

## Jacob Atkinson

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**From:** Andrew Thornton <AThornton@tract.net.au>  
**Sent:** Wednesday, 23 March 2022 4:17 PM  
**To:** George Sinadinos  
**Cc:** Joseph Indomenico; Lachlan McGowan  
**Subject:** RE: RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use  
**Attachments:** 22138 294 Lygon St Brunswick East Additional Testing Report Rev A 9.3.22.pdf

Hi George,

Thank you again for meeting us on-site last week. Our client has since had the chance to discuss timing with the sound consultant and we understand that on-site testing will be undertaken to determine the most appropriate speaker system to install of the 3 options currently being considered. Rohan from Waveform Acoustic will assist with this process.

The testing has been scheduled for early/mid-April as the sound consultant is currently on annual leave. Once a decision has been made the installation will be promptly rolled out, assuming stock availability.

Once installed the following steps will be undertaken:

1. Sound limiter to be installed and calibrated (aligned with speaker installation).
2. Further acoustic testing to be booked in at first available weekend.
3. Updated Acoustic Report to be submitted to Council confirming compliance has been achieved.

In the meantime please refer to the attached interim acoustic report which reflects the recent testing undertaken on-site. As Rohan mentioned the business is very close to compliance throughout parts of the evening and this has been further improved in interim with the removal of the 'kicker', changes to foldback speakers and transition to background level music from 11pm on Friday and Saturday evenings.

Please be in contact as required and we will keep you informed on the progress of the above.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133

Tract



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**From:** Andrew Thornton  
**Sent:** Friday, 11 March 2022 1:48 PM

**To:** George Sinadinos <GSinadinos@moreland.vic.gov.au>  
**Cc:** Joseph Indomenico <JIndomenico@tract.net.au>; Lachlan McGowan <LMcGowan@moreland.vic.gov.au>  
**Subject:** RE: RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Further to your correspondence dated 3 March 2022 we provide the attached response on behalf of the owner of Piano Bar.

As mentioned we had a meeting on-site yesterday and I have been walked through the recent assessment undertaken by Waveform Acoustics and further steps to be undertaken by the venue operators. We understand we are now very close to achieving full compliance and look forward to taking you through this next Thursday on site.

If you have any questions in the meantime please do not hesitate to be in contact.


Kind Regards,



**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133



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**From:** George Sinadinos <GSinadinos@moreland.vic.gov.au>  
**Sent:** Thursday, 3 March 2022 3:20 PM  
**To:** Andrew Thornton <AThornton@tract.net.au>  
**Cc:** Joseph Indomenico <JIndomenico@tract.net.au>; Lachlan McGowan <LMcGowan@moreland.vic.gov.au>  
**Subject:** RE: RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Please see attached further correspondence on this matter. Once more, a copy is also being posted directly to the land owner.

You are welcome to contact me if there are any queries about the content of the letter.

Regards,

**George Sinadinos**  
**Senior Planning Enforcement Officer**  
  
T +61 3 9240 2377  
www.moreland.vic.gov.au



Moreland City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Custodians of the lands and waterways in the area now known as Moreland. We pay respect to their Elders past, present, and emerging, as well as to all First Nations communities who significantly contribute to the life of the area.

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**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Thursday, 24 February 2022 10:39 AM  
**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Lachlan McGowan <[LMcGowan@moreland.vic.gov.au](mailto:LMcGowan@moreland.vic.gov.au)>  
**Subject:** RE: RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Thanks for arranging this. We have passed on the request to the permit holder/operator and Waveform Acoustics and we will be in touch with availability.


Kind Regards,



**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133



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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Sent:** Wednesday, 23 February 2022 2:34 PM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Lachlan McGowan <[LMcGowan@moreland.vic.gov.au](mailto:LMcGowan@moreland.vic.gov.au)>  
**Subject:** RE: RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Thank you for providing the acoustic report, and the letter of response to my letter dated 3 February 2022, advising of interim noise control measures to be implemented.

We are now in a position where we would like to arrange a meeting over video conference to discuss the findings and the implications with respect to the current noise levels not being in compliance with the permit requirements.

I have copied in Planning Enforcement Coordinator, Lachlan McGowan, who will also be part of this process.

Can you please respond to advise of some upcoming dates and times that you, the piano bar operator and ideally the acoustic consultant have for a meeting to discuss the matter as soon possible?

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

T +61 3 9240 2377  
www.moreland.vic.gov.au



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**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Thursday, 17 February 2022 10:30 AM  
**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Subject:** CM: RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Further to your recent request we refer to the attached Acoustic Report and cover letter which sets out a response to each of the matters raised in your letter of 3 February 2022.

We would be pleased to discuss with you following your review of the enclosed documents.

Thank you again for your ongoing patience and understanding with this matter.


Kind Regards,



**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133



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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>

**Sent:** Thursday, 3 February 2022 9:49 AM

**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

**Subject:** RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Please see attached a letter with a compliance deadline of **Thursday 17 February 2022**. A separate copy is also being issue by post directly to the land owner today.

Please let me know if you have any queries.

Regards,

**George Sinadinos**  
**Senior Planning Enforcement Officer**

T +61 3 9240 2377  
[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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**From:** George Sinadinos

**Sent:** Thursday, 27 January 2022 11:09 AM

**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

**Subject:** RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Thanks for the response. Please ensure your client has an update by the end of the week with respect to a specific date when the acoustic report will be submitted as well as a response to the multiple noise issues that are continuing to be raised with Council by apartment residents.

I acknowledge the difficulties of the COVID-19 situation impacting on timing of progressing this matter, but I also note that:

- The initial acoustic report to establish whether noise levels complied was required within 2 months of the use commencing under condition 3 of planning permit MPS/2019/594. This equates to about May 2021 on the basis the Piano Bar was reported to have commenced operating in March 2021
- The works to create the wall opening occurred without planning or building approval and remain subject of a retrospective amended permit application with the acoustic impact having not yet been assessed and with these unauthorised works potentially contributing to the current noise issues being reported by apartment residents

I await your update by the end of the week, but please note failing a response by then, I will need to set a formal deadline for compliance with the potential for escalated enforcement action should there be any further delays.

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

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www.moreland.vic.gov.au



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---

**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Thursday, 27 January 2022 10:30 AM  
**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>  
**Subject:** CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Apologies – our client has been on annual leave but we’ve scheduled a discussion. I’ll come back to you with an update but from the initial response they have indicated that the premises has been closed for much of the summer period so they are unsure what has prompted the noise complaints.

I’ll be in touch by the end of the week with an update.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133

Tract



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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Sent:** Thursday, 27 January 2022 10:23 AM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Can I please have a response to my e-mail below?

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

T +61 3 9240 2377  
www.moreland.vic.gov.au



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**From:** George Sinadinos  
**Sent:** Tuesday, 18 January 2022 2:58 PM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Happy New Year to you. I note you mentioned the acoustic report, resulting from the testing that occurred last month, is to be finalised this month. Can you please advise me as to when exactly this will be submitted to Council?

I also note that Council has continued to receive complaints about the volume of music noise levels from the piano bar being at levels causing significant disturbance to apartment residents.

Are you able to advise me if the acoustic testing has been able to establish if there is an explanation as to why the noise levels are continuing to cause detrimental impact to residents as is being reported to Council, given the previous advice I had been provided was that all of the original acoustic attenuation recommendations had been implemented?

I look forward to your response.

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

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www.moreland.vic.gov.au



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---

**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Wednesday, 22 December 2021 1:06 PM  
**To:** Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Alex,

Thanks for the added information. We've passed this on to the applicant, we're yet to hear back with a position but will be in touch again in the new year. We are expecting the acoustic report to be available in January.

Hope you have a restful break.

Kind Regards,



**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133



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**From:** Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Sent:** Wednesday, 22 December 2021 11:53 AM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew,

The cost usually in the order of \$2000-\$3000. The process is that you would first submit your acoustic report, Council would then obtain three quotes from acoustic consultants and if you agree to pay, you would choose which quote to accept.

With respect to whether we would typically seek external review, it's very much done on a case by case basis. As you would appreciate, these matters are always unique in their complexity and sensitivity. In this case, given the public interest in this testing and that these applications will be considered at a Council meeting, it's definitely necessary and in the best interest of all parties.

Let me know if you'd like to discuss further.

Kind Regards

**Alex Osborne**  
Senior Urban Planner

T +61 3 9350 8737  
[moreland.vic.gov.au](mailto:moreland.vic.gov.au)



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**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Wednesday, 15 December 2021 4:22 PM  
**To:** Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use



Hi Alex,

Thanks for raising this ahead of time. We will pass on your request to our client and in the meantime if you're able to provide an estimate of the cost this would assist with their consideration of the request.

Are you also able to advise whether Council would typically seek an external peer review for a post-occupancy acoustic assessment. We would have expected this to be required and if this is the case I would imagine the cost is a BAU matter for Council rather than something that should be passed on to the permit holder.

Notwithstanding, we appreciate the good will opportunity here.

Kind Regards,



**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133



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**From:** Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Sent:** Wednesday, 15 December 2021 3:37 PM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew,

Thanks for the update.

I'll take this opportunity to advise that the results of the acoustic testing will be reviewed by an independent acoustic consultant. Given the number of objections received and visibility of these applications, we believe this is in the best interests of all parties involved. As a gesture of goodwill, would your client agree to covering the cost?

Please let me know.

Kind Regards

**Alex Osborne**  
Senior Urban Planner

T +61 3 9350 8737  
[moreland.vic.gov.au](mailto:moreland.vic.gov.au)



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**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Wednesday, 15 December 2021 3:20 PM

**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Alex Osborne <[AOsborne@moreland.vic.gov.au](mailto:AOsborne@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

I can confirm that testing is scheduled for this Saturday 18 December. Two residents have agreed to have testing undertaken within their apartments and this process has been coordinated by the Owners Corporation.

Regarding the testing methodology itself, this has been set by the acoustic consultant and we understand this to be in line with standard procedure. Access to two apartments will ensure the testing is suitably robust.

If you have any specific requests regarding the methodology I can pass this on to the acoustic consultant however the methods will be covered off in the acoustic report.

Hope that assists, but please let me know if you require any further information. We otherwise look forward to closing out the concurrent planning and enforcement matters in the new year.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133



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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Sent:** Wednesday, 15 December 2021 2:59 PM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

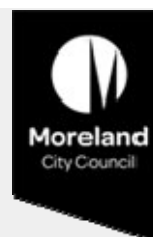
I hope you're well. Just checking the acousting testing remains scheduled for this Saturday 18 December.

Are there any further details you can provide me about the testing methodology?

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

T +61 3 9240 2377  
[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Thursday, 2 December 2021 10:35 AM  
**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Alex Osborne <[AOsborne@moreland.vic.gov.au](mailto:AOsborne@moreland.vic.gov.au)>  
**Subject:** Re: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use



Hi George,

Hope you've been well.

Confirming this has been scheduled in. Due to end of year workloads the first available date for the acoustic consultant is Saturday 18 December and we understand there has already been at least one resident agree to this testing time.

We will keep you informed of any changes to this timeframe and be in touch with the results, most likely in the New Year as our offices will be closed for the last week of December.

Kind regards,

	<b>Andrew Thornton</b> Associate Town Planner 03 9427 3710	<b>Tract</b> Level 6, 6 Riverside Quay Southbank VIC 3006 Australia 03 9429 6133
		

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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Sent:** Thursday, 2 December 2021 8:47 AM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Alex Osborne <[AOsborne@moreland.vic.gov.au](mailto:AOsborne@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

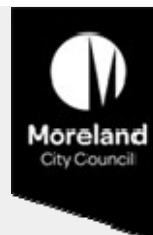
Hi Andrew

Can you please advise me if there is any update on when the acoustic testing will occur?

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

T +61 3 9240 2377  
[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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---

**From:** George Sinadinos  
**Sent:** Wednesday, 3 November 2021 12:35 PM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

I hope you're well. I was just wondering if there had been any arrangements for acousting testing to proceed as a result of the recent end of lockdown and easing of COVID-19 restrictions?

Regards,

**George Sinadinos**  
**Senior Planning Enforcement Officer**

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[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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---

**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Thursday, 12 August 2021 12:27 PM  
**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Just confirming that testing was unable to proceed last week and that the first available date is still actively being pursued with the Owners Corp's assistance. We understand 20 August is being scheduled should restrictions allow.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133

Tract



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**From:** Andrew Thornton  
**Sent:** Thursday, 5 August 2021 3:45 PM  
**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Confirming that the testing has now been given the go-ahead for tomorrow night 6 August. We can also confirm that three apartments at Level 1 of the building will have testing conducted (Apt 105, 107 & 108).

This has been a long time coming so fingers crossed the applicant is not caught out by another lockdown, which is now looking to be a possibility.

Kind Regards,

	<b>Andrew Thornton</b> Associate Town Planner 03 9427 3710	<b>Tract</b> Level 6, 6 Riverside Quay Southbank VIC 3006 Australia 03 9429 6133
		

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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Sent:** Friday, 30 July 2021 11:07 AM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Thanks for the update. If possible could the acoustic consultant contact me, before the proposed testing next week, for a discussion on the matter and so I can get an understanding of the proposed methodology?

Regards,

<b>George Sinadinos</b> <b>Senior Planning Enforcement Officer</b>  T +61 3 9240 2377 <a href="http://www.moreland.vic.gov.au">www.moreland.vic.gov.au</a>	
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---

**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Friday, 30 July 2021 10:38 AM  
**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

I've just received an update from the owner and acoustic consultant. Unfortunately at this time the owners corporation has not provided consent for access to the building. I'm aware that there have been repeated requests

and that this is a somewhat sensitive issue to all parties which may explain why it's not been processed within the requested timeframe.

With this in mind the testing has been rolled forward to next Friday 6 August. We will keep you updated on the request for access which is at this stage the only remaining hurdle for the acoustic consultant.

Feel free to give me a call should you have any concerns and thank you again for your ongoing patience with this matter.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
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03 9429 6133

Tract



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**From:** Andrew Thornton

**Sent:** Thursday, 29 July 2021 11:41 AM

**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

I've spoken with the permit holder / operator and they have assured me that whilst a new licensed acoustic engineer has been engaged to undertake the testing and all reporting moving forward they are nonetheless required to undertake the assessment to the relevant standards and then supply the findings and report to Council for assessment.

The methods undertaken by the acoustic consultant include testing within the building and apartments and we understand the methods include testing in apartments at lower levels of the building. At this time the Owners Corp is yet to consent to providing access despite repeated requests so in lieu of this it does appear that the resident may be acting on misinformation.

I've requested ongoing updates and will keep you informed on the progress.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133

Tract



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---

**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>

**Sent:** Wednesday, 28 July 2021 5:13 PM

**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

**Subject:** RE: RE: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Thanks for this update. I've had advice from one of the residents that previously allowed testing from their apartment on level 1, that a different acoustic consultant has now been engaged, and that testing may now only be from apartments higher up in the building. Can you please confirm if this is correct and if so the reasoning behind this change given the noise impact reported by residents directly above the piano bar tenancy?

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

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[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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---

**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>

**Sent:** Tuesday, 27 July 2021 5:22 PM

**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

**Subject:** CM: RE: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Thanks for being in touch.

We can confirm that the testing is still scheduled for this Friday 30 July. The venue operator has been seeking to arrange building and apartment access via the Owners Corporation over the past week and they are awaiting their consent before being able to proceed with the testing as planned.

Whilst we would expect the Owners Corp to be supportive of the testing and provide access we are yet to receive this confirmation and will advise you once known.

Please be in touch in the meantime as needed.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133

Tract



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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Sent:** Tuesday, 27 July 2021 1:50 PM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>  
**Subject:** RE: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

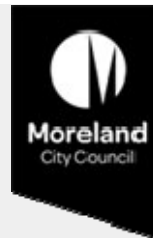
Hi Andrew

I hope you're well. With lockdown scheduled to end tomorrow, I was just checking to see if the further acoustic testing will be proceeding this Friday 30 July as per your update to me a week ago and whether further testing from the apartments of affected residents will also be occurring?

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

T +61 3 9240 2377  
[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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---

**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Tuesday, 20 July 2021 1:52 PM  
**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Andrew Zarb <[AZarb@moreland.vic.gov.au](mailto:AZarb@moreland.vic.gov.au)>  
**Subject:** RE: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George and Alex,

Just checking in to confirm the operator is unable to undertake the scheduled acoustic testing under current lockdown conditions. We have been advised that the acoustic testing has been scheduled for the first available Friday evening (at this stage, Friday 30 July) and the operator is liaising with the body corporate to arrange for testing inside the building.

We will keep you informed on the timing of the acoustic testing and thank you again for your patience with this process under the current restrictions.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133

Tract



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**From:** Andrew Thornton  
**Sent:** Wednesday, 14 July 2021 8:38 AM  
**To:** George Sinadinis <[GSinadinis@moreland.vic.gov.au](mailto:GSinadinis@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Andrew Zarb <[AZarb@moreland.vic.gov.au](mailto:AZarb@moreland.vic.gov.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>; Amanda Robinson <[ARobinson@marshallday.com](mailto:ARobinson@marshallday.com)>  
**Subject:** RE: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George and Alex,

Thanks for being in touch and apologies for the time between updates. As you have indicated the Piano Bar has been closed during the recent lockdowns and we understand that the owner has taken this opportunity to make some internal updates to the fit out. We understand that this includes further acoustic attenuation to the ceiling of the tenancy which are expected to be complete within a week.

After these works are complete the acoustic assessment will be completed in compliance with the planning permit as well as the current application under assessment by Alex.

I've requested that the permit holder provide a further update on the status by the end of this week which I will relay to you.

If you have any concerns please do not hesitate to be in contact.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133



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**From:** George Sinadinis <[GSinadinis@moreland.vic.gov.au](mailto:GSinadinis@moreland.vic.gov.au)>  
**Sent:** Tuesday, 13 July 2021 12:39 PM  
**To:** Amanda Robinson <[ARobinson@marshallday.com](mailto:ARobinson@marshallday.com)>; Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Andrew Zarb <[AZarb@moreland.vic.gov.au](mailto:AZarb@moreland.vic.gov.au)>; Alex Osborne <[AOSborne@moreland.vic.gov.au](mailto:AOSborne@moreland.vic.gov.au)>  
**Subject:** RE: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Amanda and Joseph

I've just returned from leave as of yesterday and am looking to follow up on the status of the acoustic assessment. I acknowledge the impact of recent disruption caused by the lockdown and restrictions associated with COVID-19.

Council has continued to receive recent complaints about noise from multiple residents and as such it is a matter of urgency that the testing proceeds in order to establish if there is a breach of SEPP N-2 and, if so, whether additional acoustic attenuation measures are required. I also note the related requirements associated with amended permit application MPS/2019/594/A which seeks retrospective approval for the unauthorised works to create an opening in the wall for which planning officer Alex Osborne has sought an update but has not had a response.

Can you please respond with an update on the situation and a timeframe by when the testing will occur and when the acoustic report will be provided to Council? You're welcome to contact me on my number below if you wish to discuss anything.

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

T +61 3 9240 2377  
www.moreland.vic.gov.au



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---

**From:** Amanda Robinson <[ARobinson@marshallday.com](mailto:ARobinson@marshallday.com)>  
**Sent:** Tuesday, 25 May 2021 2:42 PM  
**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>; Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Andrew Zarb <[AZarb@moreland.vic.gov.au](mailto:AZarb@moreland.vic.gov.au)>; Alex Osborne <[AOsborne@moreland.vic.gov.au](mailto:AOsborne@moreland.vic.gov.au)>  
**Subject:** RE: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Thanks George. I have reached out to Joanne (body corporate) as well.  
I will liaise with Sarah direct.

**Amanda Robinson**



 6 Gipps Street Collingwood VIC 3066 Australia  
+61 3 9416 1855 [✉ ARobinson@marshallday.com](mailto:ARobinson@marshallday.com) [🌐 www.marshallday.com](http://www.marshallday.com)



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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Sent:** Tuesday, 25 May 2021 2:36 PM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>; Amanda Robinson <[ARobinson@marshallday.com](mailto:ARobinson@marshallday.com)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Andrew Zarb <[AZarb@moreland.vic.gov.au](mailto:AZarb@moreland.vic.gov.au)>; Alex Osborne <[AOsborne@moreland.vic.gov.au](mailto:AOsborne@moreland.vic.gov.au)>  
**Subject:** RE: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Thank you for this e-mail and information. Amanda Robinson phoned me today to discuss the assessment process and I have followed up and have obtained consent from Sarah Grayburn, the owner of apartment

108, to participate in the acoustic testing. Her response to me with her details and comments about the noise was as follows:

*Thanks for this email. Yes, I am more than willing to grant access to my apartment, number 108. Happy for Amanda to have my contact details. My phone number is 0487 286 075.*

*The noise is at its worst when 2 pianists are playing at the same time and both are singing into their microphones. So hopefully that will be captured accurately. The pianists take breaks and they sometimes perform solo.*

Amanda advised me she would make enquires with Strata Ease who manages the building on behalf of the Owners Corporation with respect to obtaining details of residents from other apartments. If I obtain the consent of any other residents I will pass those details on but for now I would suggest following up with Strata Ease for the details of any other residents.

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

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www.moreland.vic.gov.au



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**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>

**Sent:** Tuesday, 25 May 2021 9:04 AM

**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>; Amanda Robinson <[ARobinson@marshallday.com](mailto:ARobinson@marshallday.com)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Andrew Zarb <[AZarb@moreland.vic.gov.au](mailto:AZarb@moreland.vic.gov.au)>; Alex Osborne <[AOsborne@moreland.vic.gov.au](mailto:AOsborne@moreland.vic.gov.au)>

**Subject:** CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Marshall Day has been progressing this matter in the background and we're pleased to provide the attached methodology which has been informed by preliminary testing at the premises undertaken on 15 May.

The next steps of the methodology require access to several apartments and we are hoping that Council can assist with this process. [@Amanda Robinson](#) will be in contact today to discuss further.

Please let me know if we can assist in the meantime.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133

Tract



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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Sent:** Friday, 21 May 2021 10:35 AM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>; Andrew Zarb <[AZarb@moreland.vic.gov.au](mailto:AZarb@moreland.vic.gov.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

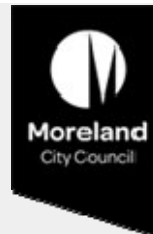
I hope you're well. Just curious as to whether the acoustic assessment has occurred or will be occurring this week and whether arrangements have been made for testing to occur within the apartments of affected residents?

Also letting you know I will be on leave from Friday 28 May and returning on Monday 12 July. As such I have copied in my colleague Andrew Zarb who will be looking after this matter during my absence.

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

T +61 3 9240 2377  
[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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**From:** George Sinadinos  
**Sent:** Wednesday, 12 May 2021 4:20 PM  
**To:** 'Andrew Thornton' <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>  
**Subject:** RE: CM: RE: RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Thank you for the update and providing me this detailed information. I look forward to your next update with confirmation of the scope of the acoustic assessment with respect to whether testing from residents' apartments will be included. Given the continuing complaints Council is receiving it is strongly recommended this occurs to ensure noise levels are compliant with SEPP N-2 and to avoid noise disturbance to residents.

A further update that we unfortunately had more complaints about the noise levels over the most recent weekend. We were advised that the volume of piano music noise and patrons singing on the Saturday night in particular was very loud and caused considerable disturbance to residents in the apartments.

I ask that you pass this on to the venue manager to ensure noise levels are being monitored carefully at all times with respect to the volume of music as well as the extent of patron noise.

If there are any questions about any of this please let me know.

Regards,

**George Sinadinos**

## Senior Planning Enforcement Officer

T +61 3 9240 2377  
www.moreland.vic.gov.au



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**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>

**Sent:** Wednesday, 12 May 2021 3:24 PM

**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

**Subject:** CM: RE: RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Further to your recent request we refer to the attached images which confirm that the acoustic treatment to walls, pipes and the air lock door has been completed as set out in the endorsed Acoustic Report prepared by Marshall Day.

We can also confirm that Marshall Day has been booked in for the first available testing session which will be undertaken in the week commencing 17 May. This is the earliest booking that could be made due to their lead times. We are presently confirming whether the scope of assessment will include testing from within residents apartments and will come back to you if we need assistance on this front.

Further to this, the operator of Piano Bar has advised that they have removed the kicker from the piano players (this is essentially like a bass drum noise). Whilst there were no complaints in respect to this specifically they thought it would be a good idea given the recent feedback.

Our focus now is on the acoustic assessment and we will keep you informed as this progresses next week. Please do not hesitate to be in contact as needed in the meantime.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133

Tract



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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>

**Sent:** Thursday, 6 May 2021 2:11 PM

**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>

Cc: Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

Subject: RE: RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Thanks for your response. Can you give me an indication as to how soon you will be able to respond to my queries below? I ask given the complaints to Council and frustration of numerous residents perceiving a lack of action on the matter.

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

T +61 3 9240 2377  
[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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From: Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>

Sent: Thursday, 6 May 2021 1:36 PM

To: George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>

Cc: Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

Subject: CM: RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Thanks for being in touch. We appreciate this needs to be addressed as a priority and will follow up with the project team on your below points as well as continuing to progress the acoustic assessment in response to Kate's request.

I note that as of last week the air lock doors were being installed, we should have an update for you on this front too.

Please feel free to be in contact as needed in the meantime.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133

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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>

**Sent:** Thursday, 6 May 2021 12:11 PM

**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

**Subject:** RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Council has continued to receive complaints about the noise levels emanating from the piano bar and the allegation they were apparently louder than usual over the most recent weekend. We have been advised that noise levels are apparently loud enough to be impacting residents as high as level 4 of the building which raises questions as to whether all of the acoustic attenuation works required by the report have been implemented.

The specific concern has been raised as to whether the ceiling of the venue has been adequately attenuated as the noise levels transmitting to the apartments above, and as far up as level 4 of the building, raise questions about whether these works have occurred.

I note you provided a response dated 18 March 2021 from the general manager of the East Brunswick Hotel, Jo Didier, advising that all attenuation works had been completed with the exception of the airlock door for which I understand works are currently in progress. In the interim before the further acoustic assessment occurs, that will also confirm the initially required attenuation works have been completed, can you please assist me with responses to the following items?

- provide photographic evidence or similar confirmation that the attenuation works to the ceiling and pipes above the venue have occurred as outlined in sections 6.2, 6.3 and 6.4 of the endorsed acoustic report
- whether the further acoustic testing required will be arranged to occur within any of the objectors apartments noting the current concerns being raised with Council
- what immediate action will be taken by the venue operators to address the current noise issues
- an update on the status of the installation of the airlock door and whether there is a proposed date for the further acoustic assessment to occur and the report to be provided to Council.

I'm aware of Kate MacLaren's e-mail to you, dated 30 April, and the requirements she has specified with respect to the timing of the further acoustic report to be provided as part of the assessment of the amended permit application.

I look forward to your response and I'm happy to discuss any of the above items with you if you require any clarity.

Regards,

**George Sinadinos**  
**Senior Planning Enforcement Officer**

T +61 3 9240 2377  
[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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**From:** George Sinadinos  
**Sent:** Thursday, 8 April 2021 4:16 PM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>  
**Subject:** RE: CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

Thank you kindly for the response. I look forward to your next update with confirmation the airlock door has been installed and the date when the subsequent acoustic assessment will occur.

Regards,

**George Sinadinos**  
**Senior Planning Enforcement Officer**

T +61 3 9240 2377  
[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Thursday, 8 April 2021 4:07 PM  
**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>  
**Subject:** CM: RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Further to your recent email correspondence we've been advised by the permit holder that they are having the air lock door installed and after this is completed they will be able to undertake the post-occupancy acoustic report in accordance with Condition 7 of permit.

Once the acoustic assessment is booked in we will let you know of the date. We acknowledge that this testing must be booked within 2 months of the commencement of use.

Our understanding of the scope is that the acoustic report will be assessing the operation of the venue (this is understood to be the purpose of the report) which includes busy operation periods. SEPP N-2 will need to be considered in this respect.

We note that in support of the internal works application Marshall Day has indicated that the internal works are unlikely to impact the acoustic performance of the building. The acceptability of this will ultimately be determined by the post-occupancy assessment.

I hope that this assists and we will be able to provide further update once the acoustic testing is booked and underway.

Feel free to give me a call to discuss in the meantime.

With thanks,



**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133



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**From:** Andrew Thornton

**Sent:** Wednesday, 31 March 2021 7:50 AM

**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Thank you for the follow up and sorry to hear you've been receiving further complaints since last speaking.

We will pass this on to the permit holder and seek a response to each of the below points. In the meantime please feel free to give me a call should there be any need for discussion.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133



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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>

**Sent:** Tuesday, 30 March 2021 2:38 PM

**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

I hope you're well. Just advising that Council is continuing to receive complaints about the noise levels emanating from the piano bar. There are concerns that a major cause of noise is as a result of the internal alteration to remove a section of wall and add a sliding door between the Piano Bar and the East Brunswick Hotel. These works are of course currently under assessment via amended permit application MPS/2019/594/A.

I will be making the complainants aware of the advice you provided me from the general manager of the East Brunswick Hotel that the attenuation works part of the report endorsed under condition 6 of the Permit have been implemented, with the exception of the installation of the airlock door. I will also advise them that a further acoustic report will be submitted shortly in accordance with condition 7 of the Permit.

Can you please assist me with a response to each of the following queries?

- When the airlock door will be installed
- What measures are in place at present to address the concerns being raised by residents about noise
- A specific date by when the acoustic testing and subsequent report required by condition 7 of the Permit will be provided to Council
- That the above acoustic report will include confirmation that the works required by the initial report endorsed under condition 6 have been completed
- Whether the report will assess noise levels during busy operation periods and whether they comply with SEPP N-2 factoring in the internal alterations subject of the amended permit application

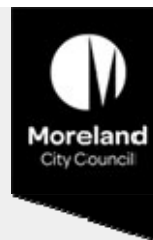
I note the acoustic report part of the amended permit application documents currently being advertised includes comments under point 6.5 that indicate the noise levels are unlikely to be affected by the internal alterations, however there has not been any assessment of noise levels during busy periods of operation of the venue since these works took place to confirm if noise levels comply with SEPP N-2.

I look forward to your response and am happy to discuss the above if you require any clarity.

Regards,

**George Sinadinos**  
Senior Planning Enforcement Officer

T +61 3 9240 2377  
www.moreland.vic.gov.au



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---

**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>

**Sent:** Friday, 19 March 2021 5:58 PM

**To:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>

**Cc:** Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>

**Subject:** FW: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi George,

Thanks again for bringing this matter to our attention and for the phone discussion yesterday.

Please see the below response from Jo Didier (East Brunswick Hotel / Piano Bar) confirming that the acoustic works have been undertaken in accordance with the endorsed acoustic report.

Jo has also confirmed that further acoustic testing will be arranged within 2 months of the commencement of use as per the relevant permit condition. Should any further attenuation measures be required as a result of this testing this will be undertaken by the permit holder / operator.

We hope that this assists with your response to the residents and if there is anything further we can do to assist please do not hesitate to be in contact.

Kind Regards,



**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133



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**From:** [jo@eastbrunswickhotel.com.au](mailto:jo@eastbrunswickhotel.com.au) <[jo@eastbrunswickhotel.com.au](mailto:jo@eastbrunswickhotel.com.au)>  
**Sent:** Thursday, 18 March 2021 9:40 AM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>; 'Scott Didier' <[SDidier@johnslyng.com.au](mailto:SDidier@johnslyng.com.au)>  
**Cc:** 'Nicholas Graham' <[ngraham@johnslyng.com.au](mailto:ngraham@johnslyng.com.au)>; Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>  
**Subject:** RE: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew,

Thank you for your email.

I can confirm all acoustic attenuation works were completed as per the acoustic report except the installation of the airlock doors. Due to this we have not been using the front external doors.

We will be monitoring levels within and outside the venue on a nightly bases and as mentioned in the planning permit will arrange acoustic testing within 2 months of the commencement of use.

Please let me know if you have any other questions or need anything else from me.

Kind Regards,

**Jo Didier**  
General Manager  
0455 441 111  
[jo@eastbrunswickhotel.com.au](mailto:jo@eastbrunswickhotel.com.au)

.....



.....  
[eastbrunswickhotel.com.au](http://eastbrunswickhotel.com.au)



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**From:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>  
**Sent:** Wednesday, 17 March 2021 3:35 PM  
**To:** [jo@eastbrunswickhotel.com.au](mailto:jo@eastbrunswickhotel.com.au); Scott Didier <[SDidier@johnslyng.com.au](mailto:SDidier@johnslyng.com.au)>  
**Cc:** Nicholas Graham <[ngraham@johnslyng.com.au](mailto:ngraham@johnslyng.com.au)>; Joseph Indomenico <[JIndomenico@tract.net.au](mailto:JIndomenico@tract.net.au)>  
**Subject:** FW: 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Jo and Scott,

I wanted to bring the below email to your attention which was just received from Moreland's compliance officer George Sinadinos. It appears that complaints have been lodged regarding recent private events at Piano Bar. George is seeking confirmation that the acoustic attenuation works have been completed in accordance with the endorsed Acoustic Report as this is a requirement ahead of the use commencing (i.e. the venue formally opening to public).

Please feel free to give me a call to discuss if needed.

Kind Regards,

**Andrew Thornton**  
Associate Town Planner  
03 9427 3710

**Tract**  
Level 6, 6 Riverside Quay  
Southbank VIC 3006 Australia  
03 9429 6133

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**From:** George Sinadinos <[GSinadinos@moreland.vic.gov.au](mailto:GSinadinos@moreland.vic.gov.au)>  
**Sent:** Wednesday, 17 March 2021 3:19 PM  
**To:** Andrew Thornton <[AThornton@tract.net.au](mailto:AThornton@tract.net.au)>

**Subject:** 1/294 Lygon Street, Brunswick East - Noise complaints and confirmation if acoustic report recommendations have been implemented prior to commencement of use

Hi Andrew

I thought I'd contact you in your capacity in assisting the land owner with the current amended planning permit applications. I'm happy however for you to direct me to raise this with the owner or anyone else on their behalf instead if that approach is preferable.

My query is in regards to some complaints about noise from recent private functions at the piano bar. I understand the piano bar is advertising it will be opening to the public as of this coming Friday 19 March.

I am looking for confirmation as to whether acoustic attenuation works required by the acoustic report endorsed under condition 6 of planning permit MPS/2019/594 ('**Permit**') have been implemented. This is a requirement prior to commencement of the use as specified by condition 6 of the Permit which specifies:

6. Prior to the commencement of the use, an Acoustic Report generally in accordance with the report advertised on the 03/03/202 (prepared by Marshall Day Acoustics) must be endorsed to form part of the permit and the venue must be soundproofed in accordance with the recommendations contained within the endorsed Acoustic Report. The Acoustic Report endorsed under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

I've attached a copy of the endorsed acoustic report which contains the recommendations under Part 6 starting from page 8.

Are you able to assist me in obtaining confirmation as to whether the recommendations have been implemented given they are requirement prior to commencement of the use as highlighted in the above permit condition?

There have already been complaints about noise levels in regards to some functions that have already occurred at the venue and so it is important I am provided confirmation that the attenuation works have been implemented.

Regards,

**George Sinadinos**  
**Senior Planning Enforcement Officer**

T +61 3 9240 2377  
[www.moreland.vic.gov.au](http://www.moreland.vic.gov.au)



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