

# Statement of Environmental Effects

Accompanying a development application for

Change of Operating Hours to 24/7 at Body Shape  
Warringah Mall

At

Shop 601, Warringah Mall  
145 Old Pittwater Road, Brookvale, 2100, NSW

30/08/2023

Statement of Environmental Effects  
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**Contents**

<b>1. Introduction</b>	<b>Page 3</b>
<b>2. Site description and analysis</b>	<b>Page 4</b>
<b>3. Details of proposal</b>	<b>Page 6</b>
<b>4. Clause 4.15 – Matters for consideration</b>	<b>Page 7</b>
<b>5. Other considerations</b>	<b>Page 9</b>
<b>6. Conclusion</b>	<b>Page 11</b>

Statement of Environmental Effects  
Shop 601, Warringah Mall  
145 Old Pittwater Road, Brookvale, 2100, NSW

**1. Introduction**

This statement of environmental effects has been prepared to accompany a development application for the change of operating hours to 24/7 at Body Shape Warringah Mall at Shop 601, Warringah Mall, 145 Old Pittwater Road, Brookvale, 2100, NSW. The application is being lodged by Jay Ramsden, pursuant to Clause 4.12 of the Environmental Planning and Assessment Act 1979.

The proposal has been designed to achieve the relevant provisions of Warringah Local Environmental Plan 2011, and Clause 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).

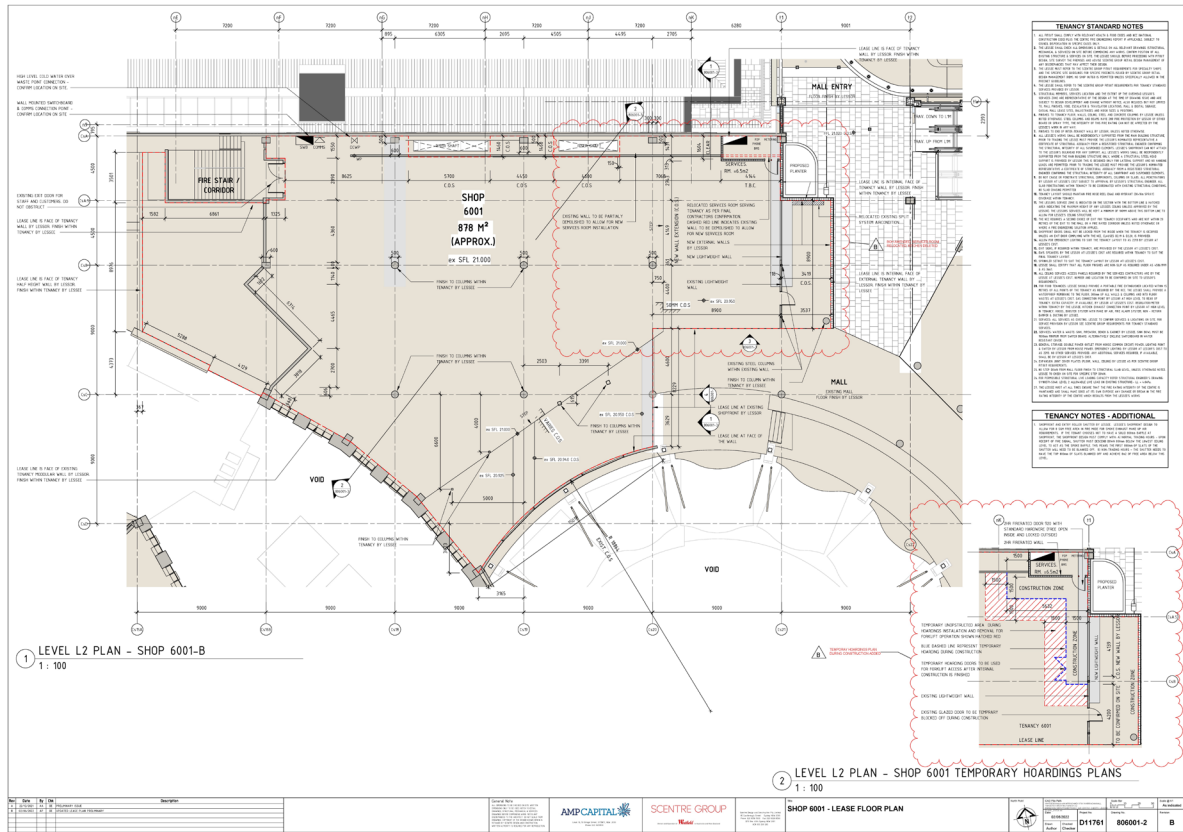
Body Shape Warringah Mall is looking for approval to change its operating hours to 24/7. There is currently multiple 24/7 gyms in the area. Operating at all hours at its current location within Warringah Mall Westfields will have little to no extra environmental impact than already approved for. Body Shape Warringah Mall is currently approved to operate 5:30am – 10:00pm.

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**2. Site description and analysis**

**2.1 Location and property description**

Body Shape Female Fitness Centre Warringah Mall is located in the south east zone of Warringah Mall Westfields. On level two above the food court. We are located adjacent to the carpark entrance/exit.



**2.2 Site characteristics**

Body Shape Female Fitness Centre Warringah Mall is a female only fitness centre. It comprises of two group exercise rooms, cardio area, strength area, free weights area, admin facilities, kids club (Creche) with an outdoor play area and changing/bathroom facilities.

### **2.3 Surrounding development**

This tenancy is located in the South East Zone of the Warringah Mall Complex and consist of an enclosed area of 789m<sup>2</sup> and an outside terrace area of 89m<sup>2</sup>.

The tenancy is located on the same floor as other existing tenancies overlooking a large open courtyard area known as Arena Cove Food Court.

These other tenancies include;

Tenancy 603: Hanrob Playgrounds

Tenancy 620, 621 and 622: Hoyts Cinema

Tenancy 604: Vacant

Tenancy 650: Library

Tenancy 651: Community Centre

The Arena Cove Food Court, and a number of individual tenancies are located below the entertainment precinct.

The library and community centre have an entrance on the south side of the circular mall balcony, overlooking the Arena Terrace. Pedestrian access is available from the food court via escalators adjoining their occupancies. Pedestrian access is also available further to the east and north of Tenancy 603b

There is a multi-deck car park to the south of the community centre and library, adjacent to the Cinema, and a multi-deck car park above the Target Store with access provided to the east of Tenancy 601.

### **3. Details of proposal**

#### **3.1 Proposed works**

Body Shape Warringah Mall is looking for approval to change its operating hours from 5:30am – 10:00pm to 24 hours a day, 7 Days a Week. There is currently multiple 24/7 gyms in the area. Operating at all hours at its current location within Warringah Mall Westfields will have little to no extra environmental impact than already approved for.

To carry out safe operations Body Shape will be installing a security system comprising of security cameras, secured entrance, emergency buttons and emergency lanyards for members to wear while the gymnasium is outside staffed hours. The security system will be connected to a back to base monitoring system, which can be accessed remotely if any emergencies arise.

Staffed hours will be 8am – 8:30pm Monday -Friday, 8am – 4pm Saturday, 8am – 2pm Sunday. During unstaffed hours, no services such as group fitness classes or child minding are provided.

#### **4 Clause 4.15 -Matters for consideration**

The following provides an assessment of the proposal against the provisions of Clause 4.15 of the Environmental Planning and Assessment Act (as amended).

***(a) the provisions of:***

***(b) (i) any environmental planning instrument***

#### **Local Environmental Plan**

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application. In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against. As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

***(iii) any development control plan***

Not Applicable. There will be no changes to the infrastructure.

***(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F***

Not Applicable

***(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)***

Not Applicable

***(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,***

Impacts will be minimal. We anticipate approximately 10-20 visits a day outside of our current approved hours. These hours are all off peak times between 10pm-5:30am.

Due to the location of the Fitness Centre within the building envelope and its isolation from residential properties, the noise impacts will be less than similar such facilities which tend to be located on small sites adjacent to roads, and often residential areas. The Fitness Centre is enclosed by solid walls and glazed areas. The proposed hours of operation, 24hrs a day, 7 Days a week, are considered acceptable given the sites isolation from sensitive land uses such as residential areas. The hours of operation are considered in line with current industry standards for similar activities.

In terms of noise from patrons cars, the controlled carparking system has been designed to improve efficiency, reducing vehicular movements. The vehicle noise generated from the Fitness Centre is considered consistent with other uses at the Mall and will have a no impact on adjoining residential properties .

***(c) The suitability of the site for the development,***

The location of the site is directly adjacent to the carpark. These allows our members to gain access to the gymnasium without the need to walk past any other tenancy. Warringah Mall Westfield's carpark is secure and monitored 24 hours a day. There is security on site 24 hours a day for any emergency that arises.

***(d) any submissions made in accordance with this Act or the regulations,***

Consideration will be given to any submissions made as a result of Council's consultation and notification processes.

***(e) the public interest.***

Allowing Body Shape Warringah Mall to operate 24 hours a day will provide a safe and comfortable environment for Women to exercise outside of the usual operating hours of gyms in the area. This will be one of a kind for 24/7 gyms.



## **5.0 Other considerations**

### **5.1 Visual Impacts**

This provision is not considered relevant to this proposal as the existing car parking facilities will be utilised by patrons, and therefore, there are no additional visual impacts resulting from the proposed development.

### **5.2 Overshadowing and Privacy**

There is no change for these items.

### **5.3 Noise**

The likely noise impacts from patrons within the subject site and from vehicle traffic to and from the site is considered more than acceptable having regard to the activity proposed, its hours of operation, and the mitigation measures proposed to be put in place. Due to the location of the Fitness Centre within the building envelope and its isolation from residential properties, the noise impacts will be less than similar such facilities which tend to be located on small sites adjacent to roads, and often residential areas.

The Fitness Centre is enclosed by solid walls and glazed areas. The proposed hours of operation, 24 hours a day, 7 days a week, are considered acceptable given the sites isolation from sensitive land uses such as residential areas. The hours of operation are considered in line with current industry standards for similar activities.

In terms of noise from patron's cars, the controlled carparking system has been designed to improve efficiency, reducing vehicular movements. The vehicle noise generated from the Fitness Centre is considered consistent with other uses at the Mall and will have a no impact on adjoining residential properties.

We anticipate only having 10-20 visits overnight.

### **5.4 Disabled Access**

There has been no change to Disabled access from previous DA: 2002/1951DA

### **5.5 Security, Site Facilities and Safety**

As mentioned previously a monitored security system will be installed on approval. Westfield security is also on site 24 hours a day for any emergencies.

### **5.6 Waste Management**

There has been no change to Disabled access from previous DA: 2002/1951DA

**5.7 Building Code of Australia**

Not Applicable

**5.8 Traffic**

Impact to traffic will be minimal as the DA is for approval outside of peak times.

**5.9 Stormwater/flooding**

There has been no change to Disabled access from previous DA: 2002/1951DA

## **6.0 Conclusion**

It is considered that the proposed extension of operating hours at Body Shape Body Shape Fitness Centre will provide a quality recreation experience that is attractive to the wide female community. It will enhance the facilities already available in the Mall and contribute positively to the "lifestyle" precinct.

In that regard it is considered that the proposed development is consistent with the established amenity and character of the Shopping Centre precinct and a place of family activity. It will have no adverse effect on the existing and likely future amenity of the neighbourhood and in particular the residential development in the vicinity of the Warringah Mall.

It is therefore recommended that the application be approved subject to conditions as may be appropriate.