

23 January 2025

City of Vincent
224 Vincent Street
LEEDERVILLE WA 6007

Dear Sir / Madam,

NO. 1/446 (LOT 751) BEAUFORT STREET, HIGHGATE

CHANGE OF USE FROM AMPHITHEATRE TO TAVERN (SI PARADISO)

Urbanista Town Planning have been engaged by the operator and owner of Si Paradiso to prepare and submit a change of use application from Amphitheatre to Tavern and amend the relevant conditions of the existing development approval to accord with the nature and operation of the existing use on the site.

BACKGROUND

This change of use application seeks to correct the inconsistencies between the relevant development approvals for the site and the liquor licence approvals issued by the Department of Local Government, Sport and Cultural Industries (Racing, Gaming and Liquor – RGL). This will ensure the operator can continue to operate in a lawful manner, that is consistent with the expectations of both the City, RGL and the broader community.

At a meeting held in December 2023 with the client, the City and RGL, it was determined that RGL would modify the liquor licence from 'special facility' to 'tavern'. Additionally, RGL recently advised their in principle support to modify the licence and therefore, this application proposes to change the use from Amphitheatre to Tavern. Once approved, a Section 40 can be issued by the City to approve the licence.

EXISTING LIQUOR LICENCE AND DEVELOPMENT APPROVAL

As it currently stands, the subject venue is operating on a series of historical development approvals and liquor licences that are inconsistent with one another and are in some ways different to how the venue has been operating for the past 5-10 years.

The 'Si Paradiso' venue is made up of an indoor space and an attached external space. According to the City's records, an application to change the use of the internal space to 'tavern' was approved by the City of Vincent on 6 November 2001. During this time an outdoor amphitheatre was also operating from this site, however the tavern and the amphitheatre were separately run venues.

Over time, the venue has received approval from the City to increase the patron numbers of the amphitheatre and the venue has evolved into a combined indoor/outdoor space known as 'Si Paradiso'.

Whilst it is noted that the operator is able to operationally combine the venues without any further approvals, the fact that the one venue is operating on, not only two separate planning approvals, but also as two separate land uses, is proving to not work from a governance and compliance perspective.

The most recent development approval issued by the City for the amphitheatre space, was on 25 June 2013 and was based on an application to increase the hours of operation.

The Council resolved to approve the application, subject to the following conditions:

1. *The premises shall be used for the approved use as an 'amphitheatre' where the primary purpose is where the public may view a theatrical production. The venue shall not operate independently of a performance;*
2. *No amplification or emission of sound, including the use of a public address system shall occur within, or from, the amphitheatre, unless compliance with the 'assigned levels' of the Environmental Protection (Noise) Regulations 1997 is achieved;*
3. *The amphitheatre shall operate with a maximum of 153 persons;*
4. *The amphitheatre hours of operation shall be as follows:*
 - 4.1 *Sunday, Monday, Tuesday, Wednesday and Thursday until 10pm;*
 - 4.2 *Friday and Saturday until 12 midnight with all outdoor activities to cease prior to 1am;*
 - 4.3 *In accordance with the Noise Impact Assessment report prepared by Lloyd George Acoustics in January 2009 the following are to be implemented in the next three (3) months:*
 - 4.3.1 *Extend the perimeter wall to bamboo Amphitheatre on the southeastern side with a solid barrier to eliminate line of sight from the third floor apartment balcony;*
 - 4.3.2 *Upgrade the rear access gate to the bamboo Amphitheatre, which currently comprises timber slats with gaps, so that it provides a solid barrier to noise;*
 - 4.3.3 *Establish a formal procedure for monitoring and managing noise levels during live band performances in the bamboo Amphitheatre, including setting appropriate limits at the mixing desk;*
 - 4.3.4 *Maintain a strict curfew of 10.00pm for live music performances;*
 - 4.3.5 *Carefully select the bands and style of music to be played in the bamboo Amphitheatre to avoid annoyance to neighbours. Lowkey performances such as blues, jazz, soul, and orchestral music should be favoured over rock and pop acts;*
 - 4.3.6 *Engage, consult and inform apartment residents. Let them know when live music events are on and when they will finish. Understand any concerns and ensure that somebody is available to receive any complaints;*
 - 4.3.7 *Investigate opportunities to apply acoustic absorption to the rear wall of the bamboo Amphitheatre, which is currently a hard, concrete, sound reflective surface and submit a written report and implement solutions approved by City's Health Services;*
5. *The applicant shall comply with the Health (Public Building) Regulations 1992 at all times and shall submit an application for a 'Certificate of Approval' and obtain approval from the City's Health Services prior to the area being used;*
6. *A detailed Management Plan for the outdoor amphitheatre shall be submitted to and approved by the City within 28 days of the issue of the subject 'Approval to Commence Development'. The Management Plan is to detail the following aspects:*
 - 6.1 *Operational Management - to ensure the premises is closed in accordance with condition 4.1 and 4.2 above;*
 - 6.2 *Noise Management - to control noise breakout from the premises. The applicant must establish a formal procedure for monitoring and managing noise levels;*

- 6.3 *Crowd/Patron Management - to control patron behaviour within the premises and minimise any potential impact on the surrounding locality from patrons arriving at and leaving the premises, and queuing and smoking outside the premises;*
- 6.4 *Security Management - outlining measures to prevent crime and ensure patron and public safety including proposed security lighting, video surveillance and security personnel;*
- 6.5 *Communications Strategy - outlining a complaint handling system which provides:*
 - 6.5.1 *A telephone number and email address to log complaints and enquiries;*
 - 6.5.2 *A procedure how complaints will be handled and associated timeframes for responding to such complaints;*
 - 6.5.3 *A record of complaints and enquires logged, and the applicant's response, is to be provided on a 6 monthly basis to the City of Vincent for its information; and*
 - 6.5.4 *A register of events will be submitted to the City indicating the expected capacity of the event;*
- 7. *All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage; and*
- 8. *All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive; and*
- 9. *Sound emitted from the Existing outdoor amphitheatre shall be in compliance with the Environmental Protection (Noise) Regulations 1997 (the Regulations) at all times. Should breaches of the Regulations be established enforcement action will be taken.*

THE PROPOSAL

The purpose of this application to the resolve the inconsistencies between the liquor licence and the current development approval, which currently is resulting in a breach of the planning conditions (namely condition 1 relating to the primary purpose of the amphitheatre).

When this non-compliance was initially raised with the operator of Si Paradiso, it was our intention to lodge an amended development application to remove condition 1 and 2 of the 2013 development approval and potentially replace with a condition that reflects the current operations of the business.

At the same time, the operator had also applied to the RGL for the removal of the following condition from their special facility liquor licence:

- "5. Music played within the area known as "Late Night Valentine Outdoor Area" must be kept to a level that permits normal conversation to occur."*

Before we could lodge an amended application to the City, RGL advised that they would need to undertake rigorous assessments to determine whether this condition can be removed and if it was found that they supported the removal of the condition, the RGL wanted the liquor licence changed from 'Special Facility' to 'Tavern'.

Given RGL's determination of the change in licence type is essentially based on whether they support the removal of condition 5, it was not appropriate for us to submit a change of use application until we were confident that RGL were moving forward with the change in licence. Now that we have received the in principle support for the change in licence to Tavern, we are now in position to submit an application for the change of use to 'tavern' to be consistent with the approved land use of the internal area of the premise.



- Floor plan of venue;
- Noise Management Plan (2022)
- Noise Management Plan Review (2024)
- Venue Management Plan
- Security Management Plan
- Code of Conduct

ASSESSMENT AND CONSIDERATIONS

A Tavern is classified as an 'A' use in Zoning Table, which means the City must first advertise the proposal before exercising discretion to grant development approval. Should the City support the change of use to Tavern for the external portion, approval from RGL will be obtained.

What is crucial to the consideration of this application, is that the change in the land use is purely administrative to ensure consistency with the liquor licence. The operations of the current premise will not be altered as a direct result of the change in land use.

Based on the 2013 approval, the only operational amendment that is proposed, is the removal of the existing requirement for the primary purpose of the amphitheatre to be for performances. To demonstrate that the proposal is largely the same as the 2013 approval a review of the conditions is provided as follows:

NO.	EXISTING CONDITION	COMMENTS
1.	<i>The premises shall be used for the approved use as 'amphitheatre' where the primary purpose is where the public may view a theatrical production. The venue shall not operate independent of a performance;</i>	Does not apply: The subject proposal is to change the land use from amphitheatre to tavern. This will negate the need to ensure that the primary purpose of the space is for performances.
2.	<i>No amplification or emission of sound, including the use of a public address system shall occur within, or from, the amphitheatre, unless compliance with the 'assigned levels' of the Environmental Protection (Noise) Regulations 1997 is achieved;</i>	Applies: This condition essentially requires compliance with the Environmental Protection (Noise) Regulations 1997. This is a requirement regardless of whether a planning condition is applied or not.
3.	<i>The amphitheatre shall operate with a maximum of 153 persons;</i>	Applies: The proposal does not seek to alter the number of persons that were approved for the amphitheatre space.
4.	<i>The amphitheatre hours of operation shall be as follows:</i>	Applies with minor amendment: The proposal seeks to amend the <i>weekday</i> operating hours of the venue as follows: Monday – Thursday: 5pm – 11pm Friday & Saturday: 12pm – 1am Sunday: 12pm – 10pm No changes to the weekend operating hours is proposed.
4.1	<i>Sunday, Monday, Tuesday, Wednesday and Thursday until 10pm;</i>	
4.2	<i>Friday and Saturday until 12 midnight with all outdoor activities to cease prior to 1am;</i>	
4.3	<i>In accordance with the Noise Impact Assessment report prepared by Lloyd George Acoustics in January 2009 the following are to be implemented in the next three (3) months:</i>	
		Applies with updates: This condition requires that the recommendations of the Noise Impact Assessment report prepared in 2009 be completed and maintained. However, as a result of a noise complaint in 2021, the operators arranged for a review of the 2009 Noise Impact Assessment Report and as a result, in 2022, a Noise

		Management Plan was prepared. This report recommends a number of acoustic treatment and operational measure. These recommendations have been implemented (with the exception of one acoustic measure).
4.3.1	<i>Extend the perimeter wall to bamboo Amphitheatre on the south-eastern side with a solid barrier to eliminate line of sight from the third floor apartment balcony;</i>	This has been completed.
4.3.2	<i>Upgrade the rear access gate to the bamboo Amphitheatre, which currently comprises timber slats with gaps, so that it provides a solid barrier to noise;</i>	This has been completed.
4.3.3	<i>Establish a formal procedure for monitoring and managing noise levels during live band performances in the bamboo Amphitheatre, including setting appropriate limits at the mixing desk;</i>	Applies: Continued compliance with this condition for live performances (however will need to be re-worded based on proposal).
4.3.4	<i>Maintain a strict curfew of 10:00pm for live music performances;</i>	Applies: Continued compliance with this condition for live performances is proposed, however amplified music is able to be played until 1am.
4.3.5	<i>Carefully select the bands and style of music to be played in the bamboo Amphitheatre to avoid annoyance to neighbours. Low-key performances such as blues, jazz, soul and orchestral music should be favoured over rock and pop acts;</i>	Does not apply: This no longer applies.
4.3.6	<i>Engage, consult and inform apartment residents. Let them know when live music events are on and when they will finish. Understand any concerns and ensure that somebody is available to receive any complaints;</i>	Applies: Continued compliance with this condition is proposed (however will need to be re-worded based on proposed Venue Management Plan).
4.3.7	<i>Investigate opportunities to apply acoustic absorption to the rear wall of the bamboo Amphitheatre, which is current a hard, concrete, sound reflective surface and submit a written report and implement solutions approved by City's Health Services; and</i>	Does not apply: Investigations were undertaken in 2022 regarding this and a product was recommended to the operators. It was found that this product was extremely expensive and given no complaints have been received for over 1 year, it is not considered necessary to consider this any further.
5.	<i>The applicant shall comply with the Health (Public Building) Regulations 1992 at all times and shall submit an application for a 'Certificate of Approval' and obtain approval from the City's Health Services prior to the area being used;</i>	Applies: This condition essentially requires compliance with the <i>Health (Public Building) Regulations 1992</i> . This is a requirement regardless of whether a planning condition is applied or not.
6.	<i>A detailed Management Plan for the outdoor amphitheatre shall be submitted to and approved by the City within 28 days of the issue of the subject 'Approval to Commence Development'. The Management Plan is to detail the following aspects:</i>	Applies: Continued compliance with this condition is proposed, albeit in the form of updated Management Plans.

6.1	<i>Operational Management – to ensure the premises is closed in accordance with condition 4.1 and 4.2 above;</i>	
6.2	<i>Noise Management – to control noise breakout from the premises. The application must establish a formal procedure for monitoring and managing noise levels;</i>	
6.3	<i>Crowd/Patron Management – to control patron behaviour within the premises and minimise any potential impact on the surrounding locality from patrons arriving at and leaving the premises, and queuing and smoking outside the premises;</i>	
6.4	<i>Security Management – outlining measures to prevent crime and ensure patron and public safety including proposed security lighting, video surveillance and security personnel;</i>	
6.5	<i>Communications Strategy – outlining a complaint handling system which provides:</i>	Applies: Continued compliance with this condition is proposed.
6.5.1	<i>A telephone number and email address to log complaints and enquiries;</i>	
6.5.2	<i>A procedure how complaints will be handled and associated timeframes for responding to such complaints;</i>	
6.5.3	<i>A record of complaints and enquiries lodged, and the applicant's response, is to be provided on a 6 monthly basis to the City of Vincent for its information; and</i>	
6.5.4	<i>A register of events will be submitted to the City indicating the expected capacity of the event;</i>	
7.	<i>All signage that does not comply with the City's Policy relating to Signage and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage; and</i>	Applies: Continued compliance with this condition is proposed.
8.	<i>All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive; and</i>	Applies: Continued compliance with this condition is proposed.

9.	<i>Sound emitted from the Existing outdoor amphitheatre shall be in compliance with the Environmental Protection (Noise) Regulations 1997 (the Regulations) at all times. Should breaches of the Regulations be established enforcement action will be taken.</i>	Applies: Continued compliance with this condition is proposed.
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CONCLUSION

The proposed change of use from "Amphitheatre" to "Tavern" for the external portion of Si Paradiso is a necessary and logical step to align the venue's development approval with its liquor license. This change is purely administrative and will not alter the current operations of the venue. It addresses longstanding inconsistencies between historical approvals and ensures the venue's compliance with both City and RGL requirements.

Through updated management plans, noise mitigation measures, and continued community engagement, the proposal demonstrates a commitment to maintaining operational standards and minimizing impacts on the surrounding locality. By approving this application, the City will enable the operator to continue delivering a vibrant community venue while ensuring governance and compliance requirements are met.

Should you have any queries in relation to the above information, please contact the undersigned on 08 6444 9171 or andra@urbanistaplanning.com.au.

Yours Sincerely

ANDRA BIONDI

Principal Planning Officer | [Urbanista Town Planning](#)

TECHNICAL MEMORANDUM

DATE:	17 November 2023
FROM:	Miguel de la Mata Acoustics Consultants Australia – Director
TO:	Bree Rayner Si Paradiso
SUBJECT:	Si Paradiso – Tavern License Application Updated Noise Assessment
REFERENCE:	10.00004L-06

Dear Bree,

Acoustics Consultants Australia (ACA) were engaged to undertake an update of the noise assessment and noise management plan (NMP) for Si Paradiso (the venue), located at No. 446 Beaufort St, Highgate. We attach below the results of the updated noise assessment conducted between September and November 2023.

For reference, the following relevant documentation has been issued by ACA to date:

- Original noise assessment, dated 31 January 2019.
- First approved NMP (Ver. 2), dated 30 May 2019.
- Updated NMP (Ver. 3), dated 25 November 2022. The NMP included details of follow up noise measurements and history of the site.

The scope of this updated noise assessment is to re-assess the site based on the changes implemented to date. This included:

- Conducting noise measurements during a typical weekend of operations;
- Inspecting the works carried out by the operator and compare to the NMP; and
- Recommend or rectify noise mitigations to meet environmental noise standards.

The noise assessment report and NMP will be basis for application of the venue for Tavern licence.

The conclusion of this assessment is that noise emissions from the venue have been reduced over time due to positive implementation of several noise mitigation and management measures put in place since our first site visit in 2019. Up to 12 dB have been reduced at noise sensitive receivers over the course of a 4-year period.

The sections attached to this letter provide a report with technical details of the updated noise assessment.

Should you have any further questions, please contact me directly by any of the means provided in the letterhead.

Sincerely,



Miguel de la Mata (M.A.A.S. MIEAust)

DIRECTOR

Acoustics Consultants Australia

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m. 0475 036 804

Ph. (08) 6186 4145

1. BACKGROUND INFORMATION

Si Paradiso (the venue) is a special facility venue with three areas of service: Indoor bar, outdoor bar/amphitheatre and basement bar. The venue offers food and beverages along with performances including live DJ music, panel discussions, dance and theatrical performance through an in-house PA sound system.

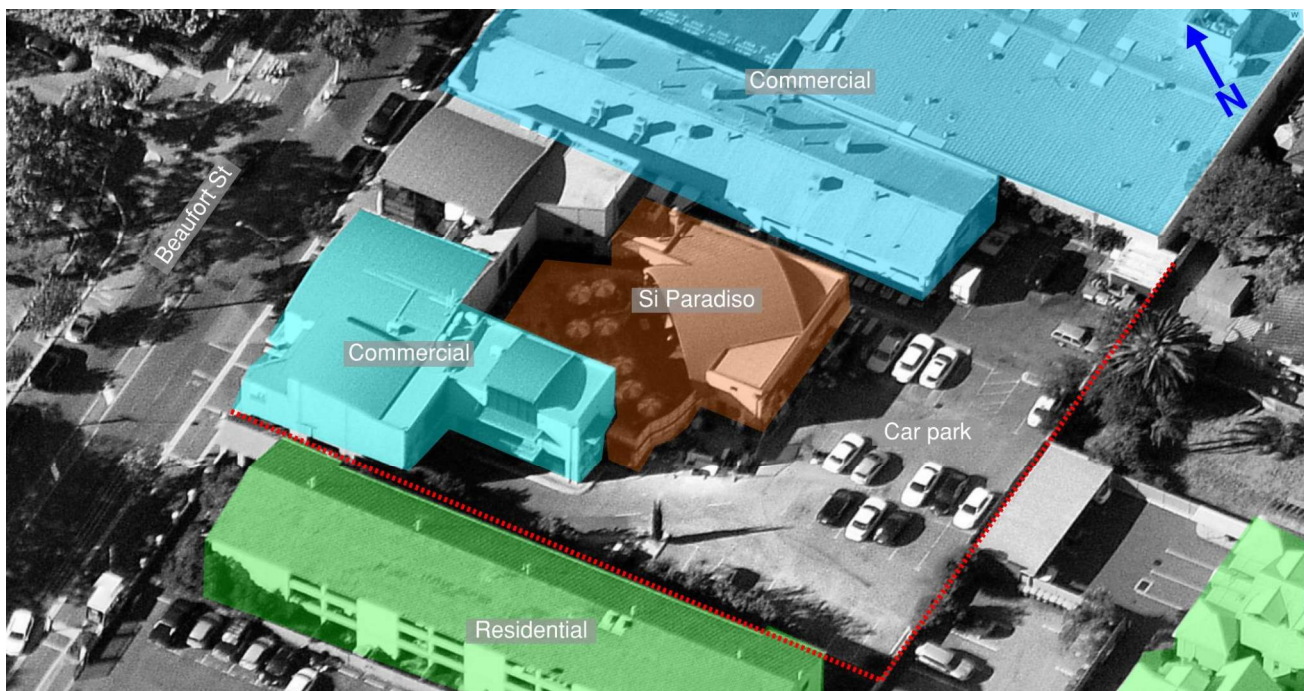
The site had been operating as an amphitheatre for around 20 years and it was refurbished by the current operators in 2018. After reopening, noise complaints from residents of the adjacent apartment block were received and the first report (ACA, 2019) provided mitigation measures to reduce impact. These mitigation measures were set out in an NMP, which was updated since then.

The venue is located at 446 Beaufort St, Highgate, and the main features of the building remain as inspected back in 2020. ACA conducted a site inspection and noise measurements during typical weekend operations and it was observed that building noise mitigation treatment had been completed in the last three years.

The main entry to the site is via Beaufort St into the indoor bar, which leads to the outdoor entertainment/amphitheatre area. The amphitheatre is backed by a carpark, which acts as a buffer between the site and the nearest residential lots. **Figure 1** depicts an annotated aerial view of the site and its surroundings.

The boundary to the nearest noise sensitive residential receivers (432 Beaufort Street) is located to the southwest of the site, at approximately 15 m from the nearest points of the amphitheatre. There are other residents located at farther distances to the southeast.

Figure 1 Site location and nearest noise sensitive receivers



The current trading hours and activities conducted at the venue are:

- Wednesday, 4pm-12ams. Dinner and beverages service.

- Thursdays, 4pm-12am. Dinner and beverages service.
- Fridays, 12pm-2am. DJ music finishes at 12am. Music playlist from 12am to close.
- Saturdays, 2pm-2am. DJ finishes at 12am. Music playlist from 12am to close.
- Sundays, 4pm-9pm. DJ finishes at 8-9pm.

The identified noise sources associated with the site are:

- The main stage speakers, located towards each side of the stage. These are two full-range pole mounted speakers and two subwoofers. The DJ uses a speaker on stage facing for monitoring.
- Four speakers used for background music/reinforcement, hung on walls around the back faces overlooking the amphitheatre.
- Crowd of the amphitheatre.
- Mechanical plant located in the car park.

This assessment focusses on the noise sources of primary relevance to current typical operations of the site, which are the first four sources abovementioned.

2. NOISE CRITERIA

Table 1 adopted from the previous noise assessment summarises the applicable noise limit targets for purposes of compliance with the Environmental Protection (Noise) Regulations 1997 (EPNR).

Table 1 WA EPNR Assigned Noise Levels

Type of premises receiving noise	Time of day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday	55	65	75
	0900 to 1900 hours Sunday and public holidays	50	60	75
	1900 to 2200 hours All days	50	60	65
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	45	55	65
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80
Commercial premises	All hours	60	75	80

Note: A 10 dB penalty will apply to music noise emissions in this case.

In this case, the worst-case scenario occurs after 10pm when applicable assigned noise level at the nearest noise sensitive residents is **L_{A10} 45 dB** and music from DJs are adjusted by a factor of 10 dB.

Further, the City of Vincent Sound Attenuation Policy No. 7.5.21 requires operations to meet minimum standards for 'Outbound Noise', which are in line with the EPNR objectives.

3. NOISE MEASUREMENTS

3.1. METHODOLOGY

Noise measurements were conducted on Friday 8th of September 2023 between 9pm and 11pm. The measurements were aimed at identifying and quantifying noise from operations at Si Paradiso. The monitoring locations were consistent to the original noise assessment for direct comparison.

Figure 1 shows three of the monitoring locations used in this round of measurements (A, B and D). Location A is linked to the nearest residential sensitive receiver, Location B is not a point of assessment; however, is a reference point for historic comparative of measurements. Location D is a point inside the venue, in front of the main speakers.

Figure 1 Noise Monitoring Locations

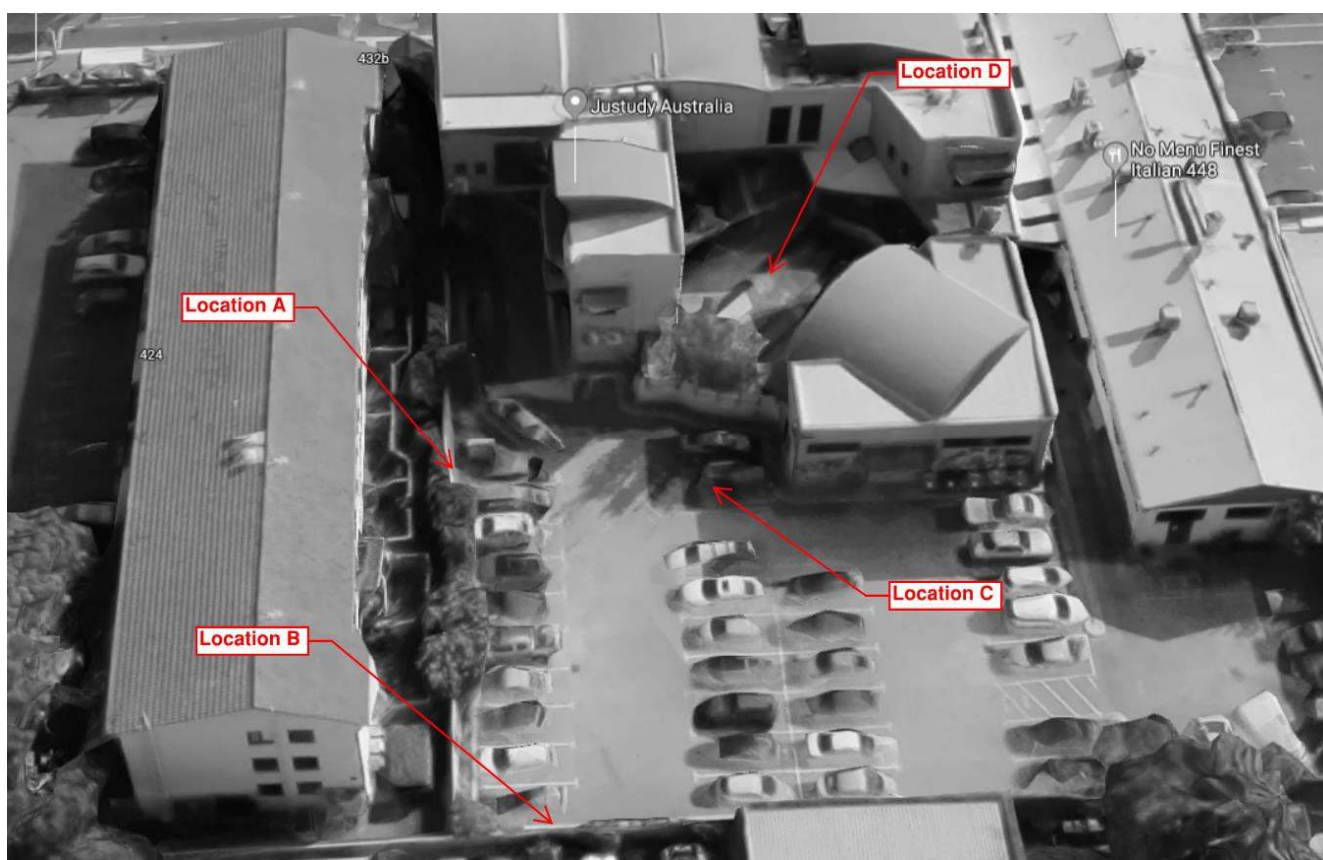


Table 2 lists the equipment used to measure existing entertainment noise levels.

Table 2 Monitoring Equipment

Sound Level Meter			
Make and model	Type	Serial No.	Calibrated on
NTI Audio XL2	1	A2A-18134-E0	19/01/2022
Field Calibrator			
SVANTEK SV-33		76674	10/03/2023

Note: The equipment used is NATA certified IEC 61672 Type 1 meters.

All items of acoustic instrumentation employed for noise monitoring were set to 'Slow' response. The instrumentation employed during the noise measurement surveys comply with AS IEC 61672.1-2019 *Electroacoustics - Sound level meters – Specifications*. The sound levels meter was field calibrated before and after the measurements with the calibrator. No significant drift (greater than 0.5 dB) in calibration was detected.

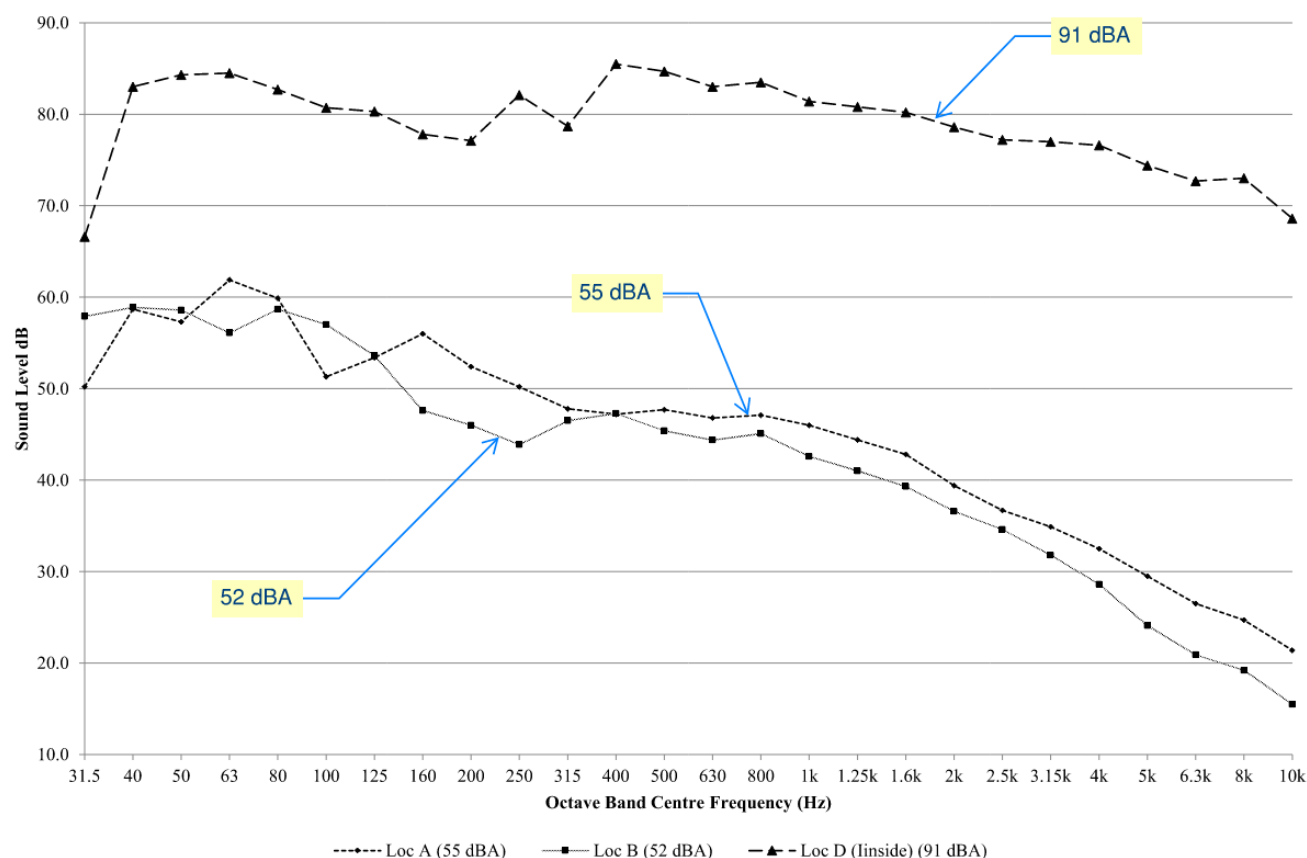
3.2. RESULTS

The results of the recent noise measurements and a comparison to previous are presented below in **Table 3**. Graphs of instantaneous sound pressure and spectrograph logged during the measurements are presented in **Appendix A** and **Figure 2** shows the L_{10} spectra noise levels of the monitoring locations.

Table 3 Noise Measurement Results

Location	Noise Metric	Previous Years		This Assessment Sept 2023	Noise Reduction Since First Assessment
		January 2019	March 2020		
A	L_{A10}	68 dB	60 dB	55 dB	13 dB
	L_{Aeq}	67 dB	58 dB	53 dB	14 dB
B	L_{A10}	64 dB	55 dB	52 dB	12 dB
	L_{Aeq}	63 dB	53 dB	50 dB	13 dB
D	L_{A10}	92 dB	93 dB	93 dB	n/a
	L_{Aeq}	91 dB	90 dB	91 dB	

Figure 2 Noise Measurements' Spectra – L_{A10} Outdoor (Loc A and B) and Indoor (Loc D)



3.3. ASSESSMENT AND DISCUSSION

Based on the measurements, a reduction of up to 13 dB of the assessment noise metric L_{A10} has been observed at external locations since the first assessment completed in 2019, maintaining noise levels inside the venue at the same level (i.e. 92-93 dBA). That is, the venue has reduced noise impacts by up to 13 dB with the introduction of building treatments and management, which significantly improves the acoustic environment in the proximity of neighbouring residential premises. Further, the frequency response measured outdoors evidences slightly lower emissions of low frequency sound received outdoors.

The comparison of noise emissions against the worst-case night-time assigned noise level L_{A10} 45 dB, results in 8 dB exceedance (or 18 dB after +10 dB music adjustment), despite noise levels have been considerably reduced after construction of a 6m noise wall, absorptive panels fitted in walls, PA sound system equalised and live music limited, as recommended in the current Noise Management Plan.

In summary, outdoor noise levels are exceeding the EPNR criteria and it has been stated that it would not be feasible or reasonable to aim for full compliance as the likelihood for outdoor noise exceedances has always been present since the moment residential and commercial use land were developed to interact in such closeness. Conversely, the management actions and implementation of the NMP undertaken since 2019 are seeing as reasonable efforts with an overall positive outcome. That is, over 10 dB of noise reduction at noise sensitive receivers, and possibly one of the reasons neighbouring residents did not raise complaints in recent times.

It is expected that Si Paradiso would continue to be a viable entertainment venue, subject to dynamic use, implementation, monitoring and review of the existing NMP. The following Section provides noise mitigation recommendations to continue with the NMP and maintain or improve the environmental performance of the venue.

4. RECOMMENDATIONS

Table 4 summarises the recommended noise mitigation measures.

Table 5 Noise mitigation options

#	Recommendation	Notes	Status
Treating the Path			
1	Fill gaps around the sandstone wall junctions where noise is audible and flanking. Gaps indicated below. 	Audible mid and high-frequency noise is coming through these gaps.	New item
2	Treat the roller door at the rear of the venue to minimise breakout music through it. Engage a roller door specialist to treat the existing door or replace with a rated door. 	Music is clearly audible through the roller door when DJs perform on stage as DJs point their monitor speaker into this roller door. Sound transmission loss of roller doors are limited due to air gaps around the rails and closing mechanism.	New item

#	Recommendation	Notes	Status
3	Fit sound absorption panelling within the amphitheatre. Walls should be fitted with absorptive panels NRC 0.95	This item has been partially completed and it is still recommended. Potential noise reduction: 2-3 dB	Partially completed

Best management practices involve adopting operational procedures that minimise noise while retaining operations. These include:

Table 6 Administrative noise controls

Item #	Recommendation	Benefit / Constraint
1	Responsible serving of alcohol	Crowd noise is highly affected by the levels of alcohol intake and an active RSA control will be applied by the venue staff.
2	Use signage in key locations within the venue and near entries/exits to raise patron awareness of noise-sensitive locations.	To encourage patrons to be quiet.
3	Educating staff and contractors about noise and quiet work practices.	Increase and maintain staff awareness relating to noise management issues by inclusion in their regular training
4	Keeping neighbours informed of any major planned venue improvements. Details of required construction works, duration and the reasons for the activity.	This applies to temporary work such as installation of noise barriers, maintenance and commissioning testing.
5	Update NMP	Update this NMP to adjust to changes in conditions.

Limitation

This letter has been prepared by ACA with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by our agreement. Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid. This report is for your exclusive use.

No warranties or guarantees are expressed or should be inferred by any third parties. This document may not be relied upon by other parties without written consent from ACA. ACA disclaims any responsibility to you and others in respect of any matters outside the agreed scope of the work.

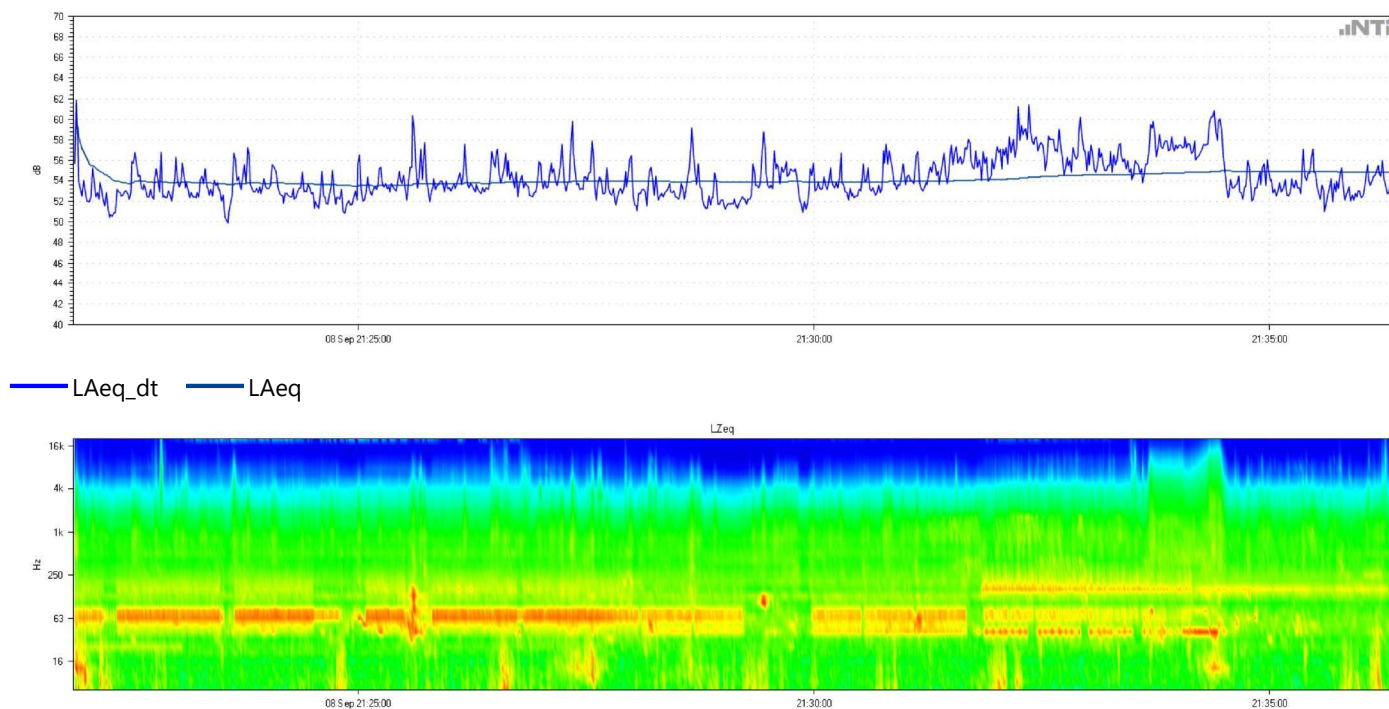
APPENDIX A – Noise Measurements Graphs

Project Report

Start: 2023-09-08 21:21:52

End: 2023-09-08 21:38:27

MONITORING LOCATION A

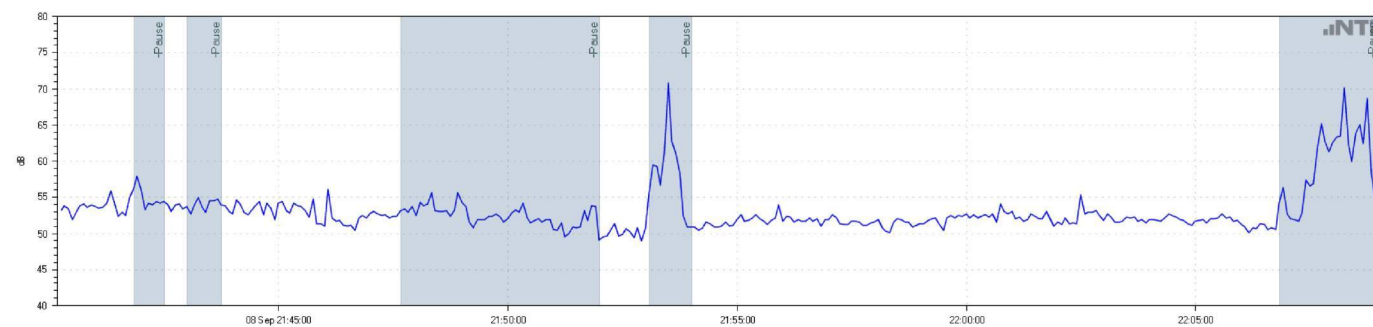


Project Report

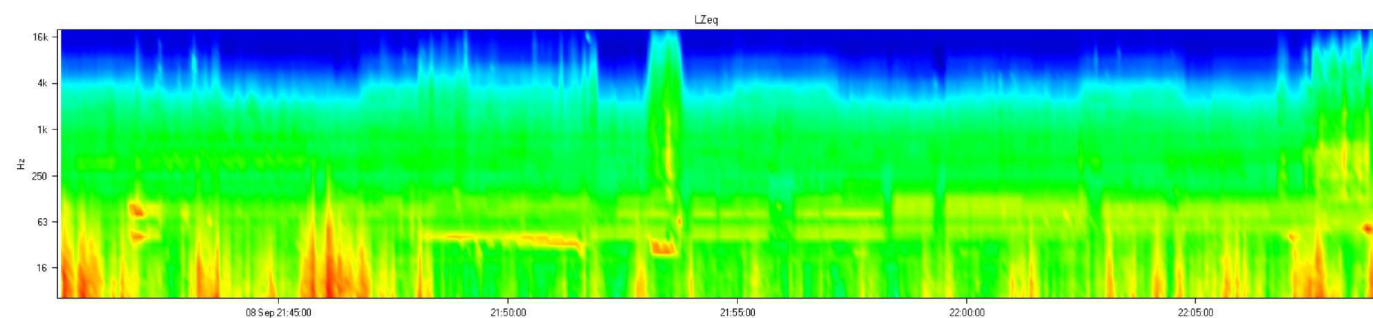
Start: 2023-09-08 21:40:14

End: 2023-09-08 22:08:58

MONITORING LOCATION B



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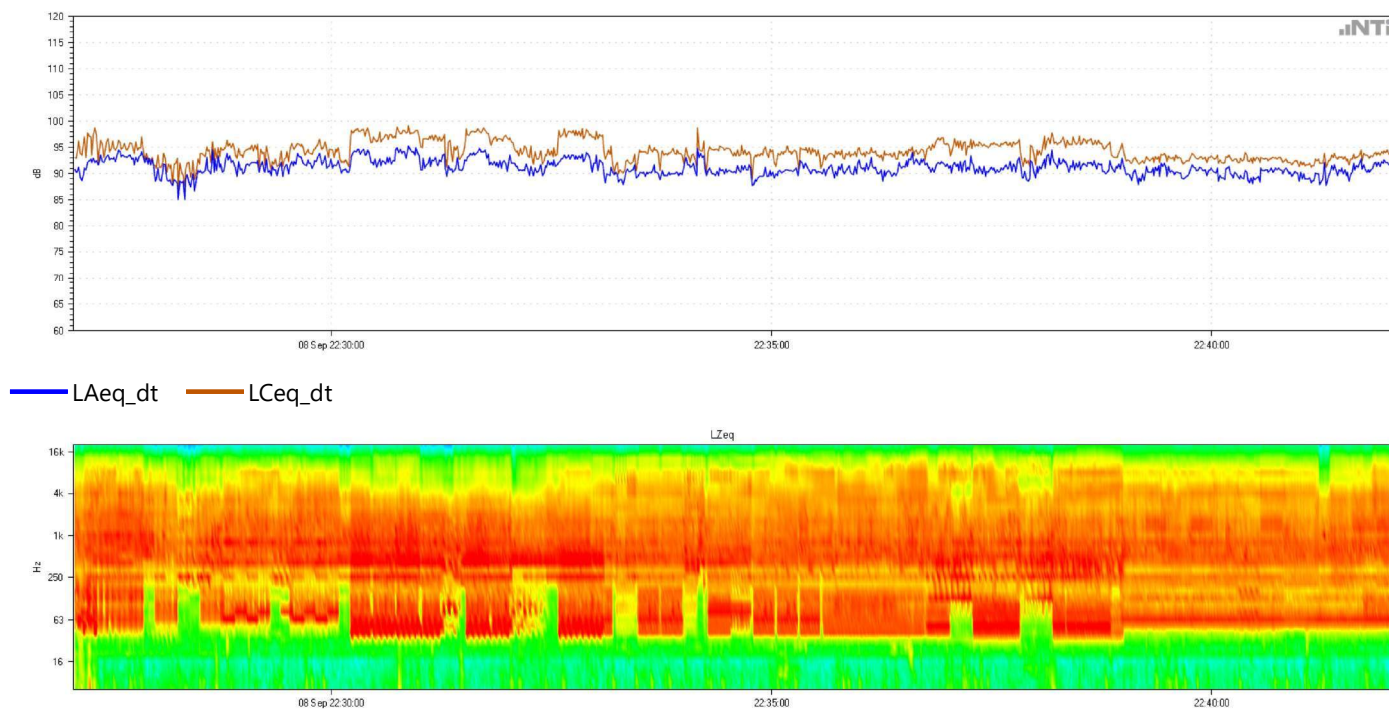


Project Report

Start: 2023-09-08 22:27:04

End: 2023-09-08 22:42:05

MONITORING LOCATION D (IN FRONT OF THE STAGE)





Licence No. 6090053256

Liquor Control Act 1988
SPECIAL FACILITY LICENCE

The Licensee
Si Paradiso
Unit 2/60 Scarborough Beach Road
SCARBOROUGH WA 6019

Premises Name: Si Paradiso
Premises Address: 446 Beaufort Street HIGHGATE WA 6003

Licensee: Hotel Valentine Pty Ltd

The licensee named above is authorised to sell liquor at the licensed premises described above, in accordance with the Liquor Control Act 1988 ("the Act"). The licensee must comply with all requirements and conditions imposed by the Act, any conditions or authorisations published by notice under s 31 of the Act, and any conditions or requirements set out below. The licence continues in force until surrendered or cancelled under the Act.

EXTENDED TRADING PERMITS

The following extended trading permits have been granted under s 60 of the Act. The authorisation to trade pursuant to the licence is modified accordingly.

Permit Nos: None

TRADING HOURS AND CONDITIONS

In accordance with section 98C of the Act, the following trading hours apply:-

1. Liquor may be sold between 9 a.m. and 2 a.m. the following day, Monday to Saturday and between 9 a.m. and 12 midnight on Sunday.
2. On Good Friday and Christmas Day, liquor may only be sold ancillary to a meal, a meal in this context being a meal as defined in Section 3 of the Act.
3. Liquor may not be sold before noon on Anzac Day.

TRADING CONDITIONS - SPECIAL FACILITY LICENCE

In accordance with section 46 of the Act, the following trading conditions apply:-

1. The licensee will be permitted under the licence, to sell liquor for consumption on the premises only, during permitted trading hours.
2. The sale of packaged liquor for consumption off the premises is prohibited.
3. It will be a further condition of this licence that food shall be available for purchase at all times when the business is open and the licensee is trading under the licence.

4. In those parts of the premises shown on the approved plans known as the amphitheatre seating, amphitheatre standing/ seating area and stage, liquor may be sold and consumed by persons attending a theatrical performance or production or similar function during permitted hours.
5. Music played within the area known as "Late Night Valentine Outdoor Area" must be kept to a level that permits normal conversation to occur.

SECTION 64 CONDITIONS

Effective on and from 23 May 2011:

1. From 1 a.m. until the close of trading, no liquor is to be sold or supplied for consumption on the premises in any of the following ways –
 - a) in any vessels with a measurement capacity exceeding 750ml, except vessels containing premixed drinks (eg RTDs) which shall not exceed 375ml;
 - b) in non-standard measures of spirits (ie no more than 50ml of spirits is permitted in any vessel).
2. From 12 midnight, the selling and supplying of beverages in such a way that would encourage rapid consumption of liquor (eg but not limited to; unadulterated spirits or liqueur in a shot glass); or drinks known as 'laybacks', 'shots', 'shooters', 'test tubes', 'jelly shots', 'blasters', or 'bombs' or any other emotive title, is prohibited.
3. From 12 midnight, no liquor is to be supplied mixed with energy drinks. For the purposes of this condition 'energy drinks' has the same meaning as formulated caffeinated beverage within the Australia New Zealand Food Standards Code with a composition of 145mg/l of caffeine or greater.
4. On nights when the licensee is authorised to trade beyond 12 midnight, persons (other than an "authorised person") are prohibited from entering or re-entering the licensed premises 30 minutes prior to the close of trading prescribed on the permit.
5. If there is an inconsistency between these conditions and any other condition to which the licence is subject, the condition that is more onerous for the licensee prevails.

NUMBERS LIMITATION

- The maximum number of patrons permitted in the basement is limited to 89;
- The maximum number of patrons permitted in the internal area of the ground floor is limited to 101;
- The maximum number of patrons permitted in the external amphitheatre is limited to 153.

SECURITY REQUIREMENTS

1. On those evenings when the licensee trades beyond 1am, crowd controllers, licensed under the Securities and Related Activities (Control) Act 1996), are to be employed at a ratio of two (2) crowd controllers for the first 100 patrons, and one crowd controller for each additional 100 patrons or part thereof, from 8 pm (or the time of opening the premises if after 8 pm).
2. Security personnel/Crowd Controllers (licensed under the Securities and Related Activities (Control) Act 1996), are to be present to monitor the licensed premises and the behaviour of patrons arriving and departing the premises from 8 pm (or the time of opening the premises if after 8 pm), until one (1) hour after trading ceases. While these personnel have no authority over the patrons when they are away from the licensed premises, their presence may assist in the orderly dissipation of patrons once they leave the premises.
3. A video surveillance system must be in place and operational. The system must comply with the minimum requirements identified in the "Safety and Security at licensed premises" Policy or with requirements otherwise approved by this authority. In accordance with the Policy, it is expected that this system will provide and record continuous images of the entrances to the premises from 8 pm (or the time of opening the premises if after 8 pm), until 1 hour after trading ceases; and
4. Images recorded via the video surveillance system must be retained for twenty eight (28) days, and must be made available for viewing or removal by the Police or other persons authorised by the Director.

COMPLIANCE WITH SECURITY AT LICENSED PREMISES POLICY

The licensee has advised that a compliant video surveillance system has been installed at these premises and is fully operational, and that the required security staff and crowd controllers are employed.

ENTERTAINMENT CONDITION

(a) A person resorting to, or on the premises, including the licensee or manager, or an employee or agent of the licensee or manager, shall not:

(i) be immodestly or indecently dressed on the licensed premises, and/or

(ii) take part in, undertake or perform any activity or entertainment on the licensed premises in a lewd or indecent manner.

(b) The licensee or manager, or an employee or agent of the licensee or manager, is prohibited from:

(i) exhibiting or showing, or causing, suffering or permitting to be exhibited or shown, on the licensed premises any classified "R 18+", "X 18+" or "RC" classified publication, film or computer game or extract therefrom; or

(ii) causing, suffering or permitting any person employed, engaged or otherwise contracted to undertake any activity or perform any entertainment on the licensed premises to be immodestly or indecently dressed on the licensed premises; or

(iii) causing, suffering or permitting any person to take part in, undertake or perform any activity or entertainment on the licensed premises in a lewd or indecent manner.

(c) In this condition "licensed premises" includes any premises, place or area:

(i) which is appurtenant to the licensed premises; or

(ii) in respect of which an extended trading permit granted to the licensee is for the time being in force, but does not include any part of the premises which is reserved for the private use of the licensee, manager or employees of the licensee and to which the public does not have access.

COMPLIANCE WITH HARM MINIMISATION POLICY

The licensee has lodged a copy of the House Management Policy, Code of Conduct and Management Plan developed for these premises in accordance with the Harm Minimisation Policy. These documents must be retained on the licensed premises and produced to any Authorised Officer if required.

This licence takes effect from **16 October 2018**.



DIRECTOR OF LIQUOR LICENSING



SI PARADISO NOISE MANAGEMENT PLAN

Noise Management Plan 10.00004NMP-03

prepared on 25/11/2022

CITY OF VINCENT
RECEIVED
28 Jan 2025





REPORT PREPARED BY

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BASIS OF REPORT

This report has been prepared by **Acoustics Consultants Australia (ACA)** with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with the Client. Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from ACA. ACA disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

DOCUMENT CONTROL

REFERENCE	DATE	PREPARED	AUTHORISED
10.00004-01-DRAFT	31/01/2019	Miguel de la Mata	Miguel de la Mata
10.00004-02-FINAL	30/05/2019	Miguel de la Mata	MdIM
10.00004-03-REVIEW	23/11/2022	Miguel de la Mata	MdIM



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10.00004NMP-03

1. INTRODUCTION

This Noise Management Plan (NMP) outlines the commitments made by Si Paradiso in regards to management of airborne noise emissions from Si Paradiso. The NMP was originally developed to address the requirements outlined by the City of Vincent in May 2019. This version of the NMP is to update the current conditions after noise mitigation measures have been implemented at the venue.

The NMP is to be read in conjunction with the Si Paradiso Acoustic Assessment Report (Ref. 10.00004-01) dated 31st January 2019 and the following communications with updated information after noise mitigations measures were implemented at the venue.

Music was identified as the principal source of noise with potential to exceed enforceable noise limits under the State Regulations and a combination of building additions and management measures were recommended to reduce noise to acceptable levels.



2. BACKGROUND

The site is a special facility venue with three areas of service: indoor bar, outdoor bar/amphitheatre and basement bar. The venue offers food and beverages along with performances including live music events, DJ performances, cinema, panel discussions, dance and theatrical performance through an in-house PA sound system.

The site has been operating as an amphitheatre for around 20 years and under the new management it was refurbished prior reopening in 2018. Since the refurbishment, a few noise complaints were received from residents of the adjacent apartment block and the first version of this NMP provided mitigation measures to reduce impact.

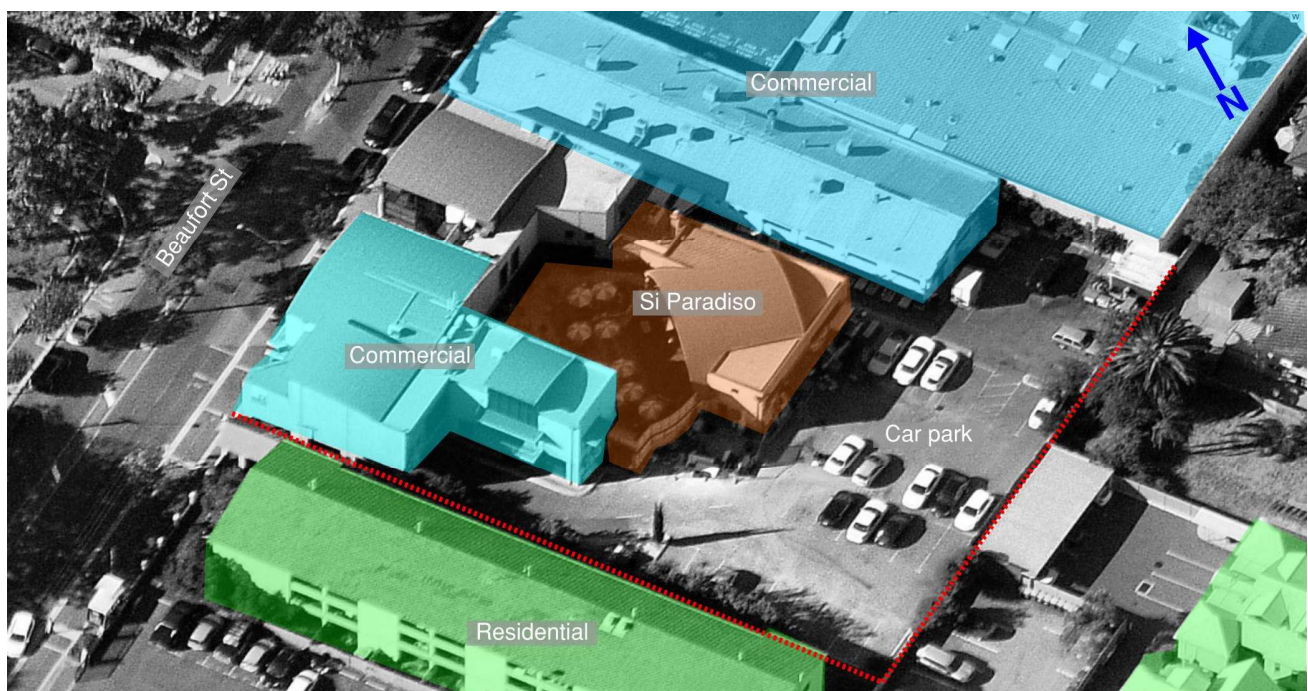
NMPs should be updated every two years and the City of Vincent (CoV) recently requested reviewing the NMP to current conditions for compliance with the Local Government Noise Policy and State Noise Regulations. In this regards, Acoustics Consultants Australia (ACA) conducted noise measurements and site inspections over the last two years to support this NMP.

2.1. Site Location

The site is located at 446 Beaufort St, Highgate. The main entry to the site is via Beaufort St through to the outdoor amphitheatre area. The amphitheatre is backed by a carpark, which acts as a buffer between the site and the nearest residential lots. **Figure 1** depicts an annotated aerial view of the site and its surroundings.

The boundary to the nearest noise sensitive residential receivers (432 Beaufort Street) is located to the southwest of the site, at approximately 15 m from the nearest points of the amphitheatre.

Figure 1 Site location and nearest noise sensitive receivers





2.2. Operations and noise sources

The current trading hours and activities conducted at Si Paradiso are:

- Wednesday, 4 pm-12am. Dinner and beverages service.
- Thursdays, 4 pm-12am. Dinner and beverages service.
- Fridays, 12 pm-2am. Bands finish at 10 pm, followed by DJ music finishing at 12 am in amphitheatre. DJ finishes 1 am indoors/basement.
- Saturdays, 12 pm-2am. Bands finish at 10pm, followed by DJ music finishing at 12 am in amphitheatre. DJ finishes 1 am indoors/basement.
- Sundays, 12pm-12am. Bands or DJ finish at 10pm in amphitheatre. DJ finishes 12 am indoors/basement.

The identified noise sources associated with the site are:

- The main stage speakers, located towards each side of the stage. These are two full-range pole mounted speakers and two subwoofers. These are used during afore mentioned live performances.
- The speaker used as a monitor by DJs during performances by the amphitheatre.
- Four speakers used for background music/reinforcement, hung on walls around the back faces overlooking the amphitheatre.
- Music breaking out the open door of the indoor bar.
- Crowd of the amphitheatre.
- Mechanical plant located in the car park.

This assessment focusses on the noise sources of primary relevance to current typical operations of the site, which are the first four sources abovementioned.

2.3. Noise Sensitive Receivers

Figure 1 shows the location of the nearest noise sensitive receptors. One apartment block adjacent to the southwestern boundary of the site and other commercial premises are located around the other boundaries. The most noise-sensitive resident to the site is the residents of the block at 432 Beaufort St.

The State Regulations require noise from the site to be compliant at both surrounding residential and commercial lots. Due to proximity of the residents to the noise sources, this NMP considers that management of noise to reduce impacts on residents implies compliance on the neighbouring commercial lots. Where the noise levels achieve the acoustic criteria at the nearest receptors, it is

considered that the criteria will also be achieved at all receptors at a greater distance from the venue where received noise levels would be lower.

2.4. Discussion of Criteria

2.4.1. Applicable Noise Limits

Table 1 adopted from the assessment summarises the applicable noise limit targets for purposes of compliance with the Environmental Protection (Noise) Regulations 1997 (EPNR).

Table 1 WA EPNR Assigned Noise Levels

Type of premises receiving noise	Time of day	Assigned Level (dB)		
		LA10	LA1	LAm _{ax}
Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday	55	65	75
	0900 to 1900 hours Sunday and public holidays	50	60	75
	1900 to 2200 hours All days	50	60	65
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	45	55	65
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80
Commercial premises	All hours	60	75	80

Note: A 10 dB penalty will apply to music noise emissions in this case.

The City of Vincent Sound Attenuation Policy No. 7.5.21 requires commercial developments to meet minimum standards for 'Outbound Noise'. The policy states the following:

4.0 Sound Source Identification

4.5 Co-existing Land Uses

Whilst it is important to ensure that the proposed development is designed to reasonably negate external/existing noise sources from impacting on noise sensitive areas of the building, it is equally important that the development is designed to ensure that internal noise sources do not impact on existing and planned surrounding land uses also.

Outcome 6

The Applicant is to:

a) Detail all existing, surrounding noise sensitive land uses within 100m of the applicant's property boundary;



b) Plot all surrounding noise sensitive land uses on a site plan detailing the land use type, building construction type of walls and rooves, directional location, height from ground level, and location of windows, ducts or other obvious sound transmission pathways, and distance from the applicant's property boundary;

c) Provide comment on how the building should be designed to ensure that sound levels emitted from the building do not exceed the "assigned levels" detailed within the Noise Regulations;

d) Identify the most suitable location/s for the placement of noise generating equipment at ground level and above ground level (i.e. air conditioners, traffic gates; sirens; plant rooms; late night/early morning service entry points); and e) Specify associated sound attenuation measures to be implemented to prevent the emission of unreasonable noise.'

These items have been considered in the preparation of this NMP.

2.4.2. Recommended Indoor Noise Criteria

Tables 2 and 3 adopted from the assessment summarises the recommended internal noise targets for purposes of meeting recommendations of Australian Standard 2107:2016 *Acoustics – Recommended design sound levels and reverberation times for building interiors* (AS/NZS 2107) and the World Health Organisation Guidelines for Community Noise 1999 (The WHO Guidelines).

Indoor targets may be considered to noise sensitive activities such as sleep, resting and typical residential living since they generally occur indoors. Where it can be shown that the *outdoor* Assigned Noise Levels are impracticable to achieve, consideration may be given to appropriate application of industry guidelines such as Australian Standard 2107:2016.

The following table presents internal noise levels recommended for residential houses and apartments near major roads in Table 1 of AS/NZS 2107.

Table 2 AS/NZS 2107 Recommended design sound levels

Type of occupancy	Design sound levels ($L_{Aeq,t}$ range) – dB
Houses and apartments in inner city areas or entertainment districts or near major roads	
Living areas	35-45
Sleeping areas (night-time)	35-40
Work areas	35-45

The WHO Guidelines provide internal noise limits recommended to avoid sleep disturbance scenarios. These are shown in **Table 3**.

Table 3 WHO Guidelines, sleep disturbance recommended noise limits

Noise metric	Recommended indoor levels – dB
Sleep disturbance, inside bedrooms	
L _{Aeq,8hour}	35
L _{Amax}	50

Note: A 10 dB safety factor is recommended in the Guidelines when significant low frequency components are present.

2.4.3. Where the Environmental Standard Cannot be Met

The Regulations are intended to be flexible enough to allow for reasonable economic, cultural and social activity to occur. There will be genuine cases where the assigned levels cannot reasonably or practicably be met. This could be an existing industry which is very close to residences. Or it could be a proposed industry which cannot be located far enough away from residences.

In such cases, the person who believes they cannot reasonably or practicably meet the assigned levels can apply to the Environment Minister for approval to allow the noise emission to exceed or vary from the assigned level. The Minister's approval can be for a set period and may include conditions or restrictions.

The chief executive officer (CEO) can approve an event or venue if satisfied that:

- its noise emissions would exceed the assigned levels; and
- it would lose its character or usefulness if it had to meet the assigned levels.

This NMP proposes a site-specific alternative environmental performance standard.



3. NOISE ASSESSMENT

As part of the works in developing this NMP, an environmental noise impact assessment was originally undertaken in January 2019 to quantify noise from the source and at sensitive locations.

Noise measurements were undertaken before and after actioning the first version of this NMP in 2019. In summary, the noise measurements undertaken after noise amelioration works were conducted between 2019 and 2020, and comparing with measurements undertaken before actions were taken, confirmed substantial reduction of noise impact at the originally impacted residents.

Quantification of positive impact from a noise barrier built, noise absorption fitted and management implemented at the venue, verified a reduction of 8 dB overall at noise sensitive receivers. Details of the follow up assessment conducted in March 2020 are provided in **Appendix B** (ACA letter 10.00004.03L-01) of this NMP.

The original assessment forecasted exceedances of Assigned Noise Levels varying between 25 dB and 45 dB for night-time operations. It was concluded that it was not reasonably practicable for the venue to meet the Assigned Noise Levels at the adjacent residential apartments. Our recommendations within the first NMP detailed an expected feasible reduction of 6 dB, which could be further expanded to 8-9 dB. This was then confirmed via measurements.

There have been attempts to measure compliance via internal noise targets and these were assessed in November 2020 (ACA letter 10.00004-04L in **Appendix B**); however, these proved technical challenges with regards to measurements and correct interpretation/applicability.

Based on updated assessment figures, the noise levels during the venue operations at the nearest location are:

Table 4 Updated noise emissions from site

Location (Figure 2)	Measured Noise Levels – dB		Residual Exceedance (Night-time)
	January 2019	March 2020	
A	LA ₁₀ 68 dB	LA ₁₀ 60 dB	25 dB
B	LA ₁₀ 64 dB	LA ₁₀ 55 dB	20 dB

This version of the NMP pursues the same methodology set out in the first version of the NMP, since between 2019 and 2021 ACA witnessed reasonable attempts to reduce noise emissions from the site, within reasonable timeframes (ACA letter 10.00004L-05, March 2021 **Appendix B**).

A number of recommendations are provided in the commitments section of this NMP.



4. NOISE MANAGEMENT PLAN

Si Paradiso will consider design measures to meet the noise criteria and to implement those measures “where reasonable and practicable”.

In the NMP, Si Paradiso committed to undertaking:

1. Engineered noise controls;
2. Ongoing administrative noise controls;
3. Verification of the performance improvements;
4. Community consultation and active improvement.

This NMP is a dynamic document and it will be updated according to performance feedback from the community, site observations or testing results.

4.1. Noise Control Measures

Table 5 summarises the noise mitigation commitments by Si Paradiso. All the recommendations provided in the original version of this NMP are still listed in the table to provide comment on the complete status.

Table 5 Noise mitigation options

Item #	Recommendation	Benefit / Constraint	Status
Treating the Source			
1	Lower music volume. This can be achieved in first instance by reducing individual performers within the frequency range observed to dominate the overall dBA levels. These were observed to be in the 63-100 Hz range.	Direct benefits may be observed at the receivers' locations proportional to the attenuation introduced. The attenuation may be altered from one day to the other if different performers equalise their music differently. This may require additional audio interfaces to limit/compress specific frequencies. Potential noise reduction: 2-4 dB overall	Implemented, completed
2	Rearrange low frequency drivers (subwoofers) on the stage to attempt a more directional sound field for low frequencies. Cardioid projection or line arrays.	This may provide reductions along the side walls of the amphitheatre and focus the sound emissions towards the middle of the outdoor area. Depending on location of subwoofers, emissions could be worsened to the rear of the stage.	Implemented, completed

Item #	Recommendation	Benefit / Constraint	Status
3	Ensure the subwoofers and all speakers are in general disconnected off vibrating surfaces. Introduce a combination of anti-vibration resilient mounts and solid rigid floor to reduce structure-borne noise.	Pre-existing conditions of the site may limit potential treatment to the stage.	Implemented, completed
4	Reduce level of the speakers that face south and east.	Although these are not the dominant sources, they are direct sources. Therefore, marginal reduction could be gained from controlling these speakers.	Implemented, completed
5	Point the two main stage speakers downwards towards the middle of the amphitheatre.	To avoid spillage towards the sides of the amphitheatre.	Implemented, completed
6	Limit the use of instrument amplifiers and acoustic percussive instruments on stage. Encourage the use of in-ear monitoring.	To avoid excessive noise.	Implemented, completed
Treating the Path			
7	Increase the height of the rear wall to 6 m. Building material with a minimum density of 1,350 kg/m ³ is recommended (e.g. 150mm concrete, 190mm core-filled blockwork).	A taller solid wall will directly reduce sound diffraction from the speakers in the amphitheatre and from crowd. Potential noise reduction: 3-5 dB	Implemented, completed
8	Fit sound absorption panelling and furniture within the amphitheatre. Walls should be fitted with absorptive panels NRC 0.95 (e.g. Pyrotek Reapor 63mm). Walls of the building overlooking the amphitheatre with direct line of sight to residents should be treated. Absorptive furniture and floors are highly recommended (e.g. textiles and cushioned furniture instead of hard wooden or metal furniture). Where absorptive panelling is not practical (polished floors), water-based vibration damping compound may be used (e.g. Pyrotek Decidamp SP500).	Sound reflected off walls would be considerably reduced. Absorption is constrained for lower frequencies (below 200 Hz), which is key to reduce noise from the site. Potential noise reduction: 3 dB on the mid to high frequencies.	Outstanding / partially completed

Item #	Recommendation	Benefit / Constraint	Status
9	Rear emergency French doors to be treated to improve its sound transmission or a double door configuration considered. Door should be at least solid core 40mm for single doors configuration. Perimeter seals, automatic drop bottom seals, threshold plates and magnetic meeting stile seals to be included around the door edges (e.g. Raven RP10, RP44Si, RP8Si, RP38Si, RP70, RP92Si, RP39). Fill gaps around the door framing with concrete or acoustic mastic.	Sealing these doors is key to avoid noise break out directly affecting the nearest residents. Untreated gaps around the doors would significantly reduce the sound transmission performance of wall (item #7).	Implemented, completed
10	Fit in absorption to the underside of the awning of the first-floor tenancy, located just outside the rear emergency door.	Sound from the amphitheatre is currently reflecting off this awning directing sound directly into the adjacent residents.	Implemented, completed

4.2. Administrative Controls

Best management practices involve adopting operational procedures that minimise noise while retaining operations. These include:

Table 6 Administrative noise controls

Item #	Recommendation	Benefit / Constraint
DJ Music Reduction		
1	Responsible serving of alcohol	Crowd noise is highly affected by the levels of alcohol intake and an active RSA control will be applied by the venue staff.
2	Use signage in key locations within the venue and near entries/exits to raise patron awareness of noise-sensitive locations.	To encourage patrons to be quiet.
3	Educating staff and contractors about noise and quiet work practices.	Increase and maintain staff awareness relating to noise management issues by inclusion in their regular training

Item #	Recommendation	Benefit / Constraint
4	Keeping neighbours informed of any major planned venue improvements. Details of required construction works, duration and the reasons for the activity.	This applies to temporary work such as installation of noise barriers, maintenance and commissioning testing.
5	Update NMP	Update this NMP to adjust to changes in conditions.

4.3. Ongoing Verification Method

After implementation of these measures, the noise reduction at the most impacted sensitive receivers shall be reported and recorded under this NMP. The objective noise targets in accordance with this NMP are proposed as per **Table 7**.

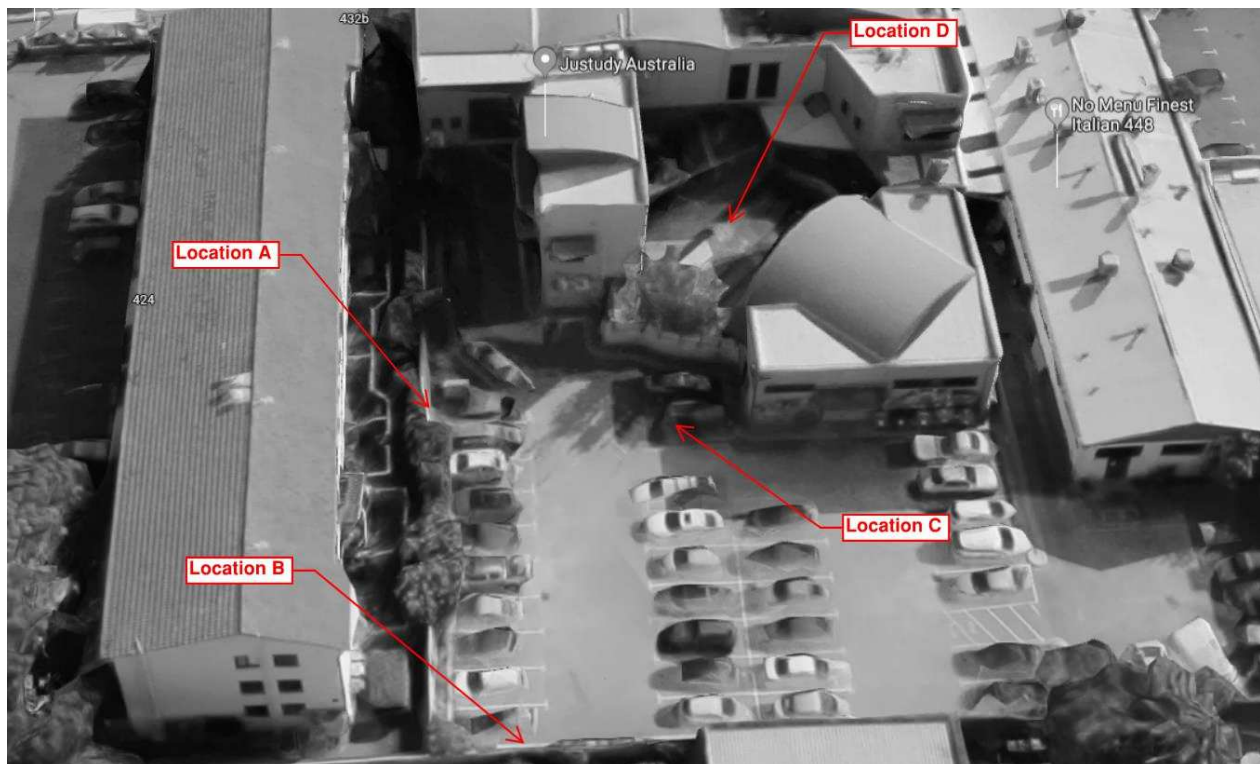
Table 7 Proposed measurable standard

Item #	Receiver / Location (See Figure 2)	Recommended Target Noise Levels $L_{A10} - \text{dB}^*$
1	Location A	58
2	Location B	55

Note: (*) L_{A10} levels are expected to be similar to L_{Aeq} levels during busy high-time operations at Si Paradiso.

Figure 2 below shows the proposed noise monitoring locations.

Figure 2 Monitoring Locations





The verification of the implemented noise control measures will be conducted through:

1. Long-term unattended noise measurements;
2. Short-term operator attended measurements; and
3. Visual inspection of the implemented works.

After conducting the measurements, an acoustic report will be prepared including analysis and consolidation of the results as well as provision of further recommendations.

The following sections outline the Standards and procedures to be followed, the specific locations where to conduct measurements and the noise performance criteria to be achieved.

4.3.1. Standards

The monitoring of airborne noise will be undertaken in accordance with the following Standards and guidelines, where relevant:

- Sound levels meters and noise loggers shall be Class 1 certification as defined in Australian Standard AS IEC-61672.1-2004.
- Sound level meters or noise loggers must be calibrated before and after measurement periods using a calibrator, suitable for a Class 1 instrument, which complies to AS IEC-60942-2004.
- Measurement and procedures must be in accordance with Part 3 – Noise Measurements of the EPNR (Regulations 19, 20, 22 and 23) and AS 1055.1-1997 Acoustics – Description and measurement of environmental noise – General Procedures.

4.3.2. Methodology

After commissioning of the implemented noise control measures, monitoring of music and crowd shall be conducted over a period of 30 days following the implementation of those measures. In order for the noise control measures to be verified, the noise monitoring data shall be interpreted by a qualified acoustic consultant who will determine if the performance criteria are achieved.

An unattended noise logger will be required to conduct the 30-day monitoring. Further, visual inspection of the works implemented will be conducted and any issues believed to affect the acoustic performance will be recorded and reported for amendment.

During inspection or during the noise logger deployment, other spot short-term measurement may be conducted by the acoustic consultant. The location and length of these measurements will be recorded and reported by the consultant to support the assessment. Coordination with the venue management will be arranged to conduct testing within an operational “worst case scenario”, this assumes performances within outdoor areas.

A testing procedure will be prepared in coordination with the audio-visual supplier.



4.3.3. Metrics

The noise measurements must be recorded continuously over 30 days with 15-minute intervals, as minimum; however, 1 second data is highly desirable. The logging of noise must contain but should not be limited to the following metrics:

- L_{Aeq} , L_{Amax} , L_{Amin}
- Statistical measures L_{A1} , L_{A10} and L_{A90} , which must be processed for the entire assessment periods.

The long-term monitoring required must include data in one third octave bands to allow for spectral analysis in the case narrow band components are found to be an ongoing issue.

4.3.4. Environmental Noise Performance

The nominated metric to evaluate environmental noise performance is L_{A10} for each of the assessment periods. It is acknowledged; however, that the existing noise environment may be affected from roads and nearby commercial activity and correction should be factored in.

The results of the monitoring data will be used to calculate internal noise levels within residential dwellings. The extrapolation method/correction will be conducted by the acoustic consultant based on the field observations and measurements; this will be documented in the validation report.

When a resident requests internal noise measurement at his/her dwelling, these may be provided as a verification method by either measuring internally during operations of the venue or, alternatively, conducting façade sound transmission loss measurements

4.3.5. Review and Corrections

Where the above monitoring determines in the report that the criteria are not achieved at commissioning, the steps to review and implement further reasonable and practicable mitigation will include:

- Identifying where the criteria are exceeded and by how much.
- Confirming the noise reduction performance of mitigation constructed.
- Quantifying the change in noise and/or vibration levels upon commission of the project.
- Identifying the key noise sources contributing to the exceedances.
- Undertaking a review of reasonable and practicable mitigation measures available to further reduce and control noise levels.
- Where reasonable and practicable, implementing additional mitigation.



4.3.6. Reporting

An acoustic report will be prepared by the acoustic consultant after analysis and interpretation of the 30-day monitoring data has been concluded. The report will include the monitoring results and judgement of the environmental performance overall from music and crowd noise and it will indicate the recommendations to further mitigate noise and to achieve compliance, where not achieved, or to prevent further noise issues.

4.4. Complaint Handling Procedure

4.4.1. Noise Complaint Form

A complaint system must be available to residents to record nuisances when this is perceived.

An electronic copy of the details provided by the complainant will be kept. A detailed qualitative description of the nuisance source is intended to be collected to help identify the noise sources that might be causing the annoyance. The following details are proposed to prepare a noise complaint form:

- Unique identification number for future reference;
- Time and date of complaint as received by the venue;
- Location where the noise was perceived (indoors, outdoors, exact location if possible)
- Approximate time and date of event associated with the complaint;
- Times when noise is audible (daytime, night-time, present at a particular time or all the time);
- Subjective perception of the noise level (clearly audible all the time, clearly audible during lulls in traffic, just audible during the day at times, just audible at night-time at times);
- Perception of noise character (can the noise be described as low frequency, high frequency, no particular frequency, steady, intermittent)

During trading hours, noise complaints might be received over one of the following means:

- By walking in the premises, in such case the complainant will be provided a noise complaint form;
- By email or other electronic means (e.g. website electronic links), in such case the venue may contact the complainant to fill out an electronic version of the complaint form;

Outside trading hours, noise complaints may be received electronically.

4.4.2. Investigation and responses

Noise complaints investigation will be deemed necessary when a number of complaints occur within a short period of time (i.e. more than two complaints within a week)), and in a reasonable timeframe with respect to the occurrence of each event. The investigation will entail the following:

1. Substantiated complaints to be investigated to determine level of extent and review any mitigation options;
2. An appropriate number of short-term attended noise measurements will be undertaken to accurately determine the cause of substantiated complaint/incidents and to determine how to rectify the situation;
3. Review any unattended noise measurement data obtained relevant to the complaint or incident;
4. File incident report; and
5. Supply a response in writing within 10 working days of the complaint where determined appropriate.



APPENDICES

APPENDIX A: Glossary of Acoustic Terms



1 Sound Level or Noise Level

The terms “sound” and “noise” are almost interchangeable, except that in common usage “noise” is often used to refer to unwanted sound.

Sound (or noise) consists of minute fluctuations in atmospheric pressure capable of evoking the sense of hearing. The human ear responds to changes in sound pressure over a very wide range. The loudest sound pressure to which the human ear responds is ten million times greater than the softest. The decibel (abbreviated as dB) scale reduces this ratio to a more manageable size by the use of logarithms.

The symbols SPL, L or L_p are commonly used to represent Sound Pressure Level. The symbol L_A represents A-weighted Sound Pressure Level. The standard reference unit for Sound Pressure Levels expressed in decibels is 2×10^{-5} Pa.

2 “A” Weighted Sound Pressure Level

The overall level of a sound is usually expressed in terms of dB(A), which is measured using a sound level meter with an “A-weighting” filter. This is an electronic filter having a frequency response corresponding approximately to that of human hearing.

People’s hearing is most sensitive to sounds at mid frequencies (500 Hz to 4000 Hz), and less sensitive at lower and higher frequencies. Thus, the level of a sound in dB(A) is a good measure of the loudness of that sound. Different sources having the same dB(A) level generally sound about equally loud.

A change of 1 dB(A) or 2 dB(A) in the level of a sound is difficult for most people to detect, whilst a 3 dB(A) to 5 dB(A) change corresponds to a small but noticeable change in loudness. A 10 dB(A) change corresponds to an approximate doubling or halving in loudness. The table below lists examples of typical noise levels

Sound Pressure Level (dB(A))	Typical Source	Subjective Evaluation
130	Threshold of pain	Intolerable
120	Heavy rock concert	Extremely noisy
110	Grinding on steel	
100	Loud car horn at 3 m	
90	Construction site with pneumatic hammering	Very noisy
80	Kerbside of busy street	
70	Loud radio or television	
60	Department store	Moderate to quiet
50	General Office	
40	Inside private office	
30	Inside bedroom	Quiet to very quiet
20	Recording studio	
		Almost silent

Other weightings (eg B, C and D) are less commonly used than A-weighting. Sound Levels measured without any weighting are referred to as “linear”, and the units are expressed as dB(lin) or dB.

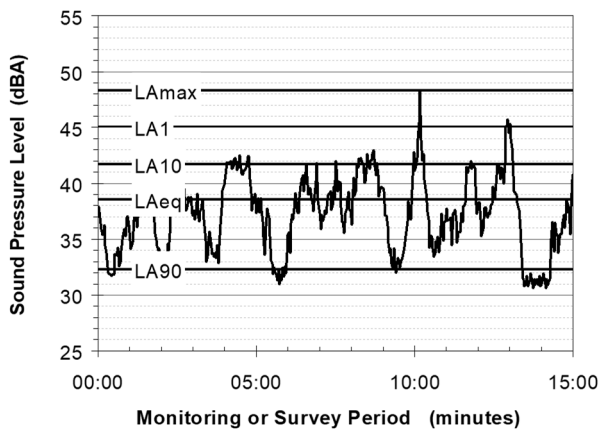
3 Sound Power Level

The Sound Power of a source is the rate at which it emits acoustic energy. As with Sound Pressure Levels, Sound Power Levels are expressed in decibel units (dB or dB(A)), but may be identified by the symbols SWL or LW, or by the reference unit 10^{-12} W. The relationship between Sound Power and Sound Pressure may be likened to an electric radiator, which is characterised by a power rating, but has an effect on the surrounding environment that can be measured in terms of a different parameter, temperature.

4 Statistical Noise Levels

Sounds that vary in level over time, such as road traffic noise and most community noise, are commonly described in terms of the statistical exceedance levels LAN, where LAN is the A-weighted sound pressure level exceeded for N% of a given measurement period. For example, the LA1 is the noise level exceeded for 1% of the time, LA10 the noise exceeded for 10% of the time, and so on.

The following figure presents a hypothetical 15 minute noise survey, illustrating various common statistical indices of interest.



Of particular relevance, are:

- LA1 The noise level exceeded for 1% of the 15 minute interval.
- LA10 The noise level exceeded for 10% of the 15 minute interval. This is commonly referred to as the average maximum noise level.
- LA90 The noise level exceeded for 90% of the sample period. This noise level is described as the average minimum background sound level (in the absence of the source under consideration), or simply the background level.
- LAeq The A-weighted equivalent noise level (basically the average noise level). It is defined as the steady sound level that contains the same amount of acoustical energy as the corresponding time-varying sound.

When dealing with numerous days of statistical noise data, it is sometimes necessary to define the typical noise levels at a given monitoring location for a particular time of day. A standardised method is available for determining these representative levels.

This method produces a level representing the “repeatable minimum” LA90 noise level over the daytime and night-time measurement periods, as required by the EPA. In addition, the method produces mean or “average” levels representative of the other descriptors (LAeq, LA10, etc)

APPENDIX B: NOISE ASSESSMENT SI PARADISO (2019-2020)

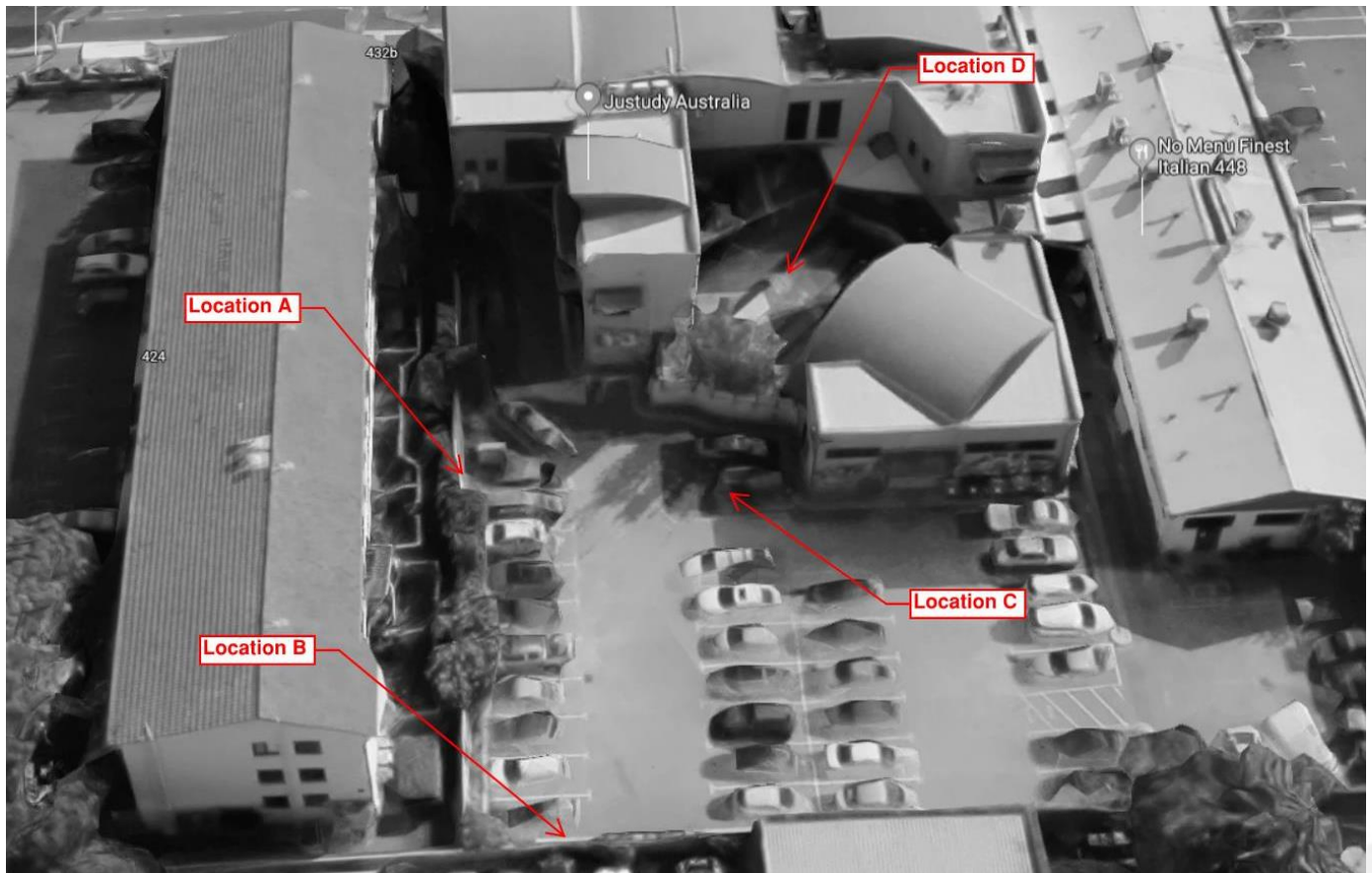
DATE:	10 June 2020
FROM:	Miguel de la Mata Acoustics Consultants Australia – Director
TO:	Kane Hipper Si Paradiso
SUBJECT:	Noise monitoring, Friday 13 March 2020 (noise wall inspection)
REFERENCE:	10.00004.03L-01

Dear Kane,

We attach below the results from the noise measurements conducted at Si Paradiso on Friday 13th of March of 2020 between 9pm and 11pm.

The measurements were aimed at identifying and quantifying noise from operations at Si Paradiso, after completing a noise wall recently built, as recommended in the Noise Management Plan (ACA ref. 10.0004-02, 30/05/2019). The monitoring locations were consistent to the original noise assessment for direct comparison.

The figure below shows three of the monitoring locations used in this round of measurements (A, B and D):



The measurements' results are presented in the table below.

Location	Noise Metric	Measured Noise Levels – dB	
		Before Noise Wall (January 2019)	After Noise Wall (March 2020)
A	L _{A10}	68	60
	L _{Aeq}	67	58
B	L _{A10}	64	55
	L _{Aeq}	63	53
D	L _{A10}	92	93
	L _{Aeq}	91	90

Note: Location C is not relevant for performance comparison. Location D shows internal noise levels from music and crowd inside the venue.

Based on the measurements, it is estimated that the new noise wall is providing approximately 8 dB of overall L_{A10} noise reduction at the measurement points.

In summary, the measurements show noise levels have been considerably reduced after construction of the noise wall, as recommended in the Noise Management Plan. While these measurements were short-term attended, our observations on the day of number of patrons and levels of music inside the venue suggest that these measurements provide a good fit for comparison with previous measurements conducted in 2019, before the noise wall was built.

Should you have any further questions, please contact me directly.

Sincerely,



Miguel de la Mata

ACOUSTICS – DIRECTOR

Ph. (08) 6162 6738

Email: miguel@acousticsconsultants.com.au

DATE:	11 November 2020
FROM:	Miguel de la Mata Acoustics Consultants Australia – Director
TO:	Kane Hipper Si Paradiso
SUBJECT:	Noise monitoring, Friday 6 November 2020 (External/Internal noise levels)
REFERENCE:	10.00004-04L

Dear Kane,

We attach below the results from the noise measurements conducted at Si Paradiso on Friday 6th of November of 2020 between 9pm and 11pm.

The measurements were aimed at quantifying internal noise at a typical residential receiver at 424 Beaufort St, Highgate, generate from operations at Si Paradiso. The internal monitoring was conducted at Unit 17, while the external monitoring location is consistent with the previous monitoring location “A”.

Three conditions were inspected:

- During a live band playing on stage at Si Paradiso (before 10pm)
- During background music played through the in-house system (after 10pm)

The measurements were analysed and misleading data has been excluded from the results.

Figure 1 **Before 10pm / External levels / Band playing / $L_{A10} = 68$ dB**

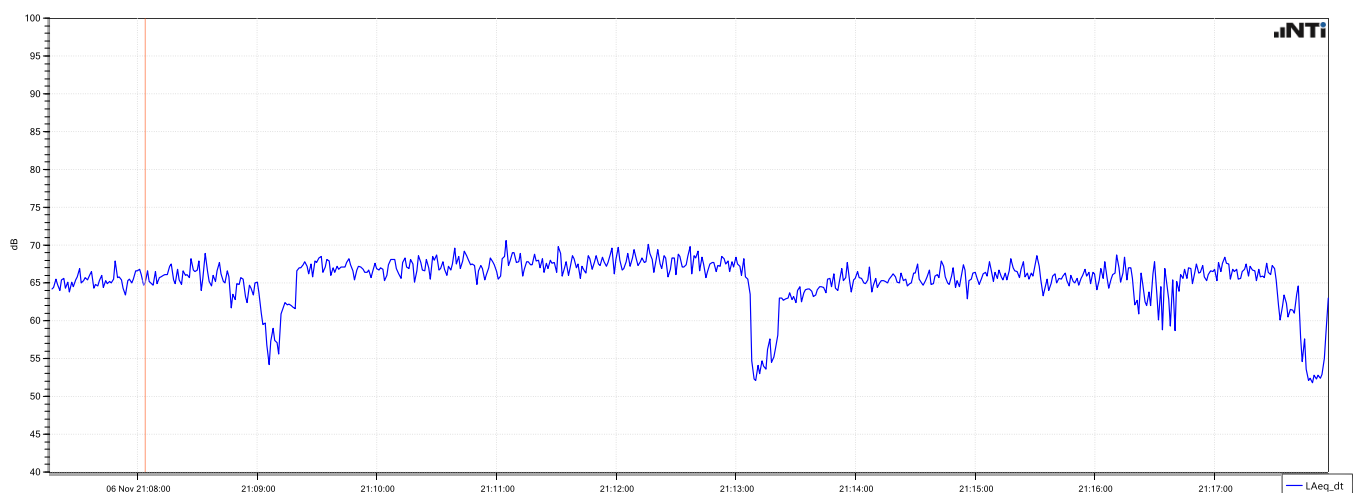


Figure 2 Before 10pm / Internal levels / Band playing / $L_{A10} = 45$ dB

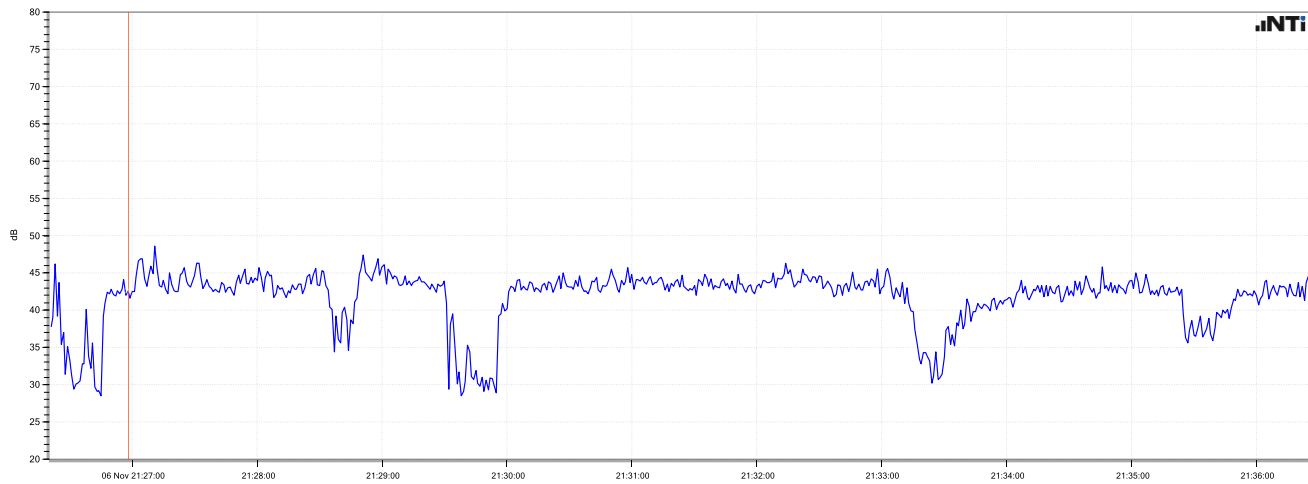


Figure 3 After 10pm / External levels / 'Playlist playing' / $L_{A10} = 57$ dB

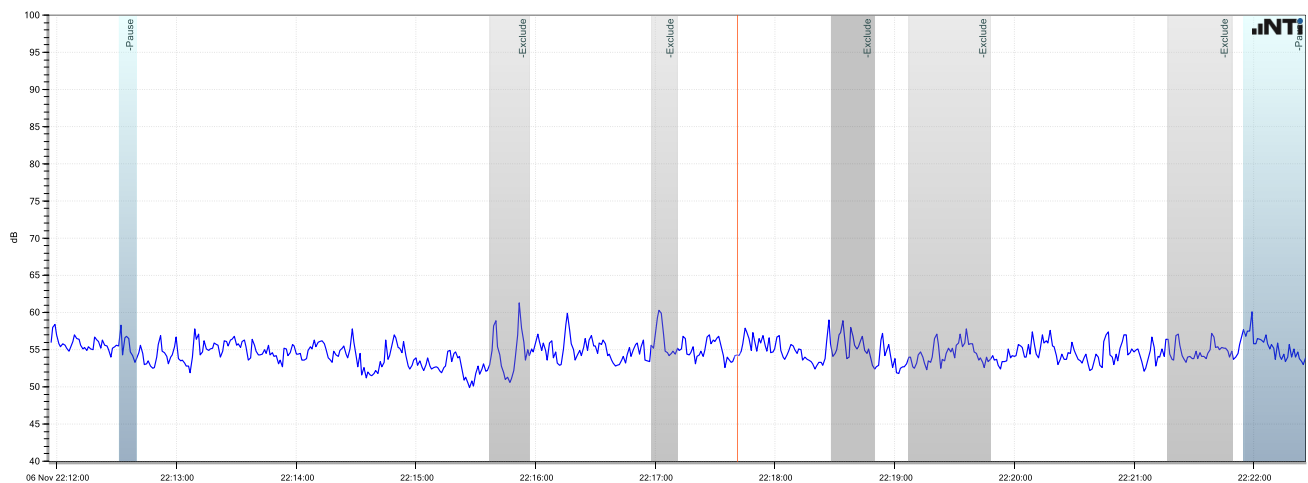
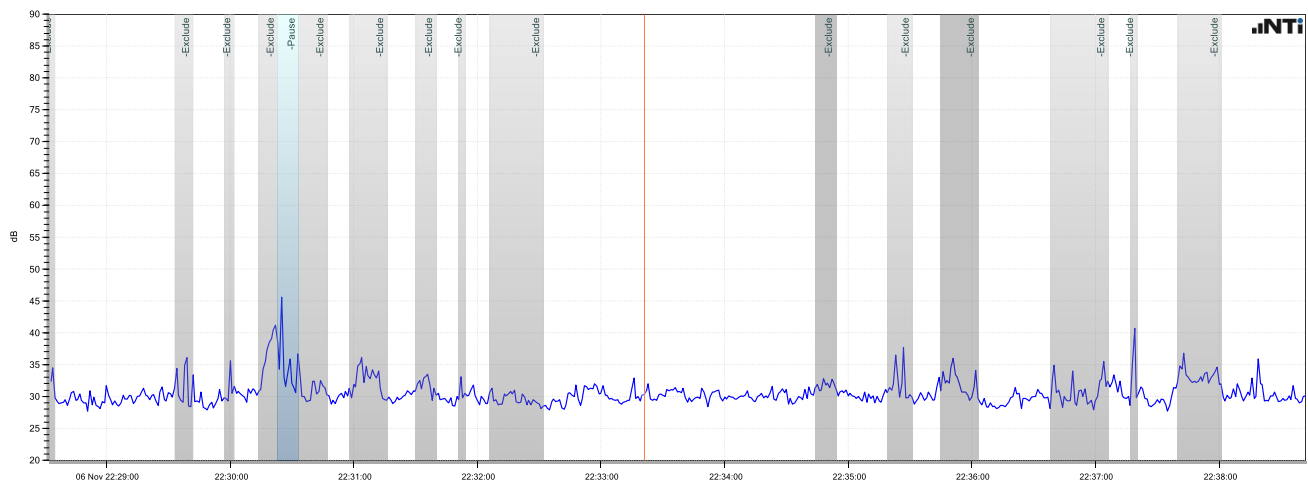


Figure 4 After 10pm / Internal levels / 'Playlist playing' / $L_{A10} = 31$ dB



The measurements' results are consistent in the difference between internal and external levels in both cases (23-25 dB).

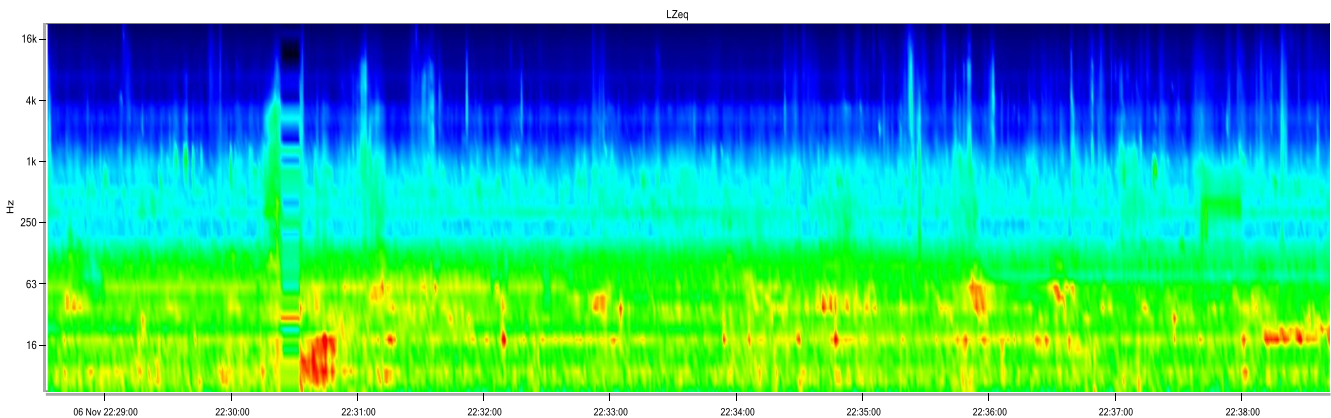
It was observed that during measurements at Unit 17 after 10pm, the dominant noise levels were not subjectively perceived as intrusive or tonal. The measured levels ($L_{A10} = 32$ dB) were within recommended internal industry standard Guidelines (e.g. Australian Standard 2107:2016, WHO Guidelines).

With regards to the assigned noise levels applicable after 10pm (i.e. $L_{A10} 45$ dB), when these are measured indoors by Part 3, Regulation 19 'Place of measurement of noise', Sub-regulation (4): 'external windows and doors must be shut and the measurement must be adjusted by adding 15 dB'.

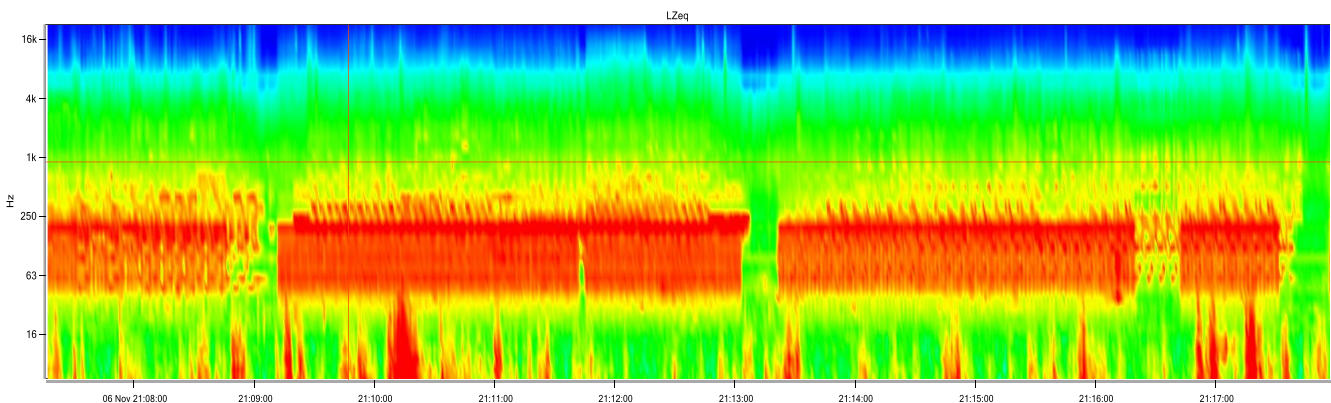
Thus, from the internal measurements after 10pm, $L_{A10} = 31$ dB + 15 dB = **46 dB**, which is within marginal agreement with the assigned noise level $L_{A10} 45$ dB.

The following spectrogram for the internal measurements after 10pm does not evidence prominent tonal sound pressures through the included measurements. Though

Figure 5 Spectrogram / After 10pm / Internal levels / 'Playlist playing' / $L_{A10} = 31$ dB



For comparison, the spectrogram below shows external measurements' tonal components present between 63-250 Hz.



While the measurements were short-term attended, our observations on the day of number of patrons and levels of music inside the venue suggest that these measurements provide a fair representation of typical operations.

Should you have any further questions, please contact me directly.

Sincerely,



Miguel de la Mata

ACOUSTICS – DIRECTOR

Ph. (08) 6186 4145

Email: miguel@acousticsconsultants.com.au

REF. 10.00004-5**DATE**

Wednesday, March 17 2021

TO:

Urbanista Town Planning
231 Bulwer Street, Perth WA 6000

Attention:**Bianca Sandri****SUBJECT:****SI PARADISO - NOISE MANAGEMENT**

East Victoria Park, WA 6101

P: (08) 6186 4145

E: perth@acousticsconsultants.com.au

Dear Bianca,

Acoustics Consultants Australia (ACA) were engaged to conduct a noise assessment and to prepare a noise management plan (NMP) in early 2019, following noise complaints from residents in proximity to Si Paradiso (the venue).

As a result of the detailed assessment and the identified key management strategies recommended by ACA, a number of noise controls have been implemented by the venue. Within the NMP, the venue committed to 10 noise mitigation items to be reasonably implemented over time.

Since 2019, ACA has been involved in regular testing at the venue with regard to the NMP commitments and, in our opinion, the venue has made a firm effort to address 8 out of the 10 NMP items with an overall positive outcome, in line with the NMP objectives. The other 2 items have been considered and reviewed; however, as the NMP states, the staged approach allows for changes in the requirements based on the foreseen effectiveness.

It is ACA's opinion that the venue has been responsive and diligent, following the NMP commitments and, in general, attending community noise enquiries.

Sincerely,

A handwritten signature in black ink, appearing to read 'Miguel de la Mata', is positioned above the printed name.

Miguel de la Mata (M.A.A.S. MIEAust)

Acoustics - Director



Mobile: 0415 364 015 | Email: miguel@acousticsconsultants.com.au

TECHNICAL MEMORANDUM

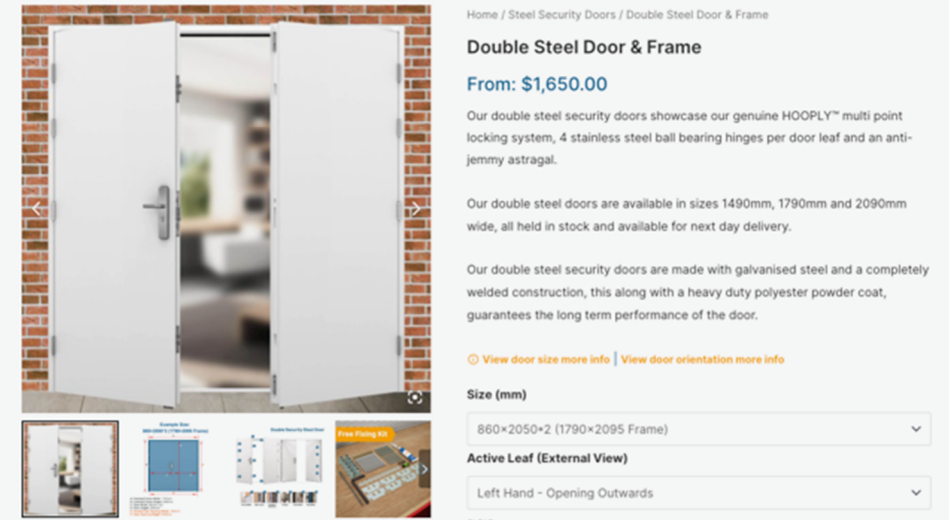
DATE:	19 December 2024
FROM:	Miguel de la Mata Acoustics Consultants Australia – Director
TO:	Bree Rayner Si Paradiso
SUBJECT:	Si Paradiso – Tavern License Application Confirmation of implemented noise mitigation measures
REFERENCE:	10.00004L-07

Dear Bree,

Acoustics Consultants Australia (ACA) can confirm the following noise mitigation measures (as per Table 5 of report 10.00004L-06) have been implemented.

Table 1 Confirmation of implemented noise mitigation measures

#	Recommendation	Status
Treating the Path		
1	Gaps around the sandstone wall junctions have been filled. 	Completed December 2024

#	Recommendation	Status
2	Large space has been bricked in and double steel door being installed on Monday 23rd December 2024. Door specification is included below.  	Completed December 2024

#	Recommendation	Status
3	<i>"Fit sound absorption panelling within the amphitheatre. Walls should be fitted with absorptive panels NRC 0.95"</i> Noise complaints haven't been received since December 2023, therefore requirement for sound absorption panelling is currently unnecessary. Email from council below confirms this. From: John Chuah John.Chuah@vincent.wa.gov.au Subject: Si-Paradiso SSEHO correspondence RE: Noise update Date: 11 November 2024 at 11:19 am To: Bree Rayner bree@si-paradiso.com Hi Bree The Last complaint was received on behalf of the property manager for 3x tenants on 6/12/2023. This was following handover from the previous EHO Bassam Sahar to myself This was investigated and communicated with the complainant and the last correspondence I received was in Feb 2024 Our last discussions and correspondence was in May 2024 regarding the modification of the rear door /brick wall. No further complaints were received, nor any updates or communications from the previous complainants and the case was closed 27/6/2024 John Chuah Senior Specialist Environmental Health Officer City of Vincent     Subscribe to our enewsletter T (08) 9273 6044 E John.Chuah@vincent.wa.gov.au Engaging Accountable Making a Difference The City of Vincent acknowledges the traditional lands of the Whadjuk Noongar people. We pay our respect to their Elders, past and present and we recognise their strength and resilience.	Completed December 2024

Should you have any further questions, please contact me directly by any of the means provided in the letterhead.

Sincerely,



Miguel de la Mata (M.A.A.S. MIEAust)

DIRECTOR
Acoustics Consultants Australia
e. miguel@acousticsconsultants.com.au
m. 0475 036 804
Ph. (08) 6186 4145

Limitation

This letter has been prepared by ACA with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by our agreement. Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid. This report is for your exclusive use.

No warranties or guarantees are expressed or should be inferred by any third parties. This document may not be relied upon by other parties without written consent from ACA. ACA disclaims any responsibility to you and others in respect of any matters outside the agreed scope of the work.



VENUE MANAGEMENT PLAN

CITY OF VINCENT
RECEIVED
28 Jan 2025

Prepared by: Hotel Valentine Pty Ltd trading as Si Paradiso

1. Introduction

- 1.1. Hotel Valentine Pty Ltd trading as Si Paradiso currently trades as a licensed special facility on the city fringe on Beaufort Street, Mount Lawley. The core activity of the business is the provision of food, beverages and entertainment.
- 1.2. The objective of this plan is to outline a standard code of practice for the venue patrons and locality.

2. Premises

- 2.1. The subject site at 446 Beaufort Street, Perth, is 2151sqm in area and is registered as Lot 751 on Diagram 092894 (**Premises**).
- 2.2. The site currently operates as a fully functioning venue as is seeking reconsideration of conditions with respect to its operations.

3. Hours of operation

- 3.1. Monday and Thursday 5pm – 11pm
- 3.2. Friday and Saturday 12pm – 1am
- 3.3. Sunday 12pm – 10pm

4. Liquor Licensing

4.1. Type of licence

Licence has already been provided and is a special facility licence.

4.2. Amenity

Maintain a Strict curfew of 10.00pm for live music performances; and 1am for amplified music and/or DJs Maximum capacity

The maximum number of persons permitted on the licensed Premises (including within the alfresco area) must not exceed 343 across the entire venue at any one time.

4.3. Trading hours

Service of alcohol for consumption on the Premises will only occur as per the operating hours and in associated with the approved special facility licence and Liquor Control Act.

4.4. Red line plan

The red line plan for Si Paradiso must be kept in the manager's office at all times and be available for inspection by WA Police and RGL compliance inspectors at all times the Premises is open.

4.5. Statutory posters

The statutory posters are positioned next to the indoor bar at all times. The duty manager will ensure that posters are kept up-to-date at all times.

4.6. Responsible service of alcohol (RSA)

- 4.6.1. The licensee and management are committed to implement best practice in relation to the RSA.
- 4.6.2. The management of RSA certificates and related matters is the responsibility of management.
- 4.6.3. Only staff with the relevant RSA training and accreditation will be permitted to serve alcohol from the Premises.
- 4.6.4. Management and staff are required to keep their RSA qualifications up to date.
- 4.6.5. All management and staff RSA certificates must be filed in the licensee's RSA folder and the details included in the relevant register.
- 4.6.6. Alcohol is only to be consumed at Si Paradiso within the confines of the pre-designated 'consumption of alcohol area' – refer to red line plan at paragraph 4.5 above.

5. Patron behaviour

Patron behaviour is detailed in the venue's Code of Conduct (**Code**) which can be found at Attachment C.

6. Noise management

- 6.1. Management and staff will have the responsibility of ensuring that that level of noise emitted from the licensed premises does not exceed the acoustic management plan.

7. Security

- 7.1. Management will make themselves available at all reasonable times to respond to the concerns of patrons and neighbours.
- 7.2. Extra security is engaged on Friday and Saturday evenings to manage crowds and to monitor and manage the alley way off Beaufort Street into the Si Paradiso carpark specifically to control the line and movement of people.

7.3. Si Paradiso is managed with 24-hour CCTV which monitors the internal and external elements of the venue.

8. Community Engagement

- 8.1. Si Paradiso is committed to maintaining good relations with local residents, neighbours and the City. Our objective is to minimise disturbance to local residents and to ensure that liquor licensing requirements at the venue are being upheld.
- 8.2. Adjoining local residents have been provided a contact number and e-mail should an issue arise. This contact number enables communication directly with the General Manager.
- 8.3. Should a community member ring or e-mail Si Paradiso to make a complaint about noise it is firstly recorded in the complaints register file and be reviewed as soon as possible.
- 8.4. The review process requires the Venue Manager to review all sound levels to ensure they are consistent with the acoustic management plan.
- 8.5. Should the levels be consistent with the acoustic management plan, the Venue Manager will contact the complainant and advise.
- 8.6. Should the levels be inconsistent with the acoustic management plan, they will be adjusted to ensure compliance with the acoustic management plan and the complainant will be notified.
- 8.7. All records will be kept on premises and can be viewed by the City or other authorities when required.

Paradiso

~ Stranger than Paradise

DOOR MANAGEMENT

WELCOME TO PARADISO

We appreciate you assisting us in keeping our venue a safe and inclusive space, which recognises all people have the freedom to express themselves the way they wish unless it is harmful to the venue or anyone else.

Please note that we may be more liberal in our approach to what our customers are allowed to wear and how they act in comparison to other venues you may have been a part of.

We encourage you to embrace this liberal approach and try to make our venue a welcoming space for anyone who enters. If someone is pushing the boundary of what you think may be acceptable, then please ask one of the managers or head security for their opinion. If it is deemed to be, please take a non confronting nor threatening approach, simply ask them if they can please refrain from doing what they are doing before choosing to evict them from the venue.

If the guest continues to carry on acting in a way in which you feel may be jeopardising other guests, the venues well being, or threatening behaviour to yourself, then explain to the guest why and then where possible, non-violently remove them from the space.

At Si ~ Paradiso we have had very minimal / no physical violence at all, this is largely due to the way we run our space, the clientele we attract, our attitudes collectively, what we sell & what we promote. So if we can refrain from physical evictions where possible, then we will have no disruptions / cause for negative feelings to other guests! If it is necessary to become physical, then please carry out your role to a level you feel is adequate for the situation.

We would like to think most concerns with guests can be rectified through civil conversation as opposed to reacting too swiftly with an eviction.

Thank you again for your time at the venue, we hope you enjoy working here with us, if you have any concerns or questions, please don't hesitate to approach our management team!

DOOR MANAGEMENT

Lecturn to be set as close to the centre handrail as possible with room for a person to still walk between the two.

No food or plates, rubbish, or other items to be on the lecturn. This is our first point of contact and it should be kept well presented.

The main line is to start at the restaurant side door running north along the footpath. The bollards are to be set up to allow a line 3 people wide. If the bollards are dirty or wobbly please let managaement know.

Maintain a professional and friendly rapport with all patrons, and treat every person on a case by case scenario. A prompt and friendly greeting at the door will help build respect between staff and guests. Guests should be greeted politely upon arrival, and directed towards host when they have a

reservation. Please always greet and welcome our guests first before asking for their I.D. or if they have a booking.

Greeting example:

“ Hi guys, how are you?

Are you dining with us today/tonight?”

We display signage on entry and throughout the venue encouraging guests to respect the venue, each other and themselves as a key message to remind people what our venue is about.

Adding to this, verbally reminding our guests upon entry that staff are here to make sure they have a safe and enjoyable experience will reinforce that message. Encourage them to please let any of our staff or security know if they are being made to feel uncomfortable.

Perhaps something along the lines of:

'Hey welcome to Si, we're here to help you have a good night, if you have any issues let any of our staff know!'

'Hey welcome to Si, I hope you have a beautiful night, if you need anything please let us know'

All Courtyard large group bookings are subject to entry based on appearance and demeanour. If the door person doesn't deem them to be up to standard, they are to be denied entry.

- Use the 30 min late for booking/reservation to deny entry if not the clientele we are chasing.
- Allow people through anytime if they are the clientele we are after.
- The host and management can pull people out of the line with the door list, feel free to let them know if you see an opportunity to do that
- Be in constant comms with floor manager to flip tables as soon as they are free to keep the dining room full!

REFUSING ENTRY

We are all aware that this is the toughest part of the job, telling someone they can't come in is a very hard thing to do. We cannot stress enough though, that this is as important a job as it is difficult!

If we do not maintain a strict level of entry to the venue, it will simply become another venue full of undesirable people, and everyone's job will only become more difficult as our better clientele cease coming to our venues due to our inability to prevent undesirable patrons entering the venue.

Refusing entry and maintaining a desirable crowd in the venue, is above all else the number one task for the door person and security!

IMPORTANT:

The below items are to be used as a guide, not as gospel!

Meaning you can still let people in, these are just tools for you to use.

Some guests may still be okay to enter with the below items:

- No undesirable/untidy attire
- No sporting attire
- No thongs / sandals [after 4pm]
- No shorts [after 4pm]
- No costumes or fancy dress
- No facial tattoos

The below items are not negotiable, there are no exceptions.

- No high vis
- Guests must be clean, neat and tidy at all times

The door person makes the decision and has the final call on who enters based off appearance and dress code.

(Security can only over rule that on grounds of intoxication or aggressive behaviour)

If guests compare their dress to someone else that has been let in the venue, respond by saying that patrons were inside the venue before security or door person started their shift.

HARASSMENT AWARENESS

We all have a part to play in preventing harassment, all staff, bartenders, floor staff, kitchen staff, management and security are asked to increase their awareness and become more proactive. Constantly assess the crowd, take note of who is in the venue, who they are friends with, who they approach and if that group they approach are receptive, particularly, guys or groups of guys that approach females. Look to see what their reaction is and how receptive they are to their approach.

Rather than simply waiting for an altercation, we are asking all employees and security to be more vigilant and raise their awareness identifying potential troublesome guests prior to things escalating. Intervene if there are any signs of any kind of harassment, aggression, and anti-social behaviour, be it verbal or physical.

Harassment simply won't be tolerated and we need to ensure offending people are removed for any form of harassment.

RESOLVING HARASSMENT ISSUES

Any person who approaches with a complaint must be dealt with in a consistent manner. Regardless of the perceived level of harassment we think that person may or may not have received, we must always take their complaint seriously and into consideration. Stop whatever it is you are doing, listen attentively, take on board everything they are saying, ask what action they would like to take, identify the offending person, approach security and have them promptly removed from the venue, dependent on the level of harassment and how the victim would like to proceed, the offending persons details might need to be taken and stored in our banned patrons list and or given over to the police.

In short, we would like to see:

- Greeting of each person on entry.
- More awareness, prevention and intervention.
- Complaints and issues resolved consistently.

Any harassment will not be tolerated and if you are subject to any please approach staff security or management, all offenders will be removed from the venue and they will not be welcome back.

We look forward to working together & creating some beautiful experiences!

Thank you

SANS PANTS

GROUP

HUMAN RESOURCES

1 - CODE OF CONDUCT

1.1 - PURPOSE & SCOPE:

The Sans Pants Group code of conduct outlines the way we work, focusing on the professional standards and expectations that apply to all employees across the business. This is our framework for conducting business and dealing with other employees, and our guests. This code of conduct applies to all employees and representatives of Sans Pants Group.

1.2 – THE CODE:

Culture

Employees must commit to fostering a harmonious working environment which involves always being respectful and courteous towards team members, guests and contractors. We expect employees to work collaboratively within the team and have open, friendly, respectful and transparent communication with team members and guests.

Compliance with Policies and procedures

All employees must be aware of and comply with Sans Pants Group policies and Code of Conduct. Whilst at work and outside work, employees must act in a manner that reflects and upholds Sans Pants Group's brand, reputation and values.

Workplace Behaviors

All employees must treat all team members, management, and guests in a fair, respectful and equitable manner. Employees must ensure they contribute positively to the work environment which is free of discrimination, harassment, sexual harassment, workplace bullying and victimisation. For more information, please refer to the Workplace Behaviours Policy.

Strive for Standards of Excellence

At all times, you will strive towards excellence by putting 100% into everything we deliver, and into how we work as a company. Sans Pants Group expects co-operation from all employees in conducting themselves in a professional, ethical and socially acceptable manner of the highest standards.

Occupational Health, Safety and Environment

Sans Pants Group is committed to maintaining a safe workplace for all our employees. Employees must work in a safe, responsible and effective manner that ensures not only their own safety but the safety of others. Employees must report any injury or accident, no matter how minor to their Manager immediately.

Fitness for Work

All employees have a duty to take reasonable care for their own health and safety and ensure they don't adversely affect that of others. This means they must be fit and well enough to do their job, not be under the influence of alcohol or drugs, or use alcohol or illegal drugs while at work.

Confidentiality

All employees must maintain confidentiality regarding company and guest information collected and used in the course of their work. Confidential information includes any confidential information relating to Sans Pants Group that comes to an employee's knowledge and is not in the public domain.

Conflict of Interest

A conflict of interest is a serious matter even if it appears to be based only on existing or potential perception. Actual, potential or perceived conflicts of interest must be identified and reported to the General Manager.

Theft and Cash Handling

Care and diligence must be taken at all times when dealing with cash transactions to ensure a high standard of accuracy.

All employees must ensure they do not give incorrect change or leave cash under their control open to misappropriation by other staff members or visitors to the premises.

Theft of cash or other property is a criminal offence, and the Company reserves the right to report any theft to the Police. Where the Company concludes that theft has occurred, the Company may take disciplinary action up to and including termination of employment.

Telephone, Mobile and Internet use

Inappropriate use of mobile, telephone and internet at work decreases productivity, causes security risks, distracts co-workers and colleagues, and can cause significant expense to a business.

The Company appreciates that staff may have a need to make and receive some personal telephone calls during work hours. However, unless in the case of an emergency, telephone and mobile phone use should never interfere with employees' work duties, including but not limited to the service of customers.

Dress Code

All employees must dress in an appropriate manner and to ensure that appearance is presentable, clean, neat and tidy (including but not limited to wearing any uniform that is required of you by the Company)

1.3 – BREACHES OF THE CODE:

Sans Pants Group expects co-operation from all employees in conducting themselves in a professional, ethical and socially acceptable manner of the highest standards.

Sans Pants Group will review any alleged breach of this procedure on a case-by-case basis. Employees who fail to comply with this procedure may face disciplinary action. In serious cases, termination of employment or contract may result.

1.4 – FURTHER INFORMATION:

If you are in any doubt as to any aspect of this policy, please talk to a manager or Director.

2 - WORKPLACE BEHAVIOURS POLICY

2.1 - PURPOSE:

The purpose of this policy is to promote a working environment that is positive and supportive for all employees, free from any form of discrimination, bullying or harassment.

2.2 - SCOPE:

This policy applies to all Sans Pants Group employees, sub-contractors and visitors.

2.3 - AIM:

Sans Pants Group's objectives in relation to this policy are to:

- foster an environment where all employees of Sans Pants Group and clients are treated with dignity, courtesy and respect;
- promote appropriate standards of conduct at all times;
- implement training and awareness-raising strategies to ensure that everyone knows their rights and responsibilities; and
- where necessary encourage reporting of inappropriate behaviour and provide an effective procedure for resolving complaints in a sensitive, fair and timely manner and as confidentially as possible.

This policy sets out what constitutes discrimination, harassment, sexual harassment and bullying and the procedure to follow if any of these arise. It also details the complaints procedure which we have implemented to ensure that any form of discrimination, harassment, sexual harassment or bullying is dealt with promptly, confidentially and impartially.

2.4 - RESPONSIBILITIES:

All employees have a responsibility to treat each other fairly and with respect. Individual employees must also ensure that they do not discriminate against, harass, sexually harass or bully other members of staff or any other representatives of the business.

Any reports of discrimination, harassment, sexual harassment or bullying will be treated seriously by Sans Pants Group. Disciplinary action may be taken against anyone found to be guilty of discrimination, harassment, sexual harassment, or bullying.

2.5 - LEGISLATION:

Both Federal and State legislation is relevant to the concepts discussed in this policy. This legislation includes, but is not limited to:

- Disability Discrimination Act 1992,
- Racial Discrimination Act 1975,
- Sex Discrimination Act 1984,
- Fair Work Act 2009,
- Human Rights and Equal Opportunity Commission Act 1996,
- Age Discrimination Act 2004,
- Equal Opportunity for Women in the Workplace Act 1999, and
- Applicable State legislation.

2.6 - DISCRIMINATION:

It is unlawful to discriminate against or harass a person in employment (or in the provision of goods and services) on the basis of any of the following attributes or personal characteristics:

- age,
- disability or impairment (physical, intellectual, mental or psychiatric),
- race, colour, descent or national or ethnic origin,
- religious belief or activity,
- sex,
- employment activity,
- gender identity,
- transgender or transsexual status,
- lawful sexual activity/sexual orientation,
- family, marital, parental or carer status,
- physical features,
- political opinion, belief or activity,
- industrial activity or membership of an industrial association,
- pregnancy or potential pregnancy,
- breast feeding,
- medical record,
- criminal record, and
- personal association with a person who is identified by reference to any of the above attributes.

In summary, discrimination is treating a person with an identified attribute or personal characteristic less favourably than a person who does not have the attribute or characteristic, who is otherwise in the same or similar circumstances. Discrimination can be either direct or indirect.

i) Direct Discrimination

Direct discrimination is treating, or proposing to treat, a person less favourably on the basis of an attribute or personal characteristic of the person which is covered by equal opportunity laws, regardless of the discriminator's motive and whether they are aware of the discrimination or consider the treatment to be less favourable.

ii) Indirect Discrimination

Indirect discrimination is unreasonably imposing, or intending to impose, on a person with an attribute or characteristic covered by equal opportunity laws a requirement, condition or practice that can only be complied with by a higher proportion of people without the attribute or personal characteristic.

Awareness of the discrimination is irrelevant. Indirect discrimination can occur when a requirement, condition or practice that appears to be neutral, in fact has a disproportionately negative impact on a particular group and which has nothing to do with being able to perform the job.

2.7 - HARASSMENT:

Harassment is a form of discrimination. Harassment is unwelcome and unwanted conduct based on one of the attributes listed above that causes a person to be offended, humiliated or intimidated.

The reasonable person test applies. That is, would a reasonable person, given all the circumstances, have anticipated that the behaviour would be found offensive, humiliating or intimidating.

2.8 – SEXUAL HARASSMENT:

A person sexually harasses another if he or she:

- makes an unwelcome sexual advance;
- makes a request for sexual favours;
- engages in any other unwelcome conduct of a sexual nature; or

- behaves or engages in behaviour in which a reasonable person, aware of all the circumstances, would have anticipated that the conduct would cause offence, humiliation or intimidation.

Sexual harassment is unwelcome, uninvited conduct that is offensive from the view point of the person harassed, regardless of any innocent intent on the part of the offender. It is not behaviour that is based on mutual attraction between people.

Sexual harassment may occur in a single incident or series of incidents.

TYPES OF SEXUAL HARASSMENT:

Sexual harassment can take many forms and can be physical, verbal or written. It is not just the obvious harassment of unwelcome physical behaviour such as inappropriate touching, patting, brushing up against someone or offensive gesturing. Sexual harassment can either be direct or indirect.

Sexual harassment takes a variety of forms, including:

- Sexual or suggestive remarks;
- Sexual propositions or requests for dates;
- Repeated questions about a person's private life;
- Sexual jokes and innuendo;
- Physical contact such as touching, deliberate brushing up against a person, hugging etc. against a person's will;
- Offensive telephone calls, reading matter, emails, screen savers, pictures, calendars etc.;
- Suggestive looks or leers; or sexually explicit conversations.

2.9 - BULLYING:

Bullying is repeated, unreasonable behaviour directed towards an employee that creates a risk to health and safety.

Unreasonable behaviour is behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten another.

Unreasonable behaviour includes: actions of individuals or a group and may involve using a system of work as a means of victimising, humiliating, undermining or threatening.

Risk to health and safety includes risk to the mental or physical health of the employee.

Unacceptable behaviour makes the workplace uncomfortable, unpleasant and often unsafe. The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, could be considered bullying:

- Verbal abuse,
- Excluding or isolating employees,
- Psychological harassment,
- Intimidation,
- Assigning meaningless tasks unrelated to the job,
- Giving employees impossible assignments,
- Deliberately changed work rosters to inconvenience particular employees, and
- Deliberately withholding information vital for effective work performance.

CYBER BULLYING:

Cyber bullying is a form of bullying, which is carried out through an internet service such as email, social media, discussion groups, etc. Examples of cyber bullying include, but are not limited to;

- Un-friending someone on a social media platform,
- Sending unwanted messages,
- Spreading rumours online,
- Defamation.

The list is not exhaustive. Other types of behaviour may also constitute bullying. Bullying is usually not a once off incident but could be if the once off incident is sufficiently serious.

Bullying does not include reasonable and legitimate actions in managing an employee's performance, managing or altering an employee's workload, reporting structure or duties or counselling an employee.

2.10 – DISCRIMINATION, BULLYING AND HARASSMENT PROCESS:

If you feel you have been discriminated against, harassed or bullied, you should not ignore it. You should keep notes on all instances of discrimination, harassment or bullying – dates, times, places, witnesses (if any), together with what you said, did or felt.

If you feel comfortable doing so, then you may wish to address the issue with the person concerned and request that the behaviour ceases. If you do not feel comfortable confronting the person and the behaviour continues, then you should go to a Manager.

All complaints of discrimination, harassment, sexual harassment or bullying will be dealt with in accordance with the procedure which is set out below. Our goal is to resolve all issues and complaints in-house where possible. However, you can seek the assistance of an outside agency, at any stage, if you wish.

2.11 – COMPLAINTS PROCESS:

If you feel you have witnessed bullying, you should report the matter to a Manager who is required to act in accordance with the procedure which is set out below. We will take any complaint under this policy very seriously.

Raise your complaint with a Manager. The Manager will assist to try and resolve your complaint by discussing the matter openly and working together to achieve a desired outcome. You will have the opportunity to have a support person present if that is your preference.

If this does not resolve your complaint, it will be escalated to the next level of management. In this situation, the next Manager, or a formally delegated person, is appointed to take details of the complaint and as the company deems appropriate commence a formal investigation of the matter or arrange mediation.

The investigation is a confidential process where details of the complaint are taken and provided to the respondent for a formal response. It is investigated by an independent and impartial person whose task is to establish what evidence or facts can be found that may either substantiate or refute the allegations.

The parties involved in the investigation process will be asked to maintain confidentiality with respect to the complaint and the investigation. We may, however, need to divulge the contents of the complaint and responses in order to complete a full investigation.

The principle of natural justice demands that the process be based upon an assumption of innocence unless and until evidence shows otherwise.

Reported findings then form the basis of appropriate action by us to respond to both the individual and organisational matters addressed in the findings.

2.12 – POSSIBLE OUTCOMES:

The possible outcomes will depend upon the nature of the complaint. Where an investigation has found that a complaint is substantiated, appropriate action will be taken against the person about whom the complaint was made. This may include:

- the person against whom the complaint is made may be required to give a written apology;
- or they may be given a written warning, counselling, demotion, or be dismissed.

2.13 - VICTIMISATION:

Victimisation is treating someone unfairly because that person, or someone they associate with, has made, or intends to make, a complaint under this policy. It is unlawful to victimise or penalise a person for making a complaint in good faith. We are committed to making sure that anyone who makes a complaint or assists in making a genuine complaint is supported and not penalised in any way.

Immediate disciplinary action will be taken against any employee who victimises or retaliates against a person who has made a complaint.

2.14 – VEXATIOUS COMPLAINTS:

Inaccurate, misleading, malicious or false accusations have negative consequences for the person(s) concerned, interpersonal relationships and the morale of the office.

Where it is found that a complaint has been made in bad faith to cause distress to one or more persons, or as a practical joke, disciplinary measures will be taken.

2.15 – CONSEQUENCES FOR POLICY BREACHES:

Disciplinary action, including termination of employment, may be taken against any person found to be in breach of this policy or any aspect of this policy.

2.16 – STAFF SOCIAL FUNCTIONS:

Sans Pants Group believes that socialising between co-workers, management, clients and customers can help to build staff morale and positive and productive working relationships.

The Company may organise staff social functions from time to time. These functions may be held either on work premises or at another venue. Whilst these functions are for the enjoyment of staff, clients and business colleagues may attend these functions on occasion.

Employees are reminded that they must conduct themselves in a professional and responsible manner during staff functions and all employees are expected to meet the following behavioural standards:

- If alcohol is served during a staff function, employees must take an appropriate and responsible approach to alcohol consumption;
- Any use of illegal drugs during staff functions is strictly prohibited;
- Equal opportunity and anti-discrimination are a high priority within the Company and employees are required to be mindful of their behaviour consistent with the Workplace Anti-Bullying & Anti-Harassment Policy and Equal Employment Opportunity and Anti-Discrimination Policy;
- Abusive language and threatening or violent behaviour are not permitted in work situations including during staff functions;
- Employees are required to treat all company property or other facilities (such as where a staff function is held at a different venue) with respect and care.

A breach of this policy may result in disciplinary action up to and including termination of employment.

2.17 – FURTHER INFORMATION:

If you are in any doubt as to any aspect of this policy, please talk to your manager.

3 - GRIEVANCE DISPUTE RESOLUTION, PERFORMANCE MANAGEMENT & TERMINATION POLICY

Sans Pants Group is committed to providing a workplace in which employees are valued. All employees shall be treated fairly and consistently, and with courtesy and respect.

3.1 – GRIEVANCES:

All employees have the right to have issues of grievance heard and responded to. All employees who have complaints, problems, concerns or disputes with Sans Pants Group or another employee to do with specific working conditions and/or unfair treatment may use the grievance procedure set out in this policy to seek remedy.

Grievances related to discrimination, sexual harassment, harassment or bullying will be handled according to the procedures identified in the Workplace Behaviours policy.

Sans Pants Group will endeavour to meet employee needs when assessing individual employee grievances and will discuss the determined course of action with the employee and any other relevant party (i.e., other employees impacted by a particular decision). Courses of action to deal with employee grievances may include mediation or counselling with internal or external parties if appropriate. Decisions taken in respect to grievances raised shall be open and fully communicated to the relevant parties.

Procedure

An employee who has a grievance regarding a complaint, problem, concern or dispute with either Sans Pants Group, another employee or other person within the workplace should raise the matter in the first instance with their direct Manager or another Manager, the Human Resources (HR) Manager should be notified of the matter and is responsible for managing all grievances.

The HR Manager responding to a grievance raised shall:

- not unreasonably deny an employee to have a support person present if the employee requests one,
- listen to the employee's concerns and ask qualifying questions as appropriate to understand the issue as fully as possible,
- take accurate and detailed notes of all conversations (including dates, people involved) and attach any supporting documentation;
- invite the employee to identify any potential remedies to relating to their concern,
- consider the employee's interests,
- consider the interests of the business,
- consider the impact of the issue on the individual employee, on other employees and on Sans Pants Group,
- evaluate any potential remedies, and judge each remedy for viability and appropriateness, and
- communicate to the employee any decisions taken and the rationale for making that particular decision, and
- take the matter under consideration and make every effort to identify a remedy mutually acceptable to all relevant parties.

If the matter is not able to be immediately resolved to the satisfaction of all parties, extra time to gather more comprehensive information may be agreed upon. To ensure all issues are addressed promptly, such

additional time shall be kept to the minimum reasonably required to obtain and evaluate the additional information.

Where an employee is not able to raise the matter directly with their Manager, the employee may take the matter to the next level of management (i.e., General Manager) or to the HR Manager. However, the employee should explain why they were not able to discuss the matter with their direct Manager.

Escalating a Grievance

Where an employee, having raised a grievance with an appropriate Manager, is not satisfied with the outcome the employee may escalate the matter to the Directors.

Alternatively, if a Manager, having been notified of a grievance, believes the issue is sufficient to warrant escalation, they may, with the employee's consent, invite the Directors to participate in addressing the employee's grievance.

Each time the matter is escalated the employee will be required to explain their concern fully, any remedies that have been offered and the reason the employee believes their concern has not been sufficiently addressed.

Whenever a matter is escalated beyond the first Manager each Manager who has previously met with the employee regarding the grievance shall be invited to provide their evaluation of the issue and subsequent recommendation.

A grievance may be escalated to an outside agency, such as the Human Rights and Equal Opportunity Commission or the Anti-Discrimination Board if all other internal avenues for resolution have been exhausted.

Outcomes

If the investigation reveals that the complaint is a valid one, a number of actions may be taken, depending on the nature of the complaint including:

- the person against whom the complaint is made may be required to give a written apology;
- additionally, they may be given a written warning, counselling, demotion, or be dismissed.

If the matter cannot be resolved through the previous steps, an independent mediator may also be used if required. The HR Manager must agree to any decisions before proceeding.

If the investigation is inconclusive (the complaint cannot be proved due to lack of evidence), Sans Pants Group may nevertheless take a number of actions. These may include training of all employees, and monitoring behaviour of all employees.

If the complaint is found to have been completely fabricated, appropriate disciplinary action may be taken against the complainant depending on the seriousness of the allegations, including counselling; a written apology to the person complained about; or an official written warning, demotion, or dismissal.

3.2 – PERFORMANCE MANAGEMENT:

Sans Pants Group is committed to providing all employees with prompt counselling aimed at addressing poor performance.

Any proposed disciplinary action will be fair and reasonable, taking into consideration the severity and nature of the offence and the employee's work record.

Sans Pants Group will also maintain its integrity and service to its clients by ensuring operational requirements are met. Consistent with this, employees who fail to respond to counselling after due process has been followed may have their employment terminated.

Employees whose performance is unsatisfactory will be given clear instructions as to the reasonable expectations of them in their job.

Poor Performance

Managers will aim to resolve any performance problems through informal discussions with employees during the normal course of work. These discussions should identify any problem areas and, if appropriate, result in an agreement as to next steps.

Poor performance issues may also be identified during the performance review process.

Employees are expected to:

- participate actively in these performance-related processes; and
- commit to following any reasonable suggestions made by their Manager about how to improve performance.

If the Manager thinks an employee is performing poorly in their role, they must notify to HR Manager. The employee may be asked to attend a formal meeting. At this meeting, the Manager will:

- describe how it is that the employee appears to be performing poorly, including what is expected of the employee and how the employee is falling short of those expectations;
- outline the possible ramifications of not meeting these expectations (including termination of employment);
- give the employee the opportunity to respond to allegations of poor performance against them; and
- if applicable, provide the employee with steps and timeframes for the performance issues to be remedied.

Employees may invite a support person to be present at performance management meetings.

Disciplinary meetings may result in a formal letter of warning or other forms of disciplinary action, a copy of which will be provided to the employee, and a copy will be placed on the employee's file.

If the employee's performance does not improve as required, appropriate disciplinary action may be taken.

3.3 – DISCIPLINARY PROCESS:

Meeting

If there is evidence that an employee has engaged in unacceptable behaviour or conduct, then a meeting will be set up between that employee and a Manager and HR.

At this meeting, the Manager will:

- describe the allegations against the employee;
- outline the expected standards of behaviour;
- outline the possible ramifications of not complying with these standards (including termination of employment);

- give the employee the opportunity to respond to the allegations against them; and
- if applicable, provide the employee with steps and timeframes to remedy the situation.

Employees may invite a support person to be present at disciplinary meetings.

This meeting may result in a formal letter of warning, or other forms of disciplinary action, a copy of which will be provided to the employee, and a copy will be placed on the employee's file.

Sanctions

If Sans Pants Group reasonably believes that an employee is guilty of misconduct that is not serious misconduct, then the disciplinary action will vary from case to case depending on the particular facts and circumstances. However, the disciplinary action may include:

- verbal warnings;
- counselling sessions;
- written warnings – both formal warnings and final warnings;
- a transfer to other duties;
- demotion;
- suspension; or
- termination of employment.

Not all of these steps need to occur or, if they do, need not necessarily occur in any particular order.

Serious Misconduct

If Sans Pants Group reasonably believes that an employee has engaged in serious misconduct, then the employee may be dismissed without notice or payment in lieu of notice.

Serious misconduct includes, but is not limited to:

- theft or other dishonesty;
- any act or omission for which an employee is charged with, or convicted of, a criminal offence — other than a minor road traffic offence;
- repeated or serious acts of negligence in performing duties of employment;
- insulting or using objectionable or offensive language to colleagues, clients, or other third parties;
- serious or persistent breaches of the employee's employment contract;
- failure to obey any reasonable and lawful instruction regarding performance of employment duties;
- unauthorised absence from duty;
- gross insubordination;
- careless or deliberate damage to Sans Pants Group property;
- careless or deliberate breaking of any rule or regulation — whether statutory or company — which is capable of injuring or endangering anybody, or of leaving Sans Pants Group open to prosecution or censure;
- any conduct — whether at or outside work — which in the company's reasonable view may jeopardise Sans Pants Group good reputation or the success of the organisation;
- serious breach of any company rules, regulations or procedures — for example, those relating to occupational health and safety, privacy, equal opportunity, or non-compliance with the requirements of any license Sans Pants Group holds;

- assault, fighting or harassment on any grounds;
- misusing Sans Pants Group property or information systems, associated data, copyright, software or the telecommunications network. This includes but is not limited to; sending offensive or inappropriate email or accessing, downloading, viewing or distributing offensive, unsuitable, obscene or pornographic web-pages or material from the internet — or links to any of them — or accessing pornographic telephone services. It can also include for example: accessing social networking websites in breach of Sans Pants Group policies and rules; making unprofessional or inappropriate comments on that site about the organisation; etc.
- being under the influence of alcohol or drugs at work.

3.4 – TERMINATION OF EMPLOYMENT:

When termination issues arise, employees are treated fairly and equitably. Individuals involved in the termination of employees aim to meet industrial law standards for termination of employment. This applies both to the reason for the dismissal and the manner in which the dismissal is carried out.

Types of Termination

Sans Pants Group may terminate an employee's employment for reasons of:

- poor performance or misconduct;
- serious misconduct;
- the conclusion of a fixed term contract; or
- redundancy.

Each situation will be dealt with in a different manner.

Dismissal for performance or misconduct

Following the execution of performance management and/or disciplinary processes, if the employee fails to remedy the poor performance or behavioural issue(s) within an acceptable time, Sans Pants Group may then initiate dismissal proceedings.

That will involve an official termination meeting where the HR Manager will explain:

- that the employee's conduct or performance has not improved;
- the steps the employer has taken to remedy the problem in the past; and
- the fact that, unless the employee can adequately explain his or her conduct or performance, then the employer may dismiss the employee.

The employee may have a support person with them at the meeting.

If the employee is unable to adequately explain his or her conduct or performance the HR Manager will orally inform the employee that they are to be dismissed and then follow that up with a written notice of termination. That notice should state the reasons for the dismissal, i.e., performance or conduct, and the history of warnings given previously.

Terminations will be carried out with compassion and with due consideration to the employee, their colleagues and any other affected parties.

Dismissal for serious misconduct

The Directors are entitled to instantly dismiss an employee in circumstances where that employee has committed an act of serious misconduct.

In some cases, where the employee's act of serious misconduct is witnessed by a manager and where the act is blatant and inexcusable, the Directors may stand the employee down on full pay whilst the matter is investigated. Any stand down of employment must be authorised by the Directors.

The HR Manager will ascertain the facts before a decision is made to dismiss the employee. The HR Manager should interview all people who could assist the investigation. The offending employee should also be interviewed and provided with an opportunity to respond to the allegations.

Before dismissing the employee, the Directors should be satisfied on the balance of probabilities that the incident took place and ensure that all employee responses have been considered.

If the Directors decides that the employee should be dismissed, then the General Manager or Venue Manager should inform the employee in writing that their employment has been terminated.

An employee dismissed for serious misconduct is not entitled to payment in lieu of notice.

Cessation of fixed term contract

Where an employee is engaged on a fixed term contract, that employment contract shall cease in accordance with the terms of the contract. Where the term of the fixed contract is varied, the employee must be notified in writing. The General Manager should notify the employee of the contract expiry date prior to the cessation of the fixed term contract.

Dismissal by way of redundancy

Sans Pants Group recognises that from time-to-time positions at Sans Pants Group may become redundant. It is the policy of Sans Pants Group wherever possible to find alternative employment within the organisation for employees whose positions become redundant.

Where alternative employment is not available, the employee will be made redundant on the terms set out in this policy.

A redundancy occurs where the employee's position genuinely no longer exists for reasons related to the operation of the business. Redundancy does not involve questions of performance or conduct of the employee or employees being made redundant.

When it becomes apparent that a job or jobs will be made redundant, management shall consult with the employee(s) involved.

The employee(s) will be given notice of the date from which the redundancy is to take effect in accordance with their employment agreement, or the award entitlement, whichever is the greater.

The employee will be paid severance pay in accordance with the *Fair Work Act 2009 (Cth)*.

3.5 – CONSEQUENCES FOR POLICY BREACHES:

Disciplinary action, including termination of employment, may be taken against any person found to be in breach of this policy or any aspect of this policy.

3.6 – FURTHER INFORMATION:

If you are in any doubt as to any aspect of this policy, please talk to your manager.

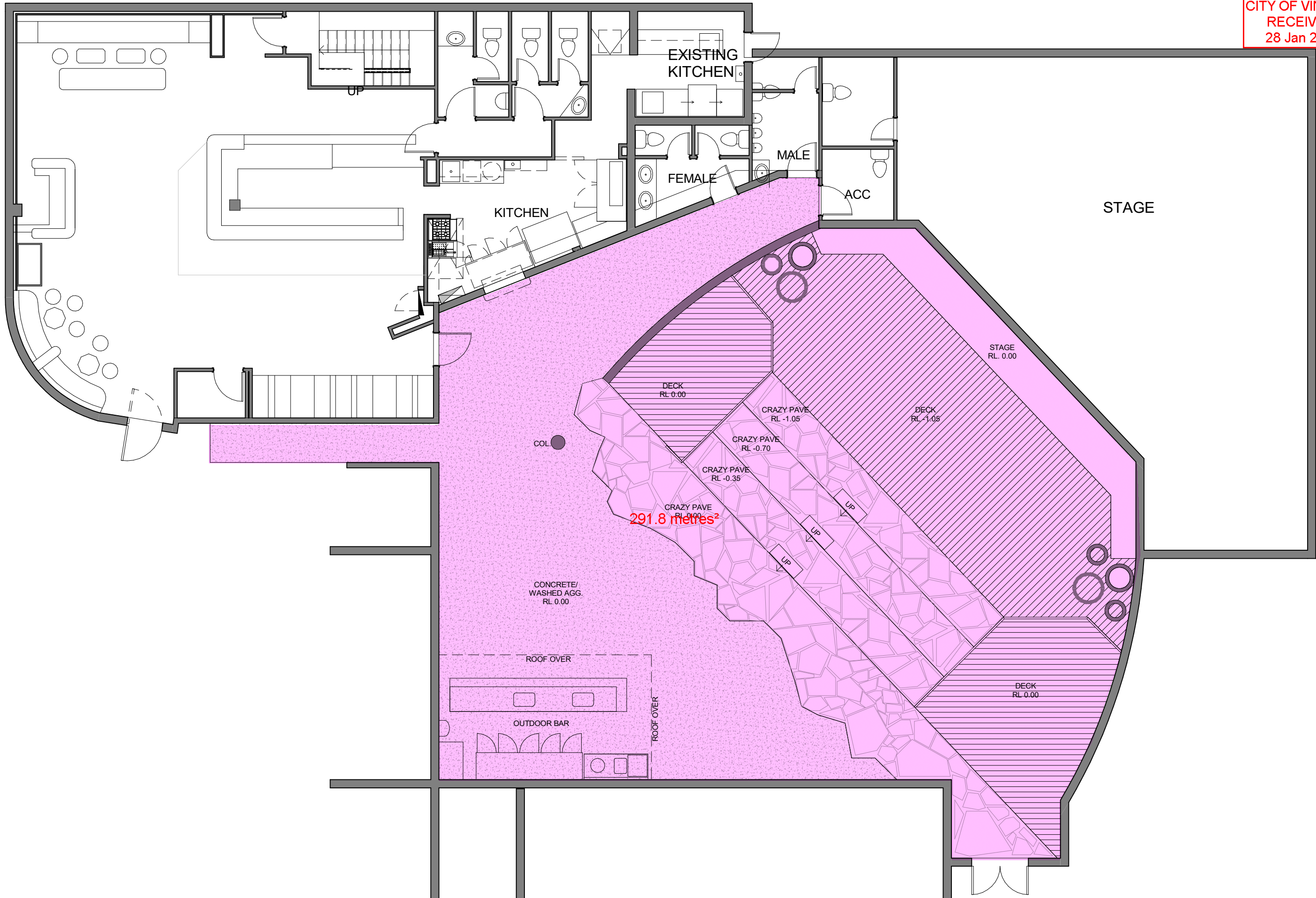
Code of Conduct, Workplace Behaviours, Grievance Dispute Resolution,
Performance Management & Termination policies

I, the undersigned, employed by SANS PANTS GROUP acknowledge the receipt of the Code of Conduct, Workplace Behaviours, and Grievance Dispute Resolution, Performance Management & Termination policies issued to me and that I have thoroughly read and understood its contents.

I sign below in agreement to observe and abide by the policy as specified, and to accept responsibilities, obligations and consequences, and any further updates as they become known to me via the various methods of communication used by the Group.

Signature: _____

Printed Name: _____



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REVISION SCHEDULE		
A	30/07/18	ISSUE FOR APPROVAL

FIRST ISSUE 17.07.2018
NOTE ALL DIMENSIONS ARE TO BE CHECKED PRIOR TO THE COMMENCEMENT OF WORKS

DRAWN BY MS

CLIENT LATE NIGHT VALENTINE
PROJECT ADDRESS 446 BEAUFORT ST HIGHGATE

FOR CONSTRUCTION
DRAWING NAME AMPHITHEATRE PLAN
DRA 180717/ A102

DATE 30/07/2018 10:36:15 pm
SCALE 1 : 100@A3
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