

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA21/0403
Proposed development:	Fit-Out & Use of Premises as Indoor Recreation Facility for Simulated Altitude Training & Erection of Business Identification Signage (Tenancy T70)
Property address:	13 - 23 Pattys Place, JAMISONTOWN NSW 2750
Property description:	Lot 10 DP 1046110
Date received:	9 June 2021
Assessing officer	Donna Clarke
Zoning:	SEPP WSA - Affected by Obstacle Limitation SEPP WSA - Affected by Wildlife Buffer Zone Zone B5 Business Development - LEP 2010 RU4 Primary Production Small Lots - LEP 2010
Class of building:	Class 6
Recommendations:	Approve

Executive Summary

Council is in receipt of a development application for a fit-out and change of use of an existing tenancy to a recreation facility (indoor) including associated signage at Tenancy T70, Penrith Homemaker Centre, 13 - 23 Pattys Place, Jamisontown. The indoor recreation facility will provide simulated altitude training. The subject site is zoned B5 Business Development and the development proposal, being an indoor recreational facility is permissible with consent. A small area of land on a related Lot adjacent to the homemaker centre is subject to a rural zoning although the subject tenancy is not impacted by this zoning.

The key issues identified and addressed as part of the assessment of the proposal were amenity and safety impacts from the Proposed Altitude Training gym and car parking.

With respect to the proposed use as an Altitude Training Facility, a system is to be installed which will regulate the oxygen levels within the gym. This is within the existing tenancy and does not require any special modifications to the existing building or external air or noise impacts. The company is operating a number of these facilities already throughout the state, primarily in commercial complexes, and the subject site is appropriately located within an existing Homemaker Centre and is adjacent to a busy motorway, with minimal noise impacts envisaged.

Existing large areas of car parking for the complex will be utilised and it is noted that the facility operates at varying hours to the core hours of the Homemaker Centre, therefore allowing for dual use of parking.

The proposal was not required to be notified or publicly exhibited under the requirements of Appendix F4 - Notification and Advertising of the *Penrith Development Control Plan 2014* (DCP).

An assessment of the proposal under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) has been undertaken and the application is recommended for approval, subject to recommended conditions.

Site & Surrounds

The site is known as the Penrith Homemaker Centre located at 13 - 23 Pattys Place, Jamisontown, which is legally described as Lot 10 DP 1046110. The site has a land area of 5,610m² and accommodates several businesses, mainly top retail brands. The subject premises is Tenancy T70.

The tenancy was former 'beds n dreams', which has since been divided into three (3) tenancies via a Complying Development Certificate which was issued for the fitout and refurbishment of three (3) existing tenancies (tenancy 70, 75 and 80). Development consent is now sought for the use of tenancy T70.

The immediately surrounding area is characterised by commercial and industrial land uses. Green open space adjoins the site to the north. The broader road network includes the intersection of the M4 Motorway and Mulgoa Road approximately 400m to the south of the site.

Proposal

The applicant seeks development consent for a fit-out and use as an indoor recreational facility at Tenancy T70, Penrith Homemaker Centre, 13 - 23 Pattys Place, Jamisontown.

The proposal comprises of the following:

- Fitout and change of use of tenancy T70 to recreation facilities (indoor), more specifically consent is sought for a gymnasium/health studio which will be operated by Air Locker.
- Construction works comprise the installation of partitions to facilitate the desired internal layout.
- Additionally, the proposed works include the installation of a controlled air system which will create a simulated high-altitude environment. Simulated altitude training is a training method that involves exercising in a lower oxygen level environment. This is achieved using a simulated oxygen chamber that purposely reduces the amount of oxygen in the room, similar to that of being on a mountain at a higher altitude. The system to be installed ensures that the purity of the oxygen being delivered into the simulated environment can never drop below 10% with classes operating with oxygen levels of between 13-14%. The system contains an internal alarm if oxygen levels were to ever drop below 10%. The tenant is experienced in operating these facilities with existing operations at Bondi Junction, Newcastle, Kotara and Maitland.
- Illuminated business identification signage is also proposed with approximate dimensions of 2800mm (W) x 1600mm (H). The signage is proposed to be fabricated letters illuminated by LEDs on 3mm aluminium composite panel backing installed directly to the wall.
- Hours of operation from Monday - Thursday 5.00am – 11.00am and 4.00pm – 8.00pm, Friday 5.00am – 11.00am and 4.00pm – 7.00pm, Saturdays, 8am - 12pm & closed on Sundays. The tenancy has a separate external entrance that means the proposed studio can be accessed outside of the regular operating hours of the centre;
- Safety measures will be provided including existing CCTV camera within the Centre and internal and external lighting; and
- 2-3 staff onsite for most days. From Monday to Thursday it is expected that there will be between 6-8 classes per day. On Friday and Saturday it is expected that this will reduce to between 3-4 classes per day.

Plans that apply

- Local Environmental Plan 2010 (Amendment 4)
- Penrith Local Environmental Plan 2010
- Development Control Plan 2014
- State Environmental Planning Policy No 64—Advertising and Signage
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

• Section 4.15 - Evaluation

The development proposal has been assessed in accordance with the matters for consideration under Section 4.15 of the EP&A Act, and having regard to those matters, the following issues have been identified for further consideration.

Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy No 64—Advertising and Signage

Proposed business identification signage includes 1 x wall mounted illuminated sign measuring approximately 2800mm (W) x 1600mm (H) that is fixed to the building's façade. The proposed signage will read "AIR LOCKER" and will be constructed out of fabricated letters illuminated by LEDs on 3mm aluminium composite panel backing. The proposal also includes 3 x printed graphics matching the business identification signage on the existing glazing.

The proposed business identification wall sign is ancillary to the proposed fit-out and use by Air Locker and is considered to be of a minor scale, which provides effective communication without compromising the visual quality and amenity of the immediately surrounding area. Given that the Penrith Homemaker Centre contains various signage styles for several other tenancies, it is considered that the proposed sign is of a suitable scale and that the design is compatible with the signage theme and character of the immediately surrounding area.

Schedule 1 (Assessment Criteria):

Criteria	Comments
1 Character of the area <ul style="list-style-type: none"><i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i><i>Is the proposal consistent with a particular theme for outdoor advertising in the area of locality?</i>	The premises is a part of the Penrith Homemaker Centre which contains a variety of business identification signage. The proposed business identification wall sign is of a minor scale and the design is considered to be compatible with the desired future character of the area.
2 Special areas <ul style="list-style-type: none"><i>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?</i>	The site is not within or in close proximity to any environmentally sensitive areas, heritage areas, natural or other conservation areas, waterways or rural landscapes. The proposed sign will be of minimal view from the streetscape.
3 Views and vistas <ul style="list-style-type: none"><i>Does the proposal obscure or compromise important views?</i><i>Does the proposal dominate the skyline and reduce the quality of vistas?</i><i>Does the proposal respect the viewing rights of other advertisers?</i>	The proposed sign will not obstruct any important views or vistas and is not within a skyline view, and will not compromise other business identification signage within the Penrith Homemaker Centre site.

<p>4 Streetscape, setting or landscape</p> <ul style="list-style-type: none"> • <i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i> • <i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i> • <i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i> • <i>Does the proposal screen unsightliness?</i> • <i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i> • <i>Does the proposal require ongoing vegetation management?</i> 	<p>The scale and design of the proposed sign is minor in size relative to existing signage in the Penrith Homemaker Centre.</p> <p>The proposal does not require any ongoing vegetation management.</p>
<p>5 Site and building</p> <ul style="list-style-type: none"> • <i>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?</i> • <i>Does the proposal respect important features of the site or building, or both?</i> • <i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i> 	<p>The proposed sign is integrated with the building facade, which is essentially a replacement sign for the tenancy and is considered to be in proportion to the size of the building.</p>
<p>6 Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> • <i>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?</i> 	<p>The proposed sign will be installed according to manufacturer and engineering requirements.</p>
<p>7 Illumination</p> <ul style="list-style-type: none"> • <i>Would illumination result in unacceptable glare?</i> • <i>Would illumination affect the safety for pedestrians, vehicles or aircraft?</i> • <i>Would illumination detract from the amenity of any residence or other form of accommodation?</i> • <i>Can the intensity of the illumination be adjusted, if necessary?</i> • <i>Is the illumination subject to a curfew</i> 	<p>The proposal does include illuminated signage, however has no amenity impacts given its location in a commercial and industrial area. Appropriate conditions are recommended regarding illumination.</p>
<p>8 Safety</p> <ul style="list-style-type: none"> • <i>Would the proposal reduce the safety for any public road?</i> • <i>Would the proposal reduce the safety for pedestrians or bicyclists?</i> • <i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i> 	<p>The proposed sign will be somewhat visible from the streetscape but is not considered likely to reduce safety for local traffic or pedestrians.</p>

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the proposal against relevant criteria within the *Sydney Regional Environmental Plan No. 20—Hawkesbury-Nepean River (No. 2—1997)* and the proposal is satisfactory subject to recommended conditions of consent.

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 1.2 Aims of the plan	Complies
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Complies
Clause 7.1 Earthworks	N/A
Clause 7.4 Sustainable development	Complies
Clause 7.5 Protection of scenic character and landscape values	Complies - See discussion
Clause 7.7 Servicing	Complies

Clause 2.3 Permissibility

The site is zoned B5 Business Development under the Penrith LEP 2010.

It is proposed to change the use of tenancy T70 to a gymnasium/health studio which is permitted with development consent within the zone, which is defined as a recreation facilities (indoor):

"recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club."

Clause 7.5 Protection of scenic character and landscape values

The proposal is wholly contained within the existing Centre and will have no impact upon the scenic and landscape values of the site. Proposed signage is internal to the site with view lines generally from the car park area.

Penrith Local Environmental Plan 2010

Provision	Compliance
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Section 4.15(1)(a)(ii) The provisions of any draft environmental planning instrument

It is noted that both the *Draft Environmental SEPP* and *Draft Remediation Land SEPP* are at present applicable to the subject site, but while so, does not affect or alter the recommendations of this report.

Section 4.15(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2014

Provision	Compliance
DCP Principles	Complies
C1 Site Planning and Design Principles	Complies
C2 Vegetation Management	N/A
C3 Water Management	N/A
C4 Land Management	N/A
C5 Waste Management	Complies
C6 Landscape Design	N/A
C7 Culture and Heritage	N/A
C8 Public Domain	N/A
C9 Advertising and Signage	Complies
C10 Transport, Access and Parking	Complies - see Appendix - Development Control Plan Compliance
C11 Subdivision	N/A
C12 Noise and Vibration	Complies - see Appendix - Development Control Plan Compliance
C13 Infrastructure and Services	Complies

Section 4.15(1)(a)(iiia) The provisions of any planning agreement

There are no planning agreements applicable to the development proposal.

Section 4.15(1)(a)(iv) The provisions of the regulations

The relevant prescribed conditions under the Regulations, such as the requirement for compliance with the Building Code of Australia and fire safety requirements, will be imposed as conditions of consent. Subject to the recommended conditions of consent, as recommended by Council's Building Surveyor, the proposed development complies with the requirements under Section 143 of the *Environmental Planning and Assessment Regulation 2000*.

Section 4.15(1)(b) The likely impacts of the development

Under Section 4.15(1)(b) of the EP&A Act, consideration must be given to the likely impacts of the development proposal, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Context and Setting

The premises is situated within the Penrith Homemaker Centre which is characterised by a range of commercial land uses and a diverse range of signage themes. In this regard, the proposal is a permissible land use, being an indoor recreational facility and involves minor internal alterations and additions to an existing premises, and includes a business identification wall sign. Given the minor works, the proposal is not considered likely to result in any adverse impacts on neither the character of the surrounding complex or the streetscape.

Traffic Impacts

The proposed development is not considered to likely to result in any significant impacts on local traffic conditions.

Signage Design

The design principles of the DCP and SEPP 64 have been satisfied, such as the compatibility of the proposed signage and its design quality relative to the signage themes of the immediately surrounding area.

Waste Management

The proposed development will generate minor ongoing waste, which will be managed through existing waste collection practices for the Centre.

Safety, Air & Noise

The safety of clients and staff accessing the proposed gymnasium/health studio outside of the general hours of operation is provided through appropriate safety measures comprising existing CCTV cameras within the Centre, external car park lighting and internal lighting from the tenancy.

With respect to the proposed use as an Altitude Training Facility, a system is to be installed which will regulate the oxygen levels within the gym. The system to be installed ensures that the purity of the oxygen being delivered into the simulated environment can never drop below 10% with classes operating with oxygen levels of between 13-14%. The system contains an internal alarm if oxygen levels were to ever drop below 10%. This is within the existing tenancy and does not require any special modifications to the existing building or external air or noise impacts. The company is operating a number of these facilities already throughout the state, primarily in commercial complexes.

Socio-Economic Impacts

The proposal aims to establish a gym, which will in turn aid in stimulating economic growth in the Penrith Homemaker Centre. Given the overall benefits of the associated commercial land use, the proposal is supportive of economic development and is unlikely to impact on the surrounding businesses, noting that no amenity concerns are raised.

Section 4.15(1)(c) The suitability of the site for the development

The proposed gym is a permissible and compatible land use in the B5 zone. The nature and scope of the development proposal is not considered likely to result in any adverse impacts on the surrounding environment. Further, the premises has existing connections to services and the complex makes provision for adequate off-street parking. The site is therefore considered suitable for the development.

Section 4.15(1)(d) Any Submissions

Community Consultation

In consideration of the nature of the application, notification is not identified as being required as per Appendix F4 of the *Penrith Development Control Plan 2014*.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions

Section 4.15(1)(e)The public interest

In consideration of the nature and minor scale of the development proposal, in addition to the proposal being compliant with the applicable development controls and standards, the health and safety of the public will not be adversely affected and therefore, the development is not considered likely to generate any significant issues of public interest.

Conclusion

In assessing this proposal against the relevant environmental planning policies, including *Penrith Local Environmental Plan 2010*, *Penrith Development Control Plan 2014*, *State Environmental Planning Policy No. 55—Remediation of Land* and *Sydney Regional Environmental Plan No. 20—Hawkesbury-Nepean River (No. 2—1997)*, the proposal is considered to satisfy the aims, objectives and provisions of these policies, noting that the proposal does not contravene any development controls or standards, and is not considered likely to result in any significant impacts on the natural, social or economic environments. The site is considered to be suitable for the development and the proposal is in the public interest. Therefore, the application is worthy of support and is recommended for approval, subject to conditions.

Recommendation

That DA21/0403 for Fit-Out & Use of Premises as Indoor Recreation Facility for Simulated Altitude Training & Erection of Business Identification Signage (Tenancy T70), 13 - 23 Pattys Place, Jamisontown be approved, subject to attached conditions.

General

1 [A001 - Approved plans table](#)

The development must be implemented substantially in accordance with the following plans and documents stamped approved by Council, the application form and any supporting information received with the application, except as may be amended in red on the stamped approved plans and by the following conditions.

Drawing Title	Prepared By	DWG No.	Dated
Existing Tenancy Plan	Archi Spectrum	DA01	prelim
Proposed Tenancy Plan	Archi Spectrum	DA02	prelim
External Elevations & Signage Details	Archi Spectrum	DA03	prelim
Site Plan	Archi Spectrum	DA04	prelim

2 [A019 - OCCUPATION CERTIFICATE \(ALWAYS APPLY\)](#)

The development shall not be used or occupied until an Occupation Certificate has been issued.

3 [A039 - Graffiti](#)

The finishes of all structures and the premises are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

4 [A046 - Obtain Construction Certificate before commencement of works](#)

A **Construction Certificate** shall be obtained prior to commencement of any building works.

5 [A19f - Compliance Certificate \(use instead of A019 for other devt earthworks subdivision\)](#)

Prior to the issue of the Construction Certificate the requirements of Clause 143 of the Environmental Planning and Assessment Regulation 2000 are to be taken in to consideration.

Environmental Matters

6 [D010 – Appropriate disposal of excavated or other waste](#)

All waste generated as a result of the development are to be re-used, recycled or disposed of in accordance with an approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

7 [D014 - Plant and equipment noise](#)

The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the *Protection of the Environment Operations Act 1997* apply to the development, in terms of regulating offensive noise.

BCA Issues

8 [E01A - BCA compliance for Class 2-9](#)

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

- (a) complying with the deemed to satisfy provisions, or
- (b) formulating an alternative solution which:
 - complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

Construction

9 H001 - Stamped plans and erection of site notice

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details are to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

10 H002 - All forms of construction

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by the council, or
- alternatively, any other sewage management facility approved by council.

(b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

11 [H041 - Hours of work \(other devt\)](#)

Construction works or subdivision works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy and do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

Certification

12 [Q006 - Occupation Certificate \(Class 2 - 9\)](#)

An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation of the building/tenancy and commencement of the approved use. The Occupation Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding, and the development does not comply with the provisions of the Environmental Planning and Assessment Act and Regulation.

Before the Occupation Certificate can be issued for the development, Fire Safety Certificates issued for the building are to be submitted to Penrith City Council and the New South Wales Fire Brigades.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of that Certificate including the above mentioned documents shall be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

13 [Q01F - Notice of Commencement & Appointment of PCA2 \(use for Fast Light only\)](#)

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part C - City-wide Controls

C10 Transport, Access and Parking

C10.5 Parking, Access and Driveways

The DCP contains the following minimum car parking rates:

- Bulky Goods Premises 1 space per 50 m² of gross floor area
- Fitness Centre including Gym 7 spaces per 100m² GFA

The proposed use would require 14 parking spaces based on a GFA of 200m². If we take into consideration the previous use being a specialised retail premises, which would attract car parking rates of 4 spaces, then this would reduce to an overall requirement of 10 parking spaces. With regard to the existing car parking rates and generation, the Centre currently provides 1 parking space per 40 m² of GFA. This is well above the required 1 space per 50m² of GFA for a specialised retail premises being the principal use of the site. This has created a surplus of car parking spaces within the Centre.

There exists a surplus of car parking within the Centre, with a total of 1629 car parking spaces provided. The existing quantity of car parking provided is sufficient to cater for the proposed and existing uses. It is important to also note that most classes for the proposed gym will fall outside of the core hours of operation for the Penrith Homemaker Centre.

In consideration of the ample parking spaces available, the proposal is unlikely to result in any significant impacts on parking or local traffic conditions.

C12 Noise and Vibration

C12.4 Industrial and Commercial Development

No concerns are raised in regard to noise impacts due to the nature of the surrounding development. Therefore, it is not considered likely that the development will result in any unreasonable amenity impacts on adjoining tenancies or the immediately surrounding environment, subject to recommended conditions of consent, noting that a condition is to be imposed to address any noise complaints associated with the development should they arise.