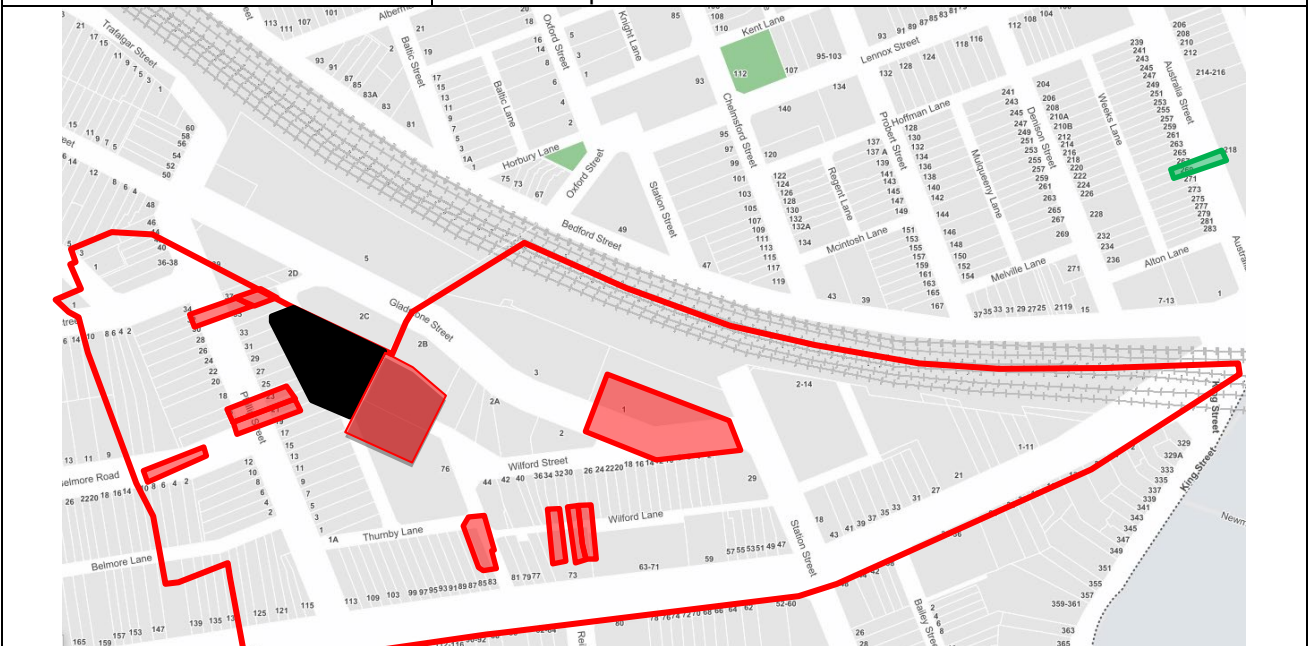




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA201900038
Address	1/2C Gladstone Street, Newtown
Proposal	To demolish part of the premises and carry out ground and first floor alterations and additions to the building and use the premises as a brewery and restaurant operating 7:00am to 10:00pm daily
Date of Lodgement	7 February 2019
Applicant	Samcourt Pty Ltd
Owner	Samcourt Pty Ltd
Number of Submissions	33 (31 in objection, 2 in support)
Value of works	\$3,100,825
Reason for determination at Planning Panel	Number of submissions
Main Issues	Solar access Urban design Tree removal Car parking Hours of operation
Recommendation	Deferred commencement approval
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Plan of Management
Attachment D	Acoustic Report



LOCALITY MAP

Subject Site		Objectors		 N
Notified Area		Supporters		

Note: Due to scale of map, not all objectors could be shown.

2. Executive Summary

This report concerns an application which seeks to demolish part of the premises and carry out ground and first floor alterations and additions to the building and use the premises as a brewery and restaurant operating 7:00am to 10:00pm, daily at 1/2C Gladstone Street, Newtown. The application was notified to surrounding properties and 33 submissions were received, including 31 in objection and 2 in support of the application.

The main issues identified in the application include:

- Solar access
- Urban design
- Tree removal
- Car parking
- Hours of operation

The non-compliances are acceptable in this case as the proposal generally complies with the aims and objectives of the Marrickville Local Environmental Plan 2011 and Marrickville Development Control Plan 2011, and therefore the application is recommended for approval subject to conditions of consent.

2. Proposal

The application proposes to demolish part of the existing premises and carry out ground and first floor alterations and additions to an existing brick factory building. The proposed works include:

Ground floor

- Restaurant and bar area,
- Fermentation area,
- Three storage areas,
- Loading area, and
- Three on-site parking spaces.

First floor

- Three offices and a staff room,
- Bottling plant, and
- Storage areas.

The application also proposes the use of the premises as a brewery operating between 7.00am – 6.00pm Monday to Sunday, and a restaurant/taproom operating between 12.00pm – 10.00pm Monday to Sunday.

3. Site Description

The subject site is located on the southern side of Gladstone Street, between Phillip Street and Wilford Street, Newtown. The site consists of one allotment, is irregular in shape with a total area of 1,315m², and is legally described as Lots 1-5 in SP 17149.

The site has a primary frontage to Gladstone Street of approximately 39.725 metres, and a secondary frontage of approximately 39.935 metres to Phillip Lane.

The site supports a single storey strata titled brick factory building comprising five strata lots. The adjoining properties to the west and east include single and two storey dwellings, and a two storey multi-dwelling residential development.

The following trees are located on the site:

- Tree 1 – *Jacaranda mimosifolia* (Jacaranda),
- Tree 2 – *Jacaranda mimosifolia* (Jacaranda),
- Tree 3 – *Callistemon viminalis* (Weeping Bottlebrush),
- Tree 4 – *Casuarina glauca* (Grey Oak).

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
DA201600628	To demolish existing structures, subdivide the site into 16 allotments and construct 16 individual shop top houses above basement parking	Refused by Council – 5 May 2017 Appeal to LEC dismissed – 21 August 2018
DA201500708	To demolish the existing industrial buildings on the site and construct a mixed use development comprising 1x 4 storey building containing commercial premises, 15 apartments (3x studio, 9x 1 bed and 3x 2 bed) and parking spaces within a basement; 11x 3-4 storey townhouses comprising live/ work units (8x 2 bed, 3x 3 bed); and the removal of 3 trees, replacement plantings and associated landscaping	Withdrawn – 9 July 2016

Surrounding properties

Unit C / 76 Wilford Street, Newtown

Application	Proposal	Decision & Date
CDC2016/113	Change of use from warehouse to light industry incorporating a storage area	Approved – 12 August 2016

4(b) Application history

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

Date	Discussion / Letter / Additional Information
7 February 2019	Application lodged with Council.
12 February 2019	Council contacted the applicant and requested amended floor plans and elevation plans clearly demonstrating the existing building and proposed works.

14 February 2019	Applicant submitted requested amended plans.
14 February 2019	Application placed on public notification.
19 June 2019	Council requested additional information regarding whether a Stage 1 Preliminary Site Investigation or any contamination testing had been undertaken.
3 July 2019	Request for information sent to applicant requesting: <ul style="list-style-type: none"> • Amended plans to address flood planning issues; • Amended plans providing a minimum of three (3) on-site car parking spaces; • Amended plans retaining Trees 1-3, or providing adequate space for on-site tree planting; • Amended plans that improved the presentation of the building to Gladstone Street through articulation or visual interest.
29 July 2019	Amended plans submitted by applicant.
14 August 2019	Meeting with applicant to discuss outstanding issues.

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 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. 55 – Remediation of Land*;
- *State Environmental Planning Policy (Infrastructure) 2007*; and,
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*.

The following provides further discussion of the relevant issues:

5(a)(ii) State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. MDCP 2011 provides controls and guidelines for remediation works. *SEPP 55* requires the consent authority to be satisfied that “the site is, or can be made, suitable for the proposed use” prior to the granting of consent. The site has been used in the past for activities, which could have potentially contaminated the site.

The applicant contends that a contamination report is not required for this application as no ground works are proposed.

It is considered that the site will not require remediation in accordance with *SEPP 55*.

Having regard to the above, a condition has been included in the recommendation that only permits the fit-out and use of the premises with the retention of the existing ground slab, and where any works have the potential to compromise the integrity of the ground slab an appropriately qualified Environmental Consultant must inspect the site and provide a report to Council.

5(a)(iii) *State Environmental Planning Policy (Vegetation in Non-Rural Areas) (Vegetation SEPP)*

Vegetation SEPP concerns the protection/removal of vegetation identified under the SEPP and gives effect to the local tree preservation provisions of Council’s DCP.

The application seeks the removal of vegetation from within the site and on Council land.

Overall, the proposal is considered acceptable with regard to the *Vegetation SEPP* and DCP subject to the imposition of conditions, which include the provision of a first floor planter bed with tree planting to contribute to the canopy cover, this has been discussed in greater detail under Part 2.20 Marrickville Development Control Plan 2011 in section 5(c) of this report.

5(a)(iv) *Marrickville Local Environment Plan 2011 (MLEP 2011)*

The application was assessed against the following relevant clauses of the *Marrickville Local Environmental Plan 2011*:

- Clause 1.2 – Aims of the Plan
- Clause 2.3 – Zone objectives and Land Use Table
- Clause 2.7 – Demolition
- Clause 4.3 – Height of buildings
- Clause 4.4 – Floor space ratio
- Clause 4.5 – Calculation of floor space ratio and site area
- Clause 5.4 – Controls relating to miscellaneous permissible uses
- Clause 5.10 – Heritage conservation
- Clause 6.1 – Acid sulfate soils
- Clause 6.2 – Earthworks
- Clause 6.3 – Flood Planning
- Clause 6.4 – Terrestrial biodiversity
- Clause 6.5 – Development in areas subject to aircraft noise

The following table provides an assessment of the application against the development standards:

Standard	Proposal	Compliance
Height of Building Maximum permissible: 14m	13.8m	Yes
Floor Space Ratio Maximum permissible: 1.5:1 or 1,972.5m ²	1.32:1 or 1,731m ²	Yes

(iv) Clause 2.3 - Land Use Table and Zone Objectives

The site is zoned B7 Business Park under the *MLEP 2011*. *MLEP 2011* defines the development as:

“artisan food and drink industry means a building or place the principal purpose of which is the making or manufacture of boutique, artisan or craft food or drink products only. It must also include at least one of the following:

- (a) *a retail area for the sale of the products,*
- (b) *a restaurant or cafe,*
- (c) *facilities for holding tastings, tours or workshops.”*

The development is permitted having regard to the zoning provisions. The development is consistent with the objectives of the B7 zone.

5(b) Draft Environmental Planning Instruments

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

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) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Marrickville Development Control Plan 2011.

MDCP 2011	Compliance
Part 2.1 – Urban Design	Yes
Part 2.3 – Site and Context Analysis	Yes
Part 2.5 – Equity of Access and Mobility	Yes
Part 2.6 – Acoustic and Visual Privacy	Yes – see discussion
Part 2.7 – Solar Access and Overshadowing	No but acceptable – see discussion
Part 2.8 – Social Impact	Yes
Part 2.9 – Community Safety	Yes
Part 2.10 – Parking	No but acceptable – see discussion
Part 2.12 – Signs and Advertising	Yes
Part 2.13 – Biodiversity	Yes
Part 2.16 – Energy Efficiency	Yes
Part 2.17 – Water Sensitive Urban Design	Yes
Part 2.18 – Landscaping and Open Space	Yes
Part 2.20 – Tree Management	Yes subject to condition – see discussion
Part 2.21 – Site Facilities and Waste Management	Yes
Part 2.24 – Contaminated Land	Yes
Part 2.25 – Stormwater Management	Yes
Part 6 – Industrial Development	Yes – see discussion
Part 8 – Heritage	Yes
Part 9 – Strategic Context	Yes

The following provides discussion of the relevant issues:

(i) Part 2.6 – Acoustic and visual privacy

MDCP 2011 outlines objectives and controls in regards to minimising adverse visual and acoustic privacy impacts of industrial developments on residential amenity. The proposal is unlikely to result in any adverse visual privacy impacts as no new first floor windows are proposed on the southern or eastern elevation that would allow overlooking of the adjoining residential uses. Furthermore, patron access to the premises is provided via the Gladstone Street frontage, which is unlikely to result in adverse privacy impacts to neighbouring properties along Phillip Lane.

With regard to acoustic impacts, an acoustic report was submitted with the application, which made suitable recommendations to reduce adverse amenity impacts to neighbouring premises, including:

- Suitable window glazing and façade construction treatments; and,
- The design of mechanical services plant items be below the Project Trigger Noise Levels.

Furthermore, the submitted Plan of Management includes the following mechanisms regarding patrons entering and exiting the site to reduce adverse impacts on the adjoining residential dwellings:

- There will be no queueing outside of the premises;
- Duty managers are to remind patrons that exit the premises that the restaurant is located in a residential neighbourhood and to keep their voices down and noise to a minimum, and to be mindful of neighbours and respectful of the neighbourhood amenity;
- Patrons are to be encouraged to leave the premises quietly. The duty manager is to ensure the front door remains closed when not in use. The duty manager will monitor the movement of patrons entering and leaving so that they do not exceed the approved patron numbers.

These recommendations have been included in the conditions of development consent. In addition, Part 6.2.2 of MDCP 2011 also contains provisions regarding noise and vibration impacts to adjoining residential areas. The proposal achieves the applicable objectives and controls and is considered acceptable in this regard.

(ii) Part 2.7 – Solar access and overshadowing

MDCP 2011 requires development to be designed and located to ensure adequate solar access is provided to adjoining buildings, particularly where adjoining development includes residential accommodation.

Residential development is located to both the south and east of the subject site, with detached and semi-detached dwellings located along Phillip Street, and a two- and three-storey multi-dwelling development located at No. 2B Gladstone Street, respectively. The proposal retains the minimum required solar access to the dwellings on Phillip Street; however, solar access to the dwellings at No. 2B Gladstone Street will likely be reduced to less than 2 hours between 9.00am and 3.00pm during midwinter.

The ability of the proposed development to provide compliant solar access to the dwellings at No. 2B Gladstone Street is limited due to the location of the adjoining site (south-east of the development site), as well as the siting of the dwellings on the adjoining site. The dwellings at No. 2B Gladstone Street are positioned along the front and rear boundaries of

the property with minor front and rear setbacks, and nil side setbacks, with the private open spaces (POSSs) located at the centre of the site.

Notwithstanding the numerical non-compliance, the proposal achieves the objectives of MDCP 2011 with regard to solar access and overshadowing. The building has been designed such that the roof plane is highest at the southern elevation (Phillip Lane) and slopes down towards the northern elevation (Gladstone Street) to reduce the extent of overshadowing on the adjoining dwellings.

To assist in the provision of landscaping and reduce overshadowing impact, a condition has also been included in the recommendation that requires the eastern corner of the first floor building line to be setback from the primary frontage and side boundary to align with the adjoining residential units, which will reduce the extent of overshadowing over the north-eastern elevation of the street-facing dwellings at the adjoining site (see (vi) below). Given the above, the proposal is considered acceptable and can be supported.

(iii) Part 2.10 – Parking

Control C1 of MDCP 2011 requires parking to be provided in accordance with the following rates:

Proposed use	Requirement	Proposed	Achieved?
Light industry	<u>Car parking</u> 1 space per 300m ² GFA for customers and staff 1,731m ² GFA / 300m ² = min. 6 spaces	3 staff spaces	No
	<u>Bicycle parking</u> 1 space per 150m ² GFA for staff 1,731m ² / 150m ² = min. 12 spaces	Nil identified – however, adequate space to accommodate bicycle parking on site	No

Despite the non-compliances with the minimum car parking requirements, the proposal is considered acceptable in this case as it achieves the relevant aims of MLEP 2011 and objectives of MDCP 2011. The application provides three on-site staff car parking spaces, which are located at the rear of the site accessed via Phillip Lane. The parking spaces are safe, functional, and accessible, and comply with the relevant design standards.

The site is located within Parking Area 1, which is recognised under MDCP 2011 as a highly accessible area where parking is most constrained. In this regard, the site is located within 500m walking distance of the Newtown train station, with bus stops also located within approximately 300m of the site along Enmore Road. The proposal promotes sustainable transport by encouraging patrons to reduce car use and increase use of public transport and walking, therefore meeting the aim of Clause 1.2(2)(d), MLEP 2011, and the objectives of MDCP 2011.

(iv) Part 2.20 – Tree Management

There are currently four trees located on the subject site along the Gladstone Street frontage. The application proposes the removal of all four trees, with no replacement planting proposed. Green walls are proposed to be provided to the entirety of the northern façade, and to part of the north-eastern façade.

The application proposes the removal of the trees in order to achieve the objectives of Part 6 of MDCP 2011, which require the development to be of a design that is consistent with the character of the streetscape of the area. Existing industrial buildings within the area feature nil setbacks to the street with no landscaping provided within the site frontage, creating a continuous dominant streetscape. The proposed building design and siting is consistent with the streetscape and character of industrial development in the area, with the proposed green walls providing a visual transition between the proposed industrial building and the adjoining residential uses. In addition to the green wall, the recommended first floor planter box (see (vi) below) will contribute to the provision of additional canopy cover. Whilst not the equivalent of the vegetation lost from the site, having regard to the zoning of the land, it is considered a compromise in achieving landscaping and additional canopy cover.

(v) Part 2.21 – Site facilities and waste management

MDCP 2011 requires developments to ensure adequate and appropriate site facilities are provided that do not result in adverse amenity or streetscape impacts. The application provides adequate space for the on-site storage of waste, which is appropriately located so as to not adversely impact adjoining residential developments. In addition, a condition is included in the recommendation requiring a Recycling and Waste Management Plan be provided.

(vi) Part 6 – Industrial development

Part 6.1.2.6 – Building design and appearance

Control C22 of Part 6 states that where blank walls on street frontages are unavoidable they must be screened by landscaping or treated as sculptural elements incorporating murals with a high standard finish to minimise the potential for graffiti or other vandalism. The application proposes to retain the existing masonry wall along the Phillip Lane rear boundary and construct a new wall along the Gladstone Street frontage. The existing rear wall currently features a street art mural, which is proposed to be retained as part of the development. The new Gladstone Street wall is proposed to be provided with vegetation to create a green wall. The proposal achieves the relevant objectives and controls of MDCP 2011 and can be supported in this regard.

Part 6.1.2.7 – Setbacks

Control C33 of Part 6 requires industrial lots that adjoin residential buildings to incorporate a reasonable buffer zone between the two uses so as not to compromise the amenity of adjoining residential uses, and to utilise setbacks that reduce the bulk of the development on adjoining properties.

The application proposes a two storey building wall with a nil setback to each boundary. As noted above, a number of trees are currently located at the eastern corner of the property within the site frontage provide a visual buffer between the existing industrial building and adjoining dwellings to the east. The proposed removal of the existing vegetation together with the proposed setback to the Gladstone Street frontage is not considered acceptable as an appropriate buffer at the interface between the proposed development and the adjoining site.

As such, it is recommended that a condition be included in the development consent that requires the first floor building line to be setback 5 metres from the primary frontage and 9.8 metres from the eastern side boundary, as indicated in Figure 1 below, with a landscaped area to be provided at the first floor to provide a visual buffer between the two uses.

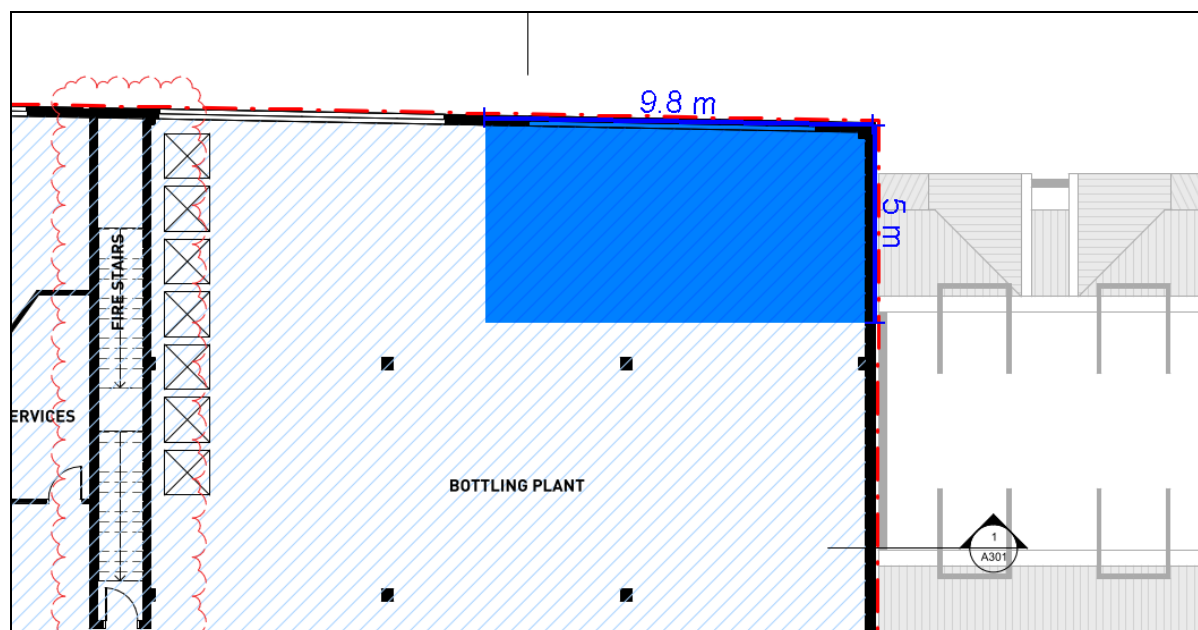


Figure 1: Indicative location of increased setback and landscaping required by recommended condition of consent.

The 5 metre setback depth is recommended as it generally aligns with the top floor dormer windows of the neighbouring units, which offers visual continuity within the streetscape. The setback also provides adequate space for substantial tree growth; a lesser setback would not provide appropriate conditions for trees to grow to an adequate size that would assist in creating a visual buffer between the two sites. Additionally, the 9.8 metre setback width positions the 'cut-out' element between the two window proposed on this section of the elevation, which allows the proposed building façade design and proportions to be retained.

This condition will provide visual articulation and reduce with bulk and scale of the proposal at the sensitive industrial-residential interface. The proposal achieves the relevant objectives and controls of MDCP 2011 and can be supported in this regard.

Part 6.2.1 – Plan of Management

Control C40 of Part 6 requires a Plan of Management (POM) to be provided where an industrial activity is proposed in proximity to residential uses. A POM was submitted with the application and has been assessed. The POM adequately addresses the required criteria and is considered acceptable.

Part 6.2.4 – Hours of Operation

The application proposes the following hours of operation:

<u>Brewery:</u>	Monday to Sunday	7.00am – 6.00pm
<u>Restaurant:</u>	Monday to Sunday	12.00pm – 10.00pm

An acoustic report was submitted with the application, which made suitable recommendations to reduce adverse amenity impacts on neighbouring premises.

Notwithstanding, it is considered reasonable to impose a trial period for the extended night time and weekend trading hours to mitigate any potential impacts to residents. A condition

has therefore been included in the development consent to allow the premises to operate for extended trading hours for a trial period of no more than 12 months, after which the brewery and restaurant trading hours will revert to traditional hours of operation. In addition, a condition limiting the noise emitted by the premises, particularly at the boundary of any residence, has been included in the development consent.

Therefore, subject to the imposition of suitable conditions of consent, the proposed hours of operation are 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

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 notified in accordance with Marrickville Development Control Plan 2011 for a period of 14 days to surrounding properties. A total of 33 submissions were received, of which 31 were in opposition to the proposal and 2 were in support.

The following issues raised in submissions have been discussed in this report:

- Visual and acoustic privacy, amenity, and noise – see Section 5(c)(i)
- Solar access and overshadowing – see Section 5(c)(ii)
- Car parking and traffic – see Section 5(c)(iii)
- Tree removal – see Section 5(c)(iv)
- Waste management and pollution – see Section 5(c)(v)
- Bulk and scale – see Section 5(c)(vi)
- Streetscape presentation – see Section 5(c)(vi)
- Hours of operation and Plan of Management – see Section 5(c)(vi)

In addition to the above issues, the submissions raised the following concerns, which are discussed under the respective headings below:

Issue: Odours

Comment: Concern was raised regarding unpleasant odours that may be emitted by the proposed development. A condition has been included in the development consent that requires the development to comply with the emission controls under the *Protection of the Environment Operations Act 1997*.

Issue: Heritage

Comment: Concern was raised that a Heritage Impact Statement was not submitted with the application. The application has been assessed having regard to Clause 5.10 of MLEP 2011, and a Heritage Impact Statement was not considered necessary.

Issue: Site suitability

Comment: Concern was raised that the site is not suitable for the proposed use given another artisan food and drink premises is located within close proximity to the site. The

proposed development is a permissible land use under the MLEP 2011, and complies with the aims and objectives of MLEP 2011 and MDCP 2011.

Issue: Proposed use

Comment: Concern was raised that the proposed use does not meet the relevant definition under MLEP 2011. An assessment of the proposal against the definitions, relevant objectives and controls of MLEP 2011 and MDCP 2011 has been undertaken and the proposal is considered acceptable in this regard.

Issue: Graffiti/Vandalism

Comment: Concern was raised that the proposed development would encourage graffiti taking place within the rear laneway. The application does not propose any additional graffiti work to the building, but rather to retain the rear building wall, which currently features graffiti and street art murals. As no changes are proposed to the existing streetscape presentation to the rear in this regard, the proposal is considered acceptable.

Issue: Safety

Comment: The application complies with the relevant objectives and controls of Part 2.9 of MDCP 2011 in regards to safety.

Issue: Outlook

Comment: Concern was raised that the proposed development would adversely affect the outlook of nearby residential properties. The application as recommended will be of a height, bulk, and scale that achieves the aims and objectives of MLEP 2011 and MDCP 2011, and is considered acceptable in this regard.

Issue: Deficient information

Comment: Concern was raised that insufficient information was submitted with the application. The information submitted was considered sufficient for Council to undertake an assessment of the proposal.

Issue: Current illegal uses

Comment: Concern was raised regarding the current uses of the premises occurring without development consent. The current use of the property is not subject to assessment as part of this application; concerns regarding unapproved uses should be referred to Council's Compliance Department for investigation.

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.

- Tree Officer
- Engineer
- Environmental Health Officer

6(b) External

The application was referred to the NSW Police Force (Inner West Police Local Area Command and Licensing Police), who provided conditions of consent, which have been included in the recommended conditions. Issues raised in those referrals have been discussed in section 5 above.

7. Section 7.11 Contributions/7.12 Levy

Section 7.12 levies are payable for the proposal.

The carrying out of the development would result in an increased demand for public amenities and public services within the area. A contribution of \$31,008.25 would be required for the development under Marrickville Section 94A Contributions Plan 2014. A condition requiring that contribution to be paid is included in the recommendation.

8. Conclusion

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 the adjoining premises/properties and the streetscape and is considered to be in the public interest.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant a deferred commencement consent to Development Application No. 201900038 for the demolition of part of the premises and to carry out ground and first floor alterations and additions to the building and use the premises as a brewery and restaurant subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

Conditions of Consent

Deferred Commencement

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter(s):

A. Building Setbacks

To ensure an appropriate visual transition is provided between the subject property and neighbouring residential dwellings, and to reduce the bulk of the proposed development within the streetscape, the first floor of the building must be provided with an amended setback as follows:

- i) The north-east corner of the building at the first floor must be provided with an amended setback that measures 5 metres from the Gladstone Street front boundary, and 9.8 metres from the eastern side boundary.
- ii) The relocated north-facing wall may be provided with a window as proposed in the approved architectural plans. The relocated east-facing wall may also be provided with a similar window, or alternatively the wall must be solid (the provision of an access door/hatch) for maintenance is acceptable.
- iii) The 'cut-out' area created by the amended setback must be provided with landscaping on the roof of the ground floor in accordance with B below.

B. Landscaping Works

A detailed landscape plan must be submitted to the satisfaction of Council demonstrating that a landscaped area has been provided above the ground floor at the north-east corner in the area of the amended setback required by condition A above. The landscape plan must incorporate the following:

- i) The base slab of the landscaped area must have a maximum finished level of RL 31.80.
- ii) The landscaped area must be provided with a minimum of two trees. Species to be planted must achieve a minimum mature height of 6 metres and width of 3-4 metres. The remainder of the landscaped area must be planted out with lower plantings and shrubs.

- iii) The landscape plan must demonstrate an adequate soil volume is provided for the proposed planting schedule.
- iv) A landscape maintenance strategy for the owners / occupiers to administer over a twelve (12) month establishment period.

Evidence of the above matters must be produced to the Council within 2 years of the date of this Determination otherwise the Consent will lapse.

Fees

1. Section 7.12 (formerly section 94A) Development Contribution Payments

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that a monetary contribution to the Inner West Council has been paid, towards the provision of infrastructure, required to address increased demand for local services generated by additional development within the Local Government Area (LGA). This condition is imposed in accordance with Section 7.12 of the Environmental Planning and Assessment Act and in accordance with the relevant current contributions plan:

Former Marrickville LGA:

"Marrickville Section 94/94A Contributions Plan 2014"

Note:

Copies of these contribution plans can be inspected at any of the Inner West Council Service Centres or viewed online at <https://www.innerwest.nsw.gov.au/develop/planning-controls/section-94-contributions>

Payment amount*:

\$31,008.25

Reference Number: DC002734

***Indexing of the Section 7.12 contribution payment:**

Former Ashfield LGA & Former Marrickville LGA:

The contribution amount to be paid to the Council is to be adjusted at the time of the actual payment in accordance with the provisions of the relevant contributions plan. In this regard,

2

you are recommended to make contact with Inner West Council *prior to arranging your payment method* to confirm the correct current payment amount (at the expected time of payment).

Payment methods:

The required contribution must be paid either in cash; by unendorsed bank cheque (from an Australian Bank only); via EFTPOS (Debit only); or credit card (to a maximum of \$10,000 - Note: A 1% credit card transaction fee applies to all credit card transactions). It should be noted that personal cheques or bank guarantees cannot be accepted for the payment of these contributions.

2. Long Service Levy

Prior to the issue of a Construction Certificate, written evidence must be provided to the Certifying Authority that the long service levy in accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986* has been paid at the prescribed rate of 0.35% of the total cost of the work to either the Long Service Payments Corporation or Council for any work costing \$25,000 or more.

3. Security Deposit

Prior to the commencement of demolition works or prior to the issue of a Construction Certificate, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been 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:	\$8,056.50
Inspection Fee:	\$230.65

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 the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

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.

General Conditions

4. Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
18086 A200 Rev G	Ground Level Plan	25/07/2019	Giles Tribe Architects
18086 A201 Rev D	Mezzanine Level Plan	25/07/2019	Giles Tribe Architects
18086 A300 Rev E	Elevations	25/07/2019	Giles Tribe Architects
18086 A301 Rev C	Sections	25/07/2019	Giles Tribe Architects
150874 000 Rev C	Cover Sheet, Notes & Legend	20/12/2018	Australian Consulting Engineers
150874 101 Rev C	Stormwater Concept Plan Ground Level Plan	20/12/2018	Australian Consulting Engineers
150874 102 Rev C	Stormwater Concept Plan Mezzanine Level Plan	20/12/2018	Australian Consulting Engineers
150874 103 Rev C	OSD & WSUD Details and Calculation Sheets 1 of 2	20/12/2018	Australian Consulting Engineers

150874 104 Rev C	OSD & WSUD Details and Calculation Sheets 2 of 2	20/12/2018	Australian Consulting Engineers
150874 105 Rev C	Miscellaneous Details Sheets	20/12/2018	Australian Consulting Engineers
	Plan of Management	January 2019	Mersonn Pty Ltd
	Acoustic Assessment	16 November 2018	Pulse Acoustic Consultancy

As amended by the conditions of consent.

5. Waste Management Plan

Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a Recycling and Waste Management Plan (RWMP) in accordance with the relevant Development Control Plan.

6. Erosion and Sediment Control

Prior to the issue of a commencement of any works (including any demolition works), the Certifying Authority must be provided with an erosion and sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.

7. Standard Street Tree Protection

Prior to the commencement of any work, the Certifying Authority must be provided with details of the methods of protection of all street trees adjacent to the site during demolition and construction.

8. Verification of Levels and Location

Prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, the Principal Certifier must be provided with a survey levels certificate prepared by a Registered Surveyor indicating the level of the slab and the location of the building with respect to the boundaries of the site to AHD.

9. Boundary Alignment Levels

Alignment levels for the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

10. Works Outside the Property Boundary

This development consent does not authorise works outside the property boundaries on adjoining lands.

11. Stormwater Drainage System

Stormwater runoff from all roof and paved areas within the property must be collected in a system of gutters, down pipe, pits and pipelines discharged by gravity to the kerb and gutter of a public road.

Any existing component of the stormwater system that is to be retained, including any absorption trench or rubble pit drainage system must be checked and certified by a Licensed Plumber or qualified practising Civil Engineer to be in good condition and operating satisfactorily.

If any component of the existing system is not in good condition and /or not operating satisfactorily and/or impacted by the works and/or legal rights for drainage do not exist, the drainage system must be upgraded to discharge legally by gravity to the kerb and gutter of a public road. Minor roof or paved areas that cannot reasonably be drained by gravity to a public road may be disposed on site subject to ensuring no concentration of flows or nuisance to other properties.

12. Tree Removal

Approval is given for the following works to be undertaken to trees on the site:

Tree/Location	Approved Works
Tree 1 – <i>Jacaranda mimosifolia</i> (Jacaranda)	Removal. The stump and roots of the Casuarina must be ground out to a depth of 500mm so that the replacement tree can be planted
Tree 2 – <i>Jacaranda mimosifolia</i> (Jacaranda)	
Tree 3 – <i>Callistemon viminalis</i> (Weeping Bottlebrush)	
Tree 4 – <i>Casuarina glauca</i> (Grey Oak)	

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved.

Prior to any Demolition

13. Hoardings

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the Roads Act 1993 to erect a hoarding or temporary fence or awning on public property.

14. Construction Traffic Management Plan

Prior to any demolition, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP) to cater for construction prepared by a person with RMS accreditation to prepare a work zone traffic management plan. Details must include haulage routes, estimated number of vehicle movements, truck parking areas, work zones, crane usage, etc., related to demolition/construction activities. A work zone approval must be obtained

Prior to Construction Certificate

15. Dilapidation Report

Prior to the issue of a Construction Certificate or any demolition, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.

The dilapidation report is to be prepared by a practising Civil/Structural Engineer.

16. Parking Facilities

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer demonstrating that the design of the vehicular access and off-street parking facilities must comply with Australian Standard AS/NZS2890.1-2004 Parking Facilities – Off-Street Car Parking and the following specific requirements:

- a) The garage slab or driveway must rise within the property to be 170mm above the adjacent road gutter level and higher than the street kerb and footpath across the full width of the vehicle crossing. The longitudinal profile across the width of the vehicle crossing must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004.
- b) A minimum of 2200mm headroom must be provided throughout the access and parking facilities. Note that the headroom must be measured at the lowest projection from the ceiling, such as lighting fixtures, and to open garage doors.
- c) The longitudinal profile of the access and any ramps within the parking facilities must comply with the Ground Clearance requirements of AS/NZS 2890.1-2004 for a B99 design vehicle. Longitudinal sections must be provided along each outer edge of all ramps.
- d) The relative surface levels of the internal access from the road being controlled so that.
 - i. The surface levels at the property boundary match "alignment levels";
 - ii. The change in grade for any 2m length of access way does not exceed 1 in 8 (12.5%) unless suitable transitions are provided in accordance with AS2890.1;
 - iii. The maximum grade at any point does not exceed 1 in 5 (20%) or in the case of ramps greater than 20m in length 1 in 6 (16.7%); and
 - iv. The maximum grade at the property boundary does not exceed 1 in 20 (5%) within 6m of the property boundary;
- e) The vehicle egress is designed such that there are no obstructions to lines of sight, along with the footpath and the roadway for drivers of egressing vehicles.
- f) The parking space must have minimum clear internal dimensions of 5400 x 2400 mm (length x width). The dimensions must be exclusive of obstructions such as walls, doors and columns, except where they do not encroach inside the design envelope specified in Section 5.2 of AS/NZS 2890.1-2004.

17. Public Domain Works

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with a public domain works design, prepared by a qualified practising Civil Engineer and

evidence that the works on the Road Reserve have been approved by Council under Section 138 of the *Roads Act 1993* incorporating the following requirements:

- a) The construction of heavy duty vehicular crossings to all vehicular access locations and removal of all redundant vehicular crossings to the site;
- b) New concrete footpath along the frontage of the site. The kerb type (concrete or stone) must be consistent with the majority of kerb type at this location as determine by the Council Engineer.
- c) The removal of all redundant vehicular crossings to the site.

18. Acoustic Report – Aircraft Noise

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with amended plans detailing the recommendations of an acoustic report prepared by a suitably qualified Acoustic Engineer demonstrating compliance of the development with the relevant provisions of Australian Standard AS 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction.

19. Acoustics

The LA10* noise level emitted from the premises must not exceed the background noise level in any octave band centre frequency (31.5Hz– 8k Hz inclusive) by more than 5dB between 7:00 am and 12:00 midnight at the boundary of any affected residence.

The LA10* noise level emitted from the premises must not exceed the background noise level in any octave band centre frequency (31.5Hz – 8k Hz inclusive) between 12:00 midnight and 7:00am at the boundary of any affected residence.

Notwithstanding compliance with the above, the noise from the premises must not be audible within any habitable room in any residence between the hours of 12:00 midnight and 7:00am.

*For the purposes of this condition, the LA10 can be taken as the average maximum deflection of the noise emission from the licensed premises or restaurant.

Details of the acoustic measures to be employed to achieve compliance with this condition must be provided prior to the issue of a Construction Certificate. Such measures must be in accordance with the approved acoustic report and plans.

20. Food Shops Certification

The premises are to be designed, constructed and operated in accordance with the:

- Food Act 2003
- Food Regulation 2010
- Australia and New Zealand Food Standards Code
- Australian Standard AS 4674 – 2004 (Design, construction and fit-out of food premises)
- Australian Standard AS 1668 Part 1 – 1998
- Australian Standard AS 1668 Part 2 – 2012; and
- Building Code of Australia

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

21. Odour Emission Control

There are to be no emissions or discharges from the premises which will give rise to an offence under the Protection of the Environment Operations Act 1997 and Regulations.

Emission control equipment shall be provided in the mechanical exhaust system serving the appliances, to effectively minimise the emission of odours, vapours and oils. Details of the proposed emission control equipment must be provided in the relevant plans and specifications for the Construction Certificate for the subject works.

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

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.

22. Landscape Plan

A landscape plan prepared by a qualified Landscape Architect or Designer must be provided to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

The plan must include:

1. Details of the first floor landscaped area required by Deferred Commencement Condition B, including a planting schedule (species container size and quantities) for the required trees and groundcover plantings.
2. Planting details and specifications.

Details demonstrating compliance are to be shown on the plans submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

23. Landscaping (Green Walls)

The design of all landscaping, including any green walls, must demonstrate the response to site conditions, including in particular light availability and wind impacts.

- a) Prior to the issue of a Construction Certificate the following design details of the proposed green wall must be submitted to, and approved by Council:
 - (i) Detailed drawings demonstrating how the green wall is constructed, including proposed materials, planter dimensions, and integration into the wall structure;
 - (ii) Details of the proposed growing medium, including soil depth and type;
 - (iii) Location, numbers, type and size of plant species selected with plants being selected on the basis of the site conditions;
 - (iv) Drainage, irrigation and waterproofing details (as applicable);
 - (v) Details of any additional lighting (where applicable).
- b) Prior to the issue of a Construction Certificate a Maintenance Plan needs to be submitted and approved by Council. The maintenance plan should include information on:
 - (i) How access will be provided to the plants, soil and structural elements for installation and maintenance;
 - (ii) Details outlining the intended strategy for decommissioning the planting works should plants fail. This strategy is to ensure that the finish to the wall is well maintained and attractive throughout its life.

24. Underground Services

Before the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that no proposed underground services (i.e. water, sewerage, drainage, gas or other service) unless previously approved by conditions of consent, are located beneath the

canopy of any tree protected under State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017, located on the subject allotment and adjoining allotments.

A plan detailing the routes of these services and trees protected under the State Environmental Planning Policy shall be prepared. Details demonstrating compliance are to be shown on the plans submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

25. Enclosure of Fire Hydrant

Prior to the issue of a Construction Certificate, the Certifying Authority is to be provided with plans indicating that all fire hydrant and sprinkler booster valves and the like are enclosed in accordance with the requirements of AS 2419.1 2005.

26. Structural Certificate for retained elements of the building

Prior to the issue of a Construction Certificate, the Certifying Authority is required to be provided with a Structural Certificate prepared by a practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction. The certificate must also include all details of the methodology to be employed in construction phases to achieve the above requirements without result in demolition of elements marked on the approved plans for retention.

27. Sydney Water – Tap In

Prior to the issue of a Construction Certificate, the Certifying Authority is required to ensure approval has been granted through Sydney Water's online 'Tap In' program to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

Note: Please refer to the web site <http://www.sydneywater.com.au/tapin/index.htm> for details on the process or telephone 132092.

28. Fibre-ready Facilities

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that arrangements have been made for:

- a) The installation of fibre-ready facilities to all individual lots and/or premises the development so as to enable fibre to be readily connected to any premises that is being or may be constructed on those lots. Demonstrate that the carrier has confirmed in writing that they are satisfied that the fibre ready facilities are fit for purpose.
- b) The provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises the development demonstrated through an agreement with a carrier.

29. Consolidation of Lots

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with evidence that the separate lots comprising the development have been consolidated into one lot and under one title and registered at NSW Land Registry Services.

30. Concealment of Plumbing and Ductwork

Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with plans detailing the method of concealment of all plumbing and ductwork including stormwater downpipes within the outer walls of the building so they are not visible.

31. Future Food Use - Mechanical Ventilation Provision

Prior to the issue of a Construction Certificate, the mechanical exhaust systems and/or shafts must be designed to allow for the discharge of effluent air above roof level and must be designed with capacity to accommodate exhaust ducts and mechanical ventilation systems for all commercial tenancies proposed with the potential to become a food premises in future. Systems must be designed in accordance with AS1668.2 – The Use of Ventilation and Air-conditioning in Buildings – Mechanical Ventilation in Buildings, and AS1668.1 – The Use of Mechanical Ventilation and Air-Conditioning in Buildings – Fire and Smoke Control in Multi-compartment Buildings.

32. Asbestos Removal

An Asbestos Survey prepared by a suitably qualified Occupational Hygienist shall be prepared for the premises. The Survey is to incorporate appropriate Asbestos removal and disposal methods in accordance with the requirements of WorkCover NSW, NSW Environmental Planning and Assessment Amendment (Asbestos) Regulation 2009 and NSW Environment Protection Authority, Safe Removal of Asbestos 2nd Edition [NOHSC: 2002 (2005)] and conditions of this consent.

A copy of any WorkCover approval documents is to be included as part of the documentation.

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

During Demolition and Construction

33. Construction Hours – Class 2-9

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work must only be permitted during the following hours:

- a) 7:00am to 6:00pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
- b) 8:00am to 1:00pm 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 out of hours 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 must be limited to:

8:00am to 12:00pm, Monday to Saturday; and

2:00pm to 5:00pm Monday to Friday.

The person acting on this consent must not undertake such activities for more than three continuous hours and must 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.

34. Survey Prior to Footings

Upon excavation of the footings and before the pouring of the concrete, the Certifying Authority must be provided with a certificate of survey from a registered land surveyor to verify that the structure will not encroach over the allotment boundaries.

35. Tree Protection Measures

No activities, storage or disposal of materials taking place beneath the canopy of any tree protected under Council's Tree Management Controls at any time.

36. Contamination – Retention of Ground Slab

This consent only permits the fit-out and use of the premises with the retention of the existing ground slab. Intrusive ground excavations and/or works that may compromise the integrity of the existing ground slab covering the site are not approved, and existing ground slabs and hardstand areas must be retained and maintained in their original form.

Should any ground slab or hardstand area be damaged or disturbed, an appropriately qualified Environmental Consultant must inspect the site immediately and determine whether any potential contaminants have been disturbed. If preventative works need to be undertaken, a written statement prepared by a qualified Environmental Consultant must be provided to Council detailing the outcome of this investigation and associated works.

Prior to Occupation Certificate

37. Public Domain Works

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with written evidence from Council that the following works on the Road Reserve

have been completed in accordance with the requirements of the approval under Section 138 of the *Roads Act 1993* including:

- a) Heavy duty concrete vehicle crossing(s) at the vehicular access location(s).
- b) The redundant vehicular crossing to the site removed and replaced by kerb and gutter and footpath. Where the kerb in the vicinity of the redundant crossing is predominately stone (as determined by Council's Engineer) the replacement kerb must also be in stone.
- c) The existing concrete footpath across the frontage of the site must be reconstructed.
- d) Other works subject to the Roads Act 1993 approval.

All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-"Roadworks Specifications".

38. No Encroachments

Prior to the issue of an Occupation Certificate, the Principal Certifier must ensure that any encroachments on to Council road or footpath resulting from the building works have been removed, including opening doors, gates and garage doors with the exception of any awnings or balconies approved by Council.

39. Redundant Vehicle Crossing

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must ensure that all redundant vehicular crossings to the site have been removed and replaced by kerb and gutter and footpath paving in accordance with Council's Standard crossing and footpath specifications and AUS-SPEC#2-"Roadworks Specifications". Where the kerb in the vicinity of the redundant crossing is predominantly stone the replacement kerb must also be in stone.

40. Dilapidation Report

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority must be provided with a second Dilapidation Report addressing the public infrastructure identified in approved predevelopment dilapidation report, including a photographic survey and structural condition which was compiled after the completion of works. As the report details public infrastructure, a copy is to be furnished to Council at the same time.

41. Landscaping Works

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works have been undertaken in accordance with the approved plan(s) and conditions of consent. A copy of an active Landscape Management Plan/contract for the maintenance of the landscaping for a period of not less than two years after the installation is to be provided prior to the issue of the Occupation Certificate.

42. Acoustic report – Infrastructure SEPP / ANEF compliance

A report prepared by a suitably qualified Acoustic Consultant shall be submitted to Council certifying that the development complies with the requirements of (as relevant):

- State Environmental Planning Policy (Infrastructure) 2007
- ANEF - the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021—2000
- conditions of development consent; and
- recommendations of the acoustic report prepared by Pulse Acoustic Consultancy, Version: Final – Rev 2, dated 16 November 2018

The report shall include post construction validation test results.

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.

43. Food Premises Notification and Registration

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.

Should Council be the nominated Principal Certifying Authority, then the applicant shall notify Council not less than forty-eight (48) hours prior to the proposed occupation of the premises to arrange for a final compliance inspection.

The applicant shall not operate the food premises until an Occupation Certificate has been issued.

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

44. Trade Waste / Grease Traps

To ensure that adequate provision is made for the treatment of waste water from the premises, floor plans accompanying the Occupation Certificate application shall include provision for a Sydney Water approved grease trap.

The grease trap installation shall service all commercial sections of the development and be designed, constructed and operated in accordance with:

- Australian Standard AS 3500; and
- National Plumbing & Drainage Code

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

On-going

45. Hours of Operation – Trial Period

The premises including the outdoor area are only to be open for business and used for the purpose approved within the following hours.

<u>Trial Period</u>	Restaurant/ Tasting Room	Brewery Warehouse
Monday to Sunday	12midday – 10:00pm	7:00am – 6:00pm

The above operating hours are for a trial period of 12 months from the date of a final Occupation Certificate. At the cessation of the trial period the hours of operation are to be as follows.

<u>After Trial Period</u>	Restaurant / Tasting Room	Brewery Warehouse
Monday to Thursday	12midday – 6:00pm	7:00am – 6:00pm
Friday and Saturday	12midday – 8:00pm	7:00am – 1:00pm
Sunday	12midday – 6:00pm	8:00am – 1:00pm

Set-up and clean-up operations must commence no earlier or later than 1 hour before opening and 1 hour after closing hours (as stipulated by this condition). All doors and windows must remain closed during set up and cleaning where possible.

Service is to cease 30 minutes before closing time.

In the event that the operator wishes to seek consent for permanent late trading hours or a further trial period a Section 4.55 application is to be lodged and approved by the consent authority. The application should seek to modify this condition accordingly and be accompanied by supporting documentation.

46. Acoustic Requirements – Licensed Premises

The LA10 noise level emitted from the premises, measured between the hours of **7am and 12 midnight**, is not to exceed the background noise level in any octave band frequency (centred on 31.5Hz to 8 kHz inclusive) by more than 5 dB, when measured at the boundary of any adjoining residence.

The LA10 noise level emitted from the premises, measured between the hours of **midnight and 7am**, is not to exceed the background noise level in any octave band frequency (centred on 31.5Hz to 8 kHz inclusive), when measured at the boundary of any adjoining residence.

47. Plan of Management

The operation of the premises must comply at all times with the 'Plan of Management' listed in Condition No. 4, prepared by Mersonn Pty Ltd, dated January 2019. The Plan of Management as approved must not be amended without the prior written approval of 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.

48. Acoustic Impacts

The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations.

In this regard, the operation of the premises and plant and equipment shall not give rise to a sound pressure level at any affected premises that exceeds the background LA90, 15min noise level, measured in the absence of the noise source/s under consideration by 5dB(A). The source noise level shall be assessed as an LAeq, 15min and adjusted in accordance with the NSW Environment Protection Authority's Industrial Noise Policy and Environmental Noise Control Manual (sleep disturbance).

49. Acoustic Testing in First 60 Days

During the first sixty (60) days of trading /public entertainment being provided at the premises, the following acoustic measures must be undertaken:

- a) A suitably qualified acoustic consultant must be appointed to:
 - i) measure and verify the noise emanating from the premises; and
 - ii) if necessary, make recommendations to ensure that the noise emanating from the premises complies with the noise criteria.
- b) The noise measurements must be:
 - i) undertaken without the knowledge of the applicant, manager or operator of the premises; and
 - ii) taken on at least three (3) different occasions on three (3) different days of the week (excluding Monday, Tuesday and Wednesday) from 11pm until the end of the public entertainment or close of business, whichever occurs first, and
 - iii) submitted to Council within seven (7) days of testing.
- c) If the acoustic consultant recommends that additional treatment or works be undertaken those recommendations must be:
 - i) submitted to Council with the noise measurements; and
 - ii) implemented to the acoustic consultant's satisfaction before the end of the first sixty (60) days of public entertainment provided on the premises.
- d) If the acoustic consultant's recommendations are not implemented in accordance with this condition, the relevant element of trading (ie outdoor area access)/ public entertainment on the premises must cease until such time as the recommendations are implemented and verified.

50. Acoustic Outdoor Area of Licensed Premise – No Amplified Music

All doors and opens are to remain closed (except to allow ingress/egress) between 6:00pm – 10:00pm Monday to Sunday.

There is to be no entertainment in the form of amplified music on any part of any outdoor area at any time.

Amplified music being played within the Restaurant/Tasting Room is to be set to a maximum volume of 75db(A) when measured 1 meter in front of the speaker.

During amplified music, the northern/Gladstone Street door into the Restaurant/Tasting Room is to remain closed (except to allow ingress/egress).

51. Health Impacts

The use of the premises shall not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the Protection of the Environment Operations Act 1997 and Regulations. The use of the premises and the operation of plant and equipment shall not give rise to the transmission of a vibration nuisance or damage other premises.

52. First floor landscaping

The first floor landscape area is not to be used by patrons and shall not contain any furniture. Access must be for maintenance purposes only.

53. Crime Scene Preservation

The 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 licensee and/or staff take all practical steps to preserve and keep intact the area where the act of violence occurred and retain all material and implements associated with the act of violence in accordance with the Crime Scene Preservation Guidelines issued by the NSW Police;
- b) The licensee and/or staff make direct and personal contact with the Local Area Commander or his/her delegate and advise the Commander or delegate of the incident; and
- c) The licensee and/or staff comply with any directions given by the Commander or delegate to preserve or keep intact the area where the violence occurred.

54. OMCG and Declared Organisation

1. The licensee must not permit any person to enter the premises, or to remain on the premises, if the person is wearing or carrying any clothing, jewellery or accessory displaying:
 - a. the name of any of the following motorcycle-related and similar organisations: Bandidos, Black Uhlans, Coffin Cheaters, Comanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Highway 61, Life & Death, Lone Wolf, Mobshitters, Nomads, Odins Warriors, Outcasts, Outlaws, Phoenix, Rebels, Hells Angels, Scorpions, Mongols, Notorious, Muslim Brotherhood Movement; or any

“declared organisation” within the meaning of the Crimes (Criminal Organisation Control) Act 2009.

- b. the colours, club patch, insignia or logo of any such organisation, or
 - c. the “1%” or “1%er” symbol, or
 - d. any image, symbol, abbreviation, acronym or other form of writing that indicates membership of, or an association with, any of the organisations specified in point 1 (a).
2. Any incident where a person is refused entry or removed from the premises in relation to this condition must be recorded in the incident register.

55. Incident Register

1. The licensee must always maintain an incident register in the form and manner required under section 56 of the Liquor Act 2007 the venue is open and operating for the sale or supply of liquor.
2. The licensee must record in the register the details of any of the following incidents and any action taken in response to any such incident:
 - a) Any incident involving violence or anti-social behaviour occurring on the premises;
 - b) Any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the premises and that involves a person who has recently left, or been refused admission to, the premises;
 - c) Any incident that results in a person being turned out of the licensed premises under section 77 of the Liquor Act 2007;
 - d) Any incident that results in a patron of the premises requiring medical assistance, and
 - e) Notwithstanding the above, any incident of a person being refused service.
3. The licensee must, if requested to do so by a police officer or inspector:
 - a) make any such incident register immediately available for inspection by a police officer or inspector, and
 - b) allow a police officer or inspector to take copies of the register or to remove the register from the premises.
4. The licensee must ensure that the information recorded in the incident register is retained for at least 3 years from when the record was made.

56. CCTV

1. 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 premises are required to close (or, in the case of premises that are not required to cease trading, continuously at all times),
 - b) recordings must be in digital format and at a minimum of 15 frames per second,
 - c) any recorded image must specify the time and date of the recorded image,
 - d) the system's cameras 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 toilets) on the premises.
2. The licensee must also:
 - a) keep all recordings made by the CCTV system for at least 30 days, and
 - b) ensure that at least one member of staff is always available on the premises at all times to ensure the system is operating, and can access and fully operate the system, including downloading and producing recordings of CCTV footage and
 - c) 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 recordings.

57. Patron Access and Egress

The Licensee must ensure that all patron access and egress, other than in the case of an emergency, is through the Gladstone Road entrance.

58. Sale of Liquor

The licensee must ensure that the sale or supply of liquor ceases 15 minutes before the close of trade.

59. Neighbourhood Amenity

The management of the premises:

- a) Shall ensure patrons do not crowd or loiter near the vicinity of the premises in such manner that pedestrian movement is obstructed or hindered.

- b) Shall ensure that the manner in which the business of the premises is conducted and/or the behaviour of persons entering and leaving the premises does not cause undue disturbance to the amenity of the neighbourhood. In this regard, the management shall be responsible for the control of noise and litter generated by persons and/or premises operations. If so directed by Council, the Management is to employ private security staff to ensure that this condition is complied with.
- c) Shall record in an Incident Register full details of any disturbance complaints made by a person to management or staff in respect to the manner in which the business on the premises is conducted and/or the behaviour of persons entering or leaving the premises. Such recording will include time, date, nature of the complaints and any complainant details if provided.
- d) Shall respond to any disturbance complaints in a timely and effective manner. All actions undertaken by management / staff to resolve such complaints shall be recorded in the Register.

60. Development Consent

A copy of the relevant development consent is to be kept on the premises and made available for inspection on the request of a police officer, council officer, Liquor & Gaming inspector, or any other person authorised by the Independent Liquor & Gaming Authority.

61. Capacity

The capacity of the premises must not exceed 100 patrons (or the maximum allowed by the BCA, whichever is fewer). A sign is required to be placed on the front entrance of the premises alongside the prescribed required under s.95(1) of the Liquor Act 2007 stating the maximum capacity.

62. Waste – Commercial Collection Time

To ensure minimal impacts on surrounding properties commercial waste and recyclable material generated by the premises must not be collected between the hours 9pm and 8am.

Advisory notes

Chartered/Registered Engineer

An engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng).

Permits

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must 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 veranda over the footpath
- h) Partial or full road closure
- i) Installation or replacement of private stormwater drain, utility service or water supply

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

Public Domain and Vehicular Crossings

The vehicular crossing and/or public domain works are required to be constructed by your contractor. You or your contractor must complete an application for 'Design of Vehicle Crossing and Public Domain Works – Step 1' form and/or 'Construction of Vehicle Crossing and Public Domain Works – Step 2' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, before commencement of works.

You are advised that Council has not undertaken a search of existing or proposed utility services adjacent to the site in determining this application. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be at no cost to Council

Any damage caused during construction to Council assets on the road reserve or on Council or Crown land must be repaired at no cost to Council.

Any driveway crossovers or other works within the road reserve must be provided at no cost to Council.

No consent is given or implied for any Encroachments onto Council's road or footpath of any service pipes, sewer vents, boundary traps, downpipes, gutters, eaves, awnings, stairs, doors, gates, garage tilt up panel doors or any structure whatsoever, including when open.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Notification of commencement of works

At least 7 days before any demolition work commences:

- a) the Council must be notified of the following particulars:
 - i. the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - ii. the date the work is due to commence and the expected completion date; and

- b) a written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

Storage of Materials on public property

The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.

Toilet Facilities

The following facilities must be provided on the site:

- a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
- b) a garbage receptacle for food scraps and papers, with a tight fitting lid.

Facilities must be located so that they will not cause a nuisance.

Infrastructure

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. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be undertaken before occupation of the site.

Other Approvals may be needed

Approvals under other acts and regulations may be required to carry out the development. It is the responsibility of property owners to ensure that they comply with all relevant legislation. Council takes no responsibility for informing applicants of any separate approvals required.

Failure to comply with conditions

Failure to comply with the relevant provisions of *the Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

Other works

Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Obtaining Relevant Certification

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):

- a) Application for any activity under that Act, including any erection of a hoarding.
- b) Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*.
- c) Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*.
- d) Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed.
- e) Application for Strata Title Subdivision if strata title subdivision of the development is proposed.
- f) Development Application for demolition if demolition is not approved by this consent.
- g) Development Application for subdivision if consent for subdivision is not granted by this consent.

Disability Discrimination Access to Premises Code

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.

National Construction Code (Building Code of Australia)

A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code.

Notification of commencement of works

Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the PCA (not being the council) has given the Council written notice of the following information:

- a) in the case of work for which a principal contractor is required to be appointed:
 - i. the name and licence number of the principal contractor, and
 - ii. the name of the insurer by which the work is insured under Part 6 of that Act,
- b) in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Permits from Council under Other Acts

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must 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. A lease fee is payable for all occupations.

Noise

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.

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

Fire Safety Certificate

The owner of the premises, as soon as practicable after the Final Fire Safety Certificate is issued, must:

- a) 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
- b) 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.

Construction of Vehicular Crossing

The vehicular crossing and/or footpath works are required to be constructed by your own contractor. You or your contractor must complete an application for 'Construction of a Vehicular Crossing & Civil Works' form, lodge a bond for the works, pay the appropriate fees and provide evidence of adequate public liability insurance, prior to commencement of works.

Lead-based Paint

Buildings built or painted prior to 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 prior to occupation of the room or building.

Asbestos Removal

A demolition or asbestos removal contractor licensed under the Work Health and Safety Regulations 2011 must undertake removal of more than 10m² of bonded asbestos (or otherwise specified by WorkCover or relevant legislation).

Removal of friable asbestos material must only be undertaken by a contractor that holds a current AS1 Friable Asbestos Removal Licence.

Demolition sites that involve the removal of asbestos must display a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility.

All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulation 2005. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.

Dial before you dig

Contact "Dial Prior to You Dig" prior to 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 Prior to You Dig 1100

www.dialprior toyoudig.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 1300 651 116

Environmental Solutions

www.wasteservice.nsw.gov.au

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

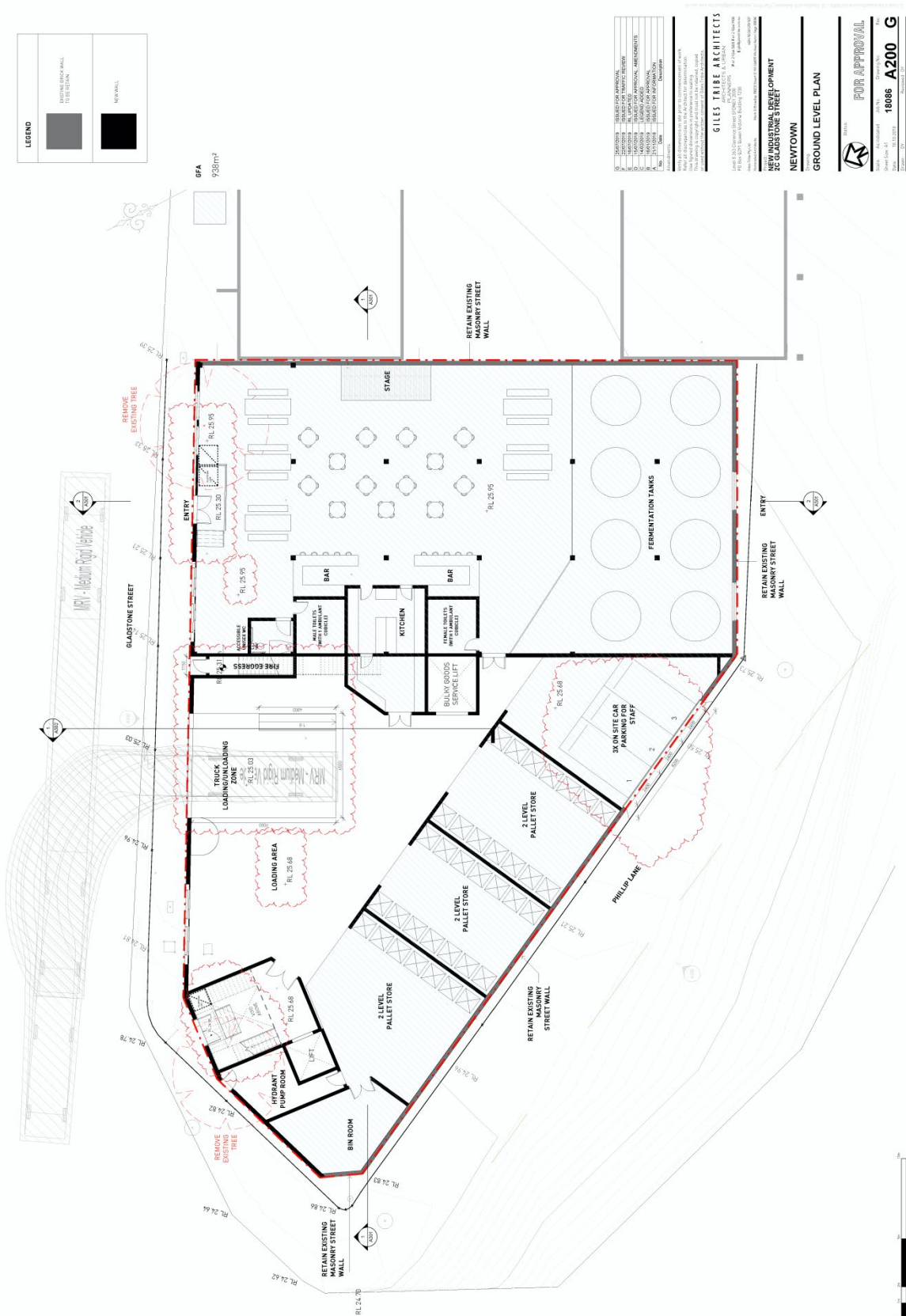
NEWTOWN

2C GLADSTONE STREET, NEWTOWN, 2042

SITE AREA
1315m²
GFA
1721m²
FSR
1.316:1



PROJECT NO.	18086	PROJECT NAME	NEWTOWN DEVELOPMENT
DATE	23/10/2018	SCALE	AS SHOWN
<p>GILLESPIE ARCHITECTS ARCHITECTS 1/100 GARDEN STREET, SYDNEY NSW 2000 PH: (02) 9550 2222 WWW.GILLESPIEARCHITECTS.COM.AU</p>			
<p>NEWTOWN DEVELOPMENT 2C GLADSTONE STREET NEWTOWN NSW 2042</p>			
<p>COVER SHEET</p>			
<p>FOR APPROVAL</p>			
DATE	23/10/2018	PROJECT NO.	18086
SCALE	AS SHOWN	DATE	23/10/2018
		PROJECT NO.	A000 C



LEGEND

	EXISTING MASONRY WALL TO BE RETAINED
	NEW WALL

No.	DATE	DESCRIPTION
1	15/05/2024	PRELIMINARY DEVELOPMENT
2	15/05/2024	REVISED FOR TRAFFIC REVIEW
3	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
4	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
5	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
6	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
7	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
8	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
9	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
10	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
11	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
12	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
13	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
14	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
15	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
16	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
17	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
18	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
19	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
20	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
21	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
22	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
23	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
24	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
25	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
26	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
27	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
28	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
29	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
30	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
31	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
32	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
33	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
34	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
35	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
36	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
37	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
38	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
39	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
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41	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
42	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
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49	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS
50	15/05/2024	REVISED FOR ENVIRONMENTAL ASSESSMENTS

GILES TRIBE ARCHITECTS
 15/05/2024
 18086 A200 G

FOR APPROVAL

NEW TOWN
 GROUND LEVEL PLAN

26 GLADSTONE STREET

18086 A200 G

LEGEND

	EXISTING WORK WALL
	NEW WALL



NO.	DATE	DESCRIPTION
1	18/05/2023	ISSUED FOR APPROVAL
2	18/05/2023	ISSUED FOR APPROVAL
3	18/05/2023	ISSUED FOR APPROVAL

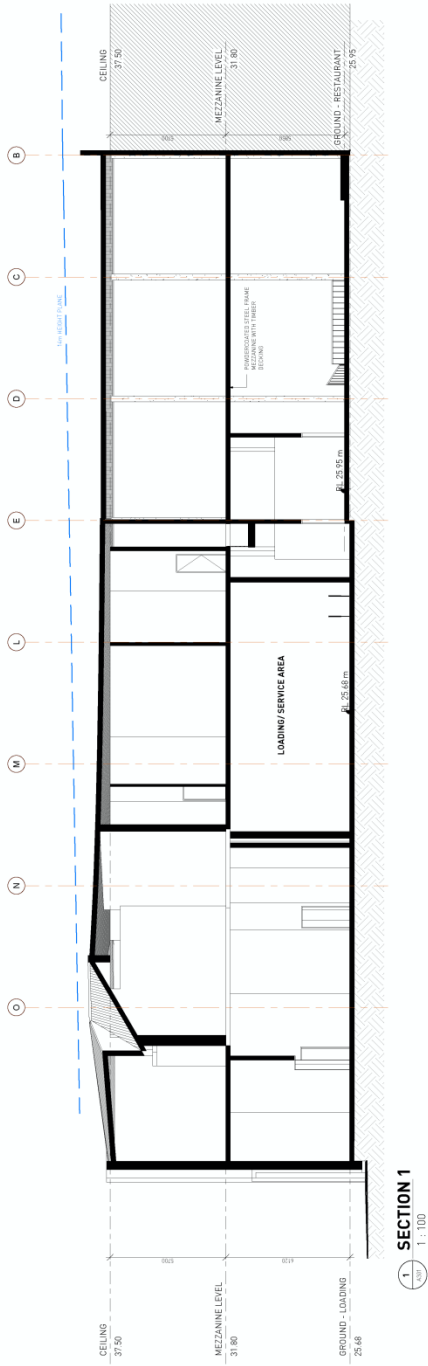
GILES TRIBE ARCHITECTS
 ARCHITECTS
 1/110 WILSON STREET, NEWCASTLE NSW 1590
 PH: 08 158 88 888
 WWW.GILESTRIBE.COM.AU

NEWCASTLE CITY COUNCIL
 DEVELOPMENT SERVICES
 100 WILSON STREET, NEWCASTLE NSW 1590
 PH: 08 158 88 888
 WWW.NCC.NSW.GOV.AU

NEWCASTLE CITY COUNCIL
 DEVELOPMENT SERVICES
 100 WILSON STREET, NEWCASTLE NSW 1590
 PH: 08 158 88 888
 WWW.NCC.NSW.GOV.AU

FOR APPROVAL

PROJECT: 18086 A201 D
 SHEET: 01 OF 02
 DATE: 18/05/2023



SECTION 1
1:100



SECTION 2
1:100

1808066	1808066	1808066	1808066
No.	No.	No.	No.
Date	Date	Date	Date

GILES TRIBE ARCHITECTS
 ARCHITECTS
 45/46 BROADWAY, SYDNEY NSW 1570
 PH: 02 9550 8888
 WWW.GILESTRIBEARCHITECTS.COM.AU

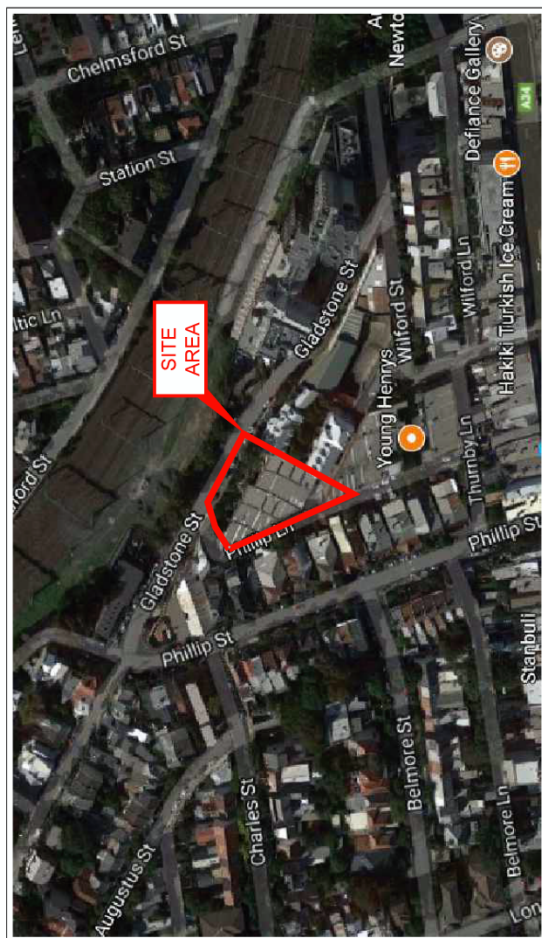
NEW TOWN DEVELOPMENT
NEW TOWN
SECTIONS

FOR APPROVAL
 SHEET No. A1
 DRAWING No. 180806 A301 C

2C GLADSTONE STREET, NEWTOWN

PROPOSED INDUSTRIAL DEVELOPMENT

STORMWATER CONCEPT PLANS



LOCALITY PLAN
SCALE

- GENERAL NOTES**
1. ALL DIMENSIONS ARE IN METRES UNLESS NOTED OTHERWISE. CHANGED LINES TO BE DIMENSIONED & SCALED.
 2. EXISTING SERVICES LOCATIONS SHOWN INDICATE LOCATE & LEVEL. ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.
 3. ALL DIMENSIONS FROM CORNER IF LOCATED WITHIN PROPERTY.
 4. ALL PITS IN DRIVEWAYS TO BE 600MM CONCRETE AND ALL PITS IN LANDSCAPED AREAS TO BE 450MM PLASTIC OR CONCRETE.
 5. PITS LESS THAN 600mm DEPTH MAY BE BRICK, PRECAST OR CONCRETE.
 6. ALL PITS TO BE CONFORM TO AS 3600 AND TO HAVE SAFETY COVERINGS IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS.
 7. ALL EXTERNAL BLINDS TO BE WATERPROOFED.
 8. ALL GRATES TO HAVE CHILD PROOF LOCKS.
 9. ALL DRAINAGE WORKS TO AVOID TREE ROOTS.
 10. ALL DPTs TO HAVE LEAF GUARDS.
 11. ALL EXISTING LEVELS TO BE CONFIRMED BY BUILDER PRIOR TO CONSTRUCTION.
 12. ALL WORK WITHIN COUNCIL RESERVE TO BE INSPECTED BY COUNCIL PRIOR TO CONSTRUCTION.
 13. COUNCIL'S NEEDED FOOTWAY DESIGN LEVELS TO BE PROVIDED TO DEVELOPER PRIOR TO DESIGN BEING ISSUED BY COUNCIL.
 14. ALL WORK SHALL BE IN ACCORDANCE WITH B.C.A. AND A.S.3600.1.
 15. ALL WORK SHALL BE IN ACCORDANCE WITH LANDSCAPING ARCHITECT'S DRAWINGS FOR LANDSCAPING.
 16. CARE TO BE TAKEN AROUND EXISTING SEWER, STRUCTURAL ADVISE IS REQUIRED FOR SEWER PROTECTION AGAINST CONSTRUCTION WORKS. ALL EXISTING SIDEWALKS, WALLS AND OGD BASIN WATER LEVELS.
 17. ALL WALLS FORMING THE DETENTION BASINS SHALL BE CONSTRUCTED TO BE SUITABLE TO WITHSTAND THE SQUAREAGE OF THE SITE BEING DEVELOPED.
 18. OGD WARNING SIGN AND SAFETY FENCING SHALL BE PROVIDED TO PROTECT ALL CONSTRUCTION WORKS IN ACCORDANCE WITH COUNCIL REQUIREMENTS.
 19. ENSURE THAT NON-FLAMMABLE MULCH IS USED IN DETENTION BASINS AND PROTECT ALL CONSTRUCTION WORKS FOR EQUIVALENT.
 20. ALL PITS IN MALCOLMS TO BE 600MM DIA. CAST IN CONCRETE SLAB. CONTRACTOR TO PROVIDE FOR STORMWATER EMERGENCY OVERTFLOW. ALL FLOOR AREAS & WALKWAYS TO BE FITTED WITH PANDA BRAND MATS TO BE FITTED TO PROTECT ALL CONSTRUCTION WORKS. DOWNSPUTS TO BE CHECKED BY ARCHITECT & LANDSCAPING PRIOR TO CONSTRUCTION.
 21. THE OGD BASIN TANK IS TO BE BUILT TO THE CORRECT LEVELS & SIZE AS PER THIS DESIGN. ANY VARIATIONS ARE TO BE APPROVED BY ARCHITECT & LANDSCAPING. ANY AMENDMENTS WITHOUT OUR APPROVAL WOULD RESULT IN A REVISION TO THE DESIGN. RECONSTRUCTION IS REQUIRED UNDER THE CONTRACTORS EXPENSES.

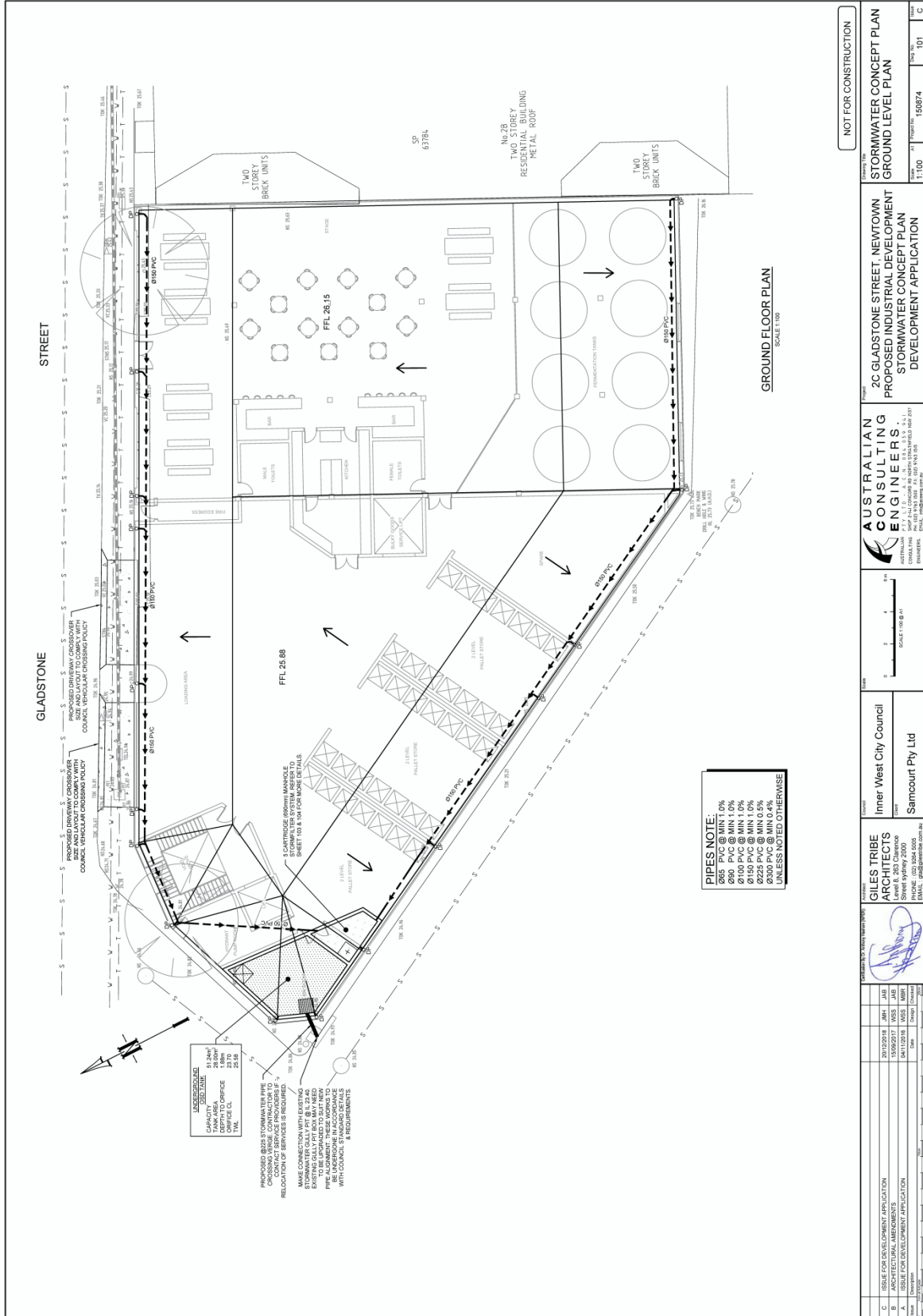
Drawing No.	DESCRIPTION
000	COVER SHEET, NOTES & LEGEND
001	STORMWATER CONCEPT PLAN GROUND LEVEL PLAN
002	STORMWATER CONCEPT PLAN MEZZANINE LEVEL PLAN
003	OGD VISUAL DETAILS AND CALCULATION SHEETS SHEET 1 OF 2
004	OGD VISUAL DETAILS AND CALCULATION SHEETS SHEET 2 OF 2
005	MISCellaneous DETAILS SHEET

LEGEND

- PROPOSED STORMWATER
- EXISTING STORMWATER
- EXISTING SEWER MAIN (FROM RECORDS)
- EXISTING WATER MAIN (FROM RECORDS)
- EXISTING OVERHEAD WATER MAIN (FROM RECORDS)
- DRAINAGE TO BE CAST IN SLAB/COLUMN
- ROOF SLOPE
- DESIGN SURFACE LEVEL
- EXISTING SURFACE LEVEL
- VOID AREA
- PROPOSED OGD STORAGE

NOT FOR CONSTRUCTION

<p>CLIENT</p> <p>Inner West City Council</p> <p>SAMCOURT PTY LTD</p>		<p>CONSULTANT</p> <p>Inner West City Council</p> <p>GILES TRIBE ARCHITECTS</p> <p>10/100 GARDEN ST</p> <p>SYDNEY NSW 2000</p> <p>PH: (02) 9336 5500</p> <p>EMAIL: info@gilestribe.com.au</p>	<p>DATE</p> <p>DATE</p> <p>DATE</p> <p>DATE</p> <p>DATE</p> <p>DATE</p> <p>DATE</p> <p>DATE</p> <p>DATE</p>	<p>PROJECT</p> <p>2C GLADSTONE STREET, NEWTOWN</p> <p>PROPOSED INDUSTRIAL DEVELOPMENT</p> <p>STORMWATER CONCEPT PLAN</p> <p>DEVELOPMENT APPLICATION</p>	<p>DRAWING NO.</p> <p>111.0.</p> <p>DATE</p> <p>15/08/24</p> <p>BY</p> <p>000</p> <p>CHECKED</p> <p>0</p>
--	--	--	---	---	---



PIPES NOTE:
 Ø65 PVC @ MIN 1.0%
 Ø75 PVC @ MIN 1.0%
 Ø100 PVC @ MIN 1.0%
 Ø150 PVC @ MIN 1.0%
 Ø225 PVC @ MIN 0.5%
 Ø300 PVC @ MIN 0.4%
 UNLESS NOTED OTHERWISE

LANDSCAPING
 150mm PVC
 225mm PVC
 300mm PVC
 150mm PVC
 225mm PVC
 300mm PVC

PROPOSED BRICK STORMWATER PIPE CROSSING VERGE CONTRACTOR TO PROVIDE STORMWATER SYSTEM (REFER TO SHEET 105 FOR FULL CONNECTIONS). RELOCATION OF SERVICES IS REQUIRED. MAKE CONNECTION WITH EXISTING STORMWATER CALL V.P. 2.24.40. EXISTING SERVICES TO BE UPGRADED TO BUT NEW PIPE UNDERGROUND IN ACCORDANCE WITH COUNCIL'S REQUIREMENTS.

NOT FOR CONSTRUCTION

2C GLADSTONE STREET, NEWTOWN
 PROPOSED INDUSTRIAL DEVELOPMENT
 STORMWATER CONCEPT PLAN
 DEVELOPMENT APPLICATION

1:100

AUSTRALIAN CONSULTING ENGINEERS
 AUSTRALIAN CONSULTING ENGINEERS
 CONSULTING ENGINEERS
 111/113 STURGEON STREET, SYDNEY NSW 2000
 PH: (61) 2 9550 9999 FAX: (61) 2 9550 9998
 WWW.ACE.COM.AU

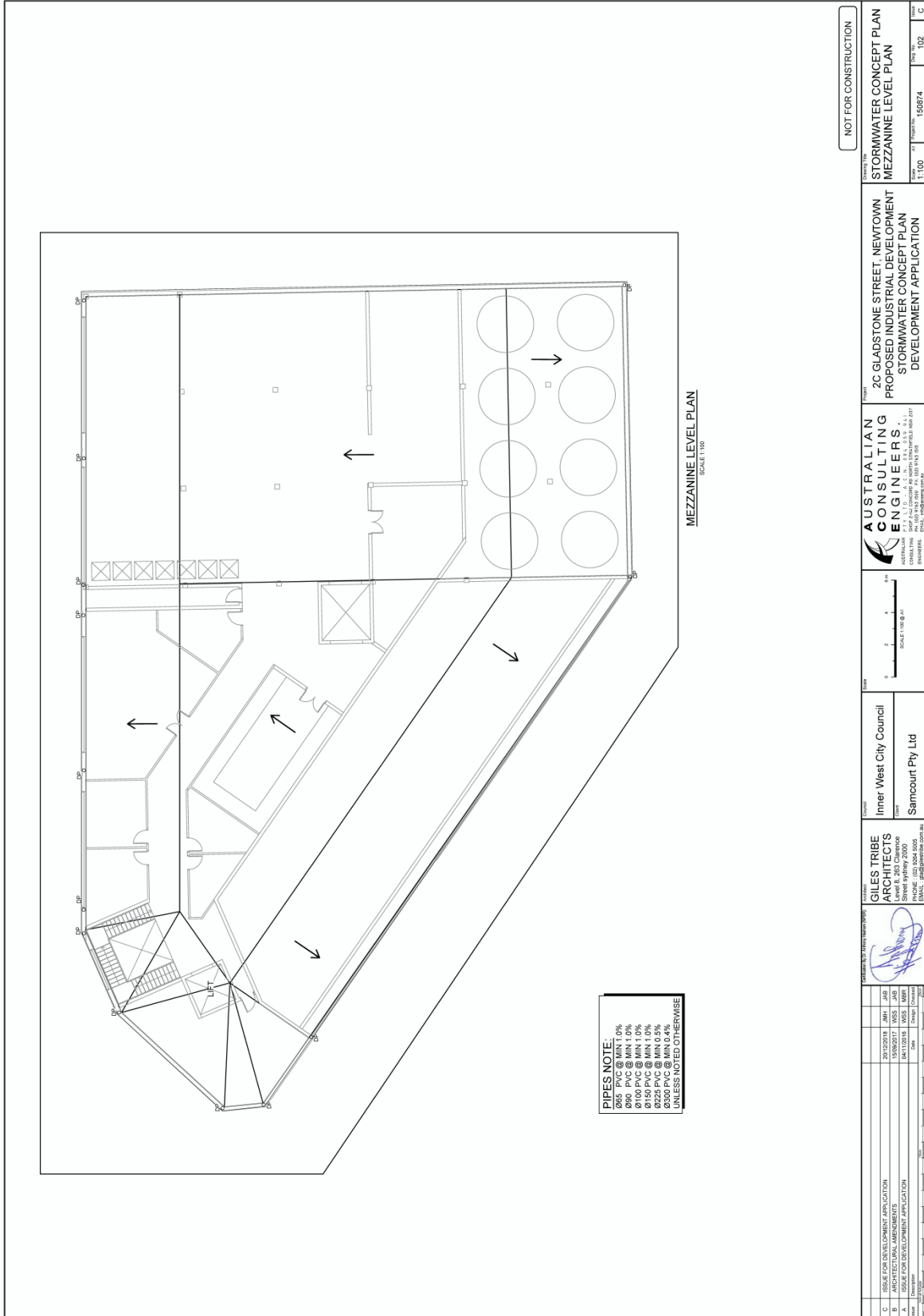
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Inner West City Council
 Samcourt Pty Ltd

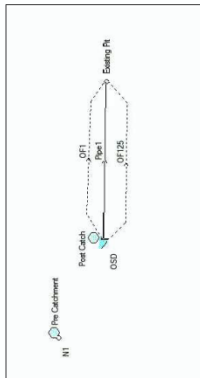
GILES TRIBE ARCHITECTS
 GILES TRIBE ARCHITECTS
 10/100 WILSON STREET, SYDNEY NSW 2000
 PHONE: 02 9246 0055
 FAX: 02 9246 0056
 EMAIL: gtr@tribearchitects.com.au

Authorised by: [Signature]

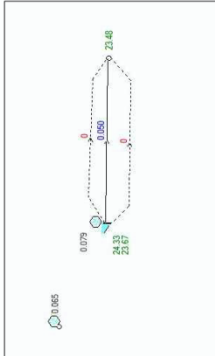
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04/11/2018	ISSUE FOR DEVELOPMENT APPLICATION	MOSS	MAR



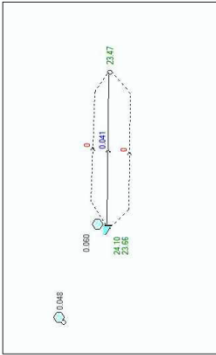
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PROJECT 2C GLADSTONE STREET, NEWTOWN PROPOSED INDUSTRIAL DEVELOPMENT STORMWATER CONCEPT PLAN DEVELOPMENT APPLICATION		SCALE 1:100	
CLIENT Inner West City Council Samcourt Pty Ltd		CONSULTING ENGINEERS AUSTRALIAN CONSULTING ENGINEERS AUSTRALIAN CONSULTING ENGINEERS CONSULTING ENGINEERS 10/100 WILSON ST, NEWTOWN NSW 1570 PH: (02) 9550 1000 FAX: (02) 9550 1001 WWW.ACE.COM.AU	
ARCHITECTS GILES TRIBE ARCHITECTS 10/100 WILSON ST, NEWTOWN NSW 1570 PHONE: (02) 9550 1000 EMAIL: gtr@tribe.com.au		DATE 04/11/2018	
ISSUE FOR DEVELOPMENT APPLICATION 20/10/2018 JMH JAH		DATE 04/11/2018 MGS MGR	
ISSUE FOR DEVELOPMENT APPLICATION 04/11/2018 MGS MGR		DATE 04/11/2018 MGS MGR	



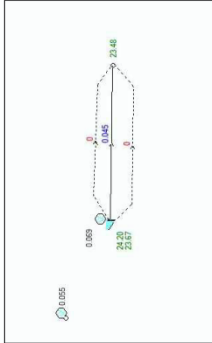
DRAINS WITHOUT RESULTS
N.T.S.



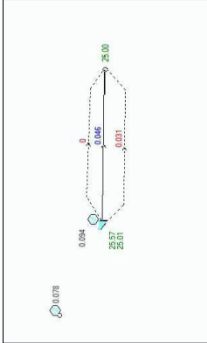
DRAINS RESULTS 20YR
N.T.S.



DRAINS RESULTS 5YR
N.T.S.



DRAINS RESULTS 10YR
N.T.S.



DRAINS RESULTS 100YR
N.T.S.

YEAR	PEAK FLOWS (m³/s)	DISCHARGE (m³/s)	WATER STORAGE LEVEL (m)
5	48	41	24.10
10	55	45	24.20
20	65	50	24.35
50	78	59	24.41
100	78	49	25.21

STORMFILTER DESIGN TABLE

STORMFILTER TREATMENT CAPACITY VARIES BY NUMBER OF FILTER CARTRIDGES INSTALLED AND BY REGION SPECIFIC INTERNAL FLOW CONTROLS. CAPACITY IS LISTED IN L/S. THE LOCATION OF THE SPECIFIC STRUCTURE(S) PER CIVIL ENGINEER WILL BE SHOWN ON SUBMITTAL DRAWINGS. ALL PARTS PROVIDED AND INTERNAL ASSEMBLY OF STORMWATER FILTERS UNLESS OTHERWISE NOTED.

CARTRIDGE HEIGHT	600	450	310
SYSTEM HYDRAULIC DROP (H ₁ - HEAD MIN)	0.05	0.07	0.09
SYSTEM HYDRAULIC DROP (H ₂ - HEAD MAX)	0.05	0.07	0.09
CARTRIDGE FLOW RATE (L/S)	1.42	1.71	2.07
CARTRIDGE FLOW RATE (L/MIN)	85.2	102.6	124.2

GENERAL NOTES

- INLET AND OUTLET PIPING SHALL BE SPECIFIED BY SITE CIVIL ENGINEER (SEE PANS) AND PROVIDED BY CONTRACTOR.
- AT THE INLET AND OUTLET LOCATIONS, THE STORMFILTER SHALL BE INSTALLED IN ACCORDANCE WITH THE STORMFILTER MANUFACTURER'S INSTALLATION INSTRUCTIONS.
- PLEASE CONTACT STORMWATER FOR OPTIONS.
- ENGINEER (BASED ON THE PEAK HYDRAULIC CAPACITY OF THE STORMFILTER) SHALL BE SPECIFIED BY THE SITE CIVIL ENGINEER ON THE SUBMITTAL DRAWINGS.
- CONTRACTOR SHALL PROVIDE THE STORMFILTER WITH THE FOLLOWING:
 - 1. ALL WATER FOR THE STORMFILTER SHALL BE PROVIDED BY THE CONTRACTOR.
 - 2. CLEARANCE FOR MAINTENANCE ACCESS.
 - 3. APPROXIMATE 1400mm CLEARANCE TO THE STORMFILTER.
 - 4. REPRESENTATIONAL PURPOSES AND MAY VARY REGIONALLY.
 - 5. PROVIDE A 150mm CLEARANCE TO THE STORMFILTER.
 - 6. STORMFILTER BY STORMWATER.
 - 7. STORMFILTER BY STORMWATER.
 - 8. STORMFILTER BY STORMWATER.
 - 9. STORMFILTER BY STORMWATER.
 - 10. STORMFILTER BY STORMWATER.

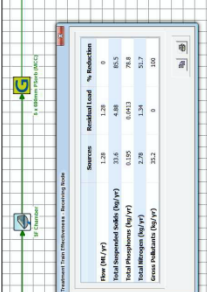
SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID	1
WATER QUALITY FLOW RATE (L/S)	XXX
PEAK FLOW RATE (L/S)	XXX
RETURN PERIOD OF PEAK FLOW (YR)	XXX
# OF CARTRIDGES REQUIRED (R-20)	9
MINIMUM CARTRIDGE HEIGHT (R-20)	150
MINIMUM PIPE SIZE (R-20)	150
PRECAST WALKWAY WEIGHT	19
PRECAST WALKWAY WEIGHT	19

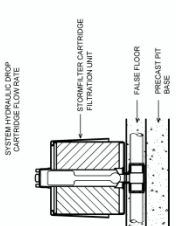
STORMFILTER TABLE

LOADER	ADDITIONAL BALLAST	YES/NO
		NA
		NA
		NA

WSD MUSIC RESULT



STORMFILTER DESIGN TABLE



NOT FOR CONSTRUCTION

PROJECT
20C GLADSTONE STREET, NEWTOWN
OSD & WSD DETAILS AND CALCULATION SHEETS
STORMWATER CONCEPT PLAN DEVELOPMENT APPLICATION

CLIENT
Inner West City Council

DESIGNER
Sancourt Pty Ltd

CONSULTANT
AUSTRALIAN CONSULTING ENGINEERS

DATE
15/08/24

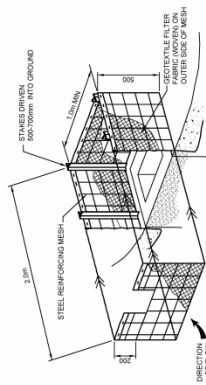
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104

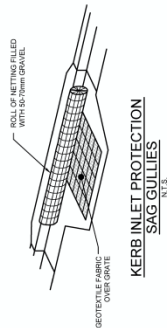
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C

SEDIMENT & EROSION NOTES

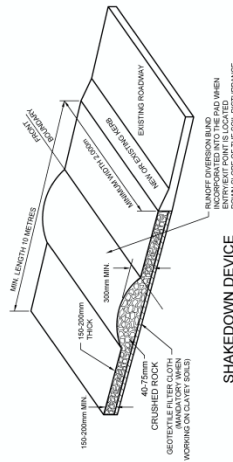
- IMMEDIATELY FOLLOWING SETTING OUT OF THE WORKS, BUT PRIOR TO COMMENCEMENT OF EXCAVATION, ALL EXPOSED SOILS AND SUBSTRATA SURFACES SHALL BE COVERED WITH SILT FENCE, A FURROW OR CURB AND GUTTER, A SLOTTED CURB AND GUTTER OR OTHER APPROPRIATE EROSION CONTROL MEASURE. THE LOCATION AND TYPE OF SUCH MEASURES SHALL BE APPROVED PRIOR TO ANY CLEARING OR EXCAVATION WORK BEING UNDERTAKEN. THE MEASURES SHALL BE MAINTAINED UNTIL THE WORKS ARE COMPLETED AND TO REMAIN IN PLACE UNTIL THE SITES ARE RESTORED TO A CONDITION EQUAL TO OR BETTER THAN THE ORIGINAL STATE.
- IMMEDIATELY FOLLOWING SETTING OUT OF THE WORKS, BUT PRIOR TO COMMENCEMENT OF EXCAVATION, ALL EXPOSED SOILS AND SUBSTRATA SURFACES SHALL BE COVERED WITH SILT FENCE, A FURROW OR CURB AND GUTTER, A SLOTTED CURB AND GUTTER OR OTHER APPROPRIATE EROSION CONTROL MEASURE. THE LOCATION AND TYPE OF SUCH MEASURES SHALL BE APPROVED PRIOR TO ANY CLEARING OR EXCAVATION WORK BEING UNDERTAKEN. THE MEASURES SHALL BE MAINTAINED UNTIL THE WORKS ARE COMPLETED AND TO REMAIN IN PLACE UNTIL THE SITES ARE RESTORED TO A CONDITION EQUAL TO OR BETTER THAN THE ORIGINAL STATE.
- EROSION CONTROL MEASURES SHALL BE CONSTRUCTED WITH PROVISIONS RESTRICTING ALL EXCESSIVE DISTURBANCE TO THE WORKS SITE AND TO PREVENT EROSION OF SOILS ON ADJACENT PROPERTIES.
- PROVIDE SILT FENCING ALONG PROPERTY LINES AS DIRECTED BY SUPERINTENDENT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND MAINTAINING ALL NECESSARY APPROVALS TO WORKS FROM ALL APPLICANT AGENCIES.
- ALTERNATIVE EROSION CONTROL MEASURES TO BE USED IN ACCORDANCE WITH THE APPROVALS OF THE SUPERINTENDENT.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND MAINTAINING ALL NECESSARY APPROVALS TO WORKS FROM ALL APPLICANT AGENCIES.
- SILT AND TIMBERED DERRIS FROM ENTERING THE STORMWATER SYSTEM.
- NO REVERSE CURBS OR OTHER OBSTRUCTIONS TO BE PLACED OUTSIDE OF SITE WORK.
- APPROPRIATE EROSION AND SEDIMENT CONTROLS TO BE USED TO PROTECT ADJACENT PROPERTIES.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO TAKE CARE OF NATURAL VEGETATION AND HERITAGE TREES WITHIN THE WORKS AREA.
- PROVISIONS TO BE UNDER TAKEN WITHOUT PRIOR APPROVAL FROM THE SUPERINTENDENT.
- PROVISIONS TO BE UNDER TAKEN WITHOUT PRIOR APPROVAL FROM THE SUPERINTENDENT.
- THE LOCATION OF EROSION AND SEDIMENTATION CONTROLS WILL BE DETERMINED ON THE BASIS OF THE SUPERINTENDENT'S VISUAL SURVEY AND PHOTOGRAPHS OF THE WORKS AREA.
- ACCESS TRACERS THROUGH THE SITE WILL BE LIMITED TO THOSE DETERMINED BY THE SUPERINTENDENT.
- ALL SETTING OUT OF THE RESPONSIBILITY OF THE CONTRACTOR PRIOR TO WORKS COMMENCING ON SITE. THE SUPERINTENDENT'S SUPERVISOR SHALL PLACE BENCH MARKS AND PLACE BENCH MARKS. THE CONTRACTOR SHALL SET OUT THE WORKS FROM AND TO THE BENCH MARKS.
- PLANS ARE MINIMUM REQUIREMENTS AND ARE TO BE USED AS A GUIDE ONLY. EXACT REQUIREMENTS WILL BE DETERMINED ON SITE IN CONJUNCTION WITH PROGRAMS OF CONTRACTORS WORKS.



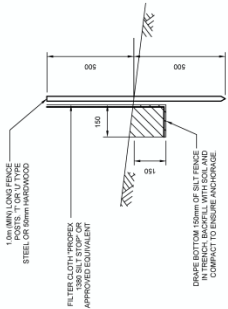
FIELD INLET SEDIMENT TRAP
N.T.S.



KERB INLET PROTECTION SAGGULLES
N.T.S.



SHAKEDOWN DEVICE
N.T.S.



SILT FENCE DETAIL
N.T.S.

SILT FENCE NOTES:

- ALL WORKS TO BE INSTALLED TO THE NOTES WITH CALIBRATED WEIRLES, STAPLES ON ATTACHMENT BELTS.
- MINIMUM SPACING BETWEEN STAPLES SHALL BE 100mm AND FENCED AREAS SHALL BE COVERED BY 1000mm x 1000mm FILTER CLOTH AND FASTENED TO OTHER BELTS.
- ALL WORKS TO BE CONSTRUCTED BY 1000mm DIA PIPE STAPLES SUPPORTED BY STEEL OR 30mm HARDWOOD.
- ALL WORKS TO BE CONSTRUCTED TO BE FASTENED TO 1000mm DIA PIPE STAPLES SUPPORTED BY STEEL OR 30mm HARDWOOD.
- INSPECTIONS SHALL BE PROVIDED ON A REGULAR BASIS TO MAINTAIN THE SILT FENCE AND TO REMOVE ANY DEBRIS.
- IF A SILT FENCE IS DAMAGED BY A STORM EVENT, IT SHALL BE REPAIRED IMMEDIATELY.
- STAPLES AND WEIRLES SHALL BE MAINTAINED AT SPACINGS NO GREATER THAN 100mm.

PROJECT		DATE	ISSUE		
20C GLADSTONE STREET, NEWTOWN PROPOSED INDUSTRIAL DEVELOPMENT STORMWATER CONCEPT PLAN DEVELOPMENT APPLICATION		20/12/2018	NOT FOR CONSTRUCTION		
AUSTRALIAN CONSULTING ENGINEERS CONSULTING ENGINEERS 111/113 ST GEORGE STREET, SYDNEY NSW 2000 PHONE: 02 9234 2000 FAX: 02 9234 2020 EMAIL: info@aceng.com.au www.aceng.com.au		Inner West City Council Samcourt Pty Ltd	GILES TRIBE ARCHITECTS 11/113 ST GEORGE STREET, SYDNEY NSW 2000 PHONE: 02 9234 2000 EMAIL: info@gtarchitects.com.au		
Issue No:	105	Date:	20/12/2018	By:	JM
Issue No:	106	Date:	20/12/2018	By:	JD
Issue No:	107	Date:	20/12/2018	By:	JD
Issue No:	108	Date:	20/12/2018	By:	JD
Issue No:	109	Date:	20/12/2018	By:	JD
Issue No:	110	Date:	20/12/2018	By:	JD
Issue No:	111	Date:	20/12/2018	By:	JD
Issue No:	112	Date:	20/12/2018	By:	JD
Issue No:	113	Date:	20/12/2018	By:	JD
Issue No:	114	Date:	20/12/2018	By:	JD
Issue No:	115	Date:	20/12/2018	By:	JD
Issue No:	116	Date:	20/12/2018	By:	JD
Issue No:	117	Date:	20/12/2018	By:	JD
Issue No:	118	Date:	20/12/2018	By:	JD
Issue No:	119	Date:	20/12/2018	By:	JD
Issue No:	120	Date:	20/12/2018	By:	JD

Attachment C – Plan of Management

Plan of Management

GLADSTONE STREET BREWERY TAPROOM & RESTAURANT

2C GLADSTONE STREET, NEWTOWN

JANUARY 2019

Prepared by Mersonn Pty Ltd

1.0 Site and Locality Details

1.1 Primary Use

The premises are to be used a taproom and restaurant ancillary to a the onsite artisan brewery. The floor plan is Attachment 1.

1.2 Active Areas

There are no active areas outside of the boundaries of the site.

1.3 Sensitive Land Uses

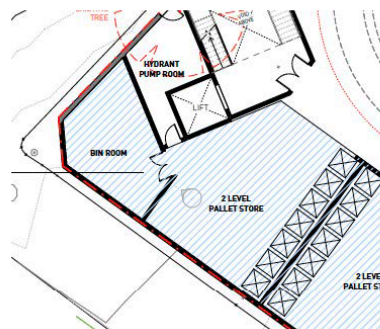
The sensitive receivers floor plan is Attachment 2.

1.4 Maximum Capacity

The maximum number of patrons is 100.

1.5 Waste Storage Areas

The waste storage areas are located on the ground floor as shown on the following plan.



1.6 Plant Location

The air conditioning and exhaust fan systems are located on the roof behind the parapet in the north-west of the site.

1.7 Parking And Transport

There is no on-site car parking provided for the use. Off-site car parking is located on street on Gladstone Street. Taxi pick-up and drop-off is located on Gladstone Street outside the site and alternate taxi pick-up is located on the corner of Enmore Road and Station Street.

1.8 Pedestrian Routes

The most common pedestrian route to and from the site is down Gladstone Street and Station Street, connecting to Enmore Road and Newtown.

2.0 Operational Details

2.1 Organisational Overview

2.1.1 Staff

3 Management Staff
4 Kitchen Staff
10 Wait and Bar Staff

2.1.2 Liquor Licenses

TBC

2.1.3 Proprietor/Licensee Community Consultation

The licensee will participate in the liquor accord meetings, and Frontline compliance workshops.

The licensee will be in contact with the Licensing Supervisor for LAC, in contact via email.

The licensee will conduct a thorough walk through of the site including, security cameras, bar, signage, explaining the official documentation from the builders plans in relation to seating:

- Seating arrangements
- proposed locations of security cameras
- the experience of the management who will be working in the venue
- the company policy of zero tolerance regarding to patron behaviour which could lead to community disruption
- the company policy of no staff knock off drinks which promotes RSA, and also that of any leaving the venue at suitable times leading to no community disruption.

2.1.4 Local Community Consultation

Will conduct a letter box drop to surrounding residences and business to make notification of our intent.

2.2 Hours of Operation

7.00am and 10:00pm Monday to Sunday

2.3 Noise

2.3.1 Noise And Vibration Sources

Potential noise emissions from the restaurant will be predicted at the nearby residences, both those opposite the site to the south, east and the west.

Predicted noise emissions will be assessed against the criteria nominated in section 5.

The primary noise emissions from the operation of the restaurant will be:

- Vocal noise from patrons using the internal areas of the restaurant.
- Patrons leaving the premises.

The predicted noise level will be based on the following assumptions:

- Patron noise internally - _Average noise level generated by patron speech internally is 77dB(A)L10 (one in three talking at any one time). The internal sound pressure level used for the assessment is 83 dB(A) based on measurements at a similar establishment.
- There are no proposed external activities on the site.

Plant

Plant will be acoustically treated to prevent noise emissions from adversely impacting the surrounding properties in conjunction with the criteria detailed in Section 5 of this report. This may include selecting the quietest plant practicable, or treating the plant with enclosures, barriers, duct lining and silencers, etc as required to comply with the sound level recommendations.

Experience with similar projects indicates that it would be possible to achieve the requirement with appropriate treatment of the plant. General requirements for a number of potential plant items on the site are expanded on below.

Supply And Exhaust Fans

Supply and exhaust fans may be located within the underground plant rooms or in the roof top plant areas. These units typically emit high noise levels and require acoustic treatment such as silencers and internal lined ductwork. Silencer requirements would be determined once fan selections have been completed.

Condenser Units

Condensing units typically emit relatively low noise levels and with careful selection, it is possible that no further acoustic treatment would be necessary.

2.3.2 Acoustic Environment

Background noise levels as measured at the site are presented in Table 1. These noise levels have been used in the determination of planning

levels to govern noise emissions from the development.

Measured Background Noise Levels

Period	Measured Background L90,15min dB(A)
Day	62
Evening	59
Night	51

2.3.3 Noise Sensitive Areas

The noise sensitive receivers are located in the adjoining mixed use development to the south and west of the subject site and the residence to the north and residential development to the north-east.

2.4 Security and Safety

2.4.1 Security Staff

The nature of the venue is such that it is not necessary to employ full time security on the door. When the venue starts to trade this will be reviewed with the Licensing Police if required.

- **CCTV surveillance camera installation**

Cameras throughout the venue in positions agreed with the licensing police.

2.4.2 Signage

Signage provided on doors.

2.4.3 Complaints Register

A complaints register will be maintained for the use in the required format.

3.0 Management Measures

3.1.1 Complaints Procedures

- The licensee will ensure that all reasonable steps are taken to control the behaviour of patrons of the Restaurant whilst on the premises and as they enter and leave the premises.
- The licensee shall erect signs at all exits of the premises requesting patrons to leave quietly and shall assign staff to the main entrance after 10pm on all nights to ensure that patrons leave the vicinity of the premises promptly and quietly.
- The licensee and staff shall take all reasonable steps to ensure that there is no loitering by persons seeking admittance to the premises in the vicinity of the premises.

-
- Management will be available to meet with residents to discuss any issues of concern in the operation of the Restaurant.
 - Staff are to be trained in the handling of difficult people so as to maintain the quiet order of the neighbourhood.
 - A contact phone number for either senior management or the licensee will be made available to the residents and Council officers in order to facilitate the meetings or deal with any complaints.

3.1.2 Waste Management

The removal of waste shall take place only between the hours of 7:00am and 12 noon.

Waste management will include the following:

- Cardboard: to be flattened and placed in a dedicated paper storage area and collected three times a week by a licensed paper recycler;
- Styrofoam: empty boxes to be stored in the garbage room and removed by suppliers;
- Used cooking oil: to be stored in approved receptacle in the garbage room and collected once a week by a licensed recycler;
- Fish off cuts: to be stored in the cool room until close of business, then placed in sealed garbage containers and stored in the garbage room, from where it shall be removed daily by a recognised waste contractor;
- Vegetables: vegetables and other restaurant waste to be placed in sealed garbage bags and placed in sealed garbage containers in the garbage

room, to be removed daily by a recognised waste contractor; and

- Glass bottles: to be stored in clearly marked recycle bins in the garbage room and collected daily by a licensed glass recycler.

In addition to Council's daily street sweeping and cleansing operations, the owner/manager of the business shall ensure that the forecourt and the surrounds of the building including pavements and gutters are to be kept clean and free of litter at all times.

3.1.3 Waste procedures

Waste equipment: Garbage room located at ground floor. Glass crushing machine located in kitchen

Bins will be moved to loading dock for pickup.

Garbage room will be mechanically ventilated.

Wash trough and hose reel will be located within the garbage room for bin cleaning

To avoid ingress from vermin: ceilings will be free of gaps and open joints and finished with impervious sealed material walls and floors glazed and floors coved at the inner sections.

Cleaners will wash down garbage room daily

Waste removal shall take place between 7am and 12pm

Cardboard to be flattened and placed in paper storage area.

Used cooking oils to be stored in approved receptacle in garbage room and collected once per week.

Fish off-cuts to be stored in coolroom until close of business then placed in sealed containers and stored in garbage room - removed daily.

Ashtrays are provided in these areas to encourage the 'binning of butts'. Considering some of the community is not this understanding, the cleaning of such areas will be on twice daily cleaning rosters.

3.1.4 Active Use

The proposed use will provide an active use during the evening providing activity and surveillance during the evening hours on the public spaces and the laneway.

3.1.5 Patron Awareness Of Public Transport

Staff will arrange taxis for patrons.

3.1.6 Patron Awareness Of Responsible Disposal Of Cigarette Butts;

Smoking will be permitted only on the Gladstone Street frontage. Strict management of patron behaviour will be enforced to ensure that no loud talking is permitted.

3.1.7 Amenity Measures

The staff and management of the Restaurant shall consider the amenity of its residential neighbours and shall take all reasonable measures to ensure that adverse impacts to nearby residences do not occur. The licensee will take all reasonable

measures to ensure that the behaviour of patrons when entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. Measures in place are discussed in this Plan of Management.

The Restaurant shall operate in a manner so as not to significantly affect the amenity of the neighbourhood by reason of noise, odour or waste

3.2 Noise

3.2.1 Noise And Vibration Attenuation Measures

- Vibration isolate the condenser unit from the building structure by waffle pads or equal.
- Entrance glazing thickness 6.38mm laminate or greater with acoustic seals around perimeter;
- Openings on the western facade is covered by minimum 6mm thick glazing with all perimeter sealed;
- Glazing adjacent to entrance is minimum 6.38mm thick with acoustic seals around the perimeter and panel junctions;
- Windows to the services easements to be 10.38mm laminated glass and closed at all times.
- Install absorptive lining with an NRC of not less than 0.7 to the ceiling of the entranceway.

3.2.2 Compliance With All Relevant Noise And Vibration Standards

Condensing Units

- Proposed CU location is acoustically acceptable.

-
- Vibration isolated the CU from the building structure by waffle pads or equal.

Restaurant

- Ambient music in restaurant areas not exceed 75db(A) Sound Pressure levels;
- Max 100 patrons within the restaurant;
- Entrance is glazing thickness 6.38mm laminate with acoustic seals around perimeter;
- Ventilation opening on eastern façade is covered by minimum 6mm thick glazing with all perimeter sealed;
- Windows on the southern and western facades glazing is minimum 6.38mm thick with acoustic seals around the perimeter and panel junctions;
- Recommended that management keep a complaint register on site and that noise complaints are registered and what course of remedial action has been taken. This register should be stored on site and be accessible at all times;
- Prominent notices shall be placed within restaurant to remind patrons that a minimum amount of noise is to be generated at all times;
- management controls should be utilised to manage patron departure particularly at night and at closing times to ensure patrons leaving development in a prompt and orderly manner.

3.2.3 Noise Management

- Noise- Licensed Premises
 - (a) The LA10 noise level emitted from use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8K Hz inclusive) by more than 5 dB between the hours of 7am and 12:00 midnight when assessed at the boundary of any affected residence.
 - (b) The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5 Hz to 8K Hz inclusive) between the hours of 12:00 midnight and 7am when assessed at the boundary of any affected residence.
 - (c) Notwithstanding compliance with (a) and (b) above, the noise from the use must not be audible within any habitable room in any residential property between the hours of 12:00 midnight and 7am.
 - (d) The L10 noise level emitted from the use must not exceed the background noise level (L90) in any Octave Band Centre Frequency (31.5 Hz to 8KHz inclusive) by more than 3dB when assessed indoors at any affected commercial premises.
 - (e) The use of the premises must be controlled so that any emitted noise at a level so as not to create an "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.

- Noise-Mechanical Plant and Equipment
 - (a) Transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any affected receiver.
 - (b) A sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15 min) noise level by more than 5dB. The background noise level

must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055.

- Acoustic testing shall be carried out by a suitably qualified Acoustic Engineer within 60 days after the commencement of operation for the assessment of and subsequent implementation of any further noise attenuation works for compliance to the designed noise level criteria.

3.2.4 Complaint Management

- The restaurant will provide an open line of communication with residents.
- All residents may have direct access to the licensee.
- All complaints will be registered by the manager on duty in the incident logbook, and will be followed up by the licensee.
- The licensee and/or manager will deal with all resident complaints directly.
- Should a complaint be received the procedure shall be as follows:
 - Details of the complaint are to be taken by the responding staff member, these should include:
 - (a) Full name & contact details of complainant;
 - (b) Date & details of the specific matter of disturbance;

(c) Explanation to complainant that the matter will be addressed directly by the licensee or manager no later than the next business day.

3.3 Security and Safety

3.3.1 Security Management

- Because of the style of operation of the Restaurant and the proprietor's experience in operating its restaurants, it will not be necessary to employ licensed security personnel on a regular basis. However, this Plan recognises the sensitivity of the Restaurant Management to the needs of neighbouring residents. As set out above Management will be available to meet with residents to discuss any issues of concern in the operation of the Restaurant.
- There will be a close circuit television surveillance system ("CCTV") installed within the restaurant; the monitoring screen will be installed with a split screen to allow cameras to be monitored simultaneously by Management and staff.
- **Entry/ Exit Procedures**
 - Duty manager will monitor the presence of patrons frequenting the footpath areas outside the restaurant.
 - There will be no queueing outside of the premises.

-
- The duty manager will check the identification of patrons who appear to be under the age of 25 years who are attempting to enter.

 - Patrons will not be permitted to leave the restaurant to smoke a cigarette carrying a drink. Patrons will not be permitted to congregate in a fashion which impedes the flow of pedestrian traffic on footpath areas. The duty manager in monitoring these areas are to remind patrons that the restaurant is located in a residential neighbourhood and to keep their voices down and noise to a minimum.

 - Patrons are to be encouraged to leave the premises quietly. The duty manager is to ensure the front door remains closed when not in use. The duty manager will monitor the movement of patrons entering and leaving so that they do not exceed the approved patron numbers.

 - With regard to patrons exiting the restaurant to use a mobile telephone, the duty manager will encourage such patron to remain in the vicinity of the entry door and not to wander beyond the immediate vicinity of the entrance to take the call. Patrons using mobile phones will be reminded that they are entering a residential neighbourhood and to be mindful of neighbours and respectful of the neighbourhood amenity.

3.3.2 Increased Security

- Additional staff and management will be rostered on during events when higher than average patronage is expected.
- During times of higher than average patronage an additional duty manager will be in attendance at the premises.
- The additional duty manager will be responsible for co-ordinating the arrival and departure of patrons at these times particularly those waiting.
- The patrons will be kept within the building and if the venue is at capacity will be turned away and encouraged to leave the vicinity of the premises.

3.3.3 Details of measures that will be implemented to ensure that neighbourhood amenity and safety is protected. At a minimum this should include:

- emergency procedures;
- crowd control;
- search procedures;
- maintenance of an incident register;
- monitoring of patron behaviour;
- monitoring of numbers of patrons within the premises;
- recording of complaints and reporting of incidents to Police;
- membership of the proprietor/licensee to a Licensing Accord
(please refer to the City's website for details of Licensing Accords operating within the City) and a demonstrated commitment to the strategies and principles of the Accord;

-
- **dress codes;**
 - **staff security training;**
 - **distinctive security attire;**
 - **availability of cloak rooms;**
 - **internal and external security patrols;**
 - **the location, design and type of footpath and external lighting that will be installed;**
 - **measures to prevent glass drinking receptacles being carried from the premises by patrons;**
 - **measures to ensure safe capacities (eg. electronic counting of patrons, occupancy limits, signage); and**
 - **actions to be taken during “wind down” periods prior to closing time;**

In the interests of patrons and staff the Proposed Premises will adopt practices to ensure the responsible service of alcohol. It is our Policy to:

- Prevent underage drinking by requiring that proof of age be provided.
- Prevent Intoxication by recognising the signs of intoxication and refusing service to patrons who reach this point. Any person who is already intoxicated is to be denied entry to a function etc.
- Ensure that low alcohol beer and non-alcoholic beverages are provided at all times that full strength is available.
- Ensure no promotions are conducted which could result in binge drinking or excessive consumption.

-
- Prevent disruptive and/or anti-social behaviour;
 - Prevent drink driving by arranging safe transport options such as contacting taxi companies to collect patrons;
 - Educate staff in respect of Responsible Service of Alcohol and this Policy.

3.3.4 Harm Minimisation

It is Management's policy that all laws are complied with regard to the sale/consumption of alcohol on the premises. It will be Management's responsibility to educate the staff in order to help ensure the safety of customers. Management's primary response is for the safety and well being of all the customers.

Management and staff are responsible for adhering to all the policies with respect to alcoholic beverage service. As required by the Liquor Act 2007 NSW prior to any staff member serving alcoholic beverages, they must undergo and complete a Responsible Service of Alcohol Course approved by the Casino, Liquor and Gaming Control Authority NSW (the "Authority").

The following policies for the responsible service of alcohol shall apply:

- i) The licensee will ensure that at all times alcohol is served responsibly and in accordance with the Liquor Act 2007 and Liquor Regulation 2008 and in accordance with this Plan.

-
- ii) The licensee will ensure that all staff involved in the sale, service and supply of liquor have completed an approved Responsible Service of Alcohol ("RSA") course.
 - iii) The licensee will ensure that a register of RSA certificates for the licensee and all staff members engaged in the sale, supply or service of alcohol is kept at the Restaurant at all times and to be made available for inspection by request from Police or Inspectors.
 - iv) Restaurant staff will ensure that the service of alcohol is monitored in such a way as to minimise inappropriate behaviour.
 - v) Staff will refuse entry to any person deemed intoxicated, quarrelsome or unruly.
 - vi) Staff will refuse service to any person approaching intoxication or displaying unruly and/or quarrelsome behaviour.

It is the responsibility of every staff member to ensure that alcohol is not supplied to minors. Patrons suspected of being under the age of 18 years are to be asked to provide approved documentary proof of age before being supplied with liquor. Accepted forms of identification are:-

- a current driver's licence, "proof of age" card or passport

If in any doubt as to the age, always check. It is better to be over-cautions than serve a minor and place the licence in jeopardy through prosecution. If patrons object to providing identification, clearly explain it is a requirement of Management and the law.

It is an offence to sell or supply liquor to any person who is in a state of intoxication. A "state of intoxication" is said to exist

where that persons behaviour, balance, speech and coordination is noticeably affected through the consumption of intoxicating liquor.

Management and staff are to ensure that intoxication is prevented by compliance with the Restaurant's House Policy including:-

- Providing low and non-alcoholic beverages at all times;
- Refusal of service to patrons showing signs of intoxication;
- Not allowing intoxicated persons to enter or remain on the licensed premises.

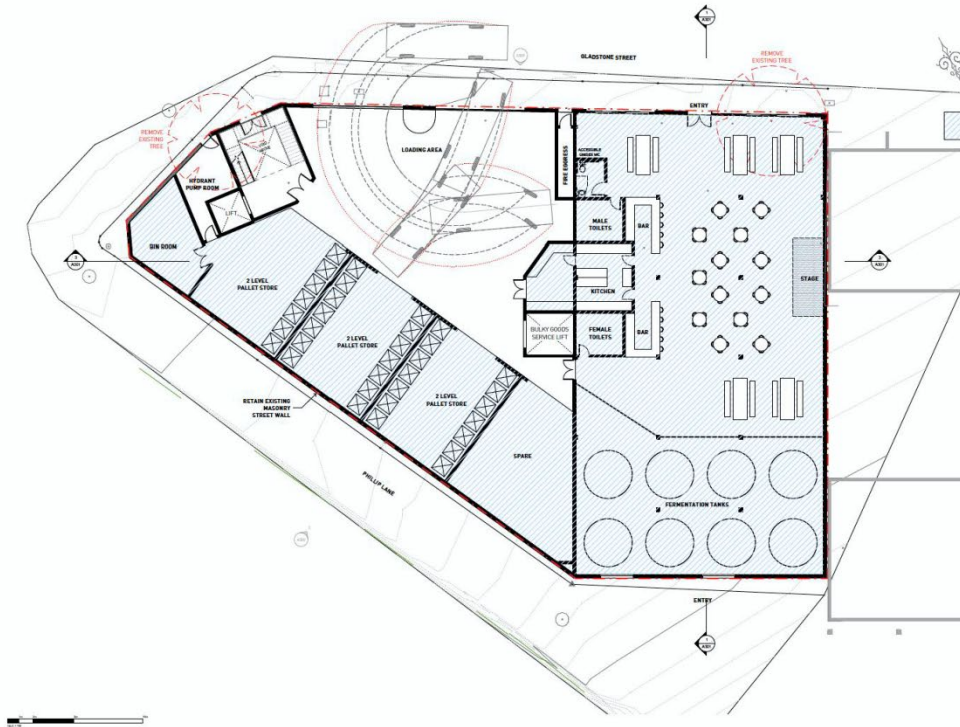
Management and staff are not to allow disruptive, violent or anti-social behaviour to occur on or in the vicinity of the premises by patrons having been in attendance at the premises. Staff are to ensure that this is prevented by:-

- Not tolerating any conduct or behaviour which a reasonable person would consider undesirable.
- Identifying potential problems and taking steps to alert senior staff/security and preventing them from escalating.
- No illicit substances are permitted in the Restaurant at any time.
- Any person found using, supplying or possessing illicit substances shall be immediately evicted but only if the eviction will not result in disturbance to the local residents. If necessary, the Police shall be called to escort the offender from the Restaurant.

-
- For the purposes of this Plan “Illicit substances” includes any substances made illegal by the laws of the State of New South Wales or the Commonwealth of Australia.

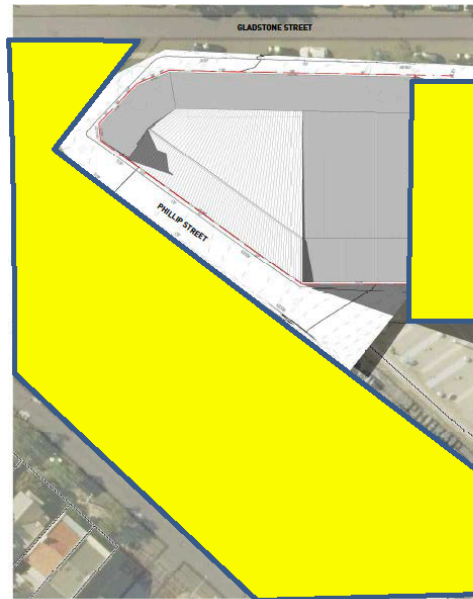
Attachment 1
Floor Plan

Ground Floor Level



Attachment 2

Sensitive Receivers



Attachment D – Acoustic Report



**Proposed Warehouse / Brewery
2C Gladstone Street - Development
Application Acoustic Assessment**

Samcourt Pty Ltd
PO Box 3231, DURAL NSW 2158

2018-11-16 Gladstone - Acoustic Assessment - Final (Rev 2)

16 November 2018

Version: Final – Rev 2

Samcourt Pty Ltd
PO Box 3231, DURAL NSW 2158

2018-11-16 Gladstone - Acoustic Assessment - Final (Rev 2)
16 November 2018
Final – Rev 2

Proposed Warehouse / Brewery 2C Gladstone Street - Development Application Acoustic Assessment

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This report has been prepared by Pulse Acoustic Consultancy Pty Ltd with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with the Client. Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of Samcourt Pty Ltd. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from Pulse Acoustics.

This report remains the property of Pulse Acoustic Consultancy Pty Ltd until paid for in full by the client, Samcourt Pty Ltd. **Pulse Acoustic disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.**

DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised
2018-11-16 Gladstone - Acoustic Assessment	Draft 1	16 Nov 2018	Sonny Wong	Sonny Wong	
2018-11-16 Gladstone - Acoustic Assessment	Final	7 Dec 2018	Sonny Wong	Sonny Wong	
2018-11-16 Gladstone - Acoustic Assessment	Final – Rev1	10 Dec 2018	Tamara Neil	Matthew Harrison	Matthew Harrison
2018-11-16 Gladstone - Acoustic Assessment	Final – Rev2	10 Dec 2018	Tamara Neil	Matthew Harrison	Matthew Harrison

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1 INTRODUCTION

Pulse Acoustics Consultancy has been engaged to undertake a Development Application (DA) Acoustic Assessment of the predicted operational noise emissions from the proposed licensed bar / brewery / warehouse development located at 2C Gladstone Street, Newtown NSW, 2042.

This report has been prepared for Ceerose (the client) to assess the acoustical impact of the redevelopment of 5 warehouse lots in Newtown for use as a licensed premises / brewery and warehouse. Noise criteria, using the Environmental Protection Authority (EPA) guidelines, have been established and used to assess the predicted emissions from the mechanical services and brewery operations. Criteria that satisfy the Liquor and Gaming NSW noise conditions have also been developed in this report and are used to assess the predicted emissions from patrons and music for the proposed Bar development.

1.1 Site Description & Operational Conditions

Figure 1 below indicates the location of the proposed development. The image below also identifies the residential buildings that are located adjacent to the southern and eastern boundary of the proposed development.

Figure 1 Proposed development site



Photo courtesy of Google

The architectural layout of the proposed development is shown in Figure 2. This comprises:

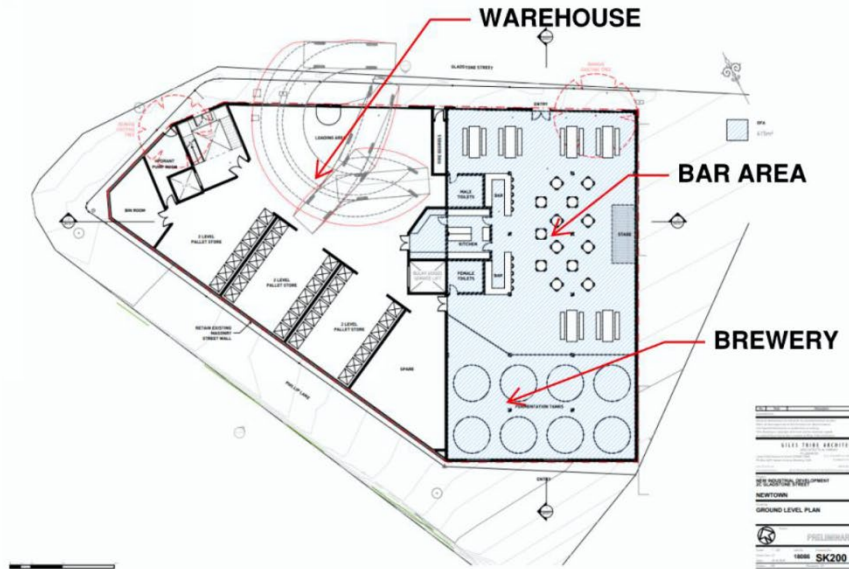
- A combined bar and seating area, amenities, brewing equipment, back-of-house office and kitchen areas.

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- Live music will be catered for, with a stage indicated at the eastern end of the bar area.
- A loading dock where goods will be loaded and unloaded.

Figure 2 Architectural Layout



From our correspondence with the client, we understood that:

- The bar area will operate between 12 noon to 10 pm and will cater for approximately 100 patrons.
- Since neither the bar or brewery / warehouse will operate during the EPA night time period, an assessment against potential sleep arousal criteria is not required.
- The warehouse will operate between 7 am to 6 pm with approximately 7 trucks per week expected during these operational hours.
- The detailed mechanical ventilation, air conditioning and refrigeration system design for the development has not as yet been prepared. Selection and location of plant items are therefore not currently available.

1.2 Hours of Operation & Operational Conditions

The hours of operation of the Warehouse and Bar Development is proposed to be as follows:

- Bar Monday to Sunday: 12 pm – 10 pm
- Warehouse Monday to Sunday: 7 am – 6 pm

The development will accommodate up to 100 patrons and is anticipated to include some live music.

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2 ACOUSTIC SURVEY

An acoustic survey of the existing ambient noise levels along Gladstone Street and Phillip Lane was undertaken in order to establish the noise emission criteria for the proposed development. The survey comprised the following measurements:

- Attended noise measurements in octave bands undertaken on the 22nd November 2018 around 9:45 am – 10:00 am.
- Unattended external noise monitoring undertaken from the 18th to the 22nd November 2018.

2.1 Noise Descriptors and Terminology

Environmental noise constantly varies in level with time. Therefore, it is necessary to measure environmental noise in terms of quantifiable time periods with statistical descriptors. Typically environmental noise is measured over 15 minute periods and relevant statistical descriptors of the fluctuating noise are determined to quantify the measured level.

Noise (or sound) consists of minute fluctuations in atmospheric pressure capable of detection by human hearing. Noise levels are expressed in terms of decibels, abbreviated as dB or dBA, the "A" indicating that the noise levels have been frequency weighted to approximate the characteristics of normal human hearing. Because noise is measured using a logarithmic scale, 'normal' linear arithmetic does not apply, e.g. adding two sound sources of equal values result in an increase of 3dB (i.e. 60 dBA plus 60 dBA results in 63 dBA). A change of 1 dB or 2 dB in the sound level is difficult for most people to detect, whilst a 3 dB – 5 dB change corresponds to a small but noticeable change in loudness. A 10 dB change roughly corresponds to a doubling or halving in loudness.

The most relevant environmental noise descriptors are the LAeq, LA1, LA10 and LA90 noise levels. The LAeq noise level represents the "equivalent energy average noise level". This parameter is derived by integrating the noise level measured over the measurement period. It represents the level that the fluctuating noise with the same acoustic energy would be if it were constant over the measured time period.

The LA1, LA10 and LA90 levels are the levels exceeded for 1%, 10% and 90% of the sample period. These levels can be considered as the maximum noise level, the average repeatable maximum and average repeatable minimum noise levels, respectively.

Specific acoustic terminology is used in this assessment report. An explanation of common acoustic terms is included in Appendix A.

2.2 Attended Noise Measurements

Attended external noise measurements were conducted in order to determine the existing ambient and background noise levels, both as an overall noise level and in their component frequency spectra. These measurements were undertaken on Phillip Lane on the morning of the 22nd November 2018 around 9:58 am, and are considered to be representative of the expected ambient and background noise levels at the nearest noise sensitive receiver locations to the development.

The attended noise measurements were conducted using a Brüel & Kjær Type 2250 sound level meter (serial number 3006332). Calibration of the sound level meter was checked prior to and following the measurements using a Brüel & Kjær Type 4231 sound calibrator (serial number 3009148). The calibrator emitted a calibration tone of 94 dB at 1 KHz. The drift in calibration did not exceed ± 0.5 dB. All equipment carries appropriate and current NATA (or manufacturer) calibration certificates.

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The L_{eq} and L_{90} noise levels are presented in octave band spectra in Table 1 for measurements made outside the development.

Table 1 Measured L_{eq} and L_{90} Octave Band Spectra in Phillip Lane (behind the development)

Date	Time	Location	Octave Band Centre Frequency, Hz								Overall dBA	
			31.5	63	125	250	500	1000	2000	4000		8000
L_{eq} Octave Band Noise Levels												
22 Nov 2018	9:45am–10:00 am	Rear of the Proposed building on Phillip Lane	70	65	65	62	60	57	51	47	41	62
L_{90} Octave Band Noise Levels												
22 Nov 2018	9:45 am–10:00 am	Rear of the Proposed building on Phillip Lane	55	54	51	45	42	39	35	33	27	45

2.3 Unattended Noise Measurements

Unattended noise monitoring was also conducted in order to quantify the noise environment at the nearest potentially affected residential receiver locations. The noise monitoring was conducted on Gladstone Street, adjacent to the eastern façade of the proposed development. The noise logger monitored ambient noise levels between Sunday 18th November 2018 and Thursday 22nd November 2018.

The measured background noise levels are summarised in Table 2 below.

Table 2 Measured Ambient Noise Levels Corresponding to EPA’s Noise Policy for Industry Assessment Time Periods

Measurement Location	Daytime ¹ 7:00 am to 6:00 pm		Evening ¹ 6:00 pm to 10:00 pm		Night-time ¹ 10:00 pm to 7:00 am	
	RBL ²	LAeq ³	RBL ²	LAeq ³	RBL ²	LAeq ³
	East of the development on Gladstone Street 18-22 Nov '18	43 dBA	62 dBA	39 dBA	60 dBA	33 dBA

Note 1: For Monday to Saturday, Daytime 7:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 7:00 am. On Sundays and Public Holidays, Daytime 8:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 8:00 am

Note 2: The RBL noise level is representative of the “average minimum background sound level” (in the absence of the source under consideration), or simply the background level.

Note 3: The LAeq is the energy average sound level. It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.

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3 OPERATIONAL NOISE EMISSION CRITERIA

3.1 Noise Guide for Local Government (NGLG)

The Noise Guide for Local Government (NGLG) outlines regulatory tools for managing local environmental noise impacts. These are provided by the **Protection of the Environment Operations Act 1997** (POEO Act) and the **POEO (Noise Control) Regulation 2018**. The most relevant guidelines for this report are outlined in POEO Act 1997 in the subsection 4.2.1. Noise Control Notices (POEO Act ss. 263–267B).

A Noise Control Notice is used to prohibit an activity or the use of equipment from emitting noise above a specified noise level and it must specify:

1. *A noise limit that the activity or equipment must not exceed. When deciding what noise limit to set, it is important that the limit be realistic and achievable. Different noise limits may be set for different periods, for example you might set a lower noise limit at night. Don't forget to attach an appropriate noise descriptor and measurement period to the set noise limit (e.g. LAeq15min). It is better to set an actual noise limit rather than prescribe a level above the background noise level. In the latter case, variations in the background noise level can cause difficulty in proving non-compliance.*
2. *The location where the specified noise limit(s) must be measured. This is usually at the nearest residential boundary, or if the boundary is a long way from a dwelling, such as in rural areas, at 30 metres from the residence. At night, noise can be assessed at 1 metre from a bedroom window to assess the potential for sleep disturbance. However, it is important to ensure that the measurement location is accessible to whoever receives the notice so they or the issuing officer can check compliance. Where access to check compliance is a problem, a more accessible location to measure compliance can be specified, and the noise level can be adjusted accordingly.*
3. *The times and/or days when the noise limit(s) applies. If none are specified then the noise limit applies at all times.*
4. *The noisy activity or article that must be controlled.*

Therefore, this report includes the noise assessment methodology required to comply with the **POEO (Noise Control) Regulation 2018**.

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3.2 NSW Noise Policy for Industry

In NSW, the control of noise emission is the responsibility of Local Governments and the NSW Environment Protection Authority (NSW EPA).

The NSW EPA has recently released a document titled *Noise Policy for Industry* (NSW NPI) which provides a framework and process for determining external noise criteria for the assessment of noise emission from industrial developments. The NSW NPI criteria for industrial noise sources have two components:

- Controlling the intrusive noise impacts for residents and other sensitive receivers in the short term; and
- Maintaining noise level amenity of particular land uses for residents and sensitive receivers in other land uses.

3.2.1 Intrusive Noise Impacts (Residential Receivers)

The NSW NPI states that the noise from any single source should not intrude greatly above the prevailing background noise level. Industrial noises are generally considered acceptable if the equivalent continuous (energy-average) A-weighted level of noise from the source (L_{Aeq}), measured over a 15 minute period, does not exceed the background noise level measured in the absence of the source by more than 5 dB(A). This is often termed the Intrusiveness Criterion.

The 'Rating Background Level' (RBL) is the background noise level to be used for assessment purposes and is determined by the methods given in the NSW NPI. Using the rating background noise level approach results in the intrusiveness criterion being met for 90% of the time. Adjustments are to be applied to the level of noise produced by the source that is received at the assessment point where the noise source contains annoying characteristics such as tonality or impulsiveness.

3.2.2 Protecting Noise Amenity (All Receivers)

To limit continuing increases in noise levels, the maximum ambient noise level within an area from industrial noise sources should not normally exceed the acceptable noise levels specified in Table 2.2 of the NSW NPI. That is, the ambient L_{Aeq} noise level should not exceed the level appropriate for the particular locality and land use. This is often termed the 'Background Creep' or Amenity Criterion.

The amenity assessment is based on noise criteria specified for a particular land use and corresponding sensitivity to noise. The cumulative effect of noise from industrial sources needs to be considered in assessing the impact. These criteria relate only to other continuous industrial-type noise and do not include road, rail or community noise. If the existing (measured) industrial-type noise level approaches the criterion value, then the NSW NPI sets maximum noise emission levels from new sources with the objective of ensuring that the cumulative levels do not significantly exceed the criterion.

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3.2.2.1 Area Classification

Figure 3 Land Zoning Map



Figure 3 is obtained from the NSW Government Planning Portal website and shows the land zoning map for the proposed development and the nearest sensitive receivers. As can be observed in Figure 3, there are two (2) different land zone categories for the surrounding residential area.

The residential area located along the eastern boundary of the proposed development falls under the “Urban” area classification (residential areas located within R4 zones are classified as “urban residential” according to Table 2.3 of the NSW NPI). The NSW NPI characterises the “Urban Residential” noise environment as an area with an acoustical environment which shows the following:

- It is dominated by ‘urban hum’ or industrial source noise, where urban hum means the aggregate sound of many unidentifiable sources, consisting mostly of traffic and/or industrial related sounds
- Has through traffic with characteristically heavy and continuous traffic flows during peak periods
- is near commercial districts or industrial districts
- It has a combination of any of the above

The residential area located along the southern and western boundary of the proposed development falls under the “Suburban” area classification (residential areas located within R2 zones are classified as “suburban residential” according to Table 2.3 of the NSW NPI). The NSW NPI characterises the “Suburban Residential” noise environment as an area with an acoustical environment which shows the following: an area that has local traffic with characteristically intermittent traffic flows or with some limited commerce or industry. This area often has the following characteristic:

- evening ambient noise levels defined by the natural environment and human activity.

For residential and non-residential receivers in their respective area, the recommended amenity criteria are shown in Table 3 below.

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Table 3 NSW NPI – Recommended LAeq Noise Levels from Industrial Noise Sources

Type of Receiver	Indicative Noise Amenity Area	Time of Day ¹	Recommended Amenity Noise Level (LAeq, period) ²
Residence	Urban	Day	60
		Evening	50
		Night	45
Residence	Suburban	Day	55
		Evening	45
		Night	40
Commercial	All	When in use	65
<i>Note 1: For Monday to Saturday, Daytime 7:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 7:00 am. On Sundays and Public Holidays, Daytime 8:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 8:00 am</i>			
<i>Note 2: The LAeq is the energy average sound level. It is defined as the steady sound level that contains the same amount of acoustical energy as a given time-varying sound.</i>			

When the existing noise level from industrial noise sources is close to the recommended “Amenity Noise Level” (ANL) given above, noise from the new source must be controlled to preserve the amenity of the area in line with the requirements of the NSW NPI.

3.2.3 Project Trigger Noise Levels

The intrusive and amenity criteria for industrial noise emissions, derived from the measured data are presented in Table 4 below. These criteria are nominated for the purpose of determining the operational noise limits for all noise emission from the development which could potentially affect noise sensitive receivers. Sources of noise emission from this development include mechanical services (such as air conditioning) and noise from use of the site (such as patron noise and live music). For each assessment period, the lower (i.e. the more stringent) of the amenity or intrusive criteria is adopted. The results of the suburban residences are provided, considering their amenity criterion is more stringent.

Table 4 External noise level criteria in accordance with the NSW NPI

Type of Receiver	Time of Day ¹	Measured LA90,15 min (RBL) ²	Intrusive LAeq,15min Criterion for New Sources (dBA) ³	Project Amenity LAeq,15min Criterion for New Sources (dBA) ⁴	Project Trigger Noise Level
Suburban Residence	Day	43	48	53	48
	Evening	39	44	43	43
	Night	33	38	38	38
<i>Note 1: For Monday to Saturday, Daytime 7:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 7:00 am. On Sundays and Public Holidays, Daytime 8:00 am – 6:00 pm; Evening 6:00 pm – 10:00 pm; Night-time 10:00 pm – 8:00 am</i>					
<i>Note 2: LA90 Background Noise or Rating Background Level</i>					
<i>Note 3: Intrusiveness Criterion is equivalent to the Measured LA90 plus 5 dBA</i>					
<i>Note 4: Project Amenity Criterion corresponding to “Suburban” areas, equivalent to the Recommended Amenity Noise Levels (Table 3) minus 5 dBA + 3 dB to convert from the measurement “period” to a 15 min criteria.</i>					

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3.3 Liquor & Gaming NSW

Section 79 of the Liquor Act 2007 provides mechanisms for complaints to be made when the amenity of local areas is disturbed by the use of licensed premises and registered clubs (including disturbances caused by patrons). These complaints are addressed by the Director of Liquor and Gaming, and in this process they may impose temporary or permanent noise conditions on the licensed venue. Typical noise conditions that are imposed upon licensed premises are as follows:

The LA₁₀* noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band Centre Frequency (31.5 Hz – 8k Hz inclusive) by more than 5 dB between 07:00 am 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 (31.5 Hz – 8k Hz inclusive) between 12:00 midnight and 07:00 am 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.*

This is a minimum standard. In some instances the Director may specify a time earlier than midnight in respect of the above condition.

Interior noise levels which still exceed safe hearing levels are in no way supported or condoned by the Director.

The octave band spectral criteria for each assessment period has been summarised in Table 5 below. These are based on the measured noise spectra shown in Table 1 which has been adjusted to match the overall RBLs measured in Gladstone Street, listed in Section 2.3 (and Table 4).

Table 5 Liquor & Gaming NSW – L₁₀ Criteria (at the residential receiver)

Time Period	Parameter	Octave Band Centre Frequency, Hz							Overall dBA
		63	125	250	500	1000	2000	4000	
7:00am – 6:00pm (day time period)	Measured LA ₉₀ ¹	50	49	46	40	37	34	30	43
	LA ₁₀ Criterion	55	54	51	45	42	39	35	48
6:00 pm – 10:00pm (evening period)	Measured LA ₉₀ ¹	46	45	42	36	33	30	26	39
	LA ₁₀ Criterion	50	49	46	40	37	34	30	43
10:00pm – 11:00 pm (night time period)	Measured LA ₉₀ ¹	40	39	36	30	27	24	20	33
	LA ₁₀ Criterion	45	44	41	35	32	29	25	38

Note 1: Measured LA₉₀ spectrum has been adjusted to match overall RBL for corresponding periods

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4 PREDICTED PATRON AND MUSIC NOISE LEVELS & ASSESSMENT

As previously discussed in Section 1.1, the estimated maximum patron capacity for the development is 100 customers. The proposed bar has a floor area of approximate 400 m². We have assumed that the glass doors will generally be kept closed for the evening and night time period but may be left open during the day.

4.1 Building Construction

The acoustic assessment has assumed that the glazing for the windows and doors will be of a minimum rating as summarized below in Table 6.

Table 6 In-principle Glazing Recommendations

Location	Items	Minimum Glazing System Rating Requirements	Indicative Construction
Northern Façade	Windows and door panels	Rw (C;Ctr): 36 (-1;-2)	Windows with min.10.38 mm laminated glass
<i>Note 1: These are preliminary selections will be confirmed in the detailed design stage.</i>			

The acoustic assessment also assumes that the building facades have a minimum rating as summarised below in Table 10.

Table 7 Façade Recommendations

Items	Minimum Glazing System Rating Requirements	Indicative Construction Requirements
All facades	Rw (C;Ctr): 48 (-1;-4)	200mm lightweight blockwork fairfaced, 250 kg/m ²
<i>Note 1: These are preliminary selections will be confirmed in the detailed design stage.</i>		

4.2 Internal Patron Noise Levels

The internal noise level in the bar will consist of a combination of patron noise and live music. The internal noise level for the following operating scenario has been calculated:

- 100 patrons inside the premise with 50 people talking simultaneously

Since it is unlikely that patrons will be talking in groups of only two, this is considered to be a relatively conservative calculation. The assessment of noise emission from the development using this operating scenario has been made against the Liquor and Gaming NSW criteria identified previously.

In indoor patron areas, the combination of the number of people talking, the style of gathering and the local acoustic environment results in the people talking in a raised voice to overcome the background noise level. This phenomenon is known as with the Lombard effect.

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Rindel (Proceedings of Acoustics 2012) suggests that the ambient noise level of a room with N people can be approximated by:

$$L_{NA} = 93 - 20\log\left(\frac{A \times g}{N}\right), \text{ dB}$$

Where:

- $g = N/N_s$
- N_s is the number of simultaneously speaking people.

And A is the equivalent absorption area given by:

$$A = \frac{0.16V}{T} + A_p \times N, (m^2)$$

Where:

- V is the volume of the room (m^3)
- A_p is the sound absorption per person (m^2)

The above equation suggests the following noise levels are likely when the bar is heavily utilised for the anticipated usage. The estimated reverberant noise level of building occupants using this prediction methodology, are listed in Table 8 and have been used in our acoustic assessment.

Table 8 Estimated patron L10 and LAeq noise levels in the Bar

Location	Statistical Metrics	Octave Band Centre Frequency, Hz							Overall dBA
		63	125	250	500	1000	2000	4000	
100 patrons in a room (50 patrons talking)									
Bar Area	LAeq	65	66	76	77	70	64	57	77
Bar Area	LA10	68	69	79	80	73	67	60	80
<i>Note 1: The maximum number of patrons are provided by the Statement of Environmental Effects</i>									

4.3 Music Noise Levels

We understand that there will be live music in the bar area.

For this assessment, the noise level of the music has been assumed to be light entertainment such as a single singer / guitarist or amplified music producing a noise level approximately 75 dBA for the day (7 am to 6 pm), evening (6pm to 10 pm) and night time periods (10 pm to 11 pm). For reference, 75 dBA is comparable to the typical loudness of music that is played in a gym and is sufficient to dominate the environment without precluding the ability of people to communicate at close distances.

Table 9 below provides a summary of typical internal reverberant noise levels from amplified music that might be expected in entertainment venues.

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Table 9 Typical Internal Reverberant Noise Levels from Amplified Music

Type	Internal Level (LAeq)	Comment
Background Music	67-74 dBA	Allowing for conversation at normal vocal effort at 600mm separation.
	74-77 dBA	Allowing for conversation at raised vocal effort at 600mm separation.
Amplified Music	85-90 dBA	Minimum level patrons expect amplified music to be played at when the music is meant to be the dominating soundscape (i.e. levels below this would be considered "not loud enough".) Typical nightclub level at the start of the night.
	90-96 dBA 101 to 106 dBZ 100 to 105 dBC	Typical level within a nightclub as patron numbers increase. Loud vocal effort required in close proximity to listener's ear. Potential nightclub level early into the night when patrons and operators may be suffering from a temporary threshold shift (TTS) ¹ in hearing (e.g. after approximately 1 hour of amplified music exposure.)
	97-105 dBA 107 to 115 dBZ 106 to 114 dBC	Typical level that may be considered "very" or "extremely" loud. Loud to shouting vocal effort required in close proximity to listener's ear. Potential nightclub level towards peak of the night and/or when patrons and operators may be suffering from an even greater temporary threshold shift (TTS) ¹ in hearing. Often, the LZeq sound level in the 63 Hz octave band can be as high as 112 dB.

Note 1: Put simply, the temporary reduction in hearing sensitivity due to exposure to very loud sounds.

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4.4 Patron and Music Noise Emission Calculation

Noise emission calculations for the combination of patron noise and music are provided below. Noise levels emitted from the premise have been estimated as follows:

- The total L_{10} noise level for the bar is calculated from the logarithmic sum of the noise from the patrons and background music inside the premise. Breakout noise is calculated at two positions as shown below in Figure 4. These locations are:
 - (1) along the eastern boundary of the residence towards the front of the property, and
 - (2) 1m into the backyard area at the back of the property.
- Breakout noise calculated at position 1 is determined by considering the breakout from the northern façade only.
- Breakout noise calculated at position 2 is determined by considering the breakout noise from the eastern façade only.
- We have assumed that the door of the development will be generally be kept closed during the day, evening and night time periods.
- Breakout noise through the northern façade during the daytime period is also considered with the doors opened.
- The predicted noise emissions from the development to the adjacent residence on the eastern side have been calculated and are summarised in Table 10 below. The residence closest to the Bar is the residence located at 2B Gladstone Street (adjacent to the Eastern Façade).
- We have assumed 100 patrons for the daytime, evening and night time periods.

Figure 4 Positions of noise level assessments



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The results provided in Table 10 show the assessment of the predicted noise emissions to the eastern boundary at the front of 2B Gladstone Street property to be compliant to the criteria determined in accordance with the procedures recommended by Liquor and Gaming NSW. Noise propagation to this part of the residence considers the breakout noise from the northern façade of the development and assumes that the doors are kept closed.

Table 10 Estimated L10 noise levels at the boundary of the nearest residence to the east (9m away from the doors)

Parameter	Octave Band Centre Frequency, Hz							Overall dBA
	63	125	250	500	1000	2000	4000	
Front Eastern Boundary of 2B Gladstone Street (9 m away)								
Daytime Period (100 patrons with 50 talking)								
Predicted L10 Noise Levels	45	34	36	31	22	15	-3	32
L&G NSW criterion ²	55	54	51	45	42	39	35	48
Frequency exceedances	0	0	0	0	0	0	0	0
Evening Period (100 patrons with 50 talking)								
Predicted L10 Noise Levels	45	34	36	31	22	15	-3	32
L&G NSW criterion ²	50	49	46	40	37	34	30	43
Frequency exceedances	0	0	0	0	0	0	0	0
Night time Shoulder Period (100 patrons with 50 talking)								
Predicted L10 Noise Levels	45	34	36	31	22	15	-3	32
L&G NSW criterion ²	45	44	41	35	32	29	25	38
Frequency exceedances	0	0	0	0	0	0	0	0
<i>Note 1: Criterion derived from the minimum criteria corresponding to the day and evening shoulder period</i>								
<i>Note 2: Criterion derived from the minimum criteria corresponding to the day, evening, and night time shoulder period</i>								

The results provided in Table 11 show the assessment of the predicted noise emissions to the backyard of the 2B Gladstone Street residence to be compliant to the criteria determined in accordance with the procedures recommended by Liquor and Gaming NSW. Noise propagation to this part of the residence considers the breakout noise from the eastern façade of the development located 1m away.

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Table 11 Estimated L₁₀ noise levels in the backyard of nearest residence to the east (1m away from the development's boundary)

Parameter	Octave Band Centre Frequency, Hz							Overall dBA
	63	125	250	500	1000	2000	4000	
Backyard of 2B Gladstone Street Residence (1 m away)								
Daytime Period (100 patrons with 50 talking)								
Predicted L ₁₀ Noise Levels	44	34	39	35	23	13	4	34
L&G NSW criterion ²	55	54	51	45	42	39	35	48
Frequency exceedances	0	0	0	0	0	0	0	0
Evening Period (100 patrons with 50 talking)								
Predicted L ₁₀ Noise Levels	44	34	39	35	23	13	4	34
L&G NSW criterion ²	50	49	46	40	37	34	30	43
Frequency exceedances	0	0	0	0	0	0	0	0
Night time Shoulder Period (100 patrons with 50 talking)								
Predicted L ₁₀ Noise Levels	44	34	39	35	23	13	4	34
L&G NSW criterion ²	45	44	41	35	32	29	25	38
Frequency exceedances	0	0	0	0	0	0	0	0
<i>Note 1: Criterion derived from the minimum criteria corresponding to the day and evening shoulder period</i>								
<i>Note 2: Criterion derived from the minimum criteria corresponding to the day, evening, and night time shoulder period</i>								

Table 12 below shows the breakout noise assessment conducted for the case where the doors are left open during the day time period (7am to 6pm). It was determined that for the noise levels to comply with the procedures recommended by Liquor and Gaming NSW, the bar could have a maximum of 50 patrons (25 people talking simultaneously), and music at a level of 75 dBA. If the number of patrons was to exceed 50, then the doors would have to be closed in order to comply with the criteria.

Note that the 2dBA exceedance of the 500 Hz noise level criterion is deemed imperceptible.

Table 12 Estimated L₁₀ noise levels at the boundary of the nearest residence to the east (9m away from the doors)

Parameter	Octave Band Centre Frequency, Hz							Overall dBA
	63	125	250	500	1000	2000	4000	
Front Eastern Boundary of 2B Gladstone Street (9 m away)								
Daytime Period (50 patrons with 25 talking)								
Predicted L ₁₀ Noise Levels	52	43	48	47	40	33	27	46
L&G NSW criterion ²	55	54	51	45	42	39	35	48
Frequency exceedances	0	0	0	2	0	0	0	0

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In summary, in order with the noise emission criteria recommended by Liquor and Gaming NSW, the following operational conditions of the bar are required:

If the doors are to be generally kept closed for all operating periods (7am – 10pm):

- Live music is to be at a maximum level of 75 dBA.
- A maximum of 100 patrons in the bar, with 50 patrons talking simultaneously.

If the doors are kept open for the day time period (7am – 6pm):

- Live music is to be at a maximum level of 75 dBA.
- A maximum of 50 patrons in the bar, with 25 patrons talking simultaneously.

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5 PREDICTED LOADING DOCK NOISE LEVELS & ASSESSMENT

As previously discussed in Section 1.1, the warehouse will be operating between 8am to 6pm and it will be expecting approximately 7 trucks per week during the operational hours.

5.1 Loading Dock Noise Assessment

A noise assessment for the loading dock was conducted. This assessment tests the compliance of the breakout noise from the northern façade of the loading dock to the EPA Criterion for the day, evening and night time periods. The Project Trigger Noise Levels are compared to the sound pressure levels at the nearest residence (2B Gladstone Street). The noise levels for the cases where the two roller doors left open and shut are assessed.

The roller doors were assumed to have a sound transmission loss rating $Rw(C;Ctr)$ of 27(-1;-2).

The spectrum shown below in Table 13 was obtained from a measurement of a loading dock of a typical supermarket in Sydney, NSW. The unloading process measured involved the use of a pallet jack and trucks manoeuvring and exiting the supermarket. Thus, this spectrum is deemed reflective of the sound power levels expected from the loading dock of the brewery.

Table 13 Measured Octave Band Sound Power Spectra for a Loading Dock

Activity Description	Octave Band Centre Frequency, Hz							Overall dBA
	63	125	250	500	1000	2000	4000	
Unloading of a truck								
L _{Aeq} Sound Power Levels	95	94	93	89	84	82	78	91

The results of the assessment are shown below in Table 14. The assessment shows compliance with the EPA criteria when the roller doors are open, for the daytime period only. If loading dock activity was to occur during the evening or night time period, the doors would need to be shut to comply.

Table 14 Loading dock assessment against EPA Criterion

Parameter	Operating Condition	
	Open Doors	Closed Doors
Front Eastern Boundary of 2B Gladstone Street (30 m away)		
Daytime Period (7am to 6pm)		
Predicted L _{Aeq} Noise Levels	45	28
EPA criterion – Project Trigger Noise Levels	48	48
Compliance	Yes	Yes
Evening Period (6pm to 10pm)		
Predicted L _{Aeq} Noise Levels	45	28
EPA criterion - Project Trigger Noise Levels	43	43
Compliance	No	Yes
Night time Shoulder Period (10pm to 11pm)		
Predicted L _{Aeq} Noise Levels	45	28
EPA criterion - Project Trigger Noise Levels	38	38
Compliance	No	Yes

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6 MECHANICAL SERVICES

6.1 Mechanical Services Assessment and Recommendations

Detailed information about the mechanical ventilation, refrigeration and air conditioning system is not currently available.

The mechanical services plant items are expected to be located within the proposed building envelope. As such, it is likely that the plant will meet EPA's NPI criteria, identified in Section 3.2 of this report, at the nearest residence.

To allow for the contribution from other noise sources in the development, the noise of the mechanical services plant should be designed to a level that is below the Project Trigger Noise Levels given in Section 3.2.3, that is:

- Daytime 48 dBA L_{eq}
- Evening 43 dBA L_{eq}
- Night (10-11pm) 38 dBA L_{eq}

A detailed acoustic assessment and mitigation strategies (if required) will be provided for the mechanical plant during the detailed design phase.

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7 CONCLUSIONS

An acoustic noise assessment has been carried out for the proposed Bar and Brewery to be located on the ground floor level of the development at 2C Gladstone Street, Newtown NSW, 2042.

Noise emission criteria have been developed using background noise monitoring results from noise surveys conducted to the east of the development on Gladstone Street. The criteria taken into account were the EPA NPI and the noise conditions of Liquor & Gaming NSW.

The patron noise and music emissions from the bar, as well as the noise from the loading dock have been calculated at the adjacent residences and these predicted noise levels are assessed against the criteria indicated above. The results are summarised in Sections 0 and 5.1 respectively. The results show that the noise emissions comply with the noise criteria for the conditions specified.

Recommended acoustic ratings for the façade, glazing and roller shutters are provided.

Noise emission criteria for the major items of mechanical services were not established, since information regarding the mechanical ventilation and air conditioning system is not currently available. However, given that the plants will be located inside the development, it is likely that the noise emissions will achieve compliance and a detailed assessment to confirm this will be provided during the detailed design stage of the development.

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APPENDIX A: ACOUSTIC GLOSSARY

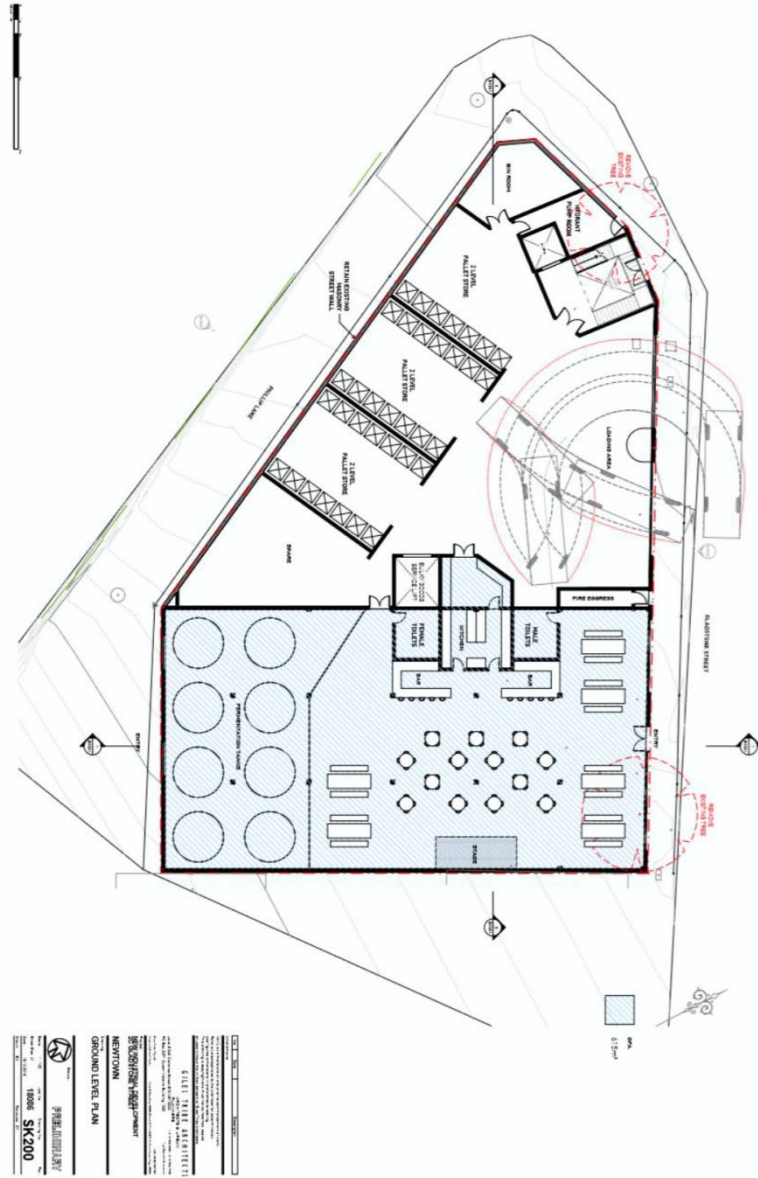
<i>Ambient Sound</i>	The totally encompassing sound in a given situation at a given time, usually composed of sound from all sources near and far.
<i>Audible Range</i>	The limits of frequency which are audible or heard as sound. The normal ear in young adults detects sound having frequencies in the region 20 Hz to 20 kHz, although it is possible for some people to detect frequencies outside these limits.
<i>Character, acoustic</i>	The total of the qualities making up the individuality of the noise. The pitch or shape of a sound's frequency content (spectrum) dictate a sound's character.
<i>Decibel [dB]</i>	The level of noise is measured objectively using a Sound Level Meter. The following are examples of the decibel readings of every day sounds; 0dBA the faintest sound we can hear 30dBA a quiet library or in a quiet location in the country 45dBA typical office space. Ambience in the city at night 60dBA Martin Place at lunch time 70dBA the sound of a car passing on the street 80dBA loud music played at home 90dBA the sound of a truck passing on the street 100dBA the sound of a rock band 115dBA limit of sound permitted in industry 120dBA deafening
<i>dB(A)</i>	<i>A-weighted decibels</i> The ear is not as effective in hearing low frequency sounds as it is hearing high frequency sounds. That is, low frequency sounds of the same dB level are not heard as loud as high frequency sounds. The sound level meter replicates the human response of the ear by using an electronic filter which is called the "A" filter. A sound level measured with this filter switched on is denoted as dB(A). Practically all noise is measured using the A filter. The sound pressure level in dB(A) gives a close indication of the subjective loudness of the noise.
<i>Frequency</i>	Frequency is synonymous to <i>pitch</i> . Sounds have a pitch which is peculiar to the nature of the sound generator. For example, the sound of a tiny bell has a high pitch and the sound of a bass drum has a low pitch. Frequency or pitch can be measured on a scale in units of Hertz or Hz.
<i>Loudness</i>	A rise of 10 dB in sound level corresponds approximately to a doubling of subjective loudness. That is, a sound of 85 dB is twice as loud as a sound of 75 dB which is twice as loud as a sound of 65 dB and so on
<i>LMax</i>	The maximum sound pressure level measured over a given period.
<i>LMin</i>	The minimum sound pressure level measured over a given period.
<i>L1</i>	The sound pressure level that is exceeded for 1% of the time for which the given sound is measured.
<i>L10</i>	The sound pressure level that is exceeded for 10% of the time for which the given sound is measured.
<i>L90</i>	The level of noise exceeded for 90% of the time. The bottom 10% of the sample is the L_{90} noise level expressed in units of dB(A).
<i>Leq</i>	The "equivalent noise level" is the summation of noise events and integrated over a selected period of time.
<i>Background Sound Level</i>	The average of the lowest levels of the sound levels measured in an affected area in the absence of noise from occupants and from unwanted, external ambient noise sources. Usually taken to mean the LA_{90} value
<i>Sound Isolation</i>	A reference to the degree of acoustical separation between any two areas. Sound isolation may refer to sound transmission loss of a partition or to noise reduction from any unwanted noise source. The term "sound isolation" does not specify any grade or performance quality and requires the units to be specified for any contractual condition
<i>Sound Pressure Level, LP dB</i>	A measurement obtained directly using a microphone and sound level meter. Sound pressure level varies with distance from a source and with changes to the measuring environment. Sound pressure level equals 20 times the logarithm to the base 10 of the ratio of the rms sound pressure to the reference sound pressure of 20 micro Pascals.
<i>Sound Power Level, Lw dB</i>	Sound power level is a measure of the sound energy emitted by a source, does not change with distance, and cannot be directly measured. Sound power level of a machine may vary depending on the actual operating load and is calculated from sound pressure level measurements with appropriate corrections for distance and/or environmental conditions. Sound power levels is equal to 10 times the logarithm to the base 10 of the ratio of the sound power of the source to the reference sound power of 1 picoWatt

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APPENDIX B: CONSENT ARCHITECTURAL DRAWINGS

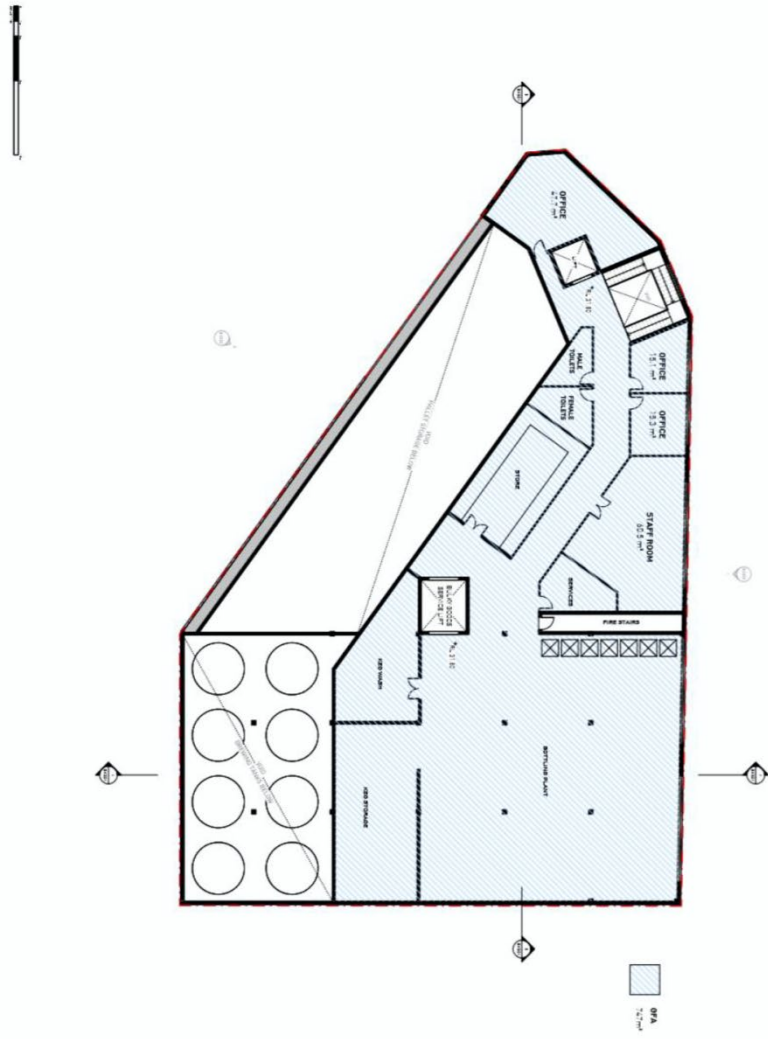
Ground Level Floor Plan



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Mezzanine Level Floor Plan

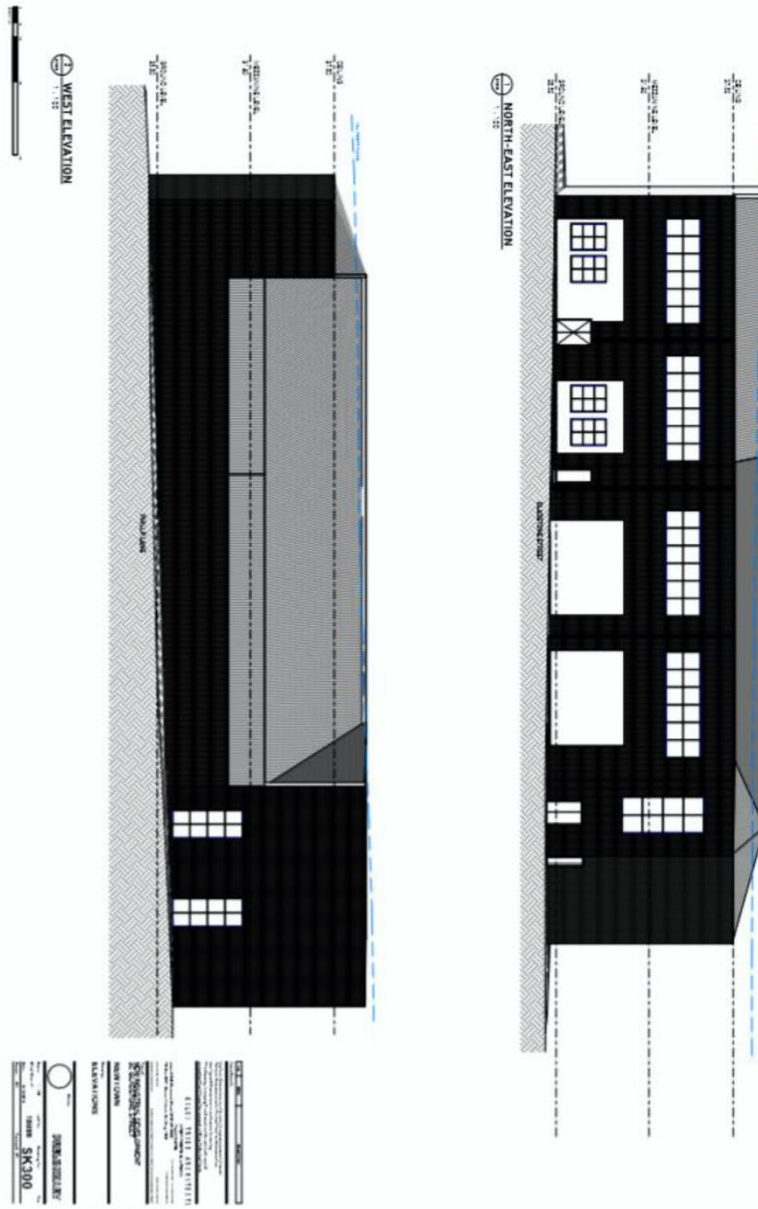


DATE: 15/10/2018	PROJECT: 18088 SK201
CLIENT: PULSE ACOUSTIC CONSULTANCY	DRAWN BY: P. J. JONES
PROJECT: 18088 SK201	CHECKED BY: P. J. JONES
MEZZANINE LEVEL PLAN	DATE: 15/10/2018
MEZZANINE LEVEL PLAN	SCALE: 1:100
MEZZANINE LEVEL PLAN	SHEET: 1 OF 1

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Elevations



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Section Views

