



Agenda

Planning Decisions Committee

6.30pm, Wednesday 25 August 2021

MICROSOFT TEAMS

The Planning Decisions Committee

The Planning Decisions Committee is a delegated committee of Council with full authority to make decisions in relation to planning applications and certain heritage referrals. The committee is made up of three Councillors who are rostered on a quarterly basis.

Participating in the Meeting

Planning Decisions Committee meetings are decision-making forums and only Councillors have a formal role. However, Council is committed to ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered before the decision is made.

There is an opportunity for both applicants and objectors to make a submission to Council in relation to each matter presented for consideration at the meeting.

Before each item is considered, the meeting chair will ask people in attendance if they wish to make submission. Simply raise your hand and the chair will invite you to come forward, take a seat at the microphone, state your name clearly for the record and:

- Speak for a maximum of five minutes;
- direct your submission to the chair;
- confine your submission to the planning permit under consideration;
- If possible, explain your preferred decision in relation to a permit application (refusing, granting or granting with conditions) and set out any requested permit conditions
- avoid repetition and restating previous submitters;
- refrain from asking questions or seeking comments from the Councillors, applicants or other submitters;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have made your submission, please remain silent unless called upon by the chair to make further comment or to clarify any aspects.

Following public submissions, the applicant or their representatives will be given a further opportunity of two minutes to exercise a right of reply in relation to matters raised by previous submitters. Applicants may not raise new matters during this right of reply.

Councillors will then have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.

Arrangements to ensure our meetings are accessible to the public

Planning Decisions Committee meetings are held at the Richmond Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (via the entry foyer).
- Interpreting assistance is available by arrangement (tel. 9205 5110).
- Auslan interpreting is available by arrangement (tel. 9205 5110).
- A hearing loop and receiver accessory is available by arrangement (tel. 9205 5110).
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available.

1. Appointment of Chair

Councillors are required to appoint a meeting chair in accordance with the City of Yarra Governance Rules 2020.

2. Statement of recognition of Wurundjeri Woi-wurrung Land

“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”

3. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

Cr Herschel Landes
Cr Bridgid O’Brien
Cr Gabrielle de Vietri

Council officers

Julian Larkins (Co-Ordinator Statutory Planning)
John Theodosakis (Principal Planner)
Rhys Thomas (Senior Governance Advisor)
Cindi Johnston (Governance Officer)

4. Declarations of conflict of interest

Any Councillor who has a conflict of interest in a matter being considered at this meeting is required to disclose that interest either by explaining the nature of the conflict of interest to those present or advising that they have disclosed the nature of the interest in writing to the Chief Executive Officer before the meeting commenced.

5. Confirmation of Minutes

RECOMMENDATION

That the minutes of the Planning Decisions Committee held on Wednesday 11 August 2021 be confirmed.

6. Committee business reports

Item		Page	Rec. Page
6.1	PLN17/1016.02 - 221 Swan Street Richmond - Section 72 Amendment to Planning Permit PLN17/1016 for alterations and additions to the approved multi-storey building with roof terraces.	5	30
6.2	PLN16/0741.02 - 378-390 St Georges Road Fitzroy North (CONFIDENTIAL ITEM)		
6.3	PLN20/0322 - 350-356 Johnston St and 2 Rich St, Abbotsford (CONFIDENTIAL ITEM)		

6.1 PLN17/1016.02 - 221 Swan Street Richmond - Section 72 Amendment to Planning Permit PLN17/1016 for alterations and additions to the approved multi-storey building with roof terraces.

Executive Summary

Purpose

1. This report provides Council with an assessment of the proposed amendment to Planning Permit No. PLN17/1016 at No. 221 Swan Street, Richmond which seeks alterations and additions to the approved multi-storey building with roof terraces. Key changes include:
 - (a) Increase net leasable floor area and red line (for the sale and consumption of liquor) by 2.3sqm.
 - (b) Increase heights, including front façade and the maximum height of the overall development.
 - (c) Construct a glass roof at second floor and alter retractable roof at roof terrace level.
 - (d) Addition of a concrete wall at ground floor along eastern boundary.
 - (e) Internal layout reconfigurations.

Key Planning Considerations

2. Key planning considerations include:
 - (a) Clause 22.02 – Development guidelines for sites subject to the heritage overlay;
 - (b) Clause 22.05 – Interface uses policy
 - (c) Clause 22.09 – Licensed premises policy
 - (d) Clause 34.04 – Commercial 1 Zone;
 - (e) Clause 43.01 – Heritage Overlay;
 - (f) Clause 43.02 – Design and Development Overlay (Schedule 17-2); and
 - (g) Clause 52.27 – Licensed premises policy;

Key Issues

3. The key issues for Council in considering the proposal relate to:
 - (a) Neighbourhood character, built form and design;
 - (b) Off-site amenity impacts;
 - (c) Sale and consumption of liquor; and
 - (d) Objector concerns;

Submissions Received

4. Fifteen (15) objections were received to the application, these can be summarised as:
 - (a) Impact on heritage streetscape along Swan Street;
 - (b) Built form (height, material and design);
 - (c) Amenity impacts (visual bulk, overlooking, noise and existing trees);
 - (d) Increased number of sitting patrons will result in increased demand for on-street car parking);
 - (e) Updated Acoustic Report not provided with amendment;

- (f) Construction (noise, requests for dilapidation reports, updated protection works notices, structural impact to existing properties); and
- (g) Decrease property value.

Conclusion

- 5. Based on the following report, the proposal is considered to comply with the relevant planning policy and should therefore be supported.

CONTACT OFFICER: Emily Zeng
TITLE: Statutory Planner
TEL: 9205 5363

6.1 [PLN17/1016.02 - 221 Swan Street Richmond - Section 72 Amendment to Planning Permit PLN17/1016 for alterations and additions to the approved multi-storey building with roof terraces.](#)

Reference D21/91458
Author Emily Zeng - Statutory Planner
Authoriser Senior Coordinator Statutory Planning

Ward: Melba
Proposal: Section 72 Amendment to Planning Permit PLN17/1016 for alterations and additions to the approved multi-storey building with roof terraces. Key changes include:
 - Increase net leasable floor area and red line (for the sale and consumption of liquor) by 2.3sqm.
 - Increase heights, including front façade and the maximum height of the overall development.
 - Construct a glass roof at second floor and alter retractable roof at roof terrace level.
 - Addition of a concrete wall at ground floor along eastern boundary.
 - Internal layout reconfigurations.
Existing use: Dwelling
Applicant: YBL Remmus Architecture
Zoning / Overlays: Commercial 1 Zone
 Heritage Overlay (Schedule 335)
 Design and Development Overlay (Schedules 5 & 17-2)
 Development Contributions Plan Overlay (Schedule 1)
Date of Application: 7 August 2020
Application Number: PLN17/1016.02

Planning History

1. Planning Permit PLN17/1016 was issued on 11 January 2019 for *full demolition of the existing building and construction of a multi-storey building with roof terraces, display of an internally-illuminated sign, use of the land for sale and consumption of liquor (restaurant and café licence) and reduction in car parking and bicycle parking requirements associated with a restaurant (as-of-right-use).*
 - (a) A Section 72 Amendment was approved by Council on 22 October 2019 *to include a basement level and to extend the red line area to include the basement.*
 - (b) The permit was corrected on 23 October 2019 pursuant to Section 71 of the *Planning and Environment Act (1987) to delete the duplication of Condition 2, included in the permit as a result of human error, and to correct to consequential renumbering that resulted from the error.*
 - (c) The plans were corrected on 25 November 2019 pursuant to Section 71 of the *Planning and Environment Act (1987) to include Demolition Plan (TP05 rev C) to the endorsed set which was omitted from the endorsed plans in error.*

2. At the time of writing this report, demolition and construction have commenced on site. As works have commenced on site in accordance with Planning Permit No. PLN17/0744, the permit expiry date for completion is 11 January 2023. Therefore, the permit is valid at the time of this report.
3. Relevant to this application, Planning Permit PLN17/1016 allows the sale and consumption of liquor subject to the following conditions:
 - (a) Must only occur between the hours of 11.00am and 11.00pm, seven days a week; and
 - (b) No more than 192 restaurant patrons are permitted on the land at any time liquor is being sold or consumed, and further restricted as follows:
 - (i) From 10pm to 11pm, patron numbers within the lower level roof terrace reduced from 48 to 22.
 - (c) No patrons are permitted within the upper level roof terrace beyond 10:00pm on any night, as per the commitment reference in the correspondence from Metropol Planning Solutions dated 4 July 2018.
4. The application does not propose to amend these conditions (regarding hours of operations or number of patrons).

Background

5. The amendment application was received by Council on 7 August 2020.
6. Public notification was carried out over December 2020 and January 2021 and 15 objections were received.
7. No consultation meeting was held.
8. Following the advertising of the application, the applicant submitted an amended Acoustic Report prepared by Cogent Acoustic (dated 11 May 2021) addressing the changes sought under the amendment application. This report was further revised to address matters raised in the peer review carried out by SLR Consulting. The Acoustic Report dated 22 June 2021 supersedes the previous version and has been sent to all objectors with the invitations to this PDC meeting as it informs the officer's recommendations.
9. On 1 July 2021, the *Environment Protection Amendment Act 2017* and subordinate legislation came into effect. New protocols which replace SEPP N-1 and SEPP N-2 are now in place. The implications of this new legislation on this application will be discussed within the assessment.

Planning Scheme Amendments

Amendment C238

10. On 1 February 2021, the Minister for Planning formally gazetted Planning Scheme Amendment C238, which introduces a Development Contributions Plan Overlay over the entire municipality. This overlay requires developers to pay a contribution towards essential city infrastructure like roads and footpaths, as well as community facilities. The requirements of this provision have immediate effect.

Amendment C269

11. Amendment C269 proposes to update the local policies in the Yarra Planning Scheme by replacing the Municipal Strategic Statement (MSS) at Clause 21 and Local Planning Policies at Clause 22 with a Municipal Planning Strategy and Local Policies within the Planning Policy Framework (PFF), consistent with the structure recently introduced by the State Government.
12. Amendment C269 was adopted by Council on 3 August 2021 and will proceed to a panel hearing in October 2021.

13. In relation to this current amendment, the following clauses are of most relevance:
- (a) 11.03-1L – Activity Centres
 - (b) 13.07-1L – Interfaces and Amenity
 - (c) 15.01-2L – Building Design
 - (d) 15.03-1L – Heritage
14. Overall, the above clauses are largely reflected in current planning policy and will not be contradictory to the proposed re-write of Clauses 21 and 22.

The Proposal

15. The application proposes alterations and additions to the approved multi-storey building with roof terraces. The proposal is summarised as follows:

Buildings and works

- (a) Internal layout reconfiguration and seating changes from basement level to roof terrace, including an increase of 2.3sqm in leasable floor area.

Number of seating shown on plans		
	Previously endorsed	Proposed amendment
Basement	20	29
Ground floor	36	38
First floor	40	40
Second floor	68	65
Roof terrace	48	20
Total	212	192

- (b) Decrease floor to ceiling levels at all levels from basement level to second floor; no changes to finished floor levels of each level.
- (c) Specifically, at ground floor:
- (i) Construct new eastern boundary wall at ground floor measuring approximately 7.9m, and reduce width of eastern corridor from 1.5m and 1.83m wide to 1.61m, 1.55m and 1.209m wide.
 - (ii) Incorporate new fire hydrant cupboard along front façade.
 - (iii) Change concrete roof over ground floor kitchen to a metal roof.
- (d) Specifically, at first floor (Mezzanine plan as shown on floor plan):
- (i) Deletion of two north-facing windows.
 - (ii) Reconfiguration of mechanical equipment over ground floor kitchen, including relocation of solar panels and roof hatch, as well as the inclusion of a screen/noise barrier that would be 1.2m higher than the top of the fan (notated as OAF-1 on plan)
- (e) Specifically, at second floor (Roof terrace plan as shown on floor plan):
- (i) Finished floor level consistent throughout entire level, i.e. +23.250.

- (ii) Deletion of previously proposed mobile planter boxes along southern perimeter and retractable fabric roof to outdoor dining area.
 - (iii) Increase height of southern perimeter balustrading from 1.1m to 1.45m above Finished Floor Level (FFL +23,250).
 - (iv) Relocate bathroom amenities from northern portion of the level to the eastern boundary and extend seating.
 - (v) Change northernmost section of retractable and metal roof to a fixed glass and metal roof. Above the new metal roof portion will be a plant platform with a 1.75m high green screen and noise barrier.
 - (vi) The 3 north-facing windows to be fixed, unopenable.
- (f) Specifically, at roof terrace level (Roof plan as shown on floor plan):
- (i) Increase height of southern perimeter balustrading from 1.1m to 1.5m above FFL.
 - (ii) Change profile and material of canopy- from a timber canopy with retractable fabric roof to a metal canopy with retractable fabric roof. The new canopy will have a maximum height of 13.763m above Natural Ground Level (NGL) (+30,000) as taken from Swan Street.
 - (iii) Install a new plant platform to the north of the metal canopy, as well as the inclusion of a screen/noise barrier that would be 1.75m higher than the top of the tallest mechanical plant (notated as KEF-1 and KEF-2 on plan).
- (g) In terms of setbacks, the new plant equipment above the ground floor kitchen will have setbacks of 2.338m and 4.081m from the northern boundary, and the plant platform at second floor will have a setback of 6.666m from the northern boundary.
- (h) In terms of overall building heights:
- (i) The double-storey façade to Swan Street will increase from a maximum of 8.16m (+24.350) to 8.51m (+24.700) above NGL.
 - (ii) The maximum height of the southern wall will increase from 9.26m to 9.66m above NGL. The kitchen exhaust vent will increase to a maximum height of 10.14m above NGL.
 - (iii) The maximum eastern boundary wall height will continue to be 10.329m above NGL (excluding the roof terrace plant platform) however, the concrete panel boundary wall will increase from 9.17m to 9.57m.
 - (iv) The maximum western boundary wall height will decrease from 11.654m to 11.514m, however the concrete panel wall will increase from 8.74m to 9.14m above NGL.
 - (v) The maximum height of the overall development will be increased from 11.818m to 12.928m above NGL.

[Sale and consumption of liquor](#)

- 16. The “Red Line” area extended by 2.3sqm.
- 17. No change to approved hours of operation or patron numbers.

Material/Finishes

18. Along the Swan Street frontage, eastern and western boundary walls, sections of previously proposed powder coated paint finish are changed to a natural concrete finish.

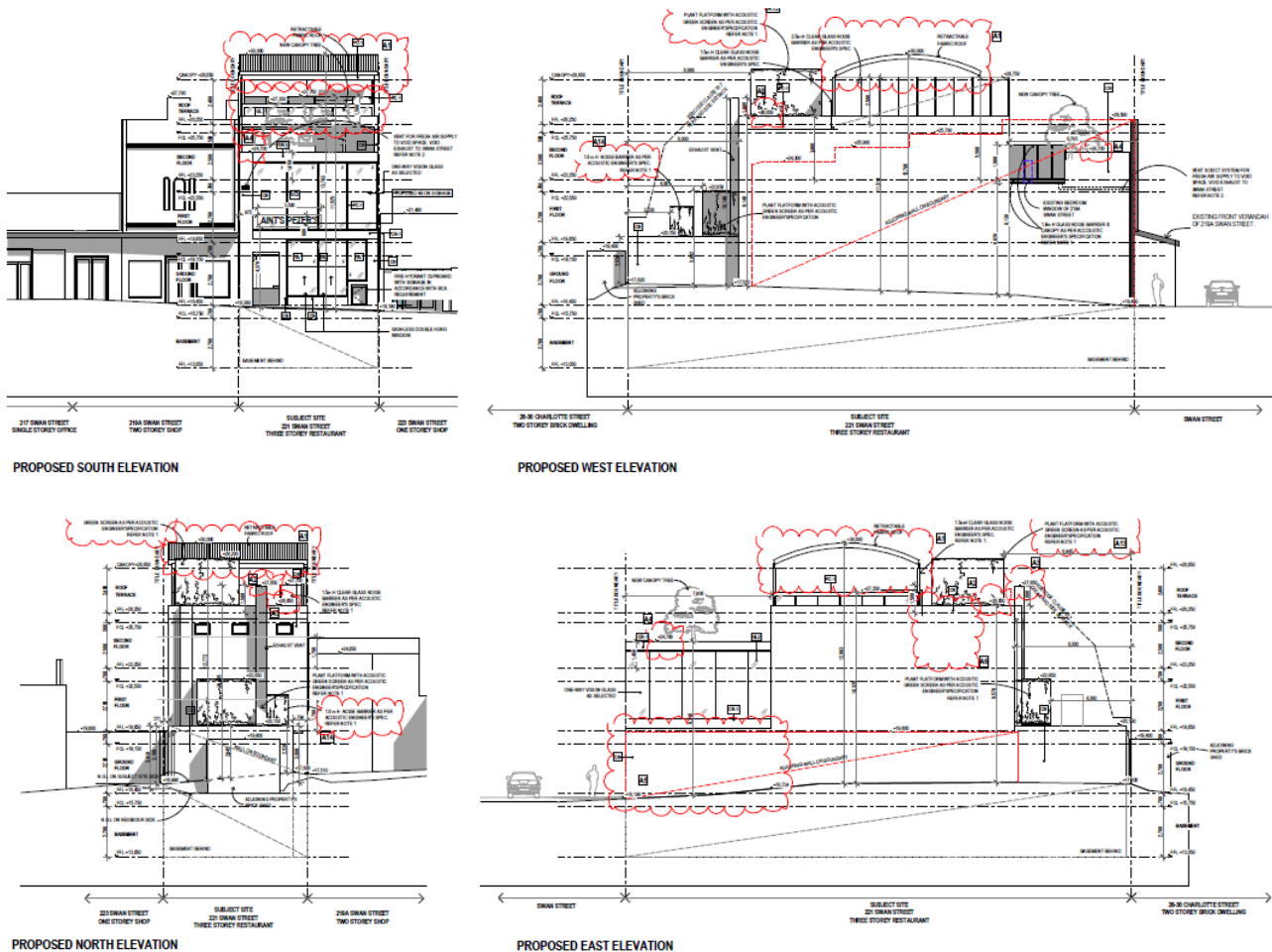


Figure 1: Proposed elevations of amended development (Applicant Submission, October and November 2020)

Existing Conditions

Subject Site

19. A description of the subject site was provided within the original officer's Internal Development Assessment Committee (now Planning Decision Committee) report as follows:
20. *The subject site is located on the north side of Swan Street, approximately 100m east of Church Street and 120m west of Mary Street, in Richmond.*
21. *The subject site is rectangular in shape and has a frontage to Swan Street of 7.62m, a depth of 27.43m and overall area of approximately 209sqm.*
22. *The subject site is occupied by a single-storey commercial building with shopfront windows, central double doors fronting the street and it appears to have been unsympathetically altered by the addition of a high metal parapet. The building is constructed to the street frontage and western boundary and setback approximately 1m from the eastern site boundary and 8m from the northern (rear) boundary. Open space is located to the rear of the building and includes four mature Tree of Heaven (*Ailanthus altissima*) trees.*

23. *The building on the subject site is currently vacant. Based on a 2016 Google street view image, it was formerly used as a shop (flooring specialist).*
24. Since the last amendment was granted in October 2019, the existing single-storey commercial building on-site has been demolished. At the time of this report, construction of the multi-storey development is currently underway.
25. From a review of City of Yarra's Heritage Gap Study by Graeme Butler and Associates (2007), the subject site is identified as graded "not contributory" to the Swan Street Heritage Precinct, Richmond.



Figure 2: Photo of subject site – Swan Street façade (Officer photo taken 2 August 2021)

Surrounding Land

26. A description of the surrounding land was provided within the original officer's Internal Development Assessment Committee (now Planning Decision Committee) report and the last amendment report as follows:
27. *The subject site is located within the Swan Street Major Activity Centre (MAC). It is surrounded by other commercial uses concentrated along Swan Street and residences to the north fronting Charlotte Street. The area is well serviced by public transport with trams running along Swan Street, between Burwood and the CBD, and along Church Street (100m west of the site), between North Richmond and Prahran. The subject site is also within 300m from the East Richmond Station which is serviced by multiple train lines (i.e. Alamein, Glen Waverly, Lilydale and Belgrave Lines).*
28. *Surrounding built form is predominantly single- and double-storey in scale, with commercial buildings constructed hard edge to Swan Street. The immediate area is characterised by Commercial buildings of mixed appearance – some of which are Victorian-style while others are more contemporary. High site coverage and on-boundary construction are common in the street, with the majority of buildings constructed on or in close proximity to at least one side boundary (as shown in the image below).*



Image 3: Aerial photo of the surrounding area (taken from the original IDAC report, 2018)

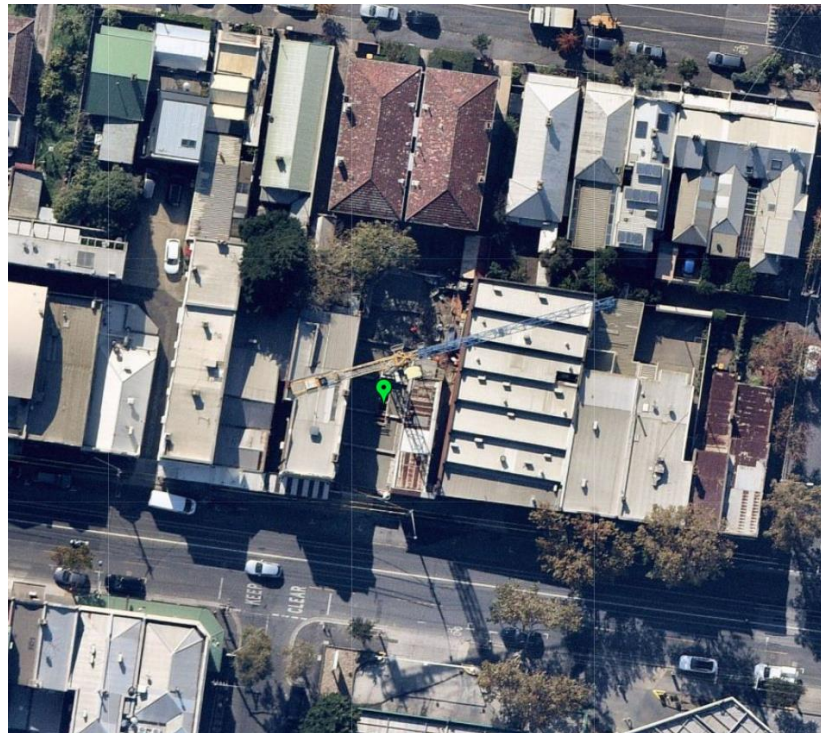


Figure 4: Recent aerial photo of the surrounding area – subject site shown by green marker (NearMaps Imagery, 29 April 2021)

29. Within the Swan Street MAC, there are a number of existing licensed premises, particularly further west towards Church Street. The majority of these premises are licensed restaurant and cafes which trade until 11pm. Others are pubs and bars, which have on-premises or general licences and are predominantly located at street intersections.
30. The direct abutments of the subject site are as follows:
 - (a) To the east (No. 233 Swan Street) is commercial 1 Zoned land occupied by a single storey commercial building constructed to both side boundaries, which is graded as 'non-contributory' to the Swan Street Heritage Precinct.

The building has a high metal parapet similar to that on the subject site, a recessed front entry with non-illuminated sign above and an outdoor dining area to the front.

The building is currently used as a food and drinks premises (café). There is a current Planning Application PLN21/0147 at No. 223 Swan Street which seeks a six-storey, mixed use (ground floor shop and dwellings) development. No decision has been made on the application at the time of this report

- (b) *To the west (No. 219 Swan Street) is Commercial 1 Zoned land occupied by a double storey Victorian-era commercial building, which is graded as 'Individually Significant' to the Swan Street Heritage Precinct. The building is constructed to the street frontage with a verandah projecting onto the footpath and is constructed to its eastern (shared) boundary with a first floor window facing the subject site. It is currently used as a hairdresser at ground floor and a dwelling at first floor. Since the last amendment was issued for the subject site, the works approved by Planning Permit PLN18/0227 appear to have been carried out on site. Planning Permit PLN18/0227 allowed for the development of the land for the construction of a first floor balcony, including part demolition on 7 September 2018.*
 - (c) *To the north (No. 26-30 Charlotte Street) is General Residential Zoned land occupied by a detached, double-storey brick residential building fronting Charlotte Street. The building contains 8 dwellings and has habitable room windows facing the subject site. The building has communal open space to the rear with a single-storey shed constructed abutting the subject site.*
 - (d) *To the south, across Swan Street (No. 274-282 Swan Street), is Commercial 1 Zoned land occupied by a petrol station and car wash. To the south-west (at the corner of Swan Street and Brighton Streets) is the Union House Hotel, which has an On-premises Licence allowing the sale and consumption of liquor on the premises until 1am on any day with a maximum of 228 patrons (as approved by Planning Permit PLN17/0359 on 10 November 2017). Since the time of the subject permit being issued, Planning Permit PLN17/0359 was amended pursuant to Section 72 of the Act to increase the overall patron numbers to 328, to increase the patrons permitted within the first-floor deck to 100 and to delete condition 9 which allowed amplified music.*
31. Within the surrounding area, there has not been significant changes to the character and built form since the amended planning permit was issued on 22 October 2019. However, No. 251 Swan Street further to the east of the subject site appears to have mostly completed construction approved by Planning Permit No. PLN15/0647 which allows for the *development of the land for a seven storey building, containing retail and residential uses (permit required for dwelling use), reduction in the car parking requirement, and alteration of access within a Road Zone*. The approved buildings and works have resulted in the construction of a contemporary, multi-storey development located on the north-western corner of Swan Street and Mary Street. There is a current Planning Application PLN21/0514 which seeks the construction and display of internally illuminated business identification signage. No decision has been made at the time of this report.
32. Further west of the subject site, Planning Permit PLN20/0467 was granted for the *sale and consumption of liquor (General Licence) associated with a Hotel (as-of-right use)* at No. 213 Swan Street on 23 March 2021. The permit allows for a maximum of 76 patrons on site at any one time between the hours of 7am to 1am the following day, Monday to Saturday, and 10am to 11pm on Sundays.

33. Furthermore, there is a current Planning Application PLN21/0148 at No. 215 Swan Street which seeks the *sale and consumption of liquor (General Licence), buildings and works (including partial demolition) and a waiver of the bicycle parking requirements associated with a hotel (as-of-right use) with live music.*

Following a Planning Decision Committee on 11 August 2021, a Notice of Decision to Grant a Permit was issued by Council on 12 August 2021.

Planning Scheme Provisions

Zoning

Commercial 1 Zone

34. The subject site is located within the Commercial 1 Zone. The purpose of the Commercial 1 Zone as relevant to this application is:
- (a) *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses*
35. Pursuant to Clause 34.01-1 of the Yarra Planning Scheme (the Scheme), a planning permit is not required to use the land for a 'Food and Drinks Premises' (nested under 'Retail Premises' which is a Section 1 use).
36. Pursuant to Clause 34.01-4 of the Scheme, a planning permit is required to construct a building or construct or carry out works.

Overlays

Heritage Overlay (Schedule 335)

37. The subject site is affected by a Heritage Overlay (Schedule 335). The purposes of this overlay relevant to this application are:
- (a) *To conserve and enhance those elements which contribute to the significance of heritage places.*
 - (b) *To ensure that development does not adversely affect the significance of heritage places.*
38. Pursuant to Clause 43.01-1 of the Scheme, a permit is required to demolish a building, and to construct a building or construct or carry out works.
39. City of Yarra – Database of Heritage Significant Areas, July 2020 – The site is identified as being “not contributory” to the Swan Street Heritage Precinct, Richmond.

Design and Development Overlay (Schedule 5 & 17-2)

40. The subject site is affected by the Design and Development Plan Overlay (Schedule 5 & 17-2). The purposes of this overlay as relevant to this application are:
- (a) *To identify areas which are affected by specific requirements relating to the design and built form of new development.*
 - (b) *To ensure that the development of land around the City Link exhaust stack is not adversely affected by the operation of the stack.*
 - (c) *To ensure that development of land around the City Link exhaust stack does not adversely affect the operation of the stack.*

- (d) *To ensure that the relevant authorities are informed of development within close proximity of the City Link exhaust stack and to facilitate comment by those authorities on any specific requirements relating to the design and built form of new development in the area which might be desirable having regard to the proximity of the stack.*
- (e) *To support a new mid rise scale built form character with lower built form at the interfaces with streets and the adjoining low rise residential areas that maintains an active, high quality and pedestrian friendly environment.*
- (f) *To ensure development maintains the prominence of the heritage street wall and respects the architectural form and qualities of heritage buildings and the heritage streetscapes.*
- (g) *To minimise the amenity impacts on residential properties adjoining the Swan Street Activity Centre including overlooking, overshadowing and visual bulk impacts.*

41. Pursuant to Clause 43.02-2 of the Scheme, a permit is required to construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.

Schedule 5 (City Link Exhaust Stack Environs)

42. Section 2.0 of Schedule 5 states that a permit is not required to construct a building or construct or carry out works.
43. Pursuant to Section 4.0 of Schedule 5, where a permit is required to use the land or for the construction of works under the provision of this scheme, notice must be given under section 52(1)(c) of the *Planning and Environment Act 1987* to the person or body specified as a person to be notified in Clause 66.06 or a schedule to that clause.
44. As a permit is required under the zone and overlays, notice of the application must be given to the Environmental Protection Authority, Transurban City Link Limited and the Roads Corporation (VicRoads) pursuant to Clause 66.06.
45. Following an agreement between the City of Yarra and EPA Victoria, the requirement for notice to be given to the EPA under Clause 43.02, Schedule 5 – City Link Exhaust Stack Environs does not apply to applications where:
- (i) *The title boundary of the subject site is more than 50 metres from the centre of the Burnley Tunnel exhaust stack (located at Barclay Ave. Richmond. Latitude - 37.8295434, Longitude 145.0018514); and*
 - (ii) *The proposed building height is less than 10 stories or 30 metres, whichever is lesser.*

Schedule 17-2 (Precinct 2 – Swan Street Activity Centre)

46. Schedule 17 does not specify that a permit is not required for buildings and works and contains general and precinct specific design requirements which include mandatory and preferred building height, street wall heights and setback and upper level setback requirements.
47. The subject site is identified to be located in Precinct 2 and is a Type B in Plan 3 (Height and Interface Plan). Table 2 (Street Wall Heights and Setbacks for Precinct 2) applies the following mandatory and preferred provisions to the subject site:
- (a) A mandatory street wall with:
 - (i) a maximum height of 11 metres or the parapet height of the adjoining individually significant or contributory building if higher than 11 metres; and

- (ii) a minimum height of 8 metres.
 - (b) A mandatory provision of no street wall setback.
 - (c) A mandatory upper level setback greater than 5 metres.
48. The original Internal Development Assessment Committee (now Planning Decision Committee) report considered these controls. As the amendment proposes alterations and additions to the multi-storey development, the controls of the overlay are relevant and will be further assessed.

Development Contributions Plan Overlay (Schedule 1)

49. The subject site is affected by the Development Contributions Plan Overlay (Schedule 1). The purpose of this overlay is:
- (a) *To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.*
50. Pursuant to Clause 45.06-1 of the Scheme, a permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.
51. A permit granted must be:
- (a) *Consistent with the provisions of the relevant development contributions plan.*
 - (b) *Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.*
52. The above requirements are not applicable given that the development is currently underway and the amendment does not result in an increase in gross floor area to the approved multi-storey, restaurant development.

Particular Provisions

Clause 52.06 – Car Parking

53. Pursuant to Clause 52.06-2 of the Scheme, the required car parking spaces must be provided on the land before a new use commences or the floor area of an existing use is increased.
54. The subject site is located under the Principal Public Transport Network (PPTN) Area, thus Column B of table 1 of Clause 52.06-5 applies to the application.
55. The original planning permit approved no on-site car parking for the restaurant use and a reduction of the 14 car parking spaces required to be provided pursuant to Clause 52.06-5 of the Scheme. In addition, the previous amendment approved a further reduction of 7, resulting in an overall reduction of 21 car parking spaces.
56. The proposed 2.3sqm of leasable floor area as a result of the proposed alterations and additions to the approved development will not further reductions to the car carparking requirements.

Clause 52.27 Licensed Premises

57. Pursuant to Clause 52.27 of the Scheme, a planning permit is required to use land to sell or consume liquor if a licence is required under the *Liquor Control Reform Act 1998* and to increase the area that liquor is allowed to be consumed or supplied under a licence. As this amendment proposes to extend the 'red line' by 2.3sqm as a result of the proposed alterations and additions to the approved development, a planning permit is triggered.

58. The amendment does not propose to increase the hours and patron numbers associated with the sale and consumption of liquor from what is already permitted.

General Provisions

Clause 65 – Decision Guidelines

59. The decision guidelines outlined at *Clause 65* of the Scheme are relevant to all applications. Because a permit can be granted does not imply that a permit should or will be granted. Before deciding on an application, the Responsible Authority must consider a number of matters. Amongst other things, the Responsible Authority must consider the relevant State and Local Planning Policy Frameworks, as well as the purpose of the zone, overlay or any other provisions

Planning Policy Framework (PPF)

Clause 11.03-1S – Activity centres

60. The objective of this clause is *“To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.”*
61. Relevant strategies to achieve this objective include:
- (a) *Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.*
 - (b) *Encourage economic activity and business synergies.*

Clause 13.05-1S – Noise Abatement

62. The objective of this clause is *“To assist the control of noise effects on sensitive land uses.”*
63. The strategy to achieve this objective is *“To ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.”*

Clause 15.01-2S – Building design

64. The objective of this clause is *“To achieve building outcomes that contribute positively to the local context and enhance the public realm.”*
65. Relevant strategies to achieve this objective include:
- (a) *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm*
 - (b) *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*

Clause 15.03-1S – Heritage conservation

66. The objective of this clause is *“To ensure the conservation of places of heritage significance.”*
67. Relevant strategies to achieve this objective include:
- (a) *Encourage appropriate development that respects places with identified heritage values.*
 - (b) *Retain those elements that contribute to the importance of the heritage place.*

Clause 17.01-1S – Diversified economy

68. The objective of this clause is *“To strengthen and diversify the economy.”*

Clause 17.02-1S – Business

69. The objective of this clause is *“To encourage development that meets the community’s needs for retail, entertainment, office and other commercial services.”*

70. A relevant strategy to achieve this objective include:

- (a) *Locate commercial facilities in existing or planned activity centres.*

[Local Planning Policy Framework \(LPPF\)](#)

Clause 21.04-2 – Activity centres

71. This clause identifies that:

- (a) *Activity centres are almost all centred around elongated commercial strips stretched out along Yarra’s main roads and feeder roads. Abutting uses along the length of the strips are generally residential, creating interface conflicts where some uses are not well managed or inappropriate uses are permitted.*
- (b) *Music venues, arts and cultural facilities also contribute to Yarra’s character and cultural life, and to its activity centres*

72. The relevant objectives of this clause are:

- (a) *Objective 4 – To maintain a balance between local convenience and regional retail roles in Yarra’s activity centres.” and a relevant strategy includes “Support the regional role of the Major Activity Centres as an important component of Yarra’s economy and as a metropolitan destination.*
- (b) *Objective 5 – To maintain the long term viability of activity centres*

Clause 21.04-3 – Industrial, office and commercial

73. This clause identifies that:

- (a) *Within Yarra the volume of commercial and associated uses is so significant that they form clusters of interrelated activity.*
- (b) *The commercial and industrial sectors underpin a sustainable economy and provide employment. Yarra plans to retain and foster a diverse and viable economic base.*

74. The relevant objective of this clause is:

- (a) *Objective 8 – To increase the number and diversity of local employment opportunities.*

Clause 21.05-1 – Heritage

75. This clause identifies that *“In conserving areas of heritage significance there is also a need to provide for adaptive reuse and change of buildings.”*

76. The relevant objective of this clause is:

- (a) *Objective 14 – To protect and enhance Yarra’s heritage places.*

Clause 21.05-2 – Urban design

77. The relevant objectives of this clause are:

- (a) *Objective 16 – To reinforce the existing urban framework of Yarra.*
- (b) *Objective 18 – To retain, enhance and extend Yarra’s fine grain street pattern.*
- (c) *Objective 19 – To create an inner city environment with landscaped beauty.*
- (d) *Objective 20 – To ensure that new development contributes positively to Yarra’s urban fabric.*
- (e) *Objective 22 – To encourage the provision of universal access in new development.*

Clause 21.05-3 – Built form character

78. The relevant objectives of this clause are:

- (a) *Objective 23 – To maintain and strengthen the identified character of each type of identified built form within Yarra*
- (b) *Objective 26 – To improve the built form character of transport corridors.*

Clause 21.05-4 – Public environment

79. This clause identifies that *“There is a need to ensure that, as development occurs, Yarra’s public environment, buildings and transport infrastructure are accessible to all people.”*

80. Objective 28 of this policy is *“To provide a public environment that encourages community interaction and activity.”*

Clause 21.08-2 – Burnley, Cremorne, South Richmond

81. The subject site is located within the Burnley, Cremorne, South Richmond neighbourhood which is *“largely an eclectic mix of commercial, industrial and residential land use. With two railway lines and both north south, and east west tram routes, the neighbourhood has excellent access to public transport. The Swan Street major activity centre lies along the northern boundary of this neighbourhood. Within this major activity centre there are three recognisable precincts. [The Swan Street West Precinct] incorporates the core retail area of Swan Street and includes East Richmond Station. Swan Street, unlike the other major activity centres within Yarra, has a smaller pool of non-local visitors, reflecting its stronger orientation towards servicing the needs of local residents.*

82. The Figure 8 (Built Form Character Map) identifies the subject site as a main road interface. The figure recognizes the objective of these areas is to *maintain the hard edge of the strip.*

[Relevant Local Policies](#)

Clause 22.02 – Development guidelines for sites subject to the Heritage Overlay

83. Clause 22.02 of the Scheme applies to all developments where a planning permit is required under the Heritage Overlay.

Clause 22.02-5.7 – New Development, Alterations or Additions

84. The relevant policies of Clause 22.02-5.7.1 encourages the design of new development to a heritage place or a contributory element to:

- (a) *Respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape.*
- (b) *Be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place.*
- (c) *Be visually recessive and not dominate the heritage place.*
- (d) *Be distinguishable from the original historic fabric.*

- (e) *Not remove, cover, damage or change original historic fabric.*
- (f) *Not obscure views of principle façades.*
- (g) *Consider the architectural integrity and context of the heritage place or contributory element.*

Clause 22.02-5.7.1 of the Scheme also seeks to:

- (a) *Encourage setbacks from the principle street frontage to be similar to those of adjoining contributory buildings where there are differing adjoining setbacks, the greater setback will apply.*
- (b) *Encourage similar façade heights to the adjoining contributory elements in the street. Where there are differing façade heights, the design should adopt the lesser height.*

Clause 22.05 – Interface Uses

85. This policy applies to applications for use or development within Commercial 1 Zones (amongst others). The relevant objectives of this clause are:

- (a) *To enable the development of new residential uses within and close to shopping centres, near industrial areas and in mixed use areas while not impeding the growth and operation of these areas as service, economic and employment nodes.*
- (b) *To ensure that residential uses located within or near commercial centres or near industrial uses enjoy a reasonable level of amenity.*

Clause 22.09 – Licensed Premises

86. This policy applies to an application under Clause 52.27 (Licensed Premises). The objectives of this clause are:

- (a) *To protect the amenity of nearby properties and areas by effectively managing the location, size, operation and hours of licensed premises.*
- (b) *To encourage best practice venue design and venue operation for licensed premises.*
- (c) *To protect residential and other commercial uses from excess noise, traffic and carparking issues.*
- (d) *To provide for daytime trade and active street frontages in retail strips, while providing the reasonable commercial opportunities for the trading of licensed premises.*

Advertising

87. The application was advertised in 80. December 2020 and January 2021 under the provisions of Section 52 of the *Planning and Environment Act (1987)* by 37 letters sent to surrounding owners and occupiers and by one sign displayed on site along Swan Street.

88. Overall, Council received fifteen (15) objections, the grounds of which are summarised as follows):

- (a) Impact on heritage streetscape along Swan Street;
- (b) Built form (height, material and design);
- (c) Amenity impacts (visual bulk, overlooking, noise and existing trees);
- (d) Increased number of sitting patrons will result in increased demand for on-street car parking);
- (e) Updated Acoustic Report not provided with amendment;
- (f) Construction (noise, requests for dilapidation reports, updated protection works notices, structural impact to existing properties); and
- (g) Decrease property value.

89. Following the advertising of the application, the applicant submitted an amended Acoustic Report prepared by Cogent Acoustic (dated 11 May 2021) to address and reflect the amended development. The Acoustic Report dated 22 June 2021 was further revised to address matters raised in the peer review carried out by SLR Consulting.
90. The Acoustic Report prepared by Cogent Acoustics dated 22 June 2021 supersedes the previous versions and has been sent to all objectors with the invitations to this PDC meeting as it informs the officer's recommendations.
91. No consultation meeting was held.

Referrals

External Referrals

92. Notice of the application was required to be given to referral authorities; VicRoads and TransUrban, under Clause 66 of the Scheme based on the requirements of Design and Development Overlay (Schedule 5).
93. VicRoads responded with no objections and TransUrban responded with no comments.

Internal Referrals

94. The application was not required to be internally referred as the extent of works proposed to the existing dwelling can be adequately assessed under the guidelines of the Scheme.

External Consultants

95. The amended Acoustic Report dated 22 June 2021 was referred to SLR Consulting (Acoustic Engineering), with comments included as attachments to this report.

OFFICER ASSESSMENT

96. The primary considerations for this application are as follows:
 - (a) Neighbourhood character, built form and design;
 - (b) Off-site amenity impacts;
 - (c) Sale and consumption of liquor; and
 - (d) Objector concerns;

Neighbourhood character, built form and design

97. The amended development will continue to match the existing and consistent hard-edge built form along Swan Street. The increased street wall height of 8.51m (previously 8.16m) continues to meet the mandatory street wall height requirement at the Schedule 17-2 to Clause 43.02 (Design and development overlay). In terms of heritage, the subject site is located within the Swan Street Heritage Precinct and is considered to provide an acceptable transition between the single-storey, contributory heritage building and the double-storey, individually significant heritage building on either side.
98. At ground level, the proportion of clear glazing, including sashless double-hung windows are consistent and in keeping with adjacent shopfront windows. Despite the alterations and additions along the front façade, including the addition of a fire hydrant cupboard and finish changes, the extent of clear glazing at street level adequately provides an active frontage for passive surveillance and appropriately reflects the shopfront glazing of heritage buildings to the west.

99. At the second floor (roof terrace plan as shown on floor plan) and roof terrace (roof plan as shown on floor plan), these floors will continue to be setback in between 7.9m and 8.188m from Swan Street which exceeds the mandatory 5m upper level setback requirement of DDO17-2.

Under the amendment, the proposed alteration to the roof terrace canopy increases the maximum height of the development to 12.928m and will be setback between 8.083m and 8.328m from Swan Street. As such, the upper levels including the altered canopy will be adequately set back from the street and will not dominate the surrounding heritage streetscape. Moreover, the substantial setback will reduce the visibility and allow the higher built form to be read as secondary to the main double-storey façade.

100. Importantly, the 12.983m overall height created by the altered canopy on the roof terrace is well below the mandatory 21m height limit allowable for this part of Swan Street under the DDO17. Accordingly, the height, scale and setbacks of the proposed building is appropriate for the site and is respectful to the heritage streetscape.

Off-site amenity impacts

101. Directly to the north of the site is land located within a General Residential Zone (Schedule 2). A full assessment against Clause 22.05 (Interface uses policy) has already been carried out in the original officer's report and the following assessment will not consider potential impacts from the changes proposed by the amendment.

Visual bulk

102. Directly to the north of the subject site at No. 26-28 Charlotte Street is a double-storey residential building located within a General Residential Zone (Schedule 2). The side and rear wall height and upper level setback requirements of the DDO17 provide the relevant tests for assessing visual impact of new development with a common boundary to a property in a residential zone. As specified in Table 2 to Precinct 2 (Swan Street Activity Centre), the rear wall abutting the residentially zoned land should not exceed a maximum height of 8m on the common boundary and should be setback in accordance with Figure 2 in the schedule to DDO17.

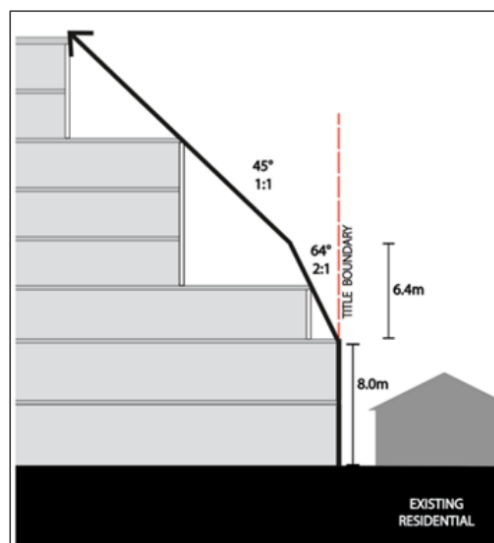


Figure 5: Figure 2 to Design and Development Overlay Schedule 17 – Residential interface direct abuttal (Yarra Planning Scheme, DDO17, C236, 23 November 2018)

103. Under the amendment, the proposed rear ground floor boundary wall continues to have a height between 2.53m and 3.16m, which is well within the 8m maximum height encouraged under DDO17. At the upper levels, the rear, northern wall will increase in height from 8.63m-9.26m to 9.03m-9.66m whilst maintaining the previously approved setback of 6m-6.3m from the northern boundary. The proposed relocation and addition of approved and new plant equipment will be located towards the rear of the development at first and roof terrace levels. As shown in the figure below, the amended development continues to fully comply with the setback under Figure 2 of DDO17.

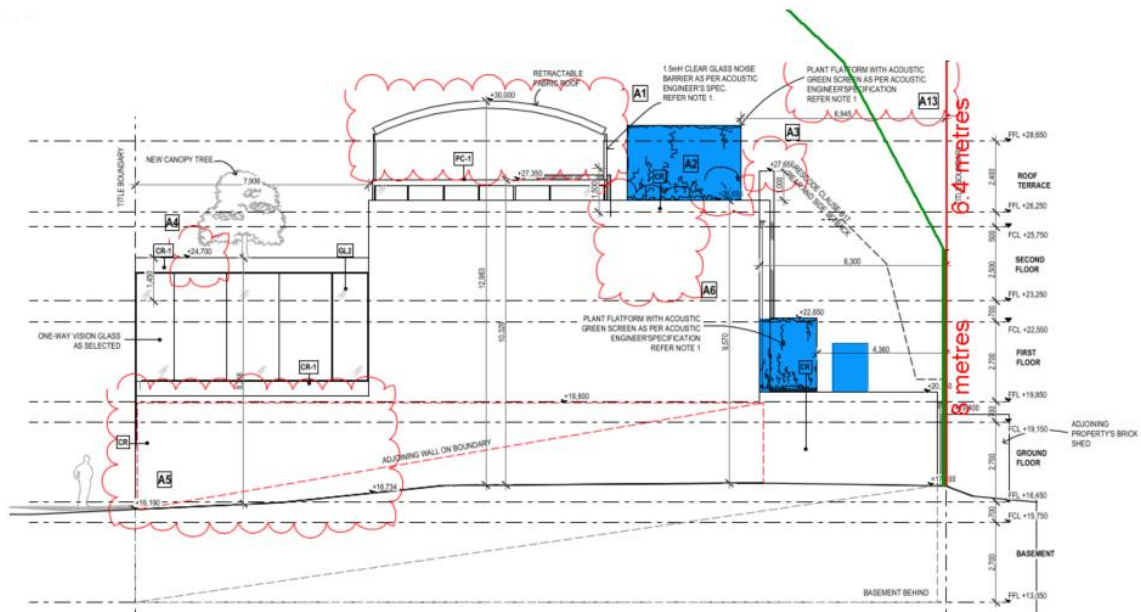


Figure 6: Proposed east elevation with Figure 2 to DDO17 setback diagram drawn in green and mechanical equipment/green screening shown in blue (Applicant submission October and November 2020 with officer's annotations)

104. With regard to the side boundary walls, the increases in wall heights along the eastern and western boundaries, including the new plant screen along the eastern boundary are acceptable given they abut existing built form located within a Commercial 1 Zone, and not residentially zoned land. Therefore, the changes proposed to the side boundary walls will not cause unreasonable visual impact on the adjoining properties.

Overshadowing

105. The decision guidelines of Commercial 1 Zone also include consideration of the overshadowing as a result of buildings or works affecting adjoining land in a Neighbourhood Residential Zone. Given the north-south orientation of the subject site with the residential zoned land located to the north, the proposed development will not cause overshadowing impact to the adjoining residential zoned land. Furthermore, the amenity of the surrounding public space will not be unreasonably impacted as shadows cast by the amended development will not fall over any part of the southern footpath of Swan Street

Overlooking

106. The amended development will not result in unreasonable overlooking opportunities to the adjacent residential properties given the north-facing windows of the proposed development will have sill heights of at least 1.7m above FFL and the roof terrace is more than 9m away from any areas of secluded private open spaces.

Lightspill

107. The proposed amendment does not propose the addition of any new window openings or lighting which may cause nuisance to surrounding dwellings. On the contrary, the number of windows along the northern wall at first and second floor will be reduced which will further decrease the possibility of potential lightspill from the proposed development. The newly reconfigured seating area at the second floor is located behind a solid wall and thus would not result in any additional lightspill.

Sale and Consumption of liquor

108. The decision guidelines at Clause 52.27 of the Scheme, include *the consideration of the impact of the sale or consumption of liquor on the amenity of the surrounding area, the impact of the hours of operation and number of patrons on the amenity of the surrounding area and the cumulative impact of any existing licensed premises and the proposed licensed premises.*
109. Clause 22.09 (Licensed premises policy) of the Scheme contains Council's local policy which guides assessments of new or extended licensed premises within the municipality. Under the amendment, the leasable floor area and "Red Line" plan will be increased by 2.3sqm as a result of the proposed internal reconfigures of each level. Given the limited increase in licensed area with no change to previously approved patrons numbers or operating hours, a full assessment against the six key elements of Clause 22.09 is not warranted. A full assessment has been provided within the original and amendment officer's reports. Accordingly, only the relevant elements to the amended proposal will be considered below.

Noise

110. The proposed development will continue to be restaurant premises with the sale and consumption of liquor (Restaurant and Café Liquor Licence) on premises between 11:00am and 11:00pm. seven days a week. As the use of the site is a restaurant, the sale and consumption of liquor will be ancillary to the preparation and serving of meals for restaurant patrons, which will be the primary activity on site. In terms of noise sources of the proposed use, no live music or entertainment is proposed, and patron numbers will be limited at each level by the seating arrangement in the venue. Whilst the internal layout of the restaurant will be altered with a 2.3sqm increase in licensed area under the amendment, the application does not propose to increase the number of permitted patrons on the premises at any one time. Furthermore, the number of patrons allowed at the upper levels will be reduced under the amended proposal from 68 to 65 at second floor, and 48 to 20 at roof terrace level (table provided at paragraph 12a). As such, the proposed marginal increase in licensed area and the internal reconfiguration to the restaurant will not impact the intensity of the sale and consumption of liquor and will not result in unreasonable patron noise to sensitive areas (i.e. residential properties).

111. In advertising the amended application, objectors raised concerns regarding the lack of an updated Acoustic Report detailing the proposed noise mitigation specifications of the amended development. Officers concur with this concern given the reconfigured layout proposed at most levels. To address this an updated acoustic report prepared by Cogent Acoustics and dated 22 June 2021 was provided by the applicant to consider mechanical plant equipment, patron noise and music noise levels from the sale and consumption of liquor on the premises.
112. In comparing the updated acoustic report with the original acoustic report prepared by Cogent Acoustics and dated 2 July 2018, the noise mitigation measures for patron noise and deliveries and waste collections will continue to be implemented as part of the amendment. In addition, the amendment does not alter the construction of the mechanical plant acoustic screen in terms of sheeting, lining and membrane materials and specifications. However, following differences in noise mitigation measures and recommendations were made as a result of the amendment:
113. Roof-mounted mechanical plant (as shown in figure 7 below)
- Acoustic screens to be installed surrounding three locations of mechanical plant equipment at first and roof terrace levels.
 - Plant equipment CU-1 at first floor to operate in *'Night mode'* during the *SEPP N-1 'Night' period (after 10 pm every night)* to reduce the *Sound Power Level to less than 73 dB(A) and (Toshiba MMY-MAP1206FT8P-A is capable of this)*
 - Inclusion of timers to the following plants to limit the fan speeds during the *SEPP N-1 'Night' period*:
 - OAF-1 (first floor) to approximately 1200 RPM
 - KEF-1 (roof terrace) to approximately 1100 RPM

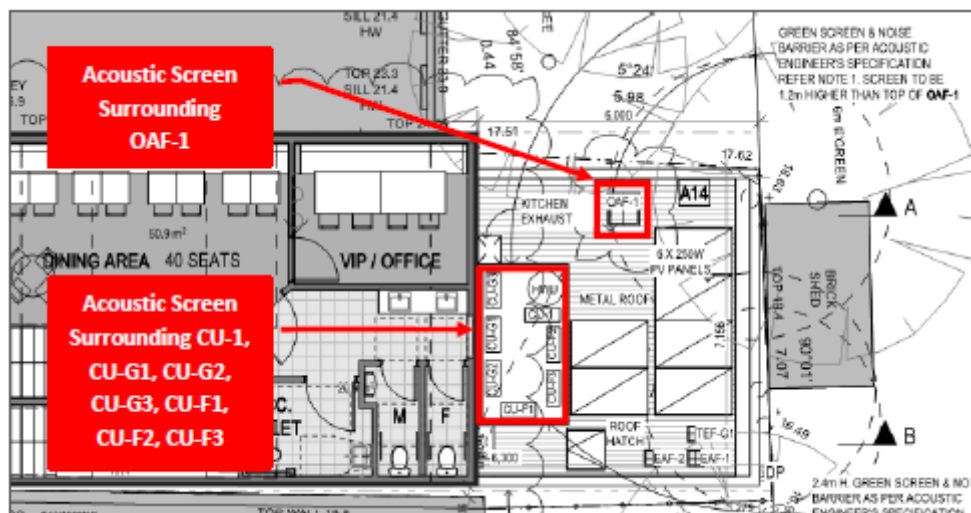




Figure 7: Mechanical plant acoustic screen locations – first floor (top) and roof terrace (bottom) (Cogent Acoustic, 22 June 2021)

114. Music noise

- (a) The recommended maximum music noise levels on the roof terrace during the 'Day / Evening period decreased from LAeq 77 dB(A) to LAeq 73 dB(A) at 1 m directly in front of each loudspeaker

115. It is important to note that as of 1 July 2021, the *Environment Protection Amendment Act 2017* and subordinate legislation including the *Environment Protection Regulations (Regulations)* and *Environment Reference Standard' (ERS)* came into effect. The regulations incorporate a new noise protocol '[Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues](#)', Publication 1826 (the Noise Protocol) which effectively replaces:

- (a) *State Environment Protection Policy No. N-1 (Control of Noise from Commerce, Industry and Trade)*, (SEPP N-1),
- (b) *'State Environment Protection Policy No. N-2 (Control of Music Noise from Public Premises)*, (SEPP N-2) and;
- (c) *'Noise from Industry in Regional Victoria' (NIRV).*

116. SLR Consulting provided acoustic advice to Council in the consideration of the original application and has again been engaged to peer review the applicant's amended acoustic report. In their response, SLR Consulting noted that the acoustic report has "*demonstrated that noise from the venue has the potential to exceed noise limits and amenity targets, and have provided detailed and comprehensive recommendations for building treatments and venue management to achieve an acceptable outcome.*" Therefore, the recommendations outlined in the acoustic report are considered appropriate to put in place in order to minimise noise impacts from the premises and continue to address Condition 9 (Acoustic Report) on the Planning Permit.

117. However, Council's acoustic consultant queried the change to the provision of noise limiters, with the amended acoustic report recommending these for external loudspeakers, and not for internal dining spaces. Condition 9d of the permit requires "*the provision of electronic noise limiters/compressors on the amplifiers/speakers within the indoor and outdoor dining areas of the venue with setup guided by an acoustic consultant prior to operations commencing.*" SLR Consulting recommends maintaining compliance with this condition to ensure that noise limits are appropriate in the context of the development and the surrounding area. This will be required by way of a permit condition should an amended permit be issued.

118. Given the proximity of residents to the subject site and the large extent of both plant equipment sources, as well as patron and music noise sources, SLR Consulting has recommended that a post development noise assessment of all noise generating sources be undertaken to ensure compliance with the relevant noise limits. Should councillors be of the mind to support the application, this will be required by way permit condition on any amended permit to issue.
119. Furthermore, as the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1) and Control of Music Noise from Public Premises (SEPP N-2) will be replaced with new noise protocol regulations, Conditions 27 and 28 on the permit will be replaced with a new condition requesting the use and development must comply at all times with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021).

Conclusion

120. Overall, it is considered that the amendment proposal to include the sale and consumption of liquor to the proposed basement will meet the objective of Clause 22.05 (Interface Uses Policy) to *ensure that residential uses located within or near commercial centres enjoy a reasonable level of amenity.*

Other Matters

121. The naming convention of each level is different between the floor plans and elevations and creates confusion. A condition will require this to be modified so that all plans are consistently labelled.
122. A correction has been made to the height of the noise barrier opposite the boundary window of No. 219 Swan Street. The previously endorsed second floor plan (roof terrace plan as labelled on floor plans) notates a 1.8m high barrier whilst the barrier is notated to have a height of 1.9m on the proposed west elevation and the endorsed acoustic report prepared by Cogent Acoustics and dated 2 July 2018. Under the amendment, the height of the noise barrier has been corrected to be 1.9m across the floor plans, elevations and updated acoustic report prepared by Cogent Acoustics and dated 22 June 2021.
123. Condition 4(a) of the planning permit requires patron numbers within the lower level roof terrace (terrace at second floor) to be reduced from 48 to 22 patrons from 10pm and 11pm. Under the amendment, the number of patron seats within the second-floor terrace will be increased from 48 to 52. In order to consistently reflect the number of patrons, condition 4(a) is required to be updated to state:
4. *No more than 192 restaurant patrons are permitted on the land at any time liquor is being sold or consumed, and further restricted as follows:*
- (a) *From 10pm to 11pm, patron numbers within the lower level terrace reduced from 52 to 22.*

124. Condition 9 of the planning permit requires an amended Acoustic Report to be submitted and endorsed prior to the use and development commencing on site. There is currently no endorsed acoustic report and the applicant has sought to rectify this with the amended acoustic report submitted under this amendment application. The acoustic report was peer reviewed by SLR Consulting and the proposed measures/recommendations were considered acceptable and continue to address condition 9 on the planning permit, save for the condition 9(d) which was addressed earlier in the report. Therefore, condition 9 requirements (a-c) and (e-g) will be deleted and condition 9(d) will be retained and renumbered as 9(a).

Objector Concerns

125. The majority of issues associated with the objector concerns have been discussed throughout this report; the remaining objection topics which have yet to be assessed are discussed below.
- (a) Impact on heritage streetscape along Swan Street;
 - (i) Issues associated with heritage streetscape have been discussed earlier within the report (paragraphs 97-100).
 - (b) Built form (height, material and design);
 - (i) Issues associated with built form have been discussed earlier within the report (paragraphs 97-105).
 - (c) Amenity impacts (visual bulk, overlooking, noise and existing trees);
 - (i) Issues associated with visual bulk have been discussed earlier within the report (paragraphs 102-104).
 - (ii) Issues associated with overlooking have been discussed earlier within the report (paragraphs 106).
 - (iii) Issues associated with noise have been discussed earlier within the report (paragraphs 110-120).
 - (iv) The amendment application does not propose additional built form within the rear, northern portion of the subject site in proximity to the adjoining tree of concern at No. 26-28 Charlotte Street. Issues regarding development in proximity to existing trees was previously assessed within the original officer's report and found to be acceptable. Condition 19 of the permit required the submission of an amended arborist report to detail additional tree protection measures for the trees on the adjoining properties. The report was reviewed by Council's arborist and the measures are found to be acceptable.
 - (d) Increased number of sitting patrons will result in increased demand for on-street car parking);
 - (i) The amendment application does increase the number of patrons permitted on the premises at any one time and does not trigger a further reduction in the car parking requirements for a restaurant. Issues associated with car parking have been previously assessed within the original and amendment officer's reports.
 - (ii) Furthermore, as shown in the table at paragraph 11a, the number of seats shown on the floor plans has been reduced from 212 to 192. It is noted that condition 4 the permit stipulates a maximum of 192 patrons on the premises at any time liquor is sold or consumed and is not proposed to change under the amendment.
 - (e) Updated Acoustic Report not provided with amendment;

- (i) An updated acoustic report was provided by the applicant following advertising. Issues associated with noise have been discussed earlier within the report (paragraphs 110-120).

Conclusion

126. The proposal demonstrates an acceptable level of compliance with the policy requirements outlined in the Yarra Planning Scheme. Based on the report, the proposal is considered to generally comply with the relevant policies of the Yarra Planning Scheme and is recommended for approval subject to conditions.

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant an Amended Planning Permit PLN17/1016 which approved *full demolition of the existing building and construction of a multi-storey building with roof terraces, display of an internally-illuminated sign, use of the land for sale and consumption of liquor (Restaurant and Café Licence) and reduction in car parking and bicycle parking requirements associated with a restaurant (as-of-right use)*, at 221 Swan Street, Richmond, with no change to the permit preamble but with amendments to permit conditions.

- Delete all Condition 1 requirements (a-h) and replace with new condition 1(a).
 - Amend Condition 4(a) to reflect new seating numbers to lower level roof terrace.
 - Delete Condition 9 requirements (a-c) and (e-g), and renumber 9(d) as 9(a).
 - Add new condition 10 for post commencement Acoustic Report.
 - Delete Conditions 27 and 28 and replace with new condition 28.
 - Renumber remaining conditions.
1. **Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by YBL Remmus, Job No. 17062, Drawing Nos. TP-05, TP-07 to TP-12, Rev. No. M, dated October 2020, and Drawing No. TP-06, Rev. No. M, dated 20 November 2020, but modified to show:**
- (a) **Floor plans to be consistently labelled as the per the elevations.**
2. The development and sale and consumption of liquor as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Restaurant and Café Liquor Licence

3. The sale and consumption of liquor on the premises must only occur between the hours of 11:00am and 11:00pm, seven days a week.
4. **No more than 192 restaurant patrons are permitted on the land at any time liquor is being sold or consumed, and further restricted as follows:**
- (a) **From 10pm to 11pm, patron numbers within the lower level roof terrace reduced from 52 to 22.**

5. No patrons are permitted within the upper level roof terrace beyond 10:00pm on any night, as per the commitment reference in the correspondence from Metropol Planning Solutions dated 4 July 2018.
6. The predominant activity in the restaurant, at all times, must be the preparation and serving of meals for consumption by patrons on the premises, during the times that liquor is allowed to be sold and consumed under this permit.
7. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons / customers to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
8. Deliveries associated with liquor may only occur between 8:00am and 4:00pm, unless with the prior written consent of the Responsible Authority.

Acoustic Report

9. **Within one month of the date of the amended permit (PL17/1016.02), an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Cogent Acoustics and dated 22 June 2021, but modified to include the following:**
 - (a) **The provision of electronic noise limiters/compressors on the amplifiers/speakers within the indoor and outdoor dining areas of the venue with setup guided by an acoustic consultant prior to operations commencing.**
10. **Within 3 months of the commencement of the use, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:**
 - (a) **Full compliance testing of all noise generating sources against the relevant noise regulations.**

The acoustic report must assess the compliance of the use and, where necessary, make recommendations to limit the noise impacts in accordance with Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority.
11. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
12. The provision of music and entertainment on the land must be at a background noise level.
13. The sound system on the premises must not consist of bass speakers.

Waste Management Plan

14. Before the use and development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit.

The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 10 January 2018, but modified to include the following:

- (a) The collection times for the bins rather than saying outside of peak hours.
 - (b) How the private collection contractor will avoid double parking in Swan Street during collection.
 - (c) How the private collection contractor will avoid causing delays to trams operating along Swan Street during collection.
15. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan

16. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan (prepared by Sustainable Development Consultants, dated December 2017) must be implemented and complied with at all times to the satisfaction of the Responsible Authority.
17. Before the building is occupied, a completed JV3 energy modelling report must be prepared by a suitably qualified person and submitted to the Responsible Authority demonstrating that the 10% energy efficiency target committed to in endorsed Sustainable Management Plan will be reached.

Landscaping Plan Required

18. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
- (a) be in accordance with the draft landscape plan prepared by TT Design, dated 01/10/2018 showing two trees and planters on the second floor and lower level and upper level roof terraces, including details of species, size, irrigation method and plant spacing; and
 - (b) show the basement level in sectional diagrams.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

Arborist Report

20. Before the development commences, an amended Arborist Report prepared by a suitably qualified Arborist must be submitted to and approved by the Responsible Authority. When approved the Arborist Report will be endorsed and will form part of this permit. The Arborist Report must:

- (a) be in accordance with the draft arborist report prepared by Bluegum, dated 13 February 2018 & 11 October 2018, identifying Trees 6 and 7 consistently throughout the report and showing additional tree protection measures for Tree 7.

Street Trees

- 21. Before the development starts, the permit holder must provide an Asset Protection Bond of \$2,193.45 (or an amount as agreed with Council's Streetscapes and Natural Values Unit) for the street tree to the Responsible Authority. The bond:
 - (a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) in accordance with the requirements of this permit; or
 - (d) otherwise, to the satisfaction of the Responsible Authority.

Bicycle hoop provision

- 22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, one (1) bicycle hoop must be installed:
 - (a) on the footpath, aligned with the awning post of the western adjoining property, between the awning post and the existing parking sign pole;
 - (b) at the permit holder's cost and all costs borne by the permit holder; and
 - (c) in a location and manner, all to the satisfaction of the Responsible Authority.

Sign

- 23. The location and details of the sign as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
- 24. The sign must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
- 25. The sign must not include any flashing or intermittent light.

Construction Management Required

- 26. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;

- (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

27. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

General

28. **The use and development must comply at all times with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021).**
29. Emptying of bottles and cans (associated with liquor) into bins may only occur between 7:00am and 10:00pm on any day.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
31. The sale of liquor for consumption on the premises must be managed so that the amenity of the area is not detrimentally affected including through:
- (a) The transport of materials, goods or commodities to or from land;
 - (b) The appearance of any buildings, works or materials; and
 - (c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the presence of vermin.
32. Within two months of the completion of development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) at the permit holder's cost; and

(b) to the satisfaction of the Responsible Authority.

33. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

34. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit;
- (b) the development is not completed within four years of the date of this permit; or
- (c) the sale and consumption of liquor is not commenced within five years of the date of this permit; or
- (d) the sale and consumption of liquor is discontinued for a period of two years.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement.

35. The signage approved under this permit expires 15 years from the date of the permit.

NOTES:

A building permit may be required before development is commenced. Please contact Council's Building Department on 9205 5585 to confirm.

The site is subject to a Heritage Overlay. A planning permit may be required for any external works or advertising signage.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

All future business owners and employees within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

Attachments

- 1 PLN17/1016.02 - 221 Swan Street Richmond - PDC - Subject Land Map
- 2 PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)
- 3 PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Landscape Plan


- 4** PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)
- 5** PLN17/1016.02 - 221 Swan Street Richmond - Acoustic Referral - SLR Comments
- 6** PLN17/1016.02 - 221 Swan Street Richmond - DDO5 VicRoads Response
- 7** PLN17/1016.02 - 221 Swan Street Richmond - DDO5 TransUrban Response
- 8** PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Planning Permit
- 9** PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Endorsed Plans
- 10** PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Endorsed Landscape Plan

SUBJECT SITE

221 SWAN STREET, RICHMOND 3121

PLN17/1016.02 – Subject Site Map (*NearMaps Aerial Imagery, 29 April 2021*)



 SUBJECT SITE

 NORTH

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)

NOTE 1

THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF R_w 30. ACoustically ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.6mm THICK STEEL, 9mm THICK FIBRE GEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2

THE DUCT SHOULD BE OF RIGID CONSTRUCTION (E.G. GALVANISED STEEL DUCTING).

THE DUCT SHOULD BE INTERNALLY LINED WITH MINIMUM 50mm THICK, 32KG/M² ACOUSTIC INSULATION TO MINIMISE POTENTIAL TRAFFIC NOISE INGRESS.

THE NATURAL VENTILATION DUCT SHOULD BE NO LESS THAN 3 METRES IN LENGTH AND SHOULD ONLY BE MOUNTED TO THE BUILDING STRUCTURE VIA RESILIENT HANGERS OR OTHER FLEXIBLE CONNECTION TYPE.

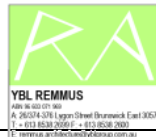
NOTE 3

- BLUE LINE DENOTES TITLE BOUNDARY AS PER ORIGINAL CERTIFICATE OF TITLE
- ORANGE LINE DENOTES TITLE BOUNDARY AS PER LAND SURVEYOR DRAWINGS

AMENDMENT LEGEND

- A1 RETRACTABLE FABRIC ROOF TO BE CHANGED TO CURVE
- A2 TOP OF PARAPET LEVEL INCREASED
- A3 TOP OF VENT LEVEL INCREASED
- A4 TOP OF WALL LEVEL INCREASED
- A5 NEW CONCRETE PANEL WALL
- A6 NEW CONCRETE PANEL WALL
- A7 FLOOR LAYOUT REVISED. SEATING AREA ADDED
- A8 NEW ROOF TO SEATING AND TOILET AREA
- A9 FLOOR LAYOUT REVISED
- A10 FLOOR LAYOUT REVISED
- A11 FLOOR LAYOUT REVISED

PROPOSED BASEMENT PLAN



As indicated on these drawings, all dimensions are made between centre lines unless otherwise specified.
The drawings are copyright. No part may be reproduced or otherwise dealt with without the permission of the author.

PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT



REV	NO	DATE	NOTES TO ISSUE	STATUS
D.	02/01/18		ACOUSTIC ENGINEERS RECOMMENDATION	VT
E.	20/01/18		CORROPERATE OF PLATES TITLE BOUNDARY ADDED	VT
F.	19/01/18		ENFORCEMENT ISSUE	VT
G.	20/01/18		SHARDMENT AMENDMENT ISSUE	VT
H.	01/04/18		DRAWING REVISED TO MATCH TITLE BOUNDARY	VT
I.	01/04/18		SHARDMENT LAYOUT ADDED	VT
J.	16/01/20		TOWN PLANNING AMENDMENT	VT
K.	28/01/20		TOWN PLANNING AMENDMENT 2	VT
L.	07/01/20		ST/MT AMENDMENT	VT
M.	26/01/20		PLANT PLATFORM ADDED	VT

DRAWING
PROPOSED BASEMENT

SCALE
1:1000 (A1), 1:2000 (A3)

DATE
OCTOBER 2020

STATUS
VT PA

APP NO.
17062

PROJECT STATUS

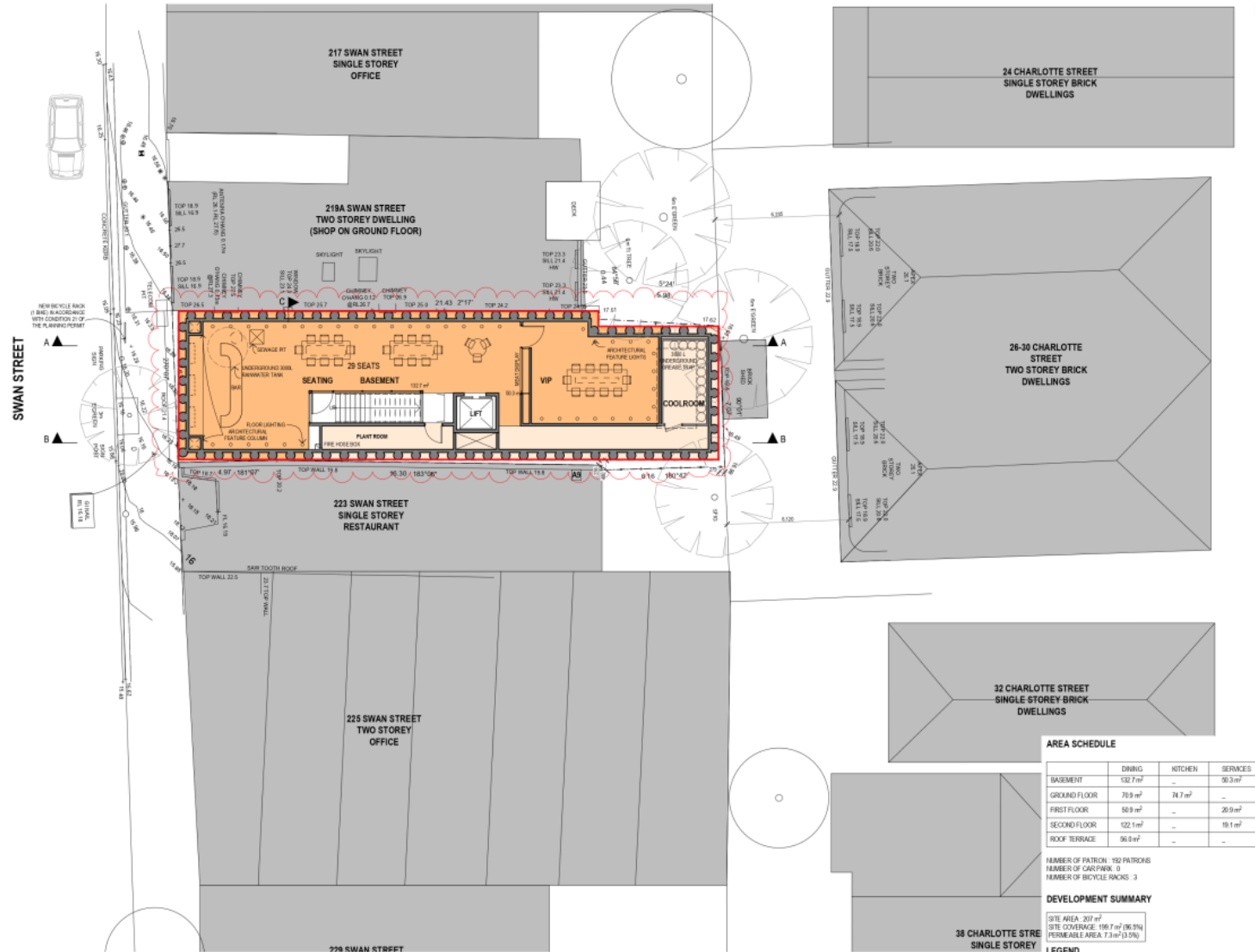
DRAWING NO.

TOWN PLANNING

REV NO.

TP-05

M



Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)

NOTE 1

THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF R_w 30. ACoustically ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.6mm THICK STEEL, 9mm THICK FIBRE GEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2

THE DUCT SHOULD BE OF RIGID CONSTRUCTION (E.G. GALVANISED STEEL DUCTING).

THE DUCT SHOULD BE INTERNALLY LINED WITH MINIMUM 50mm THICK, 32KG/M² ACOUSTIC INSULATION TO MINIMISE POTENTIAL TRAFFIC NOISE INGRESS.

THE NATURAL VENTILATION DUCT SHOULD BE NO LESS THAN 3 METRES IN LENGTH AND SHOULD ONLY BE MOUNTED TO THE BUILDING STRUCTURE VIA RESILIENT HANGERS OR OTHER FLEXIBLE CONNECTION TYPE.

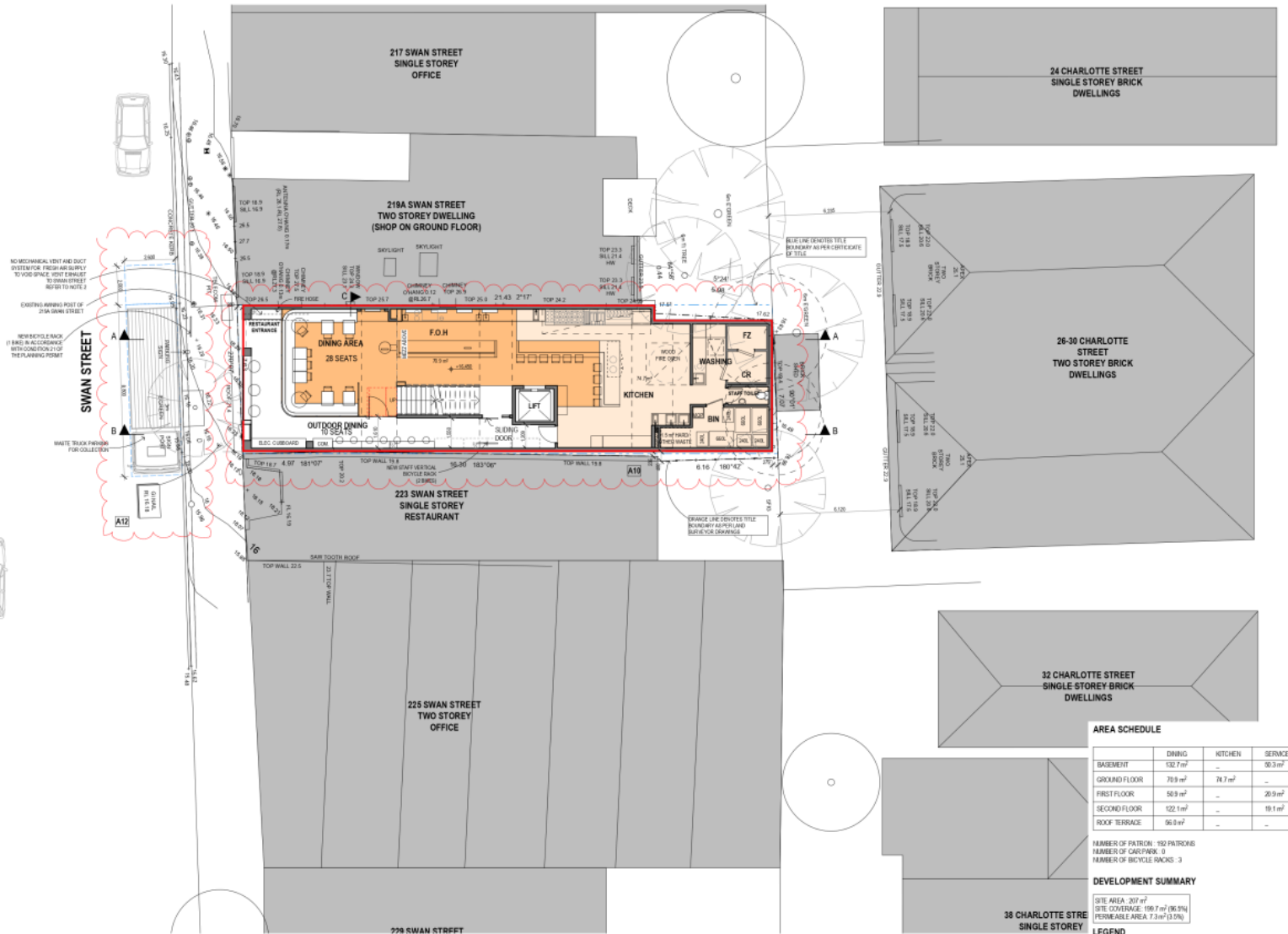
NOTE 3

- BLUE LINE DENOTES TITLE BOUNDARY AS PER ORIGINAL CERTIFICATE OF TITLE
- ORANGE LINE DENOTES TITLE BOUNDARY AS PER LAND SURVEYOR DRAWINGS

AMENDMENT LEGEND

- A1 RETRACTABLE FABRIC ROOF TO BE CHANGED TO CURVE
- A2 TOP OF PARAPET LEVEL INCREASED 400mm
- A3 TOP OF VENT LEVEL INCREASED 400mm
- A4 TOP OF WALL LEVEL INCREASED 350mm
- A5 NEW CONCRETE PANEL WALL
- A6 NEW CONCRETE PANEL WALL
- A7 FLOOR LAYOUT REVISED. SEATING AREA ADDED
- A8 NEW ROOF TO SEATING AND TOILET AREA
- A9 FLOOR LAYOUT REVISED
- A10 FLOOR LAYOUT REVISED
- A11 FLOOR LAYOUT REVISED
- A12 WASTE TRUCK PARKING ADDED
- A13 PLANT PLATFORM ADDED TO ROOF TOP
- A14 ACOUSTIC SCREEN FOR FAN OAF-1

PROPOSED GROUND FLOOR PLAN



AREA SCHEDULE

	DINING	KITCHEN	SERVICES
BASEMENT	132.7 m ²	-	90.3 m ²
GROUND FLOOR	219 m ²	24.7 m ²	-
FIRST FLOOR	58.9 m ²	-	28.9 m ²
SECOND FLOOR	122.1 m ²	-	19.1 m ²
ROOF TERRACE	96.9 m ²	-	-

NUMBER OF PATRONS: 192 PATRONS
NUMBER OF CAR PARK: 0
NUMBER OF BICYCLE PARKS: 3

DEVELOPMENT SUMMARY

SITE AREA: 207 m²
SITE COVERAGE: 190.7 m² (92.1%)
PERMEABLE AREA: 7.3 m² (3.5%)

LEGEND

LIQUOR LICENCE AREA



YBL REMMUS
A 260374 (271) Lynn Street (Brimbank East) 3007
T +61 3 9388 2603 F +61 3 9388 2600
E remmus@yblremmus.com.au

PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT



REV	NO	DATE	NOTES TO ISSUE	STATUS
D.	02/01/18		ACUSTIC ENGINEERS RECOMMENDATION	VT
E.	20/11/18		COORDINATE OF PLATES TITLE BOUNDARY ADDED	VT
F.	19/01/19		DISPOSUREMENT ISSUE	VT
G.	20/01/19		DISPOSUREMENT AMENDMENT ISSUE	VT
H.	01/04/19		DRAWING REVISED TO MATCH TITLE BOUNDARY	VT
I.	01/04/19		DISPOSUREMENT ISSUE ADDED	VT
J.	16/01/20		TOWN PLANNING AMENDMENT	VT
K.	28/01/20		TOWN PLANNING AMENDMENT 2	VT
L.	10/01/20		STREET AMENDMENT	VT
M.	24/01/20		PLANT PLATFORM ADDED	VT

DRAWING
PROPOSED GROUND FLOOR PLAN

SCALE
1:1000 (A1), 1:2000 (A3)
DATE
20/11/2020
PROJECT STATUS
TOWN PLANNING
DRAWING NO.
TP-06

DATE	REV	NO
20/11/2020	1	17062
20/11/2020	2	17062

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)

NOTE 1

THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF R_w 30. ACoustically ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.6mm THICK STEEL, 9mm THICK FIBRE CEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2

THE DUCT SHOULD BE OF RIGID CONSTRUCTION (E.G. GALVANISED STEEL DUCTING).

THE DUCT SHOULD BE INTERNALLY LINED WITH MINIMUM 50mm THICK, 32KG/M² ACOUSTIC INSULATION TO MINIMISE POTENTIAL TRAFFIC NOISE INGRESS.

THE NATURAL VENTILATION DUCT SHOULD BE NO LESS THAN 3 METRES IN LENGTH AND SHOULD ONLY BE MOUNTED TO THE BUILDING STRUCTURE VIA RESILIENT HANGERS OR OTHER FLEXIBLE CONNECTION TYPE.

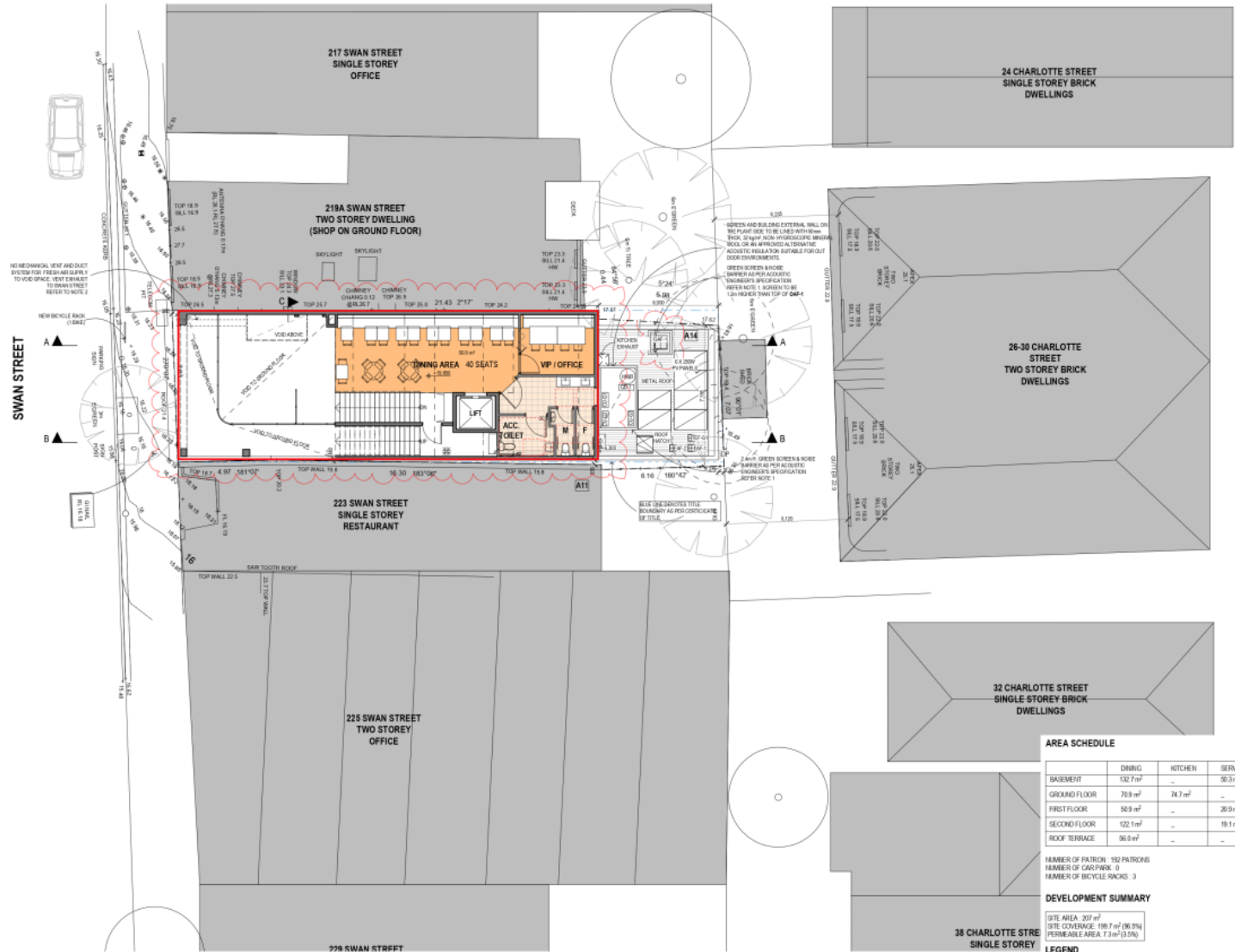
NOTE 3

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- ORANGE LINE DENOTES TITLE BOUNDARY AS PER LAND SURVEYOR DRAWINGS

AMENDMENT LEGEND

- A1 RETRACTABLE FABRIC ROOF TO BE CHANGED TO CURVE
- A2 TOP OF PARAPET LEVEL INCREASED 400mm
- A3 TOP OF VENT LEVEL INCREASED 400mm
- A4 TOP OF WALL LEVEL INCREASED 350mm
- A5 NEW CONCRETE PANEL WALL
- A6 NEW CONCRETE PANEL WALL
- A7 FLOOR LAYOUT REVISED. SEATING AREA ADDED
- A8 NEW ROOF TO SEATING AND TOILET AREA
- A9 FLOOR LAYOUT REVISED
- A10 FLOOR LAYOUT REVISED
- A11 FLOOR LAYOUT REVISED
- A12 WASTE TRUCK PARKING ADDED
- A13 PLANT PLATFORM ADDED TO ROOF TOP
- A14 ACOUSTIC SCREEN FOR FAN OAF-1

PROPOSED MEZZANINE PLAN



AREA SCHEDULE

	DINING	KITCHEN	SERVICES
BASEMENT	132.7 m ²	-	90.3 m ²
GROUND FLOOR	219 m ²	24.7 m ²	-
FIRST FLOOR	58.9 m ²	-	28.9 m ²
SECOND FLOOR	122.1 m ²	-	19.1 m ²
ROOF TERRACE	96.9 m ²	-	-

NUMBER OF PATRONS: 192 PATRONS
NUMBER OF CARPARK: 0
NUMBER OF BICYCLE RACKS: 3

DEVELOPMENT SUMMARY

SITE AREA: 207 m²
SITE COVERAGE: 190.7 m² (92.1%)
PERMEABLE AREA: 7.3 m² (3.5%)

LEGEND

LIQUOR LICENCE AREA



PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT



REV	NO	DATE	NOTES TO ISSUE	STATUS
D.	02/01/18		ACoustIC ENGINEERS RECOMMENDATION	VT
E.	20/01/18		CORROGATED IRON PLATE TITLE BOUNDARY ADDED	VT
F.	19/01/18		DISPOSURE AMENDMENT ISSUE	VT
G.	20/01/18		DISPOSURE AMENDMENT ISSUE	VT
H.	01/01/18		DRAWING REVISED TO MATCH TITLE BOUNDARY	VT
I.	01/01/18		DISPOSURE AMENDMENT ISSUE	VT
J.	19/01/18		TOWN PLANNING AMENDMENT	VT
K.	20/01/18		TOWN PLANNING AMENDMENT 2	VT
L.	01/01/18		DISPOSURE AMENDMENT	VT
M.	20/01/18		PLANT PLATFORM ADDED	VT

DRAWING
PROPOSED FIRST FLOOR PLAN

SCALE
1:1000 (A1, 1:2000 (A2))
DATE
OCTOBER 2020
PROJECT STATUS
TOWN PLANNING
DRAWING NO.
TP-07

DATE
OCTOBER 2020
DRAWING NO.
TP-07
REV. NO.
M

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)

NOTE 1

THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF R_w 30. ACoustically ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.6mm THICK STEEL, 9mm THICK FIBRE CEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2

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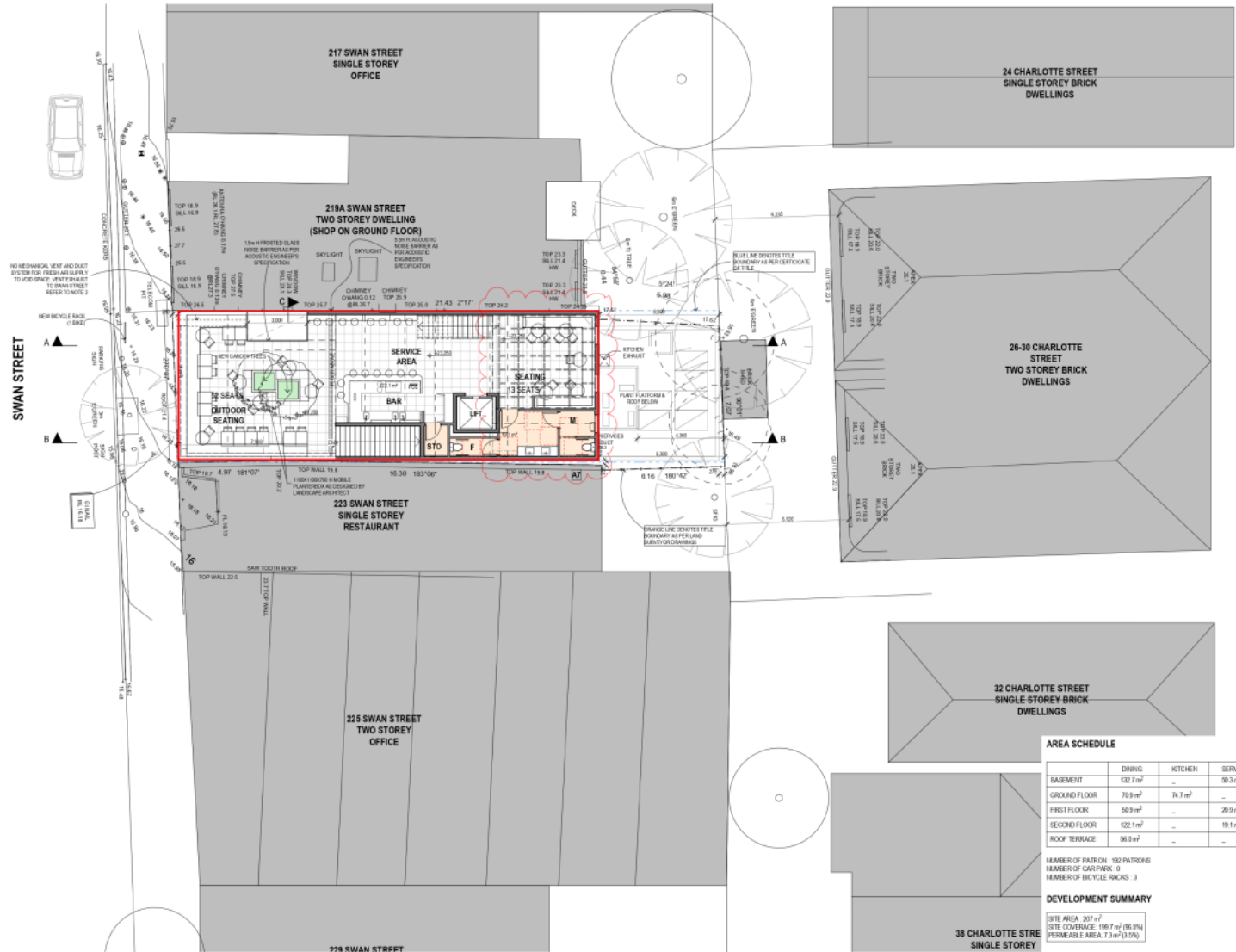
NOTE 3

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AMENDMENT LEGEND

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- A2 TOP OF PARAPET LEVEL INCREASED 400mm
- A3 TOP OF VENT LEVEL INCREASED 400mm
- A4 TOP OF WALL LEVEL INCREASED 350mm
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- A7 FLOOR LAYOUT REVISED. SEATING AREA ADDED
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- A9 FLOOR LAYOUT REVISED
- A10 FLOOR LAYOUT REVISED
- A11 FLOOR LAYOUT REVISED
- A12 WASTE TRUCK PARKING ADDED
- A13 PLANT PLATFORM ADDED TO ROOF TOP
- A14 ACOUSTIC SCREEN FOR FAN OAF-1

PROPOSED ROOF TERRACE PLAN



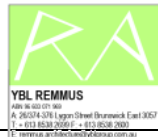
AREA SCHEDULE

	DINING	KITCHEN	SERVICES
BASEMENT	132.7 m ²	-	90.3 m ²
GROUND FLOOR	219 m ²	24.7 m ²	-
FIRST FLOOR	58.9 m ²	-	28.9 m ²
SECOND FLOOR	122.1 m ²	-	19.1 m ²
ROOF TERRACE	96.9 m ²	-	-

NUMBER OF PATRONS: 192 PATRONS
NUMBER OF CAR PARK: 0
NUMBER OF BICYCLE PARKS: 3

DEVELOPMENT SUMMARY

SITE AREA: 207 m²
SITE COVERAGE: 190.7 m² (92.1%)
PERMEABLE AREA: 7.3 m² (3.5%)



PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT



DATE	NOTES TO ISSUE	DATE
D. 12/01/18	ACOUSTIC ENGINEER'S RECOMMENDATION	VT
E. 20/01/18	COORDINATE OF PLATY TITLE BOUNDARY ADDED	VT
F. 19/01/18	DISPOSABLE ISSUE	VT
G. 20/01/18	DISPOSABLE AMENDMENT ISSUE	VT
H. 01/01/18	DRAWING REVISED TO MATCH TITLE BOUNDARY	VT
I. 01/01/18	DISPOSABLE ISSUE ADDED	VT
J. 19/01/18	TOWN PLANNING AMENDMENT	VT
K. 20/01/18	TOWN PLANNING AMENDMENT 2	VT
L. 19/01/18	STREET AMENDMENT	VT
M. 20/01/18	PLANT PLATFORM ADDED	VT

DRAWING
PROPOSED SECOND FLOOR PLAN

SCALE
1:1000 (A1), 1:2000 (A3)

DATE
OCTOBER 2020

STATUS
VT PA

DATE NO.
17062

PROJECT STATUS
TOWN PLANNING

REV NO.
TP-08

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)

NOTE 1

THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF $R_w 30$. ACoustically ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.6mm THICK STEEL, 9mm THICK FIBRE CEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2

THE DUCT SHOULD BE OF RIGID CONSTRUCTION (E.G. GALVANISED STEEL DUCTING).

THE DUCT SHOULD BE INTERNALLY LINED WITH MINIMUM 50mm THICK, 32KG/M² ACOUSTIC INSULATION TO MINIMISE POTENTIAL TRAFFIC NOISE INGRESS.

THE NATURAL VENTILATION DUCT SHOULD BE NO LESS THAN 3 METRES IN LENGTH AND SHOULD ONLY BE MOUNTED TO THE BUILDING STRUCTURE VIA RESILIENT HANGERS OR OTHER FLEXIBLE CONNECTION TYPE.

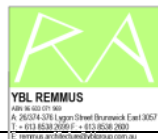
NOTE 3

- BLUE LINE DENOTES TITLE BOUNDARY AS PER ORIGINAL CERTIFICATE OF TITLE
- ORANGE LINE DENOTES TITLE BOUNDARY AS PER LAND SURVEYOR DRAWINGS

AMENDMENT LEGEND

- A1 RETRACTABLE FABRIC ROOF TO BE CHANGED TO CURVE
- A2 TOP OF PARAPET LEVEL INCREASED 400mm
- A3 TOP OF VENT LEVEL INCREASED 400mm
- A4 TOP OF WALL LEVEL INCREASED 350mm
- A5 NEW CONCRETE PANEL WALL
- A6 NEW CONCRETE PANEL WALL
- A7 FLOOR LAYOUT REVISED. SEATING AREA ADDED
- A8 NEW ROOF TO SEATING AND TOILET AREA
- A9 FLOOR LAYOUT REVISED
- A10 FLOOR LAYOUT REVISED
- A11 FLOOR LAYOUT REVISED
- A12 WASTE TRUCK PARKING ADDED
- A13 PLANT PLATFORM ADDED TO ROOF TOP
- A14 ACOUSTIC SCREEN FOR FAN OAF-1

PROPOSED ROOF PLAN



YBL REMMUS
Landscape Architecture
A 26/374-376 Lygon Street (Brimbank East) 3007
T +61 3 9338 2000 F +61 3 9338 2000
E remmus@yblremmus.com.au

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PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT



REV	NO	DATE	NOTES TO BE MADE	STATUS
D.	02/01/18		ACOUSTIC ENGINEER'S RECOMMENDATION	VT
E.	20/01/18		CORROBORATION OF PLANNING TITLE BOUNDARY ADDED	VT
F.	19/01/18		DISPOSUREMENT ISSUE	VT
G.	20/01/18		DISPOSUREMENT AMENDMENT ISSUE	VT
H.	01/01/18		DRAWING REVISED TO MATCH TITLE BOUNDARY	VT
I.	01/01/18		DISPOSUREMENT ISSUE ADDED	VT
J.	10/01/18		TOWN PLANNING AMENDMENT	VT
K.	20/01/18		TOWN PLANNING AMENDMENT 2	VT
L.	01/01/18		DISPOSUREMENT	VT
M.	20/01/18		PLANT PLATFORM ADDED	VT

DRAWING
PROPOSED ROOF TERRACE PLAN

SCALE
1:1000 (A1), 1:2000 (A3)

DATE
OCTOBER 2020

STATUS
VT PA

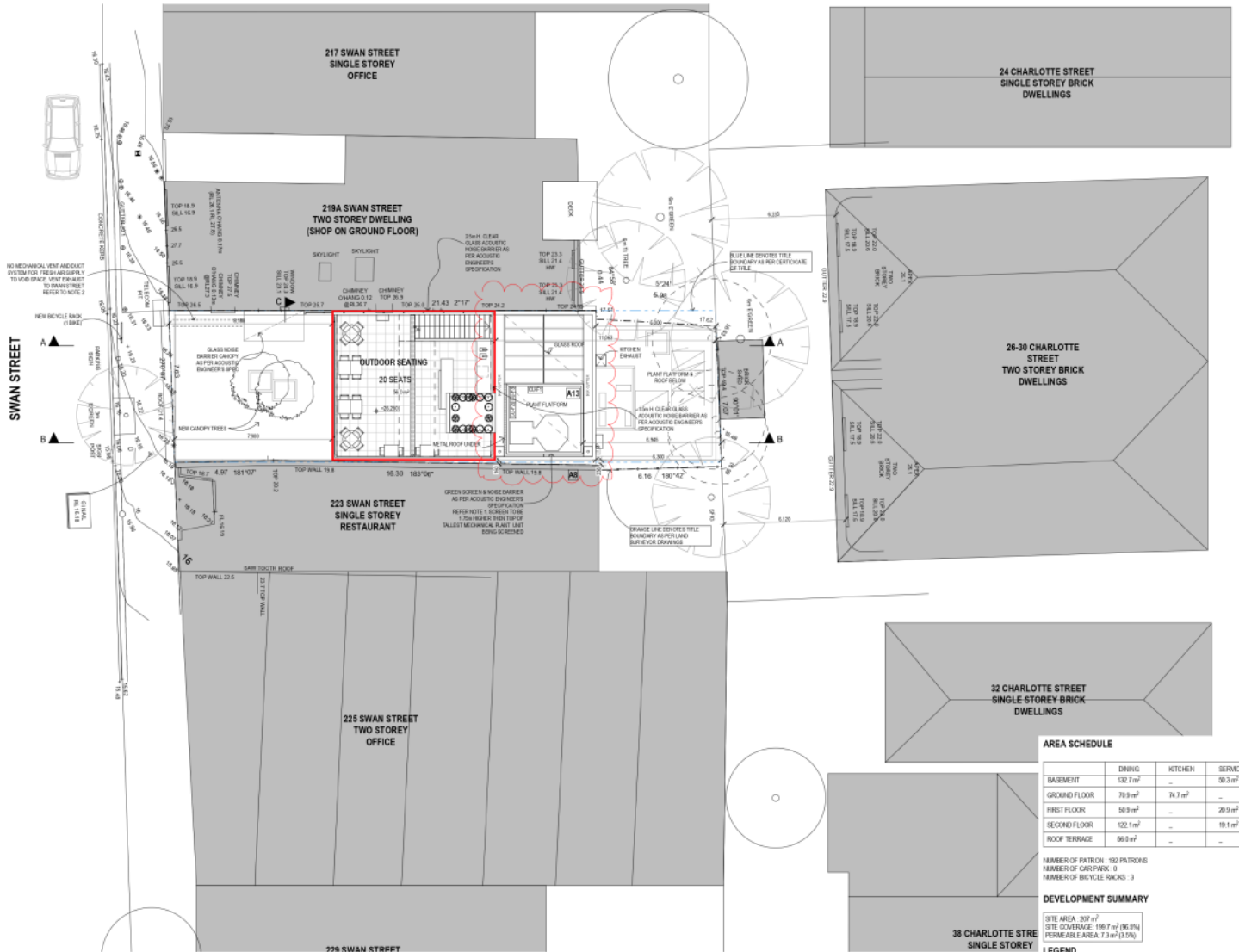
DATE NO.
17062

PROJECT STATUS

DRAWING NO.

TOWN PLANNING

TP-09



AREA SCHEDULE

	DINING	KITCHEN	SERVICES
BASEMENT	132.7 m ²	-	90.3 m ²
GROUND FLOOR	219 m ²	24.7 m ²	-
FIRST FLOOR	58.9 m ²	-	28.9 m ²
SECOND FLOOR	122.1 m ²	-	19.1 m ²
ROOF TERRACE	96.9 m ²	-	-

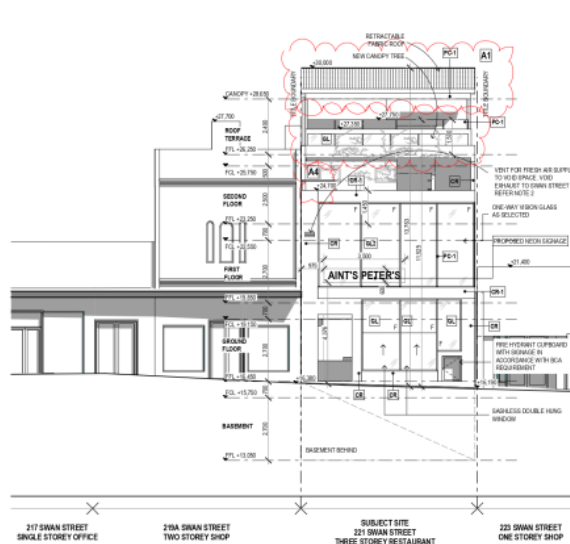
NUMBER OF PATRONS: 192 PATRONS
NUMBER OF CAR PARK: 0
NUMBER OF BICYCLE PARKS: 3

DEVELOPMENT SUMMARY

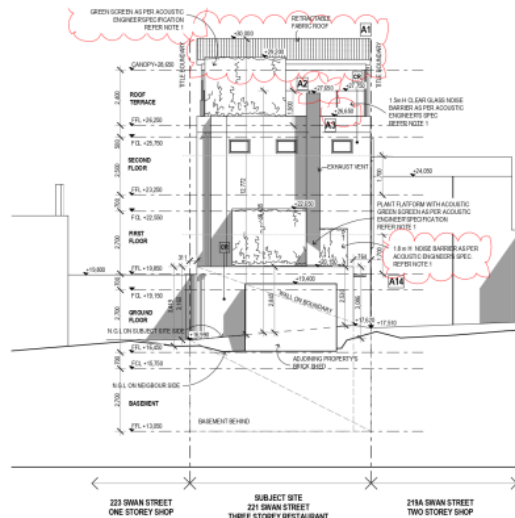
SITE AREA: 207 m²
SITE COVERAGE: 190.7 m² (92.1%)
PERMEABLE AREA: 7.3 m² (3.5%)

LEGEND
LIQUOR LICENCE AREA

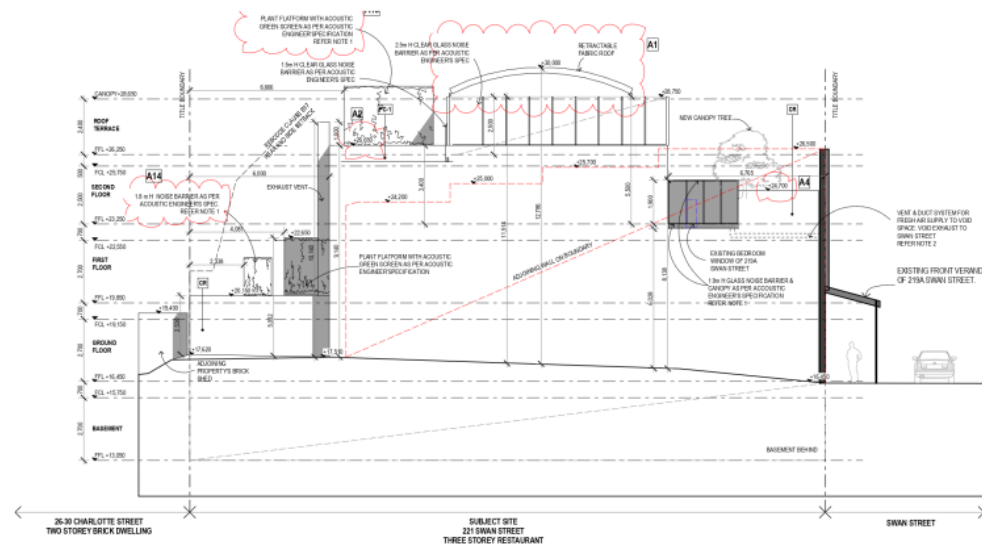
Agenda Page 43



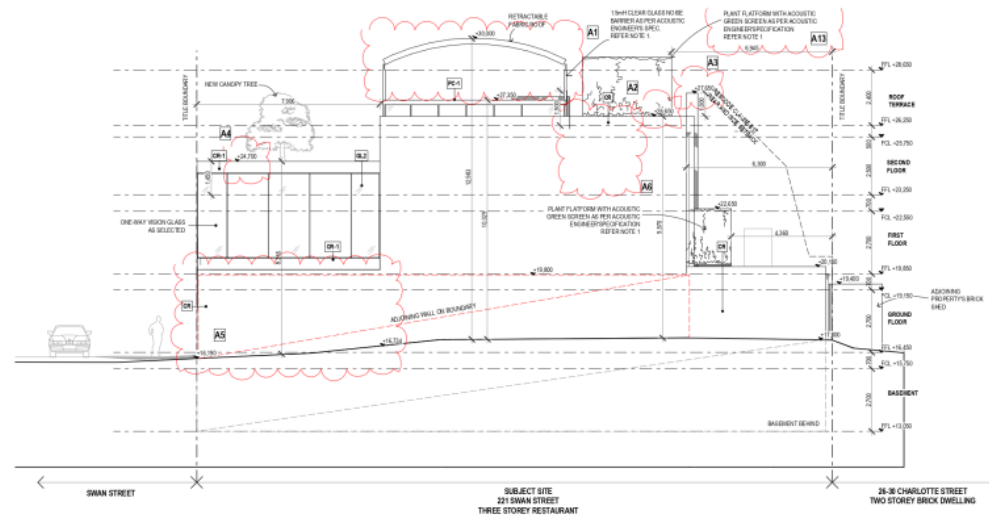
PROPOSED SOUTH ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED WEST ELEVATION



PROPOSED EAST ELEVATION

FINISHES LEGEND

R-1 BUILDING SUBSTRATE & FINISH
COLOUR (WHERE APPLICABLE)

OR NATURAL CONCRETE FINISH

GL CLEAR GLASS

GL2 ONE-WAY VISION GLASS

PC POWDER COATED PAINT FINISH

P PAINT FINISH

1. COLOUR 1 - MONUMENT
2. COLOUR 2 - WHITE

NOTE 1
THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF R_{w} 30. ACOUSTICALLY ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.6mm THICK STEEL, 9mm THICK FIBRE CEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².



NOTE 2
THE DUCT SHOULD BE OF RIGID
CONSTRUCTION (E.G. GALVANISED STEEL
DUCTING).

THE DUCT SHOULD BE INTERNALLY LINED WITH MINIMUM 50mm THICK .32KG/M³ ACOUSTIC INSULATION TO MINIMISE POTENTIAL TRAFFIC NOISE INGRESS.

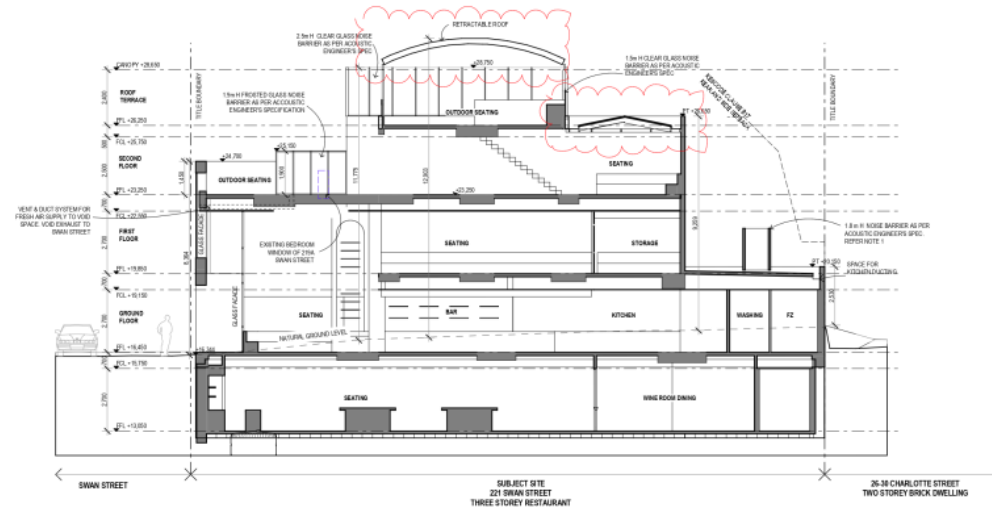
THE NATURAL VENTILATION DUCT SHOULD BE NO LESS THAN 3 METRES IN LENGTH AND SHOULD ONLY BE MOUNTED TO THE BUILDING STRUCTURE VIA RESILIENT HANGERS OR OTHER FLEXIBLE CONNECTION TYPE.

AMENDMENT LEGEND

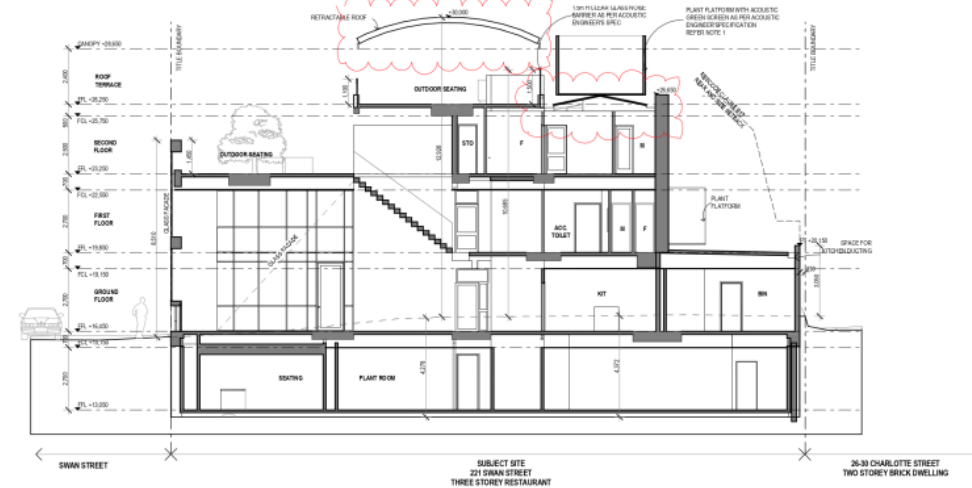
A1	RETRACTABLE FABRIC ROOF TO BE CHANGED TO CURVE
A2	TOP OF PARAPET LEVEL INCREASED 400mm
A3	TOP OF VENT LEVEL INCREASED 400mm
A4	TOP OF WALL LEVEL INCREASED 350mm
A5	NEW CONCRETE PANEL WALL
A6	NEW CONCRETE PANEL WALL
A7	FLOOR LAYOUT REVISED. SEATING AREA ADDED
A8	NEW ROOF TO SEATING AND TOILET AREA
A9	FLOOR LAYOUT REVISED
A10	FLOOR LAYOUT REVISED
A11	FLOOR LAYOUT REVISED

 YBL REMMUS ABN 66 622 077 989 A/ 265/26-2/681 Upper Street Brunswick East 3057 T + 613 8332 7050 F + 613 8332 7000 REMMUS@YBL.COM.AU WWW.YBL.COM.AU	<p>PROJECT</p> <p>PROPOSED COMMERCIAL BUILDING 221 SWAN STREET RICHMOND VIC 3121</p> <p>CLIENT</p> <p>CLINT</p>	<table><tr><td>D</td><td>02/01/19</td><td>ACQUISITION ENGINEERING COORDINATION</td><td>VT</td></tr><tr><td>E</td><td>20/11/19</td><td>CONCEPTUAL SITE PLANS TITLE BOUNDARY ADDED</td><td>VT</td></tr><tr><td>F</td><td>19/01/19</td><td>ENCLOSUREMENT ISSUE</td><td>VT</td></tr><tr><td>G</td><td>20/02/19</td><td>ENVIRONMENTAL ASSESSMENT ISSUE</td><td>VT</td></tr><tr><td>H</td><td>01/04/19</td><td>DRAWING REQUEST TO MATCH TITLE BOUNDARY</td><td>VT</td></tr><tr><td>I</td><td>01/04/19</td><td>ENCLOSUREMENT LEVELS ADDED</td><td>VT</td></tr><tr><td>J</td><td>19/03/19</td><td>TOWN PLANNING AMENDMENT</td><td>VT</td></tr><tr><td>K</td><td>20/03/19</td><td>TOWN PLANNING AMENDMENT 2</td><td>VT</td></tr><tr><td>L</td><td>02/05/19</td><td>SPRING AMENDMENT</td><td>VT</td></tr><tr><td>M</td><td>28/05/19</td><td>PLANT PLANTING AMENDMENT</td><td>VT</td></tr><tr><td>N</td><td>01/06/19</td><td>FINAL SET</td><td>VT</td></tr></table>	D	02/01/19	ACQUISITION ENGINEERING COORDINATION	VT	E	20/11/19	CONCEPTUAL SITE PLANS TITLE BOUNDARY ADDED	VT	F	19/01/19	ENCLOSUREMENT ISSUE	VT	G	20/02/19	ENVIRONMENTAL ASSESSMENT ISSUE	VT	H	01/04/19	DRAWING REQUEST TO MATCH TITLE BOUNDARY	VT	I	01/04/19	ENCLOSUREMENT LEVELS ADDED	VT	J	19/03/19	TOWN PLANNING AMENDMENT	VT	K	20/03/19	TOWN PLANNING AMENDMENT 2	VT	L	02/05/19	SPRING AMENDMENT	VT	M	28/05/19	PLANT PLANTING AMENDMENT	VT	N	01/06/19	FINAL SET	VT	<p>DRAWING</p> <p>ELEVATIONS</p>	<p>SCALE</p> <p>1:100(A1), 1:200(A3)</p> <p>DRAWN</p> <p>VT</p> <p>CHECKED</p> <p>PA</p> <p>PROJECT STATUS</p>	<p>DATE</p> <p>OCTOBER 2020</p> <p>JOB NO.</p> <p>17062</p> <p>DRAWING NO.</p> <p>REV. NO.</p>
	D	02/01/19	ACQUISITION ENGINEERING COORDINATION	VT																																													
E	20/11/19	CONCEPTUAL SITE PLANS TITLE BOUNDARY ADDED	VT																																														
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M	28/05/19	PLANT PLANTING AMENDMENT	VT																																														
N	01/06/19	FINAL SET	VT																																														
<p>Do not release these drawings without the written consent of YBL Remmus Pty Ltd</p>				<p>TOWN PLANNING</p>	<p>TP-11</p> <p>M</p>																																												

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)



SECTION A-A



SECTION B-B



PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT

PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT

PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

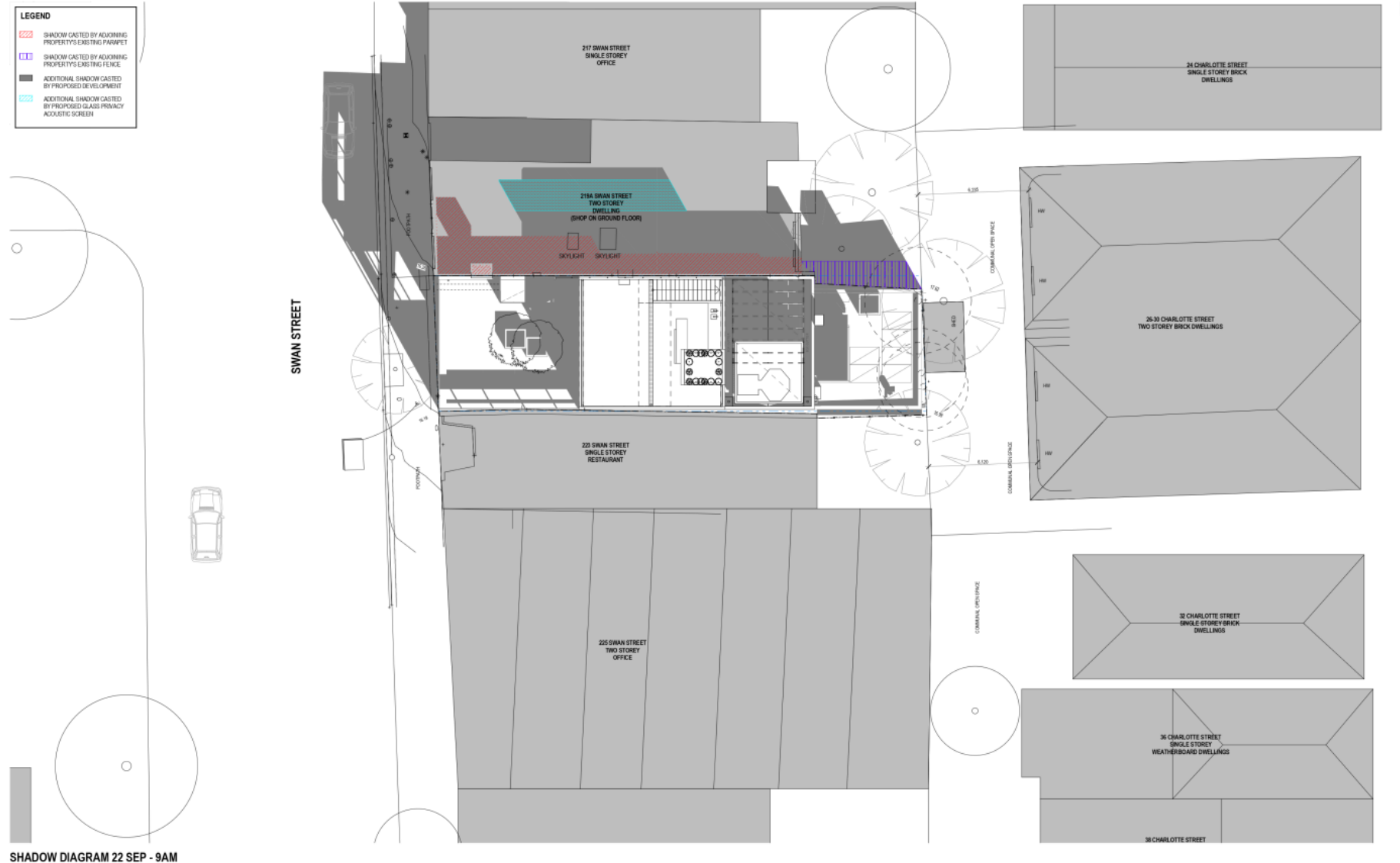
CLIENT

D.	12/01/19	ACOUSTIC ENGINEER'S RECOMMENDATION	VT
E.	20/11/19	CORROBORATION OF TITLES TITLE BOUNDARY ASSESS	VT
F.	19/03/19	ENVIRONMENTAL ISSUE	VT
G.	20/03/19	SHARDING AMENDMENT ISSUE	VT
H.	01/04/19	DRAWING REVISED TO MATCH TITLE BOUNDARY	VT
I.	01/04/19	DRAWING REVISED TO MATCH TITLE BOUNDARY	VT
J.	16/03/20	TOWN PLANNING AMENDMENT	VT
K.	28/03/20	TOWN PLANNING AMENDMENT 2	VT
L.	07/05/20	REVISED AMENDMENT	VT
M.	26/05/20	PLANT PLATFORM ACCESS	VT
REV. NO.	DATE	NOTES TO SHEET	STATUS

DRAWING	SECTIONS
SCALE	1:1000 (A1), 1:2000 (A3)
DATE	OCTOBER 2020
DESIGNER	YBL REMMUS
CHECKED	PA
PROJECT STATUS	PA
TOWN PLANNING	TP-12

SCALE	1:1000 (A1), 1:2000 (A3)
DATE	OCTOBER 2020
DESIGNER	YBL REMMUS
CHECKED	PA
PROJECT STATUS	PA
TOWN PLANNING	TP-12

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)



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PROJECT
**PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121**

CLIENT



D.	12/01/18	ACOUSTIC ENGINEER'S RECOMMENDATION	VT
E.	20/11/18	COORDINATE OF PLACES TITLE BOUNDARY ASSESSED	VT
F.	19/03/19	ENFORCEMENT ISSUE	VT
G.	20/03/19	SHARDEN AMENDMENT ISSUE	VT
H.	01/04/19	DRAWING REVISED TO MATCH TITLE BOUNDARY	VT
I.	01/04/19	SHARDEN CIVIL ASSESSED	VT
J.	16/03/20	TOWN PLANNING AMENDMENT 1	VT
K.	28/03/20	TOWN PLANNING AMENDMENT 2	VT
L.	07/05/20	SCHEMATIC AMENDMENT	VT
M.	24/05/20	PLANT PLATFORM ASSESSED	VT
REV NO	DATE	NOTES TO THE USER	STATUS

DRAWING
SHADOW DIAGRAM 22 SEP - 9AM

SCALE
1:1000 (A1), 1:2000 (A3)

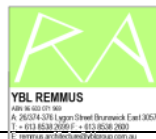
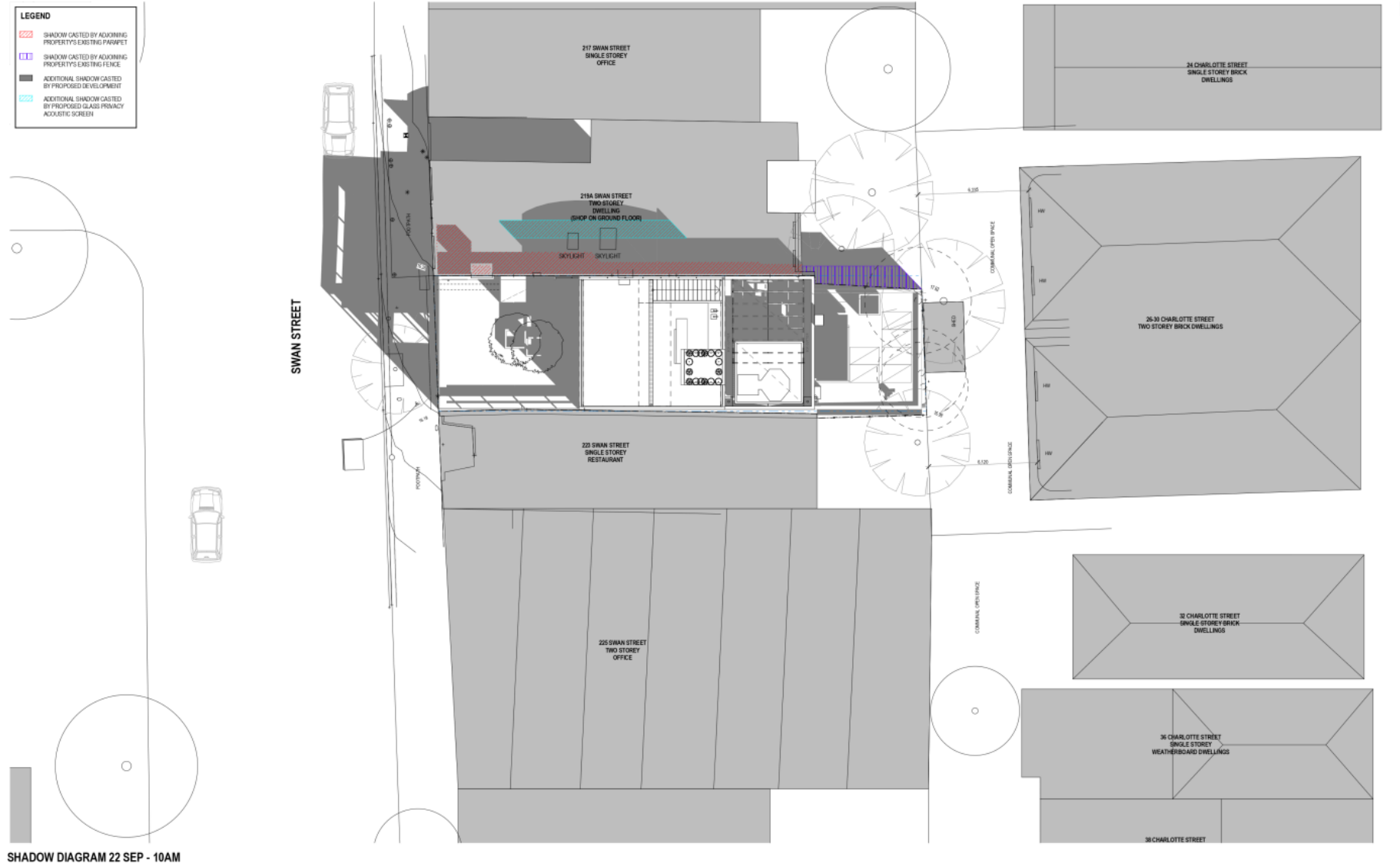
PROJECT STATUS
TOWN PLANNING

DATE
OCTOBER 2020

DRAWING NO.
17062

DRAWING NO.
TP-13

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)



Do not scale dimensions from drawings without confirmation in writing from the engineering team.

PROJECT
 PROPOSED COMMERCIAL BUILDING
 221 SWAN STREET
 RICHMOND VIC 3121

CLIENT



D.	12/01/18	ACOUSTIC ENGINEER'S RECOMMENDATION	VT
E.	22/11/18	COORDINATE OF PLACES TITLE BOUNDARY ASSESSED	VT
F.	19/03/19	ENFORCEMENT ISSUE	VT
G.	20/03/19	SHARDEN AMENDMENT ISSUE	VT
H.	01/04/19	DRAWING REVISED TO MATCH TITLE BOUNDARY	VT
I.	01/04/19	SHARDEN CIVIL ASSESSED	VT
J.	16/03/20	TOWN PLANNING AMENDMENT 1	VT
K.	28/03/20	TOWN PLANNING AMENDMENT 2	VT
L.	07/05/20	SCHEMATIC AMENDMENT	VT
M.	24/05/20	PLANT PLATFORM ASSESSED	VT
REV NO	DATE	NOTES TO THE BOARD	STATUS

DRAWING
 SHADOW DIAGRAM 22 SEP - 10AM

SCALE
 1:1000 (A1), 1:2000 (A3)

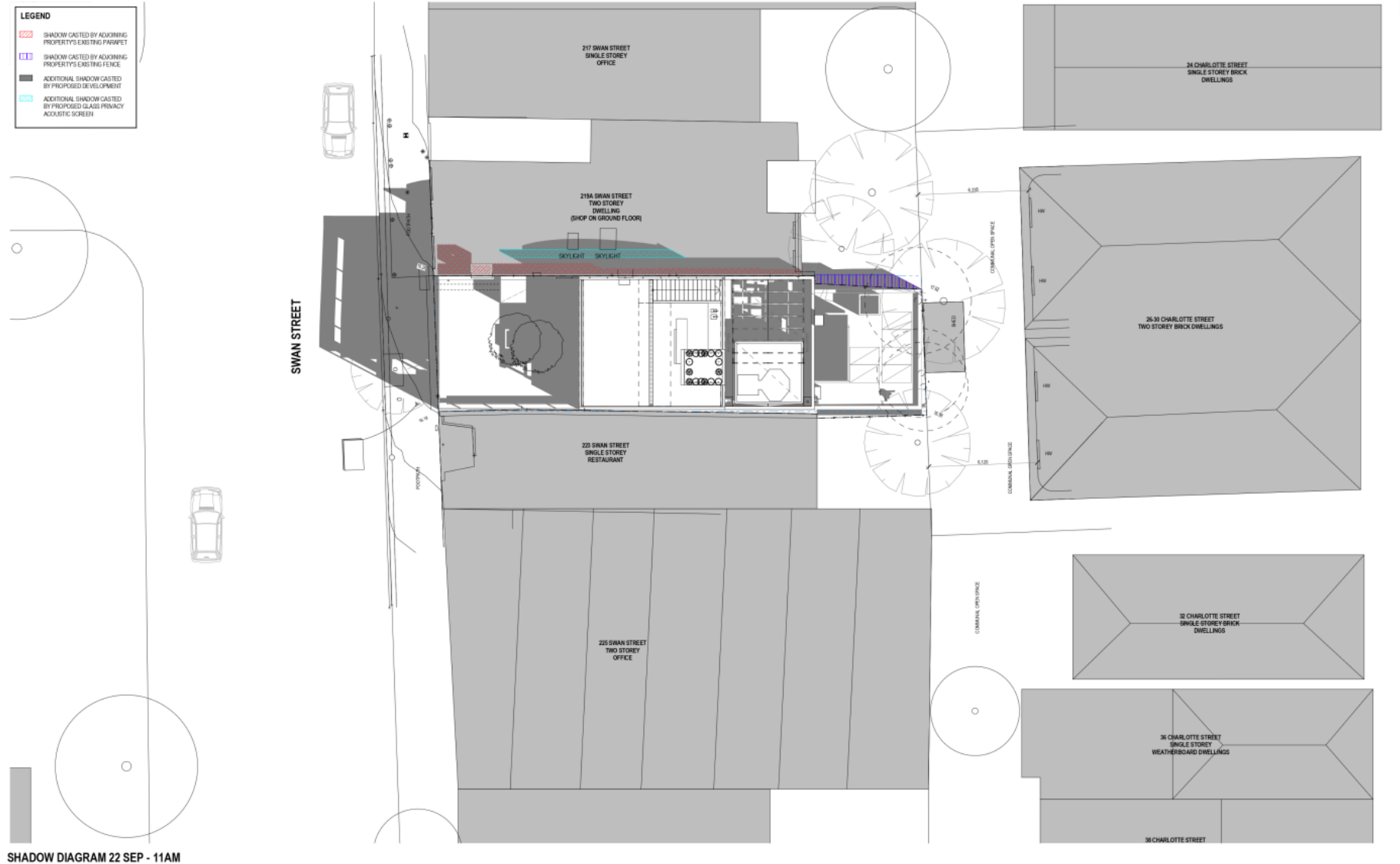
PROJECT STATUS
 TOWN PLANNING

DATE
 OCTOBER 2020

DRAWING NO.
 17062

DRAWING NO.
 TP-14

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)



PROJECT
PROPOSED COMMERCIAL BUILDING
 221 SWAN STREET
 RICHMOND VIC 3121

CLIENT



D.	12/01/18	ACOUSTIC ENGINEER'S RECOMMENDATION	VT
E.	20/11/18	COORDINATE OF PLACES TITLE BOUNDARY ASSESSED	VT
F.	19/03/19	ENFORCEMENT ISSUE	VT
G.	20/03/19	SHARDEN AMENDMENT ISSUE	VT
H.	01/04/19	DRAWING REQUIRED TO MATCH TITLE BOUNDARY	VT
I.	01/04/19	SHARDEN LEVEL ASSESSED	VT
J.	16/03/20	TOWN PLANNING AMENDMENT 1	VT
K.	28/03/20	TOWN PLANNING AMENDMENT 2	VT
L.	07/05/20	SCENIC AMENDMENT	VT
M.	24/05/20	PLANT PLANTATION ASSESSED	VT
REV	NO	DATE	NOTED TO SITE

DRAWING
SHADOW DIAGRAM 22 SEP - 11AM

SCALE
 1:1000 (A1), 1:2000 (A3)

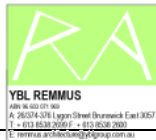
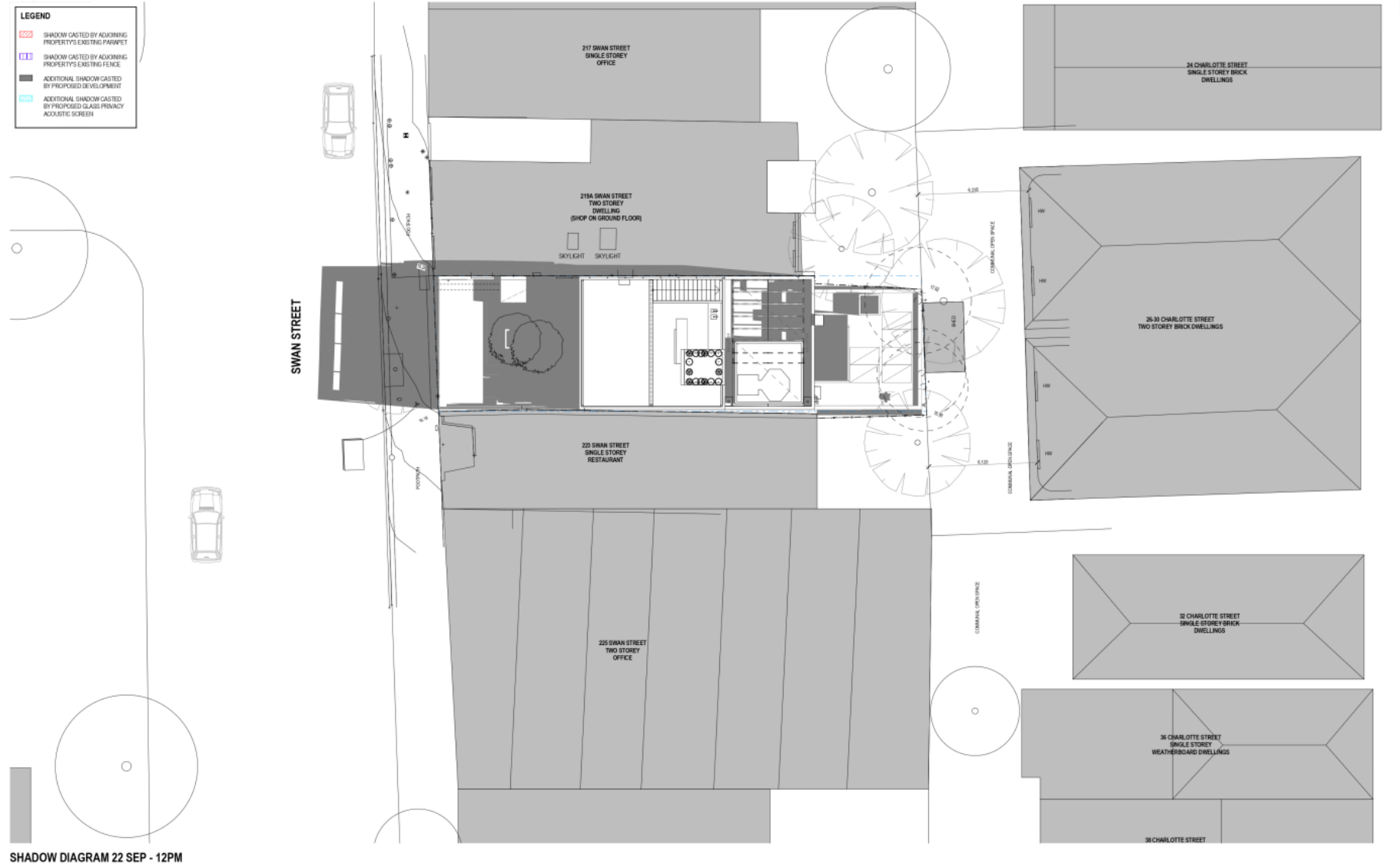
PROJECT STATUS
 TOWN PLANNING

DATE
 OCTOBER 2020

DRAWING NO.
 17062

DRAWING NO.
 TP-15

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)



PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT



D.	12/01/18	ACOUSTIC ENGINEER'S RECOMMENDATION	VT
E.	20/01/18	COORDINATE OF PLACES TITLE BOUNDARY ASSESSED	VT
F.	19/01/18	ENFORCEMENT ISSUE	VT
G.	20/01/18	SHARDEN AMENDMENT ISSUE	VT
H.	01/04/18	DRAWING REQUIRED TO MATCH TITLE BOUNDARY	VT
I.	01/04/18	SHARDEN CIVIL ACCESS	VT
J.	16/01/20	TOWN PLANNING AMENDMENT 1	VT
K.	28/01/20	TOWN PLANNING AMENDMENT 2	VT
L.	07/01/20	SCAFFOLD AMENDMENT	VT
M.	24/01/20	PLANT PLATFORM ACCESS	VT
REV. NO.	DATE	NOTES TO THE BOARD	STATUS

DRAWING
SHADOW DIAGRAM 22 SEP - 12PM

SCALE
1:1000 (A1), 1:2000 (A3)

CHECKED
VT PA

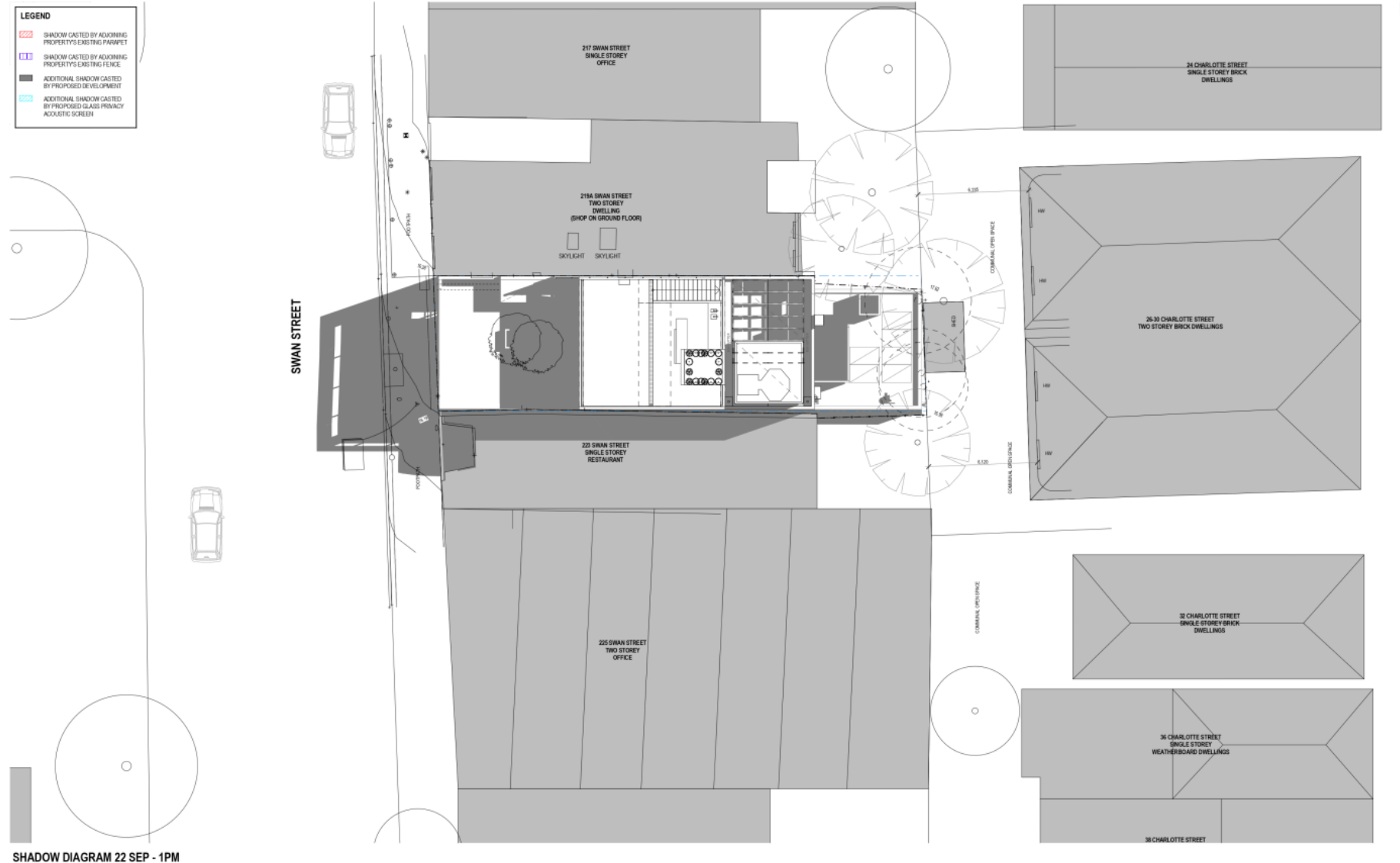
PROJECT STATUS
TOWN PLANNING

DATE
OCTOBER 2020

DRAWING NO.
17062

DRAWING NO.
TP-16

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)



PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121



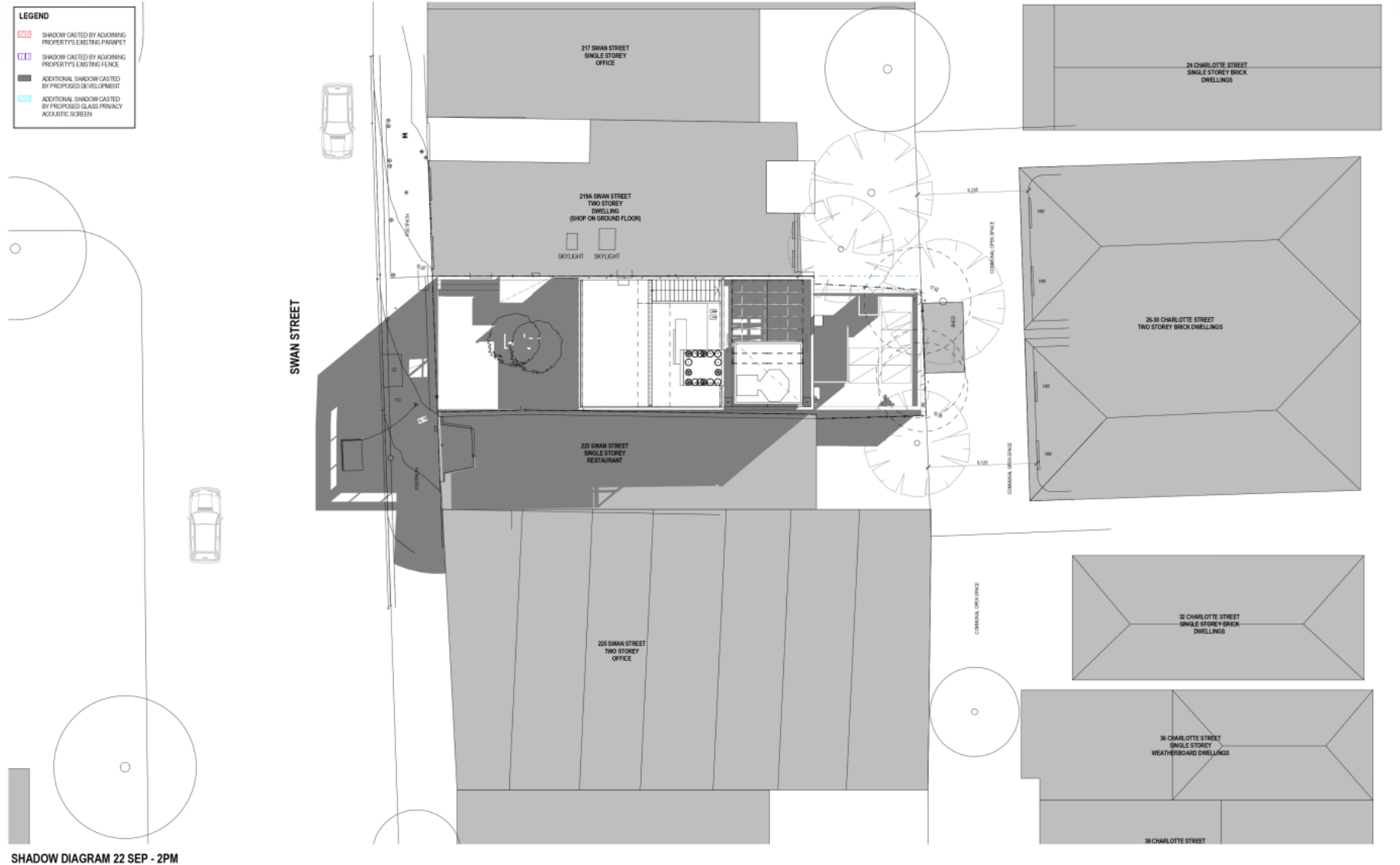
D.	12/01/18	ACOUSTIC ENGINEER'S RECOMMENDATION	VT
E.	22/01/18	CORROBORATION OF PLANNING TITLE BOUNDARY ASSESS	VT
F.	19/03/18	ENFORCEMENT ISSUE	VT
G.	20/03/18	SHARDING AMENDMENT ISSUE	VT
H.	01/04/18	DRAWING REQUIRED TO MATCH TITLE BOUNDARY	VT
I.	01/04/18	SHARDING LEVEL ASSESS	VT
J.	16/03/18	TOWN PLANNING AMENDMENT 1	VT
K.	28/03/18	TOWN PLANNING AMENDMENT 2	VT
L.	07/05/18	SCHEMATIC AMENDMENT	VT
M.	26/05/18	PLANNING PLATFORM ASSESS	VT
REV	NO	DATE	NOTES TO THE BOARD

DRAWING
SHADOW DIAGRAM 22 SEP - 1PM

SCALE
1:1000 (A1), 1:2000 (A3)
VT PA
PROJECT STATUS
TOWN PLANNING

DATE
OCTOBER 2020
JOB NO.
17062
DRAWING NO.
TP-17
REV NO.

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)



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PROJECT
**PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121**

CLIENT

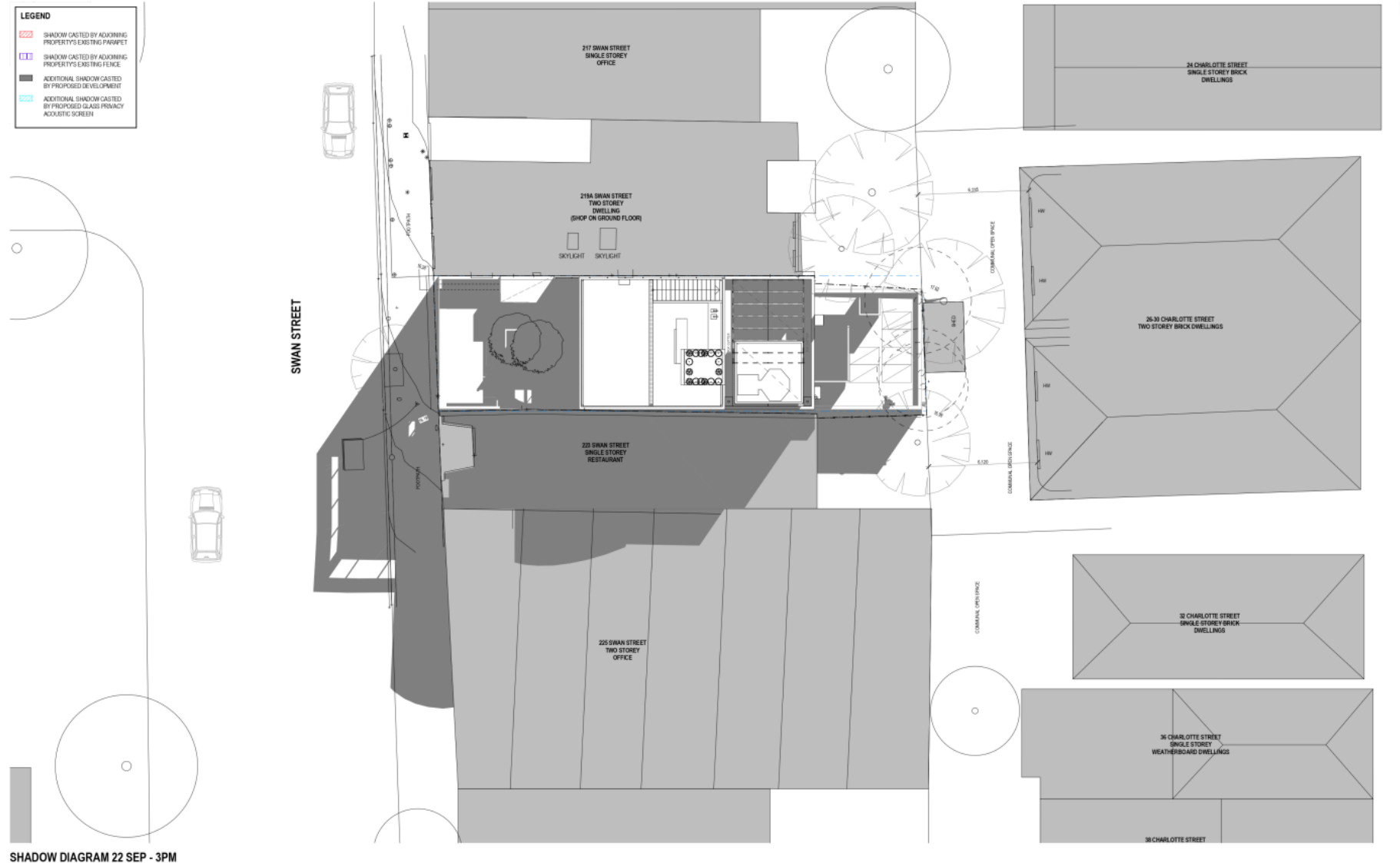


D.	12/01/18	ACOUSTIC ENGINEER'S RECOMMENDATION	VT
E.	22/01/18	COORDINATE OF PLATES TITLE BOUNDARY ASSESS	VT
F.	19/03/18	ENFORCEMENT ISSUE	VT
G.	20/03/18	SHARDEN AMENDMENT ISSUE	VT
H.	01/04/18	DRAWING REQUIRED TO MATCH TITLE BOUNDARY	VT
I.	01/04/18	DRAWING REQUIRED TO MATCH TITLE BOUNDARY	VT
J.	16/03/18	TOWN PLANNING AMENDMENT	VT
K.	28/03/18	TOWN PLANNING AMENDMENT 2	VT
L.	07/05/18	SCHEMATIC AMENDMENT	VT
M.	26/05/18	PLANT PLATFORM ACCESS	VT
REV. NO.	DATE	NOTES TO THE USER	STATUS



DRAWING
SHADOW DIAGRAM 22 SEP - 2PM

SCALE 1:1000 (A1), 1:2000 (A3)	DATE OCTOBER 2020
DESIGN VT PA	JOB NO. 17062
PROJECT STATUS	DRAWING NO. REV. NO.
TOWN PLANNING	TP-18 M

Attachment 2 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Amended Plans (Decision Plans)

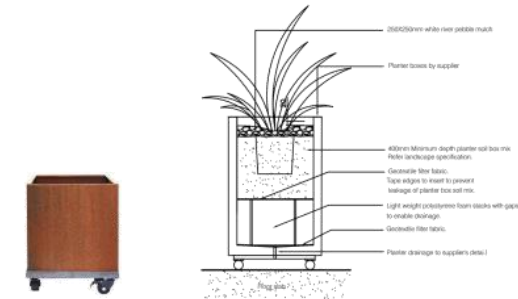


SHADOW DIAGRAM 22 SEP - 3PM

 YBL REMMUS ARCHITECTS A 26/374-376 Lygon Street (Richmond East) 3121 T + 613 8538 2651 F + 613 8538 2652 E remmus.architects@yblremmus.com.au	PROJECT PROPOSED COMMERCIAL BUILDING 221 SWAN STREET RICHMOND VIC 3121		D. 12/01/18 ACOUSTIC ENGINEER'S RECOMMENDATION VT	<p>DRAWING SHADOW DIAGRAM 22 SEP - 3PM</p>	SCALE 1:1000(A1), 1:2000(A3)	DATE OCTOBER 2020	
	CLIENT		E. 22/01/18 COORDINATE OF TITLES TITLE BOUNDARY ASSESSED VT		DRAWN VT	CHECKED PA	JOB NO. 17062
			F. 19/03/18 DISSEMINATION ISSUE VT		PROJECT STATUS	DRAWING NO.	REV NO.
			G. 20/03/18 DISSEMINATION ISSUE VT				
			H. 01/04/18 DRAWING REQUIRED TO MATCH TITLE BOUNDARY VT				
	I. 01/04/18 DISSEMINATION ISSUE VT						
	J. 16/03/18 TOWN PLANNING AMENDMENT 1 VT						
	K. 28/03/18 TOWN PLANNING AMENDMENT 2 VT						
	L. 07/05/18 SCHEMATIC AMENDMENT VT						
	M. 24/05/18 PLANT PLATFORM ACCESS VT						
	NOTES						



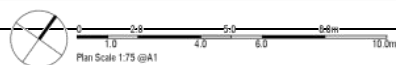
Symbol	Botanical name	Common name	Installation size	Moisture rate (%/V)	Quantity
Upright Canopy Trees (min 2.0m in height at installation planted in planter box)					
CL	<i>Citrus Limon 'Lisbon'</i>	Lisbon Lemon Tree	450mm pot	4 X 3 m	1
OE	<i>Olea europaea 'Swan Hill'</i>	Swan Hill Olive	450mm pot	7 X 4 m	1
Groundcover and Trailing Plant					
PC	<i>Phytolacca cochinchinensis</i>	Phytolacca	140 mm pot	0.5 x 0.8 m	10
TJ	<i>Trochodendron paniculatum</i>	Star Jasmine	140mm pot	Spreading and climbing	16



TYPICAL PLANTER INSTALLATION

*Planters by Quadro Design*

Decorative - Corten planters



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(22.6.2021)**



221 Swan Street, Richmond
Acoustic Engineering Report

Attachment 4 - PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)



221 Swan Street, Richmond

Acoustic Engineering Report

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Revision History

Rev.	Date	Purpose	Prepared by:	Reviewed by:
0	30/01/2018	Draft for comment	Te-liang Chong	Andrew Mitchell
1	15/02/2018	Revised roof patron noise control measures	Te-liang Chong	Andrew Mitchell
2	23/02/2018	Final	Te-liang Chong	Andrew Mitchell
3	29/05/2018	Revised Noise Sensitive Areas	Te-liang Chong	Andrew Mitchell
4	08/06/2018	Revised roof patron noise control measures	Te-liang Chong	Andrew Mitchell
5	02/07/2018	Revised roof patron noise control measures	Te-liang Chong	Andrew Mitchell
6	14/09/2018	Revision to address peer review and Council comments	Te-liang Chong	Mahbub Sheikh
7	28/11/2018	Revised calculated noise levels	Te-liang Chong	Andrew Mitchell
8	12/11/2020	Updated mechanical services assessment	Te-liang Chong	Andrew Mitchell
9	24/11/2020	Minor revisions	Te-liang Chong	Andrew Mitchell
10	10/05/2021	Minor updates	Te-liang Chong	Andrew Mitchell
11	11/05/2021	Minor revisions	Te-liang Chong	Andrew Mitchell
12	22/06/2021	Minor revisions	Te-liang Chong	Andrew Mitchell

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Attachment 4 - PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)



Executive Summary

Peter Koutroulis c/- YBL Remmus Architecture has appointed Cogent Acoustics Pty Ltd to perform an environmental noise assessment of the proposed bar and restaurant venue at 221 Swan Street, Richmond, in response to a Council request for information (RFI) on the Planning Permit Application which has been submitted for the development.

This Acoustic Engineering Report reviews the proposed building design and operation, and assesses the predicted operational, patron, and music noise emissions with regard to the acoustic requirements prescribed by the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1) and State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2) respectively.

Noise emissions due to the venue are predicted to comply with the acoustic requirements of SEPP N-1 and SEPP N-2 with the following noise mitigation measures implemented:

Source	Noise Mitigation Measure
Roof-mounted mechanical plant	<ul style="list-style-type: none"> Acoustic screens should be installed surrounding CU-1, CU-G1, CU-G2, CU-G3, CU-F1, FCU-F2, CU-F3, OAF-1, KEF-1, and KEF-2; and CU-1 should have a 'Night mode' that can be selected to reduce the Sound Power Level to less than 73 dB(A) (Toshiba MMY-MAP1206FT8P-A is capable of this). CU-1 should then be operated in 'Night mode' during the SEPP N-1 'Night' period (after 10 pm every night); and OAF-1 should be fitted with a timer that is programmed to limit the fan speed to approximately 1200 RPM during the SEPP N-1 'Night' period; and KEF-1 should be fitted with a timer that is programmed to limit the fan speed to approximately 1100 RPM during the SEPP N-1 'Night' period. Refer to Section 13.1 for further details and schematic of proposed acoustic screens. Sound Power Levels of roof-mounted mechanical plant must not exceed the values listed in Appendix E.
Patron noise	<p>The following measures are recommended to control patron noise emissions from the roof seating areas:</p> <ul style="list-style-type: none"> Install acoustic-rated walls along the western boundary of the roof top and roof terrace seating areas (refer Section 13.2 for details of the acoustics walls / noise barrier); and Construct an acoustic canopy over the noise barrier surrounding the east-facing first floor bedroom window of 219A Swan St; and Limit the maximum number of patrons at both the roof terrace and roof top seating areas as presented in Table 17.
Music noise	<ul style="list-style-type: none"> The maximum number of loudspeakers in each dining / seating area should be as follows:

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	<ul style="list-style-type: none">– Eight loudspeakers distributed around the basement dining area and bar.– Eight loudspeakers distributed at the ground floor dining area and bar.– Six loudspeakers distributed at the roof terrace seating area and bar.– Four loudspeakers at each corner of the mezzanine dining area.– Three loudspeakers distributed at the roof terrace seating area. <ul style="list-style-type: none">▪ No outdoor loudspeakers should be installed within 5 m of the existing east-facing bedroom window or skylights of 219A Swan Street.▪ Music noise levels on the second floor and roof terrace should not exceed the following maximum sound pressure levels 1 m directly in front of each loudspeaker during the ‘Night’ period: <table><tr><th colspan="7">Recommended Music Noise Limit at 1m from Loudspeaker, Hz, $L_{OCT10,15min}$ dB</th><th colspan="2">Total</th></tr><tr><th>63</th><th>125</th><th>250</th><th>500</th><th>1k</th><th>2k</th><th>4k</th><th>dB</th><th>dB(A)</th></tr><tr><td>75</td><td>70</td><td>67</td><td>66</td><td>65</td><td>62</td><td>55</td><td>78</td><td>69</td></tr></table> <ul style="list-style-type: none">▪ The music noise levels on the roof terrace and roof terrace during the ‘Day / Evening’ period should not exceed L_{Aeq} 73 dB(A) at 1 m directly in front of each loudspeaker.▪ The music noise limits for the indoor areas (basement, ground floor and mezzanine) are presented in Section 12.2. The limits in these areas are higher than would be required for a background music level and therefore noise control measures for background music played indoors are not expected to be required.▪ It is recommended that further acoustic review to confirm compliance with SEPP N-2 should be undertaken if any of the following occurs:<ul style="list-style-type: none">– If additional loudspeakers are installed;– If any loudspeakers are installed closer to the residential areas than the locations noted above.	Recommended Music Noise Limit at 1m from Loudspeaker, Hz, $L_{OCT10,15min}$ dB							Total		63	125	250	500	1k	2k	4k	dB	dB(A)	75	70	67	66	65	62	55	78	69
Recommended Music Noise Limit at 1m from Loudspeaker, Hz, $L_{OCT10,15min}$ dB							Total																					
63	125	250	500	1k	2k	4k	dB	dB(A)																				
75	70	67	66	65	62	55	78	69																				
Deliveries and Private Waste Collections	<p>Deliveries and private waste collections should be restricted to within the hours recommended by EPA Publication 1254 - Noise Control Guidelines. Specifically:</p> <ul style="list-style-type: none">▪ Deliveries should be scheduled to occur only between the hours of:<ul style="list-style-type: none">– 7 am to 10 pm Monday to Saturday; and– 9 am to 10 pm Sundays and public holidays.▪ Private waste collections should be scheduled to occur only between the hours of:<ul style="list-style-type: none">– 7 am to 8 pm Monday to Saturday; and– 9 am to 8 pm Sundays and public holidays.																											

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1 Introduction

1.1 Background and Purpose

In 2018, Peter Koutroulis c/- YBL Remmus Architecture appointed Cogent Acoustics Pty Ltd to undertake an acoustic assessment of the proposed restaurant and bar venue at 221 Swan Street, Richmond, in response to a Council request for information (RFI) on the Planning Permit Application for the development. Subsequent to that original appointment, Cogent Acoustics has been engaged to update the assessment to address amendments required by the Planning Permit issued for the development.

The scope of the assessment includes:

- Prediction and review of potential patron noise emissions from the site.
- Prediction and assessment of noise levels due to proposed mechanical plant in relation to the requirements of State Environment Protection Policy (Control of Noise from Industry, Commerce and Trade) No. N-1 (SEPP N-1) (State of Victoria, 2001).
- Assessment of potential music noise emissions in relation to the requirements of State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2) (State of Victoria, 1999).
- Assessment of potential noise due to other activities associated with the proposed use, such as private waste collections and deliveries.
- Provision of advice on noise attenuation measures necessary to comply with the planning conditions and protect nearby noise sensitive areas from noise emissions due to the proposed development.

This report documents the investigations and advice provided in relation to the above services.

A glossary of the acoustic nomenclature used in this report is presented in Appendix A.

1.2 Reference Documentation

This report is based on information contained in the following documents and drawings:

Table 1 Reference Documentation

Document	Prepared by	Issue
Architectural Drawings for 221 Swan St; Job No. 17062; Drawing No. TP-05 – TP-12; Revision No. M	YBL Remmus Architecture	24/11/2020
Council Request For Information; Planning Application No. PLN17/1016	City of Yarra	08/12/2017
Waste Management Plan	Leigh Design Pty Ltd	10/01/2018

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Document	Prepared by	Issue
Revised Construction Issue Mechanical Services Drawings; Project No. 1909; Drawing no. KBS-1909-M001, Revision No. B, KBS-1909-M002, Revision No. I, KBS-1909-M003, Revision No. F, KBS-1909-M004, Revision No. H, KBS-1909-M005, Revision No. F, KBS-1909-M006, Revision No. B.	Kinematics Building Solutions	02/11/2020
Planning Permit No. PLN17/1016	City of Yarra	11/01/2019
Email To: Te-liang Chong CC: Ball Apiyasak; Thomas Lui Subject: RE: 221 Swan Street, Richmond	YBL Remmus Architecture	Mon 21/06/2021 11:09 AM

1.3 Report Limitations

The following limitations are applicable with respect to the acoustic advice presented in this report:

- Cogent Acoustics has prepared this document for the sole use of the Client and for the specific purpose expressly stated in the document. No other party should rely on this document without the prior written consent of Cogent Acoustics. Cogent Acoustics undertakes no duty, nor accepts any responsibility, to any third party who may rely upon or use this document.
- The information contained in this document provides advice in relation to acoustics and vibration 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 and vibration engineering including and not limited to structural integrity, fire rating, architectural buildability and fitness-for-purpose, waterproofing and the like. Supplementary professional advice should be sought in respect of these issues.
- Reports marked 'Not for Construction' or 'Draft' may be subject to change and are not released as final reports. Cogent Acoustics accepts no liability pending release of the final version of the report.
- In preparing this document Cogent Acoustics may have relied upon information provided by the client and other third parties, some of which may not have been verified. Cogent Acoustics accepts no responsibility or liability for any errors or omissions which may be incorporated into this document as a result.
- The recommendations, data and methodology documented in this assessment are based on the listed reference documentation. The recommendations apply specifically to the project under consideration, and must not be utilised for any other purpose. Any modifications or changes to the project from that described in the listed reference documentation may invalidate the advice provided in this document, necessitating a revision.

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2 Project Characteristics

The project site is located at 221 Swan Street, Richmond, as shown in Figure 1. The project is understood to comprise development of a new three-storey restaurant and bar building with roof terrace seating and capacity for up to 192 patrons.

The proposed operating hours are understood to be between 11 am and 11 pm, Monday to Sunday.



Figure 1 Aerial Image of Site (Image Source: Google Maps)

Figure 2 to Figure 6 presents the floor plans for each level of the proposed venue.

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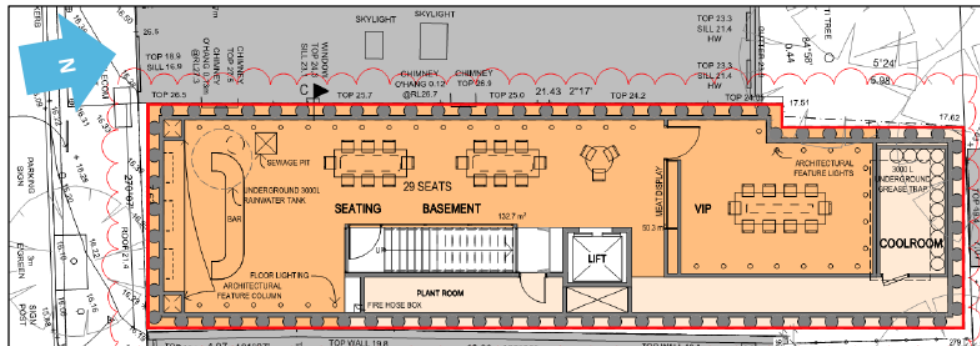


Figure 2 Proposed Basement Floor Plan (Image Source: YBL Remmus Architecture)

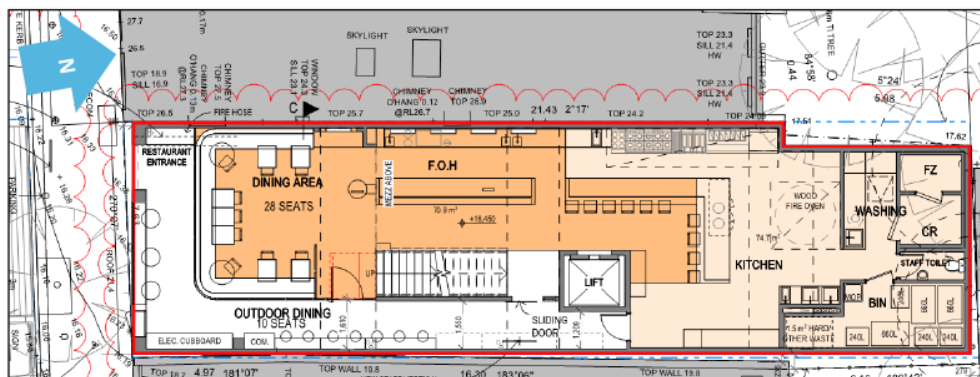


Figure 3 Proposed Ground Floor Plan (Image Source: YBL Remmus Architecture)

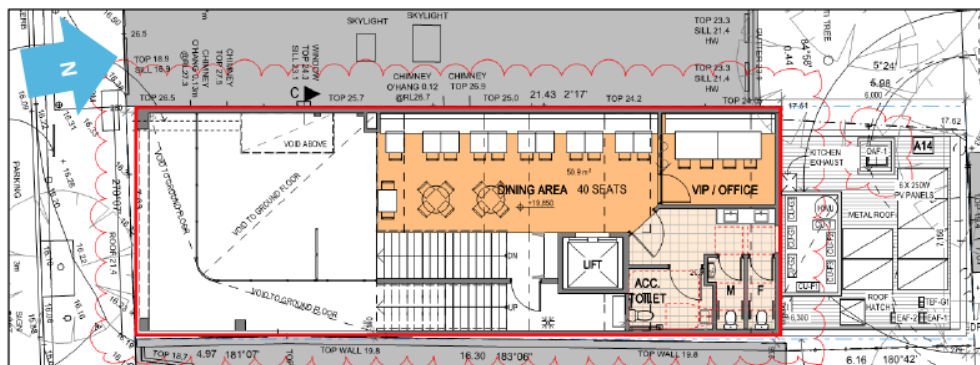


Figure 4 Proposed First Floor Plan (Image Source: YBL Remmus Architecture)

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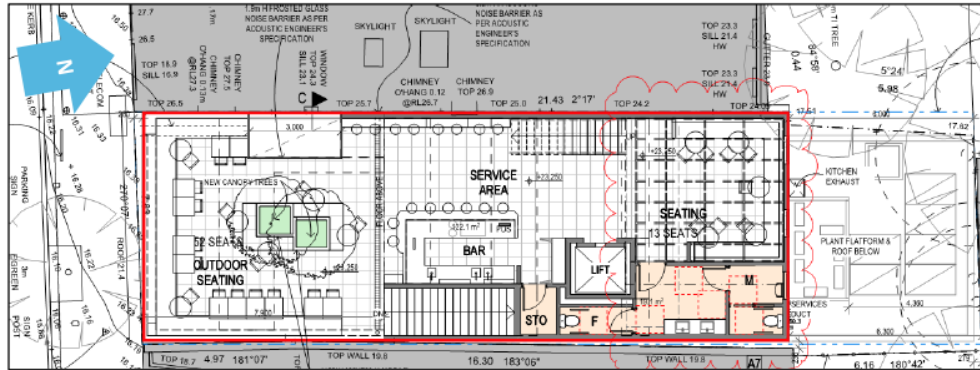


Figure 5 Proposed Second Floor Plan (Image Source: YBL Remmus Architecture)

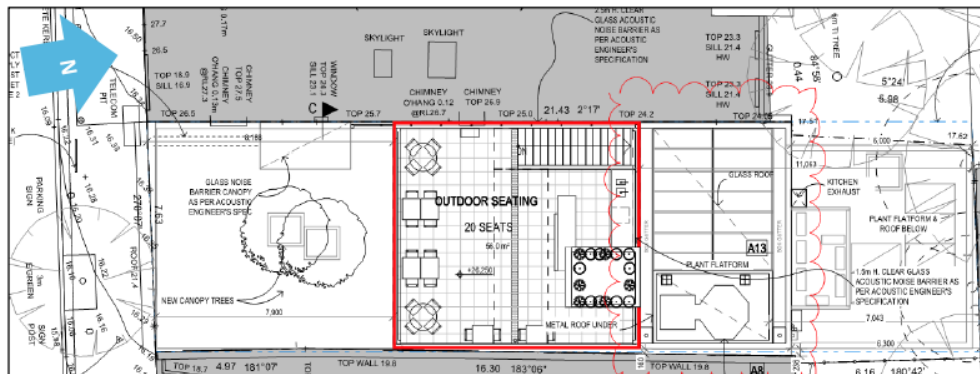


Figure 6 Proposed Roof Terrace Plan (Image Source: YBL Remmus Architecture)

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3 Town Planning Requirements

3.1 Council RFI

The Request For Information (RFI) in response to Planning Permit Application No. PLN17/1016 issued by City of Yarra on 8 December 2017 prescribes conditions for the development that need to be addressed in order for Council to properly assess the application. Table 2 presents the condition which is directly relevant to the acoustic design of the building:

Table 2 Relevant RFI Conditions

Condition No.	Condition Text
5	An Acoustic Report prepared by a suitably qualified acoustic engineer assessing the noise impacts of the proposed use (including music noise, patron noise and plant equipment) against the relevant State Environment Protection Policies.

3.2 Planning Permit

Planning Permit No. PLN17/1016 issued by City of Yarra on 11 January 2019 prescribes town planning requirements applicable to the project. Table 3 presents the relevant acoustic requirements.

Table 3 Relevant Town Planning Conditions

Condition No.	Condition Text
9	<p>Before the use and development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Cogent Acoustics and dated 02 July 2018, but modified to include (or show, or address) the following:</p> <ul style="list-style-type: none"> (a) The evening period SEPP N-1 noise limits (used for the mechanical services noise assessment and patron noise assessment) revert to the zoning levels (based on neutral background levels), making the evening targets 2dBA lower than currently shown in the report. (b) The operator to undertake a full acoustical review of the mechanical plant (by an acoustic consultant) to ensure the final selected equipment and acoustic treatments will be sufficient to ensure SEPP N-1 compliance. (c) The lowest 15 minute background level collected for the day/evening period be used for setting the day/evening period SEPP N-2 noise limits. (d) The provision of electronic noise limiters/compressors on the amplifiers/speakers within the indoor and outdoor dining areas of the venue with setup guided by an acoustic consultant prior to operations commencing. (e) The music levels to have minimal bass content during the SEPP N-2 Night period. (f) The ventilation duct system running along the void (located adjacent to the boundary window of the western adjoining property) to the Swan Street frontage in accordance with the architectural drawings. (g) The setbacks of the mechanical plant acoustic barriers from the boundaries in accordance with the architectural drawings.
10	The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
11	The provision of music and entertainment on the land must be at a background noise level.
12	The sound system on the premises must not consist of bass speakers.

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4 Legislation and Guidelines

4.1 Summary of Relevant Documents

Table 4 presents a summary of the relevant legislation and guidelines applicable to the proposed development. The information contained in these documents forms the basis of the design criteria and advice presented in this report.

Table 4 Summary of Relevant Statutory Requirements and Guidelines

Document	Status	Relevance to this Project
State Environment Protection Policy (Control of Noise from Industry, Commerce and Trade) No. N-1 (SEPP N-1) (State of Victoria, 2001)	Legislation	Prescribes the methods for determining the statutory environmental noise limits that apply to noise emissions from industrial, commercial, and trade premises within metropolitan Melbourne, and the methods to be used for assessment. In the absence of established policy or guidelines that apply to patron noise from commercial premises within Victoria, criteria from SEPP N-1 have been considered for guidance.
State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2) (State of Victoria, 1999)	Legislation	Prescribes the procedures used to determine limits for, and assess, music noise emissions from public premises. Compliance with SEPP N-2 is a statutory requirement in Victoria.

4.2 State Environment Protection Policy No. N-1 (SEPP N-1)

State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1) (State of Victoria, 2001) prescribes the procedures used to determine limits for, and assess, environmental noise emissions from sources such as mechanical equipment and activities associated with commercial, industrial or trade operations. Compliance with SEPP N-1 is a statutory requirement within the Melbourne Metropolitan Region, however patron noise is excluded from SEPP N-1.

As there is no other legislation or EPA Guideline that specifies noise limits for patron noise emissions from commercial premises in Victoria, criteria from SEPP N-1 have been considered for guidance.

The limits prescribed by SEPP N-1 apply at or within Noise Sensitive Areas, such as residential dwellings, as defined in Appendix A. The limits are dependent on a number of factors including:

- The time of day at which the noise emissions occur;
- The planning zone types in the area of the Noise Sensitive Area; and
- The background noise levels at the Noise Sensitive Area.

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In accordance with SEPP N-1, noise emissions from the source under consideration are measured so as to obtain an L_{Aeq} sound pressure level that is representative of the audible noise at the Noise Sensitive Area over a continuous 30-minute period. Adjustments to the measured level are applied where necessary to account for characteristics such as duration, intermittency, reflections, impulsiveness, tonality, and measurement location. The adjusted noise level is termed the Effective Noise Level, and it is the Effective Noise Level that is assessed in relation to the noise limits.

4.3 State Environment Protection Policy No. N-2 (SEPP N-2)

State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2) (State of Victoria, 1999) prescribes the procedures used to determine limits for, and assess music noise emissions from public premises. Compliance with SEPP N-2 is a statutory requirement in Victoria.

The noise limits prescribed by SEPP N-2 are dependent on the background noise levels at the Noise Sensitive Area, and on the time of day. The SEPP N-2 limits apply at or within Noise Sensitive Areas, such as residential dwellings, as defined in Appendix A.

SEPP N-2 prescribes an $L_{Aeq,15min}$ music noise limit of the L_{A90} background noise level +5 dB(A) during the 'Day / Evening' period, and $L_{OCT10,15min}$ music noise limit of the L_{OCT90} background noise level +8 dB during the 'Night' period.

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5 Noise Sensitive Areas

The nearest and potentially most-affected Noise Sensitive Areas (NSA) in the vicinity of the project site have been identified to be as follows:

Table 5 Locations of Potentially Most-Affected Noise Sensitive Areas (NSA)

Ref.	Address	Usage
NSA 1	219A Swan Street, Richmond	Residential dwelling on first floor
NSA 2	24 Charlotte Street, Richmond	Single-storey residential dwelling
NSA 3	26-28 Charlotte Street, Richmond	Two-storey residential apartments
NSA 4	34 Charlotte Street, Richmond	Single-storey residential dwelling

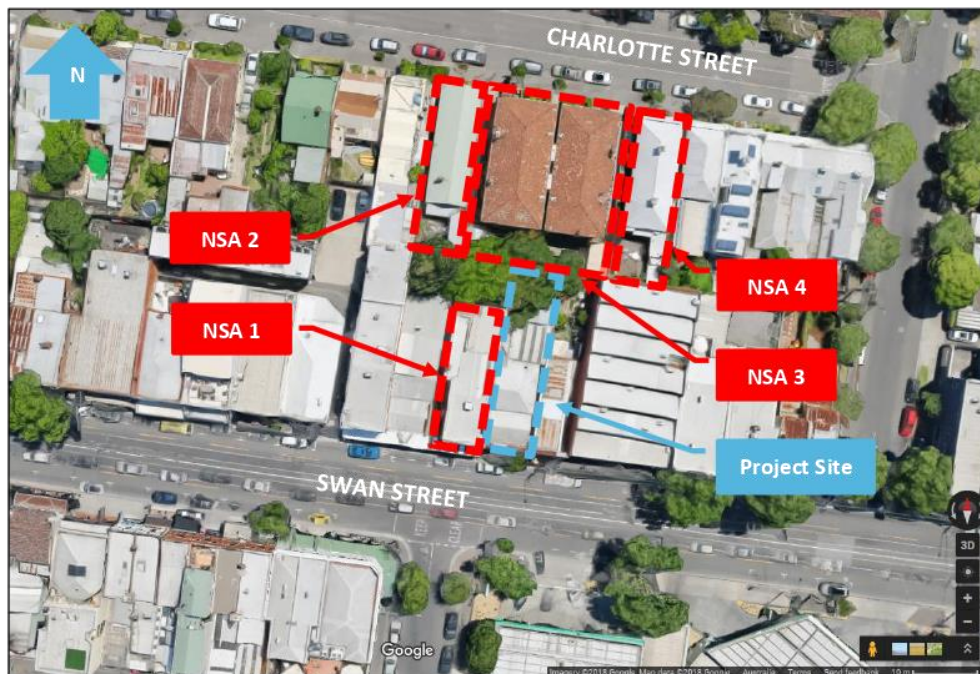


Figure 7 Location of Nearest and Potentially Most-Affected Noise Sensitive Areas (Image Source: Google Maps)

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6 Existing Acoustic Environment

6.1 Soundscape

The existing soundscape in the vicinity of the site and potentially most-affected noise sensitive areas is dominated by road traffic and tram pass-by noise from Swan Street. Noise due to activities associated with the surrounding commercial premises also contributes to the overall noise level.

6.2 Background Noise Levels

Environmental noise logging was performed at the site to establish the background noise levels. The measurements were performed at a location near to the north-western corner of the site between 17 and 22 January 2018. Details of the measurement location and measurement methodology are presented in Appendix B.

Note, the background noise level time history (presented in Appendix C) indicates that the L_{A90} noise levels measured during the daytime may have been influenced by an extraneous noise source (such as mechanical plant). At the time of our site visits on 17 and 22 January 2018, there was no obvious source of extraneous noise apparent. Nonetheless, as a conservative measure, the $L_{A90,30min}$ during lulls in the continuous noise levels have been adopted as the SEPP N-1 'Day' and 'Evening' background noise levels. The lulls during the SEPP N-1 'Day' period were observed to generally occur between 1:00 pm and 2:30 pm. The lulls during the SEPP N-2 'Evening' period were observed to occur around 9:00 pm. These lulls are indicated on the background noise level time history plots in Appendix C.

Table 6 presents a summary of the measured background noise levels, as determined in accordance with the procedures given by SEPP N-1. Graphs showing the variation of background noise level over the full measurement period are presented in Appendix C.

Table 6 Background Noise Levels

Period	Applicable Times	L_{A90} Background Noise Level, dB(A)
Day	<ul style="list-style-type: none"> 7 am to 6 pm Monday to Friday 7 am to 1 pm Saturday 	46
Evening	<ul style="list-style-type: none"> 6 pm to 10 pm Monday to Friday 1 pm to 10 pm Saturdays 7 am to 10 pm Sundays and Public Holidays 	44
Night	<ul style="list-style-type: none"> 10 pm to 7 am All Days 	37

Table 7 overleaf presents a summary of the lowest L_{OCT90} background noise levels measured during the SEPP N-2 'Night' period.

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Table 7 L_{OCT90} Background Noise Level

Period	Measurement Time and Date	Minimum $L_{OCT90,15min}$ Background Noise Level, dB						
		63	125	250	500	1k	2k	4k
Night	10:00 pm to 11:00 pm	51	45	42	40	36	30	21

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7 Noise Criteria

7.1 SEPP N-1 Mechanical and Patron Noise Limits

There are no statutory environmental noise limits or EPA Guidelines that directly apply to patron noise emissions from commercial premises in Victoria. In the absence of established policy or guidelines, criteria from SEPP N-1 have been considered for guidance.

The noise limits presented in Table 8 have been determined to apply at the potentially most-affected noise sensitive areas in accordance with SEPP N-1. Details of the SEPP N-1 Zoning Level and noise limit calculations are presented in Appendix D.

Table 8 SEPP N-1 Noise Limits

Period	Applicable Times	Noise Limit, L_{eff} , dB(A)
Day	<ul style="list-style-type: none"> 7 am to 6 pm Monday to Friday 7 am to 1 pm Saturday 	56
Evening	<ul style="list-style-type: none"> 6 pm to 10 pm Monday to Friday 1 pm to 10 pm Saturdays 7 am to 10 pm Sundays and Public Holidays 	49
Night	<ul style="list-style-type: none"> 10 pm to 7 am All Days 	44

Based on the proposed operating hours extending until 11 pm every night, the SEPP N-1 'Night' period noise limits will be the controlling noise limits applicable at the potentially most-affected NSAs, since the 'Night' period noise limits are lower than the 'Day' and 'Evening' period limits.

7.2 SEPP N-2 Music Noise Limits

Table 9 overleaf presents the SEPP N-2 music noise limits that have been determined to apply at the potentially most-affected NSAs based on the measured background noise levels.

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Table 9 SEPP N-2 Music Noise Limits

SEPP N-2 Period	Applicable Times	SEPP N-2 Noise Limits																
Day / Evening	<ul style="list-style-type: none">9 am to 10 pm Monday to Friday10 am to 10 pm Saturdays12 pm to 9 pm Sundays	49 dB(A) L_{Aeq}																
Night	<ul style="list-style-type: none">10 pm to 9 am Monday to Friday10 pm to 10 am Saturdays9 pm to 12 pm Sundays	<table><tr><th>Freq, Hz</th><th>L_{OCT10}, dB</th></tr><tr><td>63</td><td>59</td></tr><tr><td>125</td><td>53</td></tr><tr><td>250</td><td>50</td></tr><tr><td>500</td><td>48</td></tr><tr><td>1k</td><td>44</td></tr><tr><td>2k</td><td>38</td></tr><tr><td>4k</td><td>29</td></tr></table>	Freq, Hz	L_{OCT10} , dB	63	59	125	53	250	50	500	48	1k	44	2k	38	4k	29
Freq, Hz	L_{OCT10} , dB																	
63	59																	
125	53																	
250	50																	
500	48																	
1k	44																	
2k	38																	
4k	29																	

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8 Review of Proposed Building Construction

Table 10 presents a summary of the proposed building construction details based on the received documentation.

Table 10 Proposed Building Construction

Building Element	Details
External walls	<ul style="list-style-type: none"> Minimum 150 mm thick precast concrete panels. Interior finish details to be confirmed but unlikely to be materials providing significant additional sound insulation.
Roof / Ceiling	<ul style="list-style-type: none"> External metal roof sheeting over: <ul style="list-style-type: none"> Ground floor food preparation / washing space; Second floor toilets. Sound insulation calculations of metal roof sheet areas have been based on the ceiling lining below being minimum 10 mm thick standard plasterboard (6.5 kg/m²) with minimum 50 mm, 11 kg/m³, fibreglass or mineral wool insulation installed in the ceiling cavity. Mechanical plant platform has been proposed above the food preparation / washing space and second floor toilets. Second floor proposes a glass roof over the indoor seating area. Roof Terrace proposes the use of retractable fabric roof over. The ceiling void above the ground floor dining area (under the existing bedroom window at 219A Swan Street), is understood to be a double-glazed skylight comprising 6 mm thick glass + 12 mm air gap + 6 mm thick glass, rated to R_w 32.
Floor	<ul style="list-style-type: none"> Floors between levels will be minimum 150 mm thick concrete slabs.
External glazing	<ul style="list-style-type: none"> One north-facing window to the second floor toilets. Two north-facing windows to the second floor indoor seating area. Each window is approximately 0.5 m². Toilet window likely to have openable sashes for ventilation. Seating area windows to be fixed glazing.

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9 Mechanical Plant Noise Assessment

9.1 Input Parameters

SoundPLAN version 7.4 environmental noise modelling software was used to model the future noise emissions from mechanical plant equipment based on mechanical plant equipment models, locations, and layouts as documented in the reference documentation.

Octave band noise data for each mechanical plant equipment item is presented in Appendix E.

9.2 Mechanical Plant Noise Emissions

Table 11 overleaf presents the calculated plant noise levels at the potentially most-affected NSAs with all of the mechanical plant at the proposed restaurant and bar venue operating.

Table 11 Calculated Effective Noise Levels at NSAs

NSA Ref.	Calculated Effective Noise Level and SEPP N-1 'Evening' Period Compliance ($L_{eff} \leq 49$ dB(A))	Calculated Effective Noise Level and SEPP N-1 'Night' Period Compliance ($L_{eff} \leq 44$ dB(A))
NSA 1	60 ✗	60 ✗
NSA 2	54 ✗	54 ✗
NSA 3	59 ✗	59 ✗
NSA 4	53 ✗	53 ✗

Based on the results presented above, noise emissions from the mechanical plant at the proposed venue have been calculated to exceed the SEPP N-1 'Evening' and 'Night' period noise limits by 11 dB(A) and 16 dB(A) at the potentially most-affected NSAs.

Therefore, noise mitigation measures will need to be implemented to the mechanical plant items to comply with the SEPP N-1 noise limits. Refer to Section 13.1 for recommended noise mitigation measures.

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10 Patron Noise Assessment

Patron noise levels due to the bar, dining, and seating areas at the proposed venue have been calculated using a method detailed in 'Consideration of Patron Noise from Entertainment Venues' (Growcott, 2009). The calculation method was derived from patron noise measurements performed by Growcott in an outdoor beer garden surrounded by acoustically reflective walls approximately 4 m high.

SoundPLAN version 7.4 environmental noise modelling software was used to model the patron noise from the proposed restaurant and bar venue according to the calculation methodology prescribed by ISO 9613-2 Acoustics - Attenuation of Sound During Propagation Outdoors - Part 2: General Method of Calculation (ISO, 1996).

10.1 Input Parameters

The calculations are based on the following input parameters:

- Plan and layout information as contained in the reference architectural drawings.
- Roof terrace retractable fabric roof fully retracted (seating areas uncovered).
- Patron noise levels have been calculated based on the venue being at maximum capacity with 192 patrons distributed between the dining / seating areas as specified in Table 12, in accordance with the reference documentation.
- Patron noise levels have been calculated based on the patrons at the second floor and roof terrace seating areas spending a majority of their time being seated at tables (noise source height of 1.2 m above floor level). Patrons at the second floor bar area have been assumed to be mostly standing (1.8 m above floor level).
- Each dining / seating area has been modelled as an area source in SoundPLAN with a sound power level calibrated to emit the calculated sound pressure level specified in Table 12.

The following table presents the calculated sound pressure levels for each dining / seating area:

Table 12 Patron Sound Pressure Levels for Each Dining / Seating Area

Location	No. of Patrons	Calculated Sound Pressure Level as per Growcott, dB(A)
Basement Seating Area	29	74
Ground Floor Dining Area and FOH	28	73
Ground Floor Outdoor Dining Area	10	64
First Floor Dining Area	40	77
Second Floor Outdoor Seating Area	38	76
Second Floor Seating and Service Area	27	73
Roof Terrace Outdoor Seating Area	20	70

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10.2 Modelling Methodology of Patron Noise

The following presents the methodology for modelling the patron noise sources in SoundPLAN:

- Firstly, the outline of each area source was traced according to the layout as contained in the reference documentation at the appropriate height above ground level (1.2 m where patrons are seated, 1.8 m where patrons are standing). With the exception of a hard ground plane, no other structures, sources, or features were modelled.
- 4 metre high acoustically reflective walls were then modelled around the source and a noise receiver was modelled at the centre of the area source at a height of 4 metres above ground level, to imitate the conditions in which Growcott (Growcott, 2009) measured the patron sound pressure levels.
- The sound power level of the area source in SoundPLAN was then calibrated to achieve the calculated sound pressure level presented in Table 12.
- The patron area source was then placed at the appropriate location within the 221 Swan Street model.
- The above steps were then repeated for each dining / seating area to fully model the patron noise sources.

10.3 Calculated Patron Noise

The patron noise levels have been assessed at the following locations:

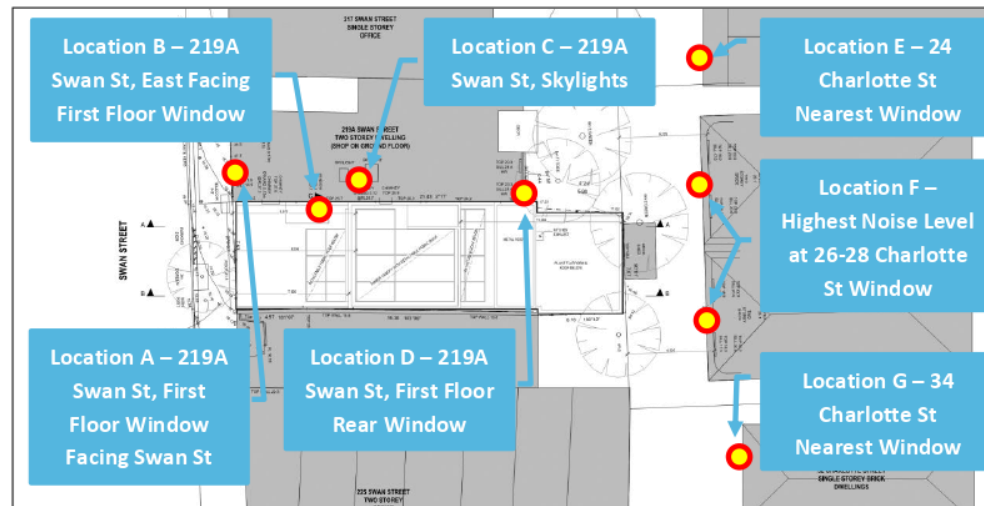


Figure 8 Assessed Locations of Patron Noise Level (Image Source: YBL Remmus Architecture)

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Table 13 presents the calculated patron noise level at the assessed locations based on the parameters specified in Section 10.1.

Table 13 Calculated Patron Noise Levels

Assessment Location	Calculated Sound Pressure Level, L_{Aeq} dB(A)	SEPP N-1 'Night' Period Criterion, dB(A)	SEPP N-1 'Night' Period Compliance
A	47	44	✗
B	61	44	✗
C	64	44	✗
D	51	44	✗
E	50	44	✗
F	54	44	✗
G	43	44	✓

The above results show that the patron noise levels at the nearest NSAs exceed the SEPP N-1 'Night' period noise limit used as guidance for this assessment by up to 20 dB(A). The primary source of patron noise emission is determined to be the second floor and roof terrace seating areas. Patron noise from the indoor dining areas are considered to be sufficiently attenuated by the design of the building.

Therefore, noise mitigation measures are recommended to be implemented to the roof seating areas to comply with the SEPP N-1 noise limits. Refer to Section 13.2 for recommended patron noise mitigation measures.

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11 Deliveries and Waste Collection Noise Assessment

It is understood that deliveries to the proposed restaurant and bar will occur on a daily basis. Waste collection, according to the waste management plan, is estimated to occur five times a week. Both deliveries and waste collection will be conducted at the front (south) of the premises away from the majority of the nearest residential dwellings to the north.

Therefore, it is considered that the noise from deliveries and commercial waste collections associated with the proposed venue will not adversely impact the adjacent residences provided that such deliveries and collections are conducted between the hours presented in the table below, in accordance with Sections 6 and 9 of the EPA Noise Guidelines (EPA Victoria, 2008):

Table 14 Deliveries and Waste Collection Schedules

Activity Type	Permitted Times
Waste Collections	<ul style="list-style-type: none"> 7 am to 8 pm Monday to Saturday 9 am to 8 pm Sundays and public holidays
Deliveries	<ul style="list-style-type: none"> 7 am to 10 pm Monday to Saturday 9 am to 10 pm Sundays and public holidays

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12 Music Noise Assessment

It is understood that music will be played on all levels of the proposed bar and restaurant at a background level. On this basis, it is likely that music played on the second floor and roof terrace seating areas will be the primary sources of music noise at the nearest NSAs.

12.1 Design Music and Entertainment Noise Levels

Music noise levels measured by Cogent Acoustics at Momo Café at 103 Seymour Street, Traralgon (Cogent Acoustics, 2017) have been used as the design music octave band values for the project venue. Momo Café, Traralgon is a two-storey café and restaurant offering roof terrace seating areas playing background music. It is considered that the music noise level and open-air environment adjacent to a relatively busy street approximates the proposed venue at 221 Swan Street. Details of the measurement at Momo Café may be summarised as follows:

- There were three loudspeakers on the roof terrace of approximately 133 m².
- No patrons were seated on the terrace at the time noise measurements were conducted. The only other significant source of noise was road traffic along Seymour Street to the north.

The following table presents the average of three measurements conducted on the roof terrace at Momo Café.

Table 15 Average Measured Music Noise Levels at Momo Café Roof Terrace

Measured Octave Band Sound Pressure Level, Hz, dB							Total	
63	125	250	500	1k	2k	4k	dB	dB(A)
64	63	68	66	66	62	51	80	69

12.2 Maximum Allowable Music Noise Levels with Proposed Construction

The maximum allowable music noise levels at the proposed bar and restaurant venue have been calculated based on the following input parameters:

- The average music octave band values in each dining / seating area as presented in Table 15.
- Plan and layout information as contained in the referenced architectural drawings.
- Each loudspeaker installed at 1.8 m above floor level.
- Roof terrace retractable fabric roof fully retracted (seating area uncovered).
- Eight loudspeakers distributed around the basement dining area and bar.
- Eight loudspeakers distributed around the ground floor dining area and bar.
- Six loudspeakers distributed around the roof terrace seating area and bar.
- Four loudspeakers installed at each corner of the mezzanine dining area.

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- Three loudspeakers installed around the roof terrace seating area.
- No outdoor loudspeakers installed within 5 m of the existing east-facing bedroom window or skylights of 219A Swan Street.

Based on the above, it is calculated that the venue will comply with SEPP N-2 for music noise up to the following levels, when measured 1 m directly in front of each loudspeaker:

Table 16 Maximum Allowable Music Noise Levels 1 m from Each Loudspeaker

Location	SEPP N-2 Period	Maximum Music Noise Levels	Octave Band Centre Frequency, Hz							Total	
			63	125	250	500	1k	2k	4k	dB	dB(A)
Basement	Day / Evening	L_{Aeq} , dB(A)	-	-	-	-	-	-	-	-	98
	Night	L_{OCT10} , dB	89	88	87	88	90	92	89	98	97
Ground floor and First floor	Day / Evening	L_{Aeq} , dB(A)	-	-	-	-	-	-	-	-	82
	Night	L_{OCT10} , dB	70	68	66	74	79	72	70	82	81
Second floor and roof terrace	Day / Evening	L_{Aeq} , dB(A)	-	-	-	-	-	-	-	-	73
	Night	L_{OCT10} , dB	75	70	67	66	65	62	55	78	69

The calculated maximum allowable music levels for the indoor dining areas are higher than would occur with a comfortable level of 'background music'. Therefore, control measures are not considered to be required for music played in the indoor dining areas.

It is therefore considered that compliance with SEPP N-2 can be reasonably achieved provided the design parameters outlined above are adhered to.

It is recommended that the following measures should be taken to avoid music being played too loud in outdoor areas (either accidentally or deliberately):

- The compliant sound system volume level setting should be determined by acoustic measurements after construction prior to commencement of operations.
- An electronic noise limiter should be installed to the speaker system to limit the music noise volume during each SEPP N-2 period.
- Staff access to the outdoor sound system should be restricted to management only. All management staff should be briefed on the volume level requirements.
- Live music must not be played at the premises.
- It is recommended to avoid using music with high bass content during the SEPP N-2 'Night' period.

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13 Noise Mitigation

To control noise emissions from the proposed venue, the following noise mitigation measures are recommended.

13.1 Mechanical Plant

The following noise control measures are recommended to the proposed mechanical plant equipment:

- Acoustic screens should be installed surrounding CU-1, CU-G1, CU-G2, CU-G3, CU-F1, CU-F2, CU-F3, OAF-1, KEF-1, and KEF-2 as highlighted in Figure 9 and Figure 10; and
- CU-1 should have a 'Night mode' that can be selected to reduce the Sound Power Level to less than 73 dB(A) (Toshiba MMY-MAP1206FT8P-A is capable of this). CU-1 should then be operated in 'Night mode' during the SEPP N-1 'Night' period (after 10 pm every night); and
- OAF-1 should be fitted with a timer that is programmed to limit the fan speed to approximately 1200 RPM during the SEPP N-1 'Night' period; and
- KEF-1 should be fitted with a timer that is programmed to limit the fan speed to approximately 1100 RPM during the SEPP N-1 'Night' period.
- Sound Power Levels of mechanical plant must not be greater than the levels tabulated in Appendix E and must be installed at the locations indicated in the reference documentation.
- The following minimum specifications are required for the acoustic screens:
 - Height of the screen surrounding CU-1, CU-G1, CU-G2, CU-G3, CU-F1, CU-F2, CU-F3 will need to be at least 0.6 m higher than the top of the tallest mechanical plant unit being screened.
 - Height of the screen surrounding OAF-1 will need to be at least 1.2 m higher than the top of OAF-1.
 - Height of the screen surrounding KEF-1 and KEF-2 will need to be at least 1.75 m higher than the top of the tallest mechanical plant unit being screened.
 - Each screen should be constructed from minimum 1.6 mm thick steel, 9 mm thick fibre cement sheet, or other suitable sheeting material of at least 12 kg/m².
 - If any mechanical plant being screened is elevated above the roof on a plant deck, the screen should extend down past the plant deck towards roof level. If a gap is required for drainage, maximum 50 mm gap between the bottom of the screen and the roof surface is recommended.
 - Each screen should be lined on the plant side with 50 mm thick, 32 kg/m³, non-hygroscopic mineral wool or an approved alternative acoustic insulation suitable for outdoor environments such as Stratocell Whisper 50 mm.
 - If required for moisture resistance, the insulation may be encapsulated in a thin foil or plastic membrane, having a maximum thickness of 50 microns.

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- A perforated steel sheet may optionally be included over the insulation to protect it from mechanical damage. If included, the perforated steel sheet should have a minimum open area of 20%.

The acoustic screen design requirements are presented schematically in Figure 11.

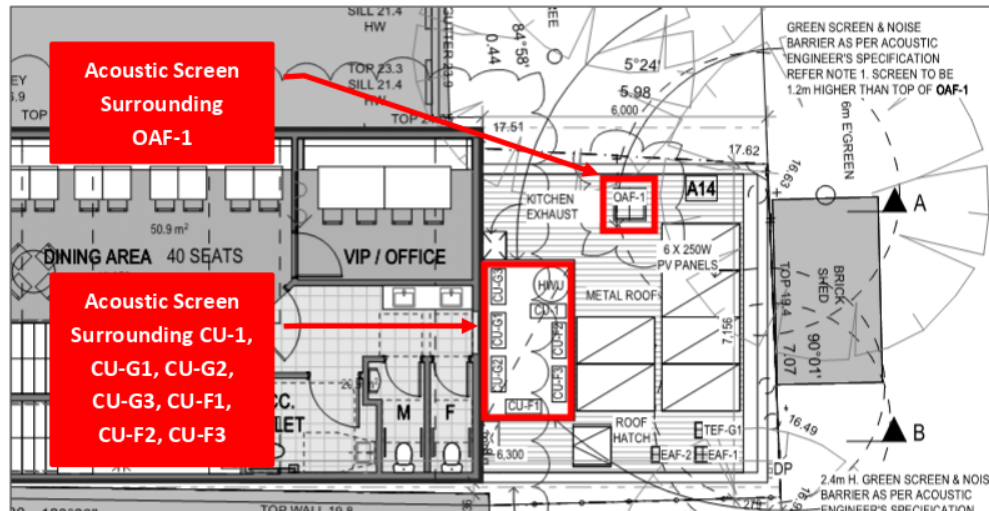


Figure 9 Mechanical Plant Acoustic Screen Location – First Floor
(Image Source: YBL Remmus Architecture)



Figure 10 Mechanical Plant Acoustic Screen Location – Roof Terrace
(Image Source: YBL Remmus Architecture)

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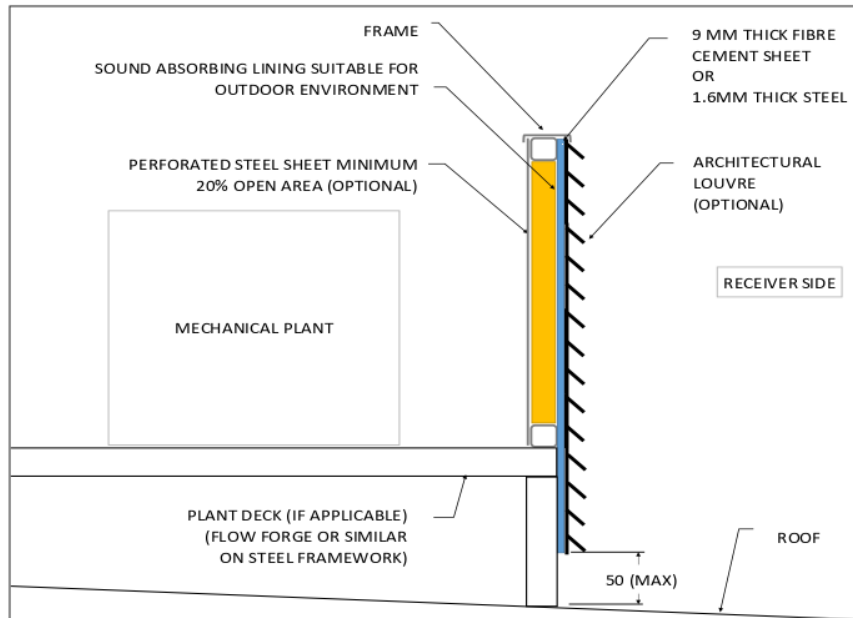


Figure 11 Mechanical Plant Acoustic Screen Schematic

13.2 Patron Noise from Roof Seating Areas

To control patron noise emission from the roof seating areas, the acoustic treatment measures presented in the following subsections are recommended.

13.2.1 Construct Acoustic-rated Walls and Canopy

- Construct acoustic-rated walls along the western boundary of the second floor and roof terrace seating areas, as shown in Figure 12 to Figure 14; and
- Construct an acoustic canopy over the noise barrier surrounding the east-facing first floor bedroom window of 219A Swan St, according to the coverage shown in Figure 10.
- The walls should be constructed to the following minimum heights above floor level:
 - The noise barrier separating the second floor seating area and existing 219A Swan St first floor bedroom window should be 1.9 m tall.
 - The wall separating the second floor outdoor seating area and 219A Swan St skylights should be 5.5 m tall (up to height of roof terrace seating area acoustic wall).
 - The wall separating the second floor service area and seating area should be constructed full height from floor to underside of floor above.
 - The wall separating the roof terrace seating area and 219A Swan St should be 2.5 m tall.
 - The wall separating the roof terrace seating area and residential dwellings to the north should be 1.5 m tall.

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If patrons at the second floor and roof terrace seating areas are likely to spend a majority of time standing, taller walls than have been specified would be required.

Where the canopy and surrounding noise barrier abut, there should be no gaps between the canopy and barrier.

There should be no visible gaps between where the canopy and wall / noise barrier surrounding the first floor bedroom window of 219A Swan St meet the external walls of 219A Swan St.

- The canopy and walls / noise barrier should be constructed to achieve a minimum sound transmission loss rating of R_w 30. Acoustically acceptable materials for construction include 1.6 mm thick steel, 9 mm thick fibre cement sheet, minimum 10 mm thick polycarbonate, minimum 6 mm thick glass, or other material with a minimum mass of 12 kg/m^2 .
- It is understood that natural ventilation is to be provided to the east-facing bedroom window of 219A Swan Street via ductwork installed in the floor / ceiling cavity between the first floor and roof terrace. It is recommended that the duct should be of rigid construction (e.g. galvanised steel ducting).
- As the ventilation duct is to have an opening at the front (south) façade of 221 Swan Street, it is recommended that the duct should be internally lined with minimum 50 mm thick, 32 kg/m^3 acoustic insulation to minimise potential traffic noise ingress.
- The natural ventilation duct should be no less than 3 metres in length and should only be mounted to the building structure via resilient hangers or other flexible connection type.

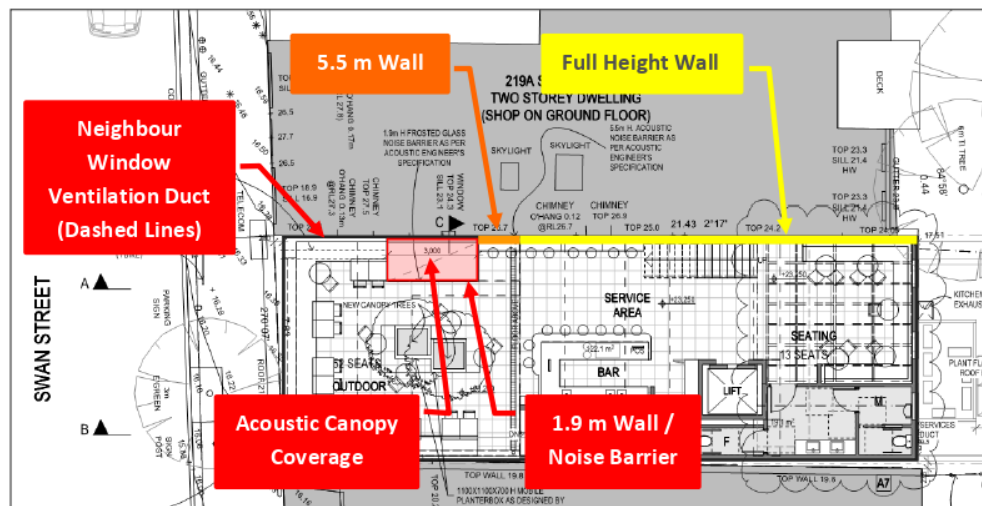


Figure 12 Locations of Walls / Noise Barrier at Boundary of Roof Terrace (Image Source: YBL Remmus Architecture)

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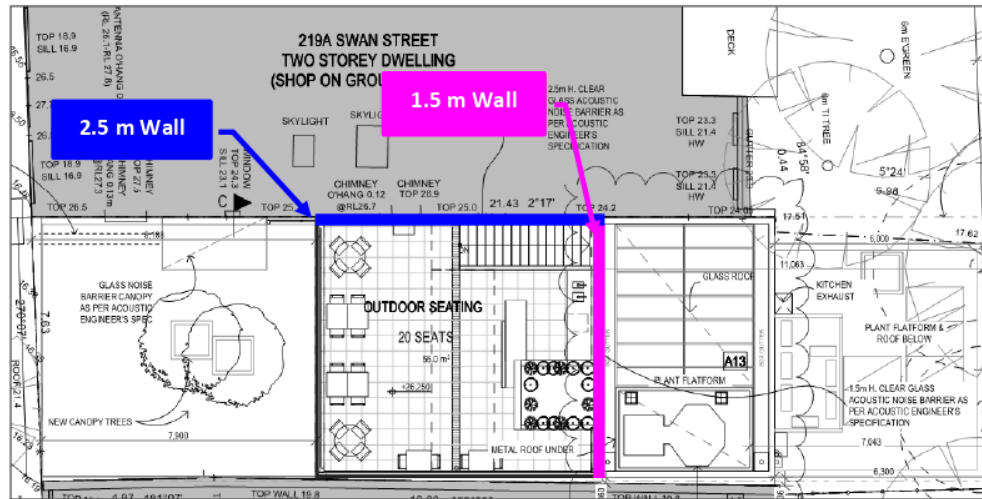


Figure 13 Locations of Walls / Noise Barrier at Boundary of Roof Top (Image Source: YBL Remmus Architecture)

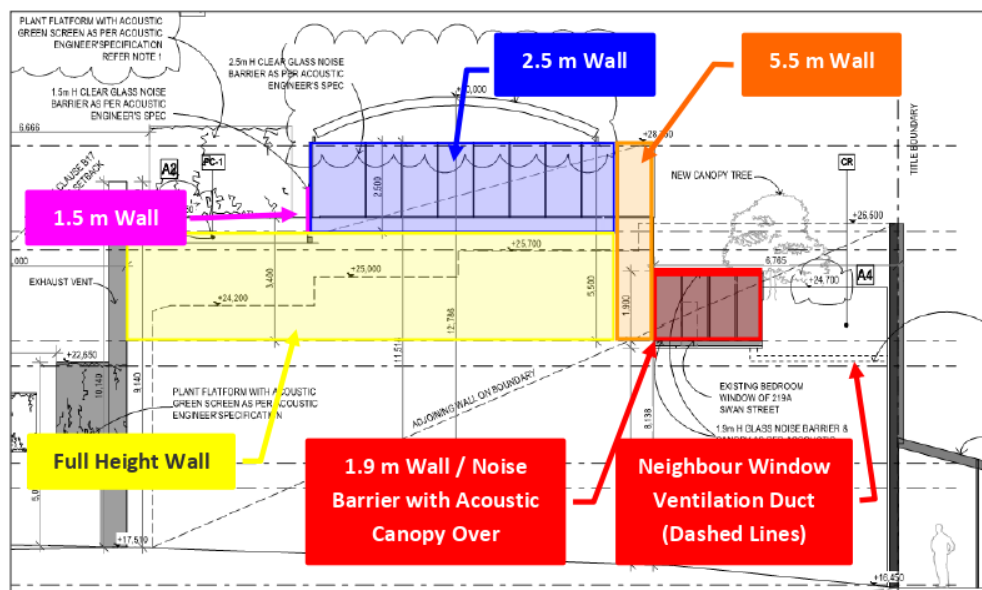


Figure 14 Heights of Walls / Noise Barrier – West Elevation (Image Source: YBL Remmus Architecture)

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13.2.2 Limit Patron Numbers on Roof Areas

Limit the maximum number of patrons at the roof seating areas to the following depending on the time of day:

Table 17 Maximum Number of Patrons at the Roof Seating Areas

Period	Applicable Times	Max Patrons at Outdoor Seating Areas		
		Roof Terrace	Second Floor	Second Floor Bar
Day	<ul style="list-style-type: none"> 7 am to 6 pm Monday to Friday 7 am to 1 pm Saturday 	20	38 (As per proposal)	27 (As per proposal)
Evening	<ul style="list-style-type: none"> 6 pm to 10 pm Monday to Friday 1 pm to 10 pm Saturdays 7 am to 10 pm Sundays and Public Holidays 	20	38 (As per proposal)	27 (As per proposal)
Night	<ul style="list-style-type: none"> 10 pm to 7 am All Days 	20	22	20

13.3 Calculated Noise Levels with Noise Mitigation Measures

Table 18 presents the calculated Effective Noise Levels due to mechanical plant at the potentially most-affected NSAs with the noise mitigation measures presented in Section 13.1 implemented.

Table 18 Calculated Effective Noise Levels at NSA with Noise Mitigation Measures Implemented

NSA Ref.	Calculated Effective Noise Level and SEPP N-1 'Evening' Period Compliance ($L_{eff} \leq 49$ dB(A))	Calculated Effective Noise Level and SEPP N-1 'Night' Period Compliance ($L_{eff} \leq 44$ dB(A))
NSA 1	48 ✓	43 ✓
NSA 2	43 ✓	38 ✓
NSA 3	49 ✓	44 ✓
NSA 4	43 ✓	38 ✓

Table 19 presents the calculated patron noise levels at the assessed locations as presented in Figure 8 with the noise mitigation measures presented in Section 13.2 implemented.

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Table 19 Calculated Patron Noise Levels with Noise Mitigation Measures Implemented

Assessment Location	Calculated Sound Pressure Level and SEPP N-1 'Day' Period Compliance ($L_{Aeq} \leq 56$ dB(A))	Calculated Sound Pressure Level and SEPP N-1 'Evening' Period Compliance ($L_{Aeq} \leq 49$ dB(A))	Calculated Sound Pressure Level and SEPP N-1 'Night' Period Compliance ($L_{Aeq} \leq 44$ dB(A))
A	47 ✓	47 ✓	39 ✓
B	48 ✓	48 ✓	42 ✓
C	49 ✓	49 ✓	44 ✓
D	48 ✓	48 ✓	39 ✓
E	47 ✓	47 ✓	39 ✓
F	48 ✓	48 ✓	43 ✓
G	43 ✓	43 ✓	35 ✓

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14 Conclusion

This report has presented an environmental noise assessment of the proposed bar and restaurant venue at 221 Swan Street, Richmond.

Assessment of the predicted operational, patron, and music noise emissions has been undertaken with regard to the acoustic requirements prescribed by the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1) and State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N-2).

The results of the assessment indicate that noise emissions due to operation of the proposed venue will comply with SEPP N-1 and SEPP N-2 subject implementation of the noise mitigation measures specified in Section 13 of the report.

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15 References

Cogent Acoustics. (2017, November 30). 17050-AER-R0 103 Seymour Street, Traralgon.

EPA Victoria. (2008). Noise Control Guidelines, Publication 1254. Melbourne.

Growcott, D. (2009). Consideration of Patron Noise from Entertainment Venues. *Australian Association of Acoustical Consultants Guideline*. Australia.

ISO. (1996). ISO 0613-2:1996 Acoustics -- Attenuation of Sound During Propagation Outdoors -- Part 2: General Method of Calculation.

State of Victoria. (1999). State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2. No. S43, 17/7/1989, Gazette 3/8/1989, As varied 16/3/1999, No. G12, Gazette 25/3/1999.

State of Victoria. (2001). State Environment Protection Policy (Control of Noise from Industry, Commerce and Trade) No. N-1. No. S31, 16/5/1992, Gazette 15/6/1989, As varied 15/9/1992, No. G37, Gazette 23/9/1992, As varied 31/10/2001, No. S183, Gazette 31/10/2001.

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Appendix A Glossary of Acoustic Terms

dB / dB(A) Decibels or 'A'-weighted Decibels, the units of Sound Pressure Level and Sound Power Level. 'A'-weighting adjusts the levels of frequencies within the sound spectrum to better reflect the sensitivity of the human ear to different frequencies at sound pressure levels typical of everyday sounds. [Unit: dB / dB(A)]

The following are examples of the decibel readings of every day sounds;

- 0 dB The faintest sound we can hear
- 30 dB A quiet library or in a quiet location in the country
- 45 dB Typical office space. Ambience in the city at night
- 60 dB The sound of a vacuum cleaner in a typical lounge room
- 70 dB The sound of a car passing on the street
- 80 dB Loud music played at home
- 90 dB The sound of a truck passing on the street
- 100 dB The sound of a rock band
- 115 dB Limit of sound permitted in industry
- 120 dB Deafening

L_{A90,T} The value of A-weighted Sound Pressure Level which is exceeded for 90 percent of the time during given measurement period T. This is commonly used to represent the background noise level. [Unit: dB / dB(A)]

L_{Aeq,T} The Equivalent Continuous A-weighted Sound Pressure Level measured over the period T (also known as Time-Average Sound Pressure Level). The Equivalent Continuous A-weighted Sound Pressure Level is the constant value of A-weighted Sound Pressure Level for a given period that would be equivalent in sound energy to the time-varying A-Weighted Sound Pressure Level measured over the same period. In simple terms, this can be thought of as the average sound pressure level. [Unit: dB / dB(A)]

L_{OCT10} Means the C-weighted or Linear sound pressure level for a specified octave band that is exceeded for 10 per cent of the time interval considered. [Unit: dB]

L_{OCT90} Means the C-weighted or Linear sound pressure level for a specified octave band that is exceeded for 90 per cent of the time interval considered. [Unit: dB]

Noise Sensitive Area For the purposes of assessment of noise levels in relation to *State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1*, *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2*, or the *Interim Guidelines for Control of Noise from Industry in Country Victoria*, a Noise Sensitive Area is defined as:

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- a) That part of the land within the apparent boundaries of any piece of land which is within 10 metres outside the external walls of any of the following buildings:
 - A dwelling (except Caretaker's House)
 - Residential Building
- b) That part of the land within the apparent boundaries of any piece of land on which is situated any of the following buildings which is within a distance of 10 metres outside the external walls of any dormitory, ward or bedroom of such buildings:
 - Caretakers house
 - Hospital
 - Hotel
 - Institutional home
 - Motel
 - Reformatory institution
 - Tourist establishment
 - Work release hostel

R_w Weighted Sound Reduction Index. A single number rating of the airborne sound insulation performance of a specific building element in the absence of flanking transmission. A higher R_w value indicates better airborne sound insulation. [Unit: dB]

Sound Power Level A measure of the total sound energy radiated by a source, per unit time. Mathematically, it is ten times the logarithm to the base ten of the ratio of the sound power (W) of the source to the reference sound power; where the reference sound power is 1x10⁻¹² W. [Unit: dB]

Sound Pressure Level A measure of the magnitude of a sound wave. Mathematically, it is twenty times the logarithm to the base ten of the ratio of the root mean square sound pressure at a point in a sound field, to the reference sound pressure; where sound pressure is defined as the alternating component of the pressure (Pa) at the point, and the reference sound pressure is 2x10⁻⁵ Pa. [Unit: dB]

Attachment 4 - PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)



Appendix B Noise Measurement Methodology

Measurement Procedure

Environmental noise logging was performed at the north-western corner of the project site between 17 and 22 January 2018 to establish the background noise levels.

The equipment was configured to provide the measurement results as continuous series of 1 second sound pressure levels and the metrics used for the assessment were post-processed from this data.

The microphone was mounted 1.3 m above ground level. A 90 mm diameter foam windscreen was installed on the microphone to minimise the effect of wind-induced pressure fluctuations on the measurements.

Figure 15 and Figure 16 present the photos of the measurement location.



Figure 15 Noise Measurement Location (Image Source: Google Maps)

Attachment 4 - PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)



Figure 16 Background Noise Measurement Location – Facing North

Instrumentation

All acoustic instrumentation used for the measurements held a current certificate of calibration from a National Association of Testing Authorities (NATA) accredited laboratory at the time of the measurements. A field check to confirm correct calibration of the instrumentation was performed at the beginning and end of the measurement period using a laboratory calibrated portable Sound Level Calibrator. At the time of each check the instrumentation was found to be reading correctly and the deviation between consecutive checks was found to be less than 1 dB.

Details of the acoustic instrumentation used for measurements are presented in Table 20.

Table 20 Acoustic Instrumentation Details

Instrument Description	Serial No.	Date of Last Laboratory Calibration*
Svantek 977 Class 1 Sound Level Meter	45759	19/09/2016
Svantek SV35 Portable Sound Level Calibrator	58054	21/03/2017

* In accordance with AS 1055.1-1997 and National Association of Testing Authorities Guidelines, Sound Level Meters and Environmental Noise Loggers are required to have comprehensive laboratory calibration checks carried out at intervals not exceeding two years. Sound Level Calibrators require calibration annually.

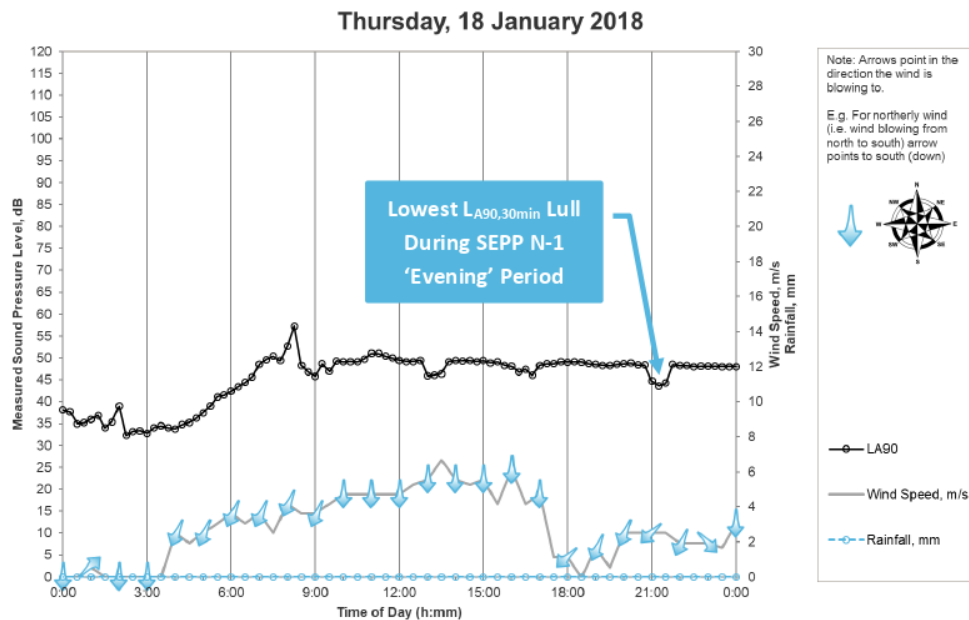
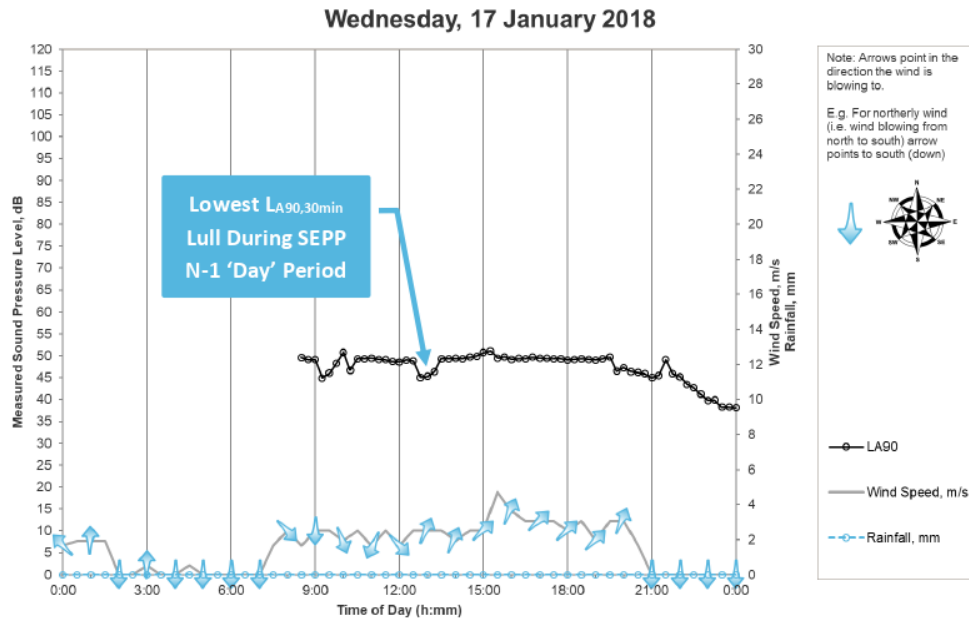
Meteorological Data

Weather observations during the monitoring period were taken from the Bureau of Meteorology Weather Station at Melbourne Olympic Park, approximately 1.8 km away. Appendix C shows the meteorological observations plotted against the measured ambient L_{A90} sound pressure levels for the duration of the measurement period.

Attachment 4 - PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)



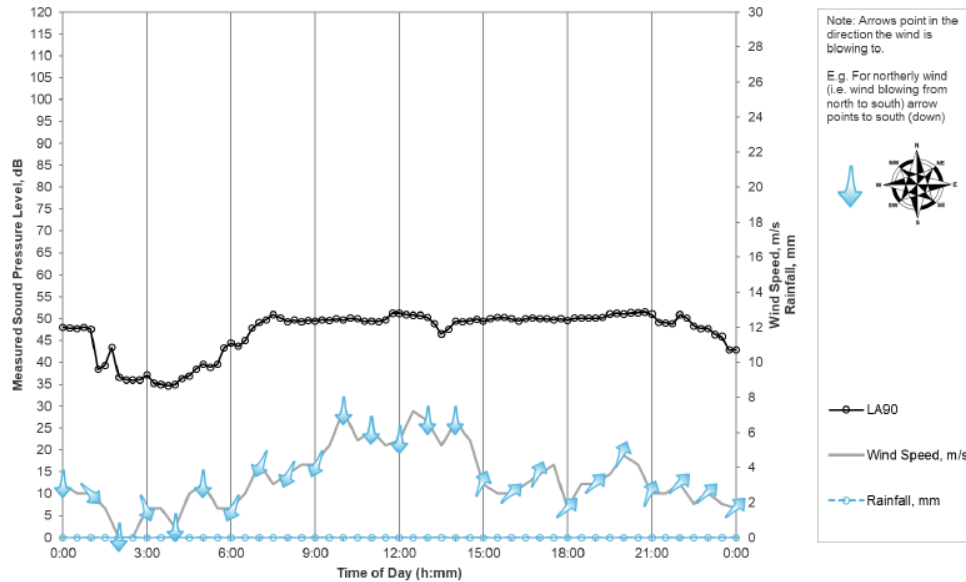
Appendix C Measured Noise Level Graphs



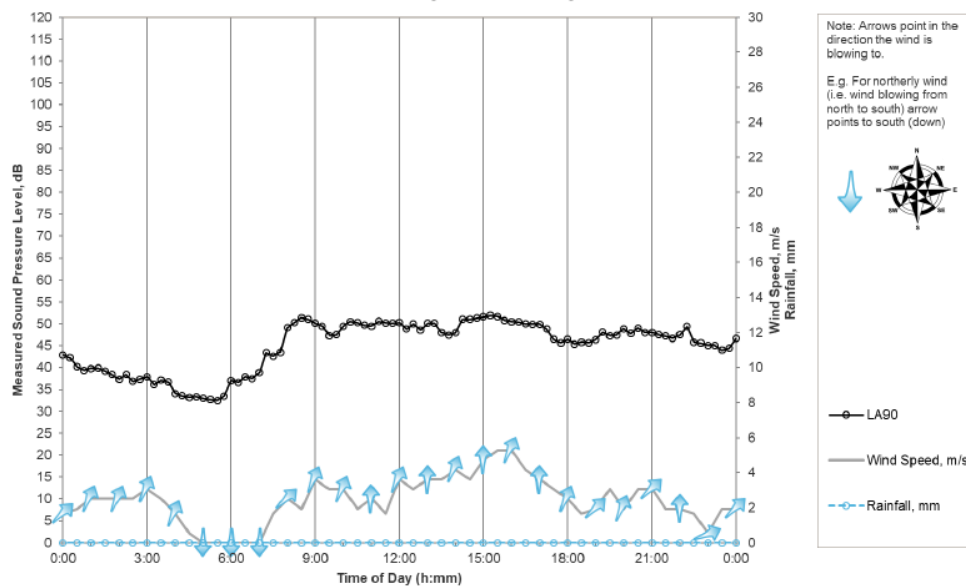
Attachment 4 - PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)



Friday, 19 January 2018



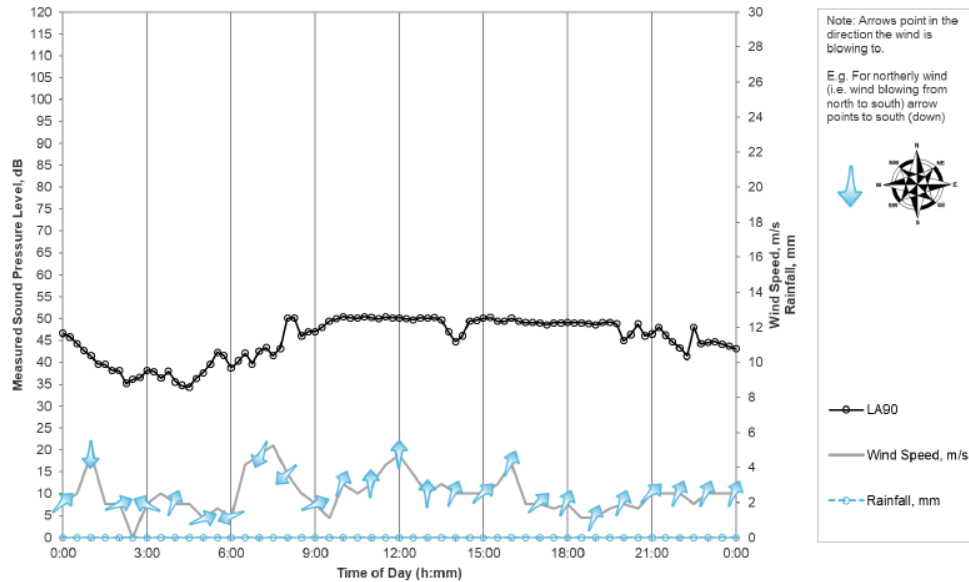
Saturday, 20 January 2018



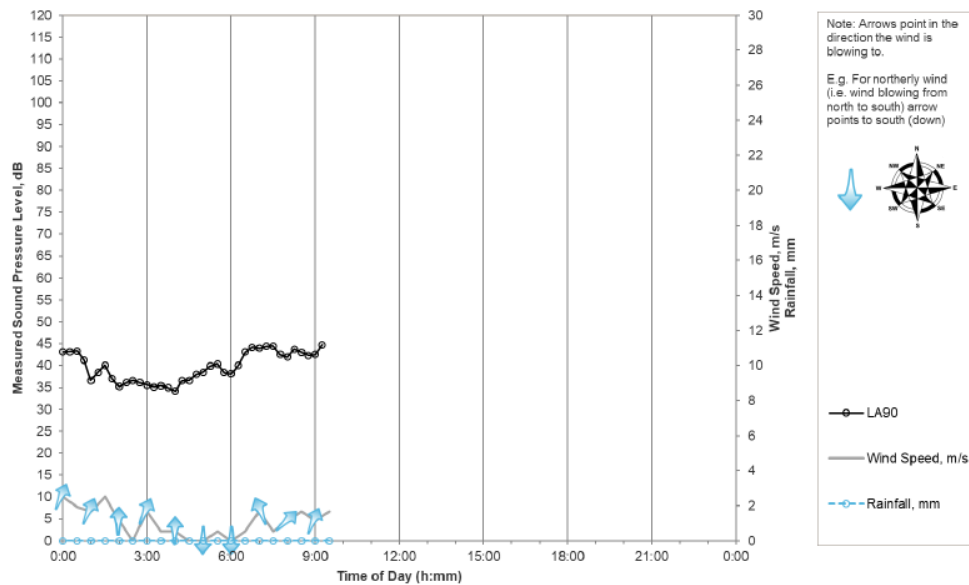
Attachment 4 - PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)



Sunday, 21 January 2018



Monday, 22 January 2018



Attachment 4 - PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)



Appendix D SEPP N-1 Zoning Level and Noise Limit Calculations

26-30 Charlotte Street, Richmond

Zoning Map

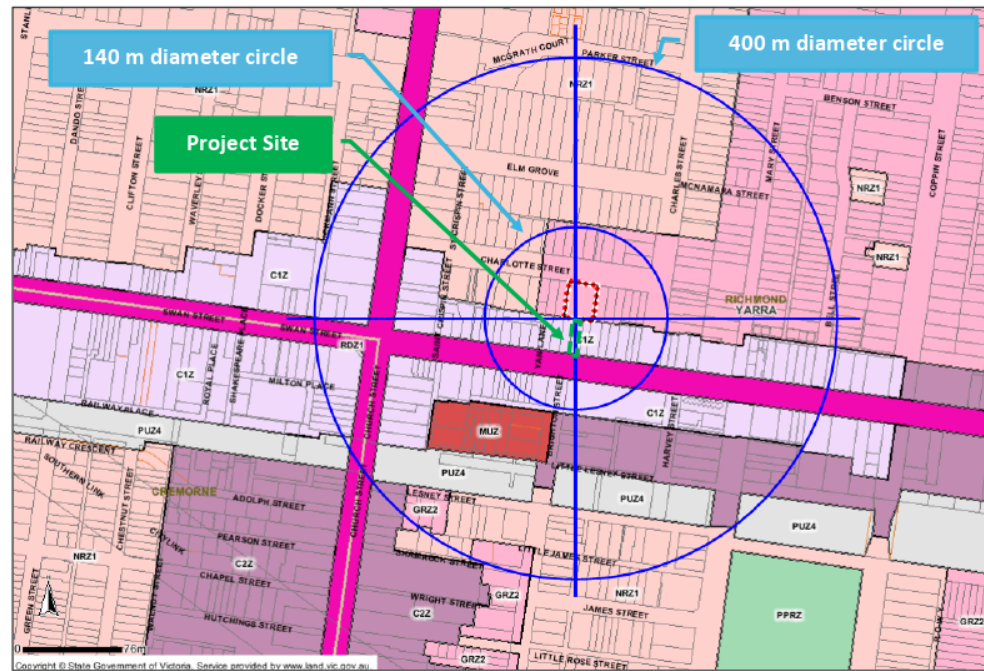


Figure 17 Zoning Circles (Image Source: <http://services.land.vic.gov.au/maps/pmo.jsp>)

Zone Areas

Zone Type Designation	Applicable Zones	% Area of 140m Circle	% Area of 400m Circle
Type 1	NRZ1, GRZ2	50 %	52 %
Type 2	C1Z, C2Z, MUZ, PUZ4	35 %	37 %
Type 3	RDZ1	15 %	10 %

Influencing Factor: 0.31

Zoning Levels and Noise Limits

Period	Zoning Level, dB(A)	L _{A90} Background Noise Level, dB(A)	Background Noise Classification	SEPP N-1 Noise Limits, dB(A)
Day	56	48	Neutral	56
Evening	49	48	Neutral	49
Night	44	38	Neutral	44

Attachment 4 - PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)



Explanatory Notes to SEPP N-1 Noise Limit Derivation

In accordance with SEPP N-1 the Influencing Factor (IF) for an assessment location is calculated as follows:

$$IF = 0.25(\text{Sum of Type 2 fractions for both circles}) \\ + 0.5(\text{Sum of Type 3 fractions for both circles})$$

The Zoning Levels are calculated according to the following equations:

$$\begin{aligned} \text{Day Period Zoning Level} &= 18 \times IF + 50 \\ \text{Evening Period Zoning Level} &= 17 \times IF + 44 \\ \text{Night Period Zoning Level} &= 17 \times IF + 39 \end{aligned}$$

The Background Noise Levels are classified as follows:

Period	Classification Criteria	Background Noise Classification
Day	Background Noise Level > Zoning Level - 6 dB(A)	High
	Background Noise Level < Zoning Level - 12 dB(A)	Low
	Otherwise	Neutral
Evening and Night	Background Noise Level > Zoning Level - 3 dB(A)	High
	Background Noise Level < Zoning Level - 9 dB(A)	Low
	Otherwise	Neutral

The noise limits are determined based on the background noise classification, according to the following equations:

Period	Classification	Noise Limit
Day	High	Background Noise Level + 6 dB(A)
	Neutral	Zoning Level
	Low	$0.5 \times (\text{Zoning Level} + \text{Background Noise Level}) + 4.5 \text{ dB(A)}$
Evening and Night	High	Background Noise Level + 3 dB(A)
	Neutral	Zoning Level
	Low	$0.5 \times (\text{Zoning Level} + \text{Background Noise Level}) + 3 \text{ dB(A)}$

SEPP N-1 specifies that the noise limits may not be less than 45 dB(A) for the Day period, 40 dB(A) for the Evening period, and 35 dB(A) for the Night period.

Attachment 4 - PLN17/1016.02 - 221 Swan Street Richmond - Updated Acoustic Report (22.6.2021)



Appendix E Mechanical Plant Equipment Noise Data

Table 21 Fantech HUD634 @1455 RPM (KEF-1) Sound Power Levels (Source: Fantech)

Octave Band Centre Frequency, Hz	63	125	250	500	1k	2k	4k
Sound Power Level, dB	88	96	92	92	87	81	76

Table 22 Fantech HUD634 @1106 RPM (KEF-1) Sound Power Levels (Source: Fantech)

Octave Band Centre Frequency, Hz	63	125	250	500	1k	2k	4k
Sound Power Level, dB	82	90	86	86	81	75	70

Table 23 Fantech RDS0634LA6/28 (OAF-1) Sound Power Levels (Source: Fantech)

Octave Band Centre Frequency, Hz	63	125	250	500	1k	2k	4k
Sound Power Level, dB	86	79	75	76	74	73	72

Table 24 Fantech PUD354DD (OAF-B1, -G1, -F1, TEF-F1) Sound Power Levels (Source: Fantech)

Octave Band Centre Frequency, Hz	63	125	250	500	1k	2k	4k
Sound Power Level, dB	66	67	61	60	62	60	58

Table 25 Fantech CE254D (TEF-S1, -G1, EAF-1, -2) Sound Power Levels (Source: Fantech)

Octave Band Centre Frequency, Hz	63	125	250	500	1k	2k	4k
Sound Power Level, dB	72	70	64	61	53	53	51

Table 26 Fantech CE404D (KEF-2) Sound Power Levels (Source: Fantech)

Octave Band Centre Frequency, Hz	63	125	250	500	1k	2k	4k
Sound Power Level, dB	84	82	77	74	67	68	68

Table 27 Toshiba MMY-MAP1206FT8P-A (CU-1) Sound Power Levels (Source: Toshiba)

Octave Band Centre Frequency, Hz	63	125	250	500	1k	2k	4k
Sound Power Level, dB	79	84	83	82	77	69	58

Table 28 Toshiba MMY-MAP1206FT8P-A Night Mode (CU-1) Sound Power Levels (Source: Toshiba)

Octave Band Centre Frequency, Hz	63	125	250	500	1k	2k	4k
Sound Power Level, dB	70	75	74	73	68	60	49

Table 29 Toshiba RAC-SP564ATP-A1 (CU-G1, -G2, -G3) Sound Power Levels

(Source: Extrapolated from Available Toshiba Noise Data)

Octave Band Centre Frequency, Hz	63	125	250	500	1k	2k	4k
Sound Power Level, dB	35	45	51	49	60	56	56

Table 30 Carrier 38SHDS50 (CU-F1, -F2, -F3) Sound Power Levels

(Source: Extrapolated from Available Toshiba Noise Data)

Octave Band Centre Frequency, Hz	63	125	250	500	1k	2k	4k
Sound Power Level, dB	35	45	51	49	60	56	56

Attachment 5 - PLN17/1016.02 - 221 Swan Street Richmond - Acoustic Referral - SLR Comments



2 July 2021

640.10090.05300 221 Swan St 20210702.docx

Yarra City Council
PO Box 168
RICHMOND 3121

Attention: Emily Zeng

Dear Emily

221 Swan Street Richmond Development Application Acoustic Review – s72 Application Amendment PLN 17/1016.02

SLR Consulting Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the acoustic assessment report for the proposed restaurant and bar at 221 Swan Street Richmond.

Details of the report are as follows:

- Title: 221 Swan Street, Richmond, Acoustic Engineering Report
- Reference: 17317
- Date: Rev. 12, 22 June 2021
- Prepared for: Peter Koutroulis
- Prepared by: Cogent Acoustics

Previous reports associated with this application (from 23 February and 2 July 2018) were reviewed by SLR. The current report addresses the updated plans which include changes to layouts on most floors, as well as changes to outdoor patron areas and plant areas, which were critical elements in the previous reviews.

The report was prepared to address the following City of Yarra condition / RFI (8 December 2017) and permit condition 9.

An acoustic report prepared by a suitably qualified acoustic engineer assessing the noise impacts of the proposed use (including music noise, patron noise and plant equipment) against the relevant State Environment Protection Policies.

Attachment 5 - PLN17/1016.02 - 221 Swan Street Richmond - Acoustic Referral - SLR Comments

Yarra City Council
221 Swan Street Richmond
Development Application Acoustic Review
PLN 17/1016.02

SLR Ref: 640.10090.05300 221 Swan St
20210702.docx
Date: 2 July 2021

Permit Condition 9:

Acoustic Report

9. Before the use and development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Cogent Acoustics and dated 02 July 2018, but modified to include (or show, or address) the following:
 - (a) The evening period SEPP N-1 noise limits (used for the mechanical services noise assessment and patron noise assessment) revert to the zoning levels (based on neutral background levels), making the evening targets 2dBA lower than currently shown in the report.
 - (b) The operator to undertake a full acoustical review of the mechanical plant (by an acoustic consultant) to ensure the final selected equipment and acoustic treatments will be sufficient to ensure SEPP N-1 compliance.
 - (c) The lowest 15 minute background level collected for the day/evening period be used for setting the day/evening period SEPP N-2 noise limits.
 - (d) The provision of electronic noise limiters/compressors on the amplifiers/speakers within the indoor and outdoor dining areas of the venue with setup guided by an acoustic consultant prior to operations commencing.
 - (e) The music levels to have minimal bass content during the SEPP N-2 Night period.
 - (f) The ventilation duct system running along the void (located adjacent to the boundary window of the western adjoining property) to the Swan Street frontage in accordance with the architectural drawings.
 - (g) The setbacks of the mechanical plant acoustic barriers from the boundaries in accordance with the architectural drawings.
10. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
11. The provision of music and entertainment on the land must be at a background noise level.
12. The sound system on the premises must not consist of bass speakers.

1 Background Information

(Section 2 and 5 of the report)

The application is for a 3 level restaurant and bar with rooftop seating and a capacity of 192 patrons.

The proposed operating times are 11 am to 11 pm 7 days a week.

Extracts from the architectural drawings are provided in the acoustic report showing:

- Basement bar and VIP room

Attachment 5 - PLN17/1016.02 - 221 Swan Street Richmond - Acoustic Referral - SLR Comments

Yarra City Council
221 Swan Street Richmond
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- ground level dining, kitchen and outdoor dining area (Swan Street side)
- first floor dining areas, with a large plant platform also located to the rear,
- second floor with south side terrace (52 seats), south side seating with glass roof (13 sets) and central bar,
- rooftop plan with outdoor seating area (20 seats).

The nearest noise sensitive areas are identified as:

- dwellings to the north of the site, along Charlotte Street including a two storey brick apartment building at 26-28 Charlotte Street, being the likely most impacted out of these dwellings.
- Dwelling directly to the west on the 1st floor (above ground commercial use) at 219A Swan Street Richmond.
- Other receptors along Charlotte Street.

The report provides assessment of music noise, patron noise and mechanical plant noise.

SLR Comments: *The site and use have in general been described and nearest noise sensitive receivers have been identified, including the shop-top residence at 219A Swan Street. The critical noise issues are also identified (music, patron and mechanical plant noise).*

Proposed operating times and total patronage licence is unchanged from previous applications.

We note some significant changes to the layout of most floors of the building.

2 Background Noise

(Section 6 of the acoustic report)

This section of the report is as per the July 2018 report and includes the results of noise logging undertaken from 17 to 22 January 2018 near the rear of the site (ground level, NW corner). Logger results are included in Appendix B of the report.

Octave band background levels are presented in Table 6 of the report and indicated to be based on the lowest measured during the logging period during the night (ie 10 pm to 11 pm). These form the basis of SEPP N-2 based noise limits.

A-weighted overall background levels are also provided in Table 5 of the report for the relevant SEPP N-1 based periods.

SLR Comments: *The use of the originally collected background levels for the 2018 application is considered acceptable for the current application.*

The details of the measurement and description of the ambient environment are clearly provided, as is the noise logging data.

The provided background levels are considered acceptable for setting noise limits.

Attachment 5 - PLN17/1016.02 - 221 Swan Street Richmond - Acoustic Referral - SLR Comments

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3 Assessment Criteria

3.1 Patron and Mechanical Plant Noise

(Section 7.1 of the acoustic report)

Patron noise as well as plant and equipment noise is proposed to be assessed to SEPP N-1, and Cogent present the noise limits in Table 8. The night noise limits are determined as 44 dBA and the evening limits are 49 dBA for the nearest dwellings to the north of the subject site.

SLR Comments: *We agree that assessment of patron noise to SEPP N-1 will provide a reasonable amenity outcome and our determined noise limits are generally in agreement with Cogent's.*

3.2 Music Noise

(Section 7.2 of the report)

Music is proposed to be assessed to SEPP N-2. Noise limits have been determined from the measured A-weighted and octave band background noise levels, and are presented in Table 7 of the report.

The limit for the day / evening is 49 dBA.

The limit for the night is the previously presented octave band background levels + 8 dB.

SLR Comments: *We generally agree with the determined noise limits, as previously approved in our 2018 review.*

4 Noise Predictions and Assessment

(Sections 9, 10 and 12 of the acoustic report)

4.1 Mechanical Plant Noise (Section 9)

Cogent provide an assessment based on the project construction issue mechanical services drawings package.

Equipment selections and their noise levels are shown in Appendix E of the report.

The calculations are stated to be undertaken within the Soundplan 3D Noise Modelling package.

The assessment provided by Cogent indicates that the equipment will exceed the night period noise limits by a significant 11 to 16 dB, at the nearest residential uses.

Noise control advice, including perimeter screening, acoustic attenuators and the like, are provided in Section 13.1 of the report to address the excess.

SLR Comments: *Due to the complexity of the site and large number of sources, SLR cannot undertake formal calculations to check that the implemented noise control design will ensure compliance to SEPP N-1, however, the approach and general recommendations appear reasonable and appropriate. It will be the responsibility of the applicant to ensure they implement all the recommended treatments and achieve compliance with the noise limits.*

Attachment 5 - PLN17/1016.02 - 221 Swan Street Richmond - Acoustic Referral - SLR Comments

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Given the high risk involved (plant and equipment in very close proximity to residents) it is recommended that formal compliance testing be undertaken at the completion of the installation to ensure noise limits have been met.

4.2 Patron Noise (Section 10)

Cogent provide the results of a predictive assessment of patron noise in Section 10 of their report. The basis of their noise emissions is the Watson Moss Growcott document (2009), and Cogent present the determined sound pressure level in each of the outdoor areas, as used in their calculations.

Cogent predict the highest noise levels of 61-64 dBA to the east facing window and skylight of 219A Swan Street. Noise levels up to 55 dBA are predicted to the residential dwelling to the north. These predictions significantly exceed the night period noise limit of 44 dBA (as well as the evening limit). Cogent proceed with providing noise control recommendations in Section 13.2 to address the excess. The recommendations include:

- Provision of a range of barriers and screens along the western and northern edge of the outdoor areas,
- Restrictions on the number of patrons in the outdoor areas. The night period restricts patrons to the main outdoor areas to 20-22 patrons.

SLR Comments: *The assessment approach and the patron reference sound levels are considered appropriate. Due to the complexity of the building arrangement and number of outdoor areas, we cannot undertake our own independent calculations but the general approach and advice appears reasonable and includes extensive shielding structures.*

4.3 Music Noise (Section 12)

Cogent advise that music will be played on all levels of the bar at 'background levels'.

An assessment is provided based on representative music levels measured at a similar venue that is multi-level and has background style music in a rooftop terrace area.

Cogent determine that background music can be played (at the levels presented in their Table 16) and comply with day / evening and night period SEPP N-2 noise limits. Cogent also state there is to be no live music, which was a requirement of the original permit.

SLR Comments: *The assessment approach is considered reasonable and the report includes recommendations to include noise limiting devices on the loudspeakers.*

However, it appears that the noise limiters are called up for external loudspeakers only, and not for internal dining spaces, on the basis that the predictions indicate much higher levels than 'background music' can be accommodated in the internal spaces. We have some reservations about this because the octave band levels nominated for the ground and first floor are particularly low at 250 Hz (66 dB) – in fact lower than what was measured by Cogent at another café (and lower than most background music venues we have measured). We still see this as a risk of non compliance and recommend that the original permit condition 9 (d) be adhered to, which calls for noise limiters / compressors throughout. For the basement level, it is feasible that if the venue only wants to provide background music, it has a significant buffer available and the need for a noise limiter may not be warranted. But if this is case, the report must be clear that only background music is proposed in the basement too (not technically a 'dining area' and potentially a louder bar type use).

Attachment 5 - PLN17/1016.02 - 221 Swan Street Richmond - Acoustic Referral - SLR Comments

Yarra City Council
221 Swan Street Richmond
Development Application Acoustic Review
PLN 17/1016.02

SLR Ref: 640.10090.05300 221 Swan St
20210702.docx
Date: 2 July 2021

5 SLR Summary

SLR have reviewed the acoustic report for the proposed restaurant and bar at 221 Swan Street, Richmond.

Cogent have demonstrated that noise from the venue has the potential to exceed noise limits and amenity targets, and have provided detailed and comprehensive recommendations for building treatments and venue management to achieve an acceptable outcome.

We do note that the application represents high risk due to the large extent of both plant equipment sources, as well as music and patrons noise sources, all in very close proximity to existing residents.

Overall, the report is considered appropriate and generally responds to the permit conditions. The one aspect we have queried is that the report implies that noise limiters would not be required for internal dining areas, which is in conflict with condition 9 (d). As described in **Section 4.3** above, we still see some risk of non compliance if the noise limiters are not provided throughout. It should further be clarified if the basement level is only intended to have background music, and if the intent is to have noise limiting devices to this space. We would recommend that a noise limiter is installed in the basement unless background music only is proposed for this space.

The applicant will need to ensure a very high level of diligence in implementing all the recommendations and it would be appropriate that full compliance testing of all noise generating sources be undertaken at the completion of the construction.

Yours sincerely



JIM ANTONOPOULOS BAppSc MAAS
Principal – Acoustics

Checked by: DW

Attachment 6 - PLN17/1016.02 - 221 Swan Street Richmond - DDO5 VicRoads Response



Department of Transport

GPO Box 2392
Melbourne, VIC 3001 Australia
Telephone: +61 3 9651 9999
www.transport.vic.gov.au
DX 201292

Catherine Balagtas
Yarra City Council
PO BOX 168
RICHMOND VIC 3121

Dear Catherine Balagtas

PLANNING APPLICATION NO.:	PLN17/1016.02
DEPARTMENT REFERENCE NO:	24911/18 - 2
PROPERTY ADDRESS:	221 SWAN STREET, RICHMOND VICTORIA 3121

Section 52 – No objection

Thank you for forwarding planning permit application PLN17/1016.02 pursuant to Section 52 of the Planning and Environment Act 1987.

The Head, Transport for Victoria has considered the application and has no objection to the proposal.

Please note that this response is **not** in consultation with Transurban due to the holiday period. The Head, Transport for Victoria anticipates that Transurban will be responding separately to Council if they have any comments in relation to this application.

Should you have any enquiries regarding this matter, please contact Ewa Fiebelkorn on 9313-1187 or Ewa.Fiebelkorn@roads.vic.gov.au.

Yours sincerely

Gillian Menegas
Senior Statutory Referrals Officer
Under delegation from the Head, Transport for Victoria

5/01/2021

Cc: permit applicant



Attachment 7 - PLN17/1016.02 - 221 Swan Street Richmond - DDO5 TransUrban Response

Zeng, Emily

From: Paul O'Doherty <podoherty@transurban.com>
Sent: Monday, 11 January 2021 11:53 AM
To: Zeng, Emily
Cc: MNW Planning; VicPlanning
Subject: FW: DDO5 Referral - 221 Swan St, Richmond
Attachments: Amended Plans.pdf; Application Form (37).pdf; Current Endorsed Plans.pdf; Current Planning Permit.pdf; DoT - sec 52 no objection.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Emily

The above referenced application was forwarded to us for direct comment. Transurban has no comments in connection with this application.

Regards, Paul

Paul O'Doherty
 Commercial & Contracts Manager
 Mob: +61 417 729 592

From: MNW Planning <MNWPlanning@roads.vic.gov.au>
Sent: Tuesday, 5 January 2021 10:48 AM
To: VicPlanning <VicPlanning@transurban.com>
Cc: Paul O'Doherty <podoherty@transurban.com>
Subject: FW: DDO5 Referral - 221 Swan St, Richmond

Good morning,

Please see attached referral for a site under DDO5.

DoT anticipates that Transurban will be responding to Council separate on this matter if you have any comments.

I have attached a copy of our referral response which stipulates that Transurban's comments have not been incorporated and that a separate response will be provided if Transurban is to have any comments.

Kind Regards,

Statutory Planning
 Metro North West
 Department of Transport

12 Clarke Street,
 Sunshine VIC 3020
MNWPlanning@roads.vic.gov.au
vicroads.vic.gov.au



VicRoads is now part of the Department of Transport

I acknowledge the Traditional Aboriginal Owners of Country throughout Victoria and pay my respect to Elders past and present and emerging and to the ongoing living culture of Aboriginal people.

Attachment 7 - PLN17/1016.02 - 221 Swan Street Richmond - DDO5 TransUrban Response

From: Zeng, Emily <Emily.Zeng@yarracity.vic.gov.au>
Sent: Tuesday, 22 December 2020 11:27 AM
To: MNW Planning <MNWPlanning@roads.vic.gov.au>
Subject: DDO5 Referral - 221 Swan St, Richmond

Dear Sir/Madam,

Amendment application No.: PLN17/1016.02
Address: 221 Swan Street, Richmond VIC 3121

This application is covered by the Design and Development Overlay Schedule 5 (DDO5), CityLink Exhaust Stack Environs, for which CityLink is listed for mandatory notice pursuant to Section 52(1)(c) of the Planning and Environment Act 1987.

Please find below to the advertising material on Council's website:

<https://www.yarracity.vic.gov.au/services/planning-and-development/planning-applications/advertised-planning-applications/2020/12/20/pln17101602>

The application proposal is:

Section 72 Amendment to Planning Permit No. PLN17/1016 to amend the endorsed plans and landscape plan for alterations and additions to the approved multi-storey building with roof terraces. Key changes include:

- Increase net leasable floor area and red line (for the sale and consumption of liquor) by 2.3sqm.
- Increase heights, including front façade and the maximum height of the overall development.
- Construct a glass roof at second floor and alter retractable roof at roof terrace level.
- Addition of a concrete wall at ground floor along eastern boundary.
- Internal layout reconfigurations.

Your comments will be taken into consideration when Council is making a decision on this application provided they are received within fourteen (14) days.

Best Wishes,

Emily Zeng
Statutory Planner
Planning & Placemaking Division

PO BOX 168 Richmond VIC
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E Emily.Zeng@yarracity.vic.gov.au
W yarracity.vic.gov.au
Follow us on [Facebook](#), [Instagram](#) and [Twitter](#)

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.

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Attachment 7 - PLN17/1016.02 - 221 Swan Street Richmond - DDO5 TransUrban Response

recipient wishes to act on the information provided, he or she should seek advice from Council in person before doing so.

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Attachment 8 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Planning Permit

Helping you understand your planning needs



PLANNING PERMIT (Amended)

Permit No: PLN17/1016

Planning Scheme: Yarra

Responsible Authority: City Of Yarra

ADDRESS OF THE LAND:

221 Swan Street Richmond VIC 3121

THE PERMIT ALLOWS:

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

Full demolition of the existing building and construction of a multi-storey building with roof terraces, display of an internally-illuminated sign, use of the land for sale and consumption of liquor (restaurant and café licence) and a reduction in car parking and bicycle parking requirements associated with a restaurant (as-of-right use).

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans (prepared by YBL Remmus, Job No. 17062, Drawing Nos. TP-05 to TP-12 and TP-21, Rev. No. C; received by Council on 10 July 2018) but modified to show the following:
 - (a) Details depicted on the sketch plans prepared by YBL Remmus received by Council on 12 October 2018, as follows:
 - (i) A vent and duct system running from the void (located adjacent to the boundary window of the western adjoining property) to the Swan Street façade;
 - (ii) Two canopy trees and planters on the second floor, lower level and upper level roof terraces.
 - (b) Clear transparent glazing to the ground floor front façade.
 - (c) The solar PV array on the roof plan in accordance with the commitments in the Sustainable Management Plan (referenced at condition 15 of this planning permit).
 - (d) The notation "bins to be placed here for Council pick up" deleted from the ground floor plan.
 - (e) The height of the acoustic barriers to the mechanical plant.

Date: 11 January 2019


Sarah Griffiths

Signature for the Responsible Authority

Planning and Environment Regulations 2015 No. 33/2015 Form 4 Sections 63, 64, 64A and 86

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

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- (f) The installation of one bicycle hoop on the footpath in accordance with condition 21 and deletion of all plan notations referencing 6 bicycle hoops.
 - (g) All buildings, works and licensed area within the title boundaries of the subject site; and
 - (h) The provision of at least 2 on-site bicycle spaces for staff.
2. The development and sale and consumption of liquor as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

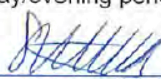
Restaurant and Café Liquor Licence

- 3. The sale and consumption of liquor on the premises must only occur between the hours of 11:00am and 11:00pm, seven days a week.
- 4. No more than 192 restaurant patrons are permitted on the land at any time liquor is being sold or consumed, and further restricted as follows:
 - (a) From 10pm to 11pm, patron numbers within the lower level roof terrace reduced from 48 to 22.
- 5. No patrons are permitted within the upper level roof terrace beyond 10:00pm on any night, as per the commitment reference in the correspondence from Metropal Planning Solutions dated 4 July 2018.
- 6. The predominant activity in the restaurant, at all times, must be the preparation and serving of meals for consumption by patrons on the premises, during the times that liquor is allowed to be sold and consumed under this permit.
- 7. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons / customers to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
- 8. Deliveries associated with liquor may only occur between 8:00am and 4:00pm, unless with the prior written consent of the Responsible Authority.

Acoustic Report

- 9. Before the use and development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Cogent Acoustics and dated 02 July 2018, but modified to include (or show, or address) the following:
 - (a) The evening period SEPP N-1 noise limits (used for the mechanical services noise assessment and patron noise assessment) revert to the zoning levels (based on neutral background levels), making the evening targets 2dBA lower than currently shown in the report.
 - (b) The operator to undertake a full acoustical review of the mechanical plant (by an acoustic consultant) to ensure the final selected equipment and acoustic treatments will be sufficient to ensure SEPP N-1 compliance.
 - (c) The lowest 15 minute background level collected for the day/evening period be used for setting the day/evening period SEPP N-2 noise limits.

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Signature for the Responsible Authority

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- (d) The provision of electronic noise limiters/compressors on the amplifiers/speakers within the indoor and outdoor dining areas of the venue with setup guided by an acoustic consultant prior to operations commencing.
 - (e) The music levels to have minimal bass content during the SEPP N-2 Night period.
 - (f) The ventilation duct system running along the void (located adjacent to the boundary window of the western adjoining property) to the Swan Street frontage in accordance with the architectural drawings.
 - (g) The setbacks of the mechanical plant acoustic barriers from the boundaries in accordance with the architectural drawings.
10. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
11. The provision of music and entertainment on the land must be at a background noise level.
12. The sound system on the premises must not consist of bass speakers.

Waste Management Plan

13. Before the use and development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 10 January 2018, but modified to include the following:
- (a) The collection times for the bins rather than saying outside of peak hours.
 - (b) How the private collection contractor will avoid double parking in Swan Street during collection.
 - (c) How the private collection contractor will avoid causing delays to trams operating along Swan Street during collection.
14. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan

15. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan (prepared by Sustainable Development Consultants, dated December 2017) must be implemented and complied with at all times to the satisfaction of the Responsible Authority.
16. Before the building is occupied, a completed JV3 energy modelling report must be prepared by a suitably qualified person and submitted to the Responsible Authority demonstrating that the 10% energy efficiency target committed to in endorsed Sustainable Management Plan will be reached.

Landscaping Plan Required

17. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:

Date: 11 January 2019



Sarah Griffiths
Signature for the Responsible Authority

Attachment 8 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Planning Permit

- (a) be in accordance with the draft landscape plan prepared by TT Design, dated 01/10/2018 showing two trees and planters on the second floor and lower level and upper level roof terraces, including details of species, size, irrigation method and plant spacing; and
 - (b) **show the basement level in sectional diagrams.**
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

Arborist Report

19. Before the development commences, an amended Arborist Report prepared by a suitably qualified Arborist must be submitted to and approved by the Responsible Authority. When approved the Arborist Report will be endorsed and will form part of this permit. The Arborist Report must:
- (a) be in accordance with the draft arborist report prepared by Bluegum, dated 13 February 2018 & 11 October 2018, identifying Trees 6 and 7 consistently throughout the report and showing additional tree protection measures for Tree 7.

Street Trees

20. Before the development starts, the permit holder must provide an Asset Protection Bond of \$2,193.45 (or an amount as agreed with Council's Streetscapes and Natural Values Unit) for the street tree to the Responsible Authority. The bond:
- (a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) in accordance with the requirements of this permit; or
 - (d) otherwise, to the satisfaction of the Responsible Authority.

Bicycle hoop provision

21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, one (1) bicycle hoop must be installed:
- (a) on the footpath, aligned with the awning post of the western adjoining property, between the awning post and the existing parking sign pole;
 - (b) at the permit holder's cost and all costs borne by the permit holder; and
 - (c) in a location and manner, all to the satisfaction of the Responsible Authority.

Date: 11 January 2019



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Sign

22. The location and details of the sign as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
23. The sign must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
24. The sign must not include any flashing or intermittent light.

Construction Management Required

25. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

Date: 11 January 2019


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If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

26. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

General

27. The sale and consumption of liquor must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
28. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
29. Emptying of bottles and cans (associated with liquor) into bins may only occur between 7:00am and 10:00pm on any day.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
31. The sale of liquor for consumption on the premises must be managed so that the amenity of the area is not detrimentally affected including through:
 - (a) The transport of materials, goods or commodities to or from land;
 - (b) The appearance of any buildings, works or materials; and
 - (c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the presence of vermin.
32. Within two months of the completion of development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
33. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (c) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (d) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (e) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

34. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit;
 - (b) the development is not completed within four years of the date of this permit; or

Date: 11 January 2019


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Signature for the Responsible Authority

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- (c) the sale and consumption of liquor is not commenced within five years of the date of this permit; or
- (d) the sale and consumption of liquor is discontinued for a period of two years.

The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement.

35. The signage approved under this permit expires 15 years from the date of the permit.

NOTES:

A building permit may be required before development is commenced. Please contact Council's Building Department on 9205 5585 to confirm.

The site is subject to a Heritage Overlay. A planning permit may be required for any external works or advertising signage.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

All future business owners and employees within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment
22 October 2019	Pursuant to section 73 and 74 of the <i>Planning and Environment Act</i> (1987) the permit and plans have been amended to include a basement level and to extend the red line area to include the basement.
23 October 2019	Pursuant to Section 71 of <i>Planning and Environment Act</i> (1987) the permit was corrected to delete the duplication of Condition 2, included in the permit as a result of human error, and to correct the consequential renumbering that resulted from the error.
25 November 2019	Pursuant to Section 71 of <i>Planning and Environment Act</i> (1987) the plans were corrected to include Demolition Plan (TP05 rev C) to the endorsed set which was omitted from the endorsed plans in error.

Date: 11 January 2019


 Sarah Griffiths
 Signature for the Responsible Authority

Attachment 8 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Planning Permit

PLANNING PERMIT

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

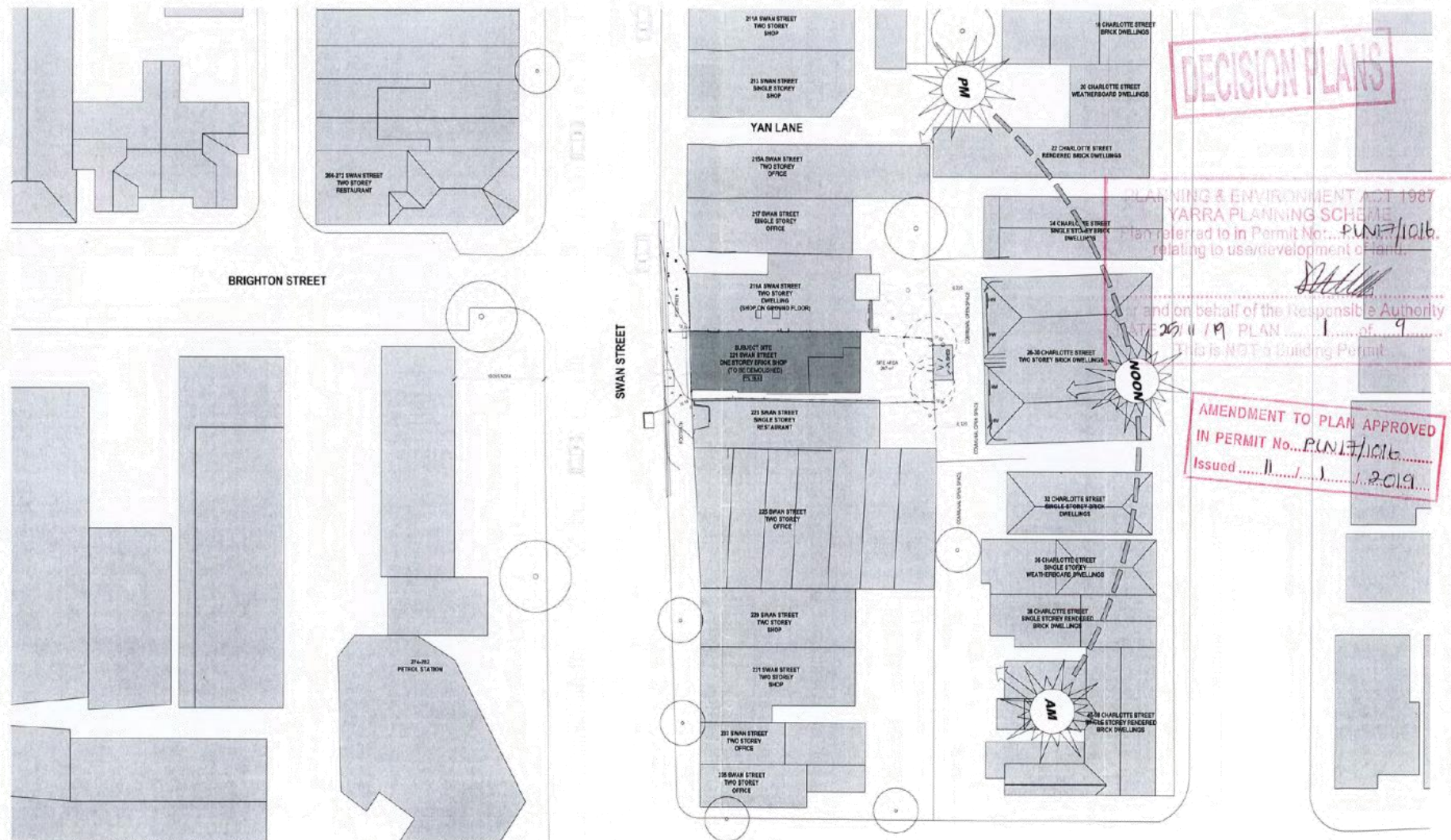
1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Planning and Environment Regulations 2015 No. 33/2015 Form 4 Sections 63, 64, 64A and 86

Attachment 9 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Endorsed Plans



DEMOLITION PLAN



PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT



DATE
17/01/2016

SCALE
1:500

PROJECT NO
17062

DATE
17/01/2016

DEMOLITION PLAN

SCALE	1:500	DATE	JAN 2016
DRAWN	VT	DATE	17062
CHECKED	PA	DATE	
PROJECT NO	17062	DATE	
TOWN PLANNING	TP-05	DATE	

Attachment 9 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Endorsed Plans

NOTE 1

THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF R_{wT} 30. ACOUSTICALLY ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.6mm THICK STEEL, 3mm THICK FIBRE CEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2

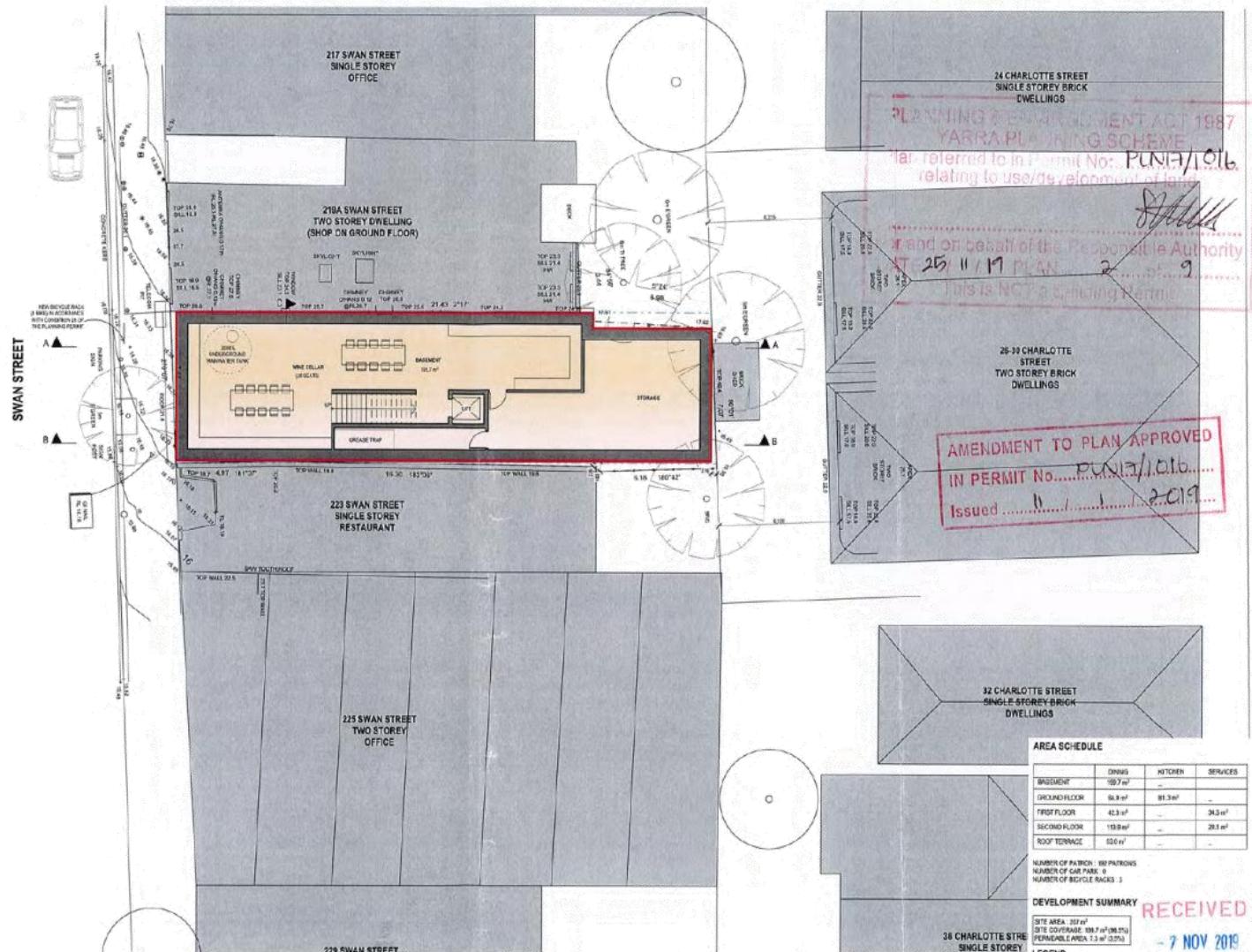
THE DUCT SHOULD BE OF RIGID CONSTRUCTION (E.G. GALVANISED STEEL DUCTING).

THE DUCT SHOULD BE INTERNALLY LINED WITH MINIMUM 50mm THICK, 32KG/M² ACOUSTIC INSULATION TO MINIMISE POTENTIAL TRAFFIC NOISE INGRESS.

THE NATURAL VENTILATION DUCT SHOULD BE NO LESS THAN 3 METRES IN LENGTH AND SHOULD ONLY BE MOUNTED TO THE BUILDING STRUCTURE VIA RESILIENT HANGERS OR OTHER FLEXIBLE CONNECTION TYPE.

NOTE 3

- BLUE LINE DENOTES TITLE BOUNDARY AS PER ORIGINAL CERTIFICATE OF TITLE
- ORANGE LINE DENOTES TITLE BOUNDARY AS PER LAND SURVEYOR DRAWINGS



PROPOSED BASEMENT PLAN

AREA SCHEDULE

	DINING	KITCHEN	REPAIRS
BASEMENT	109.7 m ²	—	—
GROUND FLOOR	66.9 m ²	81.3 m ²	—
FIRST FLOOR	42.3 m ²	—	24.3 m ²
SECOND FLOOR	119.8 m ²	—	28.1 m ²
ROOF TERRACE	636 m ²	—	—

NUMBER OF PATRONS: 80 PATRONS
NUMBER OF CAR PARK: 8
NUMBER OF BICYCLE RACKS: 3

DEVELOPMENT SUMMARY

SITE AREA: 333 m²
SITE COVERAGE: 109.7 m² (32.7%)
PERMEABLE AREA: 11.3 m² (3.7%)

LEGEND

LIQUOR LICENCE AREA



YBL REMMUS
ARCHITECTS & ENGINEERS
1/100-110/110 Yarra Street Richmond VIC 3121
T: +61 3 8538 2600 F: +61 3 8538 2603
E: remmus.architects@yblremmus.com.au

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PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT



1. 100% R. ACQUISITION & HOLDING
2. 100% R. CONSTRUCTION & HOLDING
3. 100% R. CONSTRUCTION & HOLDING
4. 100% R. CONSTRUCTION & HOLDING
5. 100% R. CONSTRUCTION & HOLDING
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7. 100% R. CONSTRUCTION & HOLDING
8. 100% R. CONSTRUCTION & HOLDING
9. 100% R. CONSTRUCTION & HOLDING
10. 100% R. CONSTRUCTION & HOLDING

REV. NO. DATE DESCRIPTION

1. 100% R. CONSTRUCTION & HOLDING

DRAWING
PROPOSED BASEMENT

SCALE
1:1000/1:1000/1:1000

DATE
APRIL 2019

DESIGN
DESIGNED
VT PA

PROJECT DESIGN
17002

TOWN PLANNING
TP-05

1



Attachment 9 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Endorsed Plans

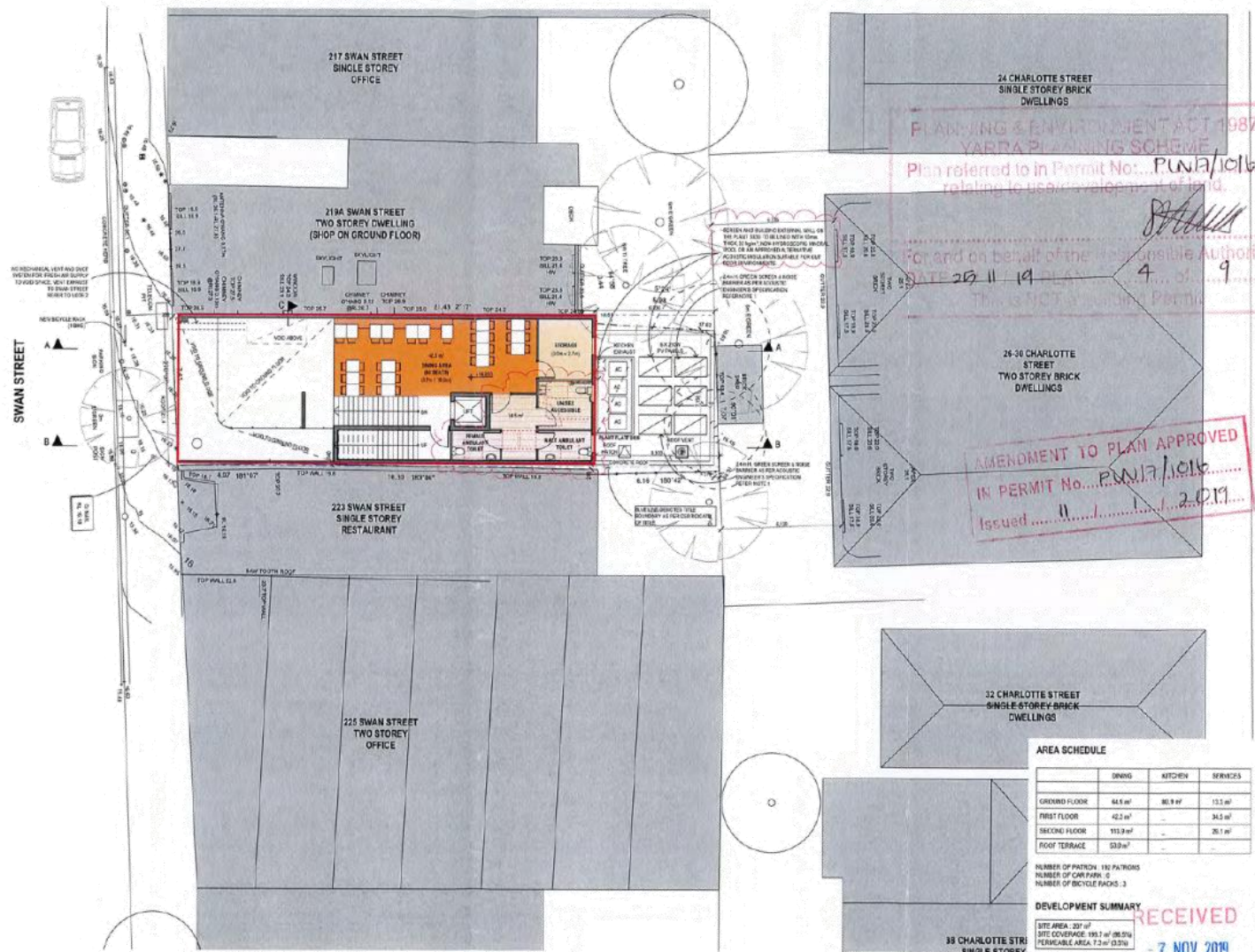
NOTE 1
THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF $R_{STC} 30$. ACOUSTICALLY ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.6mm THICK STEEL, 9mm THICK FIBRE CEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2
THE DUCT SHOULD BE OF RIGID CONSTRUCTION (E.G. GALVANISED STEEL DUCTING).

THE DUCT SHOULD BE INTERNALLY LINED WITH MINIMUM 50mm THICK, 32KG/M² ACOUSTIC INSULATION TO MINIMISE POTENTIAL TRAFFIC NOISE INGRESS.

THE NATURAL VENTILATION DUCT SHOULD BE NO LESS THAN 3 METRES IN LENGTH AND SHOULD ONLY BE MOUNTED TO THE BUILDING STRUCTURE VIA RESILIENT MANGERS OR OTHER FLEXIBLE CONNECTION TYPE.

NOTE 3
- BLUE LINE DENOTES TITLE BOUNDARY AS PER ORIGINAL CERTIFICATE OF TITLE
- ORANGE LINE DENOTES TITLE BOUNDARY AS PER LAND SURVEYOR DRAWINGS



AREA SCHEDULE

	DINING	KITCHEN	SERVICES
GROUND FLOOR	64.5 m ²	80.9 m ²	13.5 m ²
FIRST FLOOR	42.2 m ²	-	34.5 m ²
SECOND FLOOR	113.8 m ²	-	26.1 m ²
ROOF TERRACE	53.9 m ²	-	-

NUMBER OF PATRONS: 150 PATRONS
NUMBER OF CAR PARKS: 0
NUMBER OF BICYCLE PARKS: 3

DEVELOPMENT SUMMARY

SITE AREA: 237 m²
SITE COVERAGE: 193.7 m² (81.8%)
PERMEABLE AREA: 12 m² (5.1%)

LEGEND
- LIQUOR LICENCE AREA

YBL REMIUS
ARCHITECTS
A. 202/204-204/204 Swan Street Richmond, Vic 3100
T. +61 3 8538 2889 F. +61 3 8538 2890
E. ybl@remius.com.au

PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT



NO.	DATE	REVISIONS	BY
1	2017/10	ACQUISITION & REQUIREMENTS	VT
2	2017/10	CONCEPTUAL DESIGN & PRELIMINARY DESIGN	VT
3	2017/10	PRELIMINARY DESIGN	VT
4	2017/10	PRELIMINARY DESIGN	VT
5	2017/10	PRELIMINARY DESIGN	VT

DRAWING
PROPOSED FIRST FLOOR PLAN

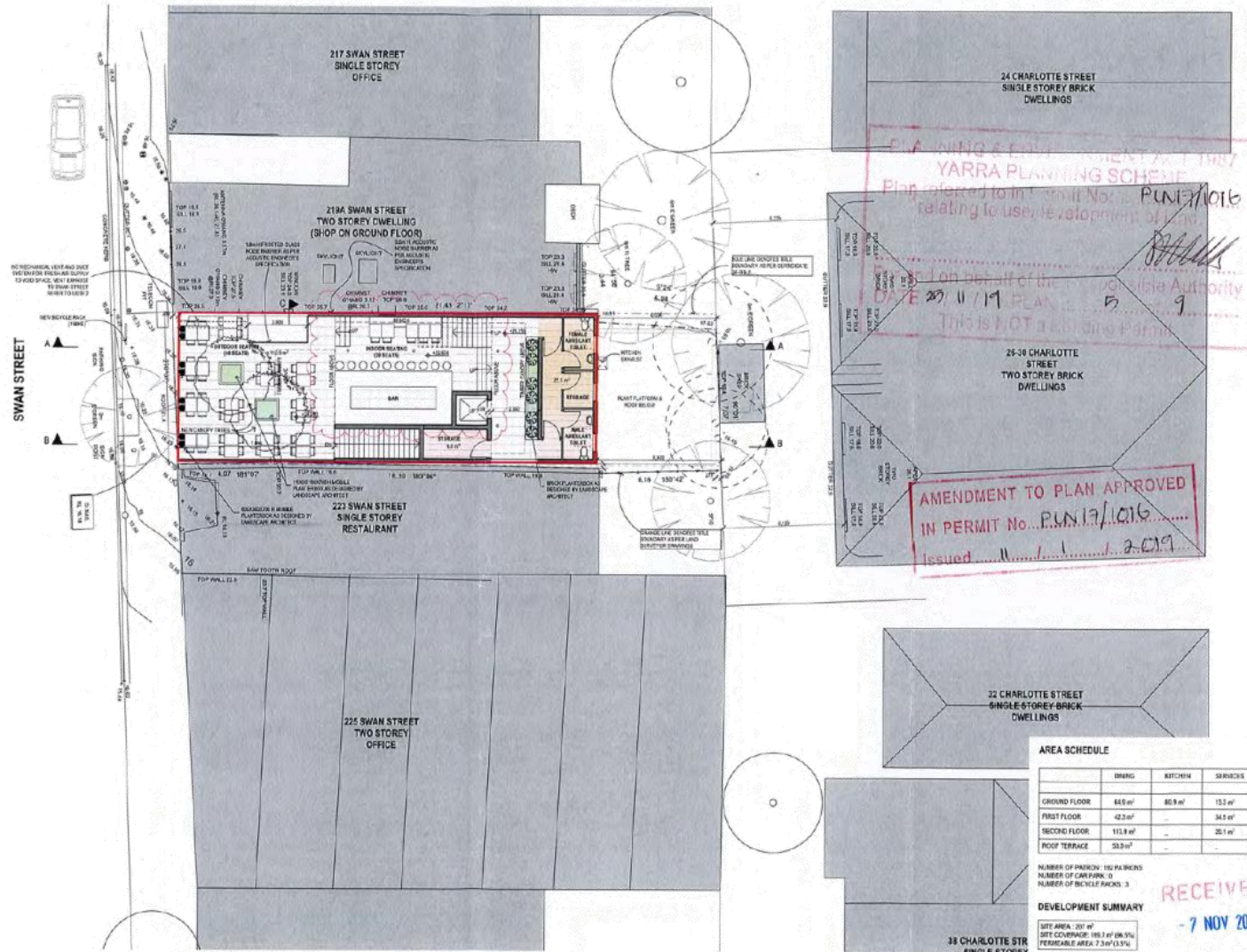
SCALE	DATE
1:300 (A1) 1:200 (A2)	APRIL 2019
DRAWN BY	DESIGNED BY
VT	PA
PROJECT NUMBER	DRAWING NO.
TOWN PLANNING	TP-07
	H

Attachment 9 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Endorsed Plans

NOTE 1
THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF $R_{wT} 30$. ACOUSTICALLY ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.6mm THICK STEEL, 9mm THICK FIBRE CEMENT SHEET, MINIMUM 12mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2
THE DUCT SHOULD BE OF RIGID CONSTRUCTION (E.G. GALVANISED STEEL DUCTING).
THE DUCT SHOULD BE INTERNALLY LINED WITH MINIMUM 50mm THICK, 32KG/M² ACOUSTIC INSULATION TO MINIMISE POTENTIAL TRAFFIC NOISE INGRESS.
THE NATURAL VENTILATION DUCT SHOULD BE NO LESS THAN 3 METRES IN LENGTH AND SHOULD ONLY BE MOUNTED TO THE BUILDING STRUCTURE VIA RESILIENT HANGERS OR OTHER FLEXIBLE CONNECTION TYPE.

NOTE 3
- BLUE LINE DENOTES TITLE BOUNDARY AS PER ORIGINAL CERTIFICATE OF TITLE
- ORANGE LINE DENOTES TITLE BOUNDARY AS PER LAND SURVEYOR DRAWINGS



AREA SCHEDULE

	BAR/GR	KITCHEN	SERVICE
GROUND FLOOR	64.0 m ²	80.9 m ²	13.5 m ²
FIRST FLOOR	42.3 m ²	-	34.5 m ²
SECOND FLOOR	113.8 m ²	-	25.1 m ²
ROOF TERRACE	33.9 m ²	-	-

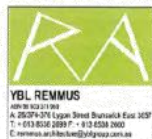
NUMBER OF PARKING: 150 PARKINGS
NUMBER OF CARPARK: 0
NUMBER OF BICYCLE PARKS: 3

DEVELOPMENT SUMMARY

SITE AREA: 207 m²
SITE COVERAGE: 100.0% (0.0%)
PERMISSIBLE AREA: 7.3 m² (3.5%)

RECEIVED
- 7 NOV 2019

PROPOSED ROOF TERRACE PLAN



PROJECT
PROPOSED COMMERCIAL BUILDING
221 SWAN STREET
RICHMOND VIC 3121

CLIENT



REVISIONS

NO.	DATE	REVISION
1	10/01/18	ACCOMMODATE PROPOSED BUILDING
2	10/01/18	CONSIDERATION OF TITLE BOUNDARY
3	10/01/18	REVISIONS TO BUILDING
4	10/01/18	REVISIONS TO BUILDING
5	10/01/18	REVISIONS TO BUILDING

PROPOSED SECOND FLOOR PLAN

SCALE
1:500 (A1, 1:200 (A2))

DATE
APRIL 2019

DESIGN
DESIGNED
VT PA

PROJECT STATUS
PROJECT STATUS

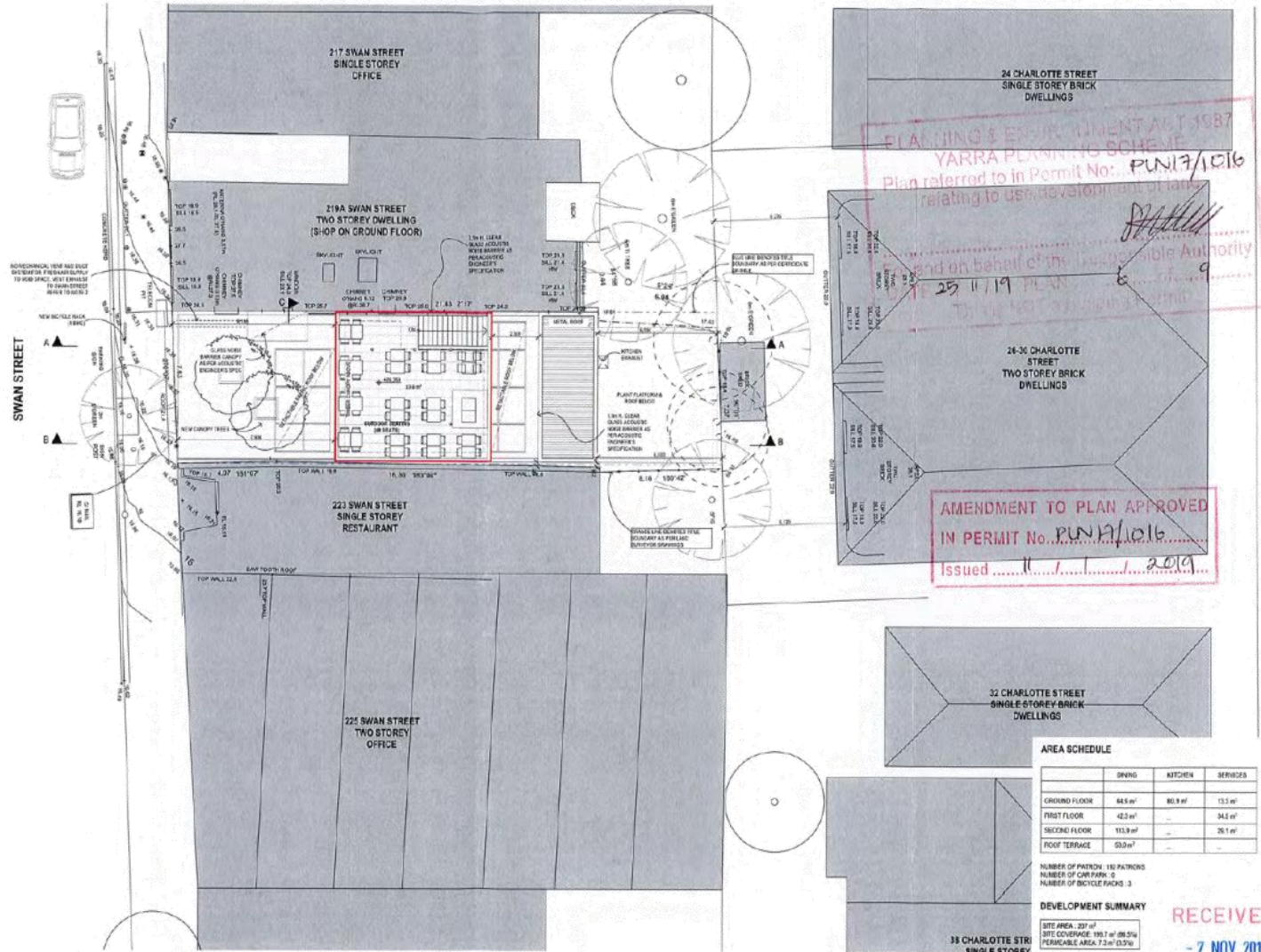
TOWN PLANNING
TP-08

Attachment 9 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Endorsed Plans

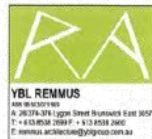
NOTE 1
THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF $R_{wT} 30$. ACOUSTICALLY ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.6mm THICK STEEL, 6mm THICK FIBRE CEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2
THE DUCT SHOULD BE OF RIGID CONSTRUCTION (E.G. GALVANISED STEEL DUCTING).
THE DUCT SHOULD BE INTERNALLY LINED WITH MINIMUM 50mm THICK, 37KG/M² ACOUSTIC INSULATION TO MINIMISE POTENTIAL TRAFFIC NOISE INGRESS.
THE NATURAL VENTILATION DUCT SHOULD BE NO LESS THAN 3 METRES IN LENGTH AND SHOULD ONLY BE MOUNTED TO THE BUILDING STRUCTURE VIA RESILIENT HANGERS OR OTHER FLEXIBLE CONNECTION TYPE.

NOTE 3
- BLUE LINE DENOTES TITLE BOUNDARY AS PER ORIGINAL CERTIFICATE OF TITLE
- ORANGE LINE DENOTES TITLE BOUNDARY AS PER LAND SURVEYOR DRAWINGS



PROPOSED ROOF PLAN



Attachment 9 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Endorsed Plans

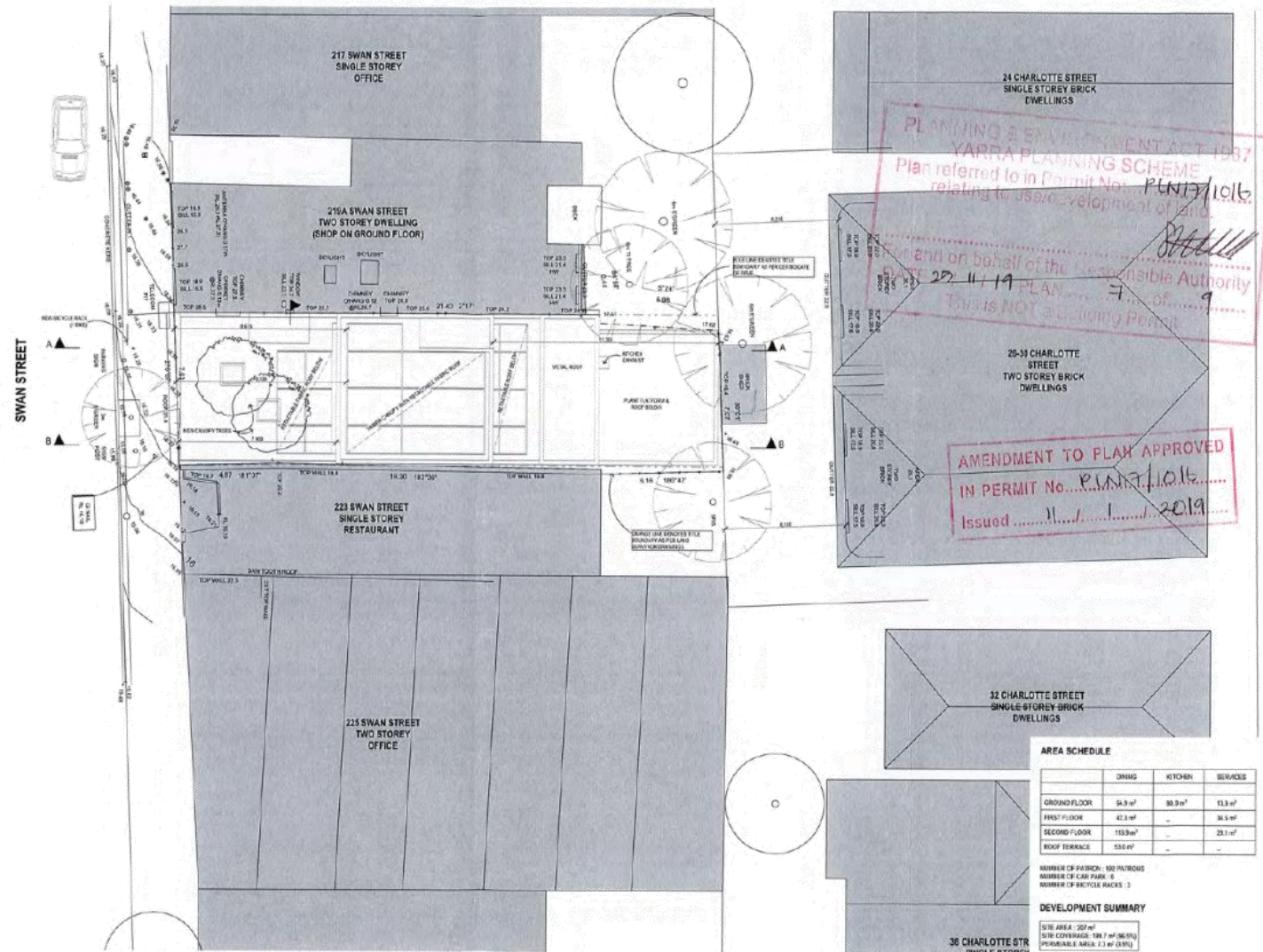
NOTE 1
THE CANOPY AND WALLS / NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF R_{wT} 30. ACoustically ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.5mm THICK STEEL, 9mm THICK FIBRE CEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 9mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2
THE DUCT SHOULD BE OF RIGID CONSTRUCTION (E.G. GALVANISED STEEL DUCTING).

THE DUCT SHOULD BE INTERNALLY LINED WITH MINIMUM 50mm THICK 32KG/M² ACOUSTIC INSULATION TO MINIMISE POTENTIAL TRAFFIC NOISE INGRESS.

THE NATURAL VENTILATION DUCT SHOULD BE NO LESS THAN 3 METRES IN LENGTH AND SHOULD ONLY BE MOUNTED TO THE BUILDING STRUCTURE VIA RESILIENT HANGERS OR OTHER FLEXIBLE CONNECTION TYPE.

NOTE 3
- BLUE LINE DENOTES TITLE BOUNDARY AS PER ORIGINAL CERTIFICATE OF TITLE
- ORANGE LINE DENOTES TITLE BOUNDARY AS PER LAND SURVEYOR DRAWINGS



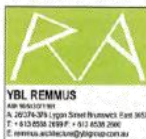
AREA SCHEDULE

	CHANG	KITCHEN	SERVICES
GROUND FLOOR	54.9 m ²	88.9 m ²	13.3 m ²
FIRST FLOOR	42.3 m ²	-	36.5 m ²
SECOND FLOOR	110.3 m ²	-	23.1 m ²
ROOF TERRACE	53.0 m ²	-	-

NUMBER OF PATRONS: 100 PATRONS
NUMBER OF CAR PARK: 8
NUMBER OF BICYCLE RACKS: 3

DEVELOPMENT SUMMARY
SITE AREA: 207 m²
GROSS COVERAGE: 188.7 m² (91%)
PERMISSIBLE AREA: 1.1 m² (0.5%)

LEGEND
- LIQUOR LICENCE AREA



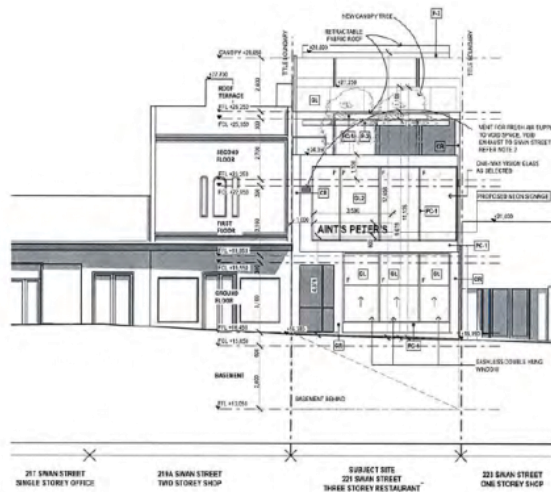
Do not scale from these drawings. Verify all dimensions on site before commencing construction or any other work. The drawing is copyright. No part may be reproduced or otherwise used without the prior written permission of the author.

PROJECT	CLIENT
PROPOSED COMMERCIAL BUILDING 221 SWAN STREET RICHMOND VIC 3121	

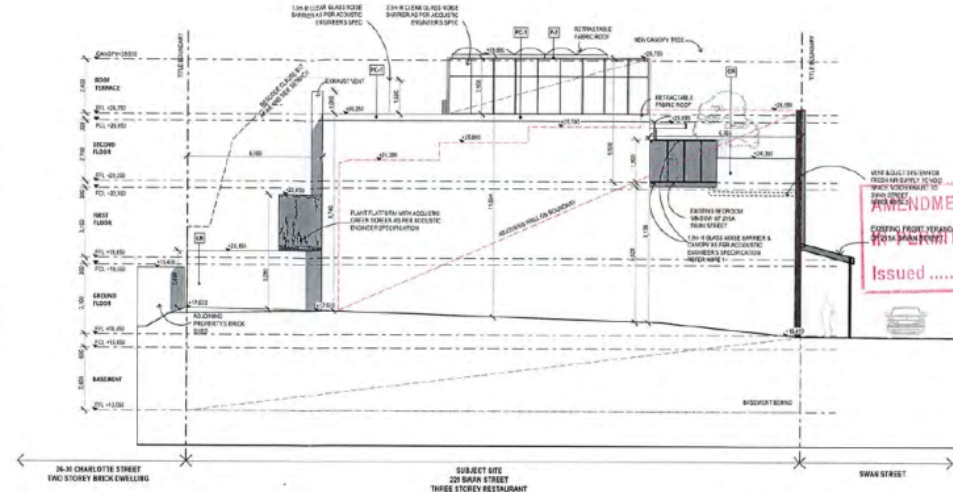
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SCALE	
ROOF TERRACE CANOPY LEVEL	

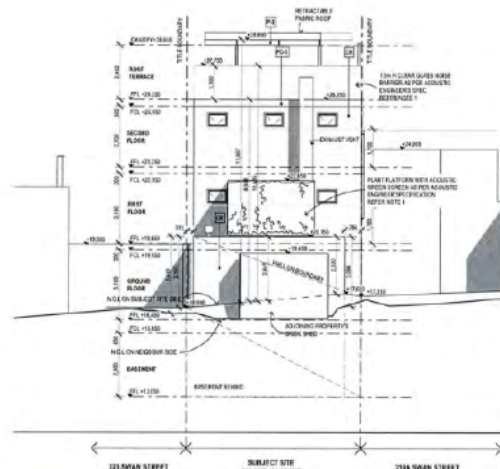
Attachment 9 - PLN17/1016.02 - 221 Swan Street Richmond - Advertising S52 - Current Endorsed Plans



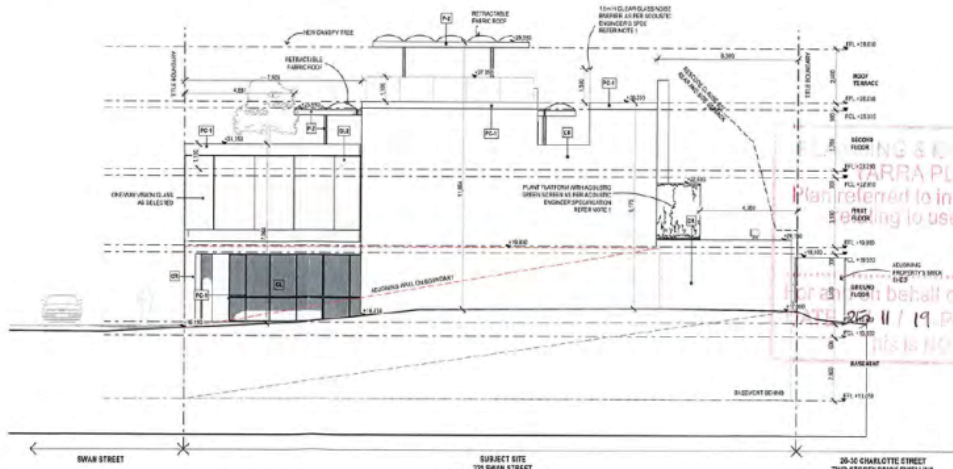
PROPOSED SOUTH ELEVATION



PROPOSED WEST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED EAST ELEVATION

FINISHES LEGEND

1	BUILDING SUBSTRATE & FINISH
2	COLOR (WHERE APPLICABLE)
3	NATURAL CONCRETE FINISH
4	CLEAR GLASS
5	ONE-WAY VISION GLASS
6	POWDER COATED PAINT FINISH
7	PAINT FINISH

AMENDMENT TO PLAN APPROVED
 PLAN No. PLN17/1016
 Issued 11/1/2019

NOTE 1
 THE CANOPY AND WALLS/NOISE BARRIER SHOULD BE CONSTRUCTED TO ACHIEVE A MINIMUM SOUND TRANSMISSION LOSS RATING OF R_w 30. ACOUSTICALLY ACCEPTABLE MATERIAL FOR CONSTRUCTION INCLUDE 1.5mm THICK STEEL, 3mm THICK FIBRE CEMENT SHEET, MINIMUM 10mm THICK POLYCARBONATE, MINIMUM 6mm THICK GLASS, OR OTHER MATERIAL WITH A MINIMUM MASS OF 12KG/M².

NOTE 2
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PLANNING & ENVIRONMENT ACT 1987
 TARRA PLANNING SCHEME
 Plan referred to in Permit No. PLN17/1016...
 Planning & Environment
 On behalf of the responsible Authority
 11/1/19 PLAN 8 of 9
 This is NOT a Building Permit

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 -7 NOV 2019



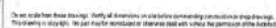
PROPOSED COMMERCIAL BUILDING
 221 SWAN STREET
 RICHMOND VIC 3121

CLIENT

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NO.	DATE	DESCRIPTION	BY	CHECKED
1	17/01/19	ACCOMMODATE NOISE BARRIER	VT	
2	20/01/19	CONSIDERATION OF 30.5% TSS, BOUNDARY ACCESS	VT	
3	19/01/19	ENVIRONMENTAL ISSUE	VT	
4	20/01/19	REVISIONS AND/OR BOUNDARY	VT	
5	01/02/19	CONSIDERATION OF 30.5% TSS, BOUNDARY ACCESS	VT	
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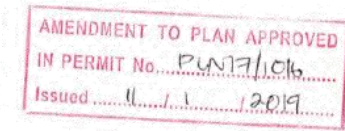
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DESIGNED	DESIGNED
PA	17002
PROJECT STATUS	UNAPPROVED
TOWN PLANNING	TP-11



CURRENT

SECTION

SCALE 1"=60'@A1, 1"=20'@A2	DATE APRIL 2019
DRAWN VT	CHECKED PA JOB NO. 17062
PROJECT STATUS	DRAWING NO. TP-12



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- 7 NOV 2019

