

Attachment 1 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Engineering Referral comments



MEMO

To: Alexandra Paraskevakis
From: Artemis Bacani
Date: 23 April 2021
Subject: Application No: PLN19/0221.01
 Description: Amendment for Gym Use
 Site Address: 142 Johnston Street, Fitzroy

I refer to the above Planning Application received on 22 April 2021 in relation to the proposed development at 142 Johnston Street Fitzroy. Council's Engineering Referral team provides the following information:

Drawings and Documents Reviewed

	Drawing No. or Document	Revision	Dated
City of Yarra	Planning Permit – PLN19/0221		20 April 2020
Andrew Carija Architects	A102 Proposed Floor Plan	C	8 February 2021
	A102 Basement Floor Plan	A	8 February 2021

The amendment for Planning Application PLN19/0221.01 proposes an increase in the number of patrons from 12 to 39 – an increase of 27 patrons. The number of staff at the fitness studio will remain at four.

No additional car spaces is proposed within the basement car park.

CAR PARKING PROVISION

Proposed Development

Under the provisions of Clause 52.06-5 of the Yarra Planning Scheme, the development's parking requirements are as follows:

Proposed Use	Quantity/ Size	Statutory Parking Rate	No. of Spaces Required	No. of Spaces Allocated
Restricted Recreation Facility (Fitness Studio)	27 patrons	Rate Not Specified	To the satisfaction of the Responsible Authority	0

* Since the site is located within the Principal Public Transport Network Area, the parking rates in Column B of Clause 52.06-5 now apply.

To reduce the number of car parking spaces required under Clause 52.06-5 (including to reduce to zero spaces), the application for the car parking reduction must be accompanied by a Car Parking Demand Assessment.

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Car Parking Demand Assessment

In reducing the number of parking spaces required for the proposed development, the Car Parking Demand Assessment would assess the following:

- *Parking Demand for the Restricted Recreational Facility Use.*
All parking for the additional patrons would be accommodated off-site. Restricted recreation facilities in the municipality (including pilates studios, gymnasiums, dance schools etc) have been approved with either no on-site parking or with one or two on-site spaces. The table below provides some recently approved recreation facilities in Yarra:

Development Site	Approved Parking
Cremorne	
Yoga Studio 94 Cubitt Street PLN15/0019 issued 4 May 2016	2 on-site spaces (32 patrons)
Abbotsford	
Gymnasium (24 hour) 563 Victoria Street PLN16/0948 issued 3 February 2017	No on-site car parking (40 patrons)
Yoga Studio 96 Nicholson Street PLN14/1065 issued 27 July 2015	No on-site car parking (12 patrons)
Fitzroy	
Gymnasium (24 hour) 224 Brunswick Street PLN14/0892 issued 14 January 2015	No on-site car parking (40 patrons)

The site is located along a bus route allowing staff and patrons to commute to and from the site by public transport.

- *Availability of Public Transport in the Locality of the Land.*
The following public transport services can be accessed to and from the site by foot:
 - Johnston Street bus services – 50 metre walk
 - Brunswick Street tram services – 100 metre walk
 - Smith Street tram services – 390 metre walk
 - Nicholson Street tram services – 410 metre walk
- *Multi-Purpose Trips within the Area.*
Patrons to the site might combine their visit by engaging in other activities or business whilst in the area.
- *Convenience of Pedestrian and Cyclist Access.*
The site is easily accessible by pedestrians and bicycles.

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Appropriateness of Providing Fewer Spaces than the Likely Parking Demand

Clause 52.06 lists a number of considerations for deciding whether the required number of spaces should be reduced. For the subject site, the following considerations are as follows:

- *Availability of Car Parking.*

Due to the COVID-19 restrictions, car parking occupancy surveys cannot be undertaken at this time as it would not provide an accurate representation of the car parking demands in the surrounding area.

The on-street parking in this part of Fitzroy is generally high during business hours and in the evenings. The area surrounding the subject site is blanketed in time-based parking restrictions which ensure that parking turns over frequently. Visitors to the site during business hours should be able to find an on-street car space near the site.

- *Relevant Local Policy or Incorporated Document.*

The proposed development is considered to be in line with the objectives contained in Council's *Strategic Transport Statement*. The site is ideally located with regard to sustainable transport alternatives and the reduced provision of on-site car parking would potentially discourage private motor vehicle ownership and use.

Adequacy of Car Parking

From a traffic engineering perspective, the reduction of parking for the site is considered appropriate in the context of the development and the surrounding area. The operation of the development should not adversely impact on existing on-street parking conditions in the area. The site is also well positioned to various public transport services.

The Engineering Referral team has no objection to the reduction in the car parking requirement for this site.

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Helping you understand your planning needs

**PLANNING PERMIT****Permit No:** PLN19/0221**Planning Scheme:** Yarra**Responsible Authority:** City Of Yarra**ADDRESS OF THE LAND:**

142 Johnston St Fitzroy VIC 3065

THE PERMIT ALLOWS:**Use of the land as a restricted recreation facility (fitness studio) and construction and display of business identification signage.****THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

1. Before the use or development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans (received 1 July 2019) but modified to show:
 - (a) A notation on the floor plan indicating that the fitout of the tenancy will be in accordance with the recommendations of the endorsed Acoustic Report at condition 9 of the permit.
 - (b) Deletion of extraneous notations on basement plans unrelated to planning application (bubbled text);
 - (c) Notation confirming the wall mounted bicycle racks are spaced at a minimum 500mm.
2. The use and development as shown on the endorsed plans (including location and details of the signs) must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Within two (2) months of completion of the works, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

Date: 28 April 2020


 Julian Larkins
 Signature for the Responsible Authority
Planning and Environment Regulations 2015 No. 33/2015 Form 4 Sections 63, 64 64A and 86

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For more information call 9205 5555 or visit www.yarracity.vic.gov.au

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4. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Use

5. No more than 12 patrons are permitted to participate in classes/fitness activities at any one time, without the prior written consent of the Responsible Authority.
6. No more than 4 staff/instructors are permitted on the land at any one time, without the prior written consent of the Responsible Authority.
7. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
 - (a) Monday to Friday: 5:30am - 10:00pm;
 - (b) Saturday: 6:30am - 7:00pm; and
 - (c) Sunday: 8:00am - 7:00pm.
8. The amenity of the area must not be detrimentally affected by the use, including through:
 - (d) the transport of materials, goods or commodities to or from land;
 - (e) the appearance of any buildings, works or materials;
 - (f) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (g) the presence of vermin.to the satisfaction of the Responsible Authority.
9. Before the use commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Dynamics and dated 18 December 2019, but modified to include (or show, or address):
 - (a) A music noise limiter/compressor installed and calibrated by a suitably qualified acoustic consultant to ensure SEPP N-2 compliant music levels are not exceeded at any time, with access to settings restricted to fitness studio management.
 - (b) The upgraded floor system incorporating springs and Regupol 4080 rubber matting (as set out in Table 3.9) for use under all parts of the workout area (including running machines and cardio area); or alternatively, post construction (fitout) tests conducted demonstrating that noise from the 12 running machines used concurrently (or as many as are likely to be used concurrently) meet the design L_{max} and L_{eq} targets in the apartments above.
10. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Date: 28 April 2020



Julian Larkins
Signature for the Responsible Authority

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11. Before the use commences, an amended Plan of Management to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Plan of Management will be endorsed and will form part of this permit. The amended Plan of Management must be generally in accordance with the Plan of Management submitted to Council on 22 January 2020 but modified to include (or show, or address):
 - (a) Consistency with the relevant recommendations contained within the acoustic report endorsed under Condition 9 of the permit; and
 - (b) Confirmation that waste management will be in accordance with the endorsed Waste Management Plan associated with planning permit PLN15/0632.
12. The provisions, recommendations and requirements of the endorsed Plan of Management must be implemented and complied with to the satisfaction of the Responsible Authority.
13. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
15. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
16. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

Advertising Signs

17. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
18. The signs must not include any flashing or intermittent light.

Expiry

19. The signage component of this permit expires 15 years from the date of the permit.
20. This permit will expire if:
 - (a) the signs are not displayed within two years of the date of this permit; or
 - (b) the use is not commenced within two years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 to confirm.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

Date: 28 April 2020


Julian Larkins
Signature for the Responsible Authority

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PLANNING PERMIT

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Planning and Environment Regulations 2015 No. 33/2015 Form 4 Sections 63, 64, 64A and 86

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ATTACHEMENT A

TITLE INFORMATION

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 12022 FOLIO 665

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LAND DESCRIPTION

Lot 2 on Plan of Subdivision 801044P.
PARENT TITLE Volume 08997 Folio 521
Created by instrument PS801044P 11/10/2018

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
INVEST ASSIST PTY LTD of UNIT 301 26 WILSON STREET SOUTH YARRA VIC 3141
AR590767V 25/10/2018

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AR590768T 25/10/2018
PERPETUAL CORPORATE TRUST LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS801044P FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 272 YOUNG STREET FITZROY VIC 3065

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS801044P

DOCUMENT END

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Document Identification	PS801044P
Number of Pages (excluding this cover sheet)	12
Document Assembled	01/12/2020 10:23

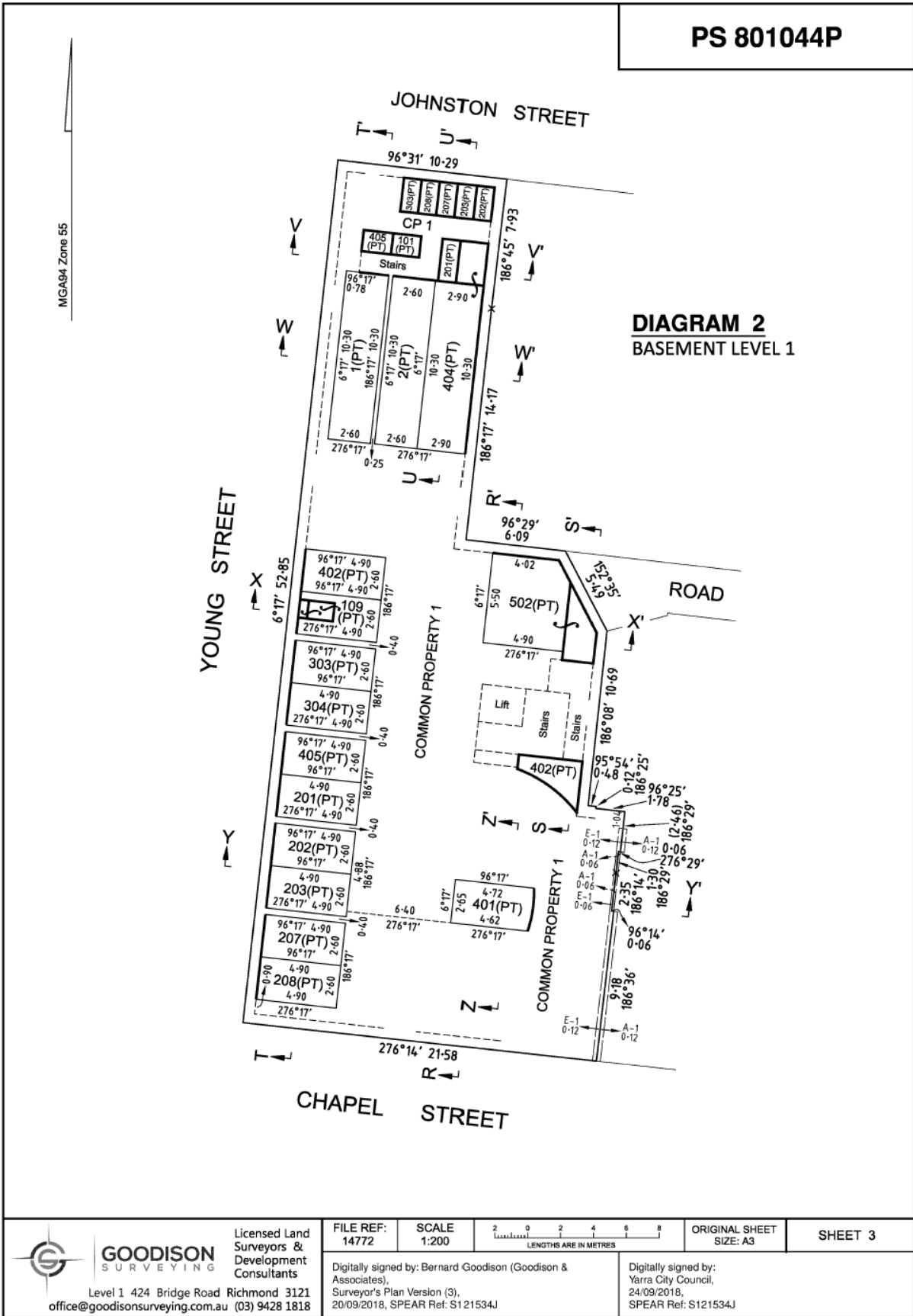
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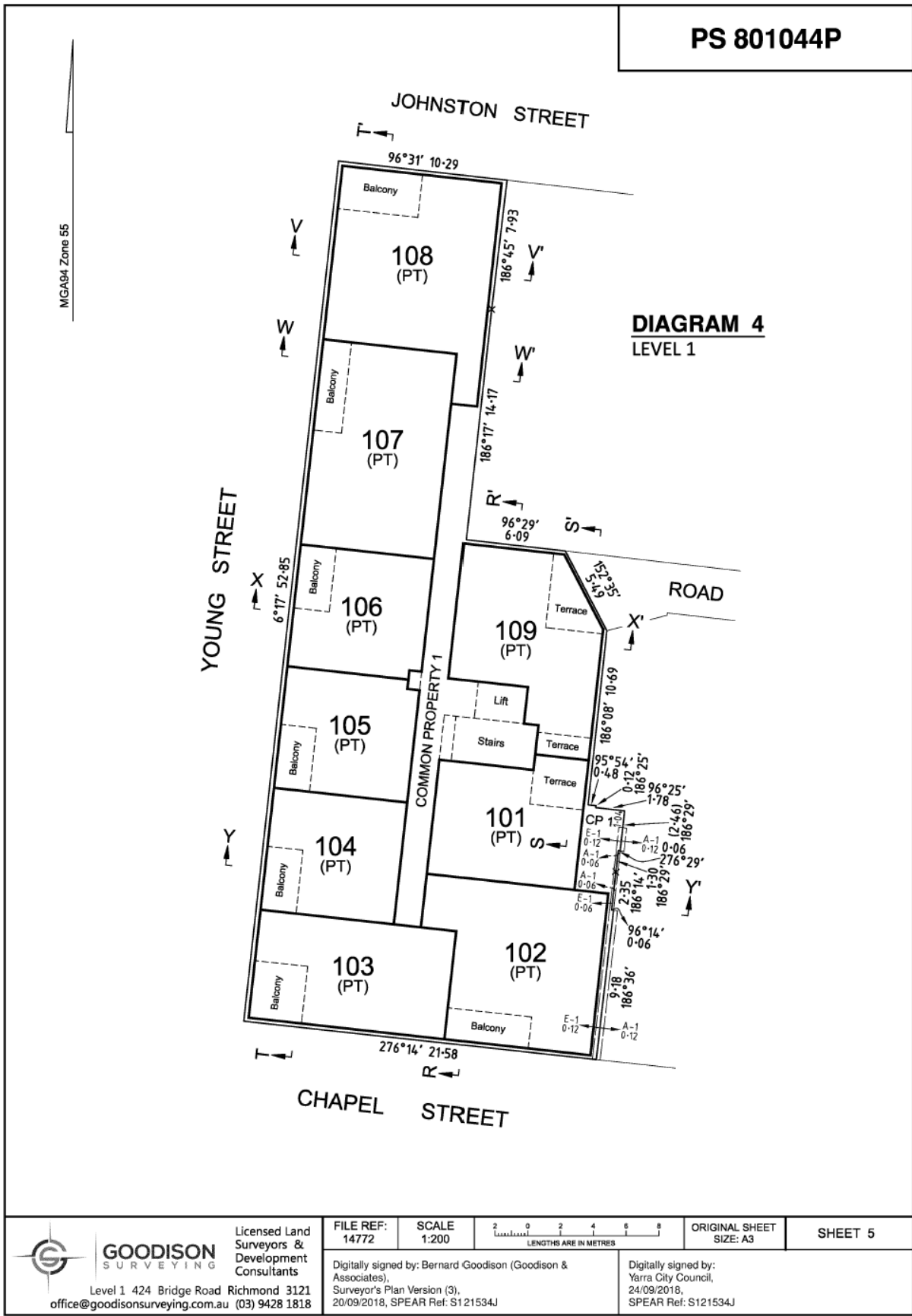


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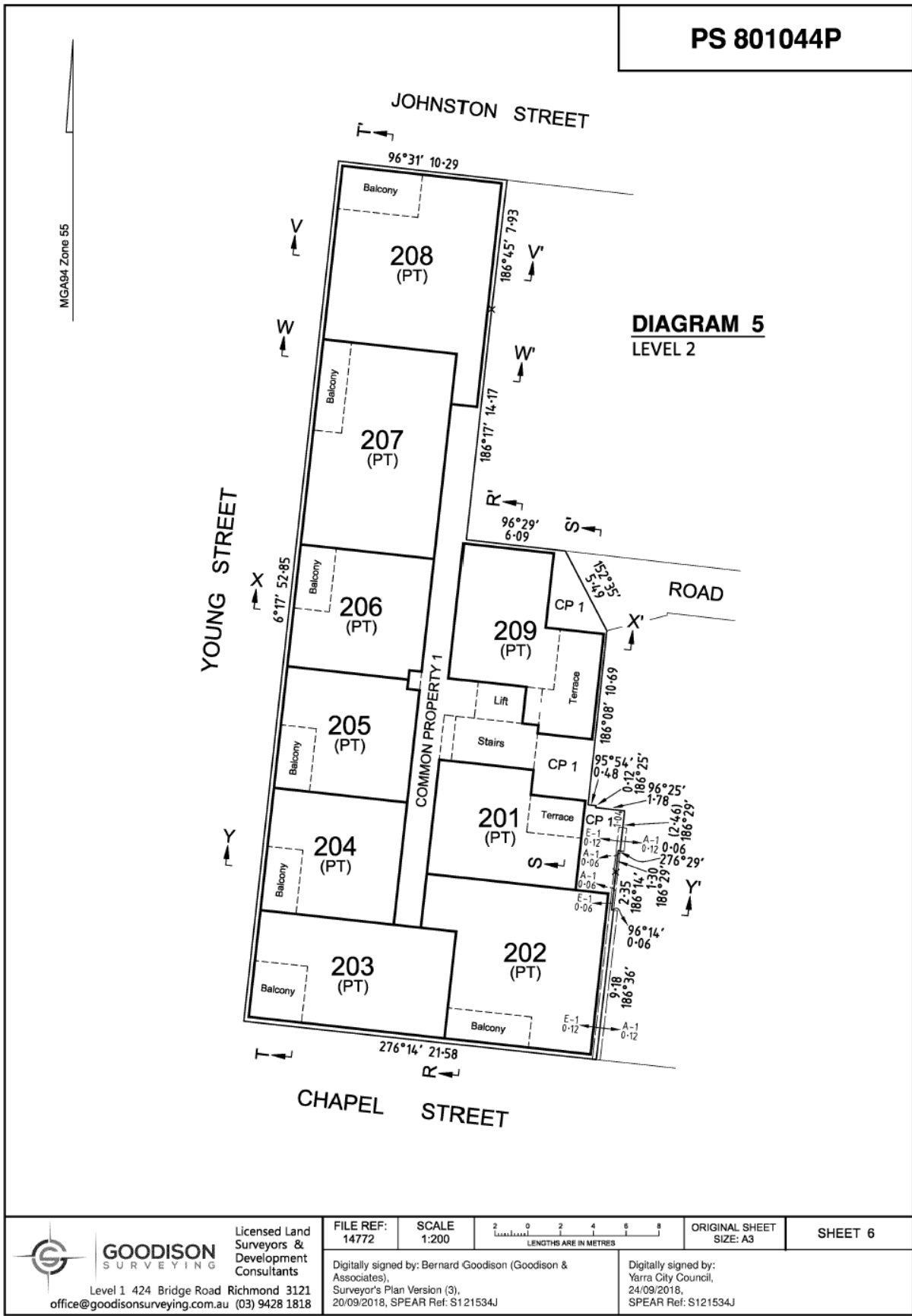


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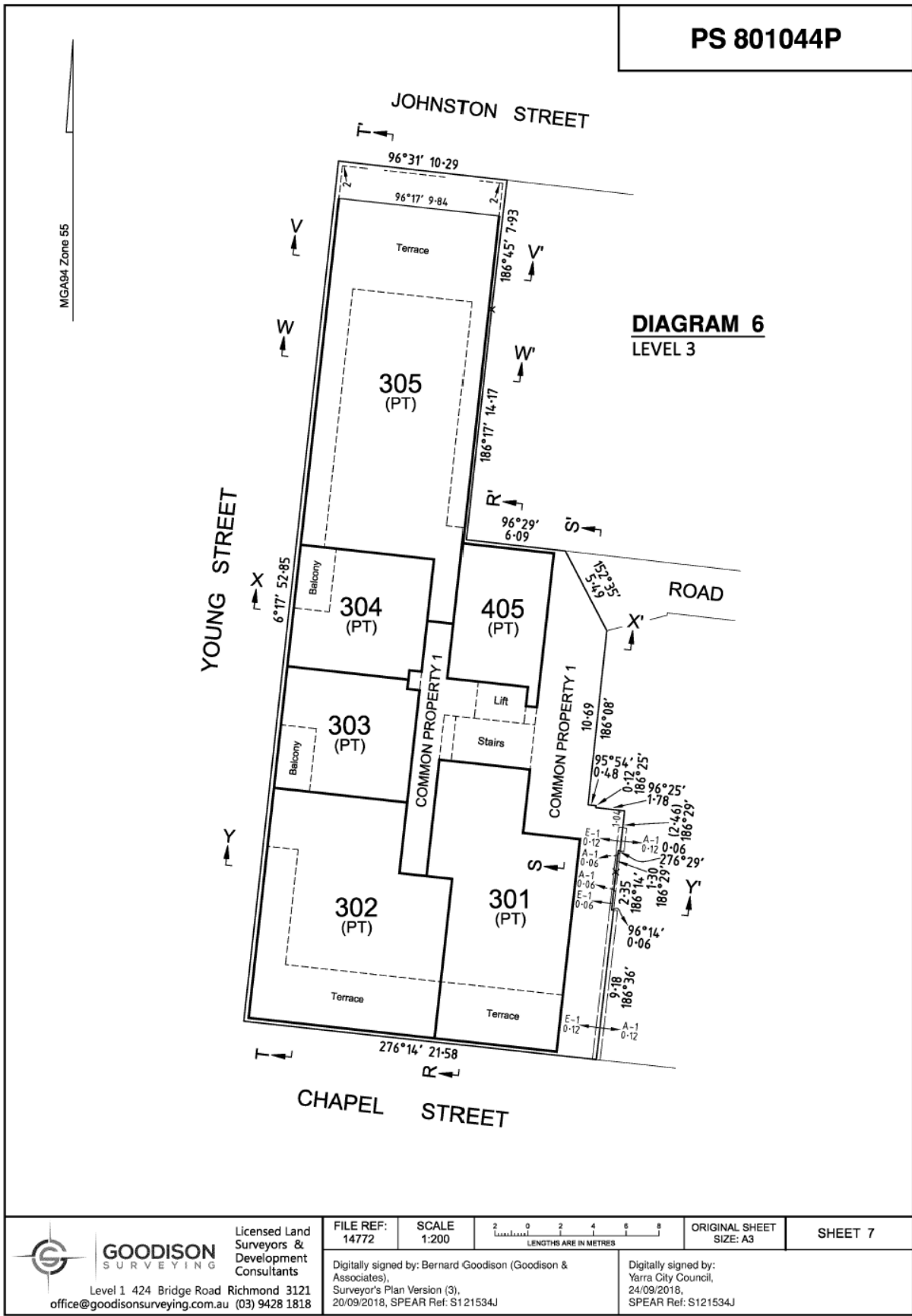


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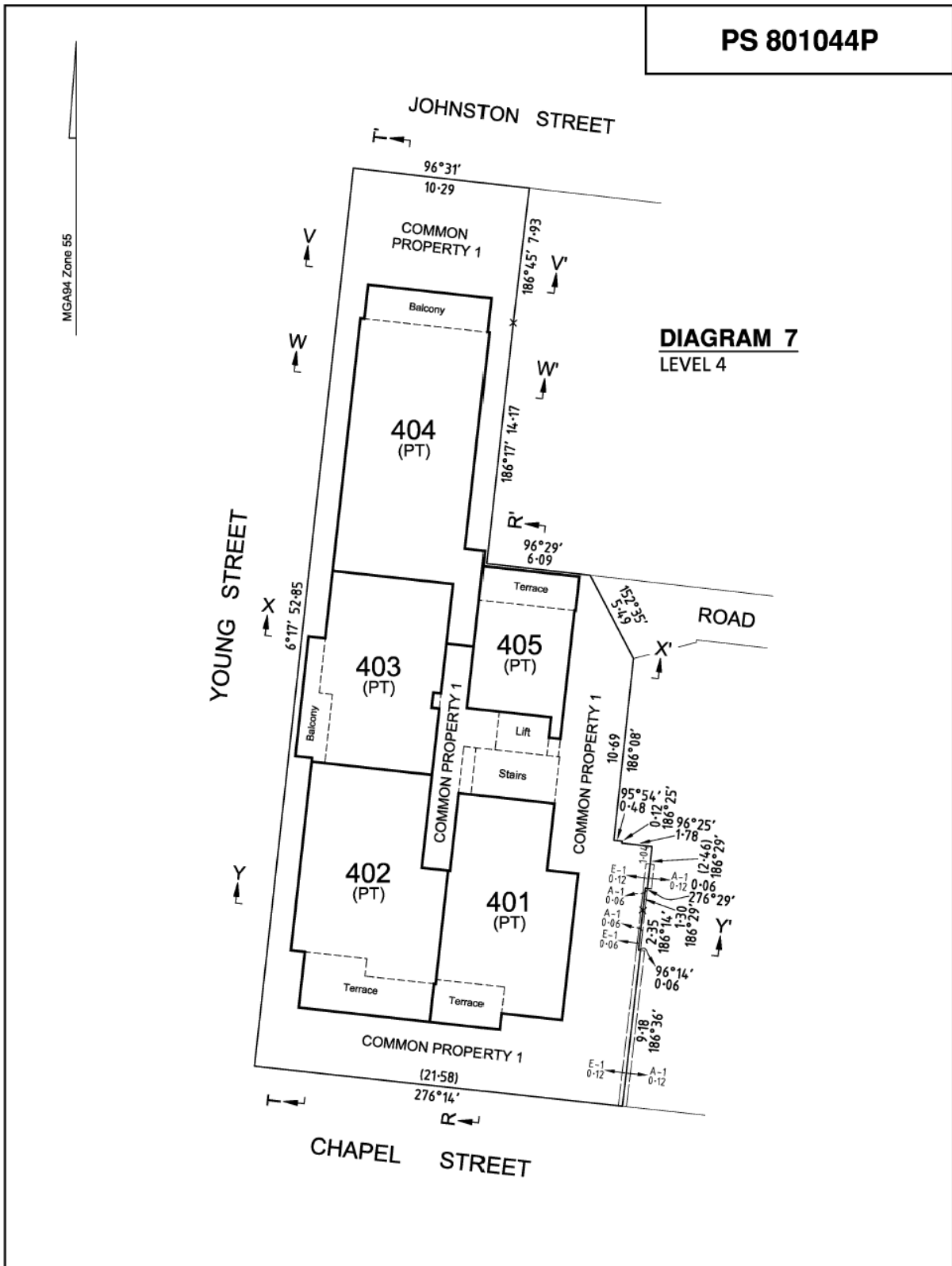
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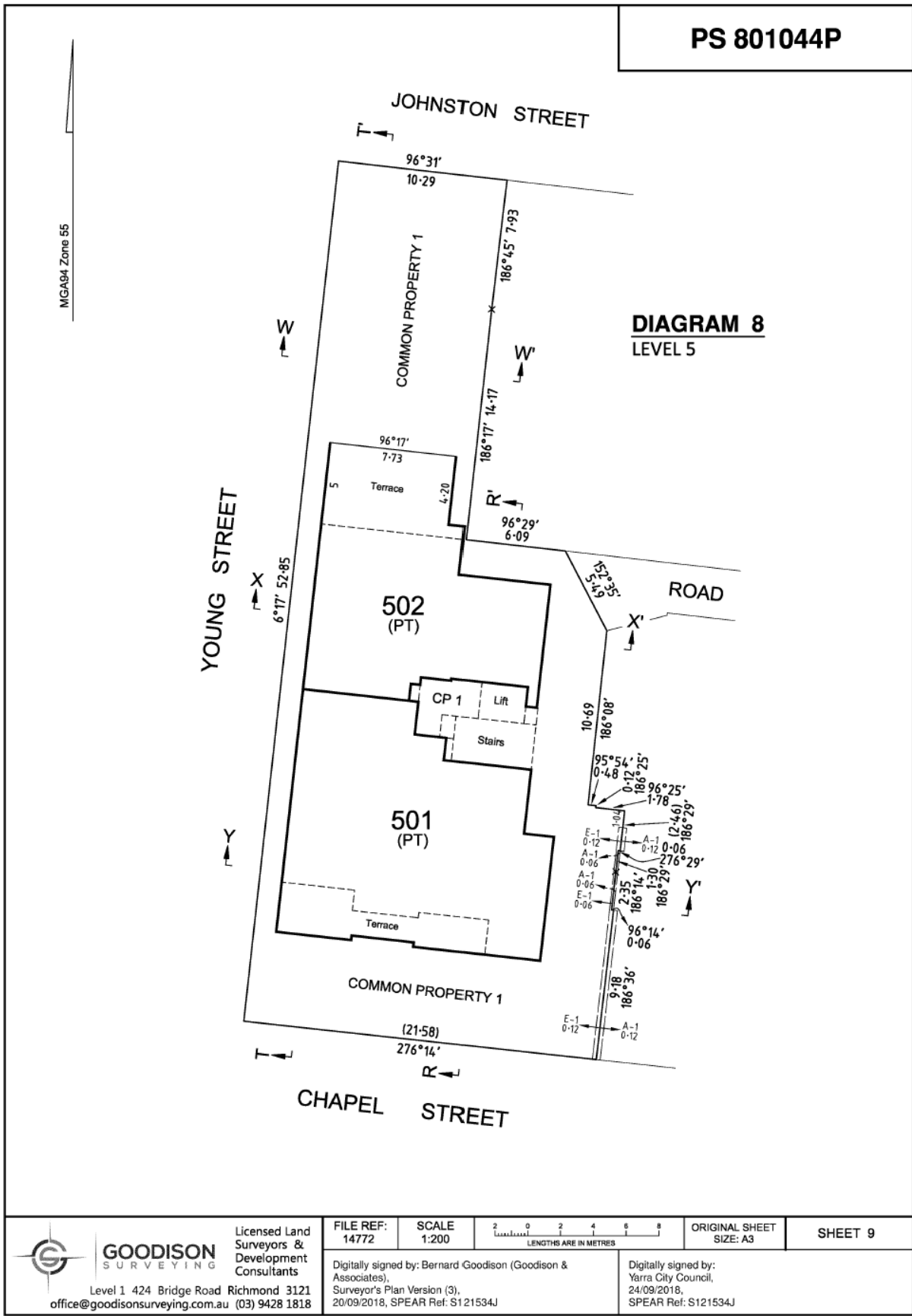


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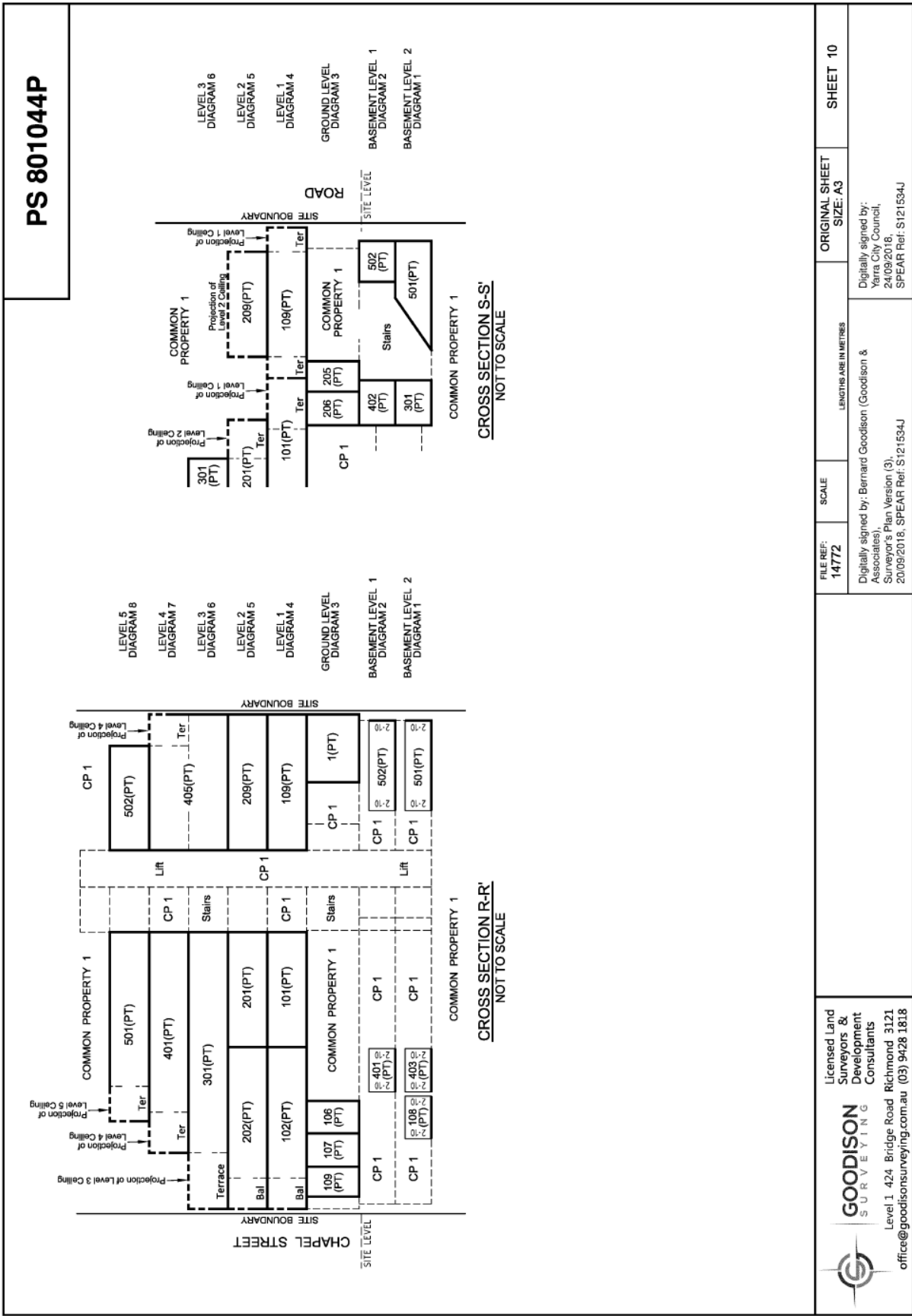


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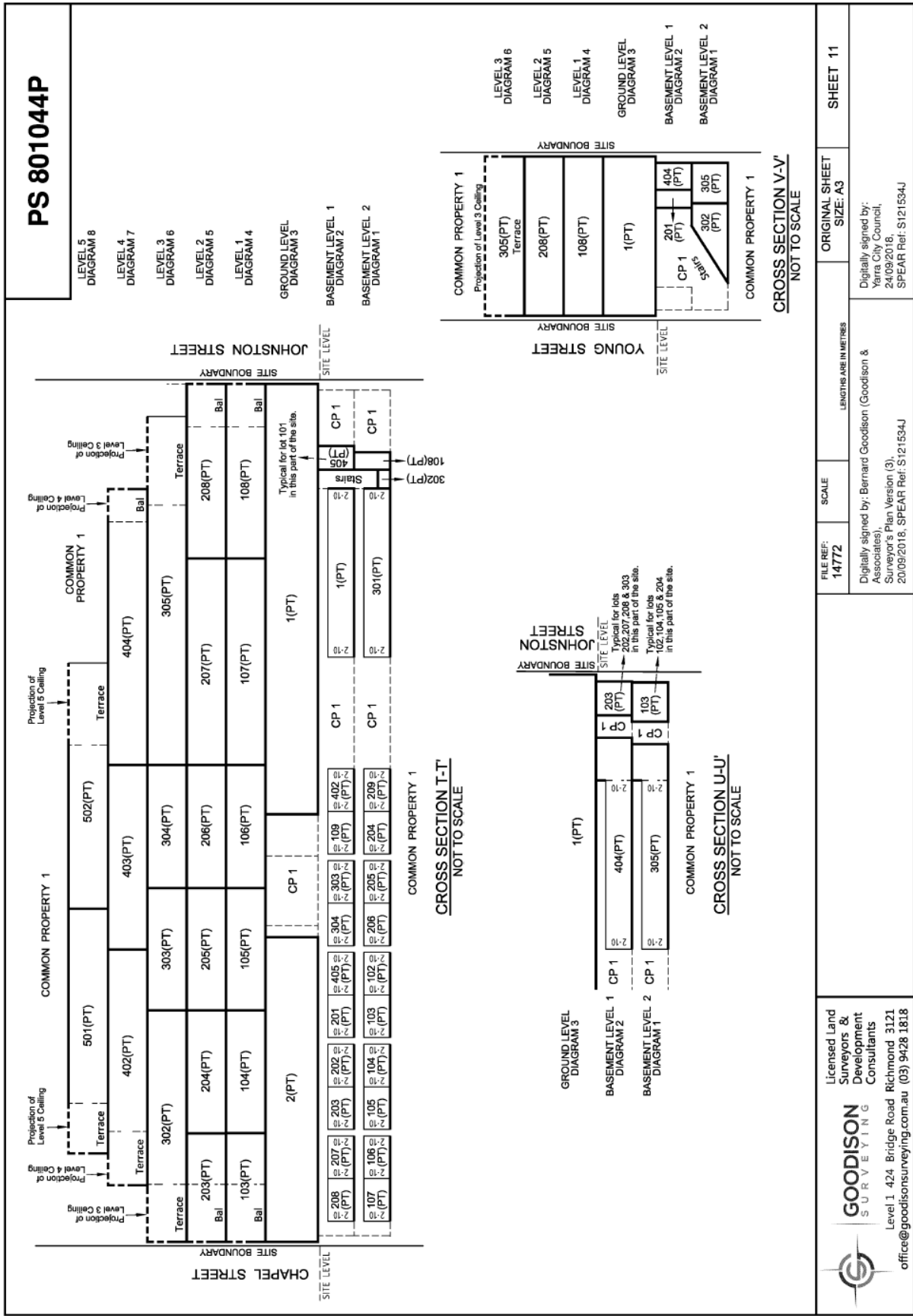
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PS 801044P

CROSS SECTION W-W
NOT TO SCALE

COMMON PROPERTY 1

CROSS SECTION X-X
NOT TO SCALE

COMMON PROPERTY 1

CROSS SECTION Y-Y
NOT TO SCALE

COMMON PROPERTY 1

CP 1 401 (PT) 2.10

CP 1 108 (PT) 2.10

CP 1 403 (PT) 2.10

COMMON PROPERTY 1

CROSS SECTION Z-Z
NOT TO SCALE

FILE REF: 14772

SCALE: LENGTHS ARE IN METRES

ORIGINAL SHEET SIZE: A3

SHEET 12

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24/09/2018,
20/09/2018, SPEAR Ref: S121534J

Level 1, 424 Bridge Road Richmond 3121
office@goodisonsurveying.com.au (03) 9428 1818

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Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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**OWNERS CORPORATION 1
PLAN NO. PS801044P**

The land in PS801044P is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 1, Lots 1, 2, 101 - 109, 201 - 209, 301 - 305, 401 - 405, 501, 502.

Limitations on Owners Corporation:

Unlimited

Postal Address for Services of Notices:

99 DRUMMOND STREET CARLTON VIC 3053

OC041184F 11/10/2018

Owners Corporation Manager:

NIL

Rules:

Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:

1. OC041185D 11/10/2018

Additional Owners Corporation Information:

OC041184F 11/10/2018

Notations:

NIL

Entitlement and Liability:

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 1	53	53
Lot 2	39	39
Lot 101	16	16
Lot 102	30	30
Lot 103	25	25
Lot 104	18	18



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Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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**OWNERS CORPORATION 1
PLAN NO. PS801044P**

Entitlement and Liability:

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Lot 105	18	18
Lot 106	18	18
Lot 107	31	31
Lot 108	32	32
Lot 109	22	22
Lot 201	17	17
Lot 202	31	31
Lot 203	26	26
Lot 204	18	18
Lot 205	18	18
Lot 206	18	18
Lot 207	32	32
Lot 208	33	33
Lot 209	18	18
Lot 301	38	38
Lot 302	41	41
Lot 303	20	20
Lot 304	20	20
Lot 305	55	55
Lot 401	31	31
Lot 402	41	41
Lot 403	30	30
Lot 404	50	50
Lot 405	31	31
Lot 501	75	75
Lot 502	55	55
Total	1000.00	1000.00

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan,



Attachment 3 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Advertising S52 - Certificate of Title



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

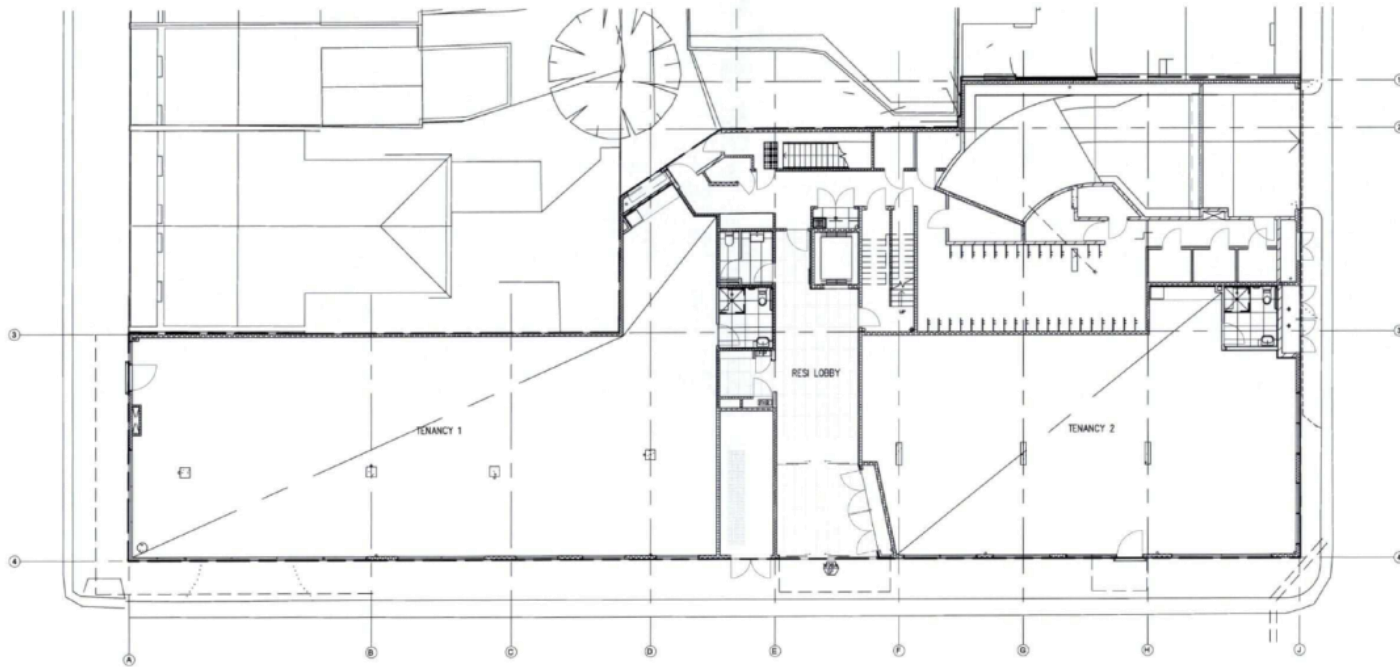
Produced: 01/12/2020 10:22:48 AM

**OWNERS CORPORATION 1
PLAN NO. PS801044P**

Instrument or Folio is to be read as a reference to an Owners Corporation.

Statement End.

Attachment 4 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Advertising S52 - Original Permit Decision Plans



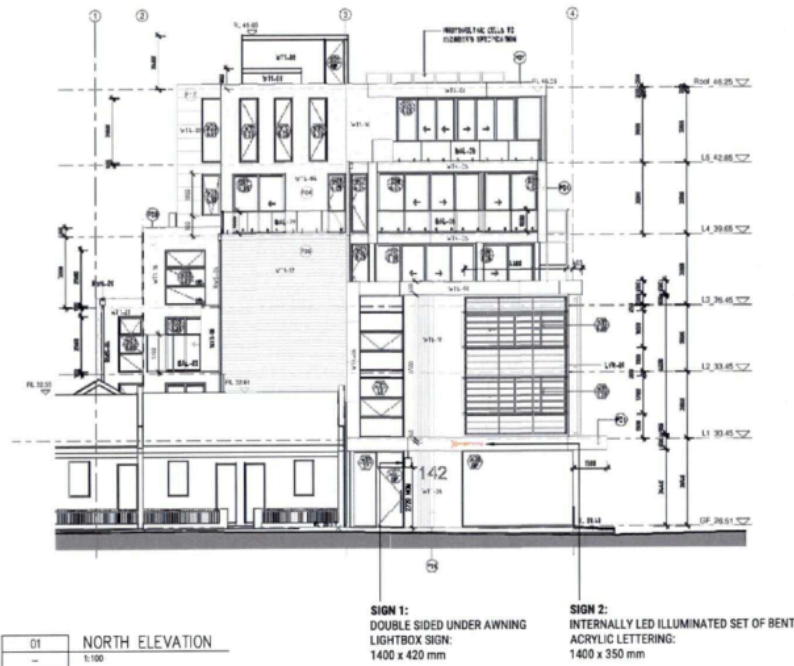
Amendments			
Issue No.	Date	Description	By
A	02.04.2019	PERMIT ISSUE	AC
B	20.05.2019	RPI RESPONSE	AC

Project No. 1901	A101
Client OFF THE PLAN INVEST	EXISTING FLOOR PLAN(GROUND) AS APPROVED UNDER PLANNING PERMIT PLN15/0632
Project ORANGE THEORY JOHNSON ST	
Address 142-144 JOHNSTON ST FITZROY, VIC	1:200 @ A3

andrew cogan
ARCHITECTS

217 Canning St Telephone 0434 954 228
Carlisle Victoria 3053 Email acogan@gmail.com
Australia

Attachment 4 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Advertising S52 - Original Permit Decision Plans

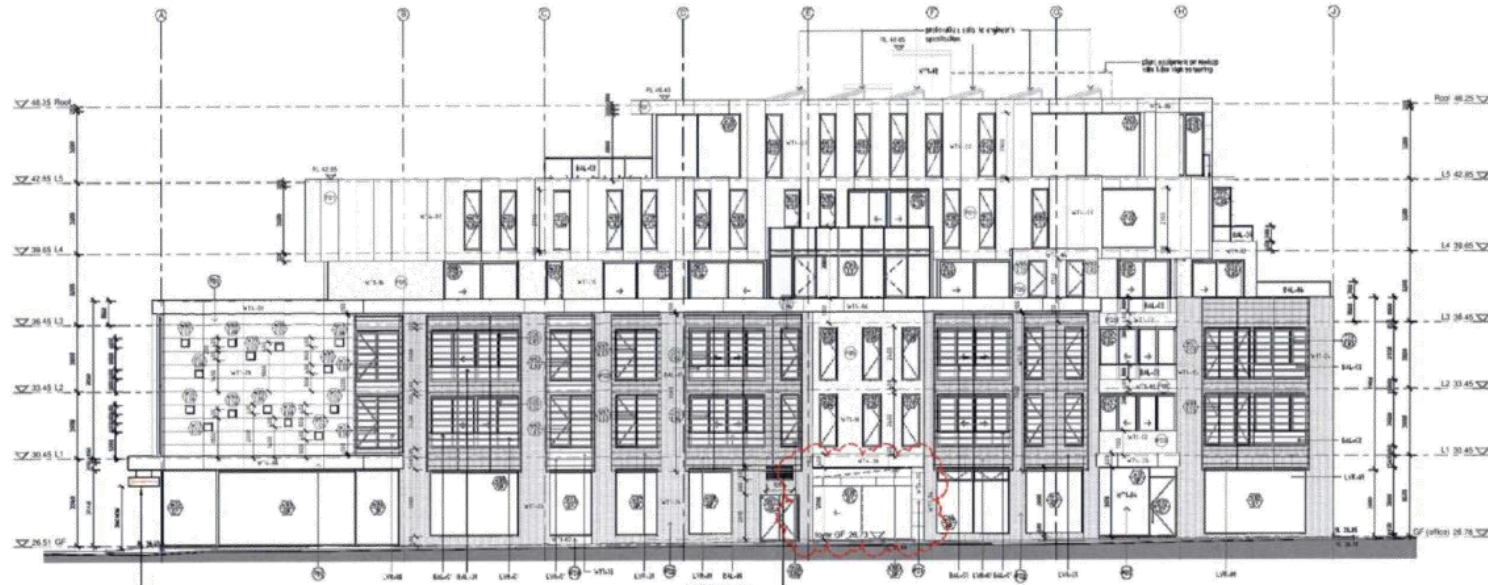


Amendments			
Issue No.	Date	Description	By
A	02.04.2019	PERMIT ISSUE	AC
B	20.05.2019	RFI RESPONSE	AC

Project No.	1901	A400	
Client	OFF THE PLAN INVEST	NORTH ELEVATION	
Project	ORANGE THEORY JOHNSON ST	1:200 @ A3	
Address	142-144 JOHNSTON ST FITZROY, VIC	217 Canning St Carlton VIC 3053 Australia Telephone 0434 964 228 Email aoorp@gmail.com	

andrew cogan
ARCHITECTS


Attachment 4 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Advertising S52 - Original Permit Decision Plans



SIGN 1:
DOUBLE SIDED UNDER AWNING
LIGHTBOX SIGN:
1400 x 420 mm

01 WEST ELEVATION
1:100

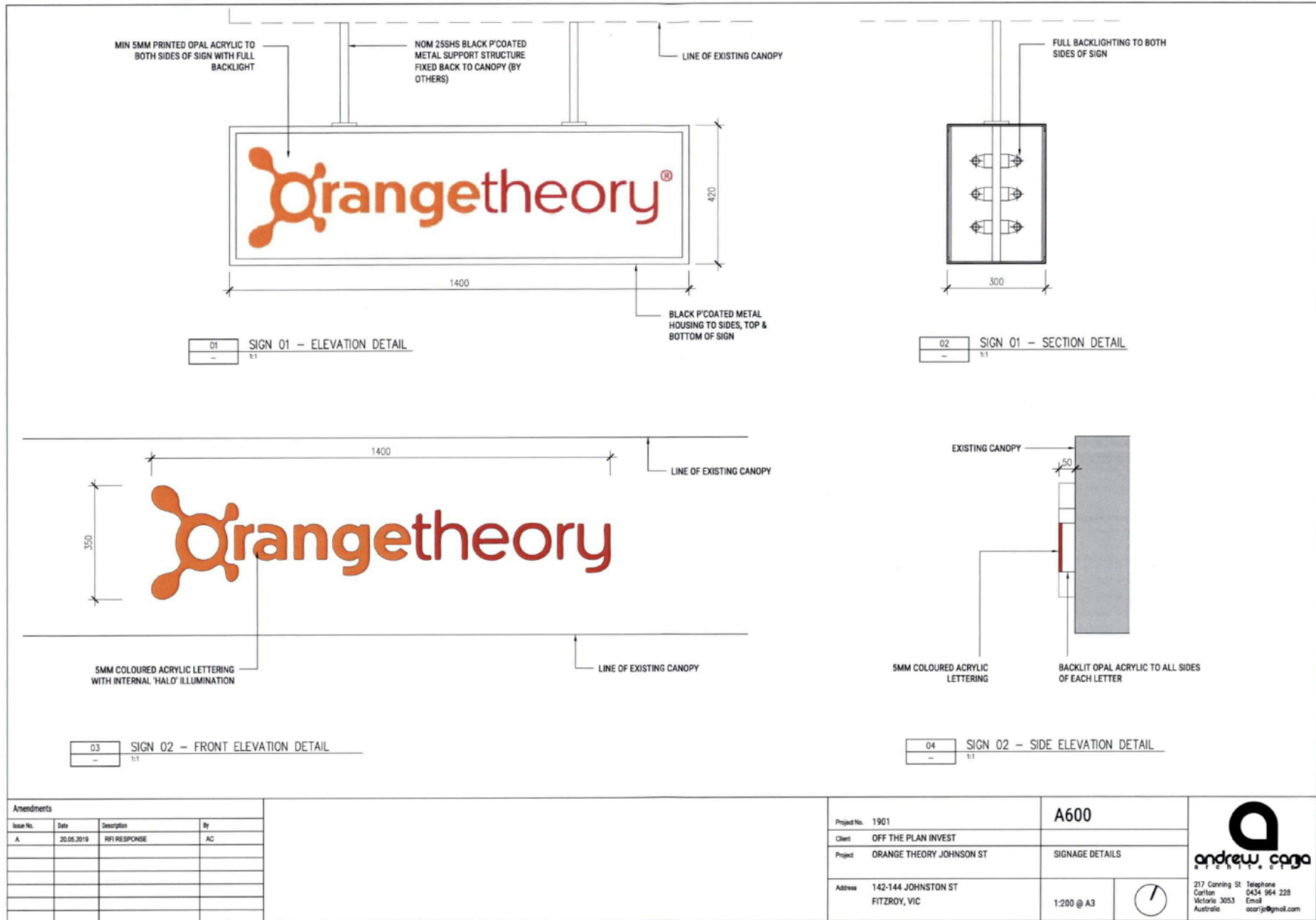
Amendments			
Issue No.	Date	Description	By
A	02.04.2019	PERMIT ISSUE	AC
B	20.05.2019	RFI RESPONSE	AC

Project No.	1901	A401	
Client	OFF THE PLAN INVEST	WEST ELEVATION	
Project	ORANGE THEORY JOHNSON ST	1:200 @ A3	
Address	142-144 JOHNSTON ST FITZROY, VIC	217 Canning St Telephone Carlton 0434 964 228 Victoria 3053 Email Australia scarij@gmail.com	



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Attachment 4 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Advertising S52 - Original Permit Decision Plans



Amendments			
Issue No.	Date	Description	By
A	20.05.2019	RFI RESPONSE	AC

Project No.	1901	A600	
Client	OFF THE PLAN INVEST	SIGNAGE DETAILS	
Project	ORANGE THEORY JOHNSON ST	1:200 @ A3	
Address	142-144 JOHNSTON ST FITZROY, VIC	217 Corning St Telephone Carlton 0434 964 228 Victoria 3053 Email Australia acorj@gmail.com	

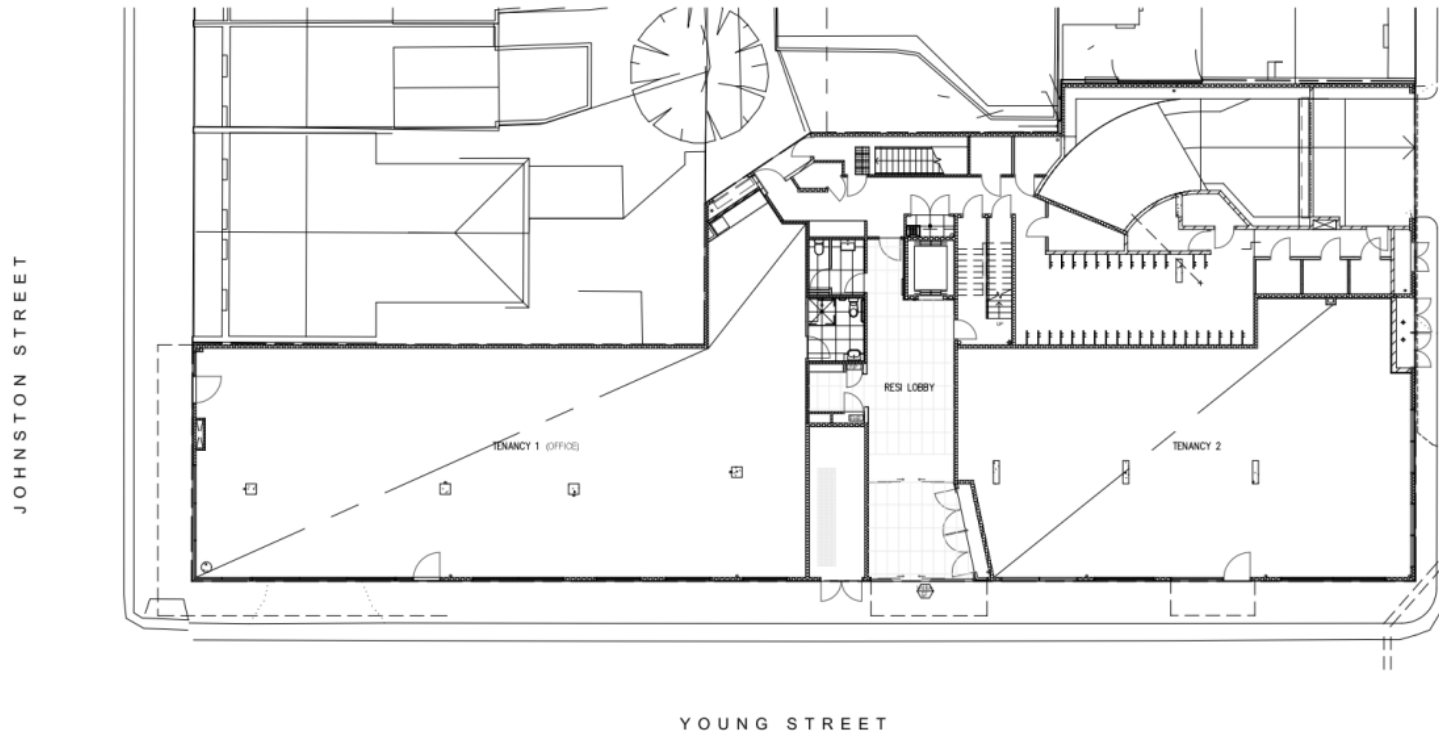
andrew coga
ARCHITECTS

Attachment 5 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 Amendment decision plans

ATTACHEMENT C

**PLANS SHOWING THE LAYOUT AND DETAILS OF
PROPOSAL (INCLUDING SIGNAGE DETAILS)**

Attachment 5 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 Amendment decision plans



Amendments			
Issue No.	Date	Description	By
A	15.11.2020	PERMIT ISSUE	AC
B	08.02.2021	REVISED PERMIT ISSUE	AC

Project No.	1901
Client	OFF THE PLAN INVEST
Project	JOHNSON ST TENANCY 2
Address	142-144 JOHNSTON ST EUTROX VIC

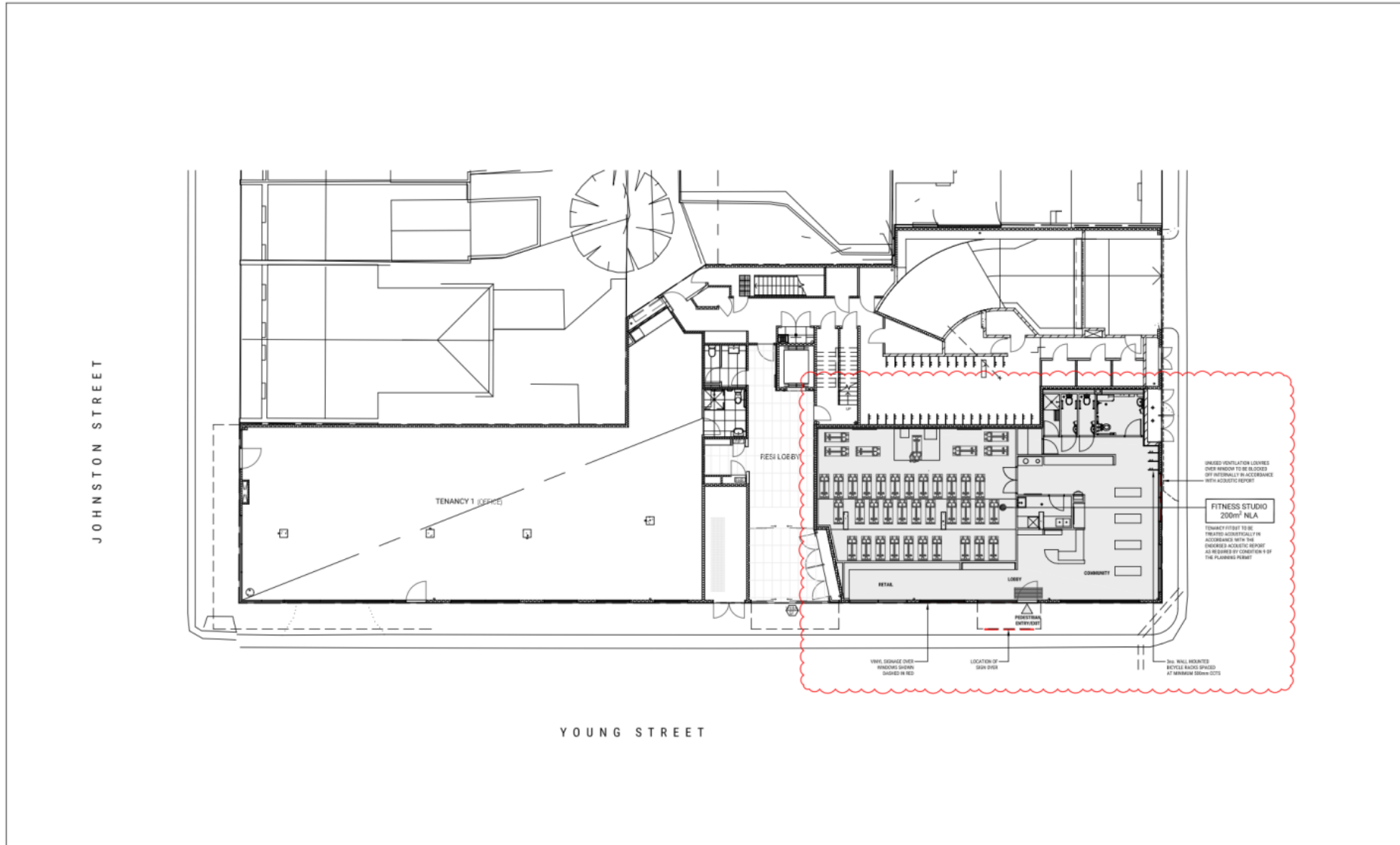
A101
EXISTING FLOOR PLAN
1:200@A3



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Attachment 5 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 Amendment decision plans



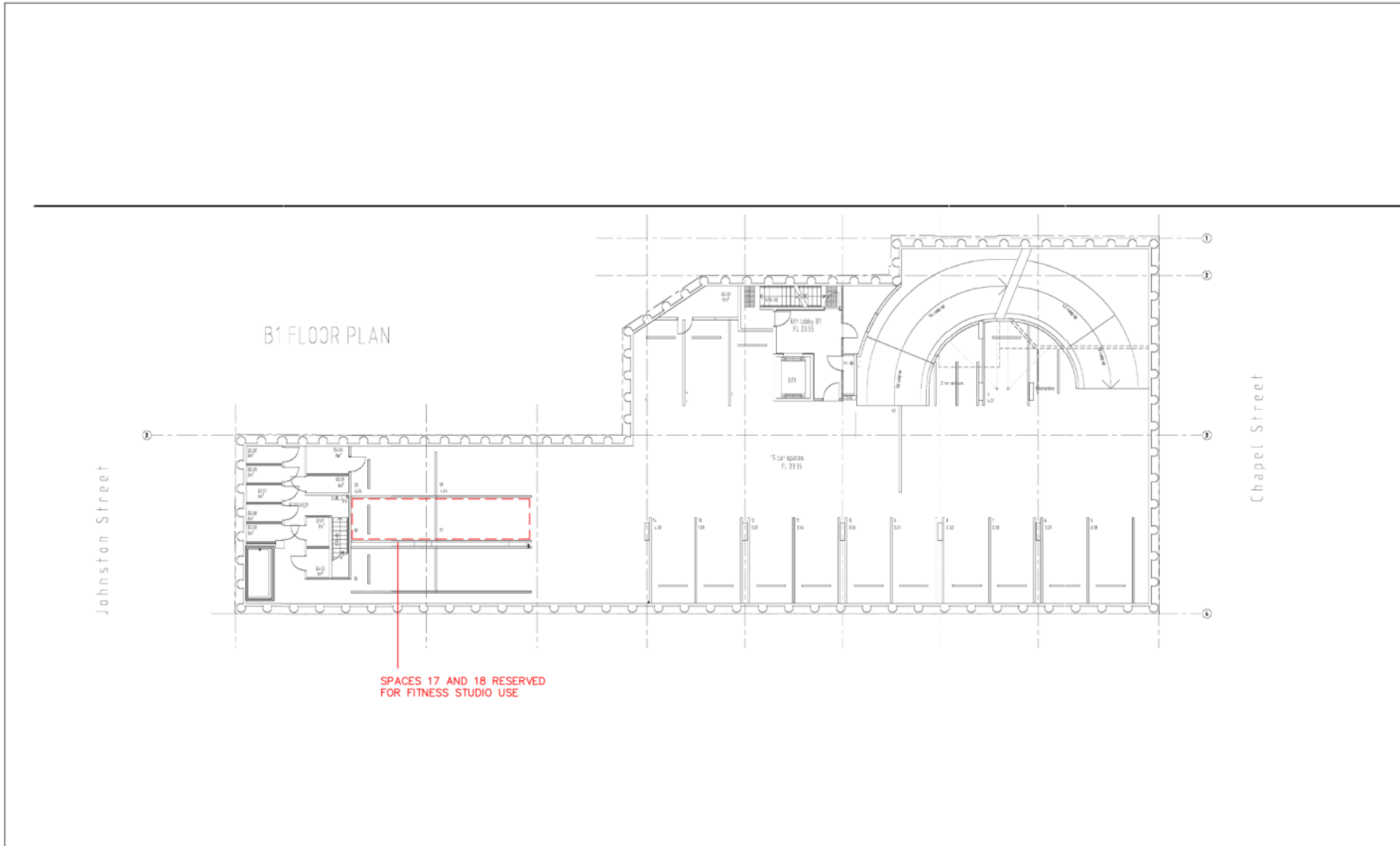
Amendments			
Issue No.	Date	Description	By
A	15.11.2020	PERMIT ISSUE	AC
B	06.01.2021	RFI RESPONSE	AC
C	06.02.2021	REVISED PERMIT ISSUE	AC

Project No.	1901	A102	
Client	OFF THE PLAN INVEST	PROPOSED FLOOR PLAN	
Project	JOHNSTON ST TENANCY 2		
Address	142-144 JOHNSTON ST EUTROX VIC	1:200@A3	

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 Carlton 0434 964 228
 Victoria 3053 Email
 Australia acarga@gmail.com

Attachment 5 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 Amendment decision plans



Amendments			
Issue No.	Date	Description	By
A	06.02.2021	REVISED PERMIT ISSUE	AC

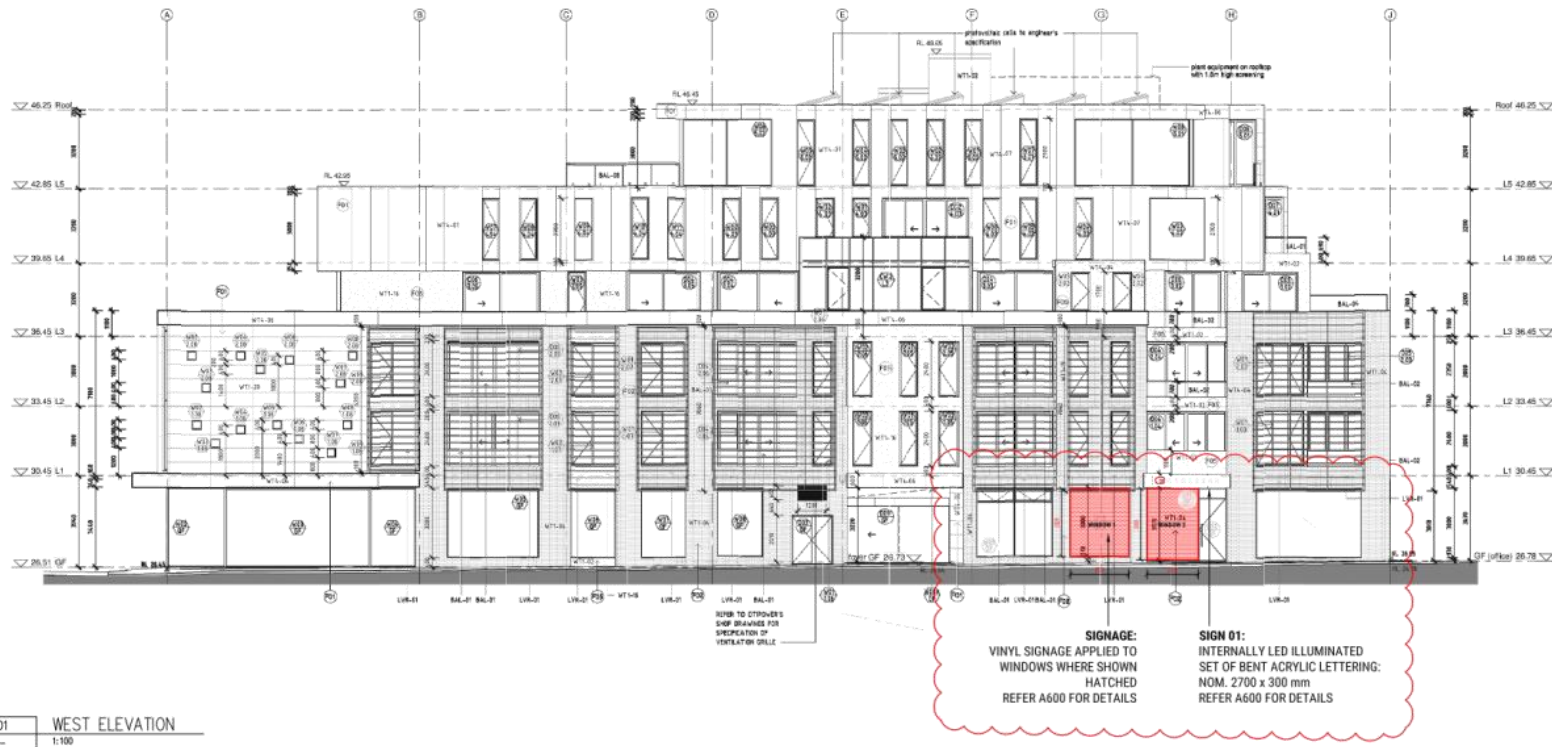
Project No.	1901
Client	OFF THE PLAN INVEST
Project	JOHNSON ST TENANCY 2
Address	142-144 JOHNSTON ST EUTROB, VIC.

A102
BASEMENT 1 FLOOR PLAN
1:200@A3

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Australia

Attachment 5 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 Amendment decision plans



01 WEST ELEVATION
1:100

Amendments			
Issue No.	Date	Description	By
A	15.11.2020	PERMIT ISSUE	AC
B	06.01.2021	RFI RESPONSE	AC
C	06.02.2021	REVISED PERMIT ISSUE	AC

Project No.	1901	A400	
Client	OFF THE PLAN INVEST	WEST ELEVATION	
Project	JOHNSTON ST TENANCY 2		
Address	142-144 JOHNSTON ST EUT7BOX,VIC.	1:200@-A3	

andrew carga


217 Canning St Telephone 0434 964 228
 Carlton Victoria 3053 Email
 Australia acarga@gmail.com

Attachment 5 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 Amendment decision plans

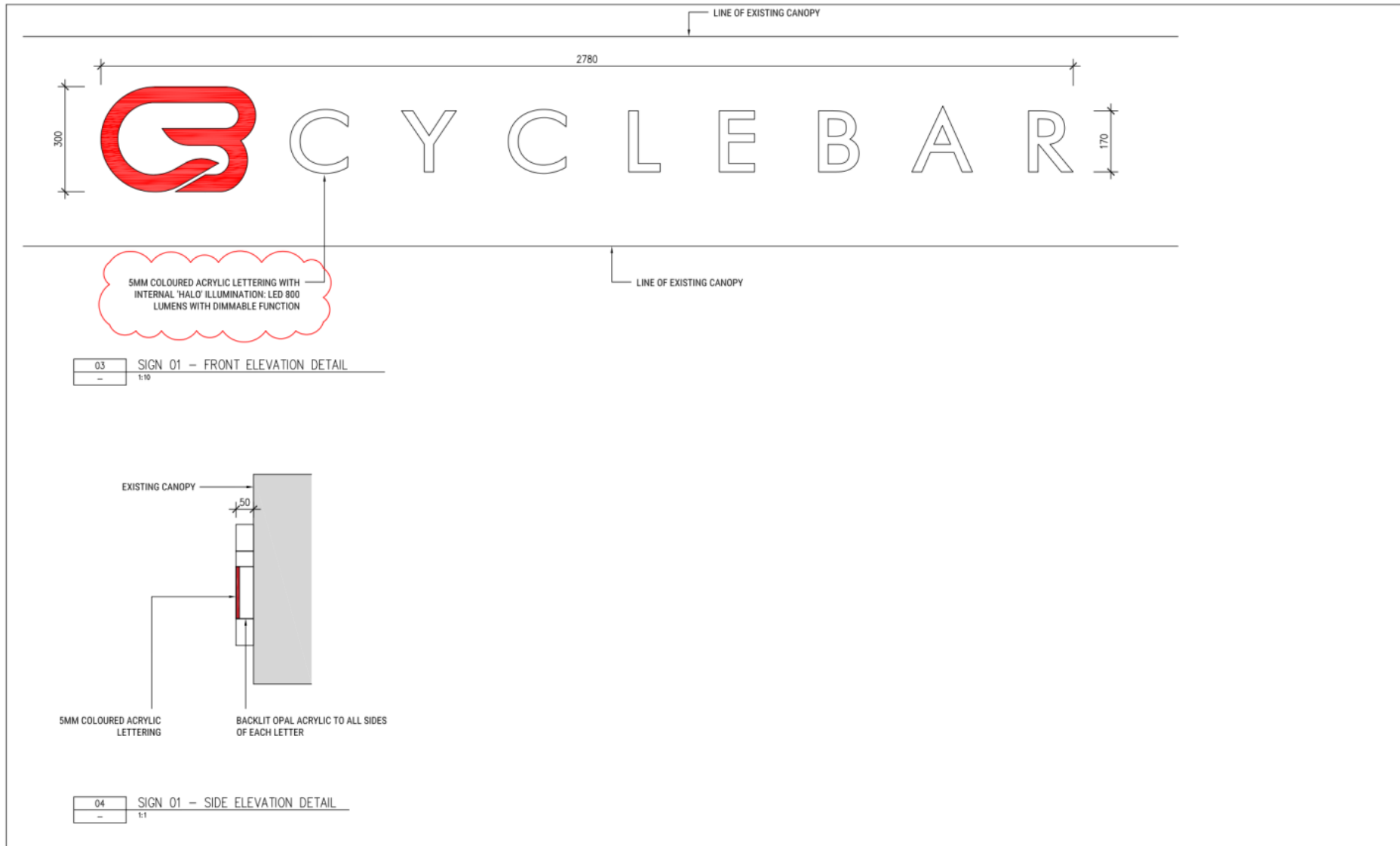


01 SOUTH ELEVATION
1:100

Amendments			
Issue No.	Date	Description	By
A	15.11.2020	PERMIT ISSUE	AC
B	06.01.2021	RFI RESPONSE	AC
C	06.02.2021	REVISED PERMIT ISSUE	AC

Project No.	1901	A401	
Client	OFF THE PLAN INVEST	SOUTH ELEVATION	
Project	JOHNSON ST TENANCY 2		
Address	142-144 JOHNSTON ST EUTROX VIC	1-200@-A3	
		 217 Canning St Telephone Carlton 0434 964 228 Victoria 3053 Email Australia acarga@gmail.com	

Attachment 5 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 Amendment decision plans



03 SIGN 01 - FRONT ELEVATION DETAIL
1:10

04 SIGN 01 - SIDE ELEVATION DETAIL
1:1

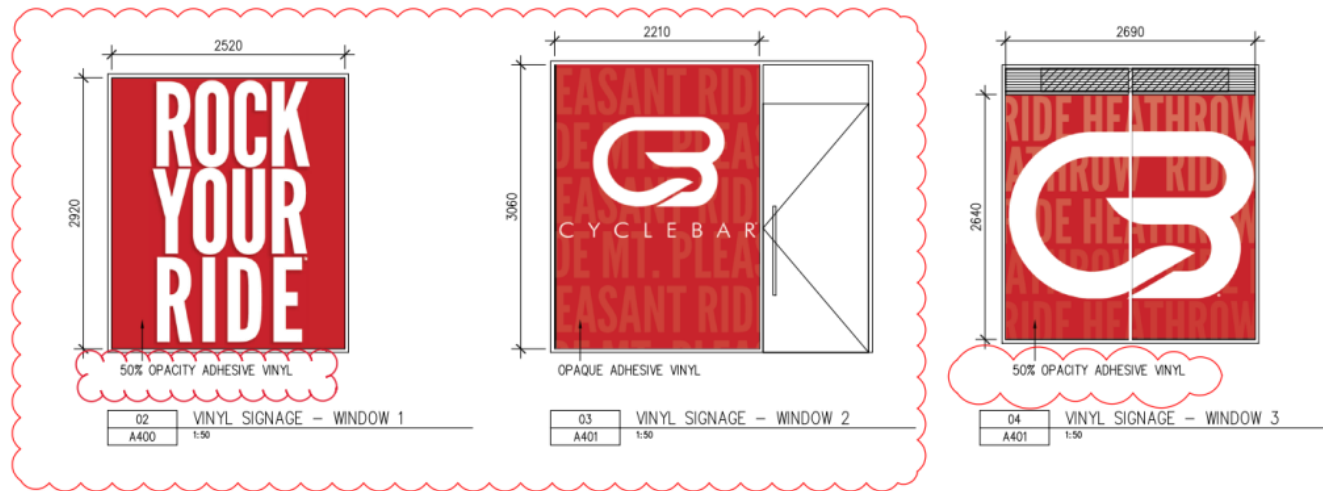
Amendments			
Issue No.	Date	Description	By
A	06.01.2021	RFI RESPONSE	AC
B	08.02.2021	REVISED PERMIT ISSUE	AC

Project No.	1901	A600
Client	OFF THE PLAN INVEST	
Project	JOHNSON ST TENANCY 2	SIGNAGE DETAILS
Address	142-144 JOHNSTON ST EUL7BOX_VIC	1-40@-A3

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Australia acarga@gmail.com

Attachment 5 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 Amendment decision plans



Amendments			
Issue No.	Date	Description	By
A	06.01.2021	RFI RESPONSE	AC
B	08.02.2021	REVISED PERMIT ISSUE	AC

Project No.	1901
Client	OFF THE PLAN INVEST
Project	JOHNSON ST TENANCY 2
Address	142-144 JOHNSTON ST EUL7BOX_VIC

A601
SIGNAGE DETAILS - VINYL
1-40@-A3

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**Attachment 6 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 recreation facility
Management Plan**

ATTACHEMENT D

PLAN OF MANAGEMENT – CYCLEBAR FITZROY

Plan of Management CycleBar Fitness Facility

Use as a Restricted Recreation
Facility/Boutique Gymnasium, including
fit-out and associated business
identification signage

270 Young Street,
Fitzroy VIC 3067

Attachment 6 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 recreation facility Management Plan

Contents

<u>Introduction</u>	<u>3</u>
<u>Purpose of this Plan of Management</u>	<u>3</u>
<u>Overview</u>	<u>3</u>
<u>Hours of Operation</u>	<u>3</u>
<u>Staffing</u>	<u>4</u>
<u>The Site</u>	<u>4</u>
<u>Health and Safety</u>	<u>5</u>
<u>Noise</u>	<u>6</u>
<u>Operational</u>	<u>6</u>
<u>Complaint Resolution</u>	<u>9</u>
<u>Maintenance, cleaning & waste management</u>	<u>11</u>
<u>Car parking and Transport</u>	<u>11</u>
<u>Conclusion</u>	<u>12</u>

Attachment 6 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 recreation facility Management Plan

Introduction:

This Plan of Management has been prepared to accompany the Planning Permit Application submitted to change the of use of Lot 2 on the Ground-Floor level of 270 Young Street, Fitzroy, VIC, 3065 for use as Fitness Facility (Restricted Recreational Facility) including associated fit-out and business identification signage

Purpose of this Plan of Management:

The purpose of this Plan of Management is to describe the operational details of the business and outline measures that will be taken to mitigate impacts on adjoining properties. Details in the plan include the number and hours of staff that will be employed on the premises at any one time, Health and Safety as well as noise and patron management.

Fitness Studio Operation Overview:

CycleBar is an indoor cycle facility that specialises in cardiovascular training through group classes on stationary exercise bikes. The CycleBar contains a studio that will deliver the preeminent Indoor Cycling experience, offering concierge-level service and premium amenities. CycleBar is an inclusive, inspiring brand that offers a low-impact/high-intensity cycling experience for all ages, body types and fitness levels.

CycleBar benefits will include:

- A full offering of Indoor Cycling classes led by Certified CycleStar instructors in custom CycleTheatres[®].
- Best-in-class equipment in every studio including custom bikes, built-in CycleStats[®] Performance Data monitoring.
- Community focus that aims at giving back via charity rides and community engagement.

Each class will have an average class size of 20 patrons, with a maximum of 39 patrons. Classes will run for 45 min with a 15-minute gap between each class, no classes will overlap. Weekdays will have 4-5 classes per day and weekends will have 2 classes per day.

The class instructor will use a voice system through the installed sound system within the facility to communicate with patrons inside the studio during the classes. The fitout has been specifically designed around the acoustic report to ensure all nearby residents & business are not impacted in any manner.

Equipment

The studio will include 40 stationary cardio bikes. The bikes are silent, belt driven models with magnetic resistance. The bikes are the only fitness equipment used in the studio. There will be no free weights or other fitness equipment.

Hours of Operation / Class sizes / Class numbers:

The trading hours of the Fitness Facility will be as follows:

Monday to Friday: 5:30am – 8:00pm

Saturday: 6:30am – 7:00pm

Sunday: 8:00am – 7:00pm

Attachment 6 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 recreation facility Management Plan

Staffing:

The premises will generally operate with 4 staff members present (2 CycleBar Staff, 1 Manager and 1 Instructor). The maximum number of staff at any one time will be 4.

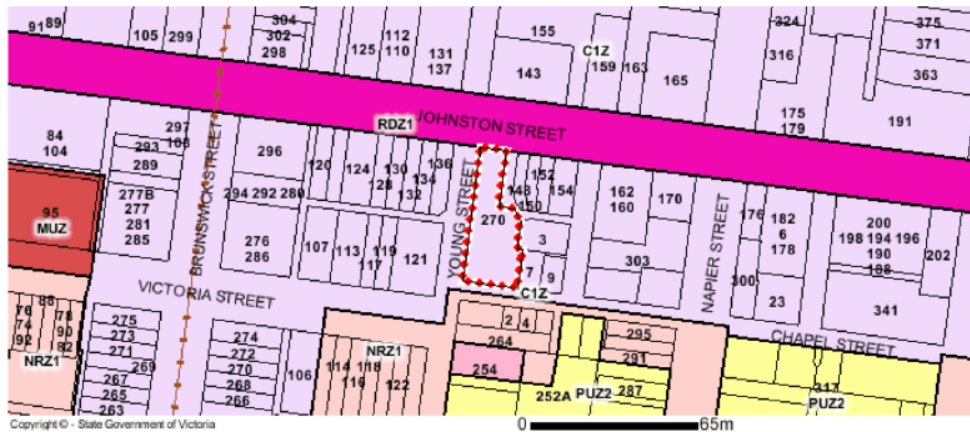
The Site:

The site address relates to Lot 2 on the ground-floor level of 270 Young Street, Fitzroy which is located in the Yarra City Council and is situated within the Commercial 1 Zone.

Planning Zones

[COMMERCIAL 1 ZONE \(C1Z\)](#)

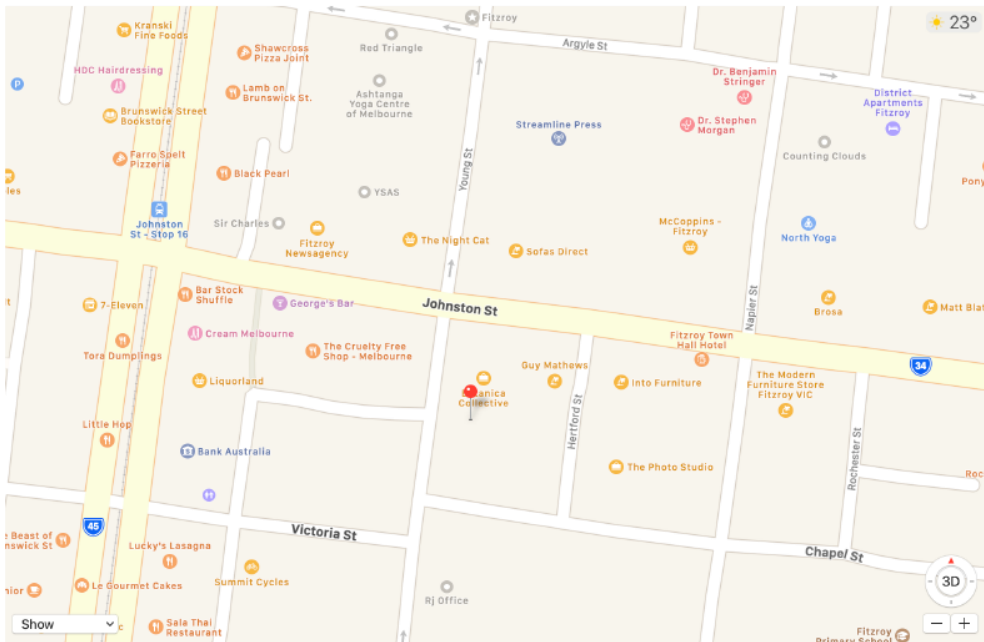
[SCHEDULE TO THE COMMERCIAL 1 ZONE \(C1Z\)](#)



Copyright © - State Government of Victoria

- C1Z - Commercial 1
- RDZ1 - Road - Category 1
- MUZ - Mixed Use
- NRZ1 - Neighbourhood Residential
- PUZ2 - Public Use - Education

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.



Attachment 6 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 recreation facility Management Plan

Health and Safety:

We recognise the two issues of health and safety a fitness facility will face. We have put in place several measures to minimise the occurrence of such issues and to cater for the needs of a member if an incident were to arise.

In the case of a medical emergency, either through injury or health, there is equipment placed within the facility to deal with these emergencies. There is a first aid kit on site and all members of the Fitness Facility will be informed of the location of this when undertaking their members induction.

There will also be an Automatic External Defibrillator installed in the fitness facility in addition to a full first aid station. All fitness trainers and fitness facility managers are required to be certified on proper AED usage and CPR administration. This is a safety protocol to ensure that all staff are prepared to care for another employee or patron in case of an emergency. At least one person on site will always be trained on the proper usage of AED at any one time, and owners are required to provide and organise annual AED training for all fitness trainers and facility managers. There will also be simplified instructions on the wall adjacent to the defibrillator detailing how and when to use the machine on a patient with heart ailments.

All members are required to complete a Pre-Exercise Questionnaire and, in some cases, responses given will require professional medical guidance before attending a class. Patrons could further be refused from participating in a class altogether should they be suffering from any form of illness, disease, injury or any other condition that could be a risk to their physical health.

In the event of a medical emergency, employees would call 000 immediately and notify facility management/ownership of an emergency as soon as possible. Each facility is further responsible for maintaining their own emergency contact lists for employees. In the event of an emergency, employees must always follow proper reporting protocols and procedures. Once the incident has been handled, employee(s) must also complete a Facility Incident Report Form and submit the form to the owner.

All employees are required to fill out an incident report if a client is injured or an event occurs in the facility with a client. In the case of a medical emergency, and emergency personnel has been dispatched, the employee would attend to the emergency first and once the client is attended to, the employee will complete a Facility Incident Report Form and submit the form to the owner. All incident reports will be submitted to Facility Management and the Ownership immediately. The employee would then follow the client's progress with regular phone calls and record them on the incident reports for tracking purposes.

COVID

Prior to commencing operations, the facility will implement a COVIDSafe Plan to support the facility and the protection of its staff, customers and visitors.

The COVIDSafe plan will set out;

- The staff and facilities actions to help prevent the introduction of coronavirus (COVID-19) in the workplace
- The type of face mask or personal protective equipment (PPE) required for the workforce

Attachment 6 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 recreation facility Management Plan

- How the staff will prepare for, and respond to, a suspected or confirmed case of coronavirus (COVID-19) in the workplace.

Prior to commencement, all staff will undertake the Victorian Government accredited infection control training to help staff identify and manage the ongoing risk of coronavirus (COVID-19) infections in the workplace.

Noise:

The facility is to implement measures to accord with Victorian Government's State Environment Protection Policy, Control of Noise from Commerce, Industry and Trade No. N-1 (SEPP N-1) and No. N-2 (SEPP N-2); the Australian Standard 2107 – 2000 recommendations and the Yarra City Planning Scheme Clause 22.05-5.

Operational and Acoustic treatment of the Studio:

The facility will implement all recommendations from the Bestec Acoustic report, including 7 Sound Flanking recommendations and 13 Operational Acoustic Treatments. The facility will not produce music at a level that is offensive to neighboring uses or that is deemed to be unacceptably loud.

The construction of the facility will first include an assessment on the building structure to identify sound flanking paths, they will then be treated with the below seven methods as recommended by Bestec.

Sound Flanking (Bestec - Noise Assessment Report Acoustic services 30441/6/1 9 February 2021 103868b)

1. Any services penetrations and gaps around the building elements be inspected, packed densely with 50mm, 48kg/m³ glasswool, backing rods applied and sealed with acoustic sealant. Using appropriate acoustic caulking products listed below.
 - Bostik Firemastic
 - Bostik Seal-n-flex 2637
 - Pyropanel Multiflex
 - Boral Fyreflex
 - Dow-Corning 790 Silicone
 - Dow-Corning 795 Silicone
 - Sika Sikaflex-11 FC
 - Fosroc Flamex 3
2. It is noted a section above the glazing incorporating the entry door of the proposed fitness facility where the 150mm precast concrete is discontinued and currently only a timber frame is installed (Figure 2) – It is recommend all interfaces are inspected, blocked off and sealed as described above. Then 100mm, 32kg/m³ glasswool be installed in the cavity and 2 layers of 13mm fire rated plasterboard be applied to the internal side of the timber frame. The junctions between the fire rated plasterboard, the building structure and the door frame should be sealed continuously with acoustic sealant;

Attachment 6 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 recreation facility Management Plan

3. The entry door (perimeter and bottom) be fitted with compressible acoustic seals (Raven or Schlegel ranges), which are appropriately adjusted to ensure they are completely compressed when the door is closed;
4. The operable windows are fitted with compressible acoustic seals (Raven or Schlegel ranges) and be kept closed when the club operates;
5. The unused area of the ventilation louvres on the southern façade (Figure 4, Figure 3) be blocked off with 2 layers of 9mm compressed fibre cement with all junctions with the building structure and mechanical services ducts sealed with acoustic sealant

Operational Acoustic Treatments (Bestec - Noise Assessment Report Acoustic services 30441/6/1 9 February 2021 103868b)

The following acoustic treatment will be implemented in addition to the recommended acoustic treatment of the sound flanking paths in order to achieve the nominated acoustic design criteria:

1. 2 layers of 16mm fire rated plasterboard be installed above the tenancy on resilient mounts to solid joists fixed to the concrete slab. The minimum cavity should be 150mm and the plasterboard should be overlaid with 100mm, 14kg/m³ glasswool. A 10mm gap should be formed between the perimeter of the 2 layers of 16mm fire rated plasterboard and the building structure, in which backing rod be installed and non-hardening permanently elastic acoustic sealant applied.
2. A secondary ceiling (preferably 13mm perforated plasterboard with 10% open area overlaid with 50mm, 32kg/m³ polyester) can then be installed on 35mm furring channels fixed to the ceiling joists. All light fixtures and ceiling speakers should be installed on the perforated plasterboard ceiling. The sound absorption provided by the perforated plasterboard and overlay will assist with reduction of the reverberation time within the proposed CycleBar studio and providing of acceptable room acoustics supporting speech and music.
3. The walls of the studio be lined with acoustic wall covering with minimum Noise Reduction Coefficient of NRC 0.4.
4. The floor finish of the studio will be REGUPOL Everroll Core (4mm thick).
5. The façade of the proposed studio be internally lined with 1 layer of 13mm impact resistant plasterboard on 64mm steel studs offset from the precast concrete by 20mm gap and cavity infill of 75mm, 14kg/m³ glasswool. The lining should run in front of the windows with the cavity infill double in these areas (i.e., 2 x 75mm, 14kg/m³ glasswool) and be sealed against the 2 layers of 16mm fire rated plasterboard suspended from the concrete slab;
6. The partition separating the studio from the rest of the fitness facility should be constructed of 2 layers of 13mm fire rated plasterboard to each side of minimum 76mm steel studs with cavity infill of 75mm, 14kg/m³ glasswool.

Attachment 6 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 recreation facility Management Plan

7. The door interconnecting the studio to the community area should be minimum 10.76mm laminated glass in aluminium frame fitted with compressible acoustic seals (Raven or Schlegel ranges) to the perimeter, bottom and the meeting stile. The seals should be properly adjusted to fully compress when the door is closed. The door should be kept closed when sessions are in progress. (Staff will Ensure the studio door is not opened while classes are in progress)
8. A sound limiter will be installed and set up to continuously measure the sound pressure level in the studio and cut the power to the system amplifier if it exceeds the values detailed in Table 8. Once the fit-out is completed, the system should be tested by an acoustic engineer using pink noise signal. Measurements should be taken in the apartment 104 above and sound pressure levels of the sound system adjusted as required to ensure compliance with the music noise criteria detailed in Table 4. Once the system is adjusted, the sound limiter should be locked so the settings cannot be changed.

Location	Assessment Period	Overall dBA	Measured L_{OCT10} External Noise Level (dB) at Octave Band Centre Frequency, Hz						
			63	125	250	500	1000	2000	4000
Residential Receivers (internal noise levels)	Day / Evening	32	-	-	-	-	-	-	-
	Night	-	40	30	20	20	15	10	10

Table 4: Proposed internal music noise criteria

Reverberant Sound Pressure Level L_{OCT10} (dB) at Octave Band Centre Frequency, Hz							Overall, dBA
63	125	250	500	1000	2000	4000	
79	82	82	85	87	87	87	94

Table 8: Reverberant Sound Pressure Level in the Studio

9. All external glass windows/doors of the proposed studio are kept closed at all times (Other than when patrons enter and exit the premises);
10. Staff monitoring the behavior of patrons within the subject facility and as patron’s egress to ensure noise emission of patrons is kept to a minimum when entering and leaving the premises;
11. Staff and patrons will not to park along Chapel Street during night-time hours (10:00pm to 7:00am) to reduce the likelihood of sleep disturbance due to car doors closing;
12. Clear signage will be installed in all facility entries and exits advising patrons that they must not generate excessive noise when entering and leaving the premises;
13. Staff and patrons will be correctly trained in noise management

Member Orientation:

In accordance with the Membership Contract, new members are obligated to undergo a member orientation session as specified under the Membership Contract. The following points are covered during this orientation session:

Attachment 6 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 recreation facility Management Plan

- Members are made aware of the need to remain respectful when entering and leaving the facility, especially during the early and late hours.
- Education on the appropriate use of CycleBar bikes. This includes the way equipment is used in a controlled manner to maintain a quiet and respectful environment.
- Full overview of Facility Rules and Regulations including penalties, should any rules not be adhered to.
- Members to be made aware of noise management protocols

Facility Rules:

In accordance with the membership contact, patrons must abide by the Terms and Conditions of the Membership Contract at all times. The fitness facility will also set out the facility rules and regulations. Should any member breach these rules, a Membership Suspension or immediate Membership Termination may apply. These rules and regulations to some extent include:

1. Members must always ensure as to not behave in any way that is considered to be hazardous, inappropriate or illegal.
2. Members must respect the amenity of nearby uses when entering and leaving the facility, especially during the early and late hours.
3. Members must at all-times ensure that all equipment is used in a correct and controlled manner so that no unnecessary noise is created.

Internal and external signage:

The fitness facility will invest in adequate signage, both internally and externally for the attention of all members. The signage would reinforce the need for entering and exiting in a quiet and courteous way, including the appropriate use of the facility and its equipment.

This includes:

- Appropriate manner in which to use equipment
- Way finding signage
- Emergency stations

Complaint Resolution:

Management will also maintain a complaint register to record any complaint made by Police, Council, surrounding business owners, other members or residents and will endeavor to fully address any reasonable concerns expressed by such persons.

Management endeavors to fully address all reasonable concerns people have in the surrounding area or any other third parties without the involvement of Council or the Victorian Police Service and will meet with any complaints and endeavor to completely address all reasonable concerns. Details of the owner will also be made available to the community for complaints to be directed to.

Attachment 6 - PLN19/0221.01 - 142 Johnston Street Fitzroy - S72 recreation facility Management Plan

Noise disturbance limiting policies:

All windows and doors to the facility would remain shut at all times (apart from when patrons enter or exit the premises).

Clearly visible signage is to be installed at all entries and exits of the facility as to advise patrons that they must not generate excessive noise when entering or exiting the premises.

Staff will continually monitor patron behavior and ensure that noise emissions are kept at an absolute minimum, especially when entering or leaving the facility.

Internal noise operation levels are to be no higher than those set out in table 8 with a noise limiter to ensure this is maintained at all times.

Impact sound absorbing floor, wall and ceiling materials are to be installed to reduce regenerated noise and vibration throughout the building as detailed in Operational Acoustic Treatments 1 -13.

Planning Policy Review:

Relevant requirements of Clause 22.05 (Interface Uses Policy) of the Yarra Planning Scheme. "New non-residential use and development within Business and Mixed Use and Industrial Zones are designed to minimise noise and visual amenity impacts upon nearby, existing residential properties"

These policies combined with the design process will ensure the fitness facility will have minimal noise and visual impact on the residents of the building and those surrounding it.

The Fitness Facility will follow the set-out design guidelines relating to *section 10 noise from shops* in *Noise Control Guidelines, EPA Publication, 1992* and intergraded these into the plans.

Speakers inside the studio will be;

- Located entirely inside the shop
- Situated not less than three meters from any public entrance to the shop
- Directed in such a manner that the device does not point towards any wall which contains an external window or entrance to the shop unless the wall is more than 15 meters from the device itself
- Operating at a level that does not exceed 65 dB(LAeq) two meters from the facade.

A number of acoustic attenuation design features and measures will be incorporated into design and construction of the fitness facility as detailed in the Bestec acoustic report. As part of the construction we will be adapting all recommendations for Sound Flanking and Operational Acoustic Treatment as outlined in the acoustic report recommendations.

In addition to these air conditioning condensers will be located within the car park basement driveway.

Noise emanating from the fitness facility will not exceed the permissible noise levels when determined in accordance with State Environment Protection Policy No. N-1 (Control of Noise from Commerce, Industry and Trade) and No. N-2 (Control of Music Noise from Public Premises).

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Maintenance, cleaning and waste management:

The waste management of the Fitness Facility will be consistent with the practices as outlined within the endorsed waste management plan of planning permit PLN 15/0632, condition 8. The estimated amount of waste and required frequency of bin collection will be consistent with those proposed with the Waste Management Plan prepared by Leigh Designs.

It is anticipated that the volume of waste generated by the fitness facility will be minimal. Bins will be provided for patrons within the premises. All waste will be stored in appropriate containers placed inside the premises before being removed for disposal by either Council or certified contractors. Facility equipment will be maintained and kept in good working order by means of regular servicing. Any equipment identified as faulty or requiring repair will be removed from use or clearly identified as 'Out of order'.

The facility is responsible for maintaining fitness equipment in good working condition. The facility is required to maintain an equipment preventative maintenance (PM) contract with a local fitness equipment maintenance company, to regularly maintain, service, and rotate fitness equipment as necessary. If a Studio Bike is going to be down for longer than 48 hours, it will be moved to a low usage area of the studio and coned off until it's fixed. It is the responsibility of Facility Manager/Owner to track equipment rotation throughout the year and to assure fitness equipment is in full working order at all times

Cleaning of the premises and equipment will be carried out daily including the cleaning of all equipment, machines, showers, toilets and the general workout area. A register will be maintained on the premises keeping a schedule of cleaning times. Signage will also be placed on premises indicating to patrons that they must use personal towels; cleaning fluid and disposable wipes will be provided throughout the facility for use in cleaning equipment. All cleaning will be undertaken in line with the COVID safe plan.

Car Parking and transport:

There are two car parks on site allocated to full time staff. As we are targeting the local community, patrons are encouraged to walk or ride into the fitness facility. There are also a vast number of Public transport options available

BUS 120 Johnston street (Routes 200, 207 & 966) **60 meters**

BUS 160 Johnston street (Routes 200 & 207) **55 meters**

BUS 121 Johnston street (Route 966) **62 meters**

TRAM 300 Brunswick Street (Route 11) **100 meters**

The facility plans incorporate 6 bicycle parking spaces within the facility for staff and patrons. Staff and patrons will be encouraged to use the ample bicycle parking facilities. This is in excess of the requirements under *bicycle parking requirements of Clause 52.34 of the Yarra Planning Scheme for "minor sports and recreation facility"*

We are reliant on the car parking decision made in relation to the original permit PLN15/0632. After reviewing a similar fitness facility operating in the area we have concluded that no off-site car spaces will be required. The size of the classes, the high attendance of patrons

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located within a 1km radius and the vast number of public transport options all reflect this analysis. 2 cars spaces are available within the basement of the building and will be made available purely for staff.

This review has been conducted in response the request for *an estimate of anticipated demand for car parking for staff and patrons associated with the use (having regard to the factors such as those outlined at Clause 52.06-7 of the Yarra Planning Scheme) and provide an indication as to how any additional car parking demand that is not met on site is expected to be accommodated off-site (i.e on-street car parking availability or public car parks in the vicinity).*

Furthermore the we have opted to provide more than the full quota of on-site bicycle facilities to encourage all staff and patrons to cycle to the Fitness Facility.

Conclusion:

In order to satisfy Council that the facility can operate without causing any undue negative impacts on the surrounding land uses, the following mitigation measures are to be undertaken on a daily basis to ensure that the development will not adversely affect the surrounding premises at 270 Young Street, Fitzroy:

- In the case of a health and safety emergency, either through injury or a health issue, there is equipment placed within the facility and mitigation measures in place to deal with these emergencies
- The facility is to implement measures to accord with Victorian Government's State Environment Protection Policy, Control of Noise from Commerce, Industry and Trade No. N-1 (SEPP N-1) and No. N-2 (SEPP N-2); the Australian Standard 2107 – 2000 recommendations and the Yarra City Planning Scheme Clause 22.05-5.
- Appropriate operational management systems are in place.

Through the adoption and implementation of the aforementioned mitigation measures, the facility will not create unreasonable noise impacts for any neighborhood or surrounding dwellings.

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ATTACHEMENT E

**ACOUSTIC REPORT - BESTEC - NOISE ASSESSMENT
REPORT ACOUSTIC SERVICES 30441/6/1
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30441/6/1
8 February 2021

OTP – South Yarra
Park Street
MELBOURNE VIC 3004

Attention: Mr P Castagna

Dear Sir

**CYCLEBAR, 142 JOHNSTON STREET, FITZROY, VICTORIA
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As requested, we enclose a copy of the report on the Acoustic Services for the above project.

We trust that the report provides sufficient information for your immediate purpose and we would be most pleased to further discuss any aspect upon your request.

Yours faithfully
BESTEC PTY LTD



**IVAIO DIMITROV
ASSOCIATE / PRINCIPAL ACOUSTIC CONSULTANT**

Encl

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REPORT ISSUE REGISTER

REVISION	DATE	REVISION DESCRIPTION
00	16.11.20	Initial Issue
01	30.11.20	Revised Issue

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Introduction

BESTEC Pty Ltd was engaged to assess the noise emissions resulting from operation of the proposed Cyclebar studio on 142 Johnston Street, Fitzroy, Victoria. This document presents a review of the proposed acoustic design criteria, the results of calculation of the noise emissions from the proposed development and recommendations for acoustic treatment to achieve the selected design criteria.

Executive Summary

In summary:

- Appropriate acoustic design criteria were nominated.
- The noise levels associated with the operation of the proposed facility impacting at the noise sensitive receivers (externally and internally) were calculated and assessed against the selected criteria.
- Recommendations for acoustic treatment of sound flanking paths were provided.
- Before the fit-out work commences, we recommend the building structure be inspected and the identified sound flanking paths be acoustically treated as follows:
 - 1) Any services penetrations and gaps around the building elements be inspected, packed densely with 50mm, 48kg/m³ glasswool, backing rods applied and sealed with acoustic sealant. Appropriate acoustic caulking products include:
 - Bostik Firemastic.
 - Bostik Seal-n-flex 2637.
 - Pyropanel Multiflex.
 - Boral Fyreflex.
 - Dow-Corning 790 Silicone.
 - Dow-Corning 795 Silicone.
 - Sika Sikaflex-11 FC.
 - Fosroc Flamex 3.
 - 2) We noted a section above the glazing incorporating the entry door of the proposed fitness club where the 150mm precast concrete is discontinued and currently only a timber frame is installed (Figure 2) – we recommend all interfaces are inspected, blocked off and sealed as described above. Then 100mm, 32kg/m³ glasswool be installed in the cavity and 2 layers of 13mm fire rated plasterboard be applied to the internal side of the timber frame. The junctions between the fire rated plasterboard, the building structure and the door frame should be sealed continuously with acoustic sealant;
 - 3) The entry door (perimeter and bottom) be fitted with compressible acoustic seals (Raven or Schlegel ranges), which are appropriately adjusted to ensure they are completely compressed when the door is closed;
 - 4) The operable windows are fitted with compressible acoustic seals (Raven or Schlegel ranges) and be kept closed when the club operates;
 - 5) The unused area of the ventilation louvres on the southern façade (Figure 4, Figure 3) be blocked off with 2 layers of 9mm compressed fibre cement with all junctions with the building structure and mechanical services ducts sealed with acoustic sealant.
- The following acoustic treatment is required in addition to the recommended acoustic treatment of the sound flanking paths in order to achieve the nominated acoustic design criteria:
 - 1) 2 layers of 16mm fire rated plasterboard be installed above the tenancy on resilient mounts to solid joists fixed to the concrete slab. The minimum cavity should be 150mm and the plasterboard should be overlaid with 100mm, 14kg/m³ glasswool. A 10mm gap should be formed between the perimeter of the 2 layers of 16mm fire rated plasterboard and the building structure, in which backing rod be installed and non-hardening permanently elastic acoustic sealant applied.
 - 2) A secondary ceiling (preferably 13mm perforated plasterboard with 10% open are overlaid with 50mm, 32kg/m³ polyester) can then be installed on 35mm furring channels fixed to the ceiling joists. All light fixtures and ceiling speakers should be installed on the perforated plasterboard ceiling. The sound absorption provided by the perforated plasterboard and overlay will assist with reduction of the reverberation time within the proposed cyclebar studio and providing of acceptable room acoustics supporting speech and music.

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- 3) The walls of the studio be lined with acoustic wall covering with minimum Noise Reduction Coefficient of NRC 0.4.
- 4) The floor finish in the studio area should be REGUPOL Everroll Core (4mm thick).
- 5) The partition separating the studio from the rest of the fitness club should be constructed of 2 layers of 13mm fire rated plasterboard to each side of minimum 76mm steel studs with cavity infill of 75mm, 14kg/m³ glasswool.
- 6) The door interconnecting the studio to the community area should be minimum 10.76mm laminated glass in aluminium frame fitted with compressible acoustic seals (Raven or Schlegel ranges) to the perimeter, bottom and the meeting stile. The seals should be properly adjusted to fully compress when the door is closed. The door should be kept closed when sessions are in progress.
- 7) A sound limiter should be installed and set up to continuously measure the sound pressure level in the studio and cut the power to the system amplifier if it exceeds the values detailed in Table 8. Once the fit-out is completed, the system should be tested by an acoustic engineer using pink noise signal. Measurements should be taken in the apartment 104 above and sound pressure levels of the sound system adjusted as required to ensure compliance with the music noise criteria detailed in Table 4. Once the system is adjusted, the sound limiter should be locked so the settings cannot be changed.

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**Acoustic Analysis****References**

The following documents have been referenced within the preparation of this report:

- [1] Yarra Planning Scheme, consolidated 5 November 2020.
- [2] Environment Protection Act 1970, amended 2 July 2018.
- [3] Environment Protection (Residential Noise) Regulations 2008.
- [4] State Environment Protection Policy (Control of Noise from Industry, Commerce and Trade), No. N-1, 31/10/2001.
- [5] State Environment Protection Policy (Control of Music Noise from Public Premises, Commerce and Trade), No. N-2, 25/03/1999.
- [6] Noise Emission Assessment, Orangetheory Fitness Fitzroy, 142 Johnston Street Fitzroy Victoria, Acoustic Dynamics report 4634R001.LB.191213 dated 18 December 2019.
- [7] Noise and Vibration Assessment, Orangetheory Fitness Fitzroy, 142 Johnston Street Fitzroy Victoria, Acoustic Dynamics report 4634R001.LB.191212 dated 18 December 2019.
- [8] AS/NZS 2107:2016 "Acoustics – Recommended design sound levels and reverberation times for building interiors".
- [9] WHO Guidelines for Community Noise, 1999.
- [10] Noise Guide for Local Government, EPA NSW, May 2013.
- [11] Association of Australian Acoustical Society, Guideline for Apartment and Townhouse Acoustic Rating, 2010.
- [12] AS ISO 140.4–2006 "Acoustics – Measurement of sound insulation in buildings and of building elements. Part 4: Field measurements of airborne sound insulation between rooms".
- [13] Motivo Design Studio architectural concept fit-out drawings dated 6 November 2020 provided by OTP Invest.
- [14] Stoll Long Architecture base building architectural drawings dated April 2017.
- [15] Mordue Engineering structural drawings dated June 2017.

Site Description

The site is located on the ground floor (tenancy R02) of a mixed use building at 142 Johnston Street, Fitzroy. The building is constructed on land zoned Commercial 1 (C1Z) in the Yarra Planning Scheme [1] with the following boundaries:

- North – Johnston Street separating the building from existing commercial and residential developments.
- East – adjacent residential and commercial developments.
- South – Chapel Street separating the building from existing residential developments.
- West – Young Street separating the building from existing residential and commercial developments.

Tenancy R02 is bounded by:

- 150mm precast concrete walls separating the tenancy from the apartment entrance and foyer, fire escape stairwell, bike store 1 and storage area.
- Combination of 150mm precast concrete panel faced with brick wall and glass¹ to the south and west – Chapel Street and Young Street. There are two high level operable windows facing west (in the proposed retail area) and ventilation louvre facing south (Chapel Street)
- 160mm thick post tensioned concrete slab separates the tenancy from the apartments above.

¹ Indicated as 10mm thick glass in the Acoustic Dynamics report [6].

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Proposed Development and Conditions

A cardio club (Cyclebar) is proposed to be fitted out in tenancy R02, comprising:

- Entrance from Young Street, lobby with front desk and retail.
- Training studio with maximum capacity of 39 patrons.
- Community area, utility/cleaner room and amenities.

The training equipment will comprise 40 stationary cardio bikes only (Figure 1). The facility will be fitted with monitors and sound system comprising distributed ceiling mounted speakers.

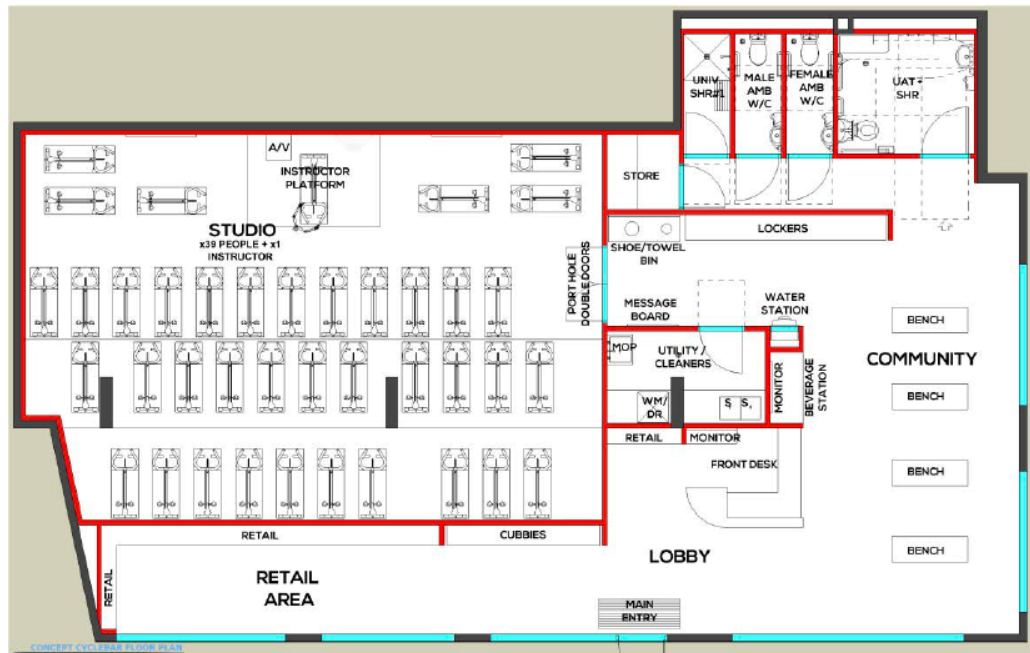


Figure 1: Proposed fit-out floor plan

The proposed hours of operation are as follows:

- Monday to Friday: 5:30 – 22:00;
- Saturday: 6:30 – 19:00;
- Sunday: 8:00 – 19:00.

Noise Sensitive Receivers

Acoustic Dynamics Pty Ltd were previously engaged to assess the impact from another fitness club, which was proposed in tenancy R01 and they identified the following noise sensitive receivers [6] relevant to the proposed Cyclebar studio in tenancy R02:

- Residential receivers on Level 1, 142 Johnston St – we note that apartments 103 and 104 are located directly above the proposed fitness club;
- Residential receivers located at 121-125 Victoria St (across Young St to the west);
- Residential receivers located at 266 Chapel St (across Chapel St to the south).

Design Criteria

Environmental Noise

In our assessment of the environmental noise associated with operation of the proposed fitness studio we used the criteria derived by Acoustic Dynamics Pty Ltd as detailed in their assessment report [6]. The assessment criteria are based on the results of their continuous environmental noise survey on site and in accordance with Yarra Planning Scheme [1] and SEPP N-1 [4]. As the proposed Cyclebar studio is located

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in the same building, we used the assessment criteria derived by Acoustic Dynamics summarised for clarity below:

- *All residential receivers*
 - *Daytime:* 55dBA
 - *Evening:* 49dBA²
 - *Night (22:00 – 7:00):* 43dBA

Music from Public Premises

The requirements for music emissions from the proposed fitness club as derived by Acoustic Dynamics Pty Ltd based on the results of their survey and the SEPP N-2 [5]. The SEPP N-2 requirements for music noise limits are presented Table 1 below.

Assessment Period	Day	SEPP N-2 Noise Limit (dB)
Day / Evening	Saturday 10:00 – 22:00	Music noise (L _{Aeq}) ≤ L _{A90} + 5dB at the nearest noise sensitive receiver
	Sunday 12:00 – 21:00	
	Other 9:00 – 22:00	
Night	Saturday 22:00 - Midnight	Music noise (L ₁₀) ≤ L _{ocd90} + 8dB at the nearest noise sensitive receiver
	Sunday 21:00 – 9:00	
	Other 22:00 – 9:00	

Table 1: SEPP N-2 limits for music emitted from public premises

The derived music noise criteria based on the background noise level measured by Acoustic Dynamics over 15-minute interval (L_{A90}) during day/evening times are summarised in Table 2 and Table 3 below.

Location	Assessment Period	Measured L _{A90} External Noise Level, dBA	L _{Aeq,15min} Music Noise Limit
Nearest Noise Sensitive Receiver	Day / Evening	46	51

Table 2: Proposed music noise criteria – day and evening time

Location	Assessment Period	Measured L _{ocT90} External Noise Level (dB) at Octave Band Centre Frequency, Hz						
		63	125	250	500	1000	2000	4000
Nearest Noise Sensitive Receiver	Night time ³	49	45	41	39	37	30	23
		+8	+8	+8	+8	+8	+8	+8
		57	53	49	47	45	38	31

Table 3: Proposed external music noise criteria – night time

In addition, the SEPP N-2 nominates internal maximum music noise levels, which are applicable to the apartments directly above the proposed fitness club (Table 4).

² The limits for the evening period are also applicable to Saturdays (13:00 – 22:00) and Sundays and Public Holidays (7:00 – 22:00).

³ The night time limits apply until 22:00,

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Location	Assessment Period	Overall dBA	Measured L _{OC T90} External Noise Level (dB) at Octave Band Centre Frequency, Hz						
			63	125	250	500	1000	2000	4000
Residential Receivers (internal noise levels)	Day / Evening	32	-	-	-	-	-	-	-
	Night	-	40	30	20	20	15	10	10

Table 4: Proposed internal music noise criteria

Building Acoustics

Continuous Noise

AS/NZS 2107:2016 [8] sets the criteria for design sound levels in terms of A-weighted equivalent continuous sound pressure level (L_{Aeq}) in accordance with the use of the spaces and the location of the buildings. For apartments and houses located in inner city areas or entertainment districts or near major roads, the Standard recommends criteria for continuous noise levels for bedrooms, living areas and work areas with no reference to the time of the day. The recommended continuous noise levels criteria for the apartments are detailed in Table 1. Table 6 details the subjective response of individuals to the proposed sound levels for interpretation of the recommendations.

Type of occupancy/activity	Design Sound Level L _{Aeq} , dBA
Apartments and houses in inner city areas or entertainment districts or major roads	
<i>Bedrooms</i>	35 – 40 (night time)
<i>Living Areas</i>	35 – 45 (day time)
<i>Work areas</i>	35 - 45
<i>Apartment common areas (lobbies, foyers etc.)</i>	45 - 50
Retail tenancy	45 - 50

Table 5: Proposed design sound levels (AS/NZS 2107:2016)

Average Sound Pressure Levels (dBA)	Subjective Rating
35 – 40	Audible but unobtrusive
40 – 45	Moderate but unobtrusive
45 – 50	Unobtrusive with low levels of surrounding activities
50 – 55	Unobtrusive with high levels of surrounding activities

Table 6: Subjective ratings for various average sound pressure levels

Sleep Disturbance

The WHO Guidelines for Community Noise [9] recommends a maximum A-weighted noise level L_{Amax}, of 45dBA in a bedroom, in order to prevent sleep disturbance.

In addition, NSW EPA [10] notes that:

“...there is no definitive guideline to indicate a noise level that causes sleep disturbance and more research is needed to better define this relationship. Where likely disturbance to sleep is being assessed, a screening test can be applied that indicates the potential for this to occur. For example, this could be where the subject noise exceeds the background noise level by more than 15dB(A). The most appropriate descriptors for a source relating to sleep disturbance would be L_{A1} (1 minute) (the level exceeded for 1% of the specified time period of 1 minute) or L_{Amax} (the maximum level during the specified time period) with measurement outside the bedroom window”

The AAAC Guideline for Apartments and Townhouses [11] developed an Acoustical Star Rating Tool for external noise intrusion ().

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External Noise Intrusion	2 Star	3 Star	4 Star	5 Star	6 Star
(a) Bedrooms					
Continuous Noise $L_{Aeq\ adj} \leq$	36 dB(A)	35 dB(A)	32 dB(A)	30 dB(A)	27 dB(A)
Intermittent Noise $L_{AVE} L_{Amax} \leq$	50 dB(A)	50 dB(A)	45 dB(A)	40 dB(A)	35 dB(A)
(b) Other habitable rooms Including open kitchens					
Continuous Noise $L_{Aeq\ adj} \leq$	41 dB(A)	40 dB(A)	37 dB(A)	35 dB(A)	32 dB(A)
Intermittent Noise $L_{AVE} L_{Amax} \leq$	55 dB(A)	55 dB(A)	50 dB(A)	45 dB(A)	40 dB(A)

Table 7: Noise criteria based on Guideline for Apartment and Townhouse Acoustic Rating, AAC 2010

Based on the above review, we consider the following criteria for sleep disturbance applicable to the noise sensitive receivers in the vicinity of the fitness club:

- External criterion – based on the lowest measured background noise level (L_{A90}) during the survey conducted by Acoustic Dynamics: $L_{Amax} \leq L_{A90} + 15\text{dB(A)} = 55\text{dB(A)}$ measured externally at the closest window;
- Internal criterion – 45dB(A) measured in the nearest bedroom.

Structure Borne Noise and Vibration

Acoustic Dynamics Pty Ltd conducted an investigation to determine the magnitude of building vibration and structure borne noise in the adjacent apartments associated with dropping free weights, the use of pin and plate weight machines and treadmills in tenancy R01 on the ground floor [7] and derived appropriate criteria for human exposure to whole body vibration and regenerated structure borne noise. The proposed Cyclebar studio in tenancy R02, however, will have only stationary cardio bikes (i.e., no free weights, pin and plate weight machines or treadmills), the use of which does not result in building vibration and structure borne noise. Therefore, no assessment against these criteria is required, however, we recommend REGUPOL Everroll Core (4mm thick) be used as floor finish in the studio.

Sound Flanking Paths

In order to ensure all sound flanking paths are controlled, we recommend the following be completed:

- 1) Any services penetrations and gaps around the building elements be inspected, packed densely with 50mm, 48kg/m³ glasswool, backing rods applied and sealed with acoustic sealant. Appropriate acoustic caulking products include:
 - Bostik Firemastic.
 - Bostik Seal-n-flex 2637.
 - Pyropanel Multiflex.
 - Boral Fyreflex.
 - Dow-Corning 790 Silicone.
 - Dow-Corning 795 Silicone.
 - Sika Sikaflex-11 FC.
 - Fosroc Flamex 3.
- 2) We noted a section above the glazing incorporating the entry door of the proposed cyclebar studio where the 150mm precast concrete is discontinued and currently only a timber frame is installed (Figure 2) – we recommend all interfaces are inspected, blocked off and sealed as described above. Then 100mm, 32kg/m³ glasswool be installed in the cavity and 2 layers of 13mm fire rated plasterboard be applied to the internal side of the timber frame. The junctions between the fire rated plasterboard, the building structure and the door frame should be sealed continuously with acoustic sealant;
- 3) The entry door (perimeter and bottom) be fitted with compressible acoustic seals (Raven or Schlegel ranges), which are appropriately adjusted to ensure they are completely compressed when the door is closed;
- 4) The operable windows are fitted with compressible acoustic seals (Raven or Schlegel ranges) and be kept closed when the club operates;

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Figure 2: Opening above the glazing

- 5) The unused area of the ventilation louvres on the southern façade (Figure 4, Figure 3) be blocked off with 2 layers of 9mm compressed fibre cement with all junctions with the building structure and mechanical services ducts sealed with acoustic sealant.



Figure 4: Ventilation louvres – internal view



Figure 3: Ventilation louvres – external view

Assessment and Recommendations

We calculated the noise impact to the noise sensitive receivers and assessed the calculated noise levels against the selected criteria based on the following conditions (worst case scenario):

- Assessment time – night time;
- Amplified music and instruction in the cyclebar studio – we understand that a reverberant sound level of 94dBA (L_{A10}) is the maximum the studio will operate at and we based our assessment on the reverberant sound pressure levels with spectrum content as detailed in Table 8⁴.

Reverberant Sound Pressure Level L _{OCT10} (dB) at Octave Band Centre Frequency, Hz							Overall, dBA
63	125	250	500	1000	2000	4000	
79	82	82	85	87	87	87	94

Table 8: Reverberant Sound Pressure Level in the Studio

- Patrons arriving and departing from the venue – 30 patrons over a 30-minute interval;
- Patrons in session – 39 (full class);
- Building façade and glazing construction – as detailed in Section Site Description;
- The door between the studio and reception constructed of 10.38mm laminated glass in aluminium frame fitted with compressible acoustic seals (Raven or Schlegel ranges) – closed when a session is in progress; the fitness studio entry door being opened and closed as patrons arrive/leave;
- Sound transmission loss of the concrete slab separating the proposed studio from the apartments above – as measured by Acoustic Dynamics during their survey [6] and summarised below.

Measurement Location	Measured L _{Aeq,1min} (dB) at Octave Band Centre Frequency, Hz							Overall, dBA
	63	125	250	500	1000	2000	4000	
Ground Floor Tenancy	75	82	82	92	90	88	88	96
Apartment above	33	31	33	38	35	25	20	41
Concrete Slab Sound Transmission Loss, dB	42	51	49	54	55	63	68	55

Table 9: Measured SPL on GF and Apartment above and calculated Sound Transmission Loss of the concrete slab

- Distances from the proposed fitness studio to the external noise sensitive receivers as measured from Google Earth;
- Glazing to the windows at the adjacent noise sensitive receivers – 5mm annealed glass (windows closed).

⁴ The reverberant sound level was previously measured during an aerobic fitness class and we consider it conservative for the assessment of the proposed cyclebar studio.

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Environmental Noise

The results of our assessment are summarised in Table 10 below.

Receiver	Noise source	Assessment Period	Calculated Noise Levels (L _{Aeq,30min}), dBA	Total Noise Levels (L _{Aeq,30min}), dBA	Criterion, dBA	Conclusion
L1, 142 Johnston St	Fitness Studio Operation	Night Time	45	45	46	Complies
	Patrons Arriving/Departing		22			
121 Victoria St	Fitness Studio Operation	Night Time	-	42	43	Complies
	Patrons Arriving/Departing		20			
7 Chapel St	Fitness Studio Operation	Night Time	-	39	43	Complies
	Patrons Arriving/Departing		31			

Table 10: External environmental noise assessment results

Receiver	Noise source	Assessment Period	Calculated Noise Levels (L _{Aeq,30min}), dBA	Total Noise Levels (L _{Aeq,30min}), dBA	Criterion, dBA (external noise criterion less 20dBA)	Conclusion
L1, 142 Johnston St	Fitness Studio Operation	Night Time	40	40	26	Does not comply
	Patrons Arriving/Departing		-			

Table 11: Internal environmental noise assessment results

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CYCLEBAR, 142 JOHNSTON STREET, FITZROY, VICTORIA
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ACOUSTIC SERVICES



Music Noise

The results of our assessment are summarised in below.

Location	Assessment Period	Method of Calculation	Calculated L _{OCT10} External Noise Level (dB) at Octave Band Centre Frequency, Hz							Conclusion
			63	125	250	500	1000	2000	4000	
		L_{A90OCT} + 8dB Criterion	57	53	49	47	45	38	31	
142 Johnston St (Ap. 104 above)	Night	Calculated L _{A10} (through glass)	15	14	6	1	1	-	-	Complies
121 Victoria St	Night	Calculated L _{A10} (through glass)	4	3	-	-	-	-	-	Complies
7 Chapel St	Night	Calculated L _{A10} (through glass)	8	7	-	-	-	-	-	Complies

Table 12: External music noise assessment results

Location	Assessment Period	Method of Calculation	Calculated L _{OCT10} Internal Noise Level (dB) at Octave Band Centre Frequency, Hz							Conclusion
			63	125	250	500	1000	2000	4000	
		L_{A90OCT} + 8dB Criterion	40	30	20	20	15	10	10	
142 Johnston St (Ap. 104 above)	Night	Calculated L _{A10} (through concrete slab)	38	32	34	33	25	20	-	Does not comply
		Calculated L _{A10} (through glass)	5	2	-	-	-	-	-	Complies

Table 13: Internal music noise assessment results

Based on the desirable reverberant sound level and the results of our assessment, we make the following recommendations (in addition to the recommendations made in Section Sound Flanking Paths):

- 2 layers of 16mm fire rated plasterboard be installed above the tenancy on resilient mounts to solid joists fixed to the concrete slab. The minimum cavity should be 150mm and the plasterboard should be overlaid with 100mm, 14kg/m³ glasswool. A 10mm gap should be formed between the perimeter of the 2 layers of 16mm fire rated plasterboard and the building structure, in which backing rod be installed and non-hardening permanently elastic acoustic sealant applied.
- A secondary ceiling (preferably 13mm perforated plasterboard with 10% open area overlaid with 50mm, 32kg/m³ polyester) can then be installed on 35mm furring channels fixed to the ceiling joists. All light fixtures and ceiling speakers should be installed on the perforated plasterboard ceiling. The sound absorption provided by the perforated plasterboard and overlay will assist with reduction of the reverberation time within the proposed cyclebar studio and providing of acceptable room acoustics supporting speech and music.
- The walls of the studio be lined with acoustic wall covering with minimum Noise Reduction Coefficient of NRC 0.4.
- The floor finish in the studio area should be REGUPOL Everroll Core (4mm thick).
- The partition separating the studio from the rest of the fitness club should be constructed of 2 layers of 13mm fire rated plasterboard to each side of minimum 76mm steel studs with cavity infill of 75mm, 14kg/m³ glasswool.
- The door interconnecting the studio to the community area should be minimum 10.76mm laminated glass in aluminium frame fitted with compressible acoustic seals (Raven or Schlegel ranges) to the perimeter, bottom and the meeting stile. The seals should be properly adjusted to fully compress when the door is closed. The door should be kept closed when sessions are in progress.
- A sound limiter should be installed and set up to continuously measure the sound pressure level in the studio and cut the power to the system amplifier if it exceeds the values detailed in Table 8. Once the fit-out is completed, the system should be tested by an acoustic engineer using pink noise signal.

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**CYCLEBAR, 142 JOHNSTON STREET, FITZROY, VICTORIA
NOISE ASSESSMENT REPORT
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Measurements should be taken in the apartment 104 above and sound pressure levels of the sound system adjusted as required to ensure compliance with the music noise criteria detailed in Table 4. Once the system is adjusted, the sound limiter should be locked so the settings cannot be changed.

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APPENDIX A
GLOSSARY OF ACOUSTIC TERMINOLOGY

Attachment 7 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Acoustic Report

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dB(A) Also referred to as dBA. A unit of measurement, decibels (A), of sound pressure level which has its frequency characteristics modified by a filter ("A-weighted") so as to more closely approximate human ear response at a loudness level of 40 phons. The table below outlines the subjective rating of different sound pressure levels.

Noise Level (dBA)	Subjective Rating
25-30	Barely audible and very unobtrusive.
30-35	Audible but very unobtrusive.
35-40	Audible but unobtrusive.
40-45	Moderate but unobtrusive.
45-50	Unobtrusive with low levels of surrounding activity.
50-55	Unobtrusive with high levels of surrounding activity.

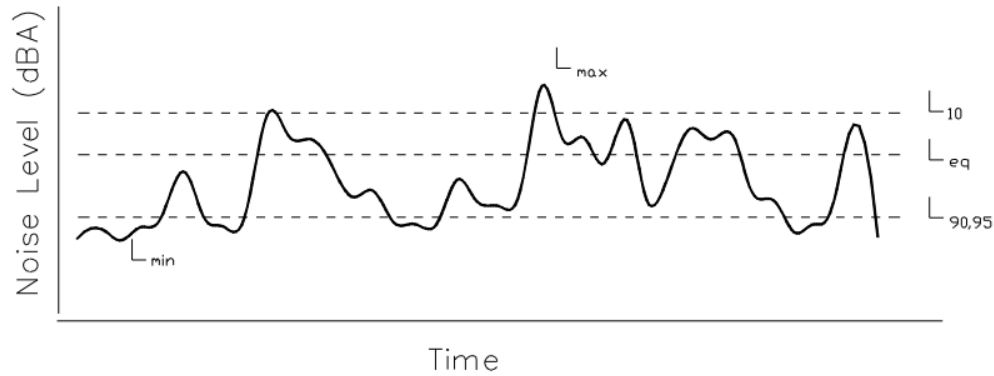
L₁ The noise level which is equalled or exceeded for 1% of the measurement period. L₁ is an indicator of the impulse noise level, and is used in Australia as the descriptor for intrusive noise (usually in dBA).

L₁₀ The noise level which is equalled or exceeded for 10% of the measurement period. L₁₀ is an indicator of the mean maximum noise level, and is used in Australia as the descriptor for intrusive noise (usually in dBA).

L₉₀, L₉₅ The noise level which is equalled or exceeded for 90% of the measurement period. L₉₀ or L₉₅ is an indicator of the mean minimum noise level, and is used in Australia as the descriptor for background or ambient noise (usually in dBA).

L_{eq} The equivalent continuous noise level for the measurement period. L_{eq} is an indicator of the average noise level (usually in dBA).

L_{max} The maximum noise level for the measurement period (usually in dBA).



Note: The subjective reaction or response to changes in noise levels can be summarised as follows: A 3dBA increase in sound pressure level is required for the average human ear to notice a change; a 5dBA increase is quite noticeable and a 10dBA increase is typically perceived as a doubling in loudness.

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STC/R_w Sound Transmission Class or Weighted Sound Reduction Index. Provides a single number rating (from the sound transmission loss or sound reduction index for each frequency band) of the sound insulation performance of a partition. The higher the value, the better the performance of the partition. The subjective impression of different ratings is shown in the table below.

Type of noise source	STC/R _w Rating				
	40	45	50	55	60
Normal Speech	Audible	Just Audible	Not Audible		
Raised speech	Clearly Audible	Audible	Just Audible	Not Audible	
Shouting	Clearly Audible	Clearly Audible	Audible	Just Audible	Not Audible
Small television/small entertainment system	Clearly Audible	Clearly Audible	Audible	Just Audible	Not Audible
Large television/large hi-fi music system	Clearly Audible	Clearly Audible	Clearly Audible	Audible	Just Audible
DVD with surround sound	Clearly Audible	Clearly Audible	Clearly Audible	Audible	Audible
Digital television with surround sound	Clearly Audible	Clearly Audible	Clearly Audible	Audible	Audible

FSTC/R_w' The equivalent of STC/R_w, unit for sound insulation performance of a building element measured in the field.

C_i, C_{tr} The ratings (R_w, D_{nT,w}, L_{nT,w}) are weighted in accordance to a spectrum suited to speech. This term modifies the overall rating to account for noise with different spectra, such as traffic (C_{tr}) or footfalls (C_i). The ratings may be written as R_w+C_{tr}, or D_{nT,w}/L_{nT,w}+C_i.

NNIC/D_{nT,w} Normalised Noise Isolation Class, or Weighted Standardised Sound Level Difference. Provides a single number rating of the sound level difference between two spaces, and incorporates the effects of flanking noise between two spaces. This rating is generally accepted to be about 5 points less than the STC/R_w rating.

IIC/L_{nw} Impact Insulation Class, or Weighted Normalised Impact Sound Level. L_{nw} = 110 - IIC. The higher the IIC rating, or the lower the L_{nw} rating the better the performance of the building element at insulating impact noise. The table below gives the subjective impression of different ratings:

IIC	L _{nw}	Subjective Rating
40	70	Clearly Audible
45	65	Clearly Audible
50	60	Audible
55	55	Audible
60	50	Just Audible
65	45	Inaudible

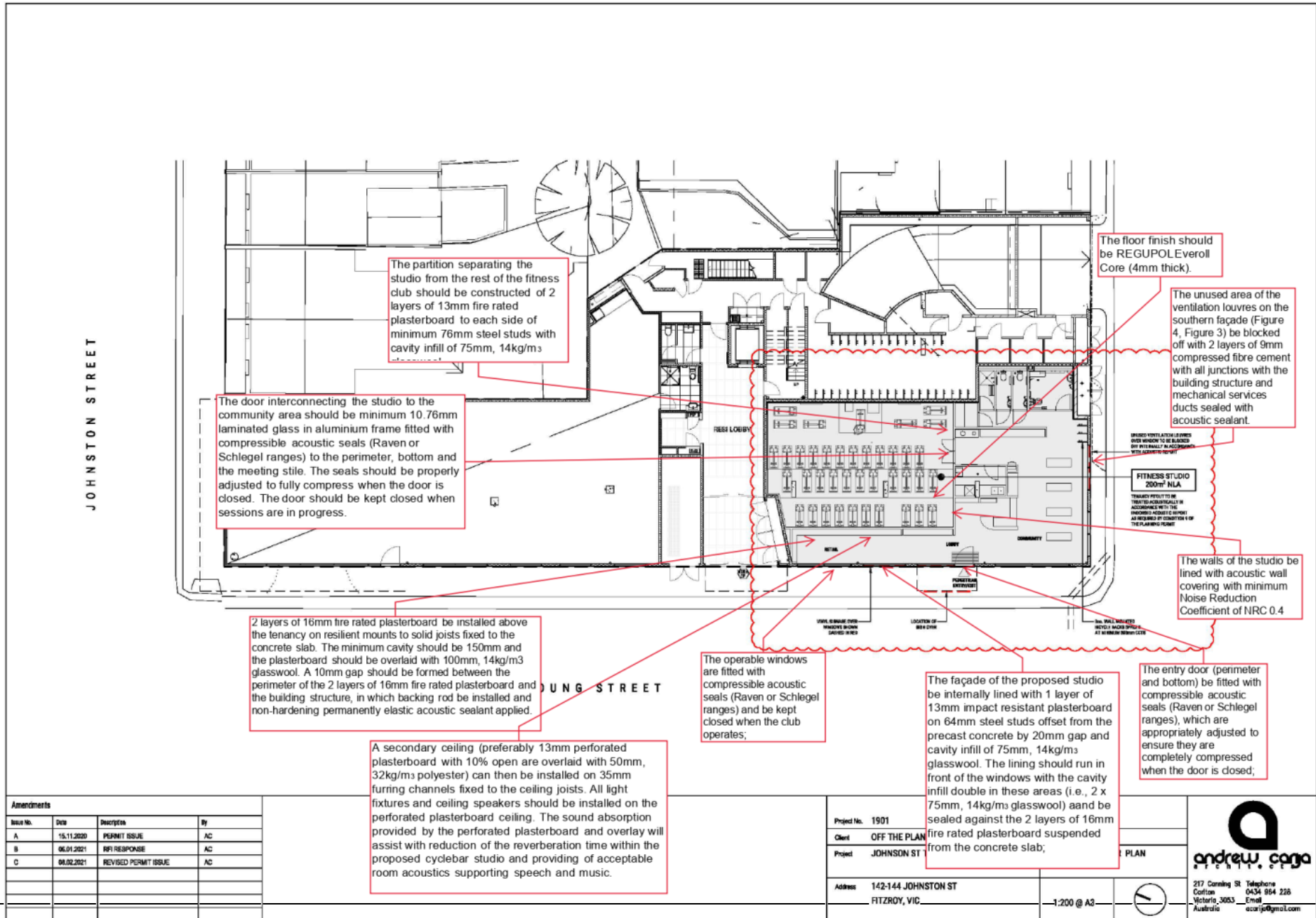
FIIC/L_{nT,w}' The equivalent of IIC/L_{nw}, but the performance is for the building element measured in the field.

Attachment 8 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Acoustic Floorplan

ATTACHEMENT F

ACOUSTIC PLAN

Attachment 8 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Acoustic Floorplan



Amendments			
Issue No.	Date	Description	By
A	15.11.2020	PERMIT ISSUE	AC
B	06.01.2021	RPI RESPONSE	AC
C	08.02.2021	REVISED PERMIT ISSUE	AC

Project No.	1901
Client	OFF THE PLAN
Project	JOHNSTON ST
Address	142-144 JOHNSTON ST FITZROY, VIC.
Scale	1:200 @ A2

PLAN

andrew coga

217 Carrington St Telephone 0434 954 228
 Carlton Victoria, 3053 Email acoga@ymail.com
 Australia acoga@ymail.com

Attachment 9 - PLN19'0221.01 - 142 Johnston Street Fitzroy - Internal acoustic referral comments



24 March 2021

640.10090.06780-L01-v0.1-20210324.docx

Yarra City Council
PO Box 168
RICHMOND 3121

Attention: Alexandra Paraskevakis

Dear Alexandra

**142 Johnston Street, Collingwood
Development Application Acoustic Review
PLN 190221.01**

SLR Consulting Australia Pty Ltd (SLR) has been retained by the City of Yarra to provide a review of the revised acoustic assessment report prepared to support the application for a bicycle gymnasium at 142 Johnston Street, Collingwood.

Details of the report are as follows.

- Title: Cyclebar, 142 Johnston Street, Fitzroy, Victoria, Noise Assessment Report
- Reference: 30441/6/1
- Prepared for: Invest Assist Pty Ltd
- Date: 30 November 2020 (Report has been revised subsequent to this date, with this copy sent by Bestec on 8 February 2021)
- Prepared by: Bestec

The report has been prepared to address noise impacts from the proposed use.

An acoustic report was previously prepared for a ground level gym in Tenancy 1 of the same building. That application proceed. The report, which was prepared by a different Acoustical Consultancy (Acoustic Dynamics) was for the same end client, is referenced in the current report. (Report title 'Noise Emission Assessment, Orangetheory Fitness Fitzroy, 142 Johnston Street Fitzroy, Victoria, dated 18 December 2019)

SLR reviewed versions of the Acoustic Dynamics report in October 2019 and January 2020.

1 Background

(Pages 1 and 5 of the acoustic report)

The acoustically significant aspects of the proposal are detailed below.

- A cycle gym is proposed for Tenancy 2 of the ground floor of the mixed use building at 142 Johnston Street.

Attachment 9 - PLN19'0221.01 - 142 Johnston Street Fitzroy - Internal acoustic referral comments

Yarra City Council
142 Johnston Street, Collingwood
Development Application Acoustic Review
PLN 190221.01

SLR Ref: 640.10090.06780-L01-v0.1-20210324.docx
Date: 24 March 2021

- There are apartments directly above the gym and carparking below (i.e. suspended slab construction)
- The training equipment comprises 40 stationary bikes. Up to 39 patrons will use the bikes at any one time.
- The proposed operating hours are:
 - Monday to Friday: 5:30 am to 10 pm
 - Saturday: 6:30 am to 7 pm
 - Sunday: 8 am to 7 pm
- Access to the gym will be via the Young Street entrance.
- The nearest residential receivers are identified as:
 - Level 1, 142 Johnston Street apartments, directly above the gym
 - 266 Young Street (address given as Chapel Street), single level dwelling to the south, separated from the gym by a local road.
 - 121-125 Victoria Street, two storey dwelling to the south west, separated from the gym by Young Street, a local road.
- Music is proposed to be played through a distributed sound system with ceiling mounted speakers.
- Details of the building construction are provided on page 4, and it is noted that the tenancy is separated from the apartments above by a 160 mm thick concrete slab.
- The studio is separated from the lobby by a 150 mm concrete wall.
- A plan of the gym layout is included in Figure 1, and shows that the gym area set back from the building façade.

Bestec observe on page 8 that impact generated noise, as was anticipated in the original application for a gym in Tenancy 1, will not be produced by the cycle gym. The bikes themselves do not cause impacts to the building structure and no other impact generating sources, such as weights or running machines, are proposed to be used.

SLR Comments: *Details of the proposal and the nearest noise sensitive receivers are provided.*

The fact that impacts to the building will not occur during typical operation of the proposed gym moves this application from high to moderately low risk from the perspective of acoustics.

The gym layout is also conducive to control of noise, with no direct access to the gym studio area from the street.

2 Assessment Criteria

(Section 2 of the acoustic report)

The criteria nominated by Acoustic Dynamics in their 2019 report for Tenancy 1 are reported to have been adopted for the project.

In summary, noise from the gym to residential receivers is proposed to be assessed to SEPP N-2 (music noise), SEPP N-1 (other on-site sources), and sleep disturbance targets (on-site and off-site sources).

Attachment 9 - PLN19'0221.01 - 142 Johnston Street Fitzroy - Internal acoustic referral comments

Yarra City Council
142 Johnston Street, Collingwood
Development Application Acoustic Review
PLN 190221.01

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Date: 24 March 2021

In addition to the above, noise from within the gym is proposed to be assessed to all receivers (residential and commercial) to the following targets adopted from the AS/NZS2107 design sound ranges:

- 'Average' or Leq noise levels are proposed to be assessed to the AS/NZS2107 design ranges for the relevant use.
- Instantaneous maximum or L_{max} levels are proposed to be assessed to the lower end of the AS/NZS2107 design range for the relevant use + 10 dB (i.e. 45 dBA in bedrooms).

SLR Comments:

SEPP N-1 and SEPP N-2

We agree that SEPP N-1 and SEPP N-2 are applicable to the project. It is unclear what the noise is proposed to be assessed to the AS/NZS2107 design ranges. These typically only apply to commercial uses (with noise to dwellings being assessable to SEPP N-1 and SEPP N-2).

It is also of consideration that the SEPPs will be replaced with Publication 1826.2 EPA Victoria 'Noise limit and assessment protocol from the control of noise from commercial, industrial and trade premises and entertainment venues' in July 2021, and the project should be designed to meet the limits identified in that document.

The replacement of the SEPPs with the Protocol will not affect noise limits in most instances, however it will have implications for the effective indoor limit for commercial noise transmitting through the floor/ceiling. Whereas SEPP N-1 requires an adjustment of 15 dB for indoor measurement locations, the Protocol default will be 20 dB. This change effectively reduces the internal noise limit indoors by 5 dB. The change would apply to noise transmitted from the gym to the apartments above, via the common floor / ceiling.

Sleep disturbance targets

As discussed in our previous review, SLR has reservations about the effective L_{max} target of 45 dBA Leq for bedrooms of residential dwellings and recommend that L_{max} levels do not exceed 40 dBA L_{max} in bedrooms, or 45 dBA L_{max} in living rooms for typical apartments. This is in line with the AAAC Internal Noise Intrusion Design Targets for '3 Star' apartments. However, unlike standard gyms, this application is unlikely to produce regular intrusive maximum noise levels and for this reason it is not considered necessary to require the more onerous targets to be documented in the report.

3 Background Noise Levels and Noise Limits

(Page 5 of the report)

Bestec have not undertaken background noise monitoring for this project and have generally adopted the noise limits (and by implication the background noise monitoring) conducted by Acoustic Dynamics in 2019.

SEPP N-1 noise limits for the site are provided on Page 6 and are 55 dBA (day), 49 dBA (evening) and 43 dBA (night).

SEPP N-2 limits for the day/evening and night periods are provided on page 6.

SLR Comments: *The monitoring undertaken by Acoustical Dynamics was accepted by SLR for the previous application. Given that the sensitive receiver locations are similar and that the monitoring was undertaken relatively recently, it is reasonable to use the previously obtained data for the current application.*

Attachment 9 - PLN19'0221.01 - 142 Johnston Street Fitzroy - Internal acoustic referral comments

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Development Application Acoustic Review
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The identified noise limits are generally consistent with those provided in the Acoustic Dynamics report, however a higher SEPP N-1 night limit of 46 dBA has been used for apartments at 142 Johnston Street during the night period (Table 10 of the report). The higher limit is not explained in the Bestec report, however it is consistent with SLR's calculation of zoning levels and the Acoustic Dynamics report, and is acceptable for the project.

4 Assessments

4.1 Music Noise

(Pages 10 and 12 of the report)

Music noise has been predicted to all receiver locations and compared with the identified SEPP N-2 limits. All predicted levels comply with the noise limits.

The assessment assumes music levels of 94 dBA L₁₀ (octave band levels provided in Table 8). The calculated external noise levels are provided in Table 12, and are predicted to exceed the nominated targets at Apartment 04 (above the gym).

The calculated internal noise levels are provided in Table 13, and are predicted to exceed the identified limits inside Apartment 104.

Based on the identified exceedances, recommendations have been provided for controlling noise emissions. These include:

- Installation of a high performance acoustic ceiling with absorptive treatments below (Items 1 and 2 on page 12).
- Sound absorptive treatments to the gym walls (Item 3 on page 12).
- Acoustically rated internal walls and doors to control noise from the gym space to the lobby area of the gym.
- A sound limiter within the studio set up by an acoustic engineer to ensure that the music noise limits identified in Table 4 (the SEPP N-2 base noise limits) are not exceeded.

The above works are additional to the treatments described on page 9 for addressing noise from the existing louvres in the building façade.

SLR Comments: *The assumed noise levels, provided assessment and recommendations for managing music noise are generally appropriate.*

We note that some internal walls of the gym may be 150 mm concrete, with absorptive linings only, and the extent of these walls is greater than it was in the previous layout. There is potential for airborne noise to be transmitted to the apartments above via the concrete walls if they are not acoustically lined. However, the requirement for post construction testing in apartment 104 will ensure that any further reduction in music levels, if required for achieving compliance with the noise limits, will be identified.

4.2 Operational Noise

(Pages 10 and 11 of the report)

An assessment of noise from the gym operation and patron arrivals and departures is provided in Tables 10 (external assessment) and 11 (internal assessment).

Attachment 9 - PLN19'0221.01 - 142 Johnston Street Fitzroy - Internal acoustic referral comments

Yarra City Council
142 Johnston Street, Collingwood
Development Application Acoustic Review
PLN 190221.01

SLR Ref: 640.10090.06780-L01-v0.1-20210324.docx
Date: 24 March 2021

The assessment takes into consideration 39 patrons participating in a class and 30 patrons arriving and departing from the premises.

The resultant levels are predicted to comply with the SEPP N-1 night noise limits, with marginal compliance only predicted for the apartments directly above the gym without the proposed building upgrades in place.

The internal assessment assumes a 20 dB indoor to outdoor correction, as will apply with the new environmental legislation comes into force in July 2021.

SLR Comments:

Operational noise from the facility has been appropriately assessed.

5 Summary

SLR have undertaken a review of the acoustic report prepared to support the cycle gym proposed for 142 Johnston Street, Fitzroy. The report addresses noise impacts from the proposal.

Regards,



Dianne Williams
Principal – Acoustics

Checked/Authorised by: JA

Attachment 10 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Strategic Transport referral comments

Paraskevakis, Alexandra

From: Wright, Chloe
Sent: Friday, 30 April 2021 12:39 PM
To: Paraskevakis, Alexandra
Subject: RE: Urgent referral - PLN19/0221.01 - 142 Johnston St Fitzroy - Amendment to permit for fitness studio

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Alexandra,

I've reviewed the amended plans and confirm the revised bicycle parking is acceptable; provision of 3 spaces meets the Statutory requirement, this is based on the assumption that the number of employees is still 4. The layout of bike racks is acceptable and a notation that the racks will be spaced 500mm apart has been included on the plans, as per the permit Condition 1(c).

Please let me know if you have any questions or would like to discuss.

Kind regards,
Chloe

Chloe Wright
Sustainable Transport Officer
Sustainability and Strategic Transport
I work Monday – Thursday

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From: Paraskevakis, Alexandra <Alexandra.Paraskevakis@yarracity.vic.gov.au>
Sent: Thursday, 22 April 2021 12:19 PM
To: Strategic Transport Referrals <StrategicTransportReferrals@yarracity.vic.gov.au>
Cc: Connell, Danielle <Danielle.CConnell@yarracity.vic.gov.au>
Subject: Urgent referral - PLN19/0221.01 - 142 Johnston St Fitzroy - Amendment to permit for fitness studio
Importance: High

Hi,

We have a current amendment application in for PLN19/0221, which is a permit for use of the land as a restricted recreation facility (gym).

The amendment includes;

1. Increase the maximum number of patrons from 12 (previously approved) to 39.
2. Alteration of opening hours as follows;

From:

Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:

- (a) Monday to Friday: 5:30am – **10:00pm**;
- (b) Saturday: 6:30am – 7:00pm; and
- (c) Sunday: 8:00am – 7:00pm.

To:

Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:

- (a) Monday to Friday: 5:30am – **8:00pm**;
- (b) Saturday: 6:30am – 7:00pm; and
- (c) Sunday: 8:00am – 7:00pm.

Can the proposed amended bike parking arrangements for this fitness studio / gym please be reviewed?

Original referral comments for the planning permit are in the email trail below.

Existing planning permit, and proposed management plan and amended plans are attached.

Kind regards,

Alexandra Paraskevakis
Statutory Planner
Statutory Planning

Attachment 10 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Strategic Transport referral comments

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From: Wright, Chloe <Chloe.Wright@yarracity.vic.gov.au>
Sent: Tuesday, 24 March 2020 11:29 AM
To: Moloney, Madeleine <Madeleine.Moloney@yarracity.vic.gov.au>
Subject: RE: Informal referral - PLN19/0221 - 142 Johnston St Fitzroy - proposed fitness studio

Hi Madeleine,

I've looked at the plans and the proposed bike parking looks fine. Great to see they're providing well over the statutory requirement.

Comments:

- While the racks are not provided in a secure / lockable area, given the use and excess provision of bike spaces this is acceptable. The proposed arrangement allows both patrons and employees to use the bike parking (and allow flexibility depending on demand).
- There are no horizontal racks for an e-bike or cargo bike to use, however the waiting room is quite large, so there would be adequate space to park a heavier bike / e-bike adjacent to the wall racks.
- They haven't noted dimensions on the plans. The racks look like they're adequately spaced apart, however a condition could be included to ensure this (or you could confirm with the applicant):
 - *The wall mounted bicycle racks must be spaced at 500mm as per AS 2890.3 or otherwise to the satisfaction of the responsible authority.*

Let me know if you have any questions.

Thanks,
 Chloe

From: Moloney, Madeleine
Sent: Monday, 23 March 2020 2:37 PM
To: Strategic Transport Referrals <StrategicTransportReferrals@yarracity.vic.gov.au>
Subject: Informal referral - PLN19/0221 - 142 Johnston St Fitzroy - proposed fitness studio

Hi there!

Was hoping if someone could take a quick look at the bike parking arrangements for this fitness studio / gym and let me know if the bike parking arrangements are acceptable.

This is for a maximum 12 patron fitness studio, and max 4 staff. From my calculations below they only require 3 spaces under CI52.34 and so have an excess of 11.

Use	Statutory Requirement	No. Required	On-site Provision	Reduction requested
Minor sports and recreation facilities	1 space to each 4 employees.	1	14	N/A
	1 visitor space to each 200m ² of net floor area.	2 (rounded up from 1.51)		
Total		3	14	N/A

Are you please able to advise if the bike racks, as shown on the plans, are acceptable?

Happy to discuss on the phone if easier. I wasn't sure if we were still doing the informal referral sessions given the current predicament.

Kind regards,

Madeleine Moloney
 Senior Statutory Planning Officer
 Statutory Planning

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Attachment 10 - PLN19/0221.01 - 142 Johnston Street Fitzroy - Strategic Transport referral comments



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