



Statement of Environmental Effects

Orangetheory Fitness Brookvale

Change of use to an Indoor Recreation Facility
(Fitness Studio) and internal fit-out for the purpose

Shop 1233/34, Warringah Mall
145 Old Pittwater Road,
Brookvale, NSW, 2100

Prepared for submission to Northern Beaches City Council

Prepared by CWG Property Pty Ltd. on behalf of Orangetheory Fitness Brookvale

26/06/2019

Table of Contents

Summary	3
The site.....	4
The proposal	5
Proposed development.....	5
Intensity of use.....	5
Environmental Assessment.....	6
Warringah Local Environmental Plan (LEP) 2011.....	6
Zoning	6
B3 Commercial Core Zone.....	6
Objectives of zone:.....	6
Permissibility	7
Regional Environmental Plans and State Environmental Planning Polices	8
Warringah Development Control Plan 2011.....	8
Part C2 – Traffic, Access and Safety.....	8
Part C3 – Parking Facilities.....	8
Part C9 – Waste Management	10
Part D3 - Noise.....	10
Part D18 – Accessibility	11
Part D20 – Safety and Security	11
Section 4.15 Other impacts of the development assessed.....	11
Visual impact and context	12
Social and economic impact.....	12
Flora and fauna values.....	12
Soil erosion and landscaping provision.....	12
Utility services	12
Heritage.....	12
Suitability of the site for Development.....	12
Public interest.....	13
Conclusion.....	13

Summary

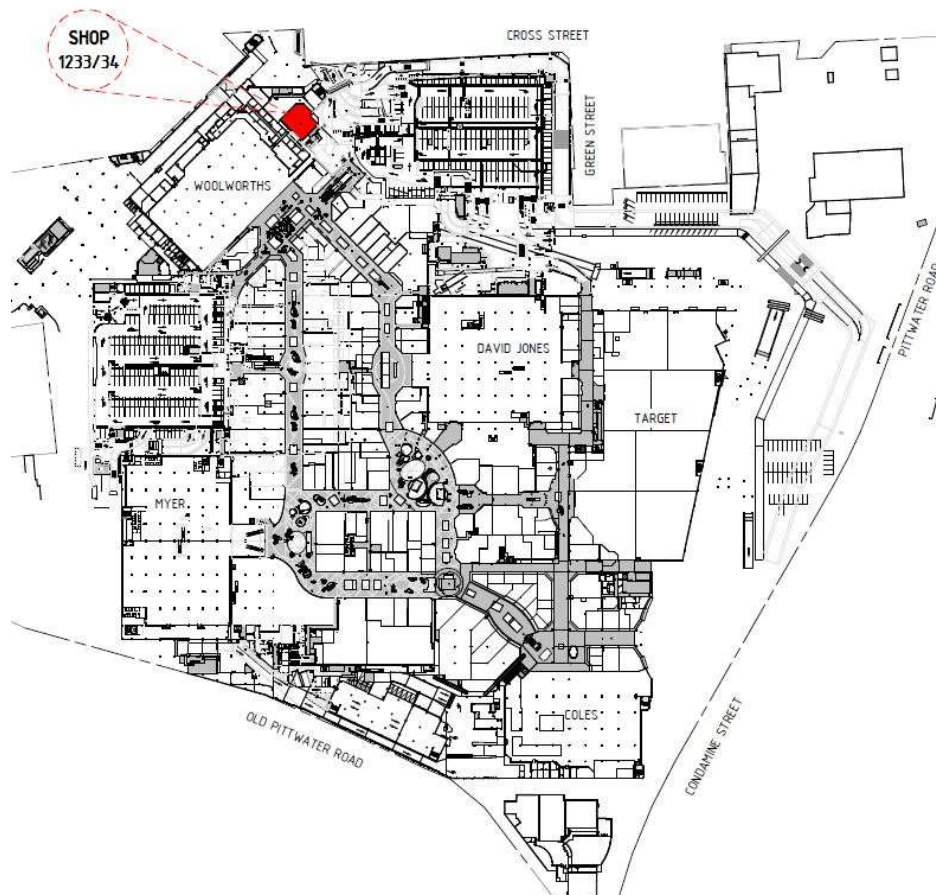
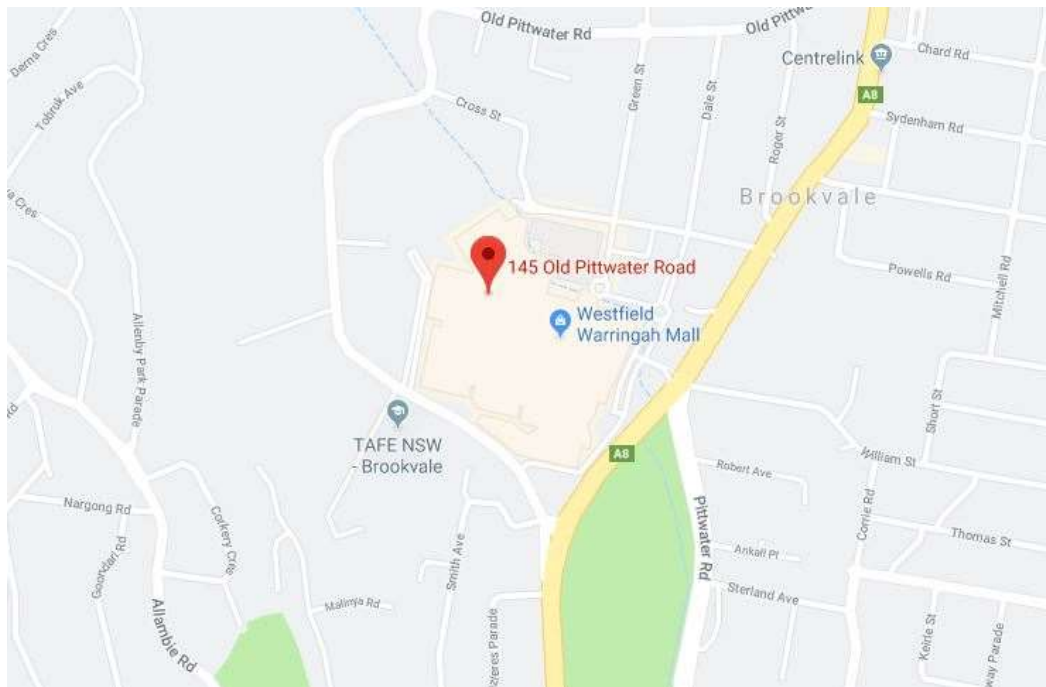
This Statement of Environmental Effects was completed by CWG Property Pty Ltd. on behalf of Orangetheory Fitness Brookvale. It forms part of the Development Application to change the use of Shop 1233/34 located in the Westfield Warringah Mall at 145 Old Pittwater Road, Brookvale into an Orangetheory Fitness Studio (Indoor Recreation Facility) and associated internal fit-out for the purpose.

The total Gross Floor Area of the Studio would be 240m² and the site is located entirely within the B3 Commercial Core zone as depicted by the Warringah Local Environmental Plan (LEP) 2011.

This statement has been prepared to address the proposed development in accordance with the Environmental Planning and Assessment Act 1979 and any relevant planning instruments.

The site

The site address relates to the Westfield Warringah Mall at 145 Old Pittwater Road, Brookvale, 2100. The proposed studio premise is to be located within Shop 1233/34 which is situated on the North-Western side of the building and in close proximity to Woolworths.



The proposed Fitness Studio would be located within a convenient and sustainable location with good access from the public transport network and ample off-street parking availability. The tenancy is further surrounded by a variety of commercial based land uses and would have a total GFA of 240m² which is considered to be an appropriate size for studios of this nature and scale.

The proposal

Proposed development

The land use would include the following parameters:

- Hours of operation 5am-10pm Monday – Sunday, including all bank holidays
- Expected 2 - 3 staff members on site (manager, personal trainer and/or assistant)
- Expected maximum usage of 38 patrons during absolute highest peak hours, based on the limited amount of equipment available within the studio.
- The Orangetheory Fitness brand offers group training sessions, with classes booked in advance, online and over the app.

Outline of extent of internal works:

(Please refer to the attached floor layout drawings for further detail)

- An internal fit out including the installation of unisex toilets, showers and change rooms, including one complete suite being for disability access;
- The construction of various stud walls to improve the layout for the proposed use;
- Installation of various acoustic absorbing materials (as outlined and recommended in the Noise Emission Assessment Report attached).
- Installation of a high-tech security system.

Further specific details to be included on the Construction Drawings prior to issuing of the Construction Certificate.

Intensity of use

Orangetheory Fitness is a unique result driven fitness experience, providing specialised group training sessions. The premises are generally smaller in nature and scale while combining strength and cardiovascular interval training. Classes are led by highly skilled coaches and each Orangetheory Fitness workout incorporates endurance, strength and power elements through a variety of equipment including treadmills, rowing machines, TRX® suspension training and free weights. Training sessions are scheduled in advance and generally consist of 20 – 30 patrons per 60-minute training session.

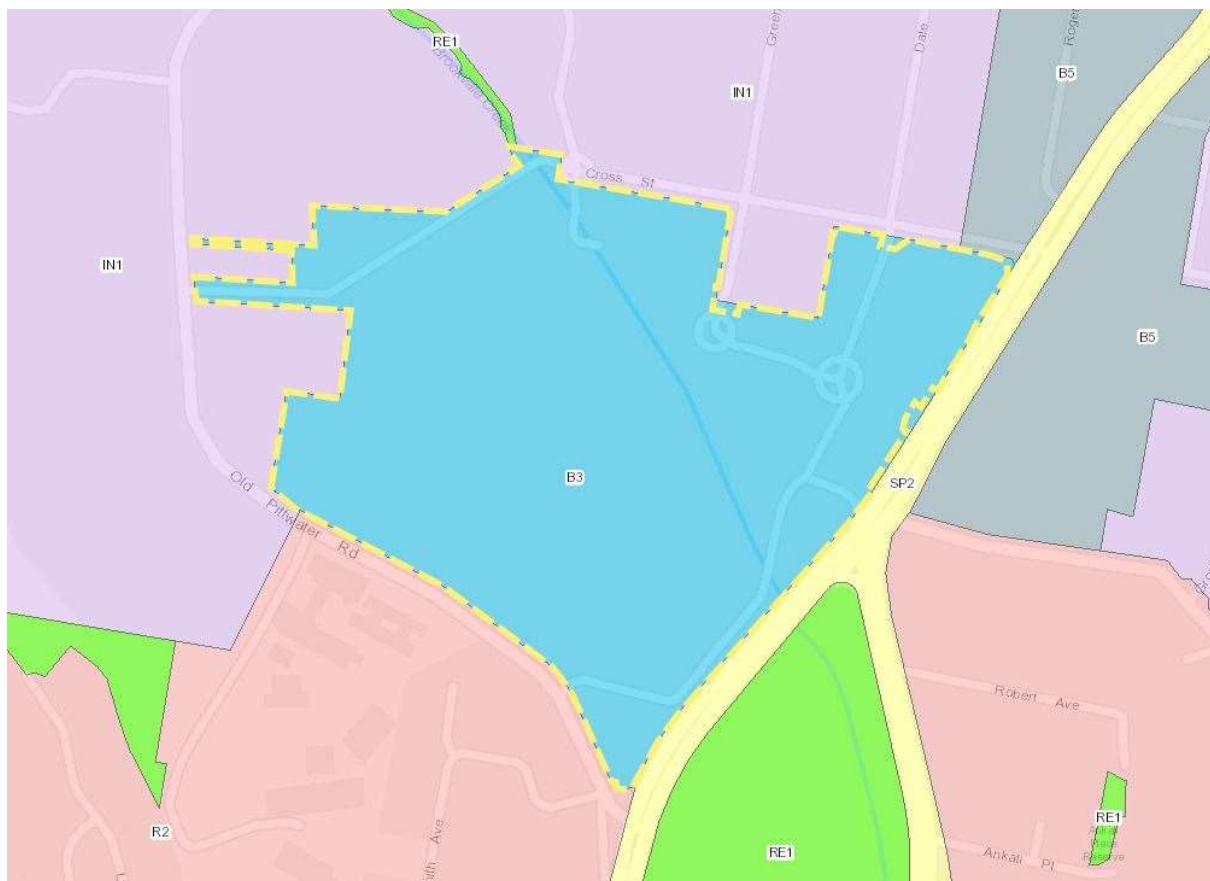
Environmental Assessment

The proposal has been assessed with regards to the relevant heads of consideration under *Section 4.15* of the *Environmental Planning and Assessment Act 1979*. In determining a development application, a consent authority is to take into consideration the following relevant matters of the development application.

Section 4.15 Evaluation including: Environmental Planning Instruments, Draft instruments and Development Control Plans

Warringah Local Environmental Plan (LEP) 2011

Zoning



The subject land is zoned in the B3 Commercial Core zone pursuant to the Warringah Local Environmental Plan 2011.

B3 Commercial Core Zone

Objectives of zone:

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.

- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To recognise and support the role of Warringah Mall as a retail centre of sub-regional significance.

The proposed use of the tenancy as an Orangetheory Fitness Studio in the Warringah Mall adequately meets the objectives of the B3 Commercial Core zone. The proposal represents a perfectly suitable service use in the area which would sustainably serve the health and fitness needs of people who live in, work in and visit the centre, while adding a tenancy of appropriate scale and character that will integrate well with surrounding land uses and contribute to the overall vitality and viability of the local community.

The proposed Orangetheory Fitness Brookvale will also promote and encourage employment opportunities for a number of persons over the time of its operation including during the fit-out, ongoing maintenance, security and day to day operations of the facility.

Orangetheory Fitness is designed to be a local facility, sourcing memberships from surrounding commercial land uses and nearby residential areas, approximately within a 1-2km radius. This will enable and encourage members to walk or cycle to the studio while promoting a healthier lifestyle and thus in turn community productivity.

It is considered that Orangetheory Fitness Brookvale would complement the surrounding land uses in providing local workers and residents with a flexible and convenient recreation facility at an affordable price. The proposed hours of operation will further ensure convenience and accessibility to all members of the community whilst contributing to the overall sustainability of the studio itself as well.

The proposed Orangetheory Fitness Studio in Brookvale is further considered to draw people to the area, and therefore increase the probability of multi-purpose trips. Orangetheory Fitness members could essentially combine the trip to the studio with carrying out other tasks such as trips to and from work, shopping or any other activities provided within the centre. With the Orangetheory Fitness brand being a world class leading fitness chain, long term operations and viability will be ensured for this key tenancy in the Westfield Warringah Mall.

Permissibility

In reference to the land use table of the B3 Commercial Core zone under the Warringah LEP 2011, the use of the land for the purpose of a "*Recreation facility (indoor)*"; is permissible upon obtaining the relevant consent from Northern Beaches Council. It is therefore considered that this proposal appropriately and successfully meets all zoning criteria.

Regional Environmental Plans and State Environmental Planning Policies

There are no further SEPP's or REP's applicable to this application.

Warringah Development Control Plan 2011

With the application only pertaining the change of use and internal fit-out of an existing tenancy, with no changes/alterations to the exterior envelope of the building, it is considered that all development controls pertaining to built form such as Height, Setbacks, Floor Space Ratio etc. need not be reconsidered.

Part C2 – Traffic, Access and Safety

Reference is made to Part C2 of the DCP, however, no alterations nor any changes are proposed nor expected to the existing Traffic and Access conditions of the centre in any way. It is therefore considered that only the matter of Parking Facilities is relevant to the subject proposal.

Part C3 – Parking Facilities

Part C3 of the DCP pertains to the provision of adequate off-street carparking facilities in accordance with the relevant Australian Standards. It should once again be noted that no alterations nor any form of changes are proposed to the existing car parking amenities of the centre.

With reference to Part G4, of the DCP which pertains to development standards specifically for the Warringah Mall, Car parking is to be provided at a rate of 4.1 spaces per 100m² of Gross Leasable Floor Area. With this rate applied to the subject proposal (which consists of 152m² GLFA) a total of 6 spaces would be required.

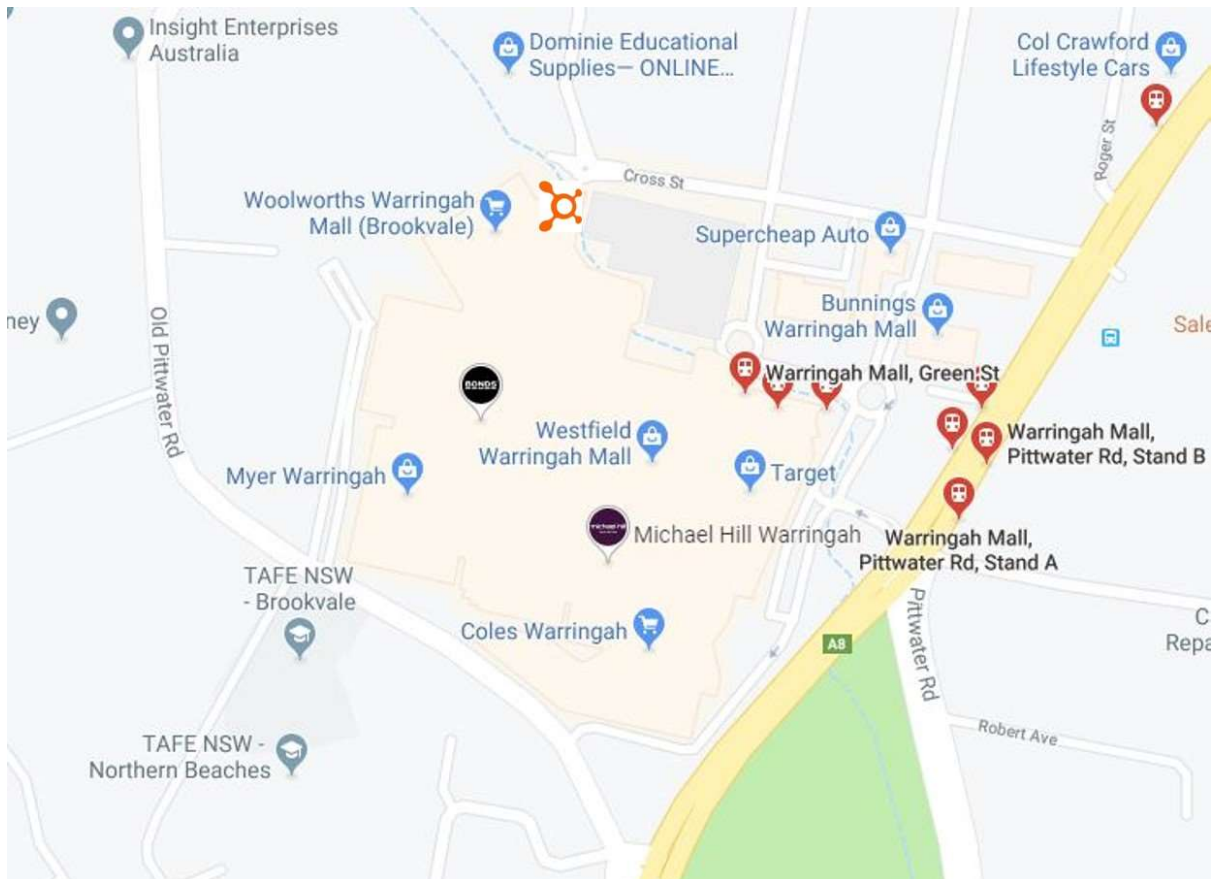
However, in accordance with Part H, Appendix 1 of the DCP, car parking for the use of a Gymnasium is to be provided at a rate of 4.5 spaces per 100m² of GFA. With the nominated rate applied to the proposed facility, a total of 10 spaces would be required.

It should nevertheless be pertinently noted that the previous use of the tenancy was for that of a 'Shop' and the nominated car parking requirement for a shop in accordance with Part H, Appendix 1 of the DCP is 6.1 spaces per 100m² of GLFA. With this rate applied, the subject tenancy would have required a total of 13 spaces.

It is therefore considered that the impact on the available car parking within the centre would in reality be reduced and therefore have no adverse negative effect on car parking provision whatsoever.

The Warringah Mall further features up to 3 hours free parking with a total of more than 4000 car parking spaces including for disability and parents with prams. It is expected that patrons that do choose to drive to the facility would make use of the 'Green' car park which provides access from the Green Street Roundabout.

It is further evident from the image below, that the proposed facility would be sited in a very accessible location, served well by main roads and public transport amenities. It has multiple bus interchange services located along Pittwater Road and Green Street.



Notwithstanding the above, members for the Orangetheory Fitness facility is expected to be sourced from the local commercial area and surrounding residential units. The typical proximity of Orangetheory Fitness members is usually within 1-2km of the site. Unlike larger, more regional facilities, members will not be drawn from a wider area because we offer a network of studios and it is therefore considered that many members will walk, run, or cycle to the facility instead of driving. On site bicycle parking facilities are already accommodated within the centre.

The land uses in the surrounding area would also not typically be at their peak demand during the same time as the proposed Orangetheory Fitness facility. Demand for the Orangetheory Fitness premise is expected to have two notable peaks. The first in the morning between the hours of 5am and 7am and the second is an afternoon peak between 5pm and 7pm. The neighbouring tenancies will not necessarily be in peak operation during the same time as the

highest usage periods of the proposed Orangetheory Fitness studio, which significantly lessens the demand for car parking.

It is also considered that with the proposed facility to be located within a well-established commercial shopping centre, the proposal would increase the probability of multi-purpose trips as patrons could essentially make use of other services offered by the centre such as shopping, restaurants, banks etc. as part of their visit to the studio.

It is therefore considered that the newly proposed Orangetheory Fitness facility would have no adverse negative effect on parking availability in the area at all.

Part C9 – Waste Management

It is anticipated that the volume of waste generated by the facility will be minimal. Bins will be provided for patrons within the premises and all waste will be stored in proper containers before being removed for disposal by appropriate contractors. Please refer to the attached *Plan of Management* and *Construction Waste Management plan* for further detail.

Part D3 - Noise

This section identifies any potential noise impact and describes how noise abatement measures are in place to satisfy any potential noise disturbance. Please also refer to the attached Operational Noise Assessment Report 4635R001.JM.190614 as provided by Acoustic Dynamics.

Given that the site is located within a B3 Commercial Core zone, the proposed use is considered to be adequately compatible with the general character of the area with regards to noise. In addition, numerous acoustic control measures are built into the design of the Orangetheory Fitness brand which are low impact and scaled down compared to other more traditional facilities.

These features include:

- All tenancies are sound-proofed in accordance with the Orangetheory Fitness Design Manual with acoustic absorbing materials installed such as sound absorbing rubber sports flooring, acoustical ceiling tiles and sound attenuation wall insulation.
- All the equipment is designed for members to use individually and without the need for spotting, encouraging a controlled use.
- All windows are non-openable and fixed shut at all times, with air conditioning supplied to constantly filter the air.

These methods and regulations are further set out and discussed in the attached *Plan of Management*.

In summary, the land uses that could potentially be impacted by noise have been identified and discussed. It is considered that Orangetheory Fitness noise emissions are controlled in a manner that would result in no undue impact on any surrounding land uses.

Part D18 – Accessibility

It is herewith confirmed that the proposed change of land use and internal fit-out for the purpose will fully comply with the requirements of the Australian Standards AS1428.4:2002 and the Disability Discrimination Act 1992. The internal fit-out would incorporate a complete dedicated suite for patrons with disability as well as the relevant access thereto.

With regards to carparking and access to the subject tenancy, it is confirmed that the Westfield Warringah Mall features over 4000 carparking spaces that includes disabled spaces as required. Patrons with a mobility constraint can also obtain a parking permit which enables them free parking upon presentation of the permit at a Concierge Desk. Mobility parking spaces are available to all mobility permit holders and these spaces are located within close proximity to all entrances within the car park.

Part D20 – Safety and Security

Orangetheory Fitness fully recognises the issues of health, safety and Security and have put in place several measures to minimise the occurrence of such issues as 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 a health complication, 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 studio will be informed of the location of it when they sign up.

The proposed facility would further incorporate a state-of-the-art security system to maximise the safety of all users. A CCTV system will be utilised and will include 24-hour digital video recording, high resolution camera positioned by the entrance and a number of other cameras strategically located around the premise to ensure that supervision is maximised.

The coverage of these cameras will be thorough both internally and externally and will provide excellent surveillance of the premises for the safety of both members and the local community.

These methods and regulations are also included and further elaborated on in the *Plan of Management* attached in **Annexure B**.

Section 4.15 Other impacts of the development assessed

This section assesses the impact of the proposal in relation to the following issues, as required under section 4.15 of the EP & A Act and the Warringah DCP 2011.

- Visual impact and context
- Social and economic impact
- Flora and fauna values
- Soil erosion and landscaping provision
- Utility services
- Heritage
- Suitability of the site for development
- Public interest

Visual impact and context

The proposed development has been discussed under 'The Site' section and is believed to have an overall positive impact on the visual character and context of both the building and the surrounding area.

Social and economic impact

Introducing the proposed Orangetheory Fitness gymnasium into the area would result in the creation of various employment opportunities while providing an affordable and convenient recreational service to the local community. It is considered that the facility would provide residents and local workers a variety of choice whilst encouraging a healthy lifestyle and contribute to the overall economic sustainability of the area.

Flora and fauna values

N/A.

Soil erosion and landscaping provision

N/A.

Utility services

The site is adequately served with electricity, water and waste management.

Heritage

N/A

Suitability of the site for Development

The proposed site for the Brookvale Orangetheory Fitness is suitable given the following;

- The use of the site is legally permissible within the B3 Commercial Core zone;
- The site would be complemented by surrounding land uses;

- The size, layout and locality of the premises is perfect for the Orangetheory Fitness concept;
- The site is easily accessible via the public transport network and benefits from ample off-street car parking amenities.

Public interest

It is considered that the proposed Orangetheory Fitness Brookvale studio would provide residents, local workers and visitors with an enhanced and unique variety of choice in recreational services, while encouraging a healthy lifestyle combined with social interaction, at an affordable price and convenient usage times. It positively contributes to the overall tenancy mix in the area and therefore makes this area of Brookvale a more attractive experience for all.

Conclusion

In summary, it is considered that this proposal represents an appropriate development for the site with a positive impact on the local area.

The proposal as submitted could therefore be supported on the following grounds:

- It is a legally permissible use in the B3 Commercial Core zone, subject to receiving the relevant development consent of Northern Beaches Council;
- The proposal is considered acceptable in terms of *Planning and Environment Act 1987*, the *Warringah Local Environmental Plan 2011* and the *Warringah Development Control Plan 2011*.
- Appropriate conditions may be imposed to ensure the development proceeds in accordance with Council's requirements.