

STATEMENT OF ENVIRONMENTAL EFFECTS

1/509 PITTWATER ROAD BROOKVALE

6 AUGUST 2019
P0010580
FINAL
PREPARED FOR RE:UNION BROOKVALE

URBIS

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1. INTRODUCTION

This report accompanies a Development Application (DA) to Northern Beaches Council (Council) for the change of use to an existing tenancy at Unit 1/509 Pittwater Road, Brookvale for the purpose of a gymnasium.

The application has been prepared by Urbis Pty Ltd on behalf of *RE:UNION* Brookvale, the applicant for the development.

A pre-development application meeting was held in respect of the proposal on 2 July 2019. At the time of the lodging this DA, minutes of the pre-da meeting had not been supplied to Urbis. Notwithstanding this, Urbis has prepared the application in accordance with our understanding of Northern Beaches Council requirements and accompanied by the necessary supporting material.

2. SITE AND LOCALITY

The site is located at 509 Pittwater Road and is legally described as Lot 10 DP 655639 (refer Figure 1 below). The site is located on the western side of Pittwater Road, almost opposite the junction with Chard Road. The site comprises an approximate area of 1,087sqm and is rectangular in shape.

The eastern (Pittwater Road frontage) and western (rear) boundaries measure approximately 20.1m, and the side boundaries measure approximately 54.1m.

The site is occupied by a two-storey building, with a power tools premise, 'Tool Time' occupying the ground floor retail tenancy. The first floor tenancy is approximately 360m² and was most recently occupied by a medical centre. The vacant space at the first floor, Unit 1/509 Pittwater Road is the subject of this DA.

Access to the ground floor is via Pittwater Road. Entry to the first floor is via the rear of the building. Pedestrian access to the first floor is also provided from Pittwater Road via a set of steps that run adjacent to the northern boundary.

A car park to the rear provides 15 parking spaces (of which 2 are accessible parking spaces). Vehicular access to the carpark is provided via a driveway from Roger Street (that runs parallel to Pittwater Road).

The area is commercial in character and is characterised by buildings of similar scale and composition.

Figure 1 – Aerial Photograph of the Site



Source: Mecore 2019

3. PROPOSED DEVELOPMENT

The proposed development for which consent is sought comprises:

- Operation of 'RE: UNION' Training, a membership only gym. The model for the gym is a format of set classes that run in the morning and evening peak period. Members are required to book into classes;
- Lease arrangements allocate 9 of the car spaces for the exclusive use of the tenancy, and access to the remainder of the spaces available outside core trading hours of the other tenancy;
- Proposed hours of operation are 05.00am – 8:30pm Monday to Friday, and 08.00am – 6.00pm Saturday and Sunday; and
- Proposed signage to the interior of the window facing Pittwater Road.

The existing floor is large open plan space suitable for a gym use. There are existing toilets and showers within the tenancy. No new walls, doors, windows or other openings are proposed under this application.

Architectural Plans prepared by Studio ISGRO are included at **Appendix A**.

Under the DA, no physical works are proposed to the building apart from signage. Therefore there are no changes proposed to the key numerical aspects of the site and building as described in Table 1.

Table 1 – Existing and proposed development parameters

Parameter	Existing	Proposed
Site Area	1,087 sqm	No change
Land Use	Former medical centre	Gym
Gross Floor Area	The GFA and FSR of the existing building are unknown. The size of the existing tenancy is 360sqm.	No change
Floor Space Ratio		
Building Height/ Storeys	2	No change

4. SECTION 4.15C(1) ASSESSMENT

The following assessment has been structured in accordance with Section 4.15C(1) of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

4.1. STATE ENVIRONMENTAL PLANNING POLICY NO. 55- REMEDIATION OF LAND (SEPP 55)

Clause 7 (1) (a) of SEPP 55 requires a Consent Authority to consider whether land is contaminated. The site has been used for retail and commercial purposes for a significant period of time with no prior land uses that cause concern. The proposal is for the change of use to an existing building with no site excavation proposed. Accordingly, it is considered that the site poses no risk of contamination and therefore the site is suitable for the land use.

4.2. STATE ENVIRONMENTAL PLANNING POLICY NO 64 – ADVERTISING AND SIGNAGE

The following SEPP 64 assessment demonstrates the proposed signage zones meet the compliance requirements in accordance with Table 2 below.

Under the SEPP, Building Identification Signage is defined as:

'building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services'.

Table 2 – SEPP 64 Compliance Assessment

SEPP 64 Provision	Comment	Compliance
Schedule 1- Assessment Criteria		
<u>Character of the Area</u> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The signage will provide a high-quality, façade that identifies and promotes the new offering within the tenancy. The signage is consistent with the character of window signage along Pittwater Road, particularly the existing TAB signage at 674-676 Pittwater Road to the north of the site.	YES.
<u>Special Areas</u> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The site is not located in a special area. The signage will not detract from the amenity or visual quality of nearby residential land uses.	YES.
<u>Views and Vistas</u> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas?	All proposed signage will be located below the existing roof line. The signs are internal and not of a bulk or scale that would impede any view from the street.	YES.

SEPP 64 Provision	Comment	Compliance
Does the proposal respect the viewing rights of other advertisers?	The signage will not adversely impact on views or vistas from other properties, nor will it impede the visibility of other existing signage.	
<u>Streetscape, setting and landscape</u> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signs are compatible with the scale of surrounding streetscape, setting and character of the retail and commercial land uses along the Pittwater Road. The signage will therefore complement the existing signage in the wider area, with no adverse impacts on the streetscape. The proposal does not screen unsightliness and will not contribute to visual clutter as the signage panels will be adequately and evenly separated. The signage will not protrude above any structures or tree canopies.	YES.
<u>Site and building</u> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage identifies the offering available within the tenancy.	YES.
<u>Associated devices and logos with advertisements and advertising structures</u> Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The signage incorporates the official <i>RE:UNION</i> logo. These have been designed to accentuate the identification of the tenancy.	YES.
<u>Illumination</u> Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the amenity of any residence or other form of accommodation?	The signage is not proposed to be illuminated.	

SEPP 64 Provision	Comment	Compliance
<p>Can the intensity of the illumination be adjusted, if necessary?</p> <p>Is the illumination subject to a curfew?</p> <p><u>Safety</u></p> <p>Would the proposal reduce the safety for any public road?</p> <p>Would the proposal reduce the safety for pedestrians or bicyclists?</p> <p>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</p>	<p>The proposed signage will not interfere with pedestrian or vehicular sight lines and it will comply with all relevant Australian Standards and codes.</p> <p>The signage will not distract motorists as it won't resemble a traffic sign or contain a facsimile of a traffic sign.</p>	YES.

4.3. WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

The *Warringah Local Environmental Plan 2011* (WLEP 2011) is the comprehensive Local Environmental Plan applicable to the site which is located within the amalgamated Northern Beaches Local Government Area (LGA).

4.3.1. Zoning and Permissibility

The site is within the "B5 Business Development" zone. The relevant objectives of the B5 zone are:

- *To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*
- *To provide for the location of vehicle sales or hire premises.*
- *To create a pedestrian environment that is safe, active and interesting by incorporating street level retailing and business uses.*

The proposed development is consistent with these objectives because:

- The use of the tenancy for a gymnasium provides a suitable use for building on the site, with its large open floorplate
- The location is readily accessible via public transport and located close by to nearby retail centres, supporting their viability

The proposed land use is defined as 'Recreation facility (indoor)'.

As recreation facilities (indoor) are not identified as being either 'permissible without consent' or 'prohibited' in the zone, the proposed use is permitted with consent.

4.3.2. Principal Development Standards

An assessment of the proposal against the relevant controls of WLEP 2011 is provided below, demonstrating that the proposal is consistent with the aims, objectives and controls of the instrument.

Table 3 – WLEP Compliance Table

Clause	Control	Proposed	Comment	Compliance
Height of Buildings	11m	No change	No building works are proposed under this DA.	YES.

Floor Space Ratio	N/A.	No change	There is no FSR assigned to the site under WLEP 2011.	YES.
Heritage Conservation	N/A.	N/A	The site is not identified as a heritage item under WLEP 2011, nor is it located within a heritage conservation area.	YES.
Flood Planning	N/A.	N/A	The site is not identified as a flood prone area under WLEP 2011.	YES.

4.4. WARRINGAH DEVELOPMENT CONTROL PLAN 2011

The Warringah Development Control Plan (WDCP) 2011 is the applicable Development Control Plan applying to the site. Assessment of the proposed development against the relevant provisions of the DCP is outlined in the following table.

Table 4 – Warringah DCP 2011 Compliance Table

Control	Comment	Compliance
<p>Part C2 Traffic, Access and Safety</p> <p>1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</p> <p>2. Vehicle access is to be obtained from minor streets and lanes where available and practical.</p>	Access to the established parking area at the rear of the building is via Roger Street.	YES.
<p>6. Facilities for the loading and unloading of service, delivery and emergency vehicles are to be:</p> <ul style="list-style-type: none"> – appropriate to the size and nature of the development; – screened from public view; and – designed so that vehicles may enter and leave in a forward direction. 	The carpark provides the ability for all vehicles including any delivery vehicles to enter and exit in a forward direction.	YES
<p>Part C3 Parking facilities</p> <p>1. The following design principles shall be met:</p> <ul style="list-style-type: none"> • Garage doors and carports are to be integrated into the house design and to not dominate the façade. 	Refer above. The existing parking area is provided to the rear of the development via Roger Road. Access to parking does not affect the Pittwater Road frontage.	YES

Control	Comment	Compliance
<p>Parking is to be located within buildings or on site.;</p> <ul style="list-style-type: none"> • Laneways are to be used to provide rear access to carparking areas where possible; • Carparking is to be provided partly or fully underground for apartment buildings and other large-scale developments; • Parking is to be located so that views of the street from front windows are not obscured; and • Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser. 		
<p>2. Off street parking is to be provided within the property demonstrating that the following matters have been taken into account:</p> <ul style="list-style-type: none"> – the land use; – the hours of operation; – the availability of public transport; – the availability of alternative car parking; and – the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles. 	<p>As described above, the proposed gym will use the existing carpark to the rear of the building.</p> <p>A parking and traffic assessment has been prepared to support the application, refer Appendix C and Section 4.5.1 below for discussion.</p>	Partial compliance.
<p>3. Carparking, other than for individual dwellings, shall:</p> <ul style="list-style-type: none"> – Avoid the use of mechanical car stacking spaces; – Not be readily apparent from public spaces; – Provide safe and convenient pedestrian and traffic movement; – Include adequate provision for manoeuvring and convenient access to individual spaces; 	<p>As described above, the proposed gym will use the existing carpark to the rear of the building.</p> <p>No mechanical stackers are proposed in this application. The carpark is not visible from Pittwater Road.</p> <p>Under existing arrangements, vehicles can enter and exit the site in a forward direction.</p>	YES.

Control	Comment	Compliance
<ul style="list-style-type: none"> – Enable vehicles to enter and leave the site in a forward direction; – Incorporate unobstructed access to visitor parking spaces; – Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places; – Provide on-site detention of stormwater, where appropriate; and – Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1. 	The DA does not include physical works and therefore no amendments to the existing stormwater arrangements or physical configuration of the car spaces are proposed in this application.	
<p>4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses:</p> <p>Gymnasium</p> <p>4.5 spaces per 100 m2 GFA.</p> <p>This generates a requirement for 16 spaces.</p>	<p>The proposed gym has nine spaces allocated for its exclusive use, with access to the remainder of the spaces available when the ground floor retail tenancy is not open.</p> <p>The proposed parking provision is considered acceptable as the site is highly accessible via public transport. The majority of clients are expected to reside or work locally and will therefore walk to the facility.</p>	No. However the level of parking provision is considered adequate given the circumstances. A parking and traffic assessment has been prepared to support the application, refer Appendix C and Section 4.5.1 below for discussion.
5. Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if appropriate to the land use.	The gym will not require delivery trucks to attend the site on a regular basis. Delivery and courier vehicles will be able to use the parking spaces on the infrequent occasions that they arrive at the tenancy.	YES.
7. Where appropriate, car parking which meets the needs of people with physical disabilities must be provided	Two (2) accessible parking spaces are provided within the existing carpark.	YES

Control	Comment	Compliance
in accordance with the relevant Australian Standard.		
<p>C9 Waste Management</p> <p>All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the waste management guidelines and all relevant development applications must be accompanied by a waste management plan.</p>	<p>Noted. No new walls, doors, windows or other openings are proposed under this application. A Northern Beaches Council waste management plan pro forma has been completed to address operational waste management measures and is included at Appendix B.</p>	YES
<p>Part D Design</p> <p>D3 Noise</p> <p>2. Development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise.</p> <p>3. Waste collection and delivery vehicles are not to operate in the vicinity of residential uses between 10pm and 6am.</p> <p>4. Where possible, locate noise sensitive rooms such as bedrooms and private open space away from noise sources. For example, locate kitchens or service areas closer to busy road frontages and bedrooms away from road frontages.</p> <p>5. Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.</p>	<p>The proposal does not include building works. The proposed gym use is not sensitive to noise from Pittwater Road, and no measures to ameliorate road traffic noise are considered necessary.</p> <p>All classes are supervised with only background music played. The door to the carpark will be closed during classes, therefore the noise generated by the proposed use will be minimal, and it is not expected that this will cause a nuisance to adjacent tenancies or surrounding development.</p> <p>Waste collection activities will continue as established at the subject site.</p>	YES
<p>D18 Accessibility</p> <p>1. The design is to achieve a barrier free environment with consideration given to the design of door handles and switches, entrances and corridors. Steep, rough and slippery surfaces, steps and stairs and narrow paths should be avoided.</p>	<p>Level access is provided from the rear carpark to the gym tenancy. Within the gym, accessible bathrooms facilities are available. The BCA report accompanying this DA (refer Appendix D) confirms that the tenancy is capable of</p>	YES

Control	Comment	Compliance
<p>3. Pathways are to be reasonably level with minimal cross fall and sufficient width, comfortable seating and slip-resistant floor surfaces.</p> <p>4. Where there is a change of level from the footpath to commercial or industrial floor levels, ramps rather than steps should be incorporated.</p> <p>5. There is to be effective signage and sufficient illumination for people with a disability.</p> <p>6. Tactile ground surface indicators for the orientation of people with visual impairments are to be provided in accordance with the relevant Australian Standard.</p> <p>7. Access for people with a disability is to be provided at the main entrance to the development.</p> <p>8. Development is to comply with Australian Standard AS1428.2.</p>	<p>complying with the relevant BCA standards.</p>	
<p>D20 Safety and Security</p> <p>1. Buildings are to overlook streets as well as public and communal places to allow casual surveillance.</p> <p>2. Service areas and access ways are to be either secured or designed to allow casual surveillance.</p> <p>3. There is to be adequate lighting of entrances and pedestrian areas.</p> <p>4. After hours land use activities are to be given priority along primary pedestrian routes to increase safety.</p> <p>5. Entrances to buildings are to be from public streets wherever possible.</p> <p>7. Buildings are to be designed to allow casual surveillance of the street, for example by:</p>	<p>Lighting will be in accordance with the relevant Australian Standards.</p> <p>Existing windows on the Pittwater Road frontage provide casual surveillance out onto the pedestrian walkway. The windows provide views in and out of the tenancy.</p> <p>Group classes undertaken in the tenancy will maximise opportunities for surveillance.</p>	<p>YES.</p>

Control	Comment	Compliance
<p>a) Maximising the glazed shop front on the ground level so that views in and out of the shop can be achieved;</p> <p>b) Providing openings of an adequate size in the upper levels to maximise opportunities for surveillance;</p> <p>c) Locating high use rooms to maximise casual surveillance;</p> <p>d) Clearly displaying the street number on the front of the building in pedestrian view; and</p> <p>e) Ensuring shop fronts are not obscured by planting, signage, awnings and roller shutters.</p> <p>8. Casual surveillance of loading areas is to be improved by:</p> <p>a) Providing side and rear openings from adjacent buildings that overlook service areas and clear sight lines; and</p> <p>b) Providing adequate day and night lighting which will reduce the risk of undesirable activity.</p>		
<p>1. Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality. In particular, signs are not to dominate or obscure other signs or result in visual clutter.</p> <p>2. Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed.</p> <p>3. Signs on heritage items or on buildings in conservation areas should not by their size, design or colour, detract from the character or significant qualities of individual buildings, the immediate context or the wider streetscape context of the area.</p>	<p>Refer to Section 4.2 of this report for an assessment of the proposal against the requirements of SEPP 64.</p>	<p>YES.</p>

Control	Comment	Compliance
<p>4. Signs are not to obscure views of vehicles, pedestrians or potentially hazardous road features or reduce the safety of all users of any public road (including pedestrians and cyclists).</p> <p>5. Signs should not be capable of being confused with, or reduce the effectiveness of, traffic control devices.</p> <p>6. Signs are not to emit excessive glare or cause excessive reflection.</p> <p>7. Signs should not obscure or compromise important views.</p> <p>10. No more than one sign is to be located above the awning level for business uses.</p> <p>11. Tenancy boards and the like are encouraged to be in the form of consolidated signs</p>	<p>Window signs are proposed above the awning in order to identify the upper level tenancy. Signage areas below the awning are currently occupied by the lower tenancy. As a result, it is necessary to locate the tenancy signage above the awning.</p>	<p>No, but considered acceptable given the circumstances of the site.</p>
<p>Window sign (painted or letters stuck onto the inside or outside of a display window):</p> <ul style="list-style-type: none"> – Must occupy less than 50% of the window area so as to not obstruct natural light; and – Shall only be permitted on ground floor windows, below awning level or equivalent. 	<p>Refer above.</p> <p>Signage is proposed to cover the upper tenancy windows with the proposed signage. The signage consists of a combination of coloured graphics, the RE: UNION logo and translucent glazing.</p> <p>The proposed signage will not be illuminated or contain electronic messaging and will be positioned within the second-floor tenancy windows of the site.</p> <p>Despite the area of signage being greater than 50%, the proposed signage maintains visual permeability from the</p>	<p>No, but considered acceptable given the circumstances of the site, nature of Pittwater Road and surrounding signage.</p>

Control	Comment	Compliance
	street into the tenancy due to its translucent elements.	
<p>Wall sign (painted onto a wall of a building or attached to the wall of a building, not being a sign elsewhere listed in this table)</p> <ul style="list-style-type: none"> – Shall not extend within 200mm of the top and sides of the wall – Shall not cover any window or architectural projections; – Must be of a size and shape that relates to the architectural design of the building to which it is attached; – Where illuminated, shall not be less than 2.7 metres above the existing natural ground level ground; and – Shall not project more than 300mm from the wall. 	<p>The signage does not cover any architectural features, nor do they project more than 300mm from the wall.</p> <p>The proposed signage sits comfortably within the existing windows on the site and does not extend outside the building envelope.</p> <p>It is not proposed that the signage will be illuminated.</p>	YES.
<p>14. The following signs are not considered appropriate and are discouraged:</p> <ul style="list-style-type: none"> – Flashing or moving signs on all land other than the carriageway of a public road – Pole or pylon signs, unless there is no building on the site, or the building is not visible from the street or public domain; this does not include identification, interpretive, directional and advance warning signs described as Exempt Development, or a sign erected by the Council for the display of community information; – Signs on or above the roof or parapet of a building. – A-frame and temporary signs located on public land, including: – Signs on motor vehicles which are not able to be driven with the sign displayed 	<p>No flashing, moving, pylon, roof or illuminated signs are proposed as part of this development.</p>	YES.

Control	Comment	Compliance
<ul style="list-style-type: none"> – Balloons or other inflatable objects used for the purpose of advertising which are placed on or above roof level – Illuminated signs in residential zones 		

4.5. IMPACTS ON THE NATURAL AND BUILT ENVIRONMENT

Our assessment of the potential impacts of the proposed development upon the natural and built environment, are addressed under separate headings below.

4.5.1. Parking and Traffic

An assessment of parking provision and traffic generation has been completed by Auswide Consulting and is attached at Appendix C. The existing car park is located at the rear of the building and access is provided from Roger Street. The carpark provides 15 car spaces including two designated accessible spaces.

Nine (9) of the spaces are for the exclusive use of the proposed gym tenancy. Though this falls below the DCP requirement for the site of 16 spaces, the shortfall is justified due the tenancy's proximity to public transport and the availability of on-street parking in the vicinity of the site (192 on-street parks identified within a 250m radius).

It is expected that due to the proximity and availability of public transport, that approximately 50% of patrons will utilise public transport to access the site. A large proportion of clients are also expected be drawn from the local area and will therefore walk to the gym. The proposed car parking provision is considered sufficient to service the remaining patrons. As a result of the above, it is considered that the parking provision standard can be applied more flexibly in this instance.

4.5.2. Acoustic

No amplified music is proposed as part of the application. All group classes will be supervised with only background music played. The door to the gym will be closed during classes. The majority of classes will also take place at times that the retail power tools shop will not be open. Noise generated from the result of the proposed use is therefore likely to be minimal and is not anticipated to cause a nuisance to surrounding tenancies. The site is also sufficiently removed from nearby residential uses, with the closest residences approximately 50m away.

4.5.3. Access

A BCA statement has been prepared by Modern Building Certifiers and this is attached at **Appendix D**. This report concludes that the development can readily achieve compliance with the relevant BCA provisions via the implementation of the recommended performance solutions.

4.6. SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY

The propose use and fit-out of the gym will contribute to local employment opportunities and the mix of retail uses in the area. The proposal will not result in any adverse environmental, social or economic impacts.

4.7. SUITABILITY OF THE SITE

The site is considered to be suitable for the proposed use for the following reasons:

- The proposed development will not result in any adverse impacts on adjacent or nearby uses;
- The site is conveniently located within an established employment and retail area and is close to existing public transport links; and

- The premises will be supported by existing on site security and active property management; issues such as waste management, car parking, customer and pedestrian safety and storage requirements are already catered for by site-management.

4.8. THE PUBLIC INTEREST

This proposal is in the public interest as it:

- Provides for the economic utilisation of the existing building;
- Increases employment opportunities for the local community in a location proximate to existing public transport services.
- Is consistent with and will complement the land use mix and accords with the relevant zone objectives and development controls and guidelines.
- Will not create any adverse social, environmental or economic impacts.

The proposal is consistent with the expected type of development in the locality and is in the public interest. Any submissions received are required to be considered under Section 4.15 of the EP&A Act.

5. CONCLUSION

The proposal seeks approval for the use of an existing building at Unit 1/509 Pittwater Road, Brookvale for the purpose of a gymnasium. An assessment of this proposal has been undertaken in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* and finds that:

- The proposal is permissible with development consent under the WLEP 2011 and is consistent with the objectives for the B5 Business Development Zone;
- The proposal predominantly complies with the relevant standards and controls contained in Council's current planning policies (including the WLEP 2011 and the Warringah Development Control Plan 2011);
- The proposal will not have any identified adverse social, economic or environmental impacts.

In light of the above, and under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, it is recommended that application be approved by Council.

DISCLAIMER

This report is dated 6 August 2019 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of RE:UNION Brookvale (**Instructing Party**) for the purpose of Application (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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APPENDIX A PLANS

APPENDIX B WASTE MANAGEMENT PLAN

APPENDIX C

PARKING AND TRAFFIC ASSESSMENT

APPENDIX D BCA STATEMENT



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