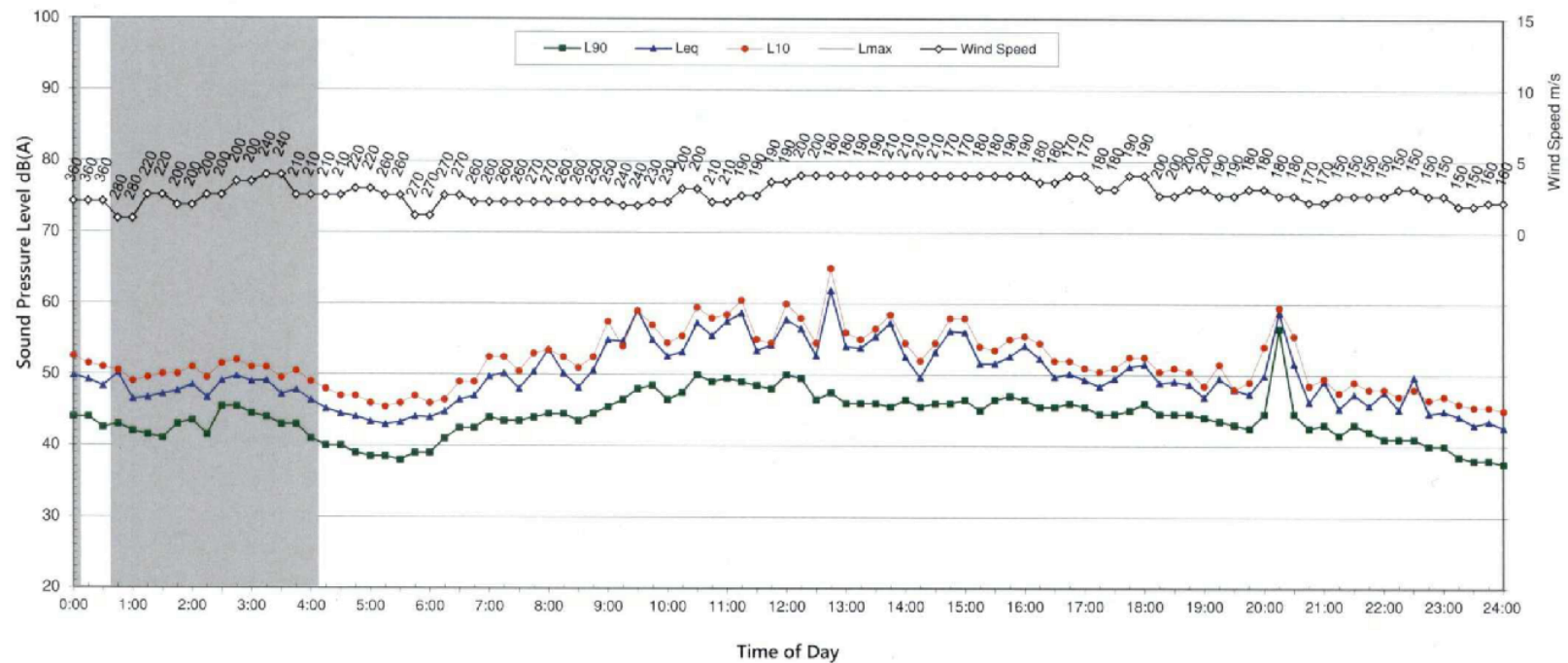
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Template: QTE-02 (rev 49) Melbourne Logger Graphs

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

Unattended Noise Monitoring Results
Playground Garden abutting 303 Park Street

Sunday, 1 March 2015



Data File: 2015-02-24_23-00-00_003_RTAXLS

MB306-04L01 - Green Park Logger

Template: QTE-02 (rev 49) Melbourne Logger Graphs

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

Unattended Noise Monitoring Results
Playground Garden abutting 303 Park Street

Monday, 2 March 2015



Data file: 2015-02-24_23-00-00_003_RTAxis

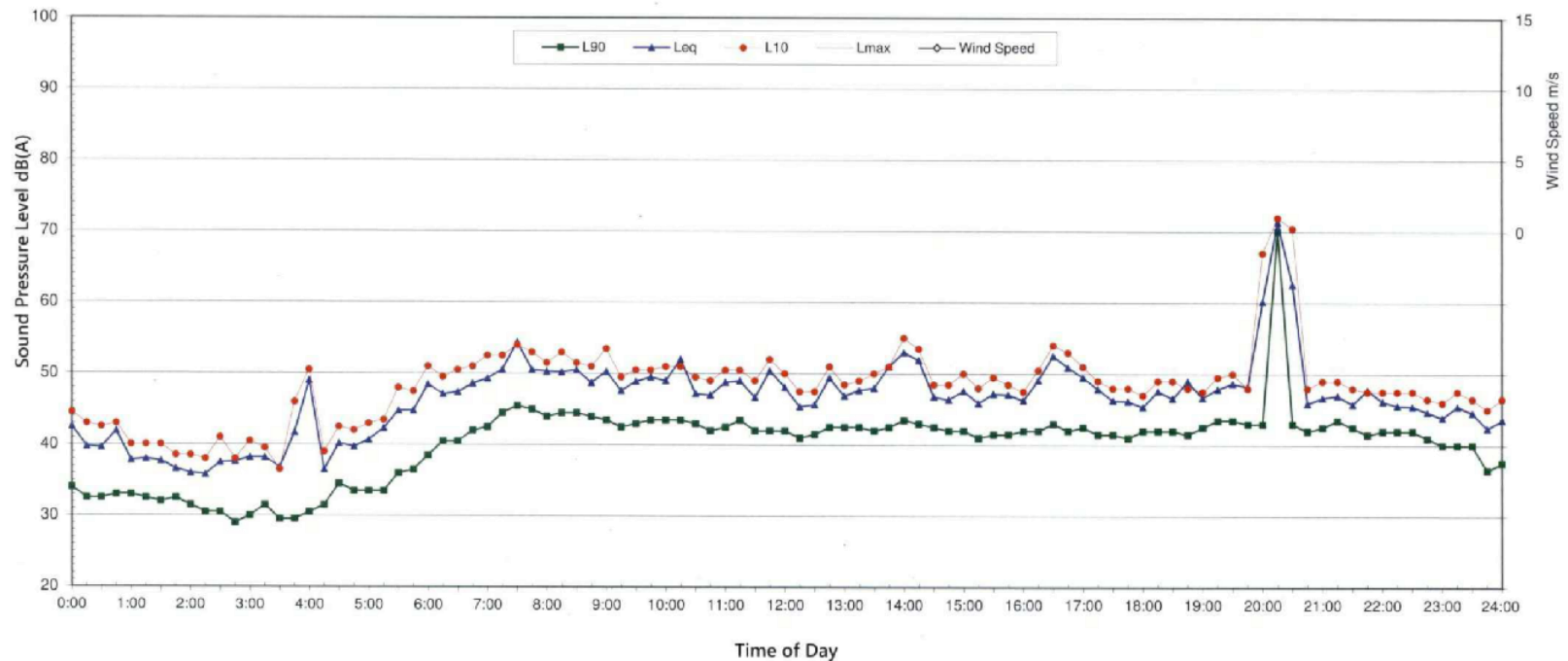
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Template: QTE-02 (rev 49) Melbourne Logger Graphs

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

Unattended Noise Monitoring Results
Playground Garden abutting 303 Park Street

Tuesday, 3 March 2015



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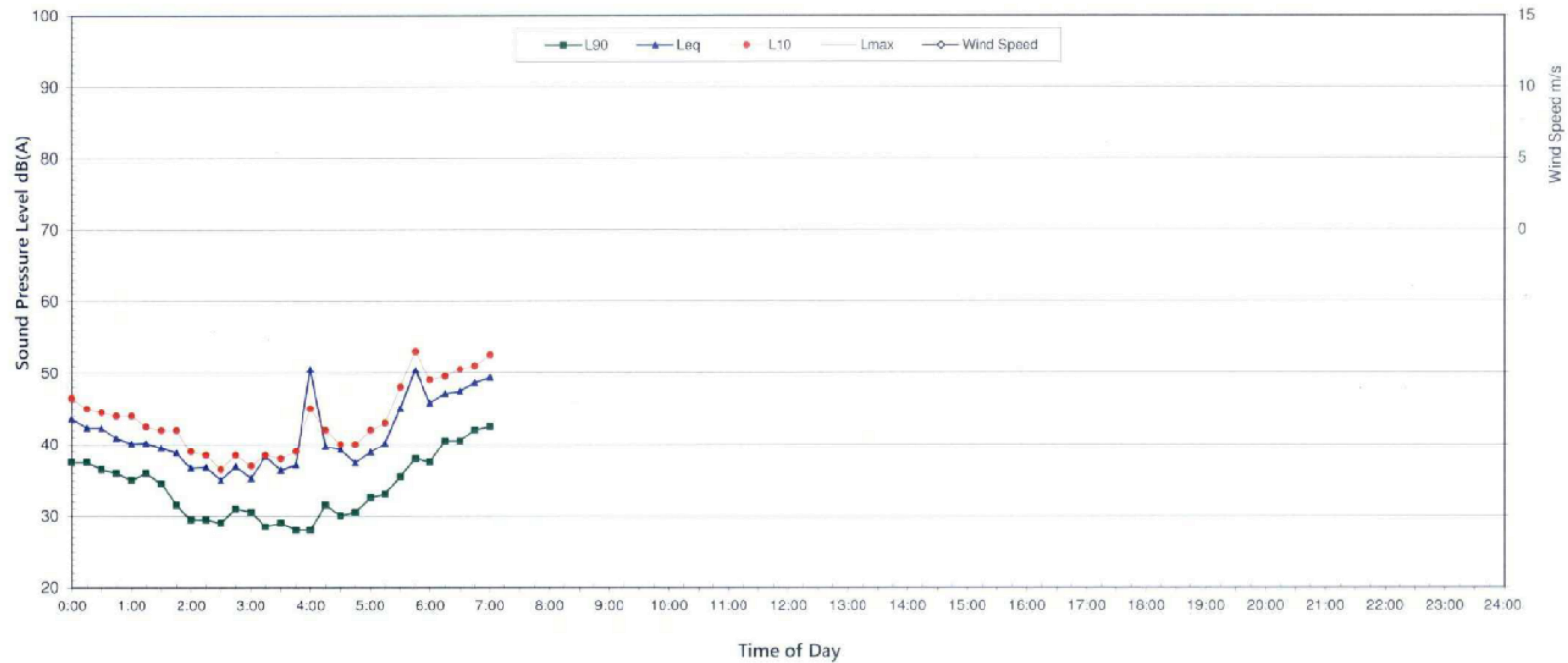
M8306-04L01 - Green Park Logger

Template: QTE-02 (rev 49) Melbourne Logger Graphs

Attachment 5 - PLN19/0281 - 653 Nicholson Street Carlton North - S52 Advertised Acoustic Report

Unattended Noise Monitoring Results
Playground Garden abutting 303 Park Street

Wednesday, 4 March 2015



Data file: 2015-02-24_23-00-00_003_RT_A.xls

MB305-04/01 - Green Park Logger

Template: QTE-02 (rev 49) Melbourne Logger Graphs

Attachment 6 - PLN19/0281 - 653 Nicholson Street Carlton North - S57B Advertised Amended Waste Management Plan

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WASTE MANAGEMENT PLAN

Proposed Development:
653 Nicholson Street, Carlton North, Victoria

Prepared for:
Moosa Bar Pty Ltd

<u>Document Control</u>
Report Date: 10 September 2019 (supersedes report dated 30-04-19)
Prepared By: Andrew McIntosh, Associate
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WASTE MANAGEMENT SUMMARY

- The operator, as defined below, shall be responsible for managing the waste system, and for developing and implementing adequate safe operating procedures.
- Waste shall be stored within the development (hidden from external view).
- Users shall sort their waste, and dispose garbage and recyclables into collection bins.
- Waste shall be collected on the rear laneway. The collection contractor shall transfer bins between the waste areas and the truck.
- A private contractor shall provide waste collection services.

GLOSSARY

Operator: refers to the Owners Corporation/Site Management, who shall manage site operations (via cleaners, staff and contractors, if required).

User: refers to site staff and cleaners, who shall utilise the waste system.

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1 SPACE AND SYSTEM FOR WASTE MANAGEMENT

1.1 Development Description and Use

This development shall consist of a commercial tenancy (floor-areas are stated in Table 1, below).

1.2 Estimated Garbage and Recycling Generation

The following table summarises the waste estimate (m³/week):

Table 1: Waste Estimate

Waste Source	Base Qty (est.)	Garbage	Commingled Recycling
Retail (bar)	area (m ²) = 200	0.90	0.86
TOTAL (m³/wk)		0.90	0.86

Note: Waste figures are based on adjusted Sustainability Victoria Guidelines.

1.3 Collection Services

Municipal services would be insufficient as these are limited to a pair of weekly wheelie bins per tenement for household-type waste. Therefore, a private contractor shall be engaged to collect waste. The operator shall choose a waste collection provider, negotiate a service agreement and pay for these services.

Notes:

- Every rateable tenement is liable to pay for municipal charges irrespective of the level of collection services provided by Council.
- Thirty days prior to occupation, the operator shall organise a site meeting with Council's Waste Management Coordinator and demonstrate adequate implementation of this Waste Management Plan.

1.4 Location, Equipment and System Used for Managing Waste

The waste management system is summarised as follows:

- Tenancy receptacles at internal areas.
- Bin Store located at Ground Level.
- Collection bins (kept within the Bin Store - refer to Table 2).

The various collection waste-streams are summarised as follows:

Garbage: General waste shall be placed in tied plastic bags and stored within bins.

Recycling: All recyclables shall be commingled into a single type of collection bin (for loose paper, cardboard, glass, aluminium, steel and plastics).

Green Waste: Based on minor landscaping, minimal garden waste generation is anticipated (however, the operator shall engage a contractor, if required).

Compost: At this development, composting is considered impractical, as there would be minimal onsite demand for compost.

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Other Waste Streams: The disposal of hard/electronic/liquid and other wastes (polystyrene, batteries, paint, chemicals and detox items, etc) shall be organised with the assistance of the operator.

These items (including e-waste) shall remain within the development until the operator arranges a private collection from the subject land in accordance with requirements from the relevant authority. In particular e-waste must not be disposed in landfill.

The following table summarises bin quantity/capacity, collection frequency and area requirements (based on Table 1):

Table 2: Bin Schedule and Collection Frequency

Waste Source	Waste Stream	Bin Qty	Bin Litres	Collections per Week	Net Area m ²
Whole Development (dedicated private bins)	Garbage	2	240	2	1.0
	Recycling	2	240	2	1.0
	Hard/Other Waste	-	-	At Call	2.0
	E-waste	-	-	At Call	2.0
Net Waste Storage Area (excludes circulation), m²:					6.0

Notes:

- Private bins shall be sourced by the operator (either purchased from a supplier or leased from the collection contractor).
- Subject to stakeholders' preference/capability (and as built constraints), bin sizes and quantities can be changed. Also, recyclables can be either commingled or split into bins for separate recycling streams.

1.5 Planning Drawings, Waste Areas and Management of the Waste System

The plans illustrate sufficient space for onsite bin storage, as required by the above schedule. Hard/other waste, including e-waste, shall be stored within the tenancy.

Notwithstanding the above, collection days shall be staged appropriately, and the operator shall stipulate procedures for effective management of the available space.

1.6 Collection Bin Information

The following bins shall be utilised (see Sect. 4.4 for signage requirements):

Table 3: Bin Details

Capacity (litres)	Height (mm)	Width (across front, mm)	Depth (side on, mm)	Empty Weight (kg)	Average* Gross Weight (kg)
240	1060	585	730	13	45

Notes:

- * = Average Gross Weight is based on domestic waste studies (which vary subject to locality and waste-type). Expect greater weight for wet or compacted waste.
- Use the above details as a guide only – variations will occur. The above is based on Sulo plastic (HDPE) flat-lid bins.

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Table 4: Yarra Colour Coding

Bin	Garbage	Commingled Recycling
Lid	Green	Yellow
Body	Green	Green

Note: For private bins, AS4123.7 bin colours can be adopted. Private bins shall be labelled to identify the waste generator and site address.

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2 ACCESS FOR USERS, COLLECTORS AND COLLECTION VEHICLES

2.1 User Access to Waste Facilities

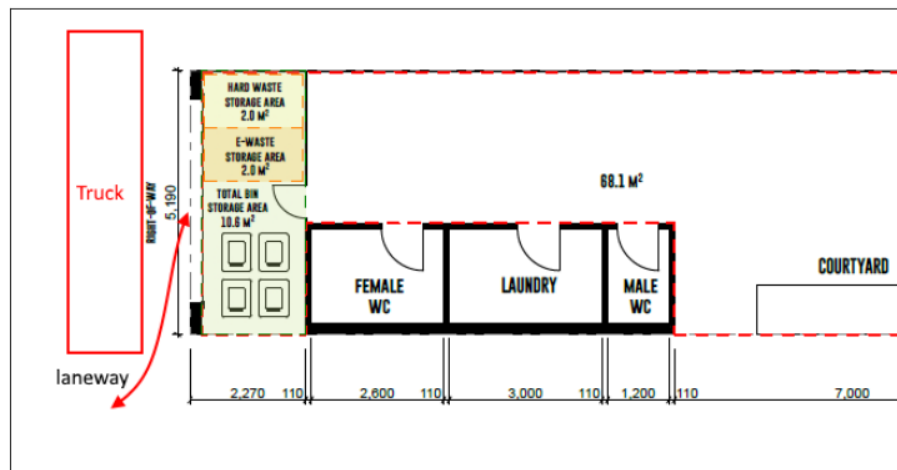
Users shall transfer waste from the internal receptacles to the bins located within the Bin Store (if required, using a suitable trolley).

Note: The operator shall ensure the orderly-filling of bins to avoid a higher number of partially-filled ones, rotating the bins so that users are able to reach them. Also, the operator shall ensure that bins are not overloaded.

2.2 Collection Arrangements and Access to Waste Facilities

- A private contractor shall collect waste on the rear laneway.
- Collection staff shall have access to the Bin Store, and transfer bins to the truck and back to the store.
- The waste collection shall be carried-out by rear-lift vehicles nom. 6.4m long, 2.1m high and 6.4 tonnes gross vehicle mass).

The collection point is illustrated as follows:



Notes:

- For improved safety, waste collections and bin transfers shall be carried-out during off-peak traffic periods.
- The project's traffic engineer shall provide traffic management information.

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3 AMENITY, LOCAL ENVIRONMENT AND FACILITY DESIGN

3.1 Noise Minimisation Initiatives

- Collection bins shall feature rubber wheels for quiet rolling during transfers.
- Waste areas shall meet BCA and AS2107 acoustic requirements.
- Local laws shall be observed for all operations in public and private areas. In particular, note the requirements of Yarra's Environmental Local Law Part B, Sect. 10, and Part C, Sect. 17-29, which can be found at: www.yarracity.vic.gov.au.
- 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 noise during the collection.

3.2 Litter Reduction and Prevention of Stormwater Pollution

The operator shall be responsible for:

- Promoting adequate waste disposal into the bins (to avoid waste-dumping).
- Securing the waste areas (whilst affording access to users/staff/contractors).
- Preventing overfilled bins and keeping lids closed.
- Abating any site litter, and taking action to prevent dumping and/or unauthorised use of waste areas.
- Requiring the collection contractor to clean-up any spillage that might occur when clearing bins.

The above will minimise the dispersion of site litter and prevent stormwater pollution (thus avoiding impact to the local amenity and environment).

3.3 Ventilation, Washing and Vermin-Prevention Arrangements

Waste areas shall feature:

- Ventilation in accordance with Australian Standard AS1668.
- Tight-fitting doors (all other openings shall have vermin-proof mesh or similar).
- Impervious flooring (also, smooth, slip-resistant, and appropriately drained).
- A graded bin wash area, hot/cold mixing hosecock, hose and a suitable floor-waste connected in accordance with relevant authority requirements (alternatively, the operator shall engage a contractor to conduct off-site bin washing). The bin and wash areas may overlap, as stored bins can be moved so that a bin can be washed.

The operator shall regularly clean waste areas/equipment. Also, access doors and bin-lids shall be kept closed.

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3.4 Design and Aesthetics of Waste Storage Areas and Equipment

Waste shall be placed within collection bins and stored in designated onsite areas (hidden from external view). Following waste collection activities, bins shall be returned to the storage areas as soon as practicable.

Waste facilities shall be constructed of durable materials and finishes, and maintained to ensure that the aesthetics of the development are not compromised. These facilities and associated passages shall be suitably illuminated (this provides comfort, safety and security, to users, staff and contractors). Access doors shall feature keyless opening from within.

The design and construction, of waste facilities and equipment, shall conform to the Building Code of Australia, Australian Standards and local laws.

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4 MANAGEMENT AND SUSTAINABILITY

4.1 Waste Sorting, Transfer and Collection Responsibilities

Garbage shall be placed within tied plastic bags prior to transferring into collection bins. Cardboard shall be flattened, and recycling containers un-capped, drained and rinsed prior to disposal into the appropriate bin. Bagged recycling is not permitted.

Refer to Section 2 for waste transfer requirements and collection arrangements.

4.2 Facility Management Provisions to Maintain & Improve the Waste System

The operator shall manage site operations (refer to the glossary in page 2).

It shall be the responsibility of the operator to maintain all waste areas and components, to the satisfaction of users, staff and the relevant authority (users shall maintain their internal waste receptacles).

The operator shall ensure that maintenance and upgrades are carried-out, on the facility and components of the waste system. When required, the operator shall engage an appropriate contractor to conduct services, replacements or upgrades.

4.3 Arrangements for Protecting Waste Equipment from Theft and Vandalism

It shall be the responsibility of the operator to protect the equipment from theft and vandalism. This shall include the following initiatives:

- Secure the waste areas.
- Label the bins according to property address.
- The private collection contractor shall transfer bins between the waste areas and the truck (bins shall not be placed on the street).

4.4 Arrangements for Bins/Equipment Labelling, and Ensuring Users and Staff are Aware of How to Use the Waste System Correctly

- The operator shall provide appropriate signage for the bins. Signage is available at the following internet address: www.sustainability.vic.gov.au.
- The operator shall publish/distribute "house rules" and educational material to:
 - Inform users/staff about the waste management system and the use/location of the associated equipment (provide the summary in page 2 of this report).
 - Improve facility management results (lessen equipment damage, reduce littering and achieve cleanliness).
 - Advise users/staff to sort and recycle waste with care to reduce contamination of recyclables.

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4.5 Sustainability and Waste Avoidance/Reuse/Reduction Initiatives

The *Environment Protection Act 1970* includes principles of environment protection and guidance for waste management decision making. Also, the *Sustainability Victoria Act 2005* established Sustainability Victoria as the statutory authority for delivering programs on integrated waste management and resource efficiency.

From a design perspective, the development shall support the acts by providing an adequate waste system with ability to sort waste.

The operator shall promote the observance of the acts (where relevant and practicable), and encourage users and staff to participate in minimising the impact of waste on the environment. For improved sustainability, the operator shall consider the following:

- Observe the waste hierarchy in the *Environment Protection Act 1970* (in order of preference): a) waste avoidance, b) reuse, c) recycle, d) recovery of energy, e) treatment, f) containment and g) disposal.
- Peruse the Sustainability Victoria website: www.sustainability.vic.gov.au.
- Participate in Council and in-house programs for waste minimisation.
- Establish waste reduction and recycling targets; including periodic waste audits, keeping records and monitoring of the quantity of recyclables found in landfill-bound bins (sharing results with users/staff).

4.6 Waste Management Plan Revisions

For any future appropriate Council request, changes in legal requirements, changes in the development's needs and/or waste patterns (waste composition, volume or distribution), or to address unforeseen operational issues, the operator shall be responsible for coordinating the necessary Waste Management Plan revisions, including (if required):

- A waste audit and new waste strategy.
- Revision of the waste system (bin size/quantity/streams/collection frequency).
- Re-education of users/staff.
- Revision of the services provided by the waste collector(s).
- Any necessary statutory approval(s).

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5 SUPPLEMENTARY INFORMATION

- The operator shall observe local laws and ensure that bins aren't overfilled or overloaded.
- Waste incineration devices are not permitted, and offsite waste treatment and disposal shall be carried-out in accordance with regulatory requirements.
- For bin traffic areas, either level surfaces (smooth and without steps) or gentle ramps are recommended, including a roll-over kerb or ramp. Should ramp gradients, bin weight and/or distance affect the ease/safety of bin transfers, the operator shall consider the use of a suitable tug.
- The operator and waste collector, shall observe all relevant OH&S legislation, regulations and guidelines. The relevant entity shall define their tasks and:
 - Comply with Worksafe Victoria's Occupational Health and Safety Guidelines for the Collection, Transport and Unloading of Non-hazardous Waste and Recyclable Materials (June 2003).
 - Assess the Manual Handling Risk, and prepare a Manual Handling Control Plan for waste and bin transfers (as per regulatory requirements and Victorian COP for Manual Handling).
 - Obtain and provide to staff/contractors; equipment manuals, training, health and safety procedures, risk assessments and adequate personal protective equipment (PPE) to control/minimise risks/hazards associated with all waste management activities. As a starting point, these documents and procedures shall address the following:

Task (to be confirmed)	Hazard (TBC)	Control Measures (TBC)
Sorting waste and cleaning the waste system	Bodily puncture. Biological & electrical hazards	Personal protective equipment (PPE). Develop a waste-sorting procedure
Bin manual handling	Sprain, strain, crush	PPE, staff training. Maintain bin wheel-hubs. Limit bin weight. Provide mechanical assistance to transfer bins
Bin transfers and emptying into truck	Vehicular strike, run-over	PPE. Develop a Hazard Control Plan for transfers and collections. Maintain visibility. Use a mechanical bin-tipper
Truck access	Vehicular incident, strike, run-over	PPE. Use a trained spotter. Develop a truck-maneuvring and traffic-control procedure

Note: The above shall be confirmed by a qualified OH&S professional, who shall also prepare site-specific assessments, procedures and controls (refer to Section 6).

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6 CONTACT INFORMATION

City of Yarra (local Council), ph 03 9205 5555

iDump (private waste collector), ph 1300 443 867

Kartaway (private waste collector), ph 1300 362 362

Waste Wise Environmental (private waste collector), ph 1300 550 408

Eco-Safe Technologies (odour control equipment supplier), ph 03 9706 4149

FJP Safety Advisors Pty Ltd (OH&S consultant), ph 03 9255 3660

Electrodrive Pty Ltd (tug & trailer supplier – for bin transfers), ph 1800 033 002

Warequip (tug supplier – for bin transfers), ph 1800 337 711

Sabco Commercial (supplier of cleaner's trolleys), ph 1800 066 522

Sulo MGB Australia (bin supplier), ph 1300 364 388

One Stop Garbage Shop (bin supplier), ph 03 9338 1411

Note: The above includes a complimentary listing of contractors and equipment suppliers. The stakeholders shall not be obligated to procure goods/services from these companies. Leigh Design does not warrant (or make representations for) the goods/services provided by these suppliers.

7 LIMITATIONS

The purpose of this report is to document a Waste Management Plan, as part of a Planning Permit Application.

This report is based on the following conditions:

- Operational use of the development (excludes demolition/construction stages).
- Drawings and information supplied by the project architect.
- The figures presented in this report are estimates only. The actual amount of waste will depend on the development's occupancy rate and waste generation intensity, the user's disposition toward waste and recycling, and the operator's approach to waste management. The operator shall make adjustments, as required, based on actual waste volumes (if the actual waste volume is greater than estimated, then the number of bins and/or the number of collections per week shall be increased, STCA).
- This report shall not be used to determine/forecast operational costs, or to prepare feasibility studies or to document operational/safety procedures.

Attachment 7 - PLN19/0281 - 653 Nicholson Street Carlton North - Social Planning Comments



MeMO

TO: Nish Goonetilleke, Senior Statutory Planner
FROM: Julia Bennett-Mitrovski, Senior Planner (Community Health and Safety)
DATE: 5 September 2019
ADDRESS: 653 Nicholson Street, Carlton North
APPLICATION NO: PLN19/0281
DESCRIPTION: Sale of liquor for consumption on and off premises (general licence) associated with an as-of-right use as a bar with live-music, for a maximum of 100 patrons on-site, with liquor sold between 11.00am to 11.00pm Sun-Thu and 11.00am to 1.00am the next day Fri-Sat (rear courtyard closing at 10.00pm everyday), including a reduction in the bicycle parking requirements.

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 Commercial 1 Zone and is surrounded by commercial uses to the north and south and residential to the west.
- The subject site is affected by several overlays, including the Heritage Overlay, Schedule 326 - North Carlton Precinct (Clause 43.01 - H0326) and Environmental Audit Overlay (Clause 45.03 - EAO).
- The site is occupied by a two storey commercial building and was previously used as a hair salon.
- The ground floor is to be used for the purposes of a tavern. It is unclear what the first floor is to be utilised for.
- The proposal includes the sale and consumption of liquor (associated with a bar with live music), with licenced hours from 11am - 11pm (Sunday -Thursday), 11am – 1am (Friday-Saturday), Good Friday & Anzac Day - 12pm to 11pm. The outdoor area is proposed to close at 10pm on all days (with access to toilets remaining open).
- A maximum of 100 patrons are proposed.
- The applicant has indicated that seating ratio - seating for approximately 67 people will be provided (67% of patrons).

COMMENTS / RECOMMENDATIONS

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- The mix of licensed premises within the local area includes predominantly restaurant / café licenses and packaged liquor licenses, and also some limited licenses and late night (on premises) licenses.
- There are 10 licensed premises within 100 metres of the subject site (including the site) and 51 licensed venues within 500 metres, with most concentrated along Nicholson Street and St. Georges Road.
- It is considered that there are reasonable public transportation options from the subject site such as Tram Route 96 operating along Nicholson Street, with tram stops close to the site.
- In 2008, the Victorian Government introduced a freeze on new post 1am liquor licences being issued in the City of Yarra, City of Melbourne (including the Docklands), City of Port Phillip and City of Stonnington. In July 2019 the freeze was extended until 30 June 2021. In addition to extending the freeze in July 2019, a number of exemptions were also introduced. In summary, the decision making guidelines enable the Victorian Commission for Gambling and Liquor Regulation (VCGLR) to allow the supply of liquor after 1am in a limited number of circumstances, provided that regard is given to the guidelines.
- The criteria is aimed at allowing low risk venues to supply alcohol past 1am. Criteria includes the premises being used for accommodation (with alcohol being ancillary), or a venue that regularly provides live music entertainment, or a venue that provides food at all times when liquor can be supplied. The criteria also includes patrons not exceeding 200 people.
- Given that the proposal does not seek to operate beyond 1am, the freeze is not applicable.
- The proposed *General liquor licence* in one of the higher risk liquor licence types.
- Practice Note 61 also notes that: *Premises that provide little or no seating are associated with excessive alcohol consumption and potential for increased violence. Patrons from these venues are therefore more likely to have an adverse impact on the surrounding area.*
- The use is proposed to be a tavern. Limited information has been submitted to suggest that the land is used to prepare and sell food and drink for immediate consumption on, or off, the premises. Therefore, it is considered that the maximum number of patrons that may be accommodated on the premises could be based on a ratio of 0.75 square metres per person, as per the *Victorian Commission for Gambling and Liquor Regulation (2018) Liquor Licensing Fact Sheet - Maximum Patron Capacity*. The area available to patrons (excluding the hallway and dining area) is calculated as being 111.2m². Based on this guideline, a maximum number up to 148 patrons (i.e. 111.2 / 0.75) may be accommodated. The submitted application states a maximum of 100 patrons. This is considered acceptable.
- An on-premises licence type allows the venue to play recorded music or have live music at levels higher than background level outside of ordinary trading hours (i.e. this is not permitted under a Restaurant and café licence). Given the interface of the site, and agent of change principles, careful consideration should be given to potential music related amenity impacts and conditions to reduce such impacts, even if not yet proposed or contemplated as part of this current application. Restrictions by way of conditions of approval could mitigate this.
- Licensed premises within 30 metres of a residential zone should not provide for the sale and consumption of liquor beyond 11pm, unless the responsible authority is satisfied that it will not adversely affect the amenity of the area. Given that the outdoor area is proposed to close at 10pm, this is considered a sufficient. A condition should

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specify no patrons in the outdoor courtyard area after 10pm (other than to access the toilet), to the satisfaction of the Responsible Authority – it is recommended that this must be managed via a patron management plan or otherwise.

- It is recommended that a condition of any approval require deliveries to and waste collection from a licensed premises to not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday except for those allowed under any relevant local law.
- It is recommended that a condition of any approval require emptying bottles into bins in outdoor areas to not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday
- While the site adjoins a residential area to the west (beyond the right-of-way), the patron entry/exit points to the licensed premises will be sufficiently separated from adjoining residential uses and out onto Nicholson Street commercial strip. This is acceptable. It is recommended that the western roller door be closed at all times while the venue is operating, to be included as a condition of any approval.
- General conditions for amenity related matters (including noise) must also be included as part of any approval, as it is important that such conditions remain on any liquor licence particularly given the sensitive interface the venue has with residential areas.
- As stated in the submitted acoustic report, outdoors, no recorded background music shall be played after 10pm. This is supported.
- The application states that live music, if provided, shall only be provided by solo/duo, amplified through the in-house sound system, such that live music noise levels do not exceed background music levels. This is supported.
- The NAAP specified that no live music will not be played past 12am on any day. This is supported.
- The NAAP also specified that all music will be limited in accordance with the dB requirements of State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2). The acoustic report has not been expertly assessed as part of this referral and is recommended for independent review.

Attachment 8 - PLN19/0281 - 653 Nicholson Street Carlton North - Compliance Comments

MeMO

TO: Nish GOONETILLEKE
cc:
FROM: Brad Speechley
DATE: 2 December 2019
APPLICATION: PLN19/0281
SUBJECT: Amenity Enforcement Referral

Dear Nish,

Thank you for your referral dated 27 November 2019, in relation to 653 Nicholson Street Carlton North.

Planning Enforcement has received no complaints in relation to the 'use' of the land. I have reviewed the documentation supplied and given the use is proposed for 100 patron's onsite, between 11am to 11pm, Sunday to Thursday and 11am to 1am, Friday and Saturday, and for the sale of alcohol for consumption on and off the premises, this proposal poses a low amenity risk.

The Compliance branch does not have any concern with the application.

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

Regards,



Brad Speechley
Coordinator – Civic Compliance



13 August 2019

640.10090.06070 653 Nicholson St Carlton Nth 20190813.docx

Yarra City Council
PO Box 168
RICHMOND 3121

Attention: Nish Goonetilleke

Dear Nish

**653 Nicholson Street, North Carlton
Development Application Acoustic Review
PLN19/0281**

SLR Consulting Australia Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report prepared to support the application for a bar at 653 Nicholson Street, North Carlton.

Details of the report are as follows.

- Title: 653 Nicholson Street, North Carlton, Acoustic Report
- Date: 1 July 2019
- Reference: MC961-01F01
- Prepared for: Moosa Bar Pty Ltd
- Prepared by: Renzo Tonin & Associates (RTA)

1 Background Information

(Sections 1 and 2 of the acoustic report)

The proposal is for new bar. The acoustically significant aspects of the proposal are identified as:

- Indoor and outdoor areas with patron capacities of:
 - 43 indoors (estimated)
 - 57 outdoors (recommended maximum)
- The proposed trading hours are:
 - Indoors:
 - Friday and Saturday, 8 am to 1 am the following morning
 - Other nights, 8 am to 11 pm
 - Outdoors:
 - 8 am to 11 pm all days

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

Attachment 9 - PLN19/0281 - 653 Nicholson Street Carlton North - SLR Comments

Yarra City Council
653 Nicholson Street, North Carlton
Development Application Acoustic Review
PLN19/0281

SLR Ref: 640.10090.06070 653 Nicholson St Carlton
Nth 20190813.docx
Date: 13 August 2019

- Provision of music
 - Indoors, recorded music at background levels and live music comprising solo/duo performances during the proposed operating hours of the bar
 - Outdoors, recorded music at background levels up until 10 pm
- The nearest noise sensitive receivers are identified as:
 - 532 Station Street, to the west (potentially most impacted receiver). This and neighbouring dwellings are separated from the subject site by a laneway. Both the residences and the subject site have roller doors onto the lane (approximately 2.8 m high).
 - Multi-level mixed use development on the eastern side of Nicholson Street.
- Potential noise impacts from the proposed use are identified in later sections of the report as patron, music and mechanical plant noise.

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

2 Background Noise Levels

(Section 4 of the report)

Background noise measurement data was obtained to assist in setting noise limits.

Attended measurements of background noise were conducted in the lane at the rear of the subject site (Location M3) on Wednesday 19 June 2019 in the evening (9 pm to 9:15 pm) and the night (10:43 pm to 10:58 pm) periods. The latter measurement is documented as having been undertaken during the day, however RTA have confirmed that this is a typo. The results are presented in Table 4. The levels for these periods, including the octave band data, were similar (38 to 39 dBA L₉₀).

Data from unattended noise logging conducted by RTA for other projects is also presented in the report. This monitoring was undertaken some distance from the subject site (500 m to the north and south east respectively). The day, evening and night average background noise levels, and octave band levels for specific times are provided in Tables 3 and 4.

SLR Comments: *The attended background noise data was conducted at reasonable times for determining limits during the evening and night periods.*

We assume the long term logging data is provided for context, however information about how the data is proposed to be used is not provided in this section of the report.

The long term day, evening and night levels are described as 'period average levels' for the duration of monitoring. This is of some potential concern because we would not expect background monitoring data to be averaged in this way for the determination of noise limits. See 'Noise Limits' for further comment on this matter.

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Yarra City Council
653 Nicholson Street, North Carlton
Development Application Acoustic Review
PLN19/0281

SLR Ref: 640.10090.06070 653 Nicholson St Carlton
Nth 20190813.docx
Date: 13 August 2019

3 Patron Noise

3.1 Patron Noise Criteria

(Section 4.3 of the report)

Patron noise is proposed to be assessed to:

- External L_{eq} (or average) targets of 'background +10 dB' during the day and evening periods and 'background + 5 dB' at night.
- Internal L_{max} targets of 55 dBA L_{max}
- Internal L_{eq} targets consistent with the lower end of the AS/NZS2107 recommended ranges. These are 35 dBA L_{eq} in bedrooms and 40 dBA L_{eq} in living rooms.

RTA reference Amendment GC73 of the Yarra Planning Scheme to support the application of these targets.

SLR Comments: *The external noise targets proposed by RTA are reasonable. Internal targets for patron noise are not appropriate on this project, and are typically only applied to new residential developments in the vicinity of an existing outdoor patron area.*

Additionally, Amendment GC73 of the Yarra Planning Scheme pertains specifically to the Collingwood Arts Precinct, and was developed in recognition of precinct's cultural significance and to protect the use from residential encroachment. The patron noise targets developed for that site do not apply to other outdoor patron venues in the City of Yarra. More onerous patron noise targets, particularly for patron noise indoors, are typically used.

However, indoor targets have not been implemented by RTA on this project, so this issue does not need to be addressed in any further detail relative to this application.

3.2 Patron Noise Limits

(Section 4.3 of the report)

Noise limits are presented in Table 10 of the report. These are:

- Day: 56 dBA L_{eq} (outside), based on daytime background levels of 46 dBA
- Evening: 48 dBA L_{eq} (outside), based on evening background levels of 38 dBA
- Night (up to 11 pm): 43 dBA L_{eq} (outside), based on background levels of 38 dBA
- Night (11 pm to 1 am): 41 dBA L_{eq} (outside), based on background levels of 36 dBA

SLR Comments: *The evening and night limits correlate well with the attended measurement results, and the identified limits for these periods are reasonable.*

The daytime limits are considerably higher, and appear to be based on the average daytime background noise levels measured in Rae Street, 500 m away from the site. We would expect the lowest measured hourly level to be used for determining background based noise limits for patron noise. However, the daytime noise limits do not drive the patron noise assessment, so further attention to them is not warranted.

Attachment 9 - PLN19/0281 - 653 Nicholson Street Carlton North - SLR Comments

Yarra City Council
653 Nicholson Street, North Carlton
Development Application Acoustic Review
PLN19/0281

SLR Ref: 640.10090.06070 653 Nicholson St Carlton
Nth 20190813.docx
Date: 13 August 2019

3.3 Patron Noise Levels

(Section 3.1 of the report)

RTA propose to use sound power data consistent with that presented by Marshall Day Acoustics for the Collingwood Arts Precinct. The data is reproduced in Table 6 of the acoustic report, and includes levels for different styles of outdoor patron area, including worst case/ standing consumption, tavern style environments, restaurant dining and small smoking areas. The data is presented as the average sound power level per patron. In Section 5.4 of the report RTA clarify that they have used data commensurate with 'Taverns with food offerings' in their assessment.

SLR Comments: *The use of patron noise data for tavern style environments, as opposed to the louder 'vertical consumption' data is probably reasonable for this project given that:*

- *The maximum patron density proposed appears to be less than 1 person per square meter*
- *Alcohol is not proposed to be served in the area after 10 pm (i.e. at times when food service is unlikely).*
- *The overall capacity of the outdoor area is limited to 57 patrons.*

There is nevertheless a risk that patron noise will be louder than RTA have assumed, and we would be particularly concerned if any exceedance of the identified targets were predicted with the sound power data used on the project.

3.4 Patron Noise Predictions

(Sections 5.1 and 5.4 of the report)

A 3-D noise model has been prepared to assist in the prediction of all noise from the subject site, including patron noise. Generic information about the model is provided in Section 5.1. The predicted patron noise levels are provided in Table 13. The predicted levels are 48 dBA L_{eq} for the day and evening periods, when the area may be fully occupied and 32 dBA L_{eq} for the night period, when the area is proposed to be used by smokers only (no alcohol permitted). L_{max} levels of up to 52 dBA are predicted externally at night.

The predicted noise levels comply with the nominated limits.

SLR Comments: *Our indicative calculations of patron noise to the potentially most impacted receiver are in general agreement with RTA's.*

4 Music Noise

4.1 Music Noise Criteria

(Section 4.2 of the report)

Music noise is proposed to be assessed to SEPP N-2.

The SEPP N-2 day/evening limit is equal to the background noise level + 5 dB. The identified limits are 51 dBA for the period up until 6 pm and 43 dBA for the period from 6 pm to 10 pm. Octave band limits for the night period are presented in Table 9 of the report, and are based on the lowest octave band background noise levels measured by RTA on a Wednesday.

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SLR Comments: *The identified limits for the day period have been determined from average background levels measured at another site and are presented as 51 dBA based on a 46 dBA background noise level. SEPP N-2 compliance with 'background + 5 dB' needs to be achieved at all times, which effectively means meeting noise limits based on the lowest background noise levels. This appears likely to be lower than 46 dBA. However, the assessment will be driven by the evening noise limit, which is lower. On this basis, while we note that the daytime limit presented in the report is not appropriate, further consideration of them in this review is not warranted.*

4.2 Music Noise Controls and Assessment

(Sections 5.3 of the report)

Background music only is proposed to be played both inside the venue and in the rear courtyard. The recommended maximum music levels are provided in Table 12 of the report and are 67 dBA L_{eq} at 1 m from outdoor loudspeakers.

SLR Comments: *The proposed levels of music are very low, and we agree that they are likely to comply with the SEPP N-2 limits identified in the report. Our main concern is that music may be increased during the late evening periods, particularly if the outdoor patron area is full. For this reason we recommend that the in-house system for the outdoor area incorporate a lockable music noise limiter. The limiter should be set up by a suitably qualified acoustical consultant to ensure that SEPP N-2 compliant levels are not exceeded.*

5 Mechanical Plant Noise

5.1 Noise Limits

(Sections 4.1 of the report)

Noise from mechanical services is proposed to be assessed to SEPP N-1. SEPP N-1 zoning levels are presented as the noise limits.

SLR Comments: *Our calculations of the SEPP N-1 zoning levels agree with RTA's. We also agree that these can be used as the interim SEPP N-1 noise limits on this project, as there is a low risk of lower noise limits being identified for critical operating periods.*

5.2 Mechanical Plant Noise Levels

(Sections 3.1 of the report)

RTA has based their assessment of mechanical noise on data obtained at a similar venue, due to the fact that the equipment for this site has not been installed. The data is presented in Table 5 of the report.

Noise from the equipment has been predicted to the nearest noise sensitive location (532 Station Street). The predicted noise level is 38 dBA L_{eq} , and complies with all relevant SEPP N-1 noise limits.

SLR Comments: *The estimated mechanical plant noise levels are reasonable, and we agree that SEPP N-1 compliance will be achieved if the equipment does not exceed the estimated levels.*

Attachment 9 - PLN19/0281 - 653 Nicholson Street Carlton North - SLR Comments

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However, there is potential for noise from the kitchen exhaust fan to exceed the nominated levels, and for this reason we recommend that the selection and layout be reviewed by a suitably qualified acoustical consultant to ensure that SEPP N-1 limits are not exceeded.

6 Summary

A review of the acoustic report prepared to address noise from the bar proposed for 653 Nicholson Street, Carlton North has been conducted. The report addresses patron, music and mechanical plant noise. A summary of our findings and recommendations is provided below.

Patron Noise

The patron noise assessment is based on the assumption that patrons will converse at 'tavern' style levels. This assumption appears generally reasonable. Patron noise is proposed to be managed in the application by restricting use of the outdoor area to the day and evening periods. Access to the area after 10 pm is proposed to be limited to up to 10 smokers only, and no alcohol is proposed. This is an appropriate management strategy and is expected to satisfactorily address the issue of patron noise on the project.

Music Noise

Music is proposed to be played at very low background levels only. If this assumption is correct we agree that music will comply with SEPP N-2. However, there is a risk that levels will be increased when the venue is operating at capacity. For this reason it is recommended that the in-house system for the outdoor area incorporate a lockable music noise limiter. The limiter should be set up by a suitably qualified acoustical consultant to ensure that SEPP N-2 compliant levels are not exceeded.

Mechanical Plant

An indicative assessment of noise from proposed mechanical plant has been conducted to SEPP N-1. The assessment is reasonably, however we recommend that the kitchen exhaust fan and selection installation location be reviewed during the detailed design phase of the project.

Regards,



Dianne Williams
Associate – Acoustics

Checked/Authorised by: JA

Attachment 10 - PLN19/0281 - 653 Nicholson Street Carlton North - Amended Waste Management Referral Comments

Dawes-Robb, Ruby

From: Athanasi, Atha
Sent: Wednesday, 11 September 2019 8:44 AM
To: Goonetilleke, Nish
Subject: RE: HPE CM: RE: PLN19/0281 - 653 Nicholson Street Carlton North - Waste Management Referral Comments

Hi Nish,

The waste management plan for 653 Nicholson Street, Carlton North authored by Leigh Design and dated 10/9/19 is satisfactory from a City Works branch's perspective.

Regards,

Atha Athanasi
Contract Management Officer

City Works Services
Parks, Resource Recovery, Cleansing

City of Yarra – City Works Depot
168 Roseneath St CLIFTON HILL VIC 3068
T (03) 9205 5547 F (03) 8417 6666
Atha.Athanasi@yarracity.vic.gov.au
www.yarracity.vic.gov.au



From: Goonetilleke, Nish
Sent: Tuesday, 10 September 2019 4:43 PM
To: Athanasi, Atha <Atha.Athanasi@yarracity.vic.gov.au>
Subject: RE: HPE CM: RE: PLN19/0281 - 653 Nicholson Street Carlton North - Waste Management Referral Comments

Hi Atha,

The Applicant for 653 Nicholson Street Carlton North has amended the WMP. Please find attached. I have gone through the amended WMP and it looks satisfactory. Are you able to let me know if this is acceptable?

Thank you.

Kind Regards,
Nish Goonetilleke
Senior Statutory Planner
STATUTORY PLANNING
City of Yarra PO Box 168 Richmond 3121
T (03) 9205 5005
E Nish.Goonetilleke@yarracity.vic.gov.au

Attachment 10 - PLN19/0281 - 653 Nicholson Street Carlton North - Amended Waste Management Referral Comments

W www.yarracity.vic.gov.au



Yarra City Council acknowledges the Wurundjeri as the Traditional Owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Yarra, and gives respect to the Elders past and present.

From: Athanasi, Atha
Sent: Friday, 30 August 2019 9:11 AM
To: Goonetilleke, Nish <Nish.Goonetilleke@yarracity.vic.gov.au>
Subject: HPE CM: RE: PLN19/0281 - 653 Nicholson Street Carlton North - Waste Management Referral Comments

Hi Nish,

The waste management plan for 653 Nicholson Street Carlton North authored by Leigh Design and dated 30/4/19 is not satisfactory from a City Works branch's perspective. Issues to be rectified include, but may not be limited to the following:

1. Please provide the total size of the bin storage area by M²
2. Please identify hard waste storage area within the bin storage area diagram
3. Please identify E waste storage area within the bin storage area diagram

Regards,

Atha Athanasi
Contract Management Officer

City Works Services
Parks, Resource Recovery, Cleansing

City of Yarra – City Works Depot
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Atha.Athanasi@yarracity.vic.gov.au
www.yarracity.vic.gov.au



From: Goonetilleke, Nish
Sent: Monday, 26 August 2019 10:11 AM
To: Athanasi, Atha <Atha.Athanasi@yarracity.vic.gov.au>
Subject: PLN19/0281 - 653 Nicholson Street Carlton North - Waste Management Referral Comments

Hi Atha,

Attachment 10 - PLN19/0281 - 653 Nicholson Street Carlton North - Amended Waste Management Referral Comments

The following waste management plan is for 653 Nicholson Street Carlton North.

The application is for the sale of liquor for consumption on and off premises (general licence) associated with an as-of-right use as a bar with live-music, for a maximum of 100 patrons on-site, with liquor sold between 11.00am to 11.00pm Sun-Thu and 11.00am to 1.00am the next day Fri-Sat (rear courtyard closing at 10.00pm everyday), including a reduction in the bicycle parking requirements.

Please find attached:

- Certificate of title.
- Plans.
- Town Planning Report.
- Waste Management Plan.

Please advise if the Waste Management Plan is acceptable. Let me know if you need any more information.

Thank you.

Kind Regards,
Nish Goonetilleke
Senior Statutory Planner
City of Yarra PO Box 168 Richmond 3121
T (03) 9205 5005 F (03) 8417 6666
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