

23/10/2017
C190(Part 1)**SCHEDULE 26 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO26**.

NORTH MELBOURNE, WEST MELBOURNE AND ARDEN-MACAULAY NOISE ATTENUATION AREA**1.0**23/10/2017
C190(Part 1)**Design objectives**

- To ensure that new, refurbished or converted developments for new residential and other noise sensitive uses constructed in the vicinity of the Laurens Street, North Melbourne Industrial Area and in the vicinity of industrial operations in Arden-Macaulay include appropriate acoustical measures to attenuate noise levels within the building.
- To ensure that land use and development in the vicinity of the Laurens Street, North Melbourne Industrial Area and in the vicinity of industrial operations in Arden-Macaulay does not adversely affect the viability of industry within these areas.

2.023/10/2017
C190(Part 1)**Requirements****2.1**23/10/2017
C190(Part 1)**Building Design and Pre-construction Noise Measurement**

Any new or refurbished development or any conversion of part or all of an existing building that will accommodate new residential or other noise-sensitive uses must:

- Be designed and constructed to include noise attenuation measures. These noise attenuation measures must achieve a maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms, with all windows and doors closed, unless there is no suitable air conditioning and/or mechanical ventilation, in which case the maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms must be achieved with all the windows half open and the doors closed.
- Be fitted with suitable air conditioning and /or mechanical ventilation system to the satisfaction of the responsible authority unless the maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms can be achieved with all the windows half open and the doors closed.
- Have walls, roof, windows, doors and external glazing and the air conditioning or ventilation system designed by a qualified acoustical consultant who must certify that the incorporation of the design features recommended by the consultant will achieve a maximum noise level in unfurnished and uncarpeted habitable rooms of 35dB(A)Leq, based on the external noise levels measured by the consultant as part of a noise level assessment conducted to the satisfaction of the responsible authority.

The pre-construction noise measurement will be conducted as follows:

- Be sufficient in detail and duration to be representative of the noise from the industrial operations which occur in the vicinity of the Laurens Street North Melbourne Industrial Area and the noise from industrial operations in Arden-Macaulay. This monitoring shall include sampling during the day, evening and night periods on weekdays and weekends.

2.219/01/2006
VC37**Verification Testing**

Prior to the commencement of a residential or other noise-sensitive use, acoustic testing must be conducted by a qualified acoustical consultant. The testing must verify that the maximum noise level of 35dB(A)Leq in the two most likely to be affected unfurnished and uncarpeted habitable rooms is achieved to the satisfaction of the responsible authority.

The verification testing will be conducted as follows:

- The maximum noise level of 35dB(A)Leq must be met when measured in the centre of each unfurnished and uncarpeted habitable room, at a height of between 1.5 and 1.6 metres above floor level.
- Noise shall be measured so as to obtain an A-weighted Equivalent Continuous Noise Level that is representative of the noise over a continuous 30 minute period.
- If a suitable air conditioning and/or mechanical ventilation system is provided, the windows shall be closed during the noise assessment. However, if no suitable air conditioning and/or mechanical ventilation system is provided, then the windows shall be opened to half their extent during the noise assessment.
- All doors to the room shall be closed.
- Mechanical ventilation and air-conditioning to the room shall not be in operation during the assessment.

2.3

19/01/2006
VC37

Noise Measurement – General Requirements for Preconstruction and Verification Testing

- A report containing the raw data, time of collection, the accreditation certificate of the consultant, and the result of the testing must be submitted to the responsible authority, and must be to the satisfaction of the responsible authority.
- The maximum noise level must be assessed using the equivalent continuous noise level (Leq) descriptor with a type 1 or type 2 sound level meter.

For the purpose of this Schedule, noise shall be measured to:

- Include only those sounds occurring when the sound level meter indication correlates with aurally identified industrial noise and noise from the loading and unloading of vehicles on public roads abutting industrial premises within and in the vicinity of the Laurens Street North Melbourne Industrial Area, and
- Exclude from the assessment all other sound at other times, and extraneous noise from traffic and public transport.

2.4

19/01/2006
VC37

Interpretation

For the purpose of this Schedule:

- “Noise-sensitive uses” are those uses that are nested under the definition of accommodation;
- “Habitable room” has the general term meaning excluding kitchen; and
- The Laurens Street North Melbourne Industrial Area means the Industrial 1 Zone located between Anderson Street/Munster Terrace and Laurens Streets, North Melbourne.
- Nothing in this Schedule is intended to prevent developments with openable windows provided noise testing demonstrates compliance with the requirements of this Schedule with all the windows closed or half open, as the case requires.

3.0

19/01/2006
VC37

Exemption from notice and appeal

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act

4.0

10/06/2010
C122

No permit required

A permit is not required for buildings and works other than buildings and works associated with new, refurbished or converted developments for noise sensitive uses.

5.0

10/06/2010
C122

Subdivision

A permit is not required to subdivide land.