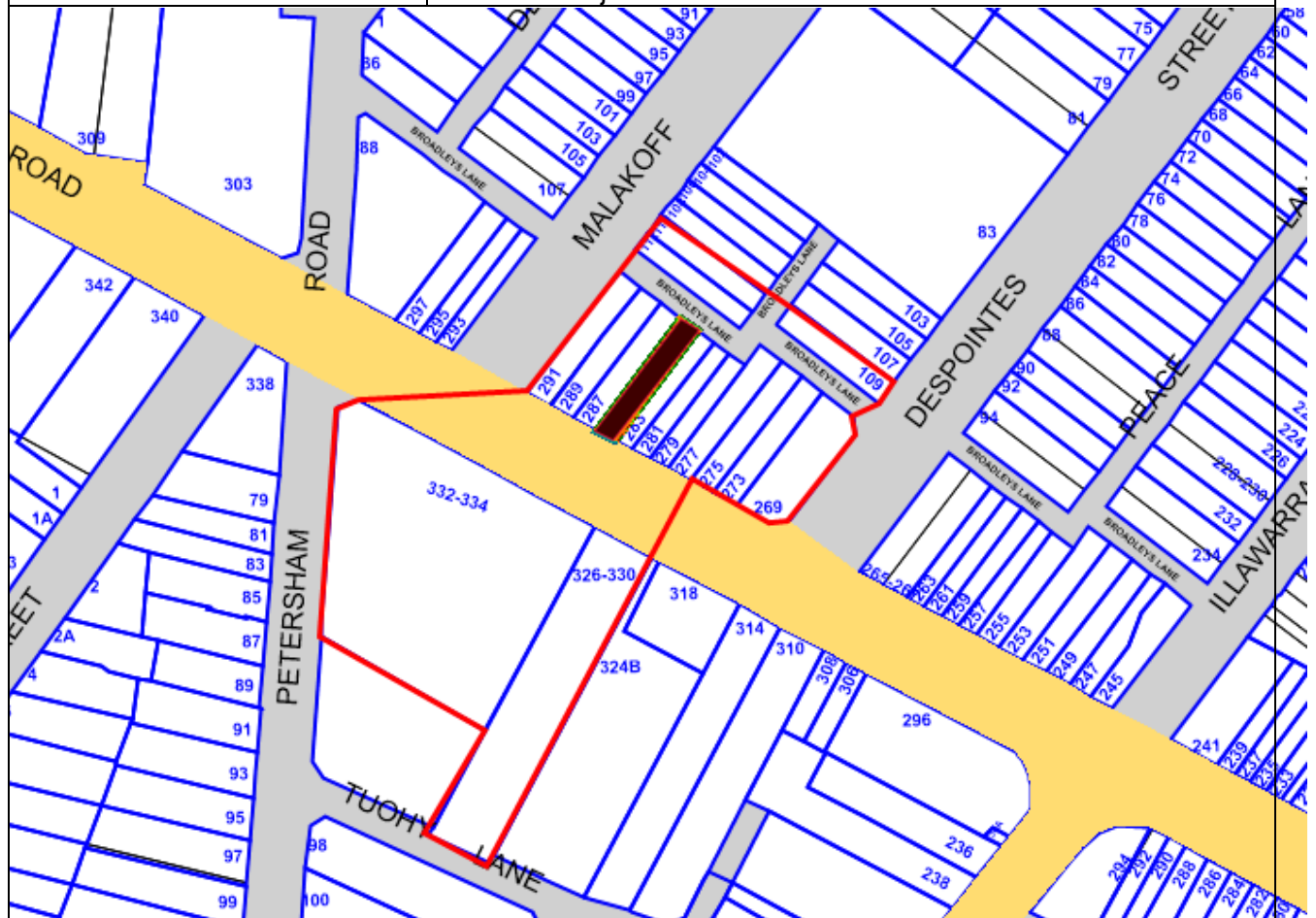




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA201800301
Address	285 Marrickville Road, Marrickville
Proposal	To fit out and use the ground floor premises as a small bar
Date of Lodgement	16 July 2018
Applicant	Miss Wolf Pty Ltd
Owner	Fred & Grace Macri
Number of Submissions	5
Value of works	\$90,000.00
Reason for determination at Planning Panel	Conflict of interest as property owner is relative of the Deputy Mayor
Main Issues	Heritage Conservation Area
Recommendation	Consent subject to conditions



Subject Site:		Objectors:	
Notified Area:		Note: All submitters were outside of notification and map area	

1. Executive Summary

This report is an assessment of the application submitted to Council to fit out and use the ground floor premises as a small bar at 285 Marrickville Road, Marrickville. The application was notified to surrounding properties and 5 submissions were received. Amended plans were requested during notification which did not result in any increased impacts. As a result the application was not required to be re-notified.

The application is reported to the Panel for determination as the property owner is a relative of the Deputy Mayor thereby potentially presenting a perceived conflict of interest.

The proposal generally complies with the aims, objectives and design parameters contained in Marrickville Local Environmental Plan 2011 (MLEP 2011) and Marrickville Development Control Plan 2011 (MDCP 2011) therefore the application is recommended for approval.

2. Proposal

Approval is sought to fit out and use the ground floor premises as a café/wine bar operating 12:00pm to 10:00pm Sunday to Thursday and 12:00pm midday to 12:00am midnight Friday and Saturday with a maximum of 60 patrons at any one time.

The premises is proposed to operate as 'Miss Wolf' a small bar which is accessed from Marrickville Road.

Works proposed include the following:

- Replacement of front façade with new traditional shopfront fixed window with recessed entry door, transom glass windows above;
- Remove ceiling lining from ceiling and upgrade the flooring by adding loaded vinyl or similar from ceiling below;
- Install bulk acoustic insulation within floor-ceiling cavity, such as polyester or glass wool of at least 14kg/m³ density and to cover at least 80% of the cavity depth;
- Install fire-rated plasterboard sheets (2 to 3) on resilient hangers/resilient clips;
- Installation of bar area and bench and free standing seating;
- Demolition of internal walls, retention of existing polished concrete floors;
- Construction of one accessible toilet and one ambulant toilet;
- Use of rear area for storage; and
- Use of existing void area at western side boundary for storage.

The proposal involves the erection of an under awning sign 2 metres by 400 millimeters and a painted sign on the fascia measuring 300 millimeters by 1.1 metres. It is also proposed to have the name of the business on the glass of the shop front window measuring a total of 0.15sqm.

The details of the operation of the business are as follows:

Operating Hours

Sunday to Thursday: 12:00pm-10:00pm and 12:00pm to 12:00am midnight Friday and Saturdays. It is proposed to contain a maximum of 60 patrons at the premises at any one time. 32 in the front bar, 20 in the rear bench seating area and 8 as part of a separate application to Council for outdoor footpath seating.

Number of Employees

The application indicates that the proposed use would involve a maximum of 4 full time staff employed in association with the use and on the site at any one time. 1 car parking space is to be retained on site in the garage and is to be used for staff.

Deliveries Loading/Unloading

Information submitted by the applicant indicates that deliveries are expected to occur between the hours of 12:00pm- 4:00pm from wholly within the site, i.e. within the garage of the premises.

Food Service

In accordance with the requirements of the Liquor Act the bar will serve a selection of food which will not require any cooking. The following is described as the typical food available for purchase:

- Charcuterie Plates - cured and smoked cold meats only
- Cheese (Cheddar/Brie/Feta)
- Biscuits
- Olives
- Nuts • Dips - Hummus and Beetroot dip
- Pickled cold vegetables
- Tinned fish

The Statement of Environmental Effects stated the proposed use would be as a café/wine bar however the information submitted with the application indicates use as a small bar has no cooking or extensive food preparation would be carried out, as a result it is more akin to a small bar.

During the assessment of the application, amended plans were submitted to demonstrate the provision of acoustic measures required as part of the proposal, similarly the cool room was deleted from the plans. Further amendments were also sought with regard to the front façade which required a traditional shopfront to be proposed rather than the contemporary one originally proposed due to the site being part of a contributory building in a Heritage Conservation Area.

3. Site Description

The site is located on the northern side of Marrickville Road, between Malakoff Street and Despointes Street, Marrickville. The subject property is legally described as Lot 1 in Deposited Plan 936885, more commonly known as 285 Marrickville Road, Marrickville. The site has a frontage to Marrickville Road of 4.5 metres.

The 145.7sqm site contains a 3 storey mixed use building with a ground floor commercial premises and 2 residential units on levels 1 and 2 above. The subject premises is located on the ground floor level and is currently vacant. 1 off-street parking space is located with a garage at the rear of the site, accessible from Broadleys Lane. Surrounding improvements are generally mixed use and commercial in nature along Marrickville Road and residential on the opposite side of Broadleys Lane.

The site is located in a Heritage Conservation Area and is part of a group of 4 attached mixed use premises' with a consistent upper floor façade and parapet being detailed as one

'commercial row' which form a contributory item to the HCA. Photographs are provided below:



Front



Rear



4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal	Decision & Date
Development Application No. 201800301	To carry out alterations and additions to the premises to create a dwelling on the first floor.	Approved - 27 June 2000

Surrounding properties

Application	Proposal	Decision & Date
Complying Development Certificate No.200800032	Internal alterations to an existing take away food shop.	Approved – 14 October 2008
Development Application No.201500395	To install a new shop front on the ground floor retail tenancy	Approved – 25 August 2015

4(b) Application history

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter/ Additional Information
5 September 2018	Letter requesting additional information regarding acoustic measures, food premise standards, and the proposed awning lights.
10 & 11 September 2018	Additional information/amended plans submitted
20 September 2018	Email request for amended plans regarding heritage referral for modifications to the proposed front façade requiring re-design to traditional shop front in HCA.
24&25 September 2018	Amended plans submitted

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- State Environmental Planning Policy No 64 – Advertising and Signage
- State Environmental Planning Policy (Infrastructure) 2007

The following provides further discussion of the relevant issues:

1.

5(a)(i) State Environmental Planning Policy No. 64 - Advertising and Signage–

The information submitted with the application states that consent is not sought for the signage as it is exempt under State Environmental Planning Policy (Exempt and Complying Development Codes) 2009. However as the site is located in a heritage conservation area, the signage is not exempt and requires assessment by Council.

State Environmental Planning Policy No. 64 - Advertising and Signage (SEPP 64) specifies aims and objectives and assessment criteria for signage as addressed below.

The development includes the following signage:

- Under Awning sign - 2 metres by 400millimetres (0.8sqm_
- Painted Awning sign - 300millimetres by 1.1 metre (0.33sqm)
- It is also proposed to have the name of the business on the glass of the shopfront window measuring a total of 0.15sqm.

Pursuant to the definitions contained in Clause 4 of SEPP 64, the proposed signs constitute a “*business identification sign*” which is defined as follows:

“business identification sign means a sign:

- (a) that indicates:

- (i) *the name of the person, and*
(ii) *the business carried on by the person,*
at the premises or place at which the sign is displayed, and
- (b) *that may include the address of the premises or place and a logo or other symbol that identifies the business,*

but that does not include any advertising relating to a person who does not carry on business at the premises or place.”

Clause 3 of SEPP 64 specifies aims and objectives of the policy which are required to be considered for all applications involving the erection of signage. The relevant aims and objectives of the policy include the following:

- “(a) *to ensure that signage (including advertising):*
(i) *is compatible with the desired amenity and visual character of an area, and*
(ii) *provides effective communication in suitable locations, and*
(iii) *is of high quality design and finish, and...”*

Schedule 1 of SEPP 64 specifies assessment criteria for signage relating to character of the area, special areas, views and vistas, streetscape, setting or landscaping, site and building, illumination and safety. The signage is considered satisfactory having regard to the assessment criteria contained in Schedule 1 of SEPP 64.

The suitability of the signage having regard to the provisions of Part 2.20 of Marrickville Development Control Plan 2011 is considered below under Part 5c(v).

5(a)(ii) State Environmental Planning Policy (Infrastructure) 2007

The site has a frontage to Marrickville Road, a classified road. Under Clause 101 (2) of State Environmental Planning Policy (Infrastructure) 2007, (Infrastructure SEPP) the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that the efficiency and operation of the classified road will not be adversely affected by the development.

Vehicular access to the property is provided from Broadleys Lane and as such is provided by a road other than the classified road. It is considered that the proposed development would not affect the safety, efficiency and on-going operation of the classified road.

5(a)(iii) Marrickville Local Environment Plan 2011 (MLEP 2011)

The application was assessed against the following relevant clauses of MLEP 2011:

- Clause 2.3 – Zone objectives and Land Use Table
- Clause 2.7 – Demolition
- Clause 5.10 – Heritage Conservation
- Clause 6.1 – Acid sulfate soils
- Clause 6.5 – Development in areas subject to aircraft noise

(i) Land Use Table and Zone Objectives (Clause 2.3)

The property is zoned B2 – Local Centre under the provisions of Marrickville Local Environment Plan 2011 (MLEP 2011). The development is permissible with Council's consent under the zoning provisions applying to the land.

The development is acceptable having regard to the objectives of the B2 - Local Centre zone.

(ii) Demolition (Clause 2.7)

Clause 2.7 of MLEP 2011 states that the demolition of a building or work may be carried out only with development consent. The application seeks consent for demolition works. Council's standard conditions relating to demolition works are included in the recommendation.

(iii) Heritage Conservation (Clause 5.10)

The site is located within a Heritage Conservation Area under MLEP 2011 (Heritage Conservation Area C30 – Civic Precinct Heritage Conservation Area).

The Statement of Environmental Effects submitted with the application states that the modifications to the ground floor commercial tenancy are mainly internal with removal of the 1970's shopfront which is not contributory to the heritage qualities of the building and conservation area. The application was referred to Council's Heritage Officer for comment provided the following comments:

"This is a contributory building within the Marrickville Civic Precinct (HCA 30).

The best heritage outcome is to reinstate the shopfront to its original form rather than with a window within a wall. The traditional form of shopfront is as below, with a recessed entrance (which can accommodate the change of level) along with a glazed transom over the shopfront, and a low tiled sill below"

The proposal was amended with regard the advice from Council's Heritage Officer. No objections were raised by Council's Heritage Officer to the amended plans which modified the proposal to include a traditional shopfront. A condition is included in the recommendation requiring an amended plan be submitted prior to the issue of a Construction Certificate demonstrating that the front window and door frames are timber and not aluminium as the plans show both on different plans.

Overall, the development is considered to result in a significant improvement to the contributory run of commercial shops in the heritage conservation area and is acceptable with regard to the provisions of Clause 5.10 of MLEP 2011 and Part 8 of Marrickville Development Control Plan 2011.

5(b) Draft Marrickville Local Environmental Plan 2011 (Amendment 4)

Draft Marrickville Local Environmental Plan 2011 (Amendment 4) (the Draft LEP Amendment) was placed on public exhibition commencing on 3 April 2018 and accordingly is a matter for consideration in the assessment of the application under Section 4.15(1)(a)(ii) of the Environmental Planning and Assessment Act 1979.

The amended provisions contained in the Draft LEP Amendment are not relevant to the assessment of the application. Accordingly, the development is considered acceptable having regard to the provisions of the Draft LEP Amendment.

5(c) Marrickville Development Control Plan 2011 (MDCP 2011)

The application has been assessed and the following provides a summary of the relevant provisions of MDCP 2011.

Part of MDCP 2011	Compliance
Part 2.1 - Urban Design	Yes
Part 2.5 – Equity of Access and Mobility	Yes – subject to conditions
Part 2.6 – Acoustic and Visual Privacy	Yes – subject to conditions
Part 2.9 – Community Safety	Yes – see discussion
Part 2.10 – Parking	No – see discussion
Part 2.12 – Signage and Advertising Structures	Yes – see Section 5(a)(i) of report
Part 2.16 – Energy Efficiency	Yes
Part 2.21 – Site Facilities and Waste Management	Yes
Part 5 – Commercial and Mixed Use Development	Yes – subject to conditions
Part 9 – Strategic Context	Yes – see discussion

The following section provides discussion of the relevant issues:

(i) Equity of Access and Mobility (Part 2.5)

Part 2.5 of MDCP 2011 requires consideration to be given to accessibility before granting development consent.

For commercial developments Part 2.5 of MDCP 2011 requires:

- Appropriate access for all persons through the principal entrance of a building and a continuous accessible path of travel (CAPT), designed in accordance with the National Construction Code (Building Code of Australia) and relevant Australian Standards; and
- General access for all persons to appropriate sanitary facilities and other common facilities including kitchens, lunch room, shower facilities and outdoor recreational facilities; and
- In a car parking area containing 10 or more car spaces, a minimum of 1 accessible car parking space being provided for every 10 car spaces or part thereof.

The proposal satisfies the access and mobility controls contained in MDCP 2011 in that:

- Appropriate access is proposed for all persons through the principal entrance to the premises;
- A Continuous Accessible Path of Travel (CAPT) to and within the subject premises is provided which allows a person with a disability to gain access to all areas within the shop; and
- An accessible toilet is provided.

Given the above the proposed development is considered reasonable having regard to the access controls contained in MDCP 2011.

(ii) Acoustic and Visual Privacy (Part 2.6)

The layout and design of the development ensures that the acoustic and visual privacy currently enjoyed by residents of adjoining residential properties is protected.

The development is proposed to occupy the existing ground floor tenancy thus no visual privacy impacts would result from the development. An acoustic report was submitted with the application with regard to acoustic privacy. The acoustic report prepared by Wilkinson Murray outlines the following measures to be implemented as part of the proposed development in order to maintain the acoustic privacy of the adjoining residential occupants.

- Upgrade of the existing floor-ceiling system to improve the transmission loss between the front bar and residences above.
- Provide treatment to the surfaces of the front bar to reduce the reverberant sound within the front bar.
- Reduce the volume of music played and ensure that the system does not provide for bass below 250Hz.

The bar is located on Marrickville Road which consists of a number of late night trading businesses. The plans submitted with the application indicate the patrons are only permitted in the front half of the premises with entry from Marrickville Road only. It is unlikely that residences at the rear of the site adjoining Broadleys Lane would be impacted by the noise generated by the development. The most affected residences would be those above the proposed premise and adjoining either side. The acoustic report recommended a number of measures outlined above to protect the acoustic privacy of the residences. These are shown as part of the proposed works.

The business would allow a maximum of 60 patrons and no live or acoustic music would be permitted with only background music played over satellite speakers. Subject to the implementation of the measures outlined in the report and to post occupation testing and ongoing conditions recommended by Council's Environmental Health Officer, the proposal is considered to maintain a high level of acoustic privacy for the surrounding residential properties and would ensure a high level of acoustic privacy for future occupants of the development itself.

(iii) Community Safety (Part 2.9)

The development is reasonable having regard to community safety for the following reasons:

- The proposal will attract a moderate level of customers increasing the opportunity for casual surveillance onto the street.
- The application will be conditioned to not provide roller shutter doors to the front door and window.
- The staff will be engaged to manage any potential anti-social behavior from customers at the premise through RSA and other Security Management practices listed in the Plan of Management.

The application was referred to NSW Police for comment. No objections were raised. NSW Police believe there are no issues of major significance that would impact upon the application and raised no objections subject to conditions which are included in the

recommendation such as CCTV requirements and security procedures and service of alcohol ceasing 30 minutes before trading hours cease.

(iv) Parking (Part 2.10)

Car Parking Spaces

The site is located in Parking Area 1 under Part 2.10 of MDCP 2011. The following table summarises the car parking requirements for the development:

Component	Control	Required	Proposed	Complies?
Car Parking				
Commercial Car Parking	1 space per 100sqm GFA for customers and staff	93sqm GFA = 1space	1 space	Yes

Table 1: Car Parking Control Compliance Table

The application includes the maintenance of the existing garage on site for car parking for staff only. The site is not capable of providing any additional car parking for customers without major modification to the building. The premises is in close proximity to bus routes and within walking distance of the train station. The proposed car parking is considered acceptable.

Vehicle Service and Delivery Areas

The applicant has outlined that deliveries will be made between 12.00pm and 4.00pm and will occur from within the site. The following is an extract from the PoM outlining the type of deliveries *“a small amount of boxed stock for spirits, wines and soft drink and a small number of packaged beers. Principally, beer will be delivered in keg form, consisting of approximately 3 kegs per week, delivered from 3 suppliers. Deliveries will be through the rear garage area, the delivery van can back into the garage area and off load the goods...”*

The garage is also proposed to be utilised for car parking for staff and can be used interchangeably as a loading bay to enable the loading/unloading of goods. A condition is included in the recommendation that loading and unloading occurs during the hours specified and in a manner not to inconvenience the operation of the laneway.

(v) Signage and Advertising Structures (Part 2.12)

Part 2.12 of MDCP 2011 specifies Council's objectives and requirements for the erection and display of advertising signs. Those provisions are intended to protect the significant characteristics of retail/commercial strips, neighbourhoods, buildings, streetscapes, vistas and the skyline. The provisions include general controls for signage, prohibitions, and preferred options for signage and size restrictions for signage.

The application seeks approval for the following signs:

- Under Awning sign - 2 metres by 400millimetres = 0.8sqm
- Painted Awning sign - 300millimetres by 1.1 metre = 0.33sqm
- Window Shopfront Sign - 0.15sqm.

All of the signs would include the name of the business only in the same signature cursive writing.

Part 2.1.4.2 and 2.1.4.9 of MDCP 2011 states for controls regarding total area of signage for shopfronts to not exceed 1sqm for each 1.5 metres or part thereof of frontage, and does not include under awning signage. The site has a 4.5 metre frontage thus allowing 3sqm of signage. The total area of the two signs proposed (excluding the under awning sign) is 0.95sqm which complies with the requirements of Part 2.1.4.2 of MDCP 2011.

The under awning sign complies with the maximum dimensions being less than the 2.5 metres by 0.4 metres and is proposed to be a minimum of 2.6 metres above the footpath.

Overall the signage proposed is considered to compliment the nature of the business and character of the conservation area and commercial strip and is acceptable with regards to Part 2.12 of MDCP 2011.

(vi) Site Facilities and Waste Management (Part 2.21)

A Recycling and Waste Management Plan (RWMP) in accordance with Council's requirements was submitted with the application and is considered to be adequate. The plan outlines that's that 4x240 litre bins will be provided for general waste, bottle water, paper waste and green waste. Smaller bins are proposed under the bar and the large 240 litre bins are proposed to be stored in the void setback to the western side boundary. It is considered that there is also ample room in the garage storage area given the cool room was deleted from the plans. Waste is nominated to be collected by a private contractor between 8.00am and 3.00pm. Conditions are included in the recommendation to safeguard the adequate management of waste on the premises.

PART 5 - COMMERCIAL AND MIXED USE DEVELOPMENT

No alterations to the GFA are proposed and no major structural modifications to the building are being carried out. The modifications to the ground floor facade are considered an improvement and will contribute positively to the HCA and general streetscape. The development application is considered to be consistent with the aims and objectives under Part 5 of MDCP 2011 as it does not contravene the design parameters prescribed for commercial and mixed use development.

(i) Plan of Management (PoM) (Part 5.3.1.1)

A Plan of Management (PoM) was submitted with the development application. The PoM sets out general regulations and rules and guidelines associated with the on-going use of the premises as a licensed bar.

The POM submitted outlined the following as reasons for the plan:

- *The safe and functional operation of the venue, including staff guidelines*
- *Minimisation of alcohol related harm*
- *Crime prevention*
- *Noise minimisation*
- *Complaints handling and resolution*

The Plan of Management has appropriately addressed the following matters referred to in Part A.2.6 of MDCP 2011:

- Operational Details;
- Hours of operation;
- Staffing Details;

- Guidelines for Staff;
- Acoustic measures;
- Waste Management (expanded further in WMP);
- Deliveries and loading/unloading;
- Customer and Patron Details/Procedures;
- Security Details including CCTV;
- Complaint Handling;
- Review Process of POM;

The Plan of Management is considered to outline the appropriate measures to ensure the safe and orderly management of the small bar. The PoM was reviewed by all relevant external and internal referral officers with regard to their particular area of expertise. The proposal is considered acceptable subject to conditions included in the recommendation requiring compliance with the PoM.

(i) Part 5.3.1.2 Hours of Operation

The application proposes trading hours of Sunday to Thursday 12:00pm-10:00pm and 12:00pm to midnight Fridays and Saturdays. Deliveries as discussed earlier in this report would also be restricted to 12:00pm to 4:00pm to reduce impacts on the amenity of adjoining properties.

No objections were raised by Council's Environmental Health Officer or NSW Police with regard to the operating hours with the exception of the inclusion of a condition requiring the sale of drinks to cease 30 minutes before trading ends and capping the maximum number of patrons at the 60 proposed. The 60 patrons proposed in the application includes 8 seats external to the building which are subject to a separate application to Council. As a result a condition is included in the recommendation capping the maximum number of patrons in the internal area of the bar at 52. Council's Building officer has confirmed that the internal area and toilets provided are acceptable with regard to the number of patrons proposed. The conditions recommended by the NSW Police are commensurate with the applicants PoM and is included in the recommendation.

The trading hours are consistent with other small bars and food and drink premises' on Marrickville Road and are considered acceptable.

PART 9 - STRATEGIC CONTEXT

The site is located in the Marrickville Town Centre Planning Precinct (Precinct 40) under Part 9.40 of MDCP 2011.

The visual surveillance of the street will be enhanced and the proposal will provide the sympathetic addition of a traditional shop front and recessed entry design complimenting the existing streetscape. The rear façade on Broadleys Lane will be retained intact with no modifications proposed.

The proposal meets the desired future character of the Marrickville Town Centre Planning Precinct and is considered acceptable.

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

5(e) The suitability of the site for the development

The site is zoned B2 – Local Centre. Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(f) Any submissions

The application was advertised, an on-site notice displayed on the property and residents/property owners in the vicinity of the property were notified of the development in accordance with Council's policy. The application was notified in accordance with Marrickville Development Control Plan 2011 for a period of 14 days to surrounding properties.

5 submissions were received, with 4 of these supporting the proposed development and 1 raising the concern that more premises serving alcohol are not required in the area and that more creative outlets would be better. Throughout the report consideration has been given to the appropriateness of the premises in its setting and assessment of the application against the relevant planning controls has been carried out and it is determined that the proposed use would be acceptable. Similarly, NSW Police and Council's internal referral officers raise no objection to the proposal subject to conditions which have been included in the recommendation. As a result, the application is recommended for approval.

All relevant matters raised in the submissions able to be considered under the provisions of Section 4.15 of the Environmental Planning and Assessment Act have been discussed in the report.

5(g) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposal is not contrary to the public interest.

6. Referrals

6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above.

- Heritage Officer
- Health

6(b) External

The application was referred to the following external bodies and issues raised in those referrals have been discussed in section 5 above.

- NSW Police – no objection to the proposal

7. Section 94 Contributions

Section 94 contributions are not payable for the proposal.

8. Conclusion

The application seeks consent to fit out and use the ground floor premises as a small bar. The heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979, as are of relevance to the application, have been taken into consideration in the assessment of this application.

The proposal generally complies with the aims, objectives and design parameters contained in Marrickville Local Environmental Plan 2011 and Marrickville Development Control Plan 2011. The development will not result in any significant impacts on the amenity of adjoining premises and the streetscape. The application is suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority pursuant to s80 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application No. DA201800301 for fit out and use the ground floor premises as a small bar at 285 Marrickville Road, Marrickville subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent



Attachment A – Conditions of Consent
285 MARRICKVILLE ROAD, MARRICKVILLE

GENERAL

1. The development must be carried out in accordance with plans and details listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by	Date Submitted
DA-02, Issue B	Site Plan	September 2018	Design Associates	13 September 2018
DA-03, Issue A	Existing & Demolition	July 18	Design Associates	16 July 2018
DA-04, Issue D	Proposed Plan	September 2018	Design Associates	13 September 2018
DA-05, Issue D	Internal Elevations Street Elevation	September 2018	Design Associates	13 September 2018
DA-06, Issue B	Shopfront Street Elevation	September 2018	Design Associates	13 September 2018
DA-07, Issue A	Shopfront Context Elevation	September 2018	Design Associates	13 September 2018
Report No.18192 Version A	Small Bar Noise Impact Assessment	13 July 2018	Wilkinson Murray	16 July 2018
Issue B	Materials and Finishes	-	Design Associates	24 September 2018
-	Plan of Management	July 2018	Management of Miss Wolf P/L	16 July 2018

and details submitted to Council on 16 July 2018, 12 & 13 September, 24 & 25 September 2018 with the application for development consent and as amended by the following conditions.

2. Where any plans and/or information forming part of a Construction Certificate issued in relation to this consent are inconsistent with:

- a) the plans and/or information approved under this consent; or
 b) any relevant requirements of this consent,

the plans, information and/or requirements of this consent (as the case may be) shall prevail to the extent of the inconsistency.

All development approved under this consent shall be carried out in accordance with the plans, information and/or requirements of this consent taken to prevail by virtue of this condition.

3. The materials and finishes of the building constructed pursuant to this consent must be strictly in accordance with the materials and finishes documentation as referenced in Condition 1 of this Determination, No changes may be made to these drawings except by way of an application under section 4.55 of the *Environmental Planning and Assessment Act 1979*.
4. The operation of the premises complying at all times with the 'The Plan of Management, Miss Wolf PTY LTD' and 'Small Bar Noise Impact Assessment No.18192 Version A, prepared by Wilkinson Murray, dated 13 July 2018' submitted on 16 July 2018. The Plan of Management

as approved shall not be amended without the prior written approval of the Inner West Council. If there is any inconsistency between the Plan of Management and the conditions of this consent, the conditions of consent shall prevail to the extent of that inconsistency.

5. The area to be used for the small bar must be restricted to the ground floor.
6. The shop window display area must be maintained at all times with no roller shutters being installed across the shopfront.
7. No live music or entertainment must be provided within the premises.
8. A footpath licence must be obtained from Council for the use of that part of the footpath area adjacent to the site before using such area. The usage of that part of the footpath must only be carried out whilst the footpath licence remains in force.
9. 1 off-street car parking space must be provided, paved and maintained at all times in accordance with the standards contained within Part 2.10 of Marrickville Development Control Plan 2011 - Parking.
10. All parking spaces and turning area thereto must be provided in accordance with the design requirements set out within Part 2.10 of Marrickville Development Control Plan 2011 - Parking, and must be used exclusively for parking and not for storage or any other purpose.
11. No injury must be caused to the amenity of the neighbourhood by the emission of noise, smoke, smell, vibration, gases, vapours, odours, dust, particular matter, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health, the exposure to view of any unsightly matter or otherwise.
12. The use of the premises must not give rise to:
 - a) transmission of unacceptable vibration to any place of different occupancy;
 - b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content as described in the NSW Environment Protection Authority's Environmental Noise Control Manual and Industrial Noise Policy 2000 and The Protection of the Environment Operations Act 1997 (NSW).
13. A separate application must be submitted to, and approved by, Council prior to the erection of any advertisements or advertising structures.
14. No storage of goods or equipment external to any building on the site being permitted.
15. No signs or goods must be displayed for sale or stored on the footpath in front of the premises at any time without the prior approval of Council.
16. All loading and unloading in connection with the use must be carried out between 9.00am and 6.00pm in such a manner as not to cause inconvenience to the public.
17. All machinery must be installed in accordance with the manufacturer's specifications and being maintained at all times if in use.
18. The hours of operation must be restricted to between the hours of 12.00pm to 10.00pm Sunday to Thursday and 12.00pm to 12.00am (midnight) Friday and Saturday.



Attachment A – Conditions of Consent
285 MARRICKVILLE ROAD, MARRICKVILLE

19. The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property.
20. All trade waste must be stored within the site boundaries and must be contained in such a manner so as not to cause a nuisance.
21. All building work must be carried out in accordance with the provisions of the National Construction Code (Building Code of Australia).
22. The construction, fitout and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the Food Act 2003 and AS 4674 - Design, Construction and Fitout of Food Premises.

NOTE: Copies of AS 4674-2004 may be obtained from the Standards Australia Customer Service on telephone 1300 65 46 46 or by visiting the website www.standards.com.au

Copies of the Food Standards Code (Australia) may be obtained by contacting the Food Standards Australia and New Zealand Authority on telephone (02) 6271 2222, email info@foodstandards.gov.au or by visiting the website www.foodstandards.gov.au.

23. The storage and/or handling of food products externally of the approved food premises are prohibited.
24. The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.
25. The manager/licensee must ensure that immediately after the licensee or a staff member becomes aware of any incident involving an act of violence causing an injury to a person on the premises, the following is adhered to:
 - a) The manager/licensee and/or staff take all practical steps to preserve and keep intact the area where the act of violence occurred, retain all material and implements associated with the act of violence in accordance with the Crime Scene Preservation Guidelines issued by the NSW Police.
26. The licensee must maintain a closed-circuit television system on the premises in accordance with the following requirements:
 - a) The system must record continuously from opening time until one hour after the last person (including employees/contractors) have left the premises.
 - b) Recording must be in digital format and a minimum of 15 frames per second.
 - c) Any recorded image must specify the time and date of the recorded image; and the system's camera must cover the following areas:
 - (i) all entry and exit points on the premises,
 - (ii) the footpath immediately adjacent to the premises,
 - (iii) all publicly accessible areas (other than the toilets) on the premises.

The Licensee must also keep all recordings made by the CCTV system for at least 30 days and ensure that at least one member of staff is on the premises at all times the system is operating who is able to access and fully operate the system, including downloading and producing recordings of CCTV footage and provide any recordings made by the system to a

police officer or inspector within 24 hours of any request by a Police officer or Inspector to provide such recording.

27. The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) by more than 5dB between 07:00 am and 12:00 midnight at the boundary of any affected residence. Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 07:00 am. For the purposes of this condition, the LA10 can be taken as the average maximum deflection of the noise emission from the licensed premises.
28. Service of alcohol and entertainment must cease 30 minutes before the required closing time.
29. Maximum capacity of the internal area of the venue must not exceed 52 patrons.
30. A copy of the Notice of Determination must be kept on the premises and made available with the Liquor Licence and the authorised Plan of Management for inspection immediately upon request by Council Officers or Police Officers.

BEFORE COMMENCING DEMOLITION, EXCAVATION AND/OR BUILDING WORK

31. No work must commence until:
 - a) A PCA has been appointed. Where an Accredited Certifier is the appointed, Council must be notified within 2 days of the appointment; and
 - b) A minimum of 2 days written notice given to Council of the intention to commence work.
32. A Construction Certificate must be obtained before commencing building work. Building work means any physical activity involved in the construction of a building. This definition includes the installation of fire safety measures.
33. Sanitary facilities must be provided at or in the vicinity of the work site in accordance with the WorkCover Authority of NSW, Code of Practice 'Amenities for Construction'. Each toilet must be connected to the sewer, septic or portable chemical toilet before work commences.

Facilities must be located so that they will not cause a nuisance.
34. All demolition work must:
 - a) Be carried out in accordance with the requirements of Australian Standard AS 2601 'The demolition of structures' and the Occupational Health and Safety Act and Regulations; and
 - b) Where asbestos is to be removed it must be done in accordance with the requirements of the WorkCover Authority of NSW and disposed of in accordance with requirements of the Department of Environment, Climate Change and Water.
35. Where any loading, unloading or construction is to occur from a public place, Council's Infrastructure Services Division must be contacted to determine if any permits or traffic management plans are required to be obtained from Council before work commences.
36. The site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property, before work commences.



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285 MARRICKVILLE ROAD, MARRICKVILLE

37. A rigid and durable sign must be erected in a prominent position on the site, before work commences. The sign must be maintained at all times until all work has been completed. The sign must include:
- a) The name, address and telephone number of the PCA;
 - b) A telephone number on which Principal Contractor (if any) can be contacted outside working hours; and
 - c) A statement advising: 'Unauthorised Entry To The Work Site Is Prohibited'.
38. The person acting on this consent must be responsible for arranging and meeting the cost of dilapidation reports prepared by a suitably qualified person. The reports are to include colour photographs and are to be submitted to the Certifying Authority's satisfaction, with a colour copy being provided to Council and the respective property owner(s) of the identified properties, before work commences, on the buildings on the adjoining properties at 283 Marrickville Road and 287 Marrickville Road, if the consent of the adjoining property owner(s) can be obtained. In the event that the consent of the adjoining property owner(s) cannot be obtained copies of the letter/s that have been sent via registered mail and any responses received must be forwarded to the PCA before work commences.
39. All wastewater arising from the use of the premises must be directed to the Sewers of the Sydney Water Corporation (SWC) under a Trade Waste License Agreement. The person acting on this consent is advised that pre treatment of wastewater may be a requirement of the corporation prior to the discharge to sewer. Details of the Corporation's requirements must be obtained prior to the commencement of work.
40. Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent shall obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the Local Government Act 1993 and/or Section 138 of the Roads Act 1993. Permits are required for the following activities:
- a) Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application.
 - b) A concrete pump across the roadway/footpath
 - c) Mobile crane or any standing plant
 - d) Skip bins
 - e) Scaffolding/Hoardings (fencing on public land)
 - f) Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.
 - g) Awning or street verandah over footpath
 - h) Partial or full road closure
 - i) Installation or replacement of private stormwater drain, utility service or water supply

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities.

Applications for such Permits shall be submitted and approved by Council prior to the commencement of the works associated with such activity or issue of the Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

41. Before the issue of a Construction Certificate an amended plan shall be submitted to the Certifying Authority's satisfaction addressing the applicable requirements of The Disability (Access to Premises – buildings) Standards 2010 (the Premises Standards).



**Attachment A – Conditions of Consent
285 MARRICKVILLE ROAD, MARRICKVILLE**

- 42. Prior to the issue of a Construction Certificate an amended plan shall be submitted to the Principal Certifying Authority's satisfaction demonstrating that the window and door frames of the front elevation are timber not aluminium.
- 43. Evidence of payment of the building and construction industry Long Service Leave Scheme, must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate. (The required payment can be made at the Council Offices).

NOTE: The required payment is based on the estimated cost of building and construction works and the long service levy rate, set by the Long Service Payments Corporation. The rate set by the Long Service Payments Corporation is currently of 0.35% of the cost of the building and construction work.

For more information on how to calculate the amount payable and where payments can be made contact the Long Services Payments Corporation.
http://www.lspc.nsw.gov.au/levy_information/?levy_information/levy_calculator.stm

- 44. To ensure the adequate storage and collection of waste from the occupation or the use of the food premises, all garbage and recyclable materials emanating from the premises must be stored in a designated waste storage area. The waste storage area must be designed and constructed in accordance with AS 4674 - Design, Construction and Fitout of Food Premises, and must be:
 - a) Provided with a hose tap connected to the water supply;
 - b) Paved with impervious floor materials;
 - c) Coved at the intersection of the floor and walls;
 - d) Graded and drained to a waste disposal system in accordance with the relevant regulatory authority (Sydney Water);
 - e) Adequately ventilated (mechanically or naturally) so that odour emissions do not cause offensive odour as defined by the Protection of the Environment Operations Act 1997; and
 - f) Fitted with appropriate interventions to meet fire safety standards in accordance with the National Construction Code (Building Code of Australia).

Detailed plans and specifications for the construction of the waste storage area must be submitted to the Certifying Authority's satisfaction before the issue of a Construction Certificate.

- 45. Prior to the commencement of demolition works or a Construction Certificate being issued for works approved by this development consent (whichever occurs first), a security deposit and inspection fee must be paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit (FOOT)	\$2100.00
Inspection fee (FOOTI)	\$225.00

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.



Attachment A – Conditions of Consent
285 MARRICKVILLE ROAD, MARRICKVILLE

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed and a final Occupation Certificate issued.

The amount nominated is only current for the financial year in which the consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

Requirements of this condition are to be met prior to works commencing or prior to release of a Construction Certificate (whichever occurs first). Details demonstrating compliance with the requirements of this condition are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate.

46. Prior to issue of Construction Certificate, an acoustic report prepared by a suitably qualified and experienced acoustic consultant shall be provided to the satisfaction of the Principal Certifying Authority demonstrating that noise and vibration from the operation of the premises including the use, plant and equipment will satisfy the stipulated criteria above and relevant provisions of the Protection of the Environment Operations Act 1997 and Regulations and relevant state and local policies and guidelines. Recommendations must be consistent with the approved plans.

Details demonstrating compliance with the requirements of this condition are to be submitted to the Principal Certifying Authority for approval prior to the issue of any Construction Certificate.

47. Prior to issue of a Construction Certificate detailed plans and specifications demonstrating compliance with Section 2.4 of Australian Standard 4674-2004 for the Design, Construction and Fitout of Food Premises shall be submitted to and approved by the Principal Certifying Authority.

SITE WORKS

48. Unless otherwise approved by Council, excavation, demolition, construction or subdivision work shall only be permitted during the following hours:
- a) 7:00 am to 6.00 pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
 - b) 8:00 am to 1:00 pm on Saturdays with no demolition works occurring during this time; and
 - c) at no time on Sundays or public holidays.

Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.

In the case that a standing plant or special permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving shall be limited to:

8:00 am to 12:00 pm, Monday to Saturday; and
2:00 pm to 5:00 pm Monday to Friday.

The Proponent shall not undertake such activities for more than three continuous hours and shall provide a minimum of one 2 hour respite period between any two periods of such works.

“Continuous” means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Reason: To minimise the effect of the development during the construction period on the amenity of the surrounding neighbourhood.

49. The area surrounding the building work must be reinstated to Council's satisfaction upon completion of the work.
50. The placing of any materials on Council's footpath or roadway is prohibited, without the consent of Council. The placement of waste storage containers in a public place requires Council approval and must comply with Council's Policy - 'Placement of Waste Storage Containers in a Public Place'.
51. All demolition work must be carried out in accordance with the following:
 - a) compliance with the requirements of Australian Standard AS 2601 'The demolition of structures' with specific reference to health and safety of the public, health and safety of the site personnel, protection of adjoining buildings and protection of the immediate environment;
 - b) all works involving the demolition, removal, transport and disposal of asbestos cement must be carried out in accordance with the 'Worksafe Code of Practice for Removal of Asbestos' and the requirements of the WorkCover Authority of NSW and the Department of Environment, Climate Change and Water;
 - c) all building materials arising from the demolition must be disposed of in an approved manner in accordance with Part 2.21 of Marrickville Development Control Plan 2011 – Site Facilities and Waste Management and any applicable requirements of the Department of Environment, Climate Change and Water;
 - d) sanitary drainage, stormwater drainage, water, electricity and telecommunications must be disconnected in accordance with the requirements of the responsible authorities;
 - e) the generation of dust and noise on the site must be controlled;
 - f) the site must be secured to prohibit unauthorised entry;
 - g) suitable provision must be made to clean the wheels and bodies of all vehicles leaving the site to prevent the tracking of debris and soil onto the public way;
 - h) all trucks and vehicles associated with the demolition, including those delivering to or removing material from the site, must only having access to the site during work hours nominated by Council and all loads must be covered;
 - i) all vehicles taking materials from the site must be loaded wholly within the property unless otherwise permitted by Council;

- j) no waste collection skips, spoil, excavation or demolition material from the site must be deposited on the public road, footpath, public place or Council owned property without the approval of Council; and
 - k) the person acting on this consent must ensure that all contractors and sub-contractors associated with the demolition are fully aware of these requirements.
52. The works must be inspected at critical stages of construction, by the PCA or if the PCA agrees, by another certifying authority. The last inspection can only be carried out by the PCA. The critical stages of construction are:
- a) At the commencement of the building work;
 - b) For Class 2, 3 and 4 buildings, prior to covering waterproofing in any wet areas (a minimum of 10% of wet areas within a building);
 - c) Prior to covering any stormwater drainage connections, and after the building work has been completed and prior to any occupation certificate being issued in relation to the building; and
 - d) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

You are advised to liaise with your PCA to establish if any additional inspections are required.

53. All vehicles carrying materials to, or from the site must have their loads covered with tarpaulins or similar covers.
54. A clear unobstructed path of travel of not less than 1,000mm must be provided to all exits and paths of travel to exits.
55. Fixtures for bathroom and kitchen taps, showerheads, dishwashers, toilet cisterns and urinals must have a minimum 3 Star WELS rating.
NOTE: Information on the star rating scheme, and all 'star' rated products are available to view at the Water Efficiency Labelling and Standards (WELS) website: www.waterrating.gov.au.
56. New or replacement toilets must have a minimum 3 Star WELS rating and being 6/3 litre dual flush or more efficient.
NOTE: Information on the star rating scheme, and all 'star' rated products are available to view at the Water Efficiency Labelling and Standards (WELS) website: www.waterrating.gov.au.

BEFORE OCCUPATION OF THE BUILDING

57. You must obtain an Occupation Certificate from your PCA before you occupy or use the building. The PCA must notify the Council of the determination of the Occupation Certificate and forward the following documents to Council within 2 days of the date of the Certificate being determined:
- a) A copy of the determination;
 - b) Copies of any documents that were lodged with the Occupation Certificate application;
 - c) A copy of Occupation Certificate, if it was issued;
 - d) A copy of the record of all critical stage inspections and any other inspection required by the PCA;
 - e) A copy of any missed inspections; and
 - f) A copy of any compliance certificate and any other documentary evidence relied upon in issuing the Occupation Certificate.

58. Occupation of the building must not be permitted until such time as:
- All preconditions to the issue of an Occupation Certificate specified in this development consent have been met;
 - The building owner obtains a Final Fire Safety Certificate certifying that the fire safety measures have been installed in the building and perform to the performance standards listed in the Fire Safety Schedule; and
 - An Occupation Certificate has been issued.
59. The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, must:
- Forward a copy of the Final Safety Certificate and the current Fire Safety Schedule to the Commissioner of Fire and Rescue New South Wales and the Council; and
 - Display a copy of the Final Safety Certificate and Fire Safety Schedule in a prominent position in the building (i.e. adjacent the entry or any fire indicator panel).

Every 12 months after the Final Fire Safety Certificate is issued the owner must obtain an Annual Fire Safety Certificate for each of the Fire Safety Measures listed in the Schedule. The Annual Fire Safety Certificate must be forwarded to the Commissioner and the Council and displayed in a prominent position in the building.

60. Prior to the commencement of business operations/issue of an Occupation Certificate the owner of the business is to complete and submit Council's food business registration form which can be obtained from Council's website at www.innerwest.nsw.gov.au. Evidence of registration must be submitted to the Principal Certifying Authority.
61. Before the commencement of food handling operations, the food business operator must notify the NSW Food Authority. You may notify the NSW Food Authority via the Internet on www.foodnotify.nsw.gov.au or by contacting the Council for a notification form.
62. The existing whiteway lighting scheme and any existing meter box being maintained and incorporated into the design of the development. Any defects (including the need to install a "special small service") in the system shall be repaired at no cost to Council and before the issue of the Occupation Certificate.
63. A report prepared by a suitably qualified and experienced acoustic consultant shall be submitted to Council prior to an Occupation Certificate being issued for the development which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of the *Protection of the Environment Operations Act 1997*, NSW Environment Protection Authority's Industrial Noise Policy and Noise Control Manual and conditions of Council's approval, including any recommendations of the acoustic report referenced in the conditions of the approval.

Details demonstrating compliance with the requirements of this condition is to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of any Occupation Certificate.

ADVISORY NOTES

- The Disability Discrimination Act 1992 (Commonwealth) and the Anti-Discrimination Act 1977 (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.



Attachment A – Conditions of Consent
285 MARRICKVILLE ROAD, MARRICKVILLE

- A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out.
- The approved plans must be submitted to the Customer Centre of any office of Sydney Water before the commencement of any work to ensure that the proposed work meets the requirements of Sydney Water. Failure to submit those plans before commencing work may result in the demolition of the structure if found not to comply with the requirements of Sydney Water.
- Buildings built or painted before the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned before occupation of the room or building.
- Contact "Dial Before You Dig" before commencing any building activity on the site.
- Useful Contacts

BASIX Information	☎ 1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	☎ 13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Before You Dig	☎ 1100 www.dialbeforeyoudig.com.au
Landcom	☎ 9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	☎ 131441 www.lspc.nsw.gov.au
NSW Food Authority	☎ 1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diySAFE.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	☎ 131 555 www.environment.nsw.gov.au
Sydney Water	☎ 13 20 92 www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	☎ 1300 651 116 www.wasteservice.nsw.gov.au

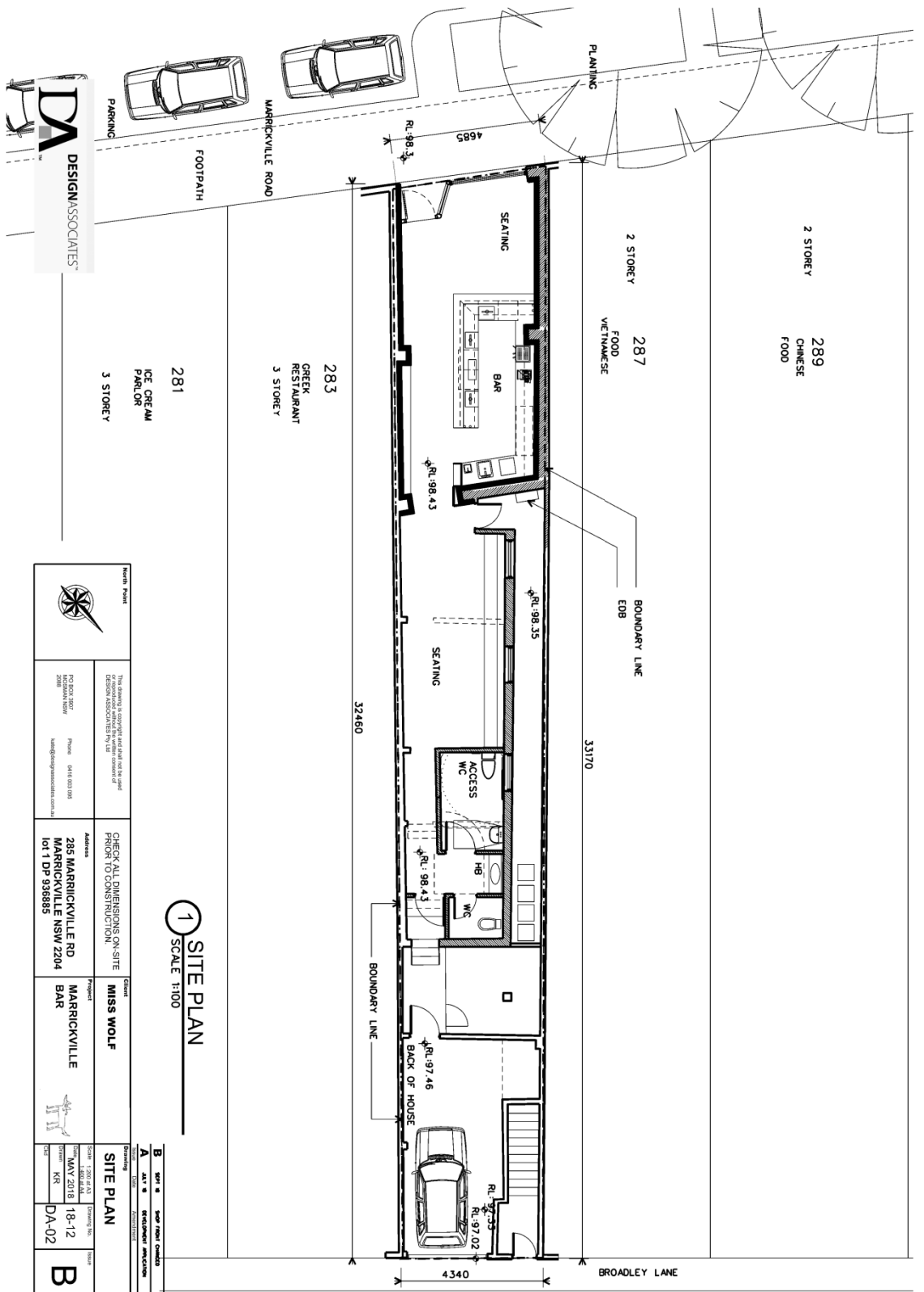


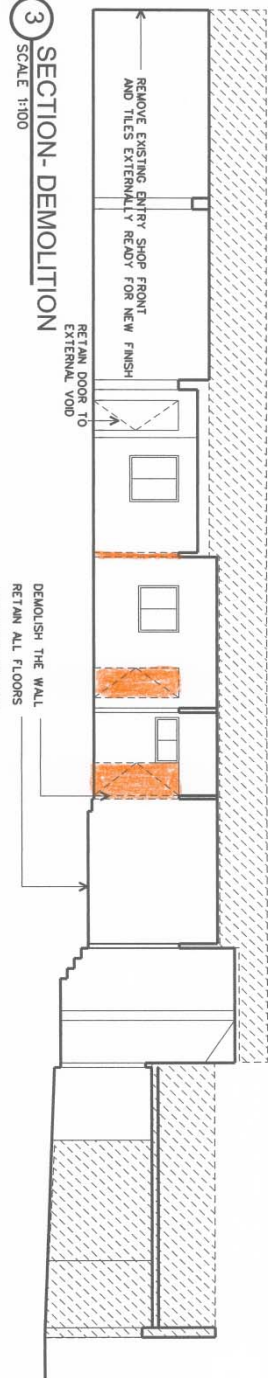
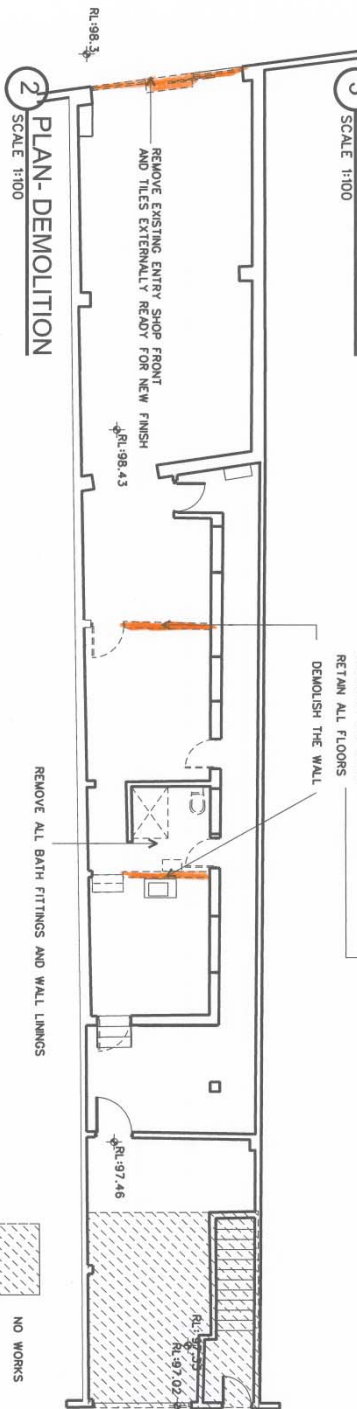
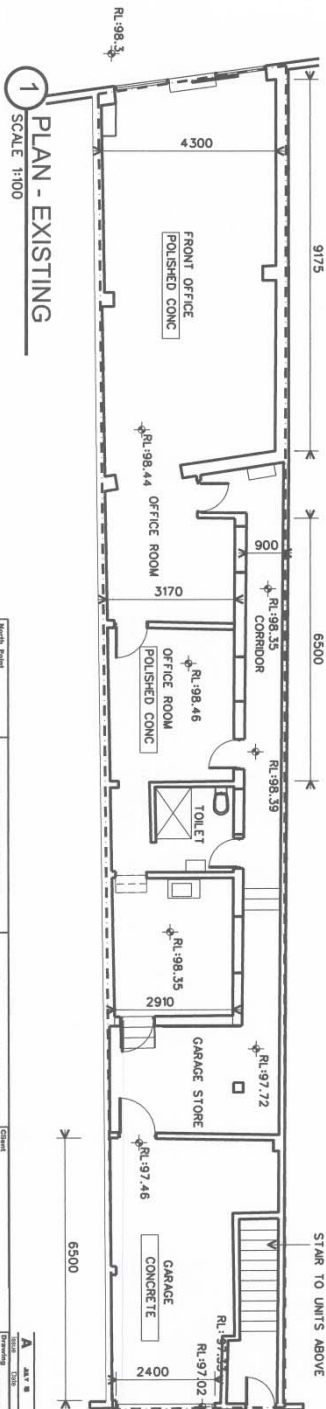
Attachment A – Conditions of Consent
285 MARRICKVILLE ROAD, MARRICKVILLE

Water Efficiency Labelling and Standards (WELS) www.waterrating.gov.au

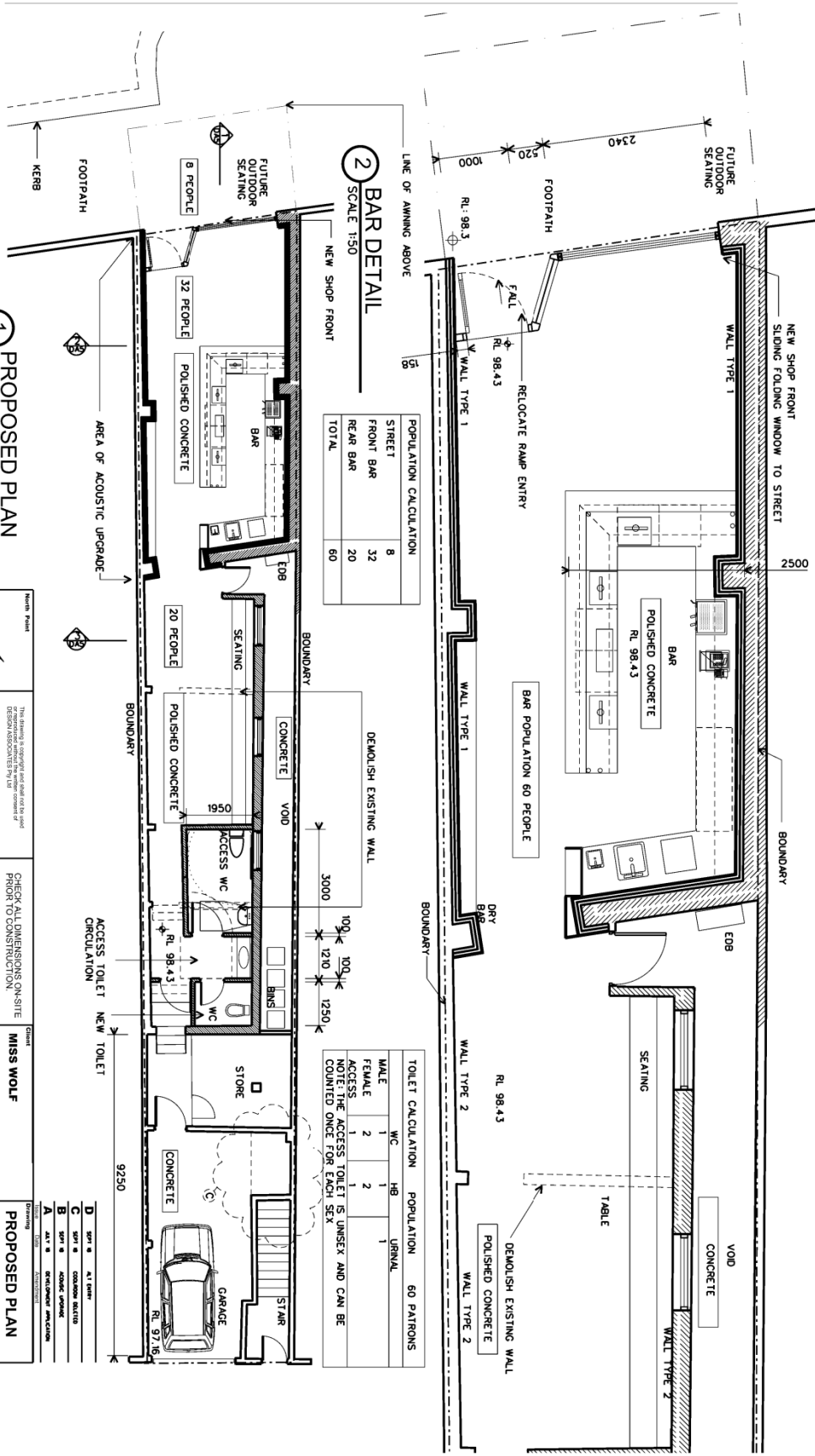
WorkCover Authority of NSW ☎ 13 10 50
www.workcover.nsw.gov.au
Enquiries relating to work safety and asbestos removal and disposal.

Attachment B – Plans of proposed development





<p>North Point</p>		<p>The Applicant is required to verify that the information provided in this document is true and correct to the best of their knowledge and belief.</p>	
<p>DA DESIGN ASSOCIATES 10/100, 2007 MARRICKVILLE NSW 2008 Phone: 02 9516 0300 Email: info@designassociates.com.au</p>	<p>Address 285 MARRICKVILLE RD MARRICKVILLE NSW 2204 Lot 1 DP 9389885</p>	<p>Client MISS WOLF</p>	<p>Project MARRICKVILLE BAR</p>
<p>Check all dimensions on-site prior to construction.</p>		<p>Scale 18-12 Drawing No. DA-03</p>	
<p>DATE: 18-12-2018</p>		<p>PROJECT: EXISTING & DEMOLITION</p>	
<p>DATE: 18-12-2018</p>		<p>PROJECT: EXISTING & DEMOLITION</p>	



2 BAR DETAIL
SCALE 1:50

POPULATION CALCULATION

STREET	8
FRONT BAR	32
REAR BAR	20
TOTAL	60

1 PROPOSED PLAN
SCALE 1:100

TOILET CALCULATION

MALE	WC	HB	URINAL	POPULATION	60 PATRONS
FEMALE	2	2	1		
ACCESS	1	1	1		

NOTE: THE ACCESS TOILET IS UNISEX AND CAN BE COUNTED ONCE FOR EACH SEX

North Point

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Project: MISS WOLF

Address: 285 MARRICKVILLE RD, MARRICKVILLE NSW 2204, Lot 1 DP 938885

Client: MARRICKVILLE BAR

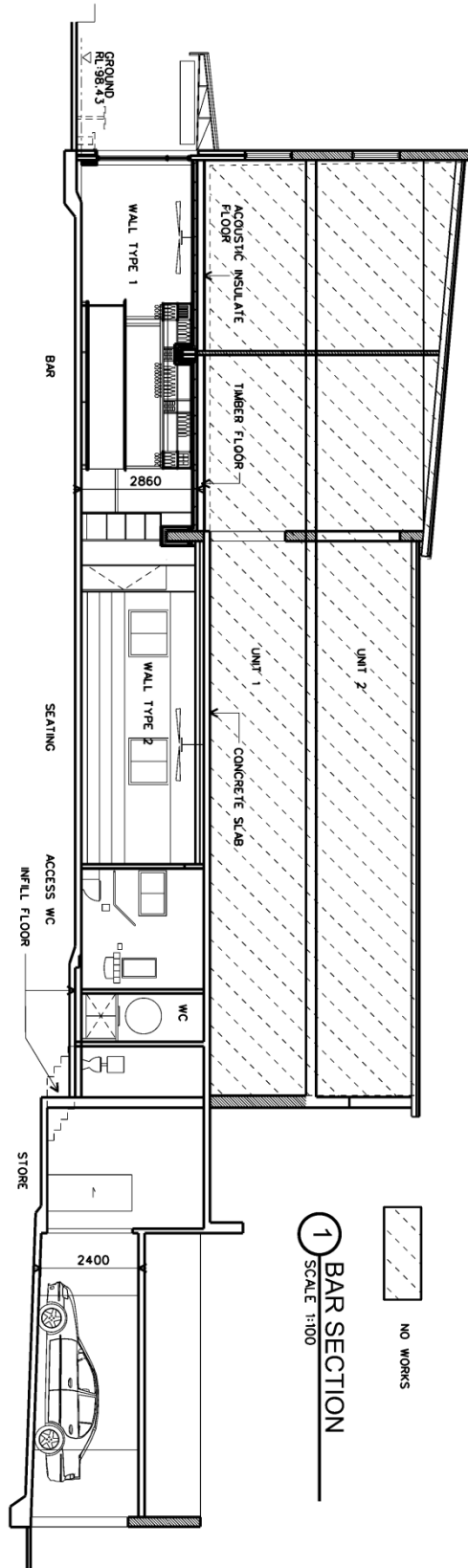
Drawn: HR

Checked: HR

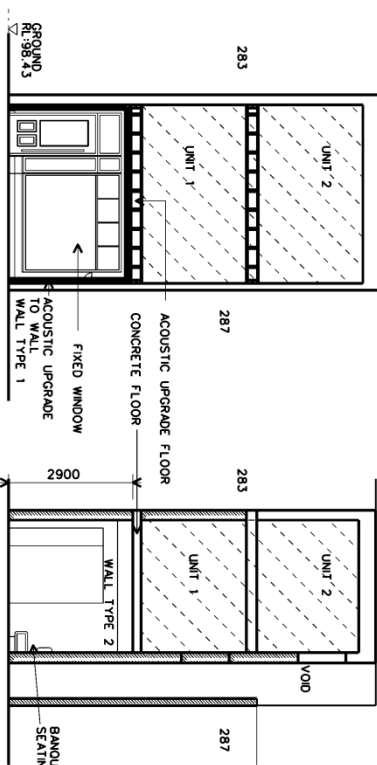
Date: 18-12-2018

Project No: DA-04

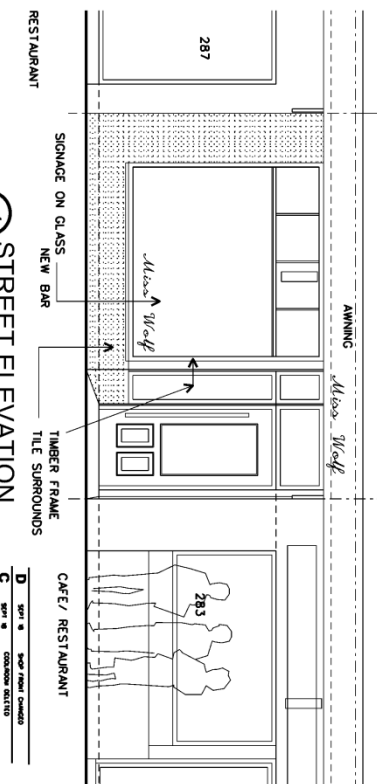
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1 BAR SECTION
SCALE 1:100



2 BAR SECTION
SCALE 1:100

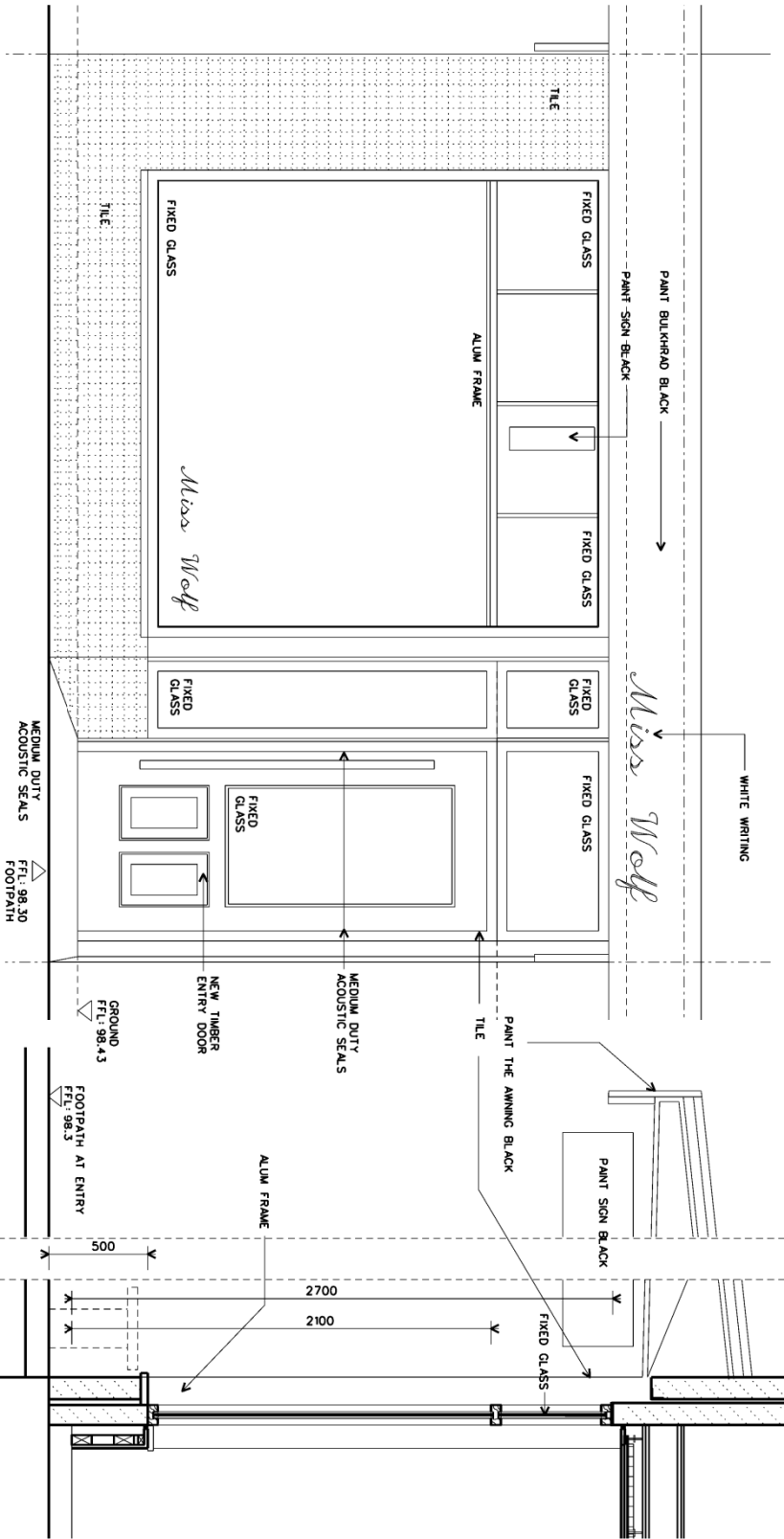


3 BAR SECTION
SCALE 1:100

4 STREET ELEVATION
SCALE 1:50



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<p>PO BOX 2007 2088 MARRICKVILLE NSW</p>	<p>Phone: 0418 002 085 marr@designassociates.com.au</p>	<p>Address: 285 MARRICKVILLE RD MARRICKVILLE NSW 2204 lot 1 DP 936885</p>	<p>Project: MARRICKVILLE BAR</p>
<p>Check all dimensions on-site prior to construction.</p>		<p>Internal Elevations Street Elevation</p>	
<p>DATE: 18/05/2018</p>		<p>DATE: 18-12</p>	
<p>BY: KR</p>		<p>DA-05</p>	
<p>PROJECT NO: DA-05</p>		<p>DATE: 18-12</p>	



1 STREET ELEVATION
SCALE 1:20

2 STREET SECTION
SCALE 1:20

<p>Notes:</p> <p>The drawing is original and shall not be used in any other project without the consent of DESIGN ASSOCIATES Pty Ltd.</p>		<p>Client: MISS WOLF</p>	
<p>Address: 285 MARRICKVILLE RD MARRICKVILLE NSW 2204 lot 1 DP 936885</p>		<p>Project: MARRICKVILLE BAR</p>	
<p>PO BOX 2027 MARRICKVILLE NSW 2208</p> <p>Phone: 0418 003 085</p> <p>www.designassociates.com.au</p>		<p>Shop Front Street Elevation</p> <p>Scale: 1:20 A3</p> <p>Client: MAY 2018</p> <p>Drawn by: KR</p> <p>Date: DA-06</p>	
<p>Check all dimensions on-site prior to construction.</p>		<p>Shop Front</p> <p>Scale: 1:20 A3</p> <p>Client: MAY 2018</p> <p>Drawn by: KR</p> <p>Date: DA-06</p>	





285 Marrickville Road Marrickville Bar/ Cafe – FINISHES



Existing street

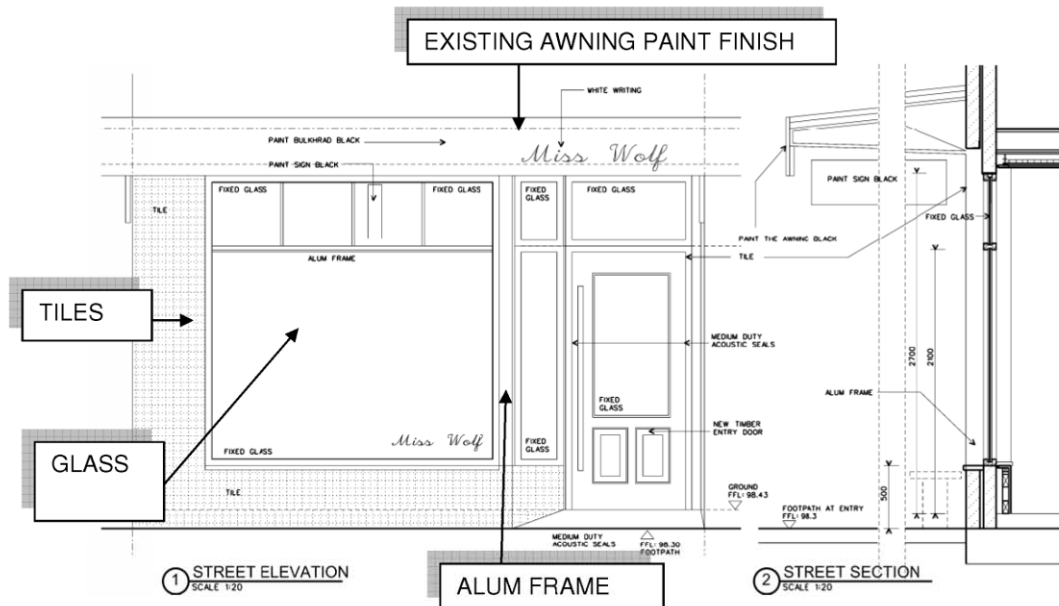


Fig 2 Proposed elevation

PROJECT: 285 Marrickville Rd Marrickville FINISHES Issue B.

PREPARED BY DESIGN ASSOCIATES

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Col 1	<ul style="list-style-type: none">• Monument- Awning	 A rectangular area that has been completely blacked out, obscuring any image or text that might have been there.
Tile	<ul style="list-style-type: none">• Tile to shop front- high glass subway- green• Timber door, aluminium framed	 A photograph of a shop front. The wall is covered in small, square, green subway-style tiles. A large, multi-paned timber door with an aluminium frame is the central feature. The door has a small sign on it. The interior of the shop is visible through the glass panes, showing a lamp and some items.

Attachment C – Noise Impact Statement



285 MARRICKVILLE ROAD, MARRICKVILLE
SMALL BAR NOISE IMPACT ASSESSMENT

REPORT NO. 18192
VERSION A

JULY 2018

PREPARED FOR

MISS WOLF PTY LTD
1 AMY STREET
MARRICKVILLE NSW 2204



285 MARRICKVILLE ROAD, MARRICKVILLE
SMALL BAR NOISE IMPACT ASSESSMENT

REPORT NO. 18192 VERSION A

DOCUMENT CONTROL

Version	Status	Date	Prepared By	Reviewed By
A	Final	13 July 2018	Ash Stevens Sam Demasi	Brian Clarke

Note

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AAAC

This firm is a member firm of the Association of Australasian Acoustical Consultants and the work here reported has been carried out in accordance with the terms of that membership.



Celebrating 50 Years in 2012

Wilkinson Murray is an independent firm established in 1962, originally as Carr & Wilkinson. In 1976 Barry Murray joined founding partner Roger Wilkinson and the firm adopted the name which remains today. From a successful operation in Australia, Wilkinson Murray expanded its reach into Asia by opening a Hong Kong office early in 2006. Today, with offices in Sydney, Newcastle, Wollongong, Orange, Queensland and Hong Kong, Wilkinson Murray services the entire Asia-Pacific region.



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285 MARRICKVILLE ROAD, MARRICKVILLE
 SMALL BAR NOISE IMPACT ASSESSMENT

REPORT NO. 18192 VERSION A

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GLOSSARY OF ACOUSTIC TERMS

Most environments are affected by environmental noise which continuously varies, largely as a result of road traffic. To describe the overall noise environment, a number of noise descriptors have been developed and these involve statistical and other analysis of the varying noise over sampling periods, typically taken as 15 minutes. These descriptors, which are demonstrated in the graph below, are here defined.

Maximum Noise Level (L_{Amax}) – The maximum noise level over a sample period is the maximum level, measured on fast response, during the sample period.

L_{A1} – The L_{A1} level is the noise level which is exceeded for 1% of the sample period. During the sample period, the noise level is below the L_{A1} level for 99% of the time.

L_{A10} – The L_{A10} level is the noise level which is exceeded for 10% of the sample period. During the sample period, the noise level is below the L_{A10} level for 90% of the time. The L_{A10} is a common noise descriptor for environmental noise and road traffic noise.

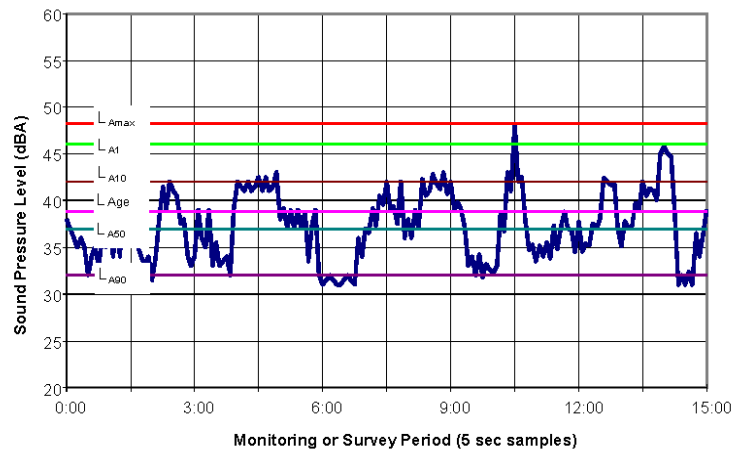
L_{A90} – The L_{A90} level is the noise level which is exceeded for 90% of the sample period. During the sample period, the noise level is below the L_{A90} level for 10% of the time. This measure is commonly referred to as the background noise level.

L_{Aeq} – The equivalent continuous sound level (L_{Aeq}) is the energy average of the varying noise over the sample period and is equivalent to the level of a constant noise which contains the same energy as the varying noise environment. This measure is also a common measure of environmental noise and road traffic noise.

ABL – The Assessment Background Level is the single figure background level representing each assessment period (daytime, evening and night time) for each day. It is determined by calculating the 10th percentile (lowest 10th percent) background level (L_{A90}) for each period.

RBL – The Rating Background Level for each period is the median value of the ABL values for the period over all of the days measured. There is therefore an RBL value for each period – daytime, evening and night time.

Typical Graph of Sound Pressure Level vs Time



1 INTRODUCTION

Wilkinson Murray Pty Limited has been engaged to prepare a Noise Impact Assessment to accompany a development application for a proposed small bar to be located at 285 Marrickville Road, Marrickville.

We have visited the site to understand the surrounding receivers and conduct background noise monitoring. Assessment of bar noise has been undertaken in relation to NSW Liquor and Gaming standard noise criteria as the relevant guideline required by the Marrickville Council DCP in Section 2.6. Standard EPA criteria are required to be satisfied for this aspect as required by the DCP in 2.6 C7.

2 SITE DESCRIPTION

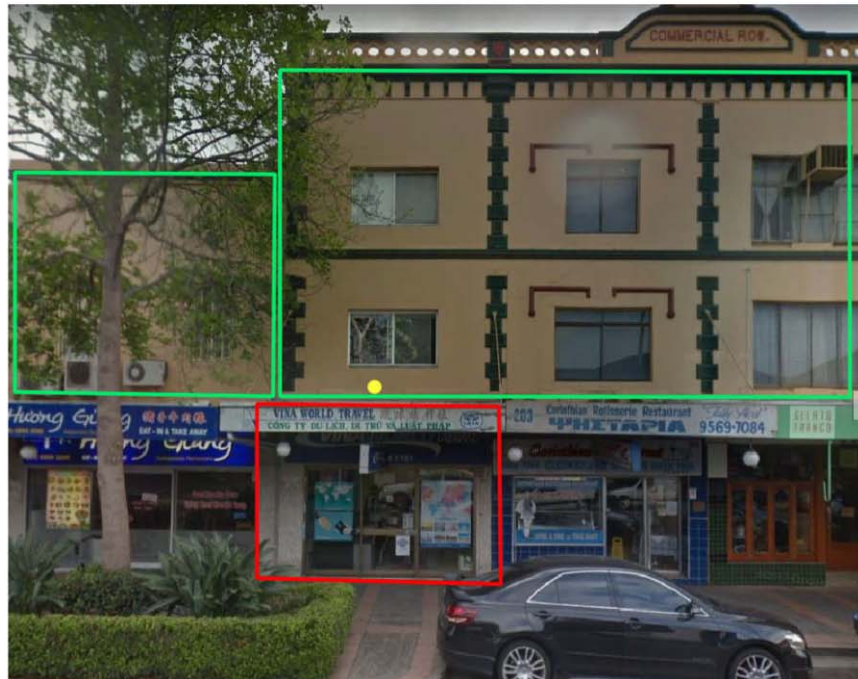
The bar is proposed to be located on the ground floor of 285 Marrickville Road, Marrickville. The property is in a row of three storey terraces with commercial properties on the ground floor and residential on the first and second floors.

The site location (outlined in red) is presented in Figure 2-1 and the front of the building is presented in Figure 2-2. Nearby residences are outlined in green and the location of the unattended noise monitoring is represented in yellow.

Figure 2-1 Aerial view of the site and surrounding area



Figure 2-2 View of the building from Marrickville Road



The bar proposes to operate between the following hours:

- Sunday to Thursday 12:00pm to 10:00pm
- Friday & Saturday 12:00pm to 12:00am

The immediate vicinity on Marrickville Road consists predominately of restaurants and other commercial premises. The nearest residential properties are the apartment directly above the proposed bar. The property has access at the rear via Malakoff Street, and opposite there are residential properties.

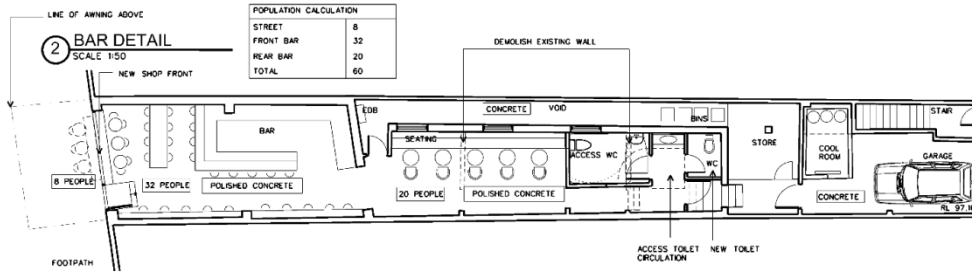
The bar will cater for up to 60 patrons who access the property via the door on Marrickville Road. Deliveries will come to the storeroom through the rear of the property via Malakoff Street, and only occur during daytime hours.

It is noted that the front bar is located directly below the residences above. The floor-ceiling separating these spaces is understood to be a timber joisted system. The rear bar incorporates a concrete slab floor-ceiling.

As such, the weakest link (acoustically) is the timber joisted floor system.

The floor plan is presented in Figure 2-3.

Figure 2-3 Proposed floor plan



3 NOISE CRITERIA

To assess the potential noise impact from the development, it is necessary to know the ambient noise levels in the area.

3.1 Unattended Noise Measurements

Long-term unattended noise monitoring was conducted between Friday 1 June 2018 and Tuesday 12 June 2018. The monitor was located on the awning of the premises as shown in Figure 2-2.

The noise monitoring equipment used for this measurement consisted of a SVAN 977 environmental noise logger set to A-weighted, fast response, continuously monitoring in 0.1 second intervals for later detailed analysis of required descriptors. The equipment calibration was checked before and after the survey and no significant drift was noted.

The analysis of the logger typically determines L_{Amax} , L_{A10} , L_{A90} and L_{Aeq} levels of the ambient noise. L_{A10} and L_{A90} are the levels exceeded for 10% and 90% of the sample time respectively (see Glossary of Acoustic Terms for definitions). The L_{Amax} is indicative of maximum noise levels due to individual noise events. This is used for the assessment of sleep disturbance. The L_{A90} level is normally taken as the background noise level during the relevant period. The L_{Aeq} is the energy average level which is widely used in many standards and guidelines to assess potential noise impact.

The results of the unattended monitoring and octave L_{A90} results for hours relevant to the operation of the bar are presented in Table 3-1 and Table 3-2 and shown graphically in Appendix A.

Table 3-1 Measured background and ambient noise levels

Period	L_{Aeq} (dBA)	RBL (dBA)
Day (7:00am – 6:00pm)	67	55
Evening (6:00pm – 10:00pm)	67	54
Night (12:00am – 7:00am)	63	44
PM Shoulder (10:00pm – 12:00am)	64	48

Table 3-2 Measured $L_{A90,period}$ octave background levels

Period	Frequency (Hz)								
	31.5	63	125	250	500	1K	2K	4K	8K
Day (7:00am – 6:00pm)	22	36	40	44	47	51	49	42	33
Evening (6:00pm – 10:00pm)	19	32	38	43	48	50	48	40	31
Night (10:00pm – 7:00am)	9	21	27	30	35	41	39	31	22
PM Shoulder (10:00pm – 12:00am)	14	28	32	35	39	45	42	34	24

It was not possible to obtain access to the apartment in the evening or night period to determine background levels. Internal background levels have therefore been estimated based on previous Wilkinson Murray measurements, as well as considering Australian Standard 2107 *Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors*.

Table 3-3 presents the more stringent measured internal noise level.

Table 3-3 Typical internal residential noise levels, $L_{A90,15min}$

	Frequency (Hz)								
	31.5	63	125	250	500	1K	2K	4K	8K
Typical internal noise level	2	11	19	16	17	17	14	13	9

3.2 Operational Noise Criteria

There are two aspects to consider; noise from patron/music and noise from mechanical plant.

3.2.1 Noise from Patron/Music from within the Bar

Noise from within licensed premises (patron/music) is required to comply with the Liquor Administration Board (LAB) noise criteria. This criterion address’s noise impact on nearby residential residences.

The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) by more than 5dB between 07:00am and 12:00 midnight at the boundary of any affected residence.

The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz - 8kHz inclusive) between 12:00 midnight and 07:00am at the boundary of any affected residence.

Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 07:00am.

Considering that the most impacted receiver is located above the bar, it is appropriate to assess the noise within this space using the LAB approach. This will lead to the most stringent noise criteria assessing the most impacted residential receivers. Table 3-4 presents the established criteria in octave bands. Only the worst-case period between 10:00pm and midnight has been considered. Both the internal and external criteria are presented.

It also presents the threshold of hearing (Tf) as defined in Table 1 of International Standard ISO 226: 2003 – Normal Equal-Loudness-Level Contours. In cases where a measured octave band L_{A90} is below the corresponding Tf, then the value of the Tf corresponding to that octave band centre frequency shall be used.

Table 3-4 Noise criteria for residence above bar

	Frequency (Hz)								
	31.5	63	125	250	500	1K	2K	4K	8K
Measured internal noise level	2	11	19	16	17	17	14	13	9
ISO 226 Tf	59.5	37.5	22.1	11.4	4.4	2.4	-1.3	-5.4	12.6
Adopted internal noise level	59	37	22	16	17	17	14	13	12
Internal noise criteria	64	42	27	21	22	22	19	18	16
Measured external noise level	14	28	32	35	39	45	42	34	24
Adopted external noise levels	59	37	32	35	39	45	42	34	24
External noise criteria	64	42	37	40	44	50	47	39	29

Note: Adopted levels have been rounded down.

3.2.2 Noise from Mechanical Plant

The NSW EPA *Noise Guide for Local Government (NGLG)* provides guidelines to Councils to establish site-specific noise criteria. This document references the NSW EPA *Industrial Noise Policy (INP)*.

Within this document, local councils are encouraged to develop noise policies which specify intrusive noise level criteria using appropriate noise level descriptors. This led to the development of the 'intrusiveness' criterion which assesses noise above the ambient noise level.

The intrusiveness criterion requires that the L_{Aeq} noise level from the source being assessed, when measured over 15 minutes, should not exceed the Rating Background Noise Level (RBL) by more than 5dBA.

The site-specific intrusiveness criteria for the mechanical plant is presented in Table 3-5.

Table 3-5 Noise criteria for mechanical plant

Period	RBL (dBA)	Criteria (dBA)
Day (7:00am – 6:00pm)	55	60
Evening (6:00pm – 10:00pm)	54	58
Night (10:00pm – 7:00am)	44	49
PM Shoulder (10:00pm – 12:00am)	48	53

4 NOISE ASSESSMENT

As mentioned previously, both noise from patron/music and noise from mechanical plant are to be considered.

Currently, there are limited developed details for mechanical plant and therefore it is recommended that a detailed assessment is considered before construction certificate. It is understood that any mechanical plant will be small in capacity, and likely only to be refrigeration and air-conditioning. These will be located internally within the garage. On this basis and in the professional opinion of Wilkinson Murray, there is ample opportunity to meet the noise criteria for mechanical plant considering:

- Selection of quiet plant with variable speed.
- Location of plant so that impacts to residential receivers is minimised.
- If required, acoustic absorption/barriers are to be installed to further reduce the noise impacts.
- Garage door must be closed at all times and any gaps acoustically treated.

Given the low risk associated with mechanical plant noise exceedances, the focus of this assessment will be on noise from within the bar.

4.1 Assumptions & Inputs

To predict noise impacts, the following information has been relied on:

- The floor ceiling between the residences above and front bar is a timber joisted system with an infield acoustic performance as measured onsite by WM to be a minimum D_w 43.
- A typical ceiling surface area of 19m² separates the front bar from each room above.
- The bar entrance door will be constructed from a minimum 6.38mm thick laminated glass and incorporate medium duty acoustic seals. The door is to remain closed after 10:00pm.
- Music (if played) will be low level background only using a small number of satellite speakers.
- Worst case scenario will be the bar occupying up to 60 patrons between 10:00pm to midnight on Friday and Saturday nights.

Of the 60 patrons, the front bar will occupy up to 32 patrons, of which up to 16 (50%) would be talking at any time with 8 using a normal voice effort and 8 using a raised voice effort. The voice level efforts are based on ANSI 3.5 *American National Standard – Methods for Calculation of the Speech Intelligibility Index* (1997, R2017) and on this basis the values in Table 4-1 represent the assumed typical noise emissions from within this proposed small bar.

Table 4-1 Assumed L_{A10} reverberant noise level emission from within front bar

	Frequency (Hz)								
	31.5	63	125	250	500	1K	2K	4K	8K
32 patrons with low level background music	41	55	64	73	80	77	69	62	53

4.2 Predicted Level & Exceedances

Considering the assumptions and inputs as per Section 4.1, Table 4-2 provides a summary of the predicted noise, criteria and exceedances.

Table 4-2 Predicted noise levels, criteria and exceedances

	Frequency (Hz)								
	31.5	63	125	250	500	1K	2K	4K	8K
Predicted noise in typical bedroom	18	32	35	41	35	24	18	7	0
Internal noise criteria	64	42	27	21	22	22	19	18	16
Exceedances of internal noise criteria	Nil	Nil	<i>8</i>	<i>20</i>	<i>13</i>	<i>2</i>	Nil	Nil	Nil
Predicted noise outside bedroom window	0	11	17	24	28	24	16	9	0
External noise criteria	64	42	37	40	44	50	47	39	29
Exceedances of external noise criteria	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

As can be seen from the above table considering noise in the typical bedroom, exceedances are predicted for octave bands between 125Hz and 1kHz inclusive (***bold italics***) and, as such, mitigation is required. Indicative mitigation is provided in the following section.

The noise predicted outside the bedroom window is well below the external noise criteria and does not contribute to the internal noise level.

5 MITIGATION

There are several indicative mitigation strategies that can be applied. For this project, they can be divided into the following:

1. Upgrade of the existing floor-ceiling system to improve the transmission loss between the front bar and residences above.
2. Provide treatment to the surfaces of the front bar to reduce the reverberant sound within the front bar.
3. Reduce the volume of music played and ensure that the system does not provide for bass below 250Hz.
4. Other management strategies.

It is most likely that a combination of the above will be required to meet the noise criteria between 10:00pm and midnight. The final solution(s) can be determined during the detailed design stage and before construction certificate. However, in consultation with the operators of the bar, the following strategy (in concept) is provided. It should be noted that the mitigation is based on the front bar at capacity even during the period 10:00pm to midnight.

5.1 Indicative Mitigation Strategy

Upgrading the floor-ceiling system (item 1 above) to improve the transmission loss between the front bar and residences above will provide the most benefit. The improvement required to the existing construction can be found in Table 4-2 (refer to row entitled "Exceedances of internal noise criteria").

The following indicative construction is provided:

- Remove ceiling lining from floor-ceiling and upgrade the flooring by adding loaded vinyl or similar from ceiling below (product to be nominally 8kg/m² surface density).
- Install bulk acoustic insulation within floor-ceiling cavity, such as polyester or glasswool of at least 14kg/m³ density and to cover at least 80% of the cavity depth.
- Install fire-rated plasterboard sheets (2 to 3) on resilient hangers/resilient clips. The final cavity depth will be determined with the architect and builder on site.
- Conduct final TL test and compliance tests to confirm noise criteria is met.

If further minor improvements are required, these can be easily addressed by:

- Surface treatment within the front bar space (i.e. acoustic panels on part of walls/ceiling).
- Manage noise within front bar by reducing music volume/installing noise limiter.

6 CONCLUSION

Wilkinson Murray Pty Limited has undertaken an operational noise impact assessment as part of a development application submission for a small bar at 285 Marrickville Road, Marrickville.

Two main noise issues (mechanical plant and patron/music noise) have been considered in concept appropriate for a development application submission. However, during detailed design and prior to the issuing of a construction certificate, a review of the final design and associated noise impacts is recommended.

The following (in concept) is required to ensure noise criteria are achieved:

Mechanical Plant

- Selection of quiet plant with variable speed.
- Location of plant so that impacts to residential receivers is minimised.
- If required, acoustic absorption/barriers are to be installed to further reduce the noise impacts.
- Garage door must be closed at all times and any gaps acoustically treated.

Patron/Music Noise

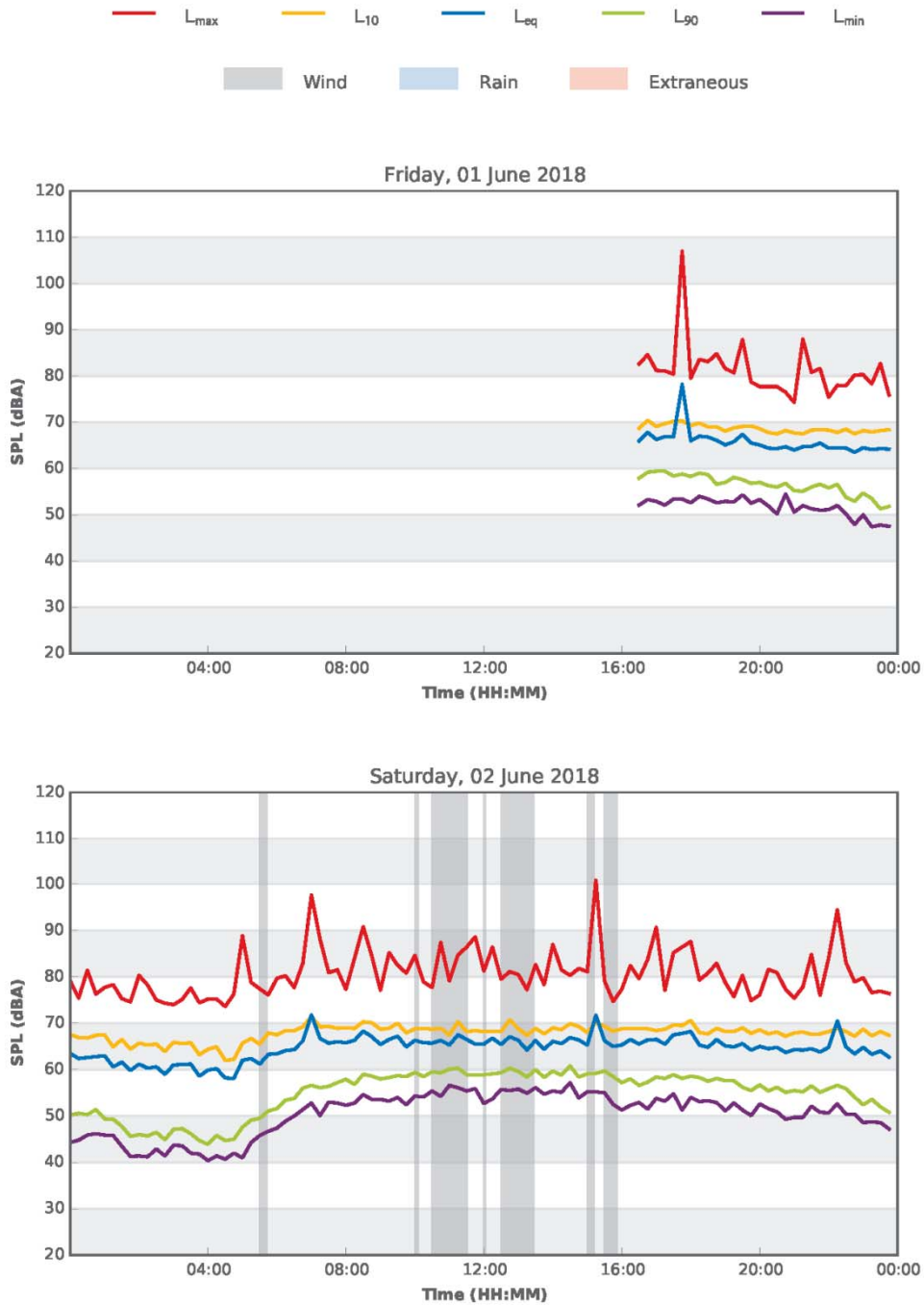
- Upgrade of the existing floor-ceiling system to increase the transmission loss and, if required:
 - Surface treatment within the front bar space (i.e. acoustic panels on part of walls/ceiling).
 - Manage noise within front bar by reducing music volume/installing noise limiter.



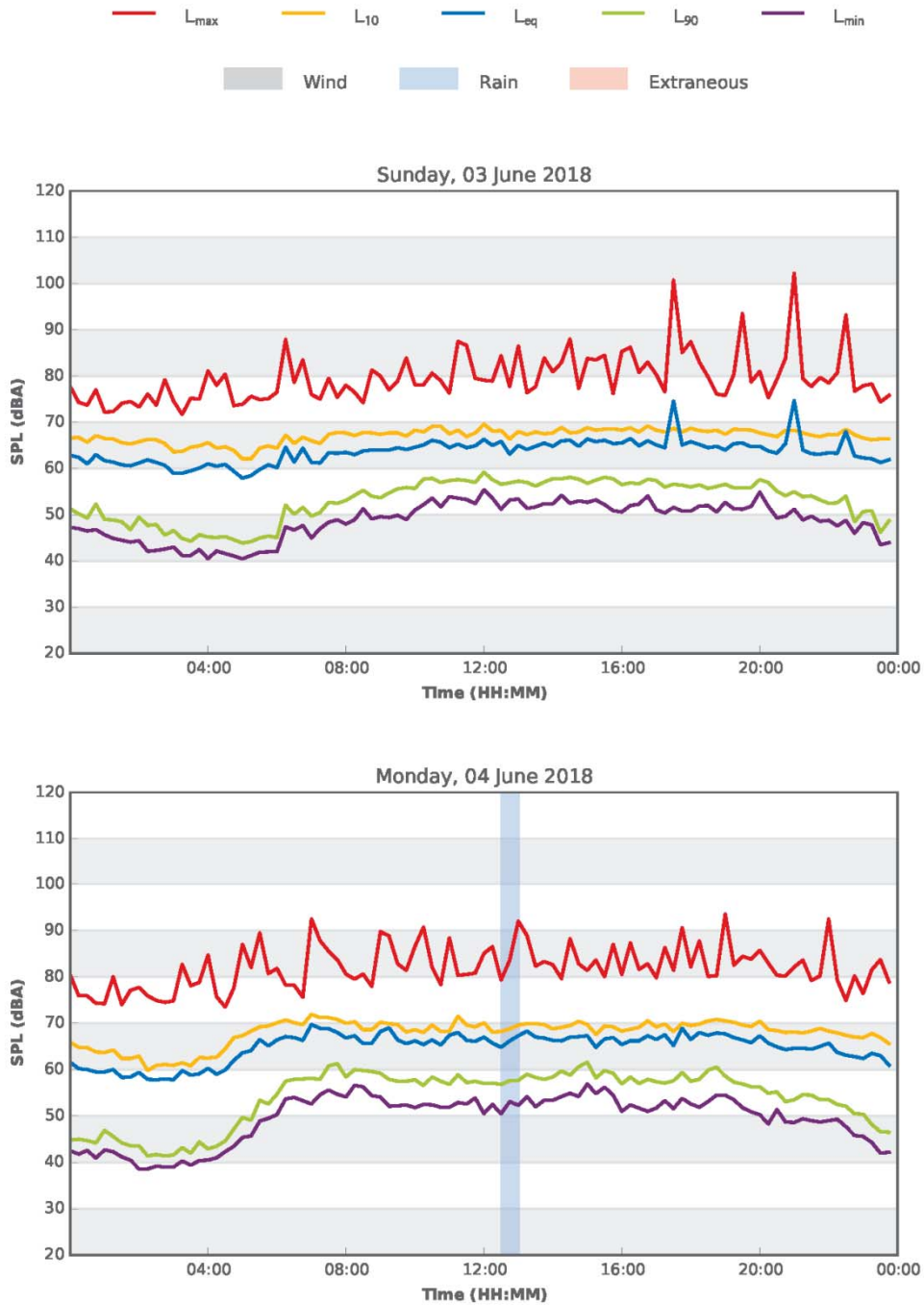
APPENDIX A
NOISE MEASUREMENT RESULTS



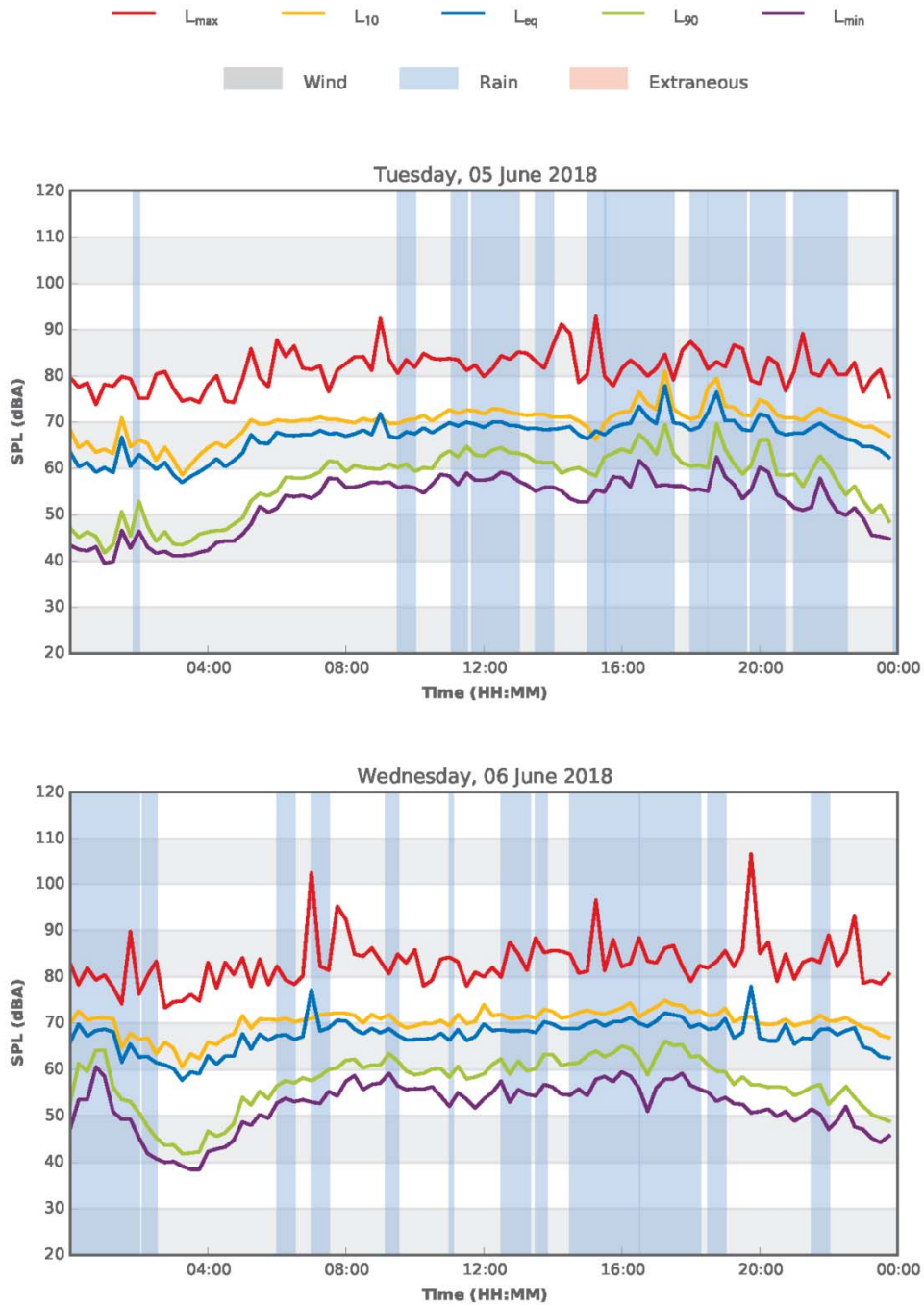
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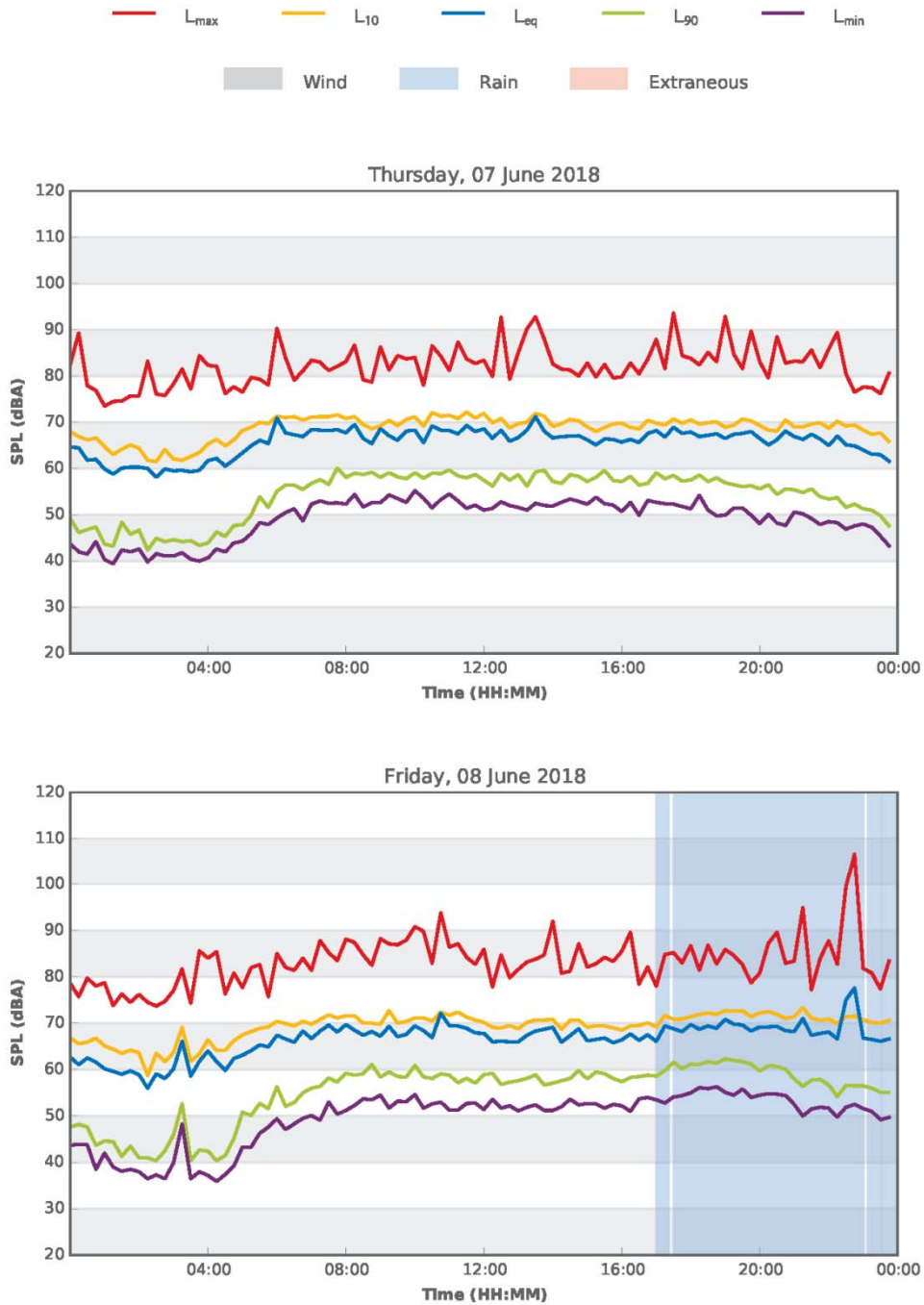
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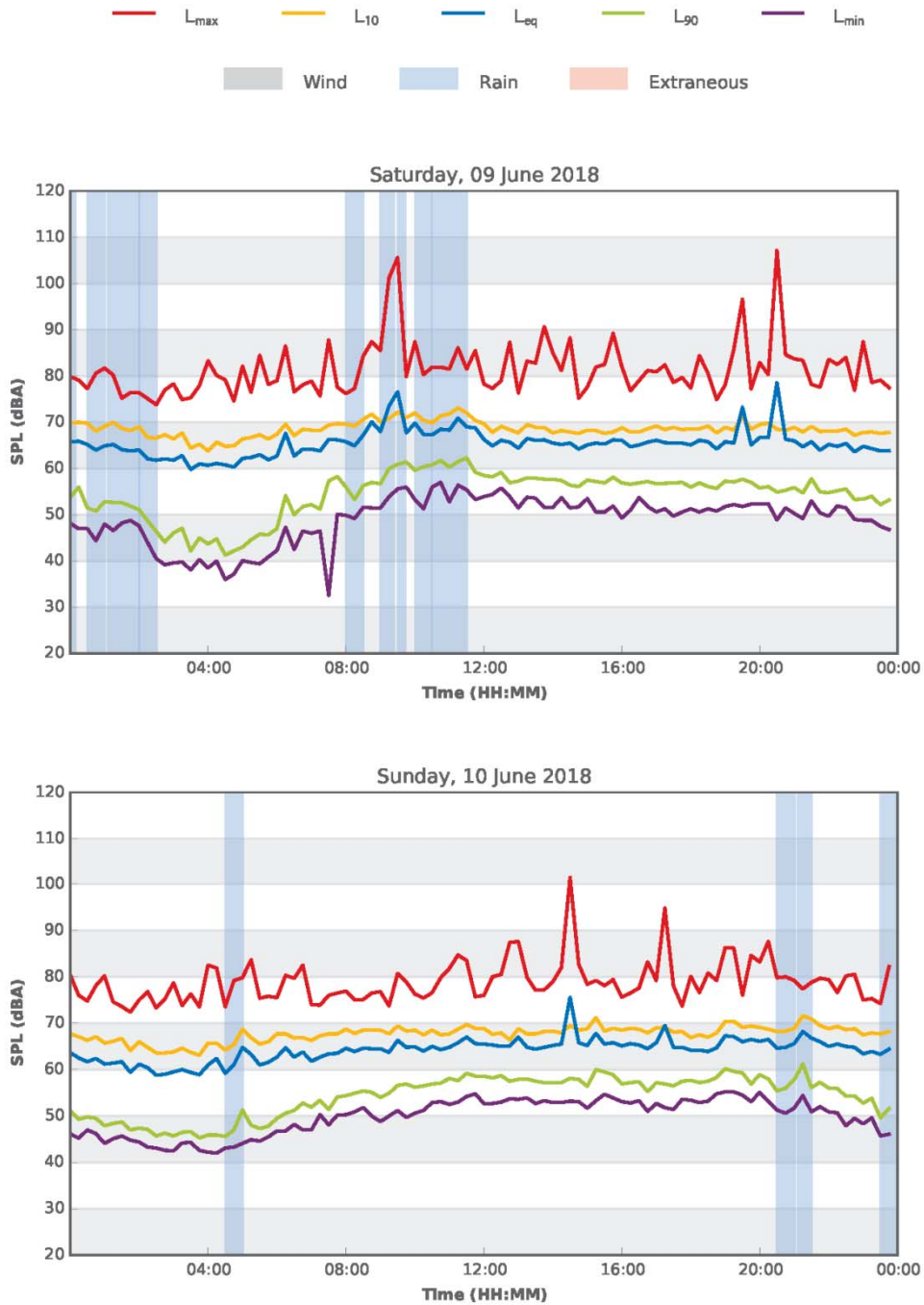
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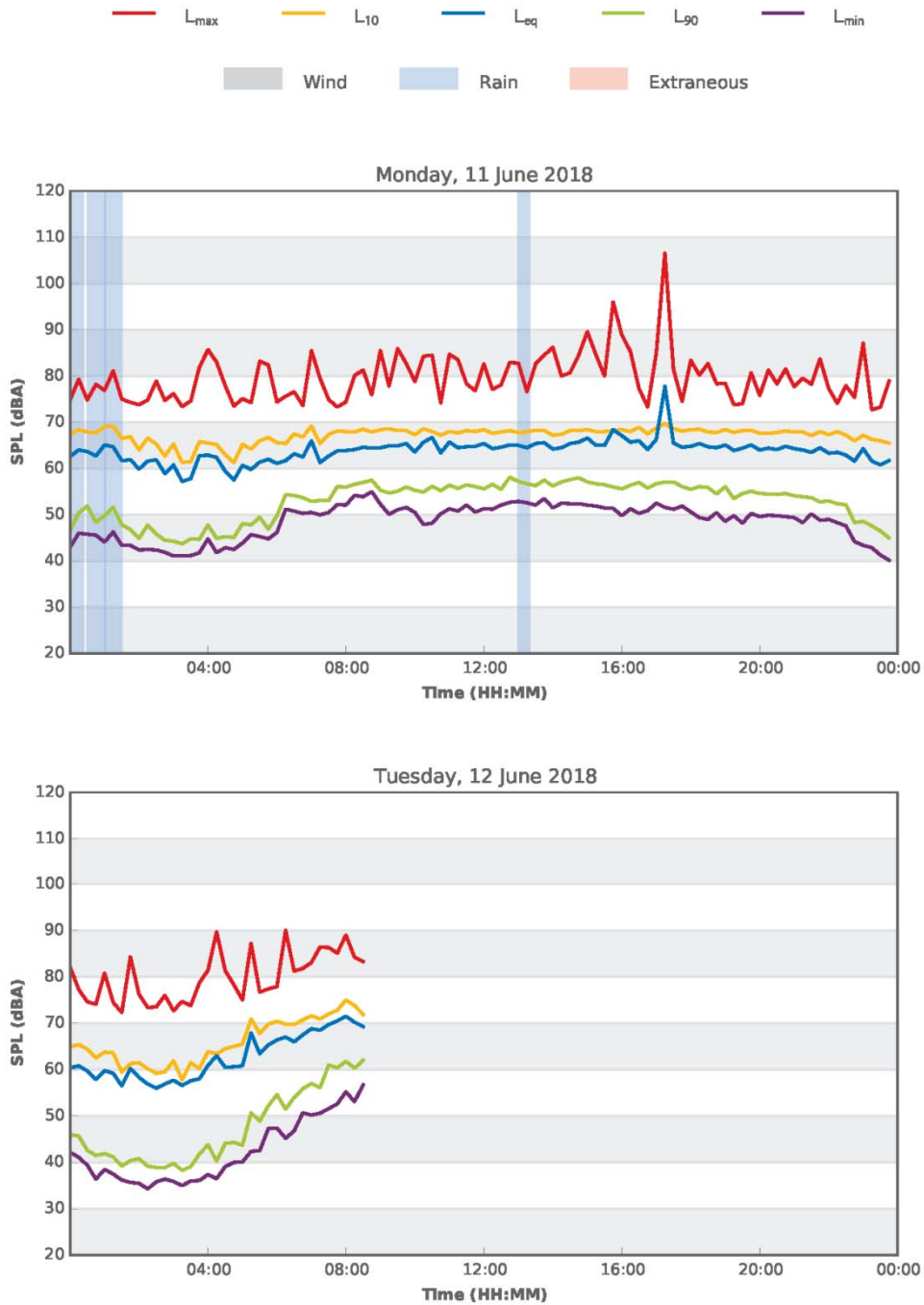
285 Marrickville Road, Marrickville



285 Marrickville Road, Marrickville



285 Marrickville Road, Marrickville



Attachment D – Plan of Management

PLAN OF MANAGEMENT

DEVELOPMENT APPLICATION FOR A PROPOSED SMALL BAR & CAFÉ

MISS WOLF PTY LTD

285 MARRICKVILLE ROAD, MARRICKVILLE (Lot1 DP 936885)

Issue A

Date: July 2018

This Management Plan sets out the polices and management practices for the proposed new bar to be known as Miss Wolf.

Objectives

This Plan of Management (POM) has been prepared to ensure the following in relation to the Small Bar's operation:

- The safe and functional operation of the venue, including staff guidelines
- Minimisation of alcohol related harm
- Crime prevention
- Noise minimisation
- Complaints handling and resolution

Management accepts that the service of alcohol and presence of liquor establishments in an area, if not conducted in a careful and considerate manner and according to the law, can lead to serious negative effects on the local amenity, as well as its patrons. This document sets out a framework for staff to operate the venue, ensuring that it maintains a positive influence on the neighbourhood and surrounds.

The POM also sets out processes for the handling of all resident's concerns regarding operations of the hotel and the manner in which they will be resolved.

Operational Details

Surrounding land uses; Development surrounding the subject site consists of commercial and retail uses at Marrickville Road with nearby residential development along the rear of the premises at Broadley Lane.

Activity Types within Premises

The premises will be a Small Bar which will serve a maximum of 60 people. It will serve both alcoholic and non-alcoholic beverages, along with non-cooked food items such as cheese and smoked meat platters.

The premise is divided into 4 areas, the first 2 are open to patrons:

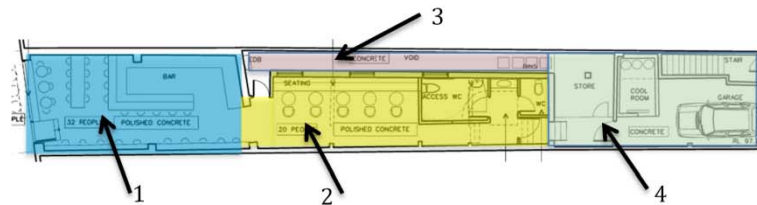


Fig 1. Bar Plan

1. The front bar area which is around the bar will seat up to 32 people
2. The back bar area which will fit up to 20. The toilets are located past this back area, there is a access and standard toilet, both will be unisex.

The other 2 areas are accessible by staff only.

3. Breezeway to side of back bar area- this will be the location for the bins accessed by staff only.
4. Back Of House – This will be used as general storage, coolroom, and goods delivery and will be accessed by staff only

Potential Adverse Impacts on Amenity – At the front of the building a 6.53mm glass window will keep noise inside the premise, and as the rear of the building won't be accessed by patrons noise is expected to be contained within the building-

Two main noise issues (mechanical plant and patron/music noise) have been considered.

1. Mechanical Plant - Selection of quiet plant with variable speed.
 - Location of plant to the rear of the property so that impacts to residential receivers are minimised.
 - Garage door must be closed at all times and any gaps acoustically treated.
2. Patron/Music Noise
 - Upgrade of the existing floor-ceiling system to increase the transmission loss and, if required once testing is completed:
 - a. Surface treatment within the front bar space (i.e. acoustic panels on part of walls/ceiling).
 - b. Manage noise within front bar by reducing music volume/installing noise limiter.

- Loading and unloading activities to be undertaken wholly within the site between 12pm and 4pm and not on any adjoining street or public area.
- Staff will monitor all noise generated by customers and deliveries. Staff will be trained to address any noise issues that arise as a result of the operating of the premises.

Miss Wolf will operate under strict management procedures to address any issues raised by local residents and the community.

Activity Variations - There are not expected to be seasonal variations. Generally, the venue will not be at capacity, with around 10 to 20 people visiting on average. It will be at its busiest on Friday and Saturday nights.

Licensing Information

The venue will be a licensed bar trading under a Small Bar License. Capacity is to be 56 + 4 staff. The bar will trade 7 days a week.

Hours of Operation

Sunday to Thursday, 12pm to 10pm
Friday to Saturday, 12pm to 12am

Staffing Details

The maximum number of staff at any one time will be 4.

One Manager will be onsite during each shift and will take responsibility for the management of the venue, as well as handle any incidents, reporting them appropriately via the incident register and shift report.

The venue will be staffed according to the day of the week.

Sunday – Thursday 12pm – 5pm 1 Staff, 5pm – 10pm 2 staff

Friday - Saturday 12pm – 5pm 2 Staff, 5pm – 12am 4 staff

It is not thought that staffing levels will change seasonally, but management will increase staff as demand requires.

Guidelines for Staff

Staff will enter and exit the building through the front entrance only, and will be encouraged to do so in a quiet fashion after closing time.

At night Staff will be instructed to only carry 'quiet waste' such as food and paper waste to the bins. Bottles will be carried to the rear area and crushed during the day, between midday and 2pm.

Deliveries and Loading/Unloading

Deliveries will take place between the hours of 12am and 4pm week days. They will consist of a small amount of boxed stock for spirits, wines and soft drink and a small number of packaged beers. Principally, beer will be delivered in keg form, consisting of approximately 3 kegs per week, delivered from 3 suppliers.

Deliveries will be through the rear garage area, the delivery van can back into the garage area and off load the goods. These can then be carried to the coolroom, storage area or front bar.

Waste and Recycling

Reference is made to the Waste Management plan. A general waste contractor will be employed twice a week to empty the general waste and glass bins. The contractor is still to be selected.

Bins will be located within the void area, the current floor is concrete and a drain will be installed to make compliant to bin waste area construction requirements.

This bar and management are concerned with recycling where possible. A scheme will be put in place to reward people with bringing their own cups for coffee take-away. One use plastics and containers are discouraged.

The Small Bar is intending on offering wine on tap, which offers great sustainability benefits. A 30-litre keg holds the same amount of wine as 40 bottles; therefore one keg saves 40 bottles — including labels and lids — from ending up in the bin. A keg is either reusable stainless steel, which has a lifespan of approximately 25 years, or single-use plastic that can be recycled.

Customers and Patrons

Venue Entry/Exit -Patrons will enter and exit through the front door only fronting Marrickville Rd. As is typical of such establishments, patrons will find their own seats.

Staff will be trained to greet patrons casually wherever possible and monitor at all times, patron behaviour and numbers.

Patron Waiting Area-As is typical of such venues, patrons will be served from the bar, and waiting as such will be performed in front of the bar and will be for a short time only. A waiting area is not applicable.

Patron's Congregating-Patrons will congregate in either of the areas designated in this document as the Front or Rear Bar Area.

Location of Amenities

Toilet amenities are located at the rear of the premise and are accessible via a corridor from the rear bar area.

Security

Customer and staff safety is of utmost importance. The venue will have a zero tolerance toward intoxication and all forms of illicit drugs.

CCTV

Patrons will be made aware that CCTV is in operation 24 hrs a day. Footage will be kept for 30 days and will be offered to Police when required.

RSA

During trading hours, the Small Bar will be monitored by staff and by CCTV. RSA will be carried out both at the time of ordering at the bar, and by staff trained to monitor patron behaviour. Communication between staff and management ensure that all patrons maintain the standards of the venue and that patrons do not become intoxicated.

Closing Procedure

Patrons will be made aware of the closing of the venue when 'last drinks' are called approximately half an hour prior to the closing time of the venue. After the venue closes staff will instruct patrons to finish their drinks within the legal guidelines set by the liquor license, and then to vacate the venue. Upon exiting the venue, patrons will be reminded to consider the amenity of the neighbourhood by signage at the exit point, as well as staff and security (when present). Information will be on hand offering the various forms of transport in the area.

Incidents

An incident register will be kept in the bar and all incidents will be recorded for viewing by Police during regular license checks. Any criminal activity will be reported to local Police.

Police

The venue will work closely with Marrickville Police which is located 400m to the East. Management believes in maintaining an active relationship with local police.

Money Handling

Money will be stored in a locked safe at all times and will be accessible only by management staff. During trade, excess cash will be added to the safe periodically. Banking will be done weekly and at staggered times. Change will be collected during banking and will comprise of a small amount of cash and coins. The majority of transactions at the bar will be card related.

Glassware

Management understands that glassware, if not promptly collected by staff, is a source of potential injury for patrons and staff. It will be a focus of staffing to ensure that no glassware is left longer than required in floor areas.

Complaint Recording and Handling

Management will maintain an active relationship with residential neighbours wherever possible. Telephone and email contact will be offered via internal signage and on the company website. Any complaints or request for information will be handled immediately by Management. It will be company policy to relate complaints immediately to the owners of the business. Complaints and their solutions will be recorded in a complaints log which will be available to council upon request.

Review

In order to maintain relevance, the POM will be annually reviewed by operating managers and the owners.