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30/04/2025

Forestville RSL Club Ltd
22 Melwood Avenue
FORESTVILLE NSW 2087

22 Melwood Avenue, Forestville - Revised Development Application - Acoustic Assessment

A revised noise impact assessment has been undertaken to address any changes to the proposed development that are included in the current (revised) development proposal. The assessment and findings are summarised in the Acoustic Logic Report ref: 20240747.1/0605A/R4/SJ, dated 6th May 2025.

This letter primarily addresses authority comments and feedback related to noise impacts. Primarily, these relate to the proximity of the independent living units to the Club, and the use of closed windows to mitigate noise impacts.

Proximity of ILU to Club

The nearest horizontally displaced ILU's to the Club patron areas is approximately 10m, whereas authority feedback indicates the ADG recommended setback is 12m. In respect of noise impact, the difference in setback between 10m and 12m is less than 2 dB(A). As the EPA indicates a 2 dB(A) difference in noise is not readily discernible, there is no significant difference between a 10m and 12m setback. Any additional impact would also be offset by the additional mitigation adopted (refer below) to achieve the residence noise criteria used in the assessment.

Use of Façade Treatments to Mitigate Noise

In respect of the ILU's, the noise mitigation strategy used in the assessments was:

- To the extent reasonable and feasible, physical controls and management of operations have been recommended to minimise emissions from the Club, particularly during the evening and night periods.
- However, in recognition of the proximity of the ILU's to the Club, additional facade treatments have been recommended to the ILU's to further mitigate impacts.

This approach is implicit in, and consistent with, the Vibrancy Reforms introduced last year. These reforms were introduced to encourage entertainment venues, and avoid placing unreasonable restrictions on entertainment uses.

Vibrancy Reforms

The Vibrancy Reforms make NSW Liquor and Gaming the sole authority responsible for regulating noise emissions from licenced premises. Any existing or future conditions relating to noise emissions from licenced premises imposed in development consent conditions have no force.

Liquor and Gaming will regulate premises using a complaints-based approach and will apply noise limits on a case-by-case basis if deemed necessary. Whereas in the past noise limits were typically routinely included in licencing conditions, new noise limits are typically now applied only after (or as a result of) ongoing negotiation between the parties. Liquor and Gaming have developed a guideline for responding to noise complaints.

Section 6.1.1 of the Acoustic Logic noise impact assessment describes in detail the Vibrancy Reforms and the implications for the subject development. One of the main changes to how impacts are assessed resulting from the Reforms is the concept of "order of occupancy".

Where the surrounding properties are occupied after the licenced premises commenced operation, the Reforms require that the occupants of the surrounding properties do what can be reasonably implemented to mitigate noise, including closing external windows and doors.

For the subject development, the occupants of the ILU's would have knowledge of the Club and its operation before occupying. That is, the order of occupancy in this case favours the Club. Therefore, Reforms Legislation, requires the ILU residents to close external windows/doors as part of the assessment of noise impact.

How the Noise Assessment Addresses the Reforms

Notwithstanding the current complaints-based system and the order of occupancy, the strategy adopted in the project noise assessment was to:

- demonstrate that the Club could operate and not unreasonably impact the ILU's meaning that complaints would be unlikely to occur.
- recommend physical controls and management of operations to minimise noise emissions, recognising that "treatment at source" is preferred where feasible.
- as an additional measure (particularly in respect of night noise emissions) provide acoustically upgraded facades to reduce internal noise to very low to inaudible levels. The assessment design criteria adopted (28 dB(A) L₁₀ during the day and evening and 23 dB(A) L₁₀ at night) are very low levels of noise that are typical of background noise levels in quiet residential dwellings.

Importantly, in the past the assessment point was outside the dwelling, so treatment of the façade was not included in the assessment. However, with the introduction of the Vibrancy Reforms (in those cases where the order of occupancy favours the licenced premises, as it does here) the Reforms require the residents do anything reasonably achievable to minimise impacts, including specifically mentioning closing windows.

The proposed management and physical mitigation recommended in Section 9 of the assessment report would result in typical operations compliance with the criteria traditionally used by Liquor and Gaming (i.e. background plus 5 dB) up to at least 10pm, i.e. typically there will be no "need" to close windows. However, the ability to close windows provides a further benefit to the occupants in that they are able to go "above and beyond" should they see fit to reduce noise to even lower levels during the day and at night.

The recommendations of the acoustic assessment are consistent with the objectives of the Vibrancy Reforms and will result in an acceptable level of amenity for the future occupants of the ILU's.

We trust this information is satisfactory. Please contact us should you have any further queries.

Yours faithfully,



Acoustic Logic Pty Ltd
Victor Fattoretto
MAAS