



18 January 2020

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Mack McCormack  
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 Via email: mack@saferight.com.au

Dear Mack

**REVISED NOISE MANAGEMENT PLAN – IN SUPPORT OF REOPENING CHALET RIGI RESTAURANT**

**1.0 Introduction**

The following represents a revised Noise Management Plan in support of reopening the existing Chalet Rigi restaurant located at 415 Mundaring Weir, Piesse Brook, Kalamunda WA 6076. This report was prepared by Evergreen Consultancy WA (Evergreen) on behalf of Saferight Pty Ltd (Saferight). It has been prepared in conjunction with the Ambient Noise Monitoring report prepared by Acoustic Engineering Solutions (refer attached **Appendix A**).

**2.0 Operational Information**

The restaurant area comprises 1,450 m<sup>2</sup> of which 850 m<sup>2</sup> forms the internal restaurant building and 600 m<sup>2</sup> is the external beer garden. The total lot area is approx. 7 acres (26,069 m<sup>2</sup>).

The site is neighboured to the east by Mundaring Weir Road, and to the north, south and west by neighbouring rural properties and bushland. The surrounding residential properties are low density with average 7-acre lot size. There are no residential properties located within 100 m of Chalet Rigi and only 10 residential properties located within 450 m (refer **Figure 1**).

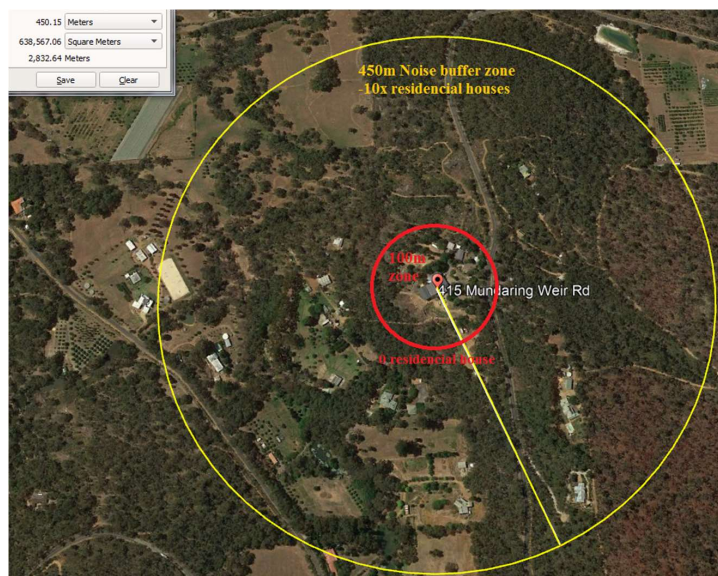


Figure 1 Chalet Rigi Location and Surrounding Noise Sensitive Land Use ([www.google.com](http://www.google.com))

The intended standard opening hours of the restaurant are:

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- Saturday: 7 am – 12 am (midnight)
- Sunday: 7 am – 10 pm
- Monday: 7 am – 10 pm
- Tuesday: 7 am – 10 pm
- Wednesday: 7 am – 10 pm
- Thursday: 7 am – 12 am (midnight)
- Friday: 7 am – 12 am (midnight)
- Public Holidays 11 am – 10 pm

Chat Rigi will be specifically targeted on the daytime market, focusing on families or groups who want to enjoy breakfast or lunch. Final dinner booking for patrons on Thursday, Friday and Saturday will be 9 pm. Final dinner booking for patrons between Sunday to Wednesday will be 8 pm.

The owners envisage that the restaurant will likely be closed after an early dinnertime (6 – 8 pm) between Sunday to Wednesday, limiting the later dinner sitting to Thursday, Friday and Saturday evenings.

At the close of trade, all service ceases and remaining patrons will be politely directed to finish their drinks and vacate the premises one group at a time. Lights will be turned up and air conditioning turned off.

The owner recognises the concerns of surrounding residents that the restaurant may lead to unacceptable noise impacts at neighbouring properties. A number of mitigating conditions are proposed for the operating hours of the restaurant as follows:

- The outdoor eating area will not be open to customers until 9 am to ensure external noise is kept to a minimum during the breakfast shift (starting at 7 am).
- The outdoor eating area will not be open to customers after 10 pm to ensure external noise is kept to a minimum at night.
- Once the restaurant ceases trading, it will remain open for an additional 30 minutes to allow the gradual exit of remaining patrons in a quiet manner rather than ejecting patrons all at once.

These controls have been designed to respect the amenity and peace of the immediate neighbouring properties.

Some isolated variances may be expected from the above operating hours and conditions, although these would be limited to isolated occurrences on special events e.g. birthday celebrations.

### **3.0 Baseline Noise Conditions**

The attached Ambient Noise Monitoring report prepared by Acoustic Engineering Solutions provides a measurement of baseline noise conditions at the Chalet Rigi property and at 3 off-site locations.

The noise monitoring was undertaken on Monday 9 September 2019 between 2:25 pm and 4:10 pm on a calm non-windy day. Noise measurements were collected from 5 locations (refer **Figure 2**):

- L1 Chalet Rigi site entrance on Mundaring Weir Road
- L2 Chalet Rigi beer garden area at rear of restaurant
- L3 Corner of Mundaring Weir Road and Fern Road

- L4 Entrance to residential property at 142 Aldersyde Road
- L5 Boundary fence to residential property at 53 Aldersyde Road

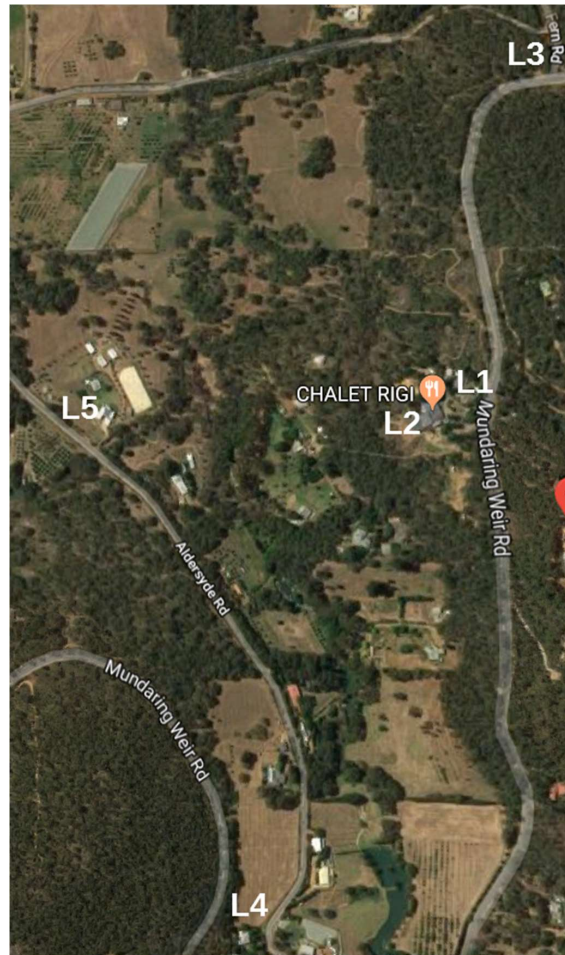


Figure 2 Ambient Noise Monitoring Locations (www.google.com)

Noise monitoring was completed in accordance with the procedures outlined in AS 10554 and the Environmental Protection (Noise) Regulations 1997.

The average A-weighted noise levels ( $L_{A_{Seq}}$ ), or equivalent continuous level, ranged between:

- **A minimum of 43.6 dB(A) in the Chalet Rigi beer garden area; to**
- **A maximum of 57.9 dB(A) at the Chalet Rigi site entrance on Mundaring Weir Road.**

The noise levels exceeded for 10% of the time ( $LA_{10}$ ) ranged between:

- **A minimum of 45.8 dB(A) in the Chalet Rigi beer garden area; to**
- **A maximum of 61.1 dB(A) at the Chalet Rigi site entrance on Mundaring Weir Road.**

The Acoustic Engineering Solutions report notes that the observed noise was dominated by sporadic traffic on Mundaring Weir Road and Aldersyde Road, alongside a continuous noise from the running of nearby surface water course Hackett's Gully and occasional dogs barking.

#### 4.0 Noise Management Criteria

The Environmental Protection (Noise) Regulations 1997 (Regulations 7 and 8) set the maximum allowable external noise levels for the surrounding areas of operational premises, including those of restaurants. For residential areas (or properties), this is determined by the calculation of an Influencing Factor (IF) added to the base levels shown in **Table 1**. The IF is calculated based on the usage of the land within 100 m and 450 m buffers from the operational premises.

**Table 1 Noise Management Criteria in Environmental Protection (Noise) Regs**

Premises Receiving Noise	Time of Day	L <sub>A10</sub>	L <sub>A1</sub>	L <sub>Amax</sub>
Noise Sensitive Properties (e.g. residential)	DAY 7 am – 7 pm Monday to Saturday	45+IF	55+IF	65+IF
	SUNDAY / PUBLIC HOLIDAY 9 am – 7 pm Sundays and Public Holidays	40+IF	50+IF	65+IF
	EVENING 7 pm – 10 pm All Days	40+IF	50+IF	65+IF
	NIGHT 10 pm – 7 am Monday to Saturday 10 pm – 9 am Sunday / Public Holiday	35+IF	45+IF	55+IF
	Industrial and Utility	ALL HOURS AND DAYS	65	80

**Notes:**

L<sub>A10</sub> – the noise level exceeded for 10% of the time

L<sub>A1</sub> - the noise level exceeded for 1% of the time

L<sub>Amax</sub> – the maximum noise level

IF - the influencing factor

The Environmental Protection (Noise) Regulations 1997 (Regulation 9) also require that any received noise be free of annoying characteristics, including tonality, modulation and impulsiveness, as defined below:

- **Impulsiveness** – a variation in a noise where the difference between L<sub>Apeak</sub> and L<sub>Amax Slow</sub> is more than 15 dB when determined for a single representative event.
- **Modulation** – a variation in the noise that:
  - (a) is more than 3 Db L<sub>A Fast</sub> or is more than 3 dB L<sub>A Fast</sub> in any one-third octave band
  - (b) is present for more at least 10% of the representative assessment period
  - (c) is regular, cyclic and audible
- **Tonality** – the presence of tonal characteristics where the difference between:
  - (a) the A-weighted sound pressure level in any one-third octave band; and
  - (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands

is greater than 3 dB when the sound pressure levels are determined as LAeq,T levels where t he time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as LA Slow levels.

Where the noise emission is not music, if the above characteristics exist and cannot be practicably removed, then any measured level is adjusted according to the following:

- Where impulsiveness is present, +10 dB(A)
- Where modulation is present, +5 dB(A)
- Where tonality is present, + 5dB(A)

These adjustments are cumulative to a maximum of 15 dB.

Given the location of nearby noise sensitive properties (residential premises) within 500 m of the Chalet Rigi development, the IF has been determined to be 0 dB(A). Therefore, the assigned noise levels for Chalet Rigi would be as specified in Table 1, summarised below:

- The applicable criterion for noise assessment is an **L10 of 45 dB(A)** on Mondays to Saturdays up to 7 pm.
- On Sundays and Public Holidays, the criterion is an **L10 of 40 dB(A)** up to 7 pm.
- In the evenings on all days (7 pm – 10 pm), the applicable criterion is an **L10 of 40 dB(A)**.
- The criterion reduces to an **L10 of 35 dB(A)** at night-time, or between 10 pm – 7 am on Monday to Saturday, or 10 pm – 9 am on Sundays and Public Holidays.

**5.0 Ambient Noise compared to Noise Management Criteria**

The ambient noise levels recorded during the September 2019 monitoring have been compared against the noise management criteria specified in the Environmental Protection (Noise) Regulations 1997, as shown in Table 2.

**Table 2 Ambient Noise compared to Noise Management Criteria**

Date / Time	Noise Management Criteria		Ambient Background Noise Sept 2019				
			L1	L2	L3	L4	L5
DAY 7 am – 7 pm Monday to Saturday	L <sub>A10</sub> (dB(A))	45	61.1	45.8	50.4	52.8	46.9
	L <sub>A1</sub> (dB(A))	55	68.4	51.0	55.9	56.3	57.1

**Notes:**

L<sub>A10</sub> – the noise level exceeded for 10% of the time  
 L<sub>A1</sub> - the noise level exceeded for 1% of the time

Based on the ambient noise monitoring completed in September 2019, daytime noise emitting from Chalet Rigi restaurant is likely to be at the same level as background noise when received at the surrounding neighbouring properties.

**6.0 Noise Management Control Measures**

Whilst the September 2019 monitoring does not indicate that unacceptable noise impacts will occur, the site owner recognises the concerns of surrounding residents that restaurant operations may lead to unacceptable noise impacts.

The owner is committed to minimising any disruption to the surrounding community and has elected to adopt a series of management control measures to reduce noise levels during restaurant operations and alleviate community concerns.

Management controls can be described as:

<b>Operational</b>	Operating hours, scheduled servicing and deliveries
<b>Conditional</b>	Managerial training, use limitations
<b>Physical</b>	Fixed barriers, landscaping, signage
<b>Mechanical</b>	Timed lighting, automatic doors

As part of the general management policies and procedures of the restaurant, these controls will be assessed for their effectiveness at regular intervals and will be adjusted or reinforced to ensure they meet their objectives.

**Noise Source: Earthworks from ATU Installation**

**Physical**

Earthworks will be kept to an absolute minimum during installation of the ATU and disposal pipework, and terracing of the sloping irrigation areas required to dispose of wastewater.

**Operational**

No earthworks are to be carried out outside the hours of 7:30 am – 5 pm Monday – Friday, 10 am – 5 pm on Saturday and Sundays and not at all on Public Holidays.

**Conditional**

All contractors are to be made aware of work time limits.

The volume of any music or radios used during the excavation works will be limited to a level above which a normal conversation can be had when stood next to the music source.

**Noise Source: Visitors and Patrons**

**Physical**

Engineering noise barriers have been installed between the internal restaurant area and the deck – these barriers will be lowered after 10 pm to prevent noise escaping from the internal restaurant (external areas will be closed at 10 pm).

External and internal signage to be clearly displayed outlining expected behaviour from visitors and reminding them to be respectful of our neighbours.

Signage to the carparks will remind all visitors to leave the site in an orderly fashion and with quiet regard for our neighbours. The signage will be fixed, clearly visible and illuminated at night.

The owner will maintain existing vegetation surrounding the site to act as a physical barrier to reduce sounds travelling through the valley.

**Mechanical**

The design of the restaurant includes thick glass windows and automatic glass doors from the indoor restaurant to the balcony area which can be closed to reduce any sound escaping the indoor restaurant.

**Operational**

The restaurant's standard operating hours will be limited (refer Section 6) to respect the amenity of immediate neighbours.

The outdoor eating area will not be open to customers until 9 am to ensure external noise is kept to a minimum during the breakfast shift (starting at 7 am).

The outdoor eating area will not be open after 10 pm to ensure external noise is kept to a minimum at night.

Once the restaurant ceases trading, it will remain open for an additional 30 minutes to allow the gradual exit of remaining patrons in a quiet manner rather than ejecting patrons all at once.

The restaurant will telephone and coordinate taxi bookings if required, with visitors waiting inside the venue to prevent patrons waiting and chatting outside.

The manager and staff will monitor the behaviour of visitors and ensure it is acceptable and respectful of other visitors and neighbours. Anyone not conforming to this requirement will be asked to leave the restaurant.

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**Noise Source: Entertainment and Music**


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**Physical**

Engineering noise barriers have been installed between the internal restaurant area and the deck – these barriers will be lowered after 10 pm to prevent noise escaping from the internal restaurant (external areas will be closed at 10 pm).

Internal signage to be clearly displayed in staff-only or contractor-only areas outlining expected operational conditions for any amplified or acoustic music.

**Operational**

External amplified music will be limited to 9 am – 6 pm on Mondays to Saturdays and 10 am – 5 pm on Sundays and Public Holidays.

External amplified music will be limited to a 10 Amp limit on the power supply.

When external amplified music is occurring, management will dedicate one staff member to act as a Noise Management Officer to control noise volumes and respond to any noise complaints.

All users of the external amplification system, including staff and contractors, will be informed of the power limitations, function end times and noise restrictions and requirements prior to booking. These limitations will also be clearly indicated in any contracts between performers or contractors.

Internal amplified music will be limited to 9 am – 9 pm on any given day and will generally be maintained as background music (at or below a level where all visitors can easily have a conversation with the music playing in the background).

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**Noise Source: Staff and on-site Contractors**


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**Physical**

Engineering noise barriers have been installed between the internal restaurant area and the deck – these barriers will be lowered after 10 pm to prevent noise escaping from the internal restaurant (external areas will be closed at 10 pm).

External and internal signage to be clearly displayed outlining expected behaviour from staff and reminding them to be respectful of our neighbours.

Signage to the carparks will remind all staff to leave the site in an orderly fashion and with quiet regard for our neighbours. The signage will be fixed, clearly visible and illuminated at night.

#### **Operational**

All staff will be required to display exemplary behaviour at all times whilst at the restaurant – this will form part of their standard condition of employment and performance monitoring.

The manager or supervisor on duty will monitor the behaviour of staff and contractors and ensure it is acceptable and respectful of other staff, visitors and neighbours. All staff will be required to demonstrate exemplary behaviours and high levels of customer service, and to monitor, warn and report any visitor or other staff member displaying behaviours deemed inappropriate or excessive.

#### **Conditional**

All staff will be required to adhere to site rules and policies surrounding noise management at all times whilst at the restaurant – this will form part of their standard condition of employment.

Required noise reduction measures will be clearly demonstrated to all staff during their inductions and will be reemphasized at regular staff meetings and performance reviews.

All staff will be asked to sign a declaration to confirm that they understand and will adhere to Chalet's Rigi Noise Management Plan at all times.

### **Noise Source: Deliveries, Servicing and Maintenance**

#### **Operational**

Levels of delivery, service and maintenance and anticipated size of associated vehicles, are considered likely to be on a scale like that seen in other rural agriculture areas surrounding the site e.g. the wineries of the Bickley Valley and Carmel region.

All deliveries, servicing and maintenance of the restaurant or outdoor areas will be limited to normal business hours of 8 am – 5 pm Monday to Friday.

Where possible, deliveries will be scheduled to avoid peak visitor hours. This will be informed once the restaurant starts trading and the owners have a better indication of when peak hours will be. Deliveries and collections will be scheduled regularly so that smaller and less noisy vehicles are able to be used.

## **7.0 Compliance and Complaint Procedures**

The Chalet Rigi owner will be responsible for dealing with any complaints received by the community, neighbours, other stakeholders or regulatory authorities in relation to noise produced by the restaurant.

The owner is committed to minimising any disruption to the surrounding community. All neighbouring properties will be welcomed to make a noise complaint should they feel there is an unacceptable level of noise emitting from Chalet Rigi. Contact details will be provided on the Chalet Rigi website and social media for any neighbours wishing to make a complaint.

All complaints will be dealt with fairly, transparently and respectfully.

Any noise complaints should be directed to Chalet Rigi management immediately upon their receipt.

A compliance register will be established and will be made available upon request for review should any noise complaints be lodged with the City of Kalamunda. The compliance register will detail:



- The time and date of complaint
- The complainant name and contact details
- The source of the complaint (i.e. crowd noise, amplified music etc.)
- The course of action undertaken in response, including details of any verbal or written communication

### **8.0 Summary**

This noise management plan requires the enforcement of a number of noise management control measures and the establishment of a compliance register and complaint procedure. These measures should ensure that noise compliance is perpetually achieved and that a suitable process is established should noise complaints be received.

Based on the ambient noise monitoring completed in September 2019, daytime noise emitting from Chalet Rigi restaurant is likely to be at the same level as background noise when received at the surrounding neighbouring properties.

Yours sincerely,



Francesca Flynn

**Managing Director, Evergreen Consultancy Pty Ltd**

Appendix A Ambient Noise Monitoring report prepared by Acoustic Engineering Solutions