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STATEMENT OF ENVIRONMENTAL EFFECTS

Anytime Fitness Cromer

Unit 9/4-8 Inman Road

Cromer, NSW, 2099

Lot 1/-/DP1282038

7 November 2023

Prepared for submission to Northern Beaches City Council

by Prestige Town Planning Pty Ltd on behalf of Anytime Cromer Pty Ltd.

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Summary

This Statement of Environmental Effects was completed by Prestige Town Planning Pty Ltd on behalf of Anytime Cromer Pty Ltd, aka “Anytime Fitness Cromer”. It forms part of the Development Application to change the land use of the existing ‘Unit 9’ tenancy situated at 4-8 Inman Road, Cromer, NSW, 2099 from a former “Industrial Warehouse” to a 24-hour “Anytime Fitness” gymnasium (Recreation Facility - Indoor). The proposal includes internal fit-out for the proposed purpose, extended 24/7 hours of operation and associated business identification signage.

The subject tenancy consists of a Gross Floor Area of 1,141m² (including an existing mezzanine floor area of 141m²) and is legally registered on Lot 1/-/DP1282038. Primary vehicle access to the site is provided via South Creek Road and provides a total of twelve (12) dedicated on-site car parking spaces, with access to an additional sixty-two (62) shared parking spaces located within the basement. The subject property is further situated within an E4 – General Industrial Land Use Zone pursuant to the Warringah Local Environmental Plan (LEP) 2011.

No physical alterations and/or additions are proposed to the existing exterior envelope of the building (apart from the proposed business identification signage) and no additional and/or new Gross Floor Area (GFA) is proposed to be created. Only a change in land use, internal fit out for the proposed purpose and associated business identification signage is proposed. Please see attached Architectural Drawings for reference.

This statement has been prepared to address the proposed development in accordance with the Environmental Planning and Assessment Act 1979, the Warringah Local Environmental Plan (LEP) 2011 and any other relevant planning instruments.

Summary of Controls

Pursuant to the Warringah Local Environmental Plan (LEP) 2011, the following controls apply to the subject property:

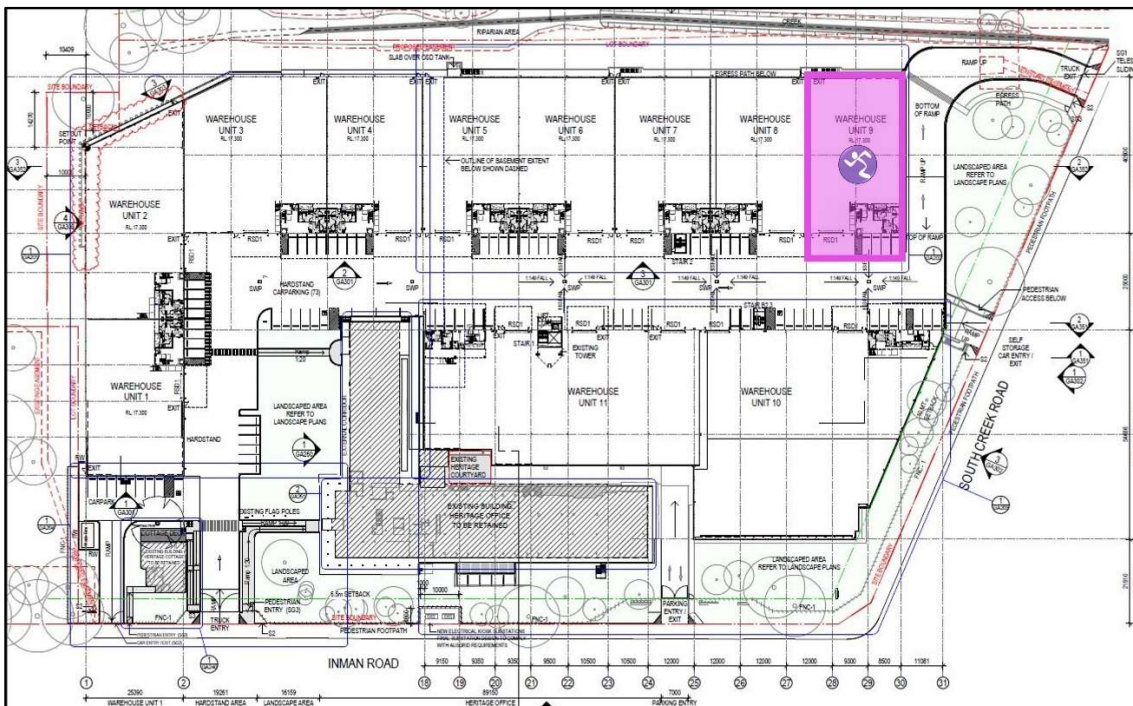
- Land Zoning: E4 – General Industrial
- Height of Building: 11m
- Floor Space Ratio: N/A
- Minimum Lot Size: 4000m²
- Heritage: Roche Building – Local Significance
Street Trees – Local Significance
- Land Reservation Acquisition: N/A
- Foreshore Building Line: N/A
- Landslide Risk Land: Area A – Slope <5
Area D – Collaroy Plateau Area Flanking
Slopes 5 to 15

The site

The site address relates to the existing Unit 9 tenancy located at 4-8 Inman Road, Cromer, NSW, 2099 which is registered on Lot 1/-/DP1282038. The subject property is situated on the North-Eastern corner of the South Creek and Inman Roads intersection with primary vehicle access via South Creek Road. The subject tenancy features twelve (12) dedicated on-site car parking spaces with access to an additional sixty-two (62) shared car parking spaces within the basement. The site is positioned within an E4 – General Industrial Land Use Zone pursuant to the Warringah Local Environmental Plan (LEP) 2011 and situated among “Indoor Recreation Facilities”, “Offices” and “General Industrial Warehouses” on the site. Land uses within the greater surrounds include Cromer Park to the South, Northern Beaches Secondary College to the West, Commercial uses to the North and Medium Density Residential to the East.



Locality Map – NSW ePlanning Portal Spatial Viewer – Accessed October 2023 - Superimposed



Site Plan – SBA Architects - Provided September 2023 – Superimposed

Relevant History of Development Applications

DA2019/1346

Development Consent DA2019/1346 was granted on 17 August 2020 for the redevelopment of the property then known as 4-10 Inman Road, Cromer, NSW, 2099 or Lot 1-/DP1220196 for eleven (11) industrial Warehouse units, five (5) Office Tenancies and a total of two-hundred-and-thirty-one (231) on site car parking spaces.

DA2021/2608

Development Consent DA2021/2608 was granted on 24 June 2022 for a change in land use of “Warehouse 1” to an Indoor Recreation Facility (Swim School), including internal fit-out, reconfiguration of car parking and signage.

DA2022/1807

Development Consent DA2022/1807 was granted on 30 January 2023 for a change in land use of “Warehouse 11” for the purposes of an Indoor Recreation Facility (Golf Facility).

DA2023/0294

Development Consent DA2023/0294 was granted on 18 July 2023 for a change in land use of “Warehouses 7 and 8” for the purposes of an Indoor Recreation Facility (Trampoline Facility).

DA2023/1142

Development Application DA2023/1142 was submitted to Council on 21 August 2023 for a change in land use of “Warehouse 2” to an Indoor Recreation Facility (Padel Tennis Centre) and is currently under assessment.

DA2023/1107

Development Application DA2023/1107 was submitted to Council on 31 August 2023 for a change in land use of “Office C” for the purpose of a Child Care Centre and Landscaping, and is currently under assessment.

DA2023/1202

Development Application DA2023/1202 was submitted to Council on 7 September 2023 for a change in land use of “Office No. 4” for the purpose of an Indoor Recreation Facility (“Rumble” Boxing Facility), including internal fit-out and associated signage, and is currently under assessment.

Proposed Development

This Development Application seeks consent to change the land use of the existing 'Unit 9' tenancy located at 4-8 Inman Road, Cromer, NSW, 2099 from an industrial "Warehouse" to a 24-hour 'Anytime Fitness' gymnasium ("Recreation Facility – Indoor"), including internal fit-out for the proposed purpose and associated business identification signage.

Proposed land use parameters:

- Open 24hrs a day, 7 days a week, including all bank and public holidays.
- Maximum of four (4) staff on site (gym manager and assistants depending on demand) during staffed hours of 10:00am – 7:00pm Monday – Thursday; 10:00am – 4:00pm Friday; 10:00am – 2:00pm Saturday; and Sunday unstaffed;
- Expected average hourly usage of approx. 20 – 25, based on usage statistics of existing and surrounding Anytime Fitness facilities in the Local Government Area (please refer to **Annexure B**).

Proposed business identification signage:

(Please refer to the attached elevation drawings for further details)

Sign 1: The installation of 1 x Internally LED Illuminated "Anytime Fitness" Wall Sign, to be 3100mm x 200mm in size and to be located on the ground floor level of the Southern façade.

Sign 2: The installation of 1 x Internally LED Illuminated "Anytime Fitness" Wall Sign, to be 2400mm x 600mm in size and to be located on the mezzanine floor level of the Western façade.

Sign 3: The installation of 1 x Internally LED Illuminated "Anytime Fitness" Wall Sign, to be 4500mm x 940mm in size and to be located on the first floor level of the Eastern façade.

Sign 4: The installation of transparent graphic vinyl artwork applied to the internal glazing of the exterior windows of the Southern façade for privacy.

Sign 5: The installation of 1 x Purple Internally LED Illuminated backlit door frame to the main entrance on the Southern façade to create a beacon of arrival for members at night.

Proposed internal fit-out works:

- An internal commercial gym fit out for the proposed purpose, including the installation of showers and changeroom facilities, guest lobby, PT office and staff room.
- The retention of all existing bathroom amenities, including a fully accessible suite.
- The installation of a high-tech security system with remote viewing CCTV.
- Installation of various acoustic abatement materials, flooring and finishes.
- Infill of the existing roller door with framed glazing and the creation of four (4) additional car parking spaces.

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 such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of—

- (i) any environmental planning instrument, and
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
- (iii) any development control plan, and
 - (iii(a)) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
- (v) (Repealed)

that apply to the land to which the development application relates,

- (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,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.”

State Environmental Planning Policies

The following list indicates those State Environmental Planning Policies (SEPP) which applies to the land. It is however noted that only State Environmental Planning Policy (Industry and Employment) 2021 applies to the subject proposal. An assessment against the principles of the State Environmental Planning Policy (Industry and Employment) 2021 is included in **Annexure A** of this report.

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021: Excluded (pub. 21-10-2022)*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021: Land Application (pub. 2-12-2021)*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021: Subject Land (pub. 2-12-2021)*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application (pub. 12-12-2008)*
- *State Environmental Planning Policy (Housing) 2021: Land Application (pub. 26-11-2021)*
- *State Environmental Planning Policy (Industry and Employment) 2021: Land Application (pub. 2-12-2021)*
- *State Environmental Planning Policy (Planning Systems) 2021: Land Application (pub. 2-12-2021)*
- *State Environmental Planning Policy (Primary Production) 2021: Land Application (pub. 2-12-2021)*
- *State Environmental Planning Policy (Resources and Energy) 2021: Land Application (pub. 2-12-2021)*
- *State Environmental Planning Policy (Sustainable Buildings) 2022: Land Application (pub. 29-8-2022)*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021: Land Application (pub. 2-12-2021)*
- *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development: Land Application (pub. 26-7-2002)*

The subject proposal would further promote and encourage numerous employment opportunities for a number of persons over the time of its operation, including the initial fit-out, ongoing maintenance, security and day to day operations, without compromising the amenity of the area and/or the future potential for the use of the tenancy for industrial purposes, since the proposed fit-out could be easily and readily returned to its current state should the use ever cease to operate from the proposed locality.

Anytime Fitness finds that when a new facility is established in an area that is located within relatively close proximity to other businesses, offices, indoor recreation facilities and residential areas in the greater surrounds, the local workforce from surrounding businesses make up a significant bulk of the membership base. This encourages members to walk or cycle to the facility instead of driving, as well as making use of available public transport amenities on their daily commute, therefore maximising public transport patronage and encouraging alternatives to private motor vehicle use.

It is therefore expected that the proposed facility would provide a crucial health and fitness service to the local workforce and nearby residents. It is considered that the proposed land use would complement the surrounding land uses in providing local workers, visitors and nearby residents with a flexible and convenient indoor recreation facility and therefore add to the high-quality amenity of the local industrial area. Thus, providing a healthy, attractive, functional and safe light industrial area. The 24/7 operating hours of the gymnasium further ensures convenience and accessibility to all members of the community; including shift workers, early risers, students and visitors etc. whilst contributing to an active and healthy lifestyle.

In addition, it is considered that due to the operational characteristics of the proposed use and the intention to protect the amenity of residents and/or other sensitive land uses in adjacent areas/zones, the proposed land use may be considered inappropriate to be located in an alternative or more sensitive land use zone.

Permissibility

In reference to the land use tables of the E4 – General Industrial land use zone under the Warringah Local Environmental Plan (LEP) 2011, the use of the land for the purpose of a “*Recreation facility (indoor)*” is “Permitted with Consent”.

It is therefore considered that this proposal adequately meets and complies with all criteria in terms of zoning.

Principal Development Standards

Unaffected by the subject proposal.

Miscellaneous Provisions

Heritage Conservation

This section should be read in conjunction with the attached Heritage Impact Statement provided by NBRS & Partners Pty Ltd, dated 18 October 2023 and attached herewith. It is noted that accordance with the Heritage Management Framework of the report,

“The Warringah Local Environmental Plan (LEP) 2011 mapping shows a large land parcel bounded to the west by Inman Road, to the north by Orlando Road and other properties fronting Orlando Road, to the east by Campbell Avenue and to the south by South Creek Road contains three heritage items, numbers I38, I52 and I53 (See Figure 5). Schedule 5 of this LEP identifies these items as:

- *I38 Trees, Campbell Avenue, Part Lot 100, DP 611332*
- *I52 Roche Building, 100 South Creek Road, Part Lot 100, DP 611332*
- *I53 Givaudan-Roure Office, 96 South Creek Road, Part Lot 100, DP 611332.*

This land parcel was subdivided after the LEP was prepared and Lot 100 DP 611332 no longer exists. Item I52 Roche Building is within the boundaries of Lot 1 in DP 1282038, the subject property, which is now known as 4-8 Inman Road, Cromer.

Item I53 Givaudan-Roure Office and item I38 Trees, Campbell Avenue are within the boundaries of Lot 2 in DP 1282038, known as 100 South Creek Road.

Under the Environmental Planning and Assessment Act 1979 the property at 4-8 Inman Road is subject to the heritage provisions of the Warringah LEP 2011. As the subject tenancy is in a newly constructed building adjacent to item I52 Roche Building the relevant heritage considerations are those pertaining to development in the vicinity of a heritage item.”

It is further concluded that *“the proposal is acceptable from a heritage perspective and is consistent with the relevant heritage objectives of the Warringah LEP 2011”* and that *“the consent authority should have no hesitation in approving this application from a heritage perspective”*.

Warringah Development Control Plan (DCP) 2011

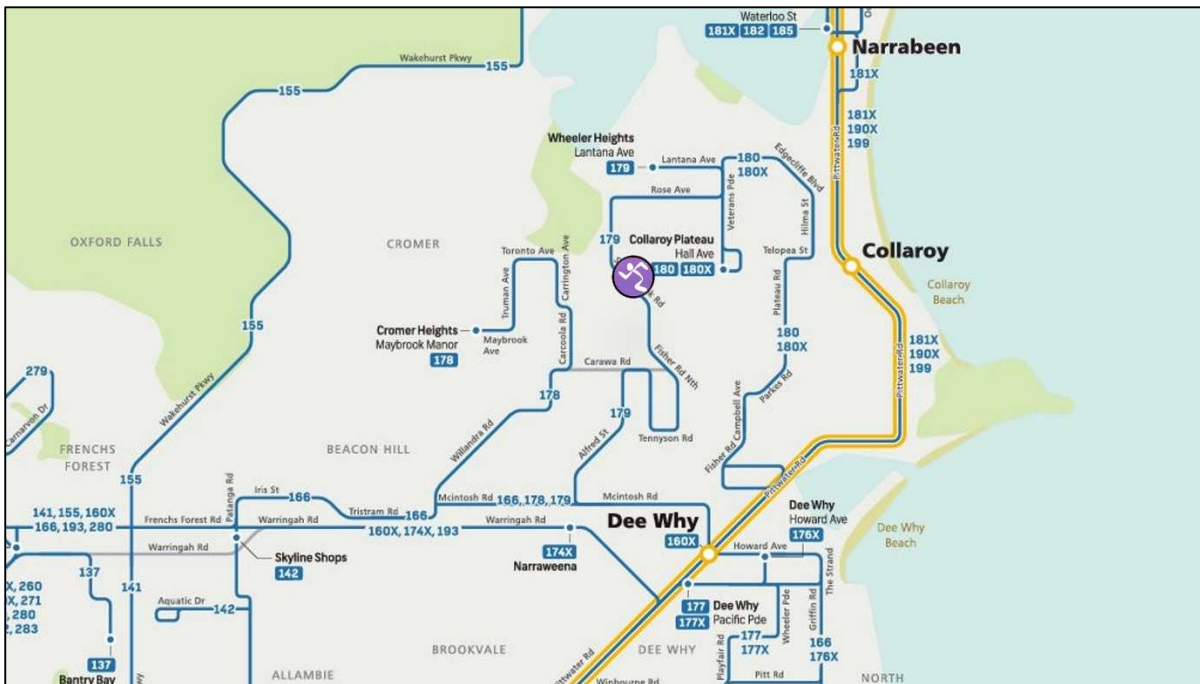
It is important to note that this application relates only to the change in land use of an existing and established building, from a former industrial “Warehouse” to a “Recreation Facility – Indoor” (24-hour “Anytime Fitness” gymnasium) including internal fit-out for the proposed purpose and associated business identification signage.

Since the subject proposal only relates to internal works within an existing tenancy footprint (apart from the proposed business identification signage), specifications on built form and site planning considerations with regard to the exterior envelope, such as building setting, heights, setbacks, views and vistas, soil management etc. are not reconsidered here.

Section C3 – Parking Facilities

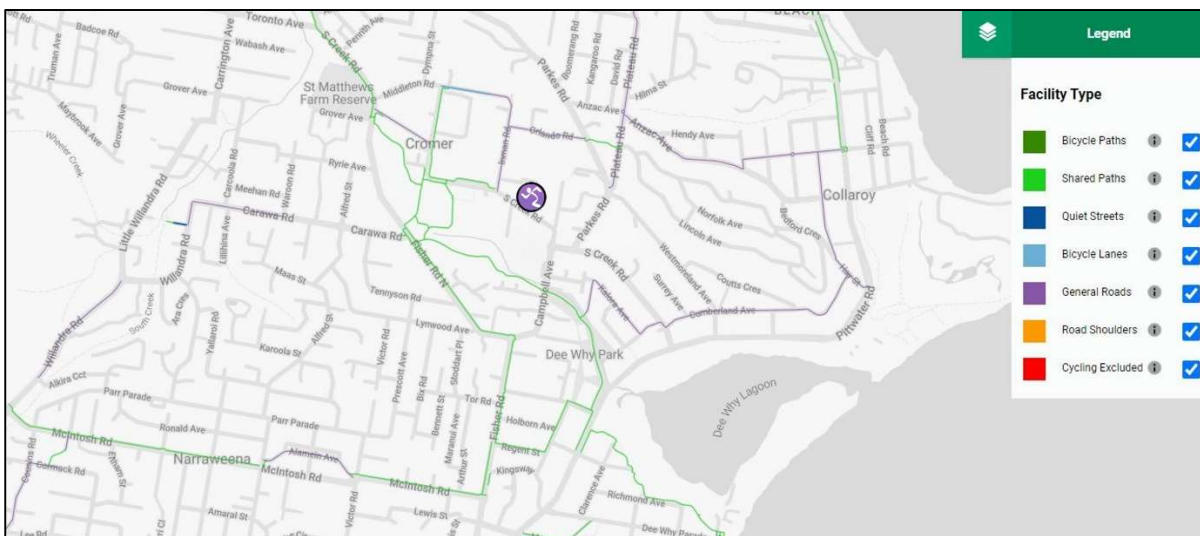
This section should be read in conjunction with the Traffic and Parking Impacts Report provided by TEF Consulting, dated 24 October 2023 and attached to this report.

It is considered that the subject property is located in an area that is exceedingly accessible, with good and convenient access to a range of alternative transport modes than that of a private vehicle. There are two (2) bus stops located within walking distance from the site and local bus routes that service the area includes the 178 City to Cromer Heights, 158 Manly to Collaroy Plateau, 180 City to Collaroy Plateau, L80 City to Collaroy Plateau (Limited Stops), 153 Warringah Mall to War Veterans Home, 179 City to War Veterans Home, E79 City to War Veterans Home (Express) and the 189 Dee Why to Avalon services.



Local Bus Routes – Transport for NSW – Busses Around the Northern Beaches – Superimposed

It is further noted that there are dedicated, safe and convenient cycling routes already established within the local area which ranges from moderate to low difficulty and the subject facility accommodates sufficient end of trip facilities to patrons in the form of showers, change room facilities and ‘cubbies’ for personal belongings.



Cycling Routes – Transport Roads and Maritime Services - https://www.rms.nsw.gov.au/maps/cycleway_finder - Superimposed

In addition to the above, it should be noted that the subject proposal pertains to the re-use of an existing tenancy within an existing building that is limited by physical size and layout. Only four (4) additional on-site car parking spaces are therefore possible to be created by this application. It is further important to consider that the subject tenancy is located within an industrial orientated development with ample provision for on-site car parking during the expected peak usage periods of the proposed gymnasium. The subject tenancy would therefore feature a total of twelve (12) dedicated on-site car parking spaces with access to an additional sixty-two (62) shared on-site car parking spaces within the basement.

In addition, it should be noted that the modern, smaller and more modest facilities of a typical Anytime Fitness Gymnasium results in a localised catchment area for its membership base (typically 2km from the site) enabling members to utilise the facility as part of a workout and therefore see members choosing to rather walk, run or cycle to the facility instead of driving. The proposed facility further features development aspects that is not necessarily accounted for which includes:

- 24-hour fob key access which distributes member attendance.
- No swimming pools, spa's, saunas, childminding facilities nor cafés.
- Minimal change and shower facilities with only basic amenities.
- No large group classes (greater than 10 patrons).

As outlined above, the Anytime Fitness brand features aspects that are designed to result in an extremely low impact on parking demand when compared to other more traditional gymnasiums. This includes, open 24/7, its design as a local gym and its anticipated demand times and it is therefore considered that the additional demand could easily be catered for by the existing availability within the local industrial area.

24/7 Hours of Operation

The extended trading hours of the proposed facility contributes to the lower demand for parking that is created in comparison to other gymnasiums of similar size and design. As the facility never closes the door to active members with a unique swipe card, members do not have to rush to access the facility before it closes, and do not have to wait in the morning for the facility to open. This creates a situation where members will access the facility at all hours as convenient to them and not only on the way to or from work like most gymnasiums operate, lessening the peak usage times during the typical rush hours.

Local Gym

Members for the Anytime Fitness gymnasium is sourced from the local businesses and surrounding residential land uses. The typical proximity of an Anytime Fitness member base is within approx. 1-2km of the site. With the proposed facility positioned in a conveniently accessible location in terms of alternate transport amenities, it would naturally be easier for members to access the facility from within the expected catchment area.

Anticipated Demand Times

Other land uses within the local area is typically not at their peak demand during the same hours as the proposed Anytime Fitness facility. As evident from the usage statistics of surrounding and existing facilities, demand for the proposed premises is expected to have two notable peaks. The first in the morning between the hours of 5:00am and 7:00am and the second is an afternoon peak between 4:00pm and 8:00pm. These peaks, whilst statistically significant, will not be as intense as those witnessed at many other gymnasiums due to its 24-hour operation.

The neighbouring tenancies will also not be in peak operation nor necessarily even open during the same time as the highest usage periods of the subject Anytime Fitness facility, which significantly lessens the overall demand for car parking in the local area. It is therefore considered that the newly proposed expanded Anytime Fitness Cromer facility would have no adverse or negative impact on car parking availability on the site and/or surrounding area.

Section C3(A) – Bicycle Parking and End of Trip Facilities

This section should be read in conjunction with the Traffic and Parking Impacts Report provided by TEF Consulting, dated 24 October 2023 and attached to this report.

It is noted that a total of forty (40) secure on site bicycle parking spaces are provided by the original/base development and is considered sufficient to cater for the likely demand generated by the subject proposal i.e., eight (8) spaces. It is further noted that one (1) bicycle can be securely stored on the premises within the staff office. It is further noted that there are dedicated, safe and convenient cycling routes already established within the local area which ranges from moderate to low difficulty and the subject facility accommodates sufficient end of trip facilities to patrons in the form of showers, change room facilities and ‘cubbies’ for personal belongings.

Section C9 - Waste Management

Please refer to the attached *Plan of Management* and *Waste Management Plan* for further details and ongoing operational waste management. It is important to note that all existing operational waste management services would remain entirely unaltered and unaffected. Both the waste generated during the fit-out stages and ongoing day to day operations is considered to be absolutely minimal when compared to the former use of the tenancy as an industrial warehouse and will be managed by appropriate private contractors in accordance with the provided *Waste Management Plan* attached. Ongoing day to day waste volumes are expected to be less than 220L per week for each type of waste and is appropriately disposed of via established waste management services. As the newly proposed facility would be occupying an established tenancy with existing waste management services already in place, the proposal would have no additional waste generation and/or impact of any kind.

Section D3 - Noise

This section should be read in conjunction with the attached Acoustic Report provided by Norrebro Design, dated 24 October 2023 and attached to this report.

With the subject property being situated within an E4 – General Industrial zone, the proposed land use is considered to be entirely compatible with the general character of the area in regard to noise. With appropriate management and noise abatement controls in place (see attached *Plan of Management*) and to be practiced by management on a daily basis, the proposed facility would have no adverse and/or negative impact on any surrounding land uses whatsoever.

Appropriate noise abatement measures are nonetheless built into the design of the Anytime Fitness club brand which is low impact and scaled down compared to other more traditional gymnasiums due to its extended 24/7 hours of operation.

These features include:

- There would be no loud bass beats typically associated with most gymnasiums, rather, the facility would only have low volume background music playing throughout which is set and locked by the manager in their office.
- All the cardiovascular equipment has individual television screens and members wear headphones to listen to the sound.
- All the equipment is designed for members to use individually and without the need for 'spotting', thus encouraging a controlled use.
- 8mm Rubber flooring is to be installed in accordance with the recommendations of the Acoustic Engineers to reduce noise and vibration in areas of the gym where higher levels of impact are expected to occur ie. Free Weights and Functional Training areas.
- Night-time usage i.e. 12am-5am of Anytime Fitness clubs are very low. Typically, less than 1 member/ per hour which suggests the likelihood of groups of members entering together, a scenario much more likely to cause disturbance, not likely.
- Noise from ingress and egress of patrons during night-time is considered to be limited given that doors close automatically behind patrons and access is only granted to members outside of staffed hours.
- Members are made aware that the intentional dropping of weights is strictly prohibited in all areas of the facility and members should refrain from performing any exercises that could potentially generate excessive noise.
- All windows are non-openable and fixed shut at all times, with air conditioning supplied to constantly filter the air.
- Clear signage is to be erected at all entries and exists of the facility, reminding patrons that they must not generate excessive noise when entering or leaving the premises.

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

In summary, the aspects of the proposed facility that could potentially impact land use amenity by means of noise have been identified and discussed. It is considered that Anytime Fitness noise emissions are controlled in a manner that would result in no undue negative impact on the surrounding land uses and has proven to be capable of operating harmoniously with surrounding sensitive land uses over a number of years of successful operations, without any disturbance to the local amenity.

Section D20 - Safety and Security

The subject facility would incorporate a state-of-the-art security system to maximise the safety of users. The security system is a fully integrated priority access system which connects the member check-in software with onsite security systems including closed circuit television (CCTV) and tailgate detection for entry doors.

To enter the facility, the member will be required to swipe a valid access fob which triggers a release mechanism in the door. If another person enters at the same time an audible beeping alarm is triggered by a tailgate system which alerts members and management. The member can exit the premises through the same doors via a free-exit mechanism. The exit mechanism will not prevent a member from leaving the premises in the event of a fire or other emergency.

A CCTV system will also 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 facility to ensure that supervision is maximised. The coverage of these cameras is thorough both internally and externally and will provide excellent surveillance of the premises for the safety of users as well as the community.

Each user will have access to a personal emergency button on a lanyard that when utilised will result in the security monitoring company immediately contacting the police and subsequently the manager. Fixed emergency buttons will also be located in appropriate locations inside the facility. A first aid-kit, "in case of emergency" signage with instructions, and an Automated External Defibrillator will be located in appropriate locations throughout the facility.

These methods and regulations are also further elaborated on in the *Plan of Management* which has been attached to this report.

Section D21 – Provision and Locality of Utility Services

The site is already adequately served by energy, electricity, water, telephone, fire services and waste management. The owner and operator will further endeavour to consult where required with appropriate service providers as to ensure the uninterrupted and sustainable provision of associated services.

Section D23 - Signs

Proposed business identification signage:

(Please refer to the attached elevation drawings for further details)

Sign 1: The installation of 1 x Internally LED Illuminated "Anytime Fitness" Wall Sign, to be 3100mm x 200mm in size and to be located on the ground floor level of the Southern façade.

Sign 2: The installation of 1 x Internally LED Illuminated “Anytime Fitness” Wall Sign, to be 2400mm x 600mm in size and to be located on the mezzanine floor level of the Western façade.

Sign 3: The installation of 1 x Internally LED Illuminated “Anytime Fitness” Wall Sign, to be 4500mm x 940mm in size and to be located on the first floor level of the Eastern façade.

Sign 4: The installation of transparent graphic vinyl artwork applied to the internal glazing of the exterior windows of the Southern façade for privacy.

Sign 5: The installation of 1 x Purple Internally LED Illuminated backlit door frame to the main entrance on the Southern façade to create a beacon of arrival for members at night.

The presence of the proposed business identification signage is considered to be appropriate in the proposed locations given that the signage proposed pertains to the utilisation of existing signage opportunities while pertaining only to the proposed use. The size and design of the signage is considered to be in scale, proportion and character with the host building, surrounding area and completely consistent with the signage presidents of the locality.

The proposed internally LED illuminated signage is further vital for 24-hour business identification and provides a safe level of luminance for members accessing the facility at night. It would not cause unwarranted glare for pedestrians nor vehicles, with no flashing or moving images to be displayed and no red, green or amber colours to be utilised. In addition, it is considered that no residential properties would be affected, given the level of luminance, siting and relationship.

No unacceptable glare or associated light spill will be created from the proposed illumination as it is to be internally illuminated by LED diode technology lights with a maximum luminous flux of 112. This internal illumination will not be unacceptably bright and not create unacceptable glare nor light spill for surrounding properties, pedestrians, motor vehicles and/or cyclists. The signs would also not be in close enough proximity to any residential and/or other sensitive land uses to cause amenity disturbance through light spill, and at the same time not be bright enough to have any adverse effects on safety. The proposed signage will further not be of colours that could lead to transport movement confusions.

Since the illuminated signage is proposed to be internally illuminated by LED diode technology, it features the very best in terms of longevity, energy efficiency, and consistency in high quality illumination. As the proposed signage represent business identification for a 24-hour business, it is required to be illuminated 24 hours per day. This rationalizes the use of the site as a 24-hour premise and adds to the perception of safety in the area with increased lighting. The installation of the proposed LED illuminated signage would lift night-time safety perceptions and create a beacon of arrival to patrons making use of the facility at unusual hours. Members would be safer with an illuminated sign at the main entrance which is exactly what the proposed illuminated door frame is designed to provide.

The installation will further be done in such a manner as to ensure that no view corridors, vistas or view sheds are disturbed and has been designed to portray no ‘unsightliness’ as it will be installed in a manner that disguises all cabling and other potential visually inappropriate ancillary objects required. The installation will not require any overhead power lines and will therefore not be subject to any sagging or swaying of cables.

The proposal will further not dominate the skyline, as it is not to be installed above the proposed height of the building. Similarly, no sign proposed will detract from the quality of the vista and will not block views to any other signs in the area while being non-competitive to the surrounding commercial premises. All signage proposed and installed will be kept and maintained to the satisfaction of the local authority.

Section 4.15 of the EP&A Act - Other potential impacts of the development

This section assesses the impact of the proposal in relation to the following aspects:

- Accessibility
- Social Impact
- Flora and fauna values
- Soil erosion and landscaping provision
- Suitability of the site for development
- Public Interest

Accessibility

Convenient and non-discriminatory access into and throughout the proposed facility has been considered and accommodated into the design as to accommodate all people. The existing building structure already fully accommodates methods to readily cater for the needs of people living with a disability and would remain entirely unaffected by the subject proposal. Members with movement restrictions would further have unrestricted access via their registered key fob as well as a fully accessible amenities suite situated within the proposed facility and all services offered would be equally provided on all levels of the proposed facility.

Social Impact

The proposed Anytime Fitness Cromer facility would provide residents, local workers and visitors of all backgrounds, ethnicity and sex with an enhanced variety of choice in recreational services, while encouraging a healthy lifestyle and social interaction at an affordable price with convenient usage times. It adds to the overall desired tenancy mix of the local area, making this area of Cromer a more attractive experience for both the local community and all who visits.

The Anytime Fitness brand fully acknowledges and respects the different values and cultures of all sectors of society. It aims to provide a wholistic platform of inclusion and equity for all people of society, regardless of their differences. The local gymnasium provides a safe space with the opportunity for people from all walks of life to socially interact, attain a sense of belonging and inclusion and pursue a healthier and happier lifestyle.

With proper management systems and mitigation measures in place (see attached *Plan of Management*), it is considered that the proposal would have no undue negative impact on social amenity in any way but rather continue to promote the values of inclusion, public safety and equality. The proposed facility would therefore have a positive contribution to social development within the local society.

Flora and fauna values

Unaffected by the subject proposal.

Soil erosion and landscaping provision

Unaffected by the subject proposal.

Suitability of the site for Development

The proposed site for the Anytime Fitness Cromer gymnasium is suitable given the following;

- The use of the site adequately meets the objectives of the E4 – General Industrial land use zone and adheres to the principles envisaged for the locality;
- The proposed land use is considered to complement surrounding uses;
- The size and layout of the premises is appropriate for the Anytime Fitness gymnasium concept;
- The site is located within an area that provides several convenient and alternate transport opportunities.
- The site is already adequately equipped with all required services and the proposed development would not come at any additional cost to the environment and/or local Council;
- The proposed facility would be making good use of an otherwise vacant and prominent tenancy.

Public interest

It is considered that the introduction of the proposed Anytime Fitness Cromer gymnasium to the subject location would provide local residents, local workers and visitors with an enhanced variety of choice in recreational services, while encouraging a healthy lifestyle and social interaction at an affordable price with convenient usage times. It also adds to the overall tenancy mix of the local development while making this area of Cromer a more attractive experience for the local community and all who visits.

With proper management systems and mitigation measures in place (see attached *Plan of Management*), it is considered that the proposal would have no undue negative impact on any residential, commercial, retail or business land use with regards to safety, security, traffic, parking and or acoustic amenities. The proposed facility would make a positive contribution on social and economic impact, in accordance with the vision of the local area.

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 be supported on the following grounds:

- It is both a permissible land use and consistent with the development objectives of the E4 – General Industrial land use zone;
- The proposal is considered acceptable in terms of *Environmental Planning and Assessment Act 1979, State and Regional Environmental Planning Policies, Warringah Local Environmental Plan (LEP) 2011* and the *Warringah Development Control Plan (DCP) 2011*.
- It makes appropriate use of prominent, existing and vacant tenancy.
- Appropriate conditions may be imposed to ensure the development proceeds in accordance with Council requirements.

Annexure A – Schedule 5 of SEPP (Industry and Employment)

2021 Assessment

The following is an assessment of the proposed signage against the assessment criteria of Schedule 5 of SEPP (Industry and Employment) 2021.

Please refer to attached signage and elevation drawings for reference.

1. Character of the area

- Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?

The proposed signage relates to high quality business identification signage and the installation of transparent window graphic vinyl. It would be similar in type, size and design to many of the signs utilised in the surrounding areas. It is therefore considered to be compatible with the character of the local area.

- Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

Yes, the proposal is deemed to be entirely consistent with the theme of outdoor business identification signage in the local area in terms of type, scale and design and would be similar to many signs in the surrounding area.

2. Special Area

- Does the proposal detract from the amenity or visual quality of any environmentally sensitive area, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?

The proposed signage is to be located on an existing building with no environmentally sensitive and/or heritage significance. The proposal would further have no impact on any natural conservation areas, waterways or rural landscapes and is not to be within close enough proximity to residential land uses to have a detrimental impact thereon whatsoever. It is expected that the proposed signage will not detract from the amenity of the streetscape nor any nearby land uses.

3. Views and Vistas

- Does the proposal obscure or compromise important views?

The signage to be installed will be done in such a manner as to ensure that no view corridors, vistas or views are disturbed.

- Does the proposal dominate the skyline and reduce the quality of vistas

No, the proposal does not dominate the skyline as none of the signage proposed is to be installed above the existing height of the building nor the awning. Similarly, no sign proposed will detract from the quality of the vista.

- Does the proposal respect the viewing right of other advertisers?

The proposed signage does not block views to any other signs in the area. The signage is also non-competitive with surrounding premises.

4. Streetscape, setting or landscape

- Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?

The proposal is to be located within an E4 – General Industrial land use zone and to be located upon an existing tenancy, while making use of existing signage opportunities. As such, the signage proposed is considered to be entirely consistent with the existing signage patterns in the surrounding area and is highly compatible with the streetscape as well as appropriate for the setting.

- Does the proposal contribute to the visual interest of the streetscape, setting or landscape?

The proposal will rationalise the streetscape and signal the existence of a 24-hour Anytime Fitness gymnasium through the installation of 24-hour internally LED illuminated signage at the entrance to the premises. The signage will be of a high designed quality and installed in a high-quality manner. It is expected to contribute positively to the streetscape and will be in keeping with the signage precedents of the commercially orientated locality.

- Does the proposal reduce clutter by rationalising and simplifying existing advertising?

The signage will be of a high-quality business identification relating only to the proposed use without causing any unwanted clutter. The proposed signage would be utilising existing signage opportunities and would therefore further reduce additional clutter.

- Does the proposal screen unsightliness?

Whilst the proposed signage has not been designed to screen 'unsightliness', no unsightliness will be created by the proposed signage. It will be installed in a manner that disguises cabling, and other potential visually inappropriate ancillary objects required.

- Does the proposal protrude above buildings, structures or tree canopies in the area or locality?

No.

- Does the proposal require ongoing vegetation management?

No.

5. Site and Building

- 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?

Yes. The proposed design and size of the signage is considered to be in scale, proportion and character with the existing building and completely consistent with existing signage precedents.

- Does the proposal respect important features of the site or building or both?

Yes, the proposed signage will not detract from any significant features of the site nor the building in any way.

- Does the proposal show innovation and imagination in its relationship to the site or building, or both?

Yes. The installation of the illuminated signage would lift night-time safety perceptions to the front entrance and create a beacon of arrival for patrons and therefore provide a safer and more relatable streetscape.

6. Associated devices and logos with advertisements and advertising structures

- 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?

No.

7. Illumination

- Would illumination result in unacceptable glare?

No. Unacceptable glare will not be created from the signage as the signs are to be internally illuminated by LED diode technology lights. This internal illumination will not be unacceptably bright and not create unacceptable glare for surrounding properties, pedestrians, motor vehicles and/or cyclists.

- Would illumination affect safety for pedestrians, vehicles or aircraft?

No. The signs will not be bright enough to have any negative effects on safety. The signs will also not be of colours that could add to transport movement confusions, with no use of red, green or amber. Only purple and white will be used.

- Would illumination detract from the amenity of any residence or other form of accommodation?

No. The proposed internally illuminated sign will not be within close enough proximity to residential land uses and/or other accommodation to cause adverse harm to amenity.

- Can the intensity of the illumination be adjusted if necessary?

As the signage is to be LED diode illuminated, the very best in terms of longevity, energy efficiency, and consistent high-quality illumination, adjustment of illumination will indeed be possible as and if required.

- Is the illumination subject to a curfew?

No. Since the signs represent business identification for a 24-hour gymnasium, the signs are required to be illuminated 24 hours per day. This rationalises the use of the site as a 24-hour premise in the streetscape, as well as adding to the perception of safety in the area with increased lighting. Patrons making their way in and out of the gymnasium during late night hours would be safer with an illuminated sign at the entrance and would assist in locating the facility accordingly.

8. Safety

- Would the proposal reduce the safety for any public road?

No. The signs will not affect the safe use of surrounding roads in any way.

- Would the proposal reduce the safety for pedestrians or bicyclists?

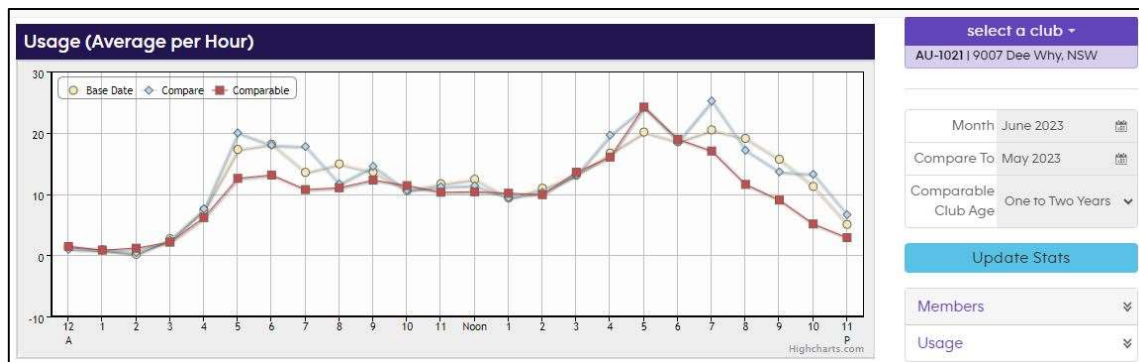
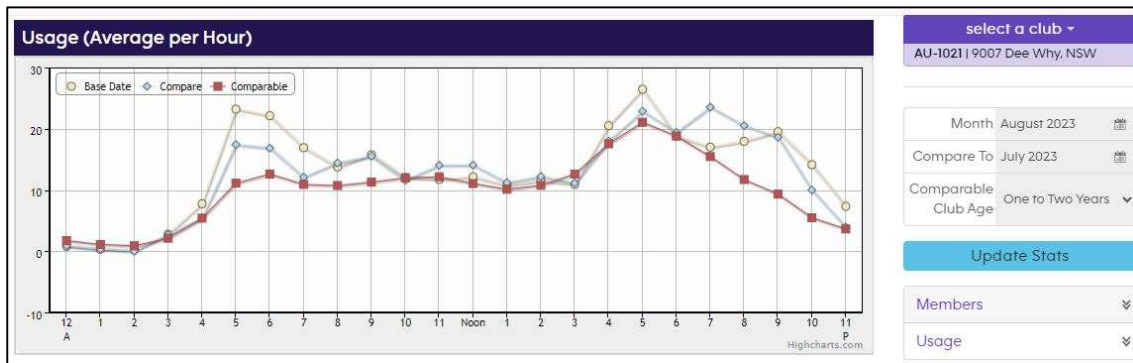
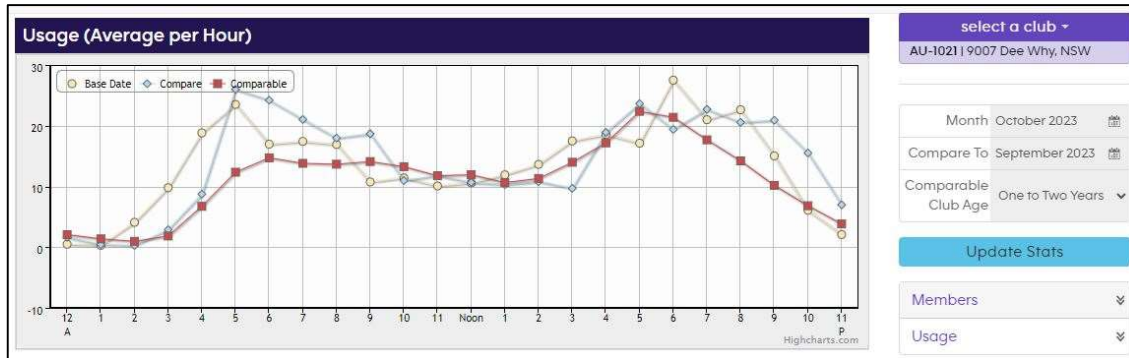
No. All signs have been designed in manner that will ensure they do not affect the safe pedestrian or cyclist use of surrounding roads.

- Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

No. The signs will not reduce sightlines in the locality, nor will they impede any views.

Annexure B – Anytime Fitness Usage Statistics

The following graphs show member usage at the current and existing Anytime Fitness Dee Why facility over the last 6 months of operation. It is considered an accurate comparison to the subject proposal and shows that the maximum average number of patrons are consistently below 25 during peak usage times. Data corrections have been applied to the calculations of the subject proposed Anytime Fitness proposal to compensate for any size variations.



Additional statistics can be provided upon request.