

---

**Sent:** 19/05/2025 7:01:41 PM

**Subject:** Submission MOD2025/0212 1-3 Moore Rd Freshwater NSW 2096

To whom it may Concern

**We strongly oppose this Modification To alter hours to 24hrs day.**

Freshwater is NOT an Entertainment Precinct and is NOT an Industrial Area. Freshwater is a Residential Suburb with a Local Town Centre to meet the needs of the Residents.

The site 1-3 Moore Rd is surrounded by Residential Receivers on all sides including R2 on 3 sides. A 24hr operation for a Gym in this area is **NOT in the Public Interest** and would set a very unwelcome precedent for all Businesses of this type for which there are many i.e. yoga/pilates/gyms etc. In addition if a 24hr Gym (Largely Unstaffed Business) is in the Public interest why not cafes/supermarkets/physio/Dentist/Hairdresser etc. **This 24hr Operation is not in the Public Interest in Freshwater. The Hours as per the DA from 2019 should remain.**

I dont really understand firstly what is happening ie is the Climbing Gym closing and Anytime Fitness taking over the lease or is Anytime setting up inside the space in addition to the Gym - clarification would be appreciated.

A few points:

1. Noise associated with this Type of Gym is significant and largely there is no supervision i.e. largely unstaffed,
2. An Alarm goes off when someone without a fob enters - is it a silent alarm or will we all have to listen to alarms all night.
- 3, Overnight where do the people park - the Centre carpark i.e. underneath and on top are closed by 12pm/1am. There is **NO public transport overnight** and additional cars/motor bike engines and lights going on and off all night is not conducive to a residential area and will have a negative effect on residential amenity.
4. There is no supervision i.e. **unstaffed** so we have people walking around the streets all night and no supervision at night/overnight or on weekends.
5. Why is **Condition 10** relating to the Doors being self closing and Rx35 rating being deleted/modified given it has helped to reduce noise. Given the cost of this Mod is \$1 they are clearly not changing the doors,
6. The application indicates the windows/doors are closed at all times but this is not true as many of the windows in Moore Road are open as per the pictures in the Acoustic report. If the windows are left open the noise will travel particularly at night when all businesses are closed and people are trying to sleep due to the fact that Freshwater is a Giant Bowl and operates like a speaker bouncing around sound in the area.
7. Mechanical Noise - Large Air Conditioning Units operating all night is an additional Mechanical Noise next to R2 Resident in Moore Rd. We all wait for the exhaust /air

conditioners etc to go off at night for peace and quiet to sleep.

8. Conditions will not work to protect Amenity as the Business is largely Unstaffed and will be too difficult to enforce.

I Look forward to some clarification on the above.  
Thankyou

Portanger Family  
Undercliff Road Freshwater