



City of
Melville

MINUTES

DEVELOPMENT ADVISORY UNIT MEETING

9:00 AM Monday, 19 May 2025

Held in the Melville Civic Centre, 10 Almondbury
Road, Booragoon

The City of Melville acknowledges the Bibbulmun people as the Traditional Owners and custodians of the lands on which the City stands today and pays its respect to the Whadjuk people, and Elders both past, present and emerging.



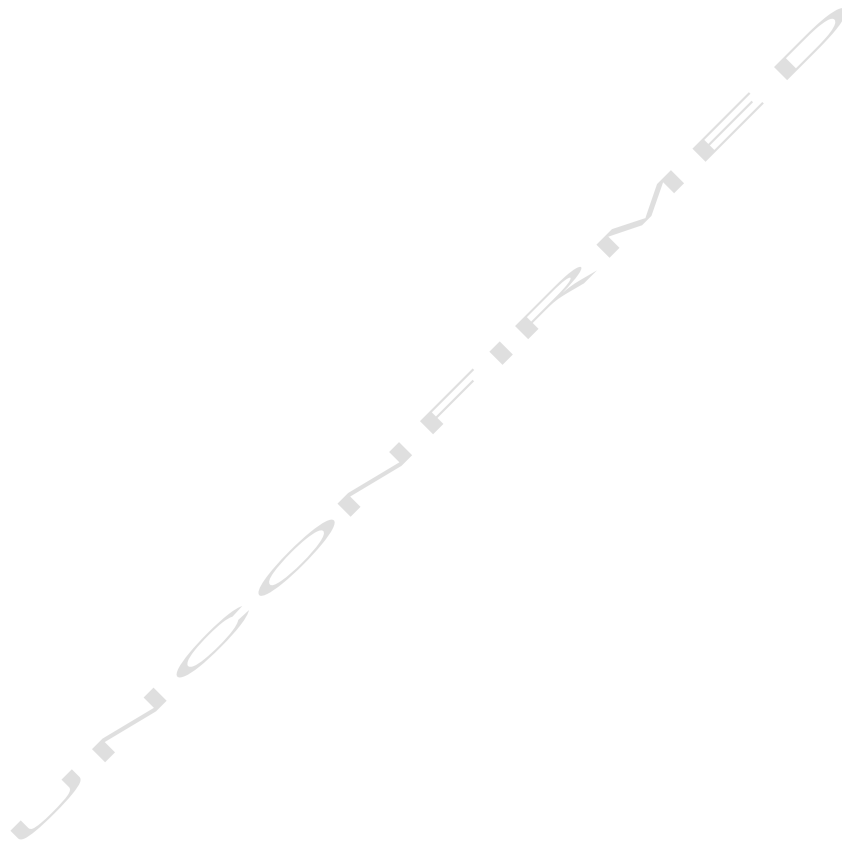
Development Advisory Unit

1. The DAU is not a decision making forum – it is an operational meeting to inform the recommendation to the Manager Statutory Planning on Development Applications and other planning proposals.
2. Should any Elected Member wish to discuss the content of any item included as part of the attached agenda, please contact Kate Bainbridge, Manager Statutory Planning and Building. Contact should be established as soon as possible after the publication of the agenda to the City of Melville website. Contact details are as follows: Tel 9364 0626 or via the Elected Members Portal.
3. Should an Elected Member propose that an item on this agenda be referred to Council for determination, a request to that effect must be made to the Chief Executive Officer (CEO). This request shall be made in accordance with the requirements set out by DAU Terms of Reference contained within Local Planning Policy LPP 1.1 'Planning Process and Decision Making'.
4. Should any applicant or adjoining property owner object to any proposal included as part of this DAU agenda, then an opportunity exists to request that the application be determined by Council. All such requests should be referred to an Elected Member of Council for the Ward within which the development application is located. An Elected Member may request that the application be determined by Council. Any call up request from an Elected Member shall be made in accordance with the requirements set out by DAU Terms of Reference contained within Local Planning Policy LPP 1.1 'Planning Process and Decision Making'.
5. In the absence of any referral request, a decision on any application included as part of this DAU agenda can take place under delegated authority to the Manager Statutory Planning and Building, after midday on the second Monday after the Friday publication of the minutes to the City's website. In the event that the DAU Agenda is not published to the City's website until the Monday after the DAU meeting, a decision on the application can still take place the following Monday.

DISTRIBUTED: WEDNESDAY, 4 JUNE 2025

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1 ATTENDANCE AND APOLOGIES

In Attendance

Members

Mr T Cappellucci	Acting Manager Statutory Planning
Mr T Geddes	Acting Principal Statutory Planner
Ms S Meloncelli	Principle Building Surveyor
Mr N Mazzega	Acting Senior Statutory Planner
Mr M Childs	Senior Environmental Health Officer

2 BUSINESS

	Matters for consideration	Notes from meeting
UP25/70	DA-2024-681/A – Lot 2 (No. 1a) Latham Street, Alfred Cove – Amendment to Retrospective Change of Use to Home Business (Music Theory)	

3 OUTCOMES

The following items are to have recommendations created and included in the next agenda:

- N/A

The following items are to be deferred to the next DAU and represented with more information:

- N/A

4 ITEMS

UP25/70 Amendment to Retrospective Change of Use to Home Business (Music Theory) at Lot 2 (No. 1a) Latham Street, Alfred Cove

Ward	Bicton, Attadale, Alfred Cove
Category	Operational
File Number:	DA-2024-681/A
Responsible Officer:	Principal Statutory Planner
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	Nil

Application Number:	DA-2024-681/A
Applicant:	M A McCarthy
Owner:	M A McCarthy & L B McCarthy
Proposal:	Amendment to Retrospective Change of Use From Single House to Home Business (Music Theory Tuition)
Attachments:	1. Acoustic Report 2. Applicants Copy

COUNCIL'S ROLE

Quasi-Judicial: When the Council determines an application/matter that directly affects a person's rights and interests. The judicial character arises from the obligation to abide by the principles of natural justice.

SUMMARY

- In 2024 the City received a complaint in relation to the operation of an unauthorised Home Business at the subject site, specifically in relation to overflow parking onto Latham Street.
- Following a compliance investigation, development application DA-2024-681 was lodged for consideration with the City. The application requested retrospective approval for the operation of the home business which provides musicianship and music theory tuition to children.
- The application was considered and approved under delegation following the submission of an acoustic report and was subject to standard conditions which apply to all home business applications. The approval also applied conditions limiting the number of clients at any one time to one (1) client and limiting hours of operation to 10am to 12pm and 4pm to 7pm.
- Following the determination of this application, the applicant lodged an amendment development application to seek modification to the conditions limiting client numbers and the hours of operation. The applicant is now seeking no specific limit on the number of clients at any one time and hours from 7am to 7pm Monday to Saturday.
- With respect to hours, based on the submitted acoustic report (Attachment 1), it is considered that these hours of operation are generally acceptable based on further discussion of client numbers and parking.
- With respect to the removal of a limitation on the number of clients who can attend the premises at any one time, the City considers that this is not able to be supported due to a lack of on-site parking or formalised reciprocal parking agreement with neighbouring properties. It is considered that up to 6 clients can be supported at any one time on the basis that a parking management plan is provided.
- The application has been assessed against Local Planning Scheme No. 6, the Residential Design Codes of Western Australia and relevant local planning policies.
- The original retrospective change of use application was advertised in accordance with Local Planning Policy 1.1 – Planning Processes and Decision Making (LPP 1.1 and no submissions were received. The subject amendment application was not readvertised as the area of discretion being considered remains the same.
- Accordingly, this application was discussed in accordance with LPP 1.1 at the Development Advisory Unit (DAU) meeting held on 19 May 2025.
- It is considered that a temporary approval for a twelve-month timeframe should be applied to the approval to allow the City to reconsider the proposal and whether ongoing approval should

be granted based on any complaints or concerns being raised in relation to the site and to allow sufficient time to monitor the appropriateness of the land use.

- A condition of development approval is recommended to require a parking management plan submitted by the applicant to appropriately mitigate potential adverse effects of the operation of the use in relation to car parking.

OFFICER RECOMMENDATION

That the Development Advisory Unit recommend approval of the Amendment to Retrospective Change of Use From Single House to Home Business (Music Theory Tuition) at Lot 2 (No. 1A) Latham Street, Alfred Cove, subject to compliance with the following:

- A) The previous development approval DA-2024-681 dated 19 March 2025 (including remaining conditions (1-4, 6-8 and 10) and advice notes);**
- B) Conditions 5 and 9 of development approval DA-2024-681 being modified as follows; and**
- 5. A maximum of 6 clients at any one time are permitted to visit the property; and**
- 9. The Home Business shall only conduct classes between the hours of 07:00 to 19:00 Monday to Saturday.**
- C) Additional conditions 11, 12 and 13 being added as follows:**
- 11. Prior to the commencement of the Home Business hereby approved, the applicant shall provide a parking management plan to the satisfaction of the City. The parking management plan shall address the following matters:**
- the instruction to park on the property or verge of the property to visitors to the property;
 - Specific drop-off and pick up management directive to minimise on-street parking conflicts;
 - the instruction if parking within the street, to adhere to the parking restrictions and permitted locations; and
 - details of any formal reciprocal parking agreement (i.e. legal agreement) with neighbouring properties.
- 12. Notwithstanding condition 1, the Home Business use hereby approved is to cease operating within 12 months from the date of this approval.**
- 13. The classes are to be spaced 10 minutes apart to allow for sufficient drop off and pick up of students.**

PURPOSE

The purpose of this report is to provide an outline of the key matters of consideration for the proposed amendment to the approved Home Business, outline where discretion is required to be exercised and alignment against the relevant performance criteria and explain the rationale for the officer recommendation that hours of operation be modified to allow for longer hours of operation, but that unlimited client numbers should not be supported.

STRATEGIC ALIGNMENT

Outcome	3	Sustainable, connected development and transport infrastructure across our City.
	4	Economic prosperity and vibrant resilient communities and businesses.
	5	Leadership and good governance for the benefit of the whole community.
Objective	3	Sustainable and Connected Development
	3.1	Facilitate enhanced and sustainable urban development and amenity.
	3.4	Protect and promote the City's character and heritage.
	4	Vibrant and Prosperous
	4.1	Facilitate vibrant activated local places and centres.
	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.

BACKGROUND

The subject development application seeks to modify the conditions of development approval issued for the approved Home Business operating from the subject site at Lot 2 (No. 1A) Latham Street, Alfred Cove as part of DA-2024-681. The original application resulted from a complaint that was made in relation to the operation of an unapproved home business from the subject site in 2024, specifically in relation to street parking on Latham Street.

DA-2024-681 was approved with a condition requiring that only one client visit the site at any one time, and that hours of operation be limited to 10am to 12pm and 4pm to 7pm. The applicant has lodged the subject application to request the consideration of permitting an unlimited number of clients and hours from 7am to 7pm.

The subject site is zoned Mixed Use under City of Melville Local Planning Scheme No. 6 (LPS6) and is afforded a density code of R50. Home Businesses are a 'D' land use under LPS6 and are not permitted unless the local government has exercised its discretion by granting development approval.

The original application was advertised, and no submissions were received. The complaint which resulted in the lodgement of the original development application was treated as an objection to the proposal. The complainant was contacted, and it was confirmed that their concerns had been resolved.

The site is occupied by a two-storey single house with a paved car bay in front of the dwelling. The dwelling on site was substantially altered in 2018 to provide an upper floor.

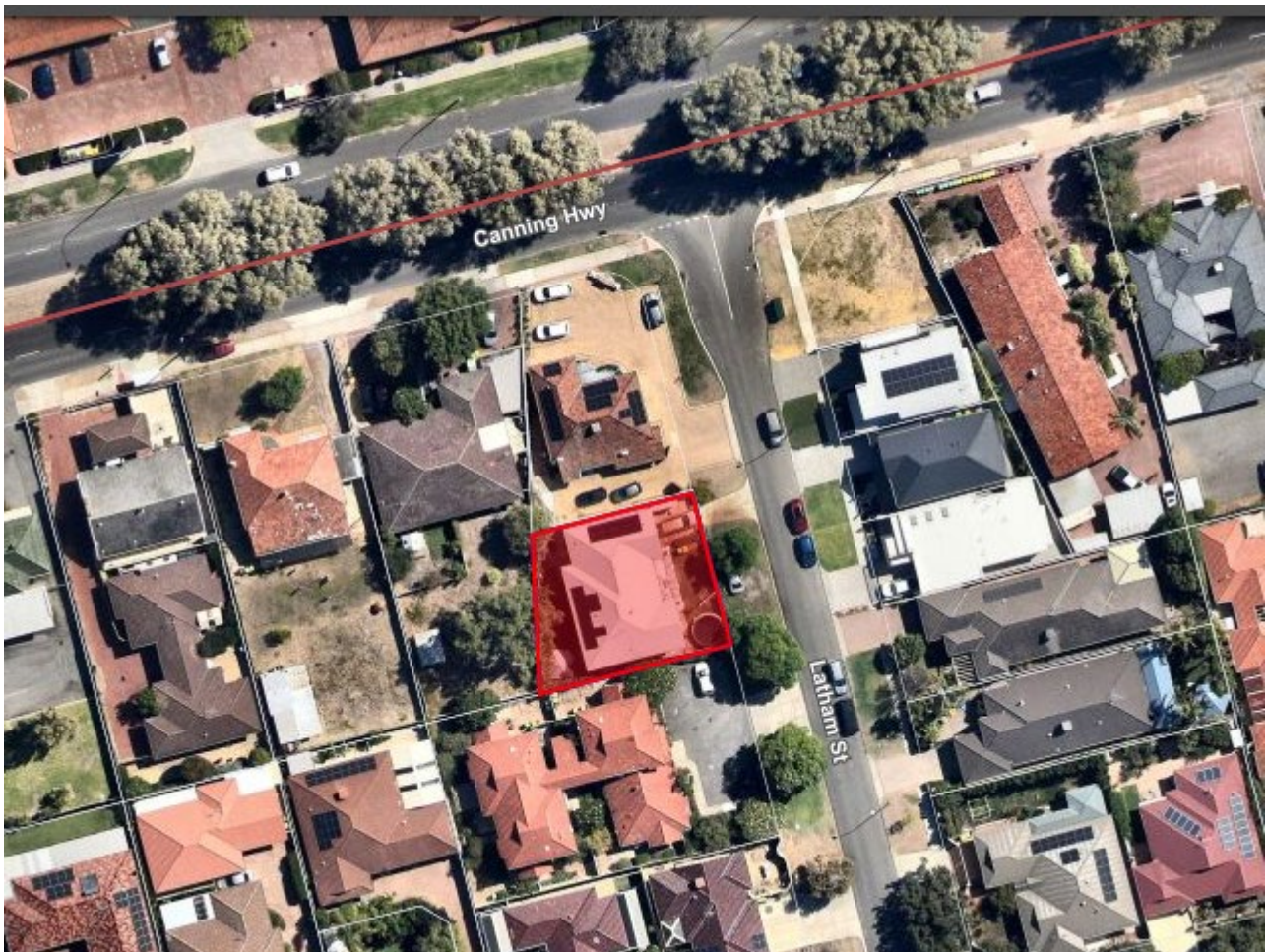


Figure 1: Subject site aerial photograph

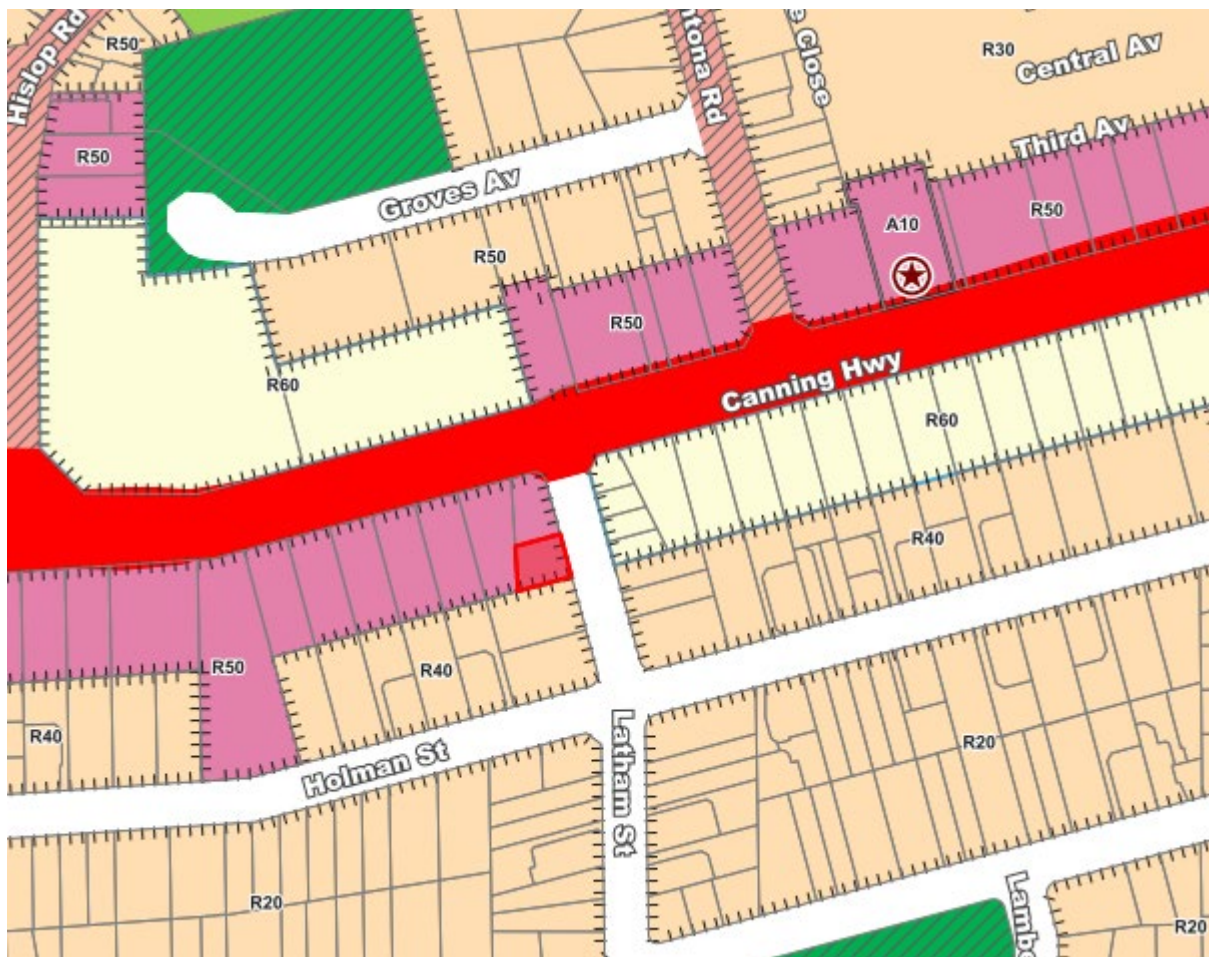


Figure 2: LPS6 zoning map context with subject site marked in red

Scheme Provisions

MRS Zoning	Urban
LPS Zoning	Mixed Use
R-Code	R50
Use Type	Home Business
Use Class	D

Site Details

Lot Area	466m ²
Retention of Existing Vegetation	N/A
Street Tree(s)	Existing street tree to be retained
Street Furniture (drainage pits etc.)	N/A
Site Details	Existing Single House

CONSIDERATION

The application has been assessed against the provisions of LPS6, the R-Codes and relevant Local Planning and Council Policies. The proposal complies with all the relevant development requirements except for those matters listed below, for which a performance assessment is required.

Local Planning Scheme and Local Policy Requirements

City of Melville Local Planning Scheme No. 6

Scheme Provision	Scheme Requirement	Proposed	Comments	Delegation to approve
Land Use Classification	<p>Home Business – 'D' Class Use</p> <p>LPS6 Home Business definition</p> <p>(b) That the home business <i>"will not cause injury to or adversely affect the amenity of the neighbourhood"</i></p> <p>(e) That the home business <i>"does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes to the neighbourhood."</i></p>	<p>Home Business</p> <p>Hours of operation to be from 7am to 7pm, Monday to Saturday</p> <p>That the business will not have a limit on the numbers of clients who can attend the premises at any one time.</p>	Requires assessment using Performance Criteria. Refer to discussion below.	Development Advisory Unit (DAU)

In considering the discretionary nature of the use proposed, it is necessary to take into consideration the zone objectives table of LPS6, the other matters for consideration under Clause 67 of the Deemed Provisions of the Regulations and any relevant state and local planning policies.

The proposed Home Business comprises a 'D' class use in the Mixed Use Zone as per LPS6. As such the use is not permitted unless the City has exercised its discretion by granting development approval. In considering the appropriateness of the use, the City is to assess the use in the context of the listed objectives applicable to the zone. The listed zone objectives and the City's comments regarding the appropriateness of the use are below:

Mixed Use Objectives	Assessment
<i>To provide for a wide variety of active uses on street level which are compatible with</i>	The home business use, if limited as per the recommended conditions of development approval, is considered appropriately

<i>residential and other non-active uses on upper levels.</i>	compatible with the surrounding context which includes residential properties to the south.
<i>To allow for the development of a mix of varied but compatible land uses such as housing, child care, and appropriate land uses which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.</i>	<p>The use, if appropriately restricted to limit the impacts of parking on the locality, is of limited impact upon the amenity of the immediate locality. Noise from the premises is shown to be acceptable per the submitted acoustic report, and parking can be controlled through conditions of development approval.</p> <p>The matters of hours of operation and parking are discussed further below.</p>
<i>To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.</i>	As per the commentary above, the impact of the use on the amenity of the locality is appropriately managed through the conditions of approval.
<i>To ensure the design and landscaping of development provides a high standard of safety, convenience and amenity and contributes towards a sense of place and community</i>	The subject application relates to a land use, rather than physical alterations to the site, as such the provision of landscaping and the design of the building are not being considered.
<i>To provide for a compatible mix of commercial and residential uses which complement the adjacent activity centres and will contribute towards the development of a vibrant and attractive place to live and work.</i>	The use, as controlled by the recommended conditions of approval is considered to appropriately contribute to the vibrancy of the mixed use zone in the immediate area, without unduly impacting surrounding residential properties.
<i>To ensure the nature, form and scale of any nonresidential development is such as not to prejudice the commercial services provided for within the designated activity centres, recognising the strategic significance of such centres with reference to their accessibility and co-locational synergies</i>	The use is taking place in an existing single hosue, as such this matter is appropriately addressed.

Hours of Operation

The applicant proposes a change to the approved hours of operation for the business which aligned with the existing class times for the business. The proposed change is to allow operation of the business from 7am to 7pm Monday to Saturday. Based on the supportive acoustic report provided by the applicant (Attachment 1), it was found that the operation of the business would not unduly affect the amenity of the locality with respect to class noise from a class of 4-8 students. In addition, the operation of a home business from 7am to 7pm is generally consistent with other Home Business uses across the City.

On that basis, provided parking for the business can be appropriately managed to not impact local amenity, the new hours of operation are considered worthy of support and modified conditions of development approval are recommended to this effect.

Number of Clients

The applicant has requested that no condition be placed upon the overall number of clients using the business at any one time, contending that due to the area available to host the classes, class sizes can be self-limiting at approximately 10-12 students being an optimum class size. The applicant

has also provided the following breakdown of existing class sizes and the way in which customers access the premises.

Day and Time	Class and Size	How Customers Access Site
Tuesday: 9.45-10.30 am	2-3 Year-Olds. 3 students in the class	1 arrives by car
Tuesday: 10.45-11.30 am	3-4 Year-Olds. 9 students in the class	3 arrive by car
Tuesday: 3.55-4.35 pm	5-7 Year-Olds. 11 students in the class	3 arrive by car
Tuesday: 4.45-5.30 pm	6-9 Year-Olds. 7 students in the class	2 arrive by car
Wednesday: 3.55-4.35 pm	6-7 Year-Olds: 12 students in the class	3 arrive by car
Wednesday: 4.45-5.30 pm	8-9 Year-Olds: 9 students in the class	3 arrive by car
Wednesday: 5.40-6.20 pm	9-11 Year-Olds: 8 students in the class	3 arrive by car
Wednesday: 6.30-7.00 pm	12-14 Year-Olds: 6 students in the class	2 arrive by car

Despite this information, it is considered that a business of this nature, with up to 12 customers accessing the site, would fall outside the scope of the home business definition and would be better suited to a commercial property which has been purpose built for businesses of this scale and which have vehicle parking is better provided for on site. Although the site has a mixed-use zoning, the property has been developed as a Single House without appropriate on-site parking for a commercial business. Generally, Home Businesses which are operating from a residential dwelling are small in scale, and the proposed business results in a great number of car trips to and from the site each hour.

The proposed unlimited class sizes and associated potential vehicle movements are inconsistent with the definition of a Home Business land use in accordance with LPS6 which specifies that the carrying out of the business “does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood”.

To ensure the appropriate ongoing management of the business, it is recommended that a condition be applied to require the submission of a parking management plan for the premises. This will set out strategies to encourage the use of alternative modes of transport, limiting on street parking, and include any details of a reciprocal parking arrangement with the adjoining dentist. The applicant has advised that there is an informal agreement for the use of the parking area at the adjoining dentist outside of the operating hours of the dentist. The dentist operating hours are generally during normal business hours, as such the use of these bays would not wholly address the need for parking for the home business use if it were to operate from 7am to 7pm Monday to Saturday.

The application is proposed to be time limited to 12 months in the first instance, this will allow the City to consider whether further modification to the operation of the use is necessary, or if ongoing approval can be supported. At the 12-month review, the City will consider any complaints regarding the use, as well as any feedback from the applicant in relation to these restrictions. Advice to the applicant will be provided in the determination to ensure they are aware of the need to apply for an extension in advance of expiry.

Based on the above considerations, the home business land use is considered appropriate on the basis that the business is kept to a reasonable scale for a residential property. More than 6 customers visiting the property at any one time for multiple classes each day is considered to exceed what can normally be considered for a use of this nature.

ENGAGEMENT

The City undertook consultation with surrounding landowners and occupiers through the consideration of the original application (DA-2024-681). The City did not receive any submissions during the consultation period of that application. Formal re-advertising of this application was not undertaken given no submissions were received as part of the original application and the nature of this application does not seek further discretion given the discretion regarding land use permissibility remains the same.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications presented as part of this report.

LEGISLATIVE AND POLICY ALIGNMENT

The proposal has been assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (P&D Regs), LPS6, LPP 1.1 and the Residential Design Codes Volume 1. The requirements of the P&D Regs and LPP 1.1 necessitated the advertising of the original application. On the basis of complaints received regarding the business, the application has been sent through the Development Assessment Unit (DAU) process prior to determination at either Council or by officers under delegation.

FINANCIAL IMPLICATIONS

There are no direct financial implications for the City relating to this proposal.

CONSEQUENCE

This application is recommended to be approved and if it is not called up through the DAU process, will be determined under delegation. However, should Elected Members have an alternative view, the DAU 'call-up' procedures provide opportunity to call this matter up for formal Council consideration.

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

OFFICER RECOMMENDATION

That the Development Advisory Unit recommend approval of the Amendment to Retrospective Change of Use From Single House to Home Business (Music Theory Tuition) at Lot 2 (No. 1A) Latham Street, Alfred Cove, subject to compliance with the following:

- A) The previous development approval DA-2024-681 dated 19 March 2025 (including remaining conditions (1-4, 6-8 and 10) and advice notes);**
- B) Conditions 5 and 9 of development approval DA-2024-681 being modified as follows; and**
 - 5. A maximum of 6 clients at any one time are permitted to visit the property; and**

- 9. The Home Business shall only conduct classes between the hours of 07:00 to 19:00 Monday to Saturday.**

C) Additional conditions 11, 12 and 13 being added as follows:

- 11. Prior to the commencement of the Home Business hereby approved, the applicant shall provide a parking management plan to the satisfaction of the City. The parking management plan shall address the following matters:**
- the instruction to park on the property or verge of the property to visitors to the property;**
 - Specific drop-off and pick up management directive to minimise on-street parking conflicts;**
 - the instruction if parking within the street, to adhere to the parking restrictions and permitted locations; and**
 - details of any formal reciprocal parking agreement (i.e. legal agreement) with neighbouring properties.**
- 12. Notwithstanding condition 1, the Home Business use hereby approved is to cease operating within 12 months from the date of this approval.**
- 13. The classes are to be spaced 10 minutes apart to allow for sufficient drop off and pick up of students.**

5 OUTCOMES FOLLOWING CALL UP PERIOD

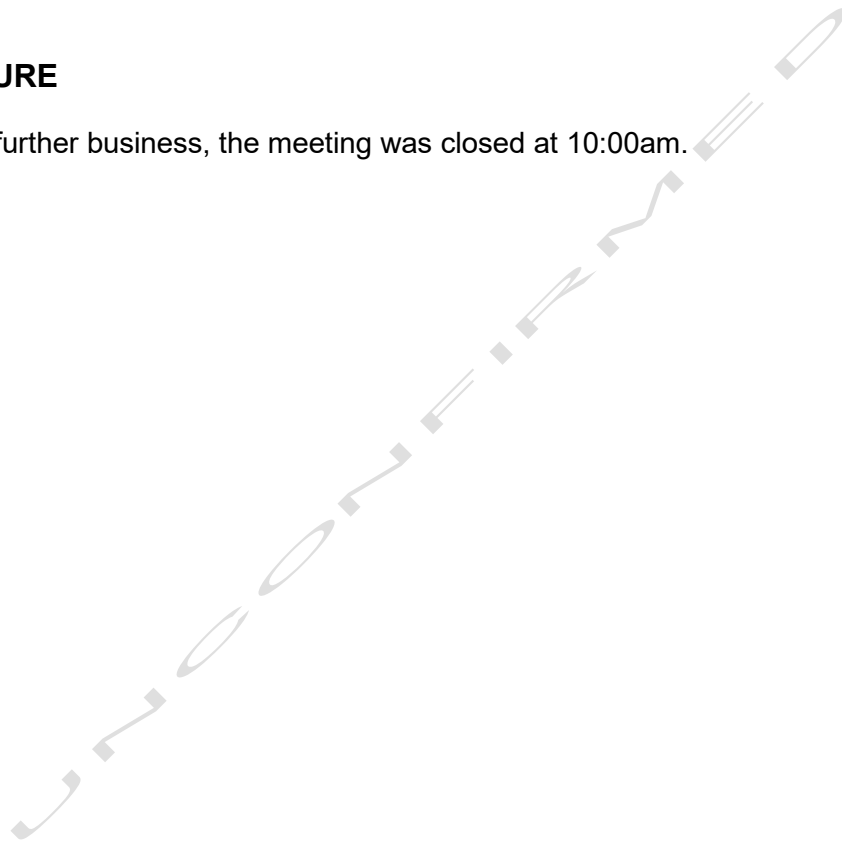
Following the call up period – there were no requests to call up items:

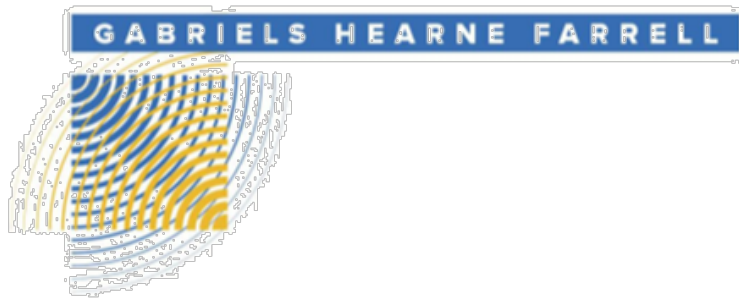
- UP25/70 - DA-2024-681/A – Lot 2 (No. 1a) Latham Street, Alfred Cove – Amendment to Retrospective Change of Use to Home Business (Music Theory)

by Elected Members and therefore the application will be determined under delegation in accordance with the officer recommendation from the DAU meeting dated Type date.

6 CLOSURE

There being no further business, the meeting was closed at 10:00am.



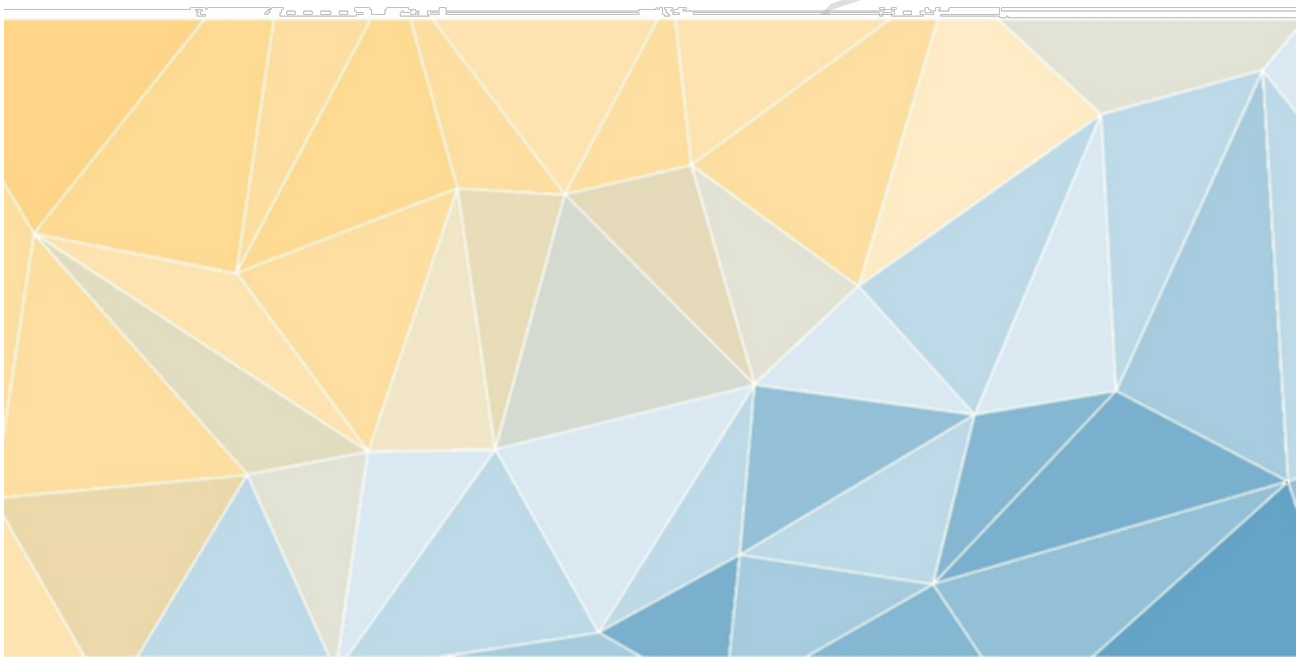


REPORT: 24-091b
ACOUSTIC REPORT

Cottage Music

Studio Noise Emissions
Noise Management Plan

11 March 2025



For

Cottage Music
1a Latham Street
Alfred Cove 5154

UNIT 3 / 2 HARDY STREET, SOUTH PERTH 6151
GABRIELS HEARNE FARRELL PTY LTD

TEL: 9474 5966
ACN 608956734

EMAIL: reception@gabriels.net.au
ATF-GHF UNIT TRUST

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Rev No.	Rev Date	Revision Description	Prep by
Initial	11 March 2025	Issued to Client	N Gabriels



Gabriels Hearne Farrell Pty Ltd (GHF) is a Member Firm of the Association of Australian Acoustical Consultants. The report author is a Fellow of the Australian Acoustical Society.

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1. INTRODUCTION

Gabriels Hearne Farrell Pty Ltd was commissioned to provide a Noise Management Plan for the environmental noise emission associated with existing Cottage Music at 1A Latham Street, Alfred Cove. The purpose of this assessment is to ensure that noise emission associated with teaching activities carried out by Cottage Music in the music studio, fully comply with the Environmental Protection (Noise) Regulations 1997.

2. BACKGROUND

The site is located on 1A Latham Street, Alfred Cove, ≈ 30 metres from Canning Highway. The zoning of the site is "Mixed Use" The site is surrounded with:

- Commercial building directly to the North and located on Canning Highway.
- Residential block to the West has the residence located directly on Canning Highway and barely visible from the Backyard directly outside the Studio
- Residential buildings to the East at a distance of 30m across Latham Street, are also located 30 to 50 metres from Canning Highway.
- Residential area to the south is well protected by the existing 2 storey residence. Noise emission to this area is significantly less than to the areas to the North, East and West.

The Music Studio is sized 8m x 6m x 2.7m high. The external wall of the studio is constructed of insulated cavity brick construction:

- The parapet wall facing the commercial property to the North has no windows.
- The West wall facing the backyard has 2 windows and a glazed door which is ≈ 8m from the fence.
- The front Façade wall facing East to the residences across Latham street at a distance of ≈ 30m and has 4 small awning windows to a store area adjoining the Studio.
- The Studio is mainly located under 2nd storey of the residence. The small area of roof over the Studio from the side of the residence above to the Parapet is a metal roof with plasterboard ceiling, constructed with additional acoustic insulation.

This assessment specifically addresses expected environmental noise emission from the proposed music studio to ensure compliance with the requirements of the Environmental Protection (Noise) Regulations 1997 is achieved.

3. ACOUSTIC DESIGN CRITERIA

3.1 Environmental Protection (Noise) Regulations 1997

In Western Australia, noise emission from one property to another is governed by the Environmental Protection (Noise) Regulations 1997. These Regulations establish the 'Assigned Levels', which are defined as the noise levels that cannot be exceeded at surrounding commercial and noise sensitive premises.

3.2 Determining the Assigned Level

The site specific 'Assigned Noise Level' criteria is established by the Environmental Protection (Noise) Regulations 1997. The Regulations describe a procedure for establishing the Assigned Level based on Influencing Factors that impact on the general ambient noise level in the area; ie traffic flow and land zoning within the 'inner circle' 100m radius and the 'outer circle' of 450 metre radius of the relevant receiver locations.

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3.3 Influencing Factors

Traffic Flow

- Canning Highway is a major road within the 100metre inner circle with a traffic flow of 32,000 to 35,000 vehicles per day

Land Zoning

The small strip of land adjoining Canning Highway is Zoned Mixed Use. However the surrounding area within the 450 metre radius is mainly Residential.

3.4 Determined Assigned Level

The determination of the Assigned Level is based on both the commercial and residential buildings having

- *Traffic Flow* Major road in the inner circle (within 100m radius) (Canning Highway) which provides an Influencing factor of + 6dB
- *Land Zoning* The Area in the 100m and 450m radius is Residential with very small proportion of commercial. As such the Influencing Factor of 0 dB has been applied

This results in a total Influencing Factor of 6 dB for the residential buildings adjoining the existing Cottage Music facility. The surrounding commercial facilities are required to meet the designated Assigned Level for Commercial premises. The Assigned Levels are set out below in Table 1.

Part of premises receiving noise	Time of day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Adjoining Residential Buildings	0700 to 1900 hours Monday to Saturday	51	61	71
	0900 to 1900 hours Sunday and public holidays	46	56	71
	1900 to 2200 hours all days	46	56	61
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	41	51	61
Commercial premises or: Locations further than 15 metres from a building directly associated with a noise sensitive use	All hours	66	81	86

Table 1 ASSIGNED NOISE LEVELS

The sound level parameters used to describe the noise environment are defined as:

- L_{A10} is the 'A' weighted noise level which is not to be exceeded for more than 10% of the time, e.g. for more than 10 minutes in 100 minutes
- L_{A1} is the 'A' weighted noise level which is not to be exceeded for more than 1% of the time, e.g. for more than 1 minutes in 100 minutes
- L_{Amax} is the 'A' weighted noise level which is not to be exceeded at any time.

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The Assigned Level for 0700 to 1900 hours Monday to Saturday applicable to this project are therefore:

- Adjacent Residential Areas to West and East L_{A10} 51 dB
- Adjoining Commercial Facility to North: L_{A10} 66 dB

3.5 Tonality & Modulation

Regulation 7 of the Environmental Protection (Noise) Regulations requires that the noise emission must be 'free' of annoying characteristics, namely tonality (e.g. whining, droning), modulation (like a siren), and impulsiveness (e.g. thumping). Where noise emissions exhibit the above noise characteristics, an adjustment is made to the measured/calculated noise level:

- *Tonality* 5 dB is added to the measured level
- *Modulation* 5 dB is added to the measured level
- *Impulsiveness* 10 dB is added to the measured level
- *Music – Non Impulsive* 10 dB is added to the measured level
- *Music – Impulsive* 15 dB is added to the measured level

Note these adjustments are only made to the measured noise level where these characteristics are audible. No adjustments are made if the noise is not clearly audible and measurable at a receiver location.

4. ENVIRONMENTAL NOISE EMISSION

4.1 Instrumentation

Noise measurements were carried out using a fully calibrated B&K Analyser Type 2270, Serial No.2644641. The Type 2270 Analyser was field calibrated before and after measurement and found to be within +/- 0.5 dB. Field calibration of the analyser was carried out with a Norsonics NOR 1256 Calibrator, which was itself laboratory calibrated 17 Sept, 2024.

4.2 Noise Source

The Music studio is used for early childhood music education for children 2 to 11 years old. It is important to note that Cottage Music does not teach instrumental music but concentrates on aural musicianship through the fundamental elements of music through listening, singing, rhythm, movement and games.

The Music Studio normally operates within the prescribed Daytime Hours being Monday to Saturday between the hours 7AM to 7PM. The Assigned Level for this Daytime time period is:

- Adjoining Commercial Facilities to North L_{A10} 66 dB
- Boundary to residential Premises: L_{A10} 51 dB

The music education is in small groups of 4 to 8 children. The sound level of music within the Studio as presented in the classes is relatively quiet to maintain a quiet atmosphere for these young children. Music level of the instruments used were measured at:

- Piano: 70 dB(A) at 1 metre
- Keyboard: 65 dB(A) at 1 metre
- Small Stereo: 68 dB(A) at 1 metre from speaker

None of these source are deemed to be impulsive in character.

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4.3 Operational Hours

Cottage music offers:

- 2 classes on Tuesday mornings, and 1 in the afternoon
- 4 classes Wednesday afternoons, and
- 2 Classes on Thursday Mornings

Classes operate for 28 weeks per year.

4.4 Noise level Measurements during Classes..

The ambient Noise outside as well as the Internal noise levels were measured during classes to establish the level of the noise source within the Studio:

Date / Scenario	Internal Noise Levels	External Noise Levels	
11 Feb. 25	In Music Studio	North Boundary	West Courtyard
Traffic Noise levels prior to class		L _{A10} 62 dB	L _{A10} 57 dB
Internal noise during class (5 off 4 to 6 year old students with parents)	L _{A10} 55 to 71 dB	not Audible	not audible
Traffic noise level after class (incl some aircraft noise)		L _{A10} 68 dB	L _{A10} 61 dB
19 Feb:25	In Music Studio	North Boundary	West Boundary
Traffic Noise levels during class		L _{A10} 63dB	L _{A10} 57 dB
Internal noise during class (7 off - 9 to 11 year old students)	L _{A10} 73 dB	not Audible	not audible

5. NOISE REDUCTION OF MUSIC STUDIO CONSTRUCTION

5.1 Noise Reduction of Studio enclosure – Inside to Outside

In all the measurements taken outside during normal class activities, the internal noise was either not audible or only just audible but well below the background traffic noise from Canning ighway. In addition the ambient level of noise (due to Traffic) was generally above the Assigned Level for the surrounding residential area.

To clearly establish if the noise emission from the Studio meets the Assigned levels, a Sound Reduction Test with a high noise level Sound Source located within the Studio was carried out.

5.2 Determination of the Sound Reduction Performance of the Studio Construction

To determine the energy average sound pressure level difference provided by the Music Studio enclosure and the outside measurement points, a constant high sound level pink noise source was set up within the Studio and average sound level within the studio determined. The external noise level due to noise emission from within the Studio was then measured at the

- North Boundary to the commercial facility,
- East Boundary of the property to the residence on the other side of Latham Street, and
- West Boundary where the residence is located directly on Canning Highway.

Prior to these measurement, a 15 minute measurements was taken of the traffic noise on the North Boundary. The external ambient level due to traffic was measured at L_{A10} 58 dB

Noise level of the Pink noise Reference Sound Source within the Studio **97 dB(A)**

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Noise level measured outside with the internal 97 dB(A) Sound Source "ON" are set out below. The Sound reduction performance determined in terms of the Weighted Sound Level Difference is also provided:

	Outdoor Sound Level	Sound Reduction
	=====	
• North Boundary facing Commercial building	56 dB(A)	Dw 38
• East Boundary to residences facing Latham Street	54 dB(A)	Dw 39
• West Boundary to residence located directly on Highway-	57 dB(A)	Dw 35

It should be noted that these external noise levels of 54 to 57 dB(A) with the internal noise Source "ON" were within the traffic noise levels measured prior to this test in the order of 55 to 60 dB(A). And this is with an internal noise level of 97 dB(A), being more than 25 dB(A) above the normal operational level of classes in the Studio.

5.3 Calculated Level of Noise Emission from Music Studio

In determining the noise emission from within the Studio we used the highest internal noise level measured within the Studio due to Class activities of 70 dB(A), i.e. L_{A10} 73 dB (See cl. 4.4)

Given the Sound Reduction established in cl. 5.2 above, the calculated level of noise emission from the Music Studio were then determined. The calculations were done using 1/3 octave measurement data. The expected external noise level due to the L_{A10} 73 dB activity noise level within the music Studio are determined as:

• North Boundary facing Commercial building	L_{A10} 29 dB(A)
• East Boundary to residences facing Latham Street	L_{A10} 31 dB(A)
• West Boundary to residence located directly on Highway-	L_{A10} 33 dB(A)

These determined levels of noise emission are more than 15 dB below the Assigned level of

- 51 dB(A) at residential Boundaries
- 66 dB(A) at the commercial boundary

Note that even if 'music' emission is at times just audible and adjusted by +10dB, compliance is still easily achieved

5.4 Compliance at Residential Boundary

It is evident that noise emission with activity noise levels within the Music Studio at 70 dB(A) i.e. L_{A10} 73 dB results in external environmental noise levels at a maximum of L_{A10} 33 dB(A). This is more than 15 dB(A) below the Assigned Levels of

- 51 dB(A) at residential Boundaries
- 66 dB(A) at the commercial boundary

Based on this assessment, it is clear that:

Noise emission from Cottage Music at 1a Latham Street Alfred Cove fully complies with the Assigned levels as established in the Environmental Protection (Noise) Regulations 1997 (as amended)

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6. CONCLUSION

Noise emission from the Cottage Music classes at 1a Latham Street, Alfred Cove have been assessed to determine compliance with the Environmental Protection (Noise) Regulations 1997

Cottage Music does not teach instrumental music, but concentrates on aural musicianship through the fundamental elements of music through listening, singing, rhythm, movement and games. The highest 'in studio' noise level measured for a specific activity during the classes was **L_{A10} 73 dB**

The receiver premises surrounding the Cottage Music site include:

- Commercial premises to the North facing Canning Highway
- Residential premises to the West
- Residential premises across Latham Street to the East.

The external ambient noise was controlled by Traffic noise from Canning Highway located only 30 metres from the North Boundary of the Cottage Music studio.

Considering noise emission from the classes in the music studio were either not audible or only just audible within the ambient traffic noise from Canning Highway, it was decided to determine the average Sound Level Difference provided by the construction of the music studio to allow calculation of noise levels at each receiver premises.

This was achieved by establishing a high level reference noise source (97 dB(A)) within the studio and measuring the internal and external noise levels. With this data the calculated noise level from classroom activities at **L_{A10} 73 dB(A)** was determined.

The results of this assessment clearly demonstrate that the noise emission from class activities within the Cottage Music Studio were more than 15 dB(A) below the Assigned Levels. As such:

The noise emission from Cottage Music at 1a Latham Street Alfred Cove fully complies with the Assigned Levels as established in the Environmental Protection (Noise) Regulations 1997 (as amended)

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