

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA21/0418
Proposed development:	Minor Alterations to Joan Sutherland Performing Arts Centre including Relocation of Box Office & Conversion of Bar to Cafe including Related Dining Areas & Installation of Sliding Doors
Property address:	597 - 599 High Street, PENRITH NSW 2750
Property description:	Lot 1033 DP 849297
Date received:	16 June 2021
Assessing officer	Wendy Connell
Zoning:	Zone B3 Commercial Core - LEP 2010
Class of building:	N/A
Recommendations:	Approve

Executive Summary

Council is in receipt of a development application for minor alterations to the Joan Sutherland Performing Arts Centre ("The Joan") at 597-599 High Street, Penrith.

The proposal seeks approval for minor building alterations including the relocation of the existing box office, conversion of an existing bar to a cafe with associated indoor and outdoor dining areas and installation of sliding doors. The proposal is best characterised as alterations to an existing "*community facility*" which is a permissible form of development within the B3 Commercial Core zone, with consent, under Penrith Local Environmental Plan 2010.

The application was notified to adjoining and nearby property owners and occupiers and was publicly exhibited between 5 July and 19 July 2021 in accordance with Penrith City Council's Community Engagement Strategy. One public submission was received in response, although the matters raised in this submission are not considered to impede approval of the application.

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

As the subject site is owned by Penrith City Council, and as the applicant for the development application has been engaged by Penrith City Council, the Penrith Local Planning Panel is the determining authority for this application in accordance with Schedule 2 of the Minister's Local Planning Panels Direction. In addition, a peer review has been undertaken of this development assessment report by an independent town planning consultant from Landmark Planning. The peer review concludes that the subject development assessment report has suitability considered the key considerations of Section 4.15 of the Environmental Planning and Assessment Act 1979, and that the report recommendations and proposed conditions of consent are appropriate.

Site & Surrounds

The subject site is situated on the northern side of High Street in the Penrith City Centre and is an irregular shaped allotment. It is legally described as Lot 1033 in Deposited Plan 849297 and has a site area of 6,391 sq.m. The site is occupied by The Joan Sutherland Performing Arts Centre ("The Joan"). The site shares its eastern, northern and western boundaries with Westfield Shopping Centre, Penrith City Council Civic Centre and library, and community open space known as "The Mondo".

The site is zoned B3 Commercial Core under Penrith Local Environmental Plan 2010. The Joan site is located within the Civic and Cultural Precinct of the Penrith City Centre, as identified in Section E11 of Penrith Development Control Plan 2014.

Proposal

The development application is seeking consent for the following in relation to the Joan Sutherland Performing Arts Centre:

- Relocation of the existing box office by the creation of a new box office area within the existing footprint of the foyer (11 sq.m);
- Minor building works to repurpose the existing box office space as a new storage area (9 sq.m);
- Change an existing bar to a cafe with associated storage area (35 sq.m). The proposed cafe operating hours are from 7am to 9pm, Sunday to Wednesday, and 7am to 11pm, Thursday to Saturday; and
- Dining area associated with the cafe including 40 sq.m internally and 26 sq.m externally within the undercroft area of the building's exterior, including replacement of fixed glazing with sliding access doors.

Plans that apply

- Local Environmental Plan 2010
- Development Control Plan 2014
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

• Section 4.15 - Evaluation

The proposal has been assessed in accordance with the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, 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

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the proposal against relevant criteria with Sydney Regional Environmental Plan No. 20 - Hawkesbury/Nepean River (No. 2 - 1997) and the proposal is satisfactory. The proposal is for minor internal works and there is no change proposed to the stormwater management system.

Local Environmental Plan 2010

Provision	Compliance
Clause 1.2 Aims of the plan	Complies
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Complies - See discussion
Clause 7.2 Flood planning	Complies
Clause 7.8 Active street frontages	Complies
Part 8 Local provisions Penrith City Centre	Complies
Clause 8.1 Application of Part	Complies
Clause 8.2 Sun access	N/A
Clause 8.3 Minimum building street frontage	N/A
Clause 8.4 Design excellence	N/A
Clause 8.5 Building separation	N/A
Clause 8.7 Community infrastructure on certain key sites	N/A

Clause 2.3 Permissibility

The proposal is best characterised as alterations to an existing "*community facility*" which is a permissible form of development within the B3 Commercial Core zone, with consent, under Penrith Local Environmental Plan 2010. Although it is considered that the proposed cafe is an ancillary component of the community facility use of the site, it is noted that cafes are permitted with consent in the B3 zone.

Clause 2.3 Zone objectives

The objectives of the B3 Commercial Core zone are as follows:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To strengthen the role of Penrith City Centre as the business, retail and cultural centre of the region.*

The proposal is consistent with each of these zone objectives.

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

There are no draft environment planning instruments that are specifically relevant to the proposed development.

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	Complies
C9 Advertising and Signage	N/A
C10 Transport, Access and Parking	Complies
C11 Subdivision	N/A
C12 Noise and Vibration	N/A
C13 Infrastructure and Services	Complies
E11 Penrith	Complies

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

There are no planning agreements applicable to the site or proposal.

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

Prescribed Conditions

The relevant prescribed conditions of the regulations, such as the requirement for compliance with the Building Code of Australia, are recommended to be imposed as conditions of consent where applicable. In this regard, it is noted that the proposal will maintain equitable access from the public domain and that the new box office will be wheelchair accessible.

Council's Building Surveyor has advised that the existing electrical distribution board located in the proposed cafe is not adequately enclosed and does not comply with the requirements of Clause D2.7 of the Building Code of Australia. It is considered appropriate for this distribution board to be upgraded as part of the proposed works pursuant to the provisions of Clause 94 of the Environmental Planning and Assessment Regulation to ensure the safety of persons in the event of a fire. A condition of consent in this regard has been recommended.

Advertising and Notification

The application was notified in accordance with the requirements of the regulations and Penrith City Council's Community Engagement Strategy.

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

Car parking for the existing facility is primarily reliant on the adjoining Penrith Civic Centre car park and other public parking available in the vicinity of the site. The site is also accessible via nearby public transport nodes. Although the proposed cafe is a new offering for the facility, it is replacing a previous bar area and it is expected that the majority of people visiting the cafe will be also be attending the facility to view an exhibition or attend a performance, or will already be within the city centre for other purposes. The existing parking arrangements are therefore considered satisfactory.

In relation to the proposed cafe operating hours, these are considered appropriate given the city centre location of the site where many nearby restaurants and the like have similar hours of operation. Further, there are no nearby residential uses which will be negatively impacted by the proposed cafe operating hours.

Overall, the proposal does not pose any likely adverse environmental, social or economic impacts.

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

Assessment of the proposal has found the site to be suitable for the proposed development.

Section 4.15(1)(d) Any Submissions

Community Consultation

The application was notified to adjoining and nearby property owners and occupiers and was publicly exhibited between 5 July and 19 July 2021 in accordance with Penrith City Council's Community Engagement Strategy. One public submission was received in response.

The key issue raised in the submission relates to the ongoing care and management of the artwork "Quanta" which is part of the Penrith Performing & Visual Arts artwork collection and is located within the foyer area of The Joan, adjacent to the proposed new box office location. In particular, the submitter's (artist's) concern relates to the possibility of the artwork being removed and potentially deaccessioned as a consequence of the proposed renovation of the foyer.

Assessing Officer's Response to Submission:

The applicant did not provide any information as to the intended plans for the "Quanta" artwork as part of the development application. A review of prior consents for The Joan did not reveal the inclusion of public art as part of an approval condition. The artwork is dated 2007 and did not form part of the original fabric of the building, and there are no known historical connections or heritage significance.

The matter of the "Quanta" artwork and its potential relocation within the building, deaccession or decommissioning is ultimately a matter for resolution between the operator of The Joan, Penrith Performing & Visual Arts, and the artist in accordance with relevant artistic rights and licences and Penrith Performing & Visual Arts policies.

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
Environmental - Public Health	No objections - subject to conditions

Section 4.15(1)(e) The public interest

The proposed development is considered to be in the public interest.

Conclusion

In assessing this proposal against the relevant environmental planning policies, namely Penrith Local Environmental Plan 2010 and Penrith Development Control Plan 2014, the proposal satisfies the aims, objectives and provisions of these policies. The proposal does not contravene any development standards and is unlikely to have any significant impacts on the natural, social or economic environments. The site is 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 recommended conditions.

Recommendation

1. That DA21/0418 for minor alterations to the Joan Sutherland Performing Arts Centre including relocation of box office and conversion of bar to cafe including related dining areas and installation of sliding doors at 597-599 High Street, Penrith, be approved subject to the following conditions.
2. The individual who made a submission be notified of the determination.

General

1 A001

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 approved plans and by the following conditions.

Plan/Document Name	Plan No. & Revision No.	Prepared By	Dated
Location & Key Plan	MP137 – A101 Rev. C	Penrith City Council	18/05/2021
Ground Floor Plan - Existing	MP137 – A201 Rev. C	Penrith City Council	18/05/2021
Ground Floor Plan - Demolition	MP137 – A202 Rev. B	Penrith City Council	18/05/2021
Ground Floor Plan - Proposed	MP137 – A203 Rev. B	Penrith City Council	18/05/2021
Ground Floor Plan - Areas	MP137 – A204 Rev. C	Penrith City Council	18/05/2021
Proposed - Circulation Plan	MP137 – A205 Rev. C	Penrith City Council	18/05/2021
Ground Floor - Reflected Ceiling Plan	MP137 – A221 Rev. B	Penrith City Council	18/05/2021
Box Office Plans - Sheet 1 of 3	MP137 – A241 Rev. B	Penrith City Council	18/05/2021
Box Office Plans - Sheet 2 of 3	MP137 – A242 Rev. B	Penrith City Council	18/05/2021
Box Office Plans - Sheet 3 of 3	MP137 – A243 Rev. B	Penrith City Council	18/05/2021
Store Area - Sheet 1 of 2	MP137 – A251 Rev. C	Penrith City Council	18/05/2021
Store Area - Sheet 2 of 2	MP137 – A252 Rev. B	Penrith City Council	18/05/2021
Plan - Café - Existing & Demolition	MP137 – A261 Rev. B	Penrith City Council	18/05/2021
Plan - Café - Proposed	MP137 – A262 Rev. B	Penrith City Council	18/05/2021
Section & Elevation - Existing Cafe	MP137 – A263 Rev. B	Penrith City Council	18/05/2021
Section & Elevation - Demolition - Cafe	MP137 – A264 Rev. B	Penrith City Council	18/05/2021
Elevation & Sections - Café - Sheet 1	MP137 – A265 Rev. A	Penrith City Council	18/05/2021
Elevation & Sections - Café - Sheet 2	MP137 – A266 Rev. B	Penrith City Council	18/05/2021
Section - Outdoor Dining - Proposed - Sheet 1 of 2	MP137 – A501 Rev. B	Penrith City Council	18/05/2021
Section - Outdoor Dining - Proposed - Sheet 2 of 2	MP137 – A502 Rev. B	Penrith City Council	18/05/2021
Elevation - Outdoor Dining - Demolition	MP137 – A601 Rev. B	Penrith City Council	18/05/2021
Elevation - Outdoor Dining - Proposed	MP137 – A602 Rev. B	Penrith City Council	18/05/2021
Elevations & Sections - Internal Sheet 1 of 2	MP137 – A710 Rev. B	Penrith City Council	18/05/2021
Elevations & Sections - Internal Sheet 2 of 2	MP137 – A711 Rev. C	Penrith City Council	18/05/2021
Details - Internal Elevation - Sheet 1 of 2	MP137 – A721 Rev. B	Penrith City Council	18/05/2021
Details - Internal Elevation - Sheet 2 of 2	MP137 – A722 Rev. C	Penrith City Council	18/05/2021
Box Office Elevations	MP137 – A244	Penrith City Council	21/05/2021
Statement of Environmental Effects	-	Think Planners	05/06/2021
Plan of Management	-	Think Planners	05/06/2021
Waste Management Plan	-	Think Planners	01/06/2021

2 A019 - OCCUPATION CERTIFICATE (ALWAYS APPLY)

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

3 [A029 - HOURS OF OPERATION AND DELIVERY TIMES](#)

The approved cafe operating hours are from 7am to 9pm, Sunday to Wednesday, and 7am to 11pm, Thursday to Saturday.

4 [A039 - Graffiti](#)

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

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

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

6 [A Special \(BLANK\)](#)

Any signage associated with the cafe shall be subject to a separate development application.

Demolition

7 [B002 - AS FOR DEMOLITION AND DISPOSAL TO APPROVED LANDFILL SITE](#)

All demolition works are to be conducted in accordance with the provisions of AS 2601-2001 "The Demolition of Structures". **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority **prior to commencement of demolition**.

Environmental Matters

8 [D009 - Covering of waste storage area](#)

All waste materials stored on-site during works are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and the areas are to be fully enclosed when the site is unattended.

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

All wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the 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.

BCA Issues

10 [E001 - BCA compliance](#)

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).

11 [E Special](#)

Prior to the issue of an Occupation Certificate, the electrical / communications cupboard located in the cafe is to be upgraded to comply with the requirements of Clause D2.7 of the Building Code of Australia.

Health Matters and OSSM installations

12 **F019 - Occupation Certificate**

A satisfactory inspection from an authorised officer of Council's Environmental Health Department is required prior to the issue of an Occupation Certificate. The occupier is to contact the Environmental Health Department to organise an appointment at least 72 hours prior to the requested inspection time.

13 **F020 - Business Registration**

The food business is to be registered with Council's Environmental Health Department by completing the "Registration of Premises" form. This form is to be returned to Council prior to the issue of an Occupation Certificate and operation of the business.

14 **F021 - General Fitout**

The construction, fit out and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, and AS 4674-2004 *Design, Construction and Fitout of Food Premises*.

15 **F022 - Commercial kitchen(exhaust system)**

Cooking appliances which exceed a total maximum power input of 8kw for electrical, or a total gas input of 29MJ/h for a gas appliance, are required to have a kitchen exhaust system installed in accordance with Clause F4.12 of the Building Code of Australia and Australian Standard AS 1668, Parts 1 & 2.

Detailed plans together with calculations for the system must be provided as part of the Construction Certificate application.

The exhaust hood must completely cover the equipment to be ventilated and extended at least 200mm beyond the perimeter of the equipment. The exhaust hood must be provided with a condensation gutter around its base. The gutter must be at least 50mm wide by 25mm deep. Where abutting walls are located, the hood must be constructed so as to finish flat against the wall surface.

The low edge of a canopy type exhaust hood must be at least 2000mm above floor level.

Prior to the issue of an Occupation Certificate, and operation of the business, the exhaust system shall be certified by an appropriately qualified person to comply with the Building Code of Australia and Australian Standard AS 1668, Parts 1 & 2. A copy of the certification and supporting documentation must be provided to Council's Environmental Health Department if Council is not the Principal Certifying Authority.

16 **F027 - Hand basins**

Hand basins must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and fitted with a hands free operation. Where sensor taps are installed, the basin must not be more than 6 metres from the hot water system. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to each hand basin.

17 **F030 - Hot water service**

Hot water services must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted at a minimum 150mm above the floor level on a non-corrosive metal stand. The hot water system must be sized to meet the demands of the food business during peak operating and cleaning periods and be able to provide sufficient hot water throughout the working day. Discharge from the hot water system must enter the sewer through a tongue dish in accordance with Sydney Water's requirements.

18 **F031 - Floor & floor waste**

The floor of the food premises must be finished in an approved non-absorbent material, evenly laid, or graded and drained to a trapped floor waste. All floor wastes in the food preparation, service and scullery area must be fitted with a sump removable basket and grate, a minimum 200mm in diameter, and finished in all stainless steel.

19 **F032 - Floor covering**

Approved, recessed coving must be provided at all intersections of the floor with the walls within all food preparation, service, storage and scullery areas. All coving must have a minimum concave radius of 25mm and be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface.

20 **F033 - Walls – food prep area**

The walls of the food preparation area must be of solid construction and finished with glazed ceramic tiles or other approved material to a height of 2 metres. The intersection of tiles and render must have a flush finish, or be splayed at a 45 degree angle to eliminate a ledge that would allow dust and grease to accumulate.

21 **F034 - Walls – behind cooking appliances**

The walls at the rear of cooking appliances must be surfaced with an impervious material, such as stainless steel, which extends from the canopy to the floor. Where a cooking appliance is sealed to the wall, the material must be lapped over the top edge of the appliance to provide a grease and vermin proof seal. Cooking appliances must only be sealed to walls made of a non-combustible material.

22 **F035 - Ceilings**

The ceiling in the preparation, service and scullery areas must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight jointed, sealed and dust proofed. Drop-in panel style ceilings are not permitted.

23 **F036 - Service pipes**

Service pipes, electrical conduits and refrigeration condensate pipes shall be enclosed or chased into walls, floors or plinths. Where it can be demonstrated that this is not feasible, pipes and conduits fixed on brackets, providing a minimum of 25mm clearance from the adjacent wall and 100mm from the floor or adjacent horizontal surface, can be used. All openings in walls, floors and ceilings, through which service pipes and conduits pass, must be vermin proof.

24 **F043 - Hot & cold water at sinks**

All wash sinks and food preparation sinks must be serviced with hot and cold water through a single outlet. Wash sinks must be supplied with water at a temperature of not less than 54°C for washing.

25 **F047 - Fixtures & fittings**

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning.

All fittings and fixtures must be built into the wall and floor so as to be free from joint, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following:

(a) Plinths – plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.

(b) Wheels or castors – fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.

(c) Legs – fittings and fixtures can be supported on legs but must be constructed of a non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 200mm.

Note: False bottoms under fittings are not permitted (AS 4674-2004 – Sections 4.2 and 4.3).

26 **F051 - Shelving**

Shelves must be smooth and impervious; free from joints, cracks and crevices; and able to be easily cleaned. The lowest shelf must be at least 200mm off the floor to allow easy cleaning underneath. Approved materials must be used, such as galvanised piping, stainless steel or laminated plastic. Shelves are to be sealed to the wall or kept clear of walls to allow easy access for cleaning (>40 mm).

Construction

27 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 is to be erected:

- at the commencement of, and for the full length of the, construction works on-site, 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.

28 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 Council, or
- alternatively, any other sewage management facility approved by Council.

(b) 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.

29 H041 - Hours of work (other devt)

Construction and demolition 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 that 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

30 **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 Certifier 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 Certifier" in accordance with Section 6.6 of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any construction 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 6.6 of the Environmental Planning and Assessment Act 1979.

31 **Q05F - Occupation Certificate**

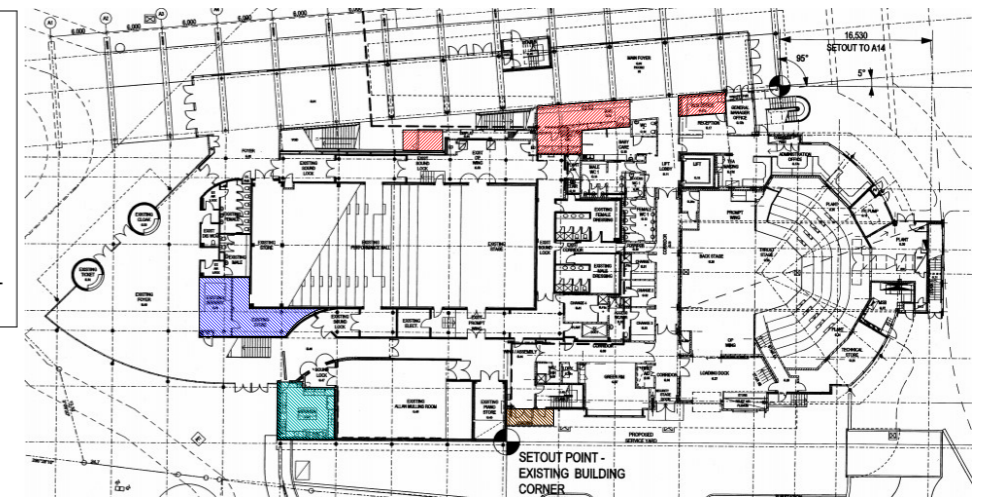
An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works.

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

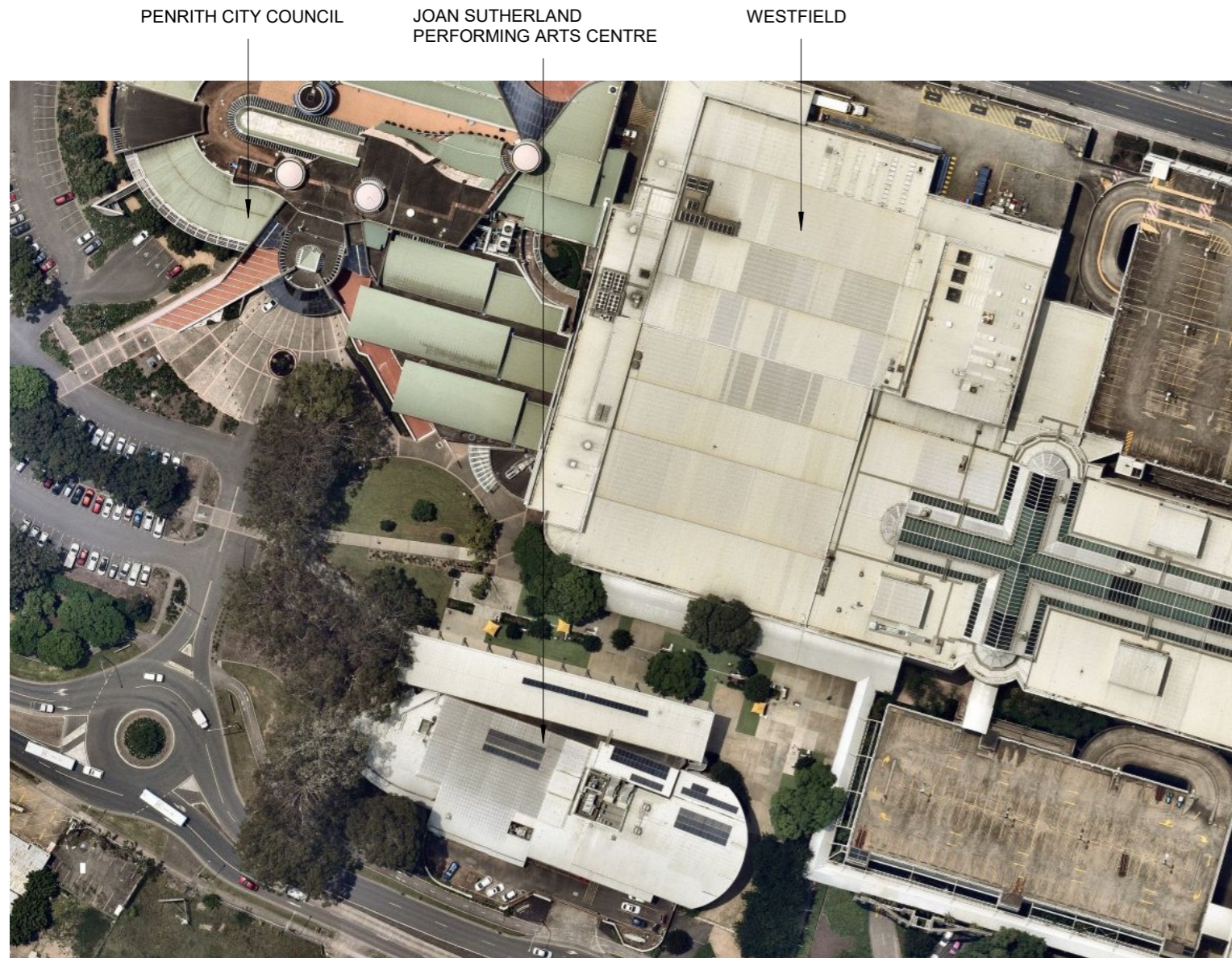
A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

LEGEND

- PROPOSED SCOPE OF WORK
- BORLAND BAR
- EXISTING COMMERCIAL KITCHEN
- RUBBISH COLLECTION POINT



1 Key Plan
NTS



3 Location Plan
NTS



2 Locality Plan
NTS

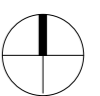
PLAN TO BE READ IN COLOUR

PENRITH CITY COUNCIL

REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DWG TITLE
A	18/04/21	For Review	RMC	CLIENT	Location & Key Plan
B	14/05/21	For Review	RMC	Joan (HR)	
C	18/05/21	For DA	RMC		
				ASSETS:	DATE
				GH	18/05/21
				DESIGN + PROJ.	DATE
				ARCH (RMC)	18/05/21

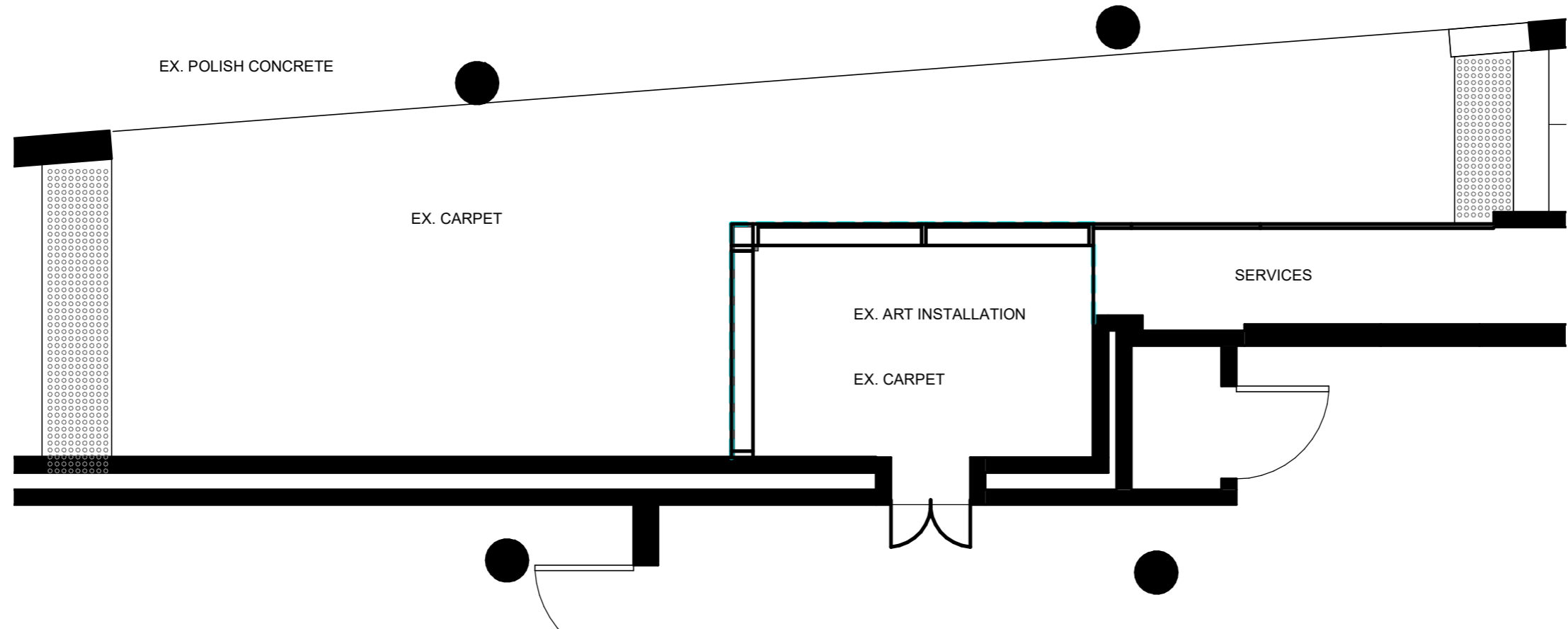
PROJECT
Change of use from Bar to Cafe

PROJECT ADDRESS Joan Sutherland Performing Arts Centre
Lot 1033, DP 849297
597 High St, Penrith NSW 2750



DATE: 18/05/21
ASSET NO: B1560
REV NO: **C**

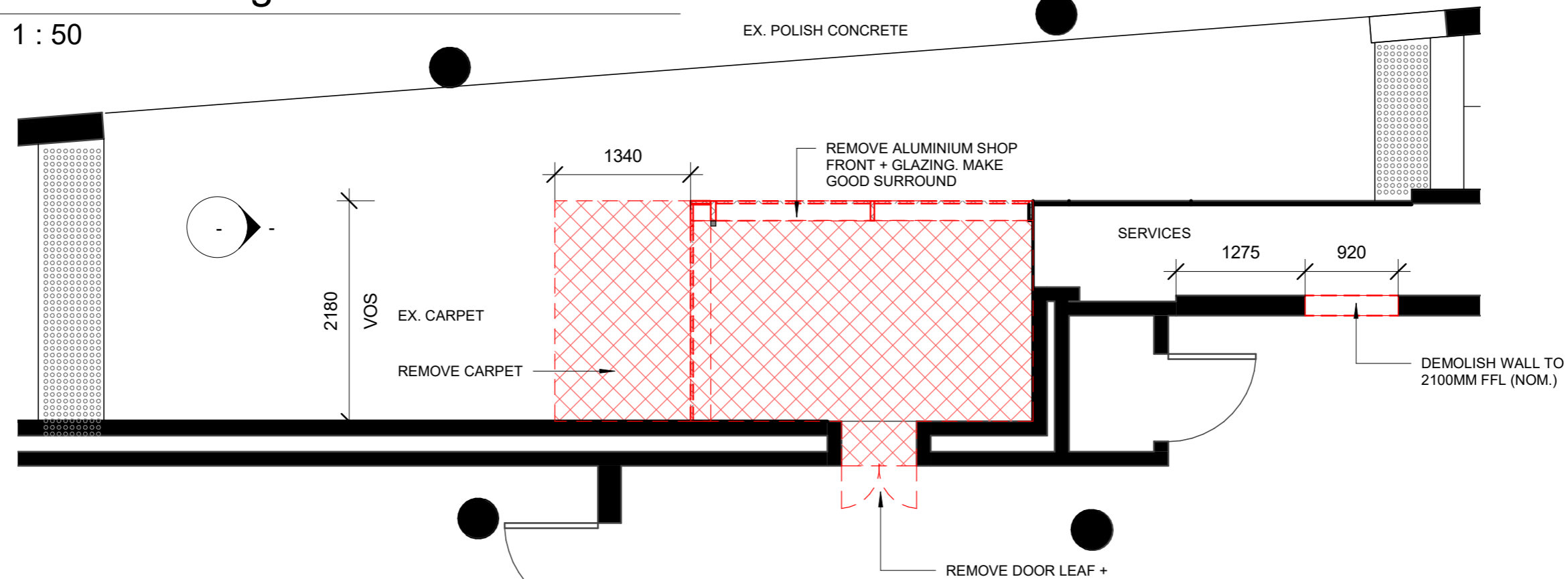
SHEET NO.
MP137 - A101



LEGEND:

	- REUSE
	- DEMOLITION
	- FLOORING DEMOLITION

1 Plan - Existing - Area for Box Office
1 : 50

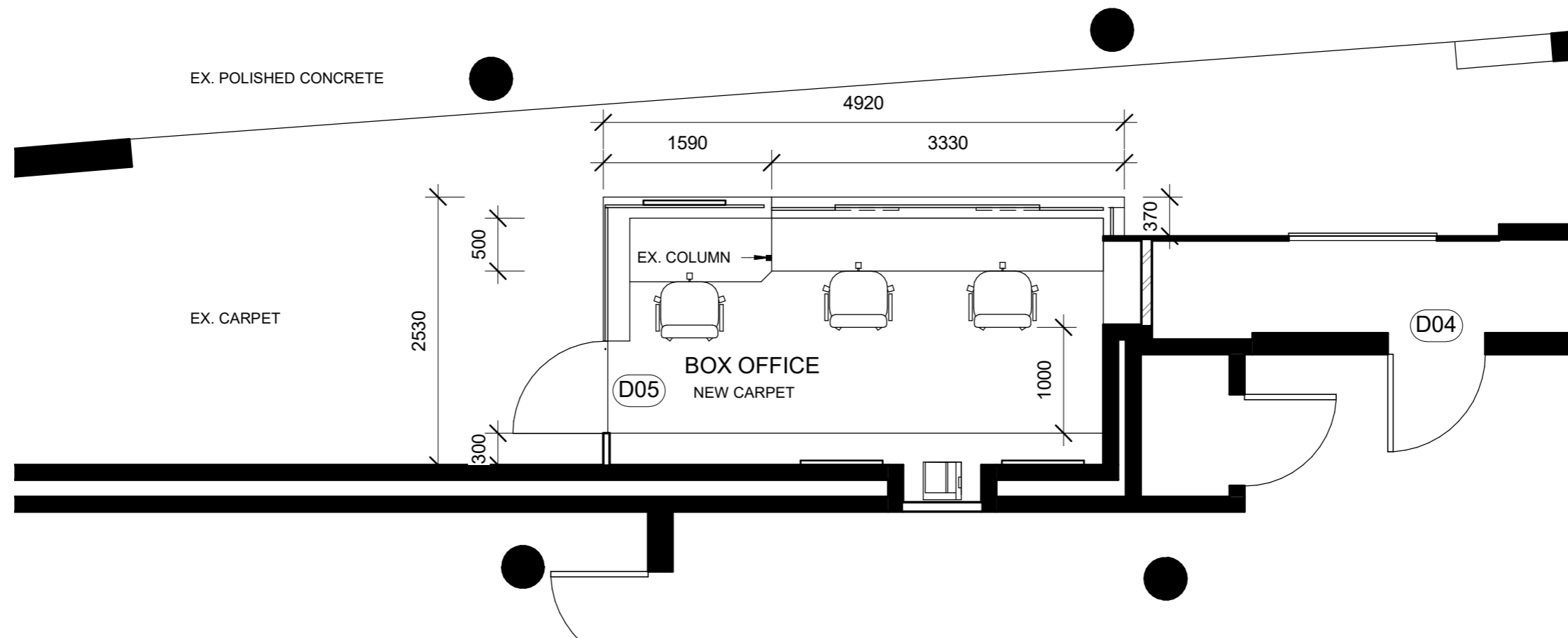


2 Plan - Demolition - Area for Box Office
1 : 50

REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DWG TITLE
A	14/05/21	For Review	RMC	CLIENT	Box Office Plans - Sheet 1 of 3
B	18/05/21	For DA	RMC	CLIENT	
				ASSETS:	
				GH	
				DESIGN + PROJ.	
				ARCH (RMC)	

PROJECT	Change of use from Bar to Cafe
PROJECT ADDRESS	Joan Sutherland Performing Arts Centre Lot 1033, DP 849297 597 High St, Penrith NSW 2750

DATE: 18/05/21	
ASSET NO: B1560	
REV NO: B	
SHEET NO.	MP137 - A241



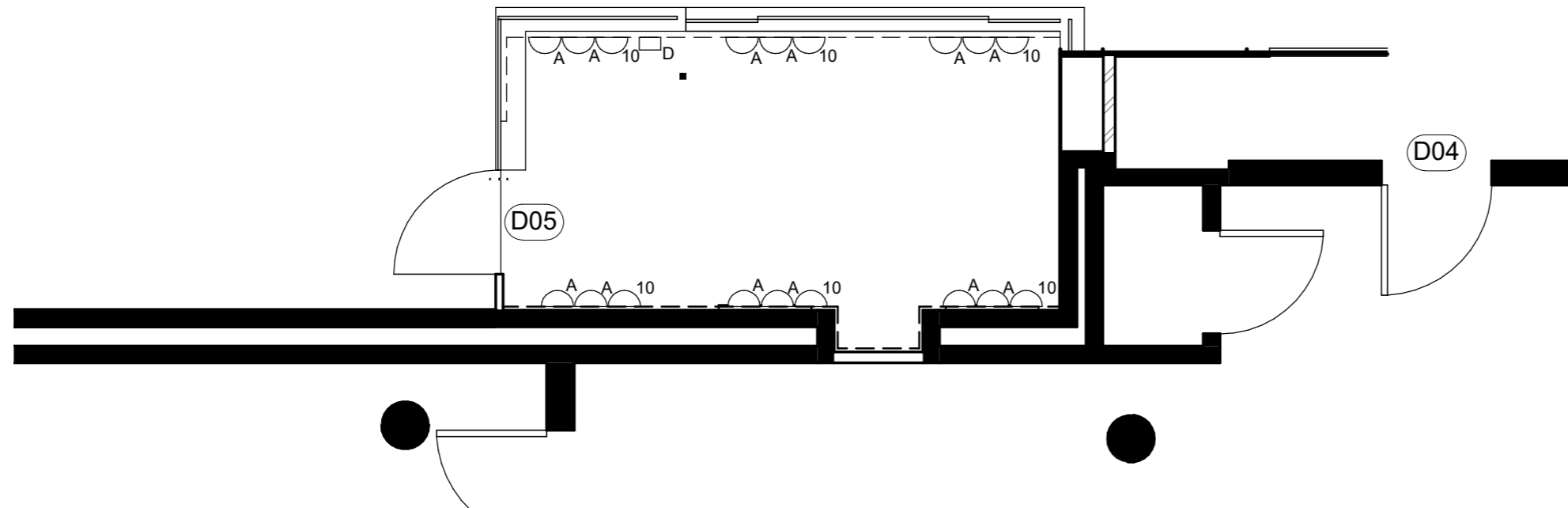
1 Plan - Proposed - Box Office
1 : 50

REV	DATE	DESCRIPTION	APPROV.	APPROVALS
A	14/05/21	For Review	RMC	CLIENT
B	18/05/21	For DA	RMC	Joan (HR)
				ASSETS:
				GH
				DESIGN + PROJ.
				ARCH (RMC)

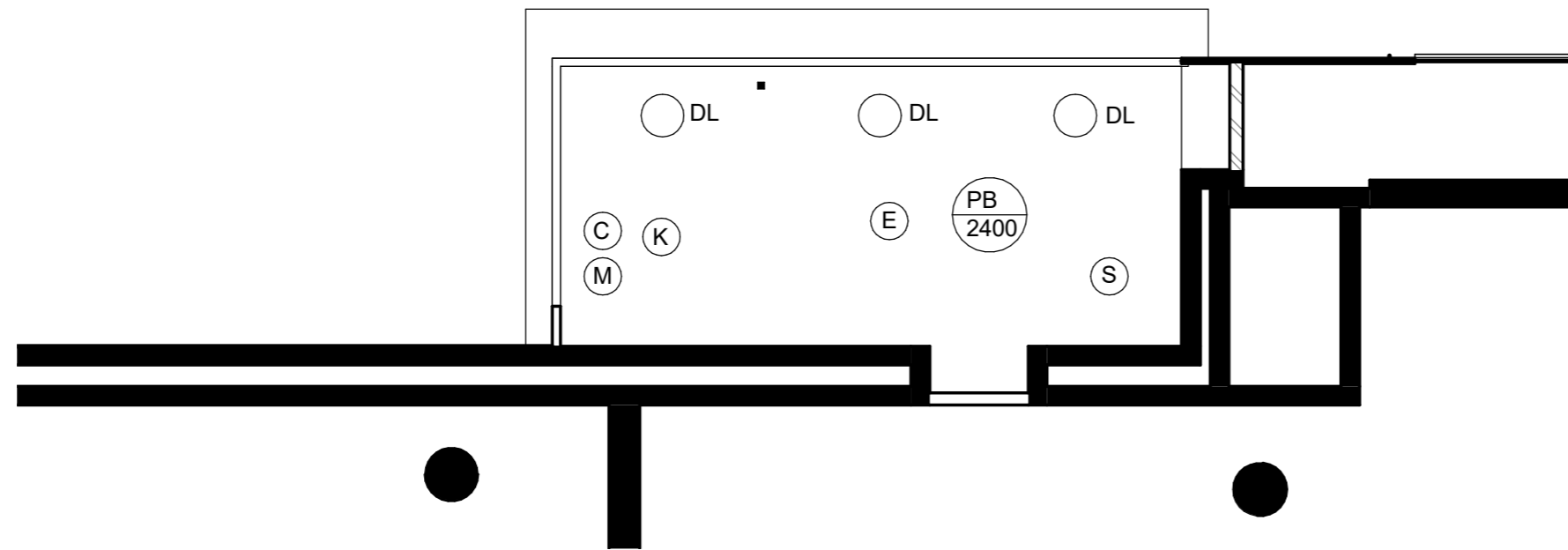
DATE	APPROVALS	DWG TITLE
18/05/21	Joan (HR)	Box Office Plans - Sheet 2 of 3
18/05/21	GH	
18/05/21	ARCH (RMC)	

PROJECT Change of use from Bar to Cafe	
PROJECT ADDRESS	Joan Sutherland Performing Arts Centre Lot 1033, DP 849297 597 High St, Penrith NSW 2750

	DATE: 18/05/21
	ASSET NO: B1560
	REV NO: B
SHEET NO. MP137 - A242	



1 Electrical Plan - Box Office
1 : 50



2 Reflected Ceiling Plan - Box Office
1 : 50

Electrical Services Legend

- Ex MDB Existing Main Distribution board
- 10 Double general purpose outlet, white-10 amp @ 1100mm Above FFL.
- 15 Single general purpose outlet, white - 15amp @ 1100mm Above FFL
- Ex Single general purpose outlet, white- 10amp @ 1100mm Above FFL
- A Double general purpose outlet, white 10amp @200mm above bench
- D Data outlet

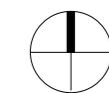
Note:

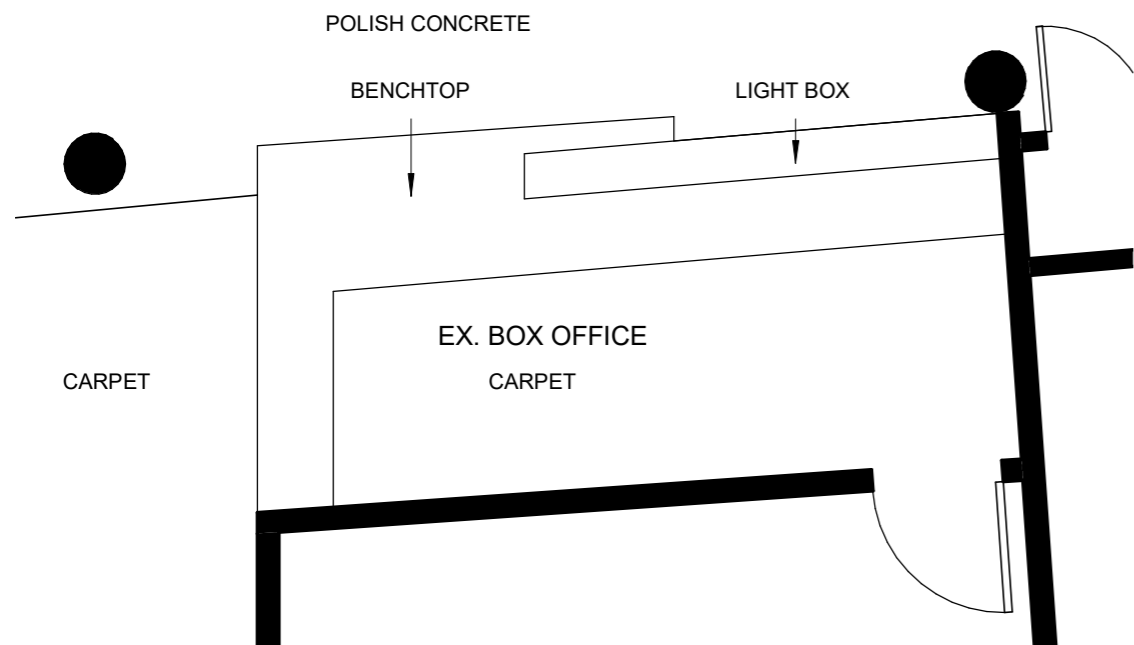
1. Electrical Design (if required) to be carried out by Contractor.
2. Cost of Electrical Design to be carried out by Contractor.
3. Provide three phase power, unless otherwise noted.

Ceiling Legend	
(E)	Emergency Light installed to BCA clause E4.5/E4.8 & AS2293.1-2005
(S)	Light Motion Sensor Linked to light circuit
(K)	Smoke Alarm to be connected to security system
(M)	Security Motion Sensor Linked to security circuit
(C)	Security Camera
(X)	Exhaust fan, with 10min delay. To be connected to outside air in accordance with AS1668
(T)	Thermal Detector
EX.	Exit Sign installed to BCA clause E4.5/E4.8 & AS2293.1-2005
[Pattern]	PB - 13mm Plasterboard
[Line]	L - Light
(DL)	DL - DownLight
FCL	Finished Ceiling Level

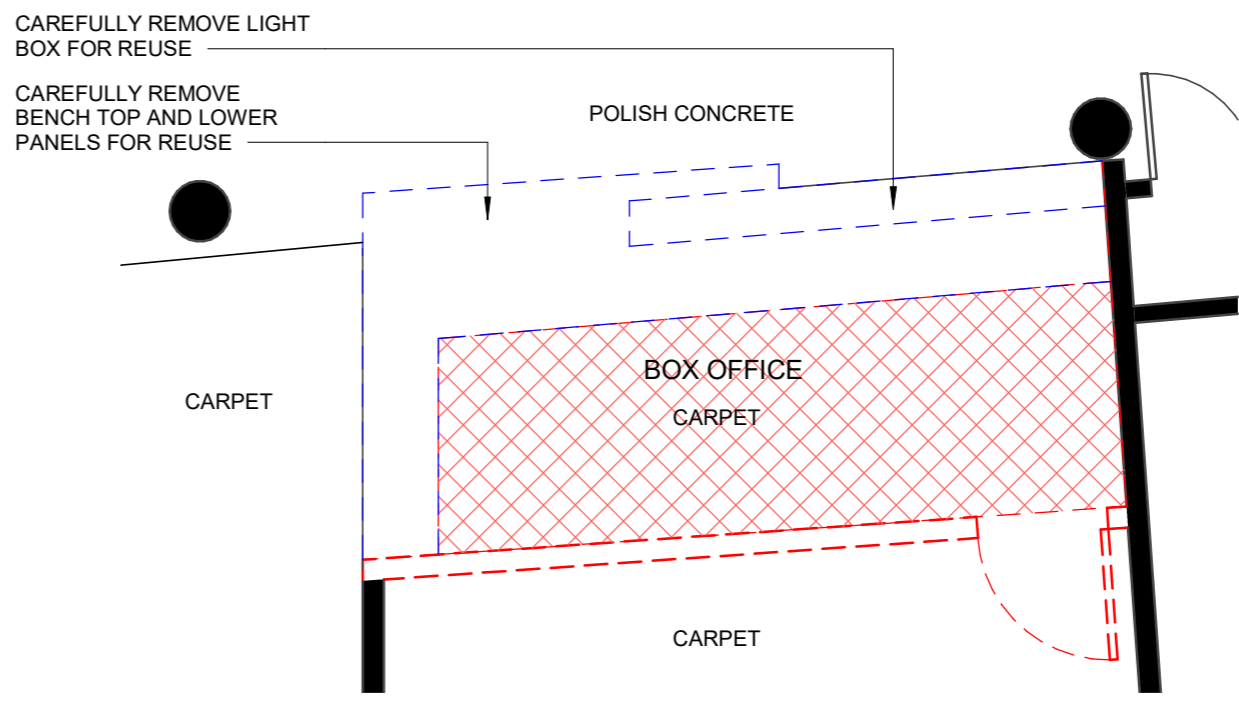
REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DWG TITLE
A	14/05/21	For Review	RMC	CLIENT	Box Office Plans - Sheet 3 of 3
B	18/05/21	For DA	RMC	Joan (HR)	
				ASSETS:	
				GH	
				DESIGN + PROJ.	
				ARCH (RMC)	

PROJECT	PROJECT ADDRESS	DATE: 18/05/21
Change of use from Bar to Cafe	Joan Sutherland Performing Arts Centre Lot 1033, DP 849297 597 High St, Penrith NSW 2750	ASSET NO: B1560
		REV NO: B
		SHEET NO. MP137 - A243





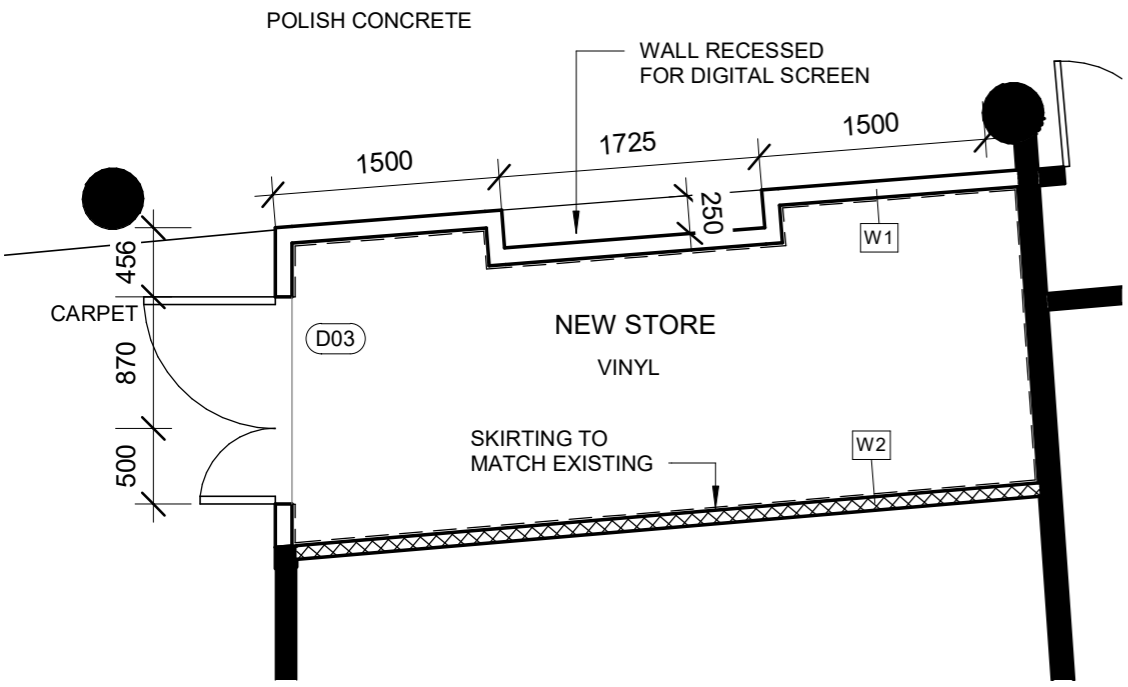
1 Plan - Ex. Box Office
1 : 50



2 Plan - Demolition - Ex. Box Office
1 : 50

LEGEND:

- REUSE
- DEMOLITION
- FLOORING DEMOLITION



3 Plan - Proposed - Store
1 : 50

Wall Legend

W1 - Dry wall type 1
MDF/76mm metal stud wall/
13mm plasterboard

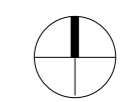
W2 - Dry wall type 2
13mm plasterboard/76mm
metal stud/R2 Insulation/13mm
plasterboard

Note:
Insulation to be non-combustible

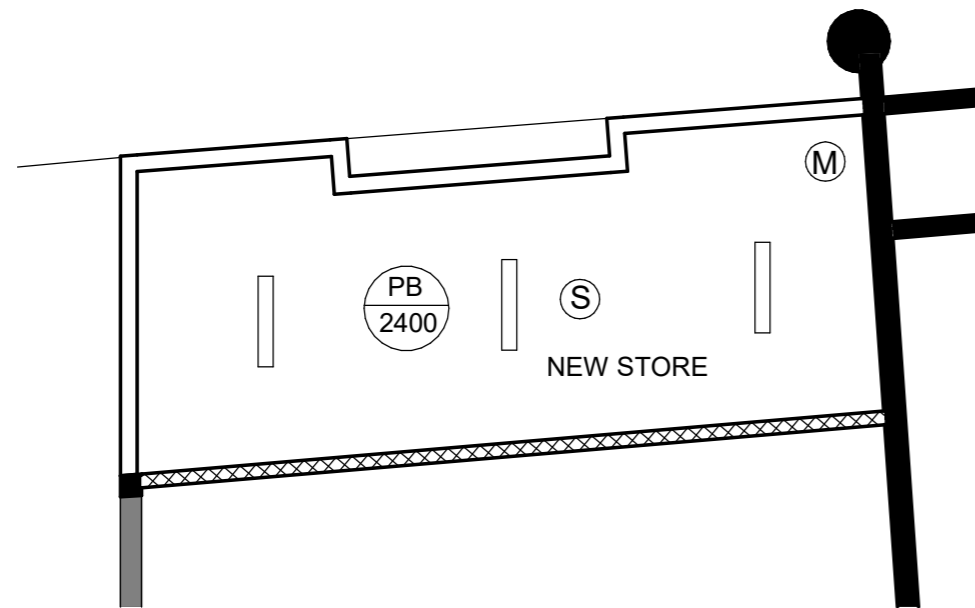
REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DATE
A	18/04/21	For Review	RMC	CLIENT	DATE
B	14/05/21	For Review	RMC	Joan (HR)	18/05/21
C	18/05/21	For DA	RMC		

PROJECT
Change of use from Bar to Cafe

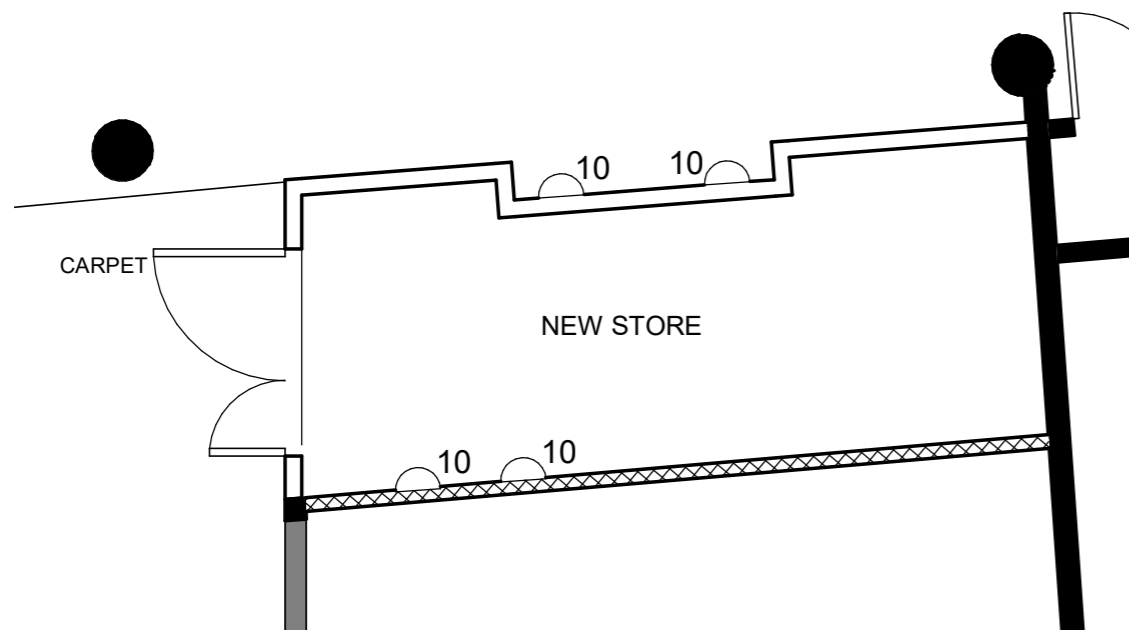
PROJECT ADDRESS
Joan Sutherland Performing Arts Centre
Lot 1033, DP 849297
597 High St, Penrith NSW 2750



DATE: 18/05/21
ASSET NO: B1560
REV NO: C



1 Reflected Ceiling Plan - Store
1 : 50

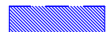




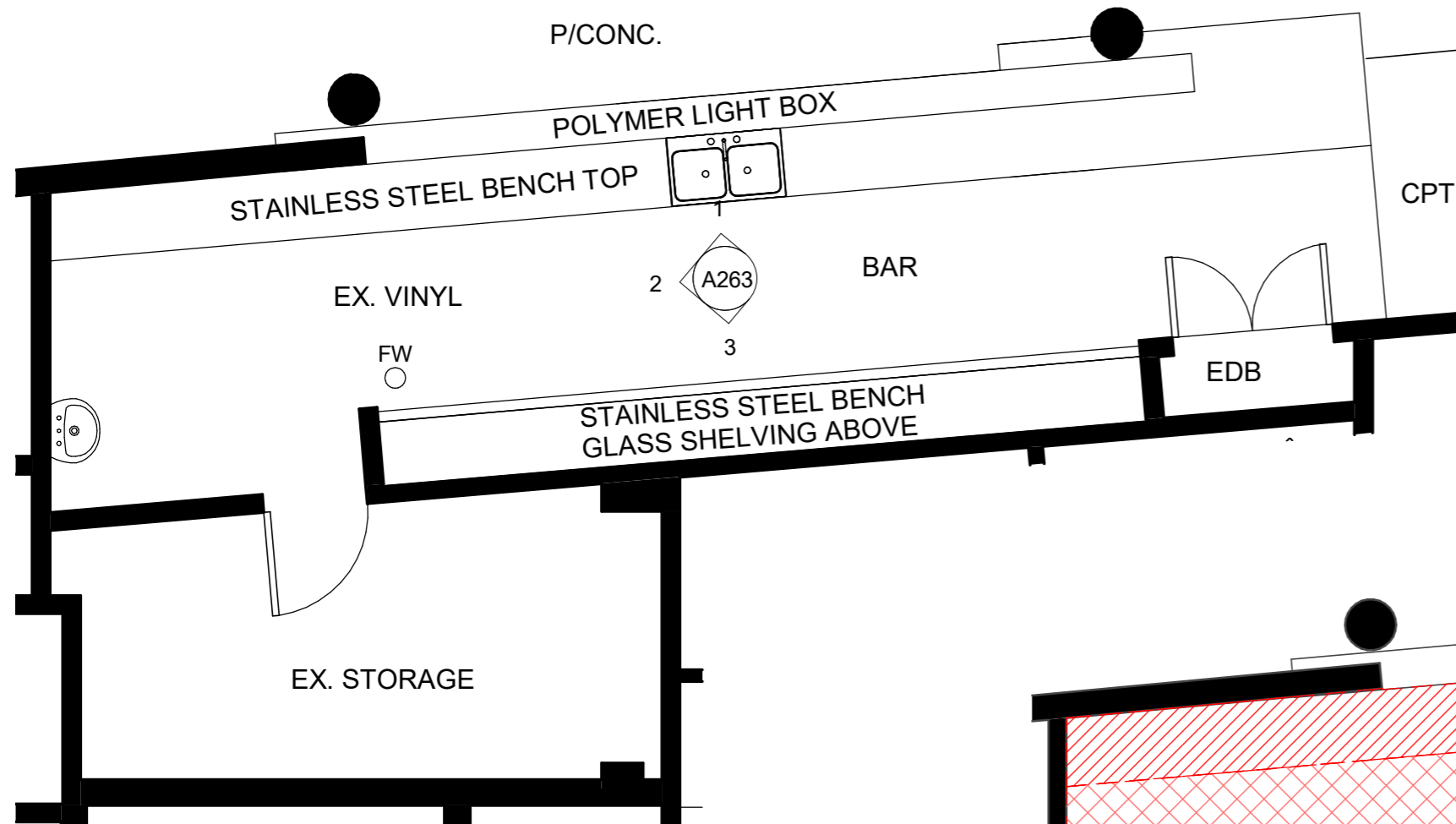
2 Electrical Plan - Store
1 : 50

Ceiling Legend	
(E)	Emergency Light installed to BCA clause E4.5/E4.8 & AS2293.1-2005
(S)	Light Motion Sensor Linked to light circuit
(K)	Smoke Alarm to be connected to security system
(M)	Security Motion Sensor Linked to security circuit
(C)	Security Camera
(X)	Exhaust fan, with 10min delay. To be connected to outside air in accordance with AS1668
(T)	Thermal Detector
EX.	Exit Sign installed to BCA clause E4.5/E4.8 & AS2293.1-2005
[Pattern]	PB - 13mm Plasterboard
[Line]	L - Light
(O)	DL - DownLight
FCL	Finished Ceiling Level

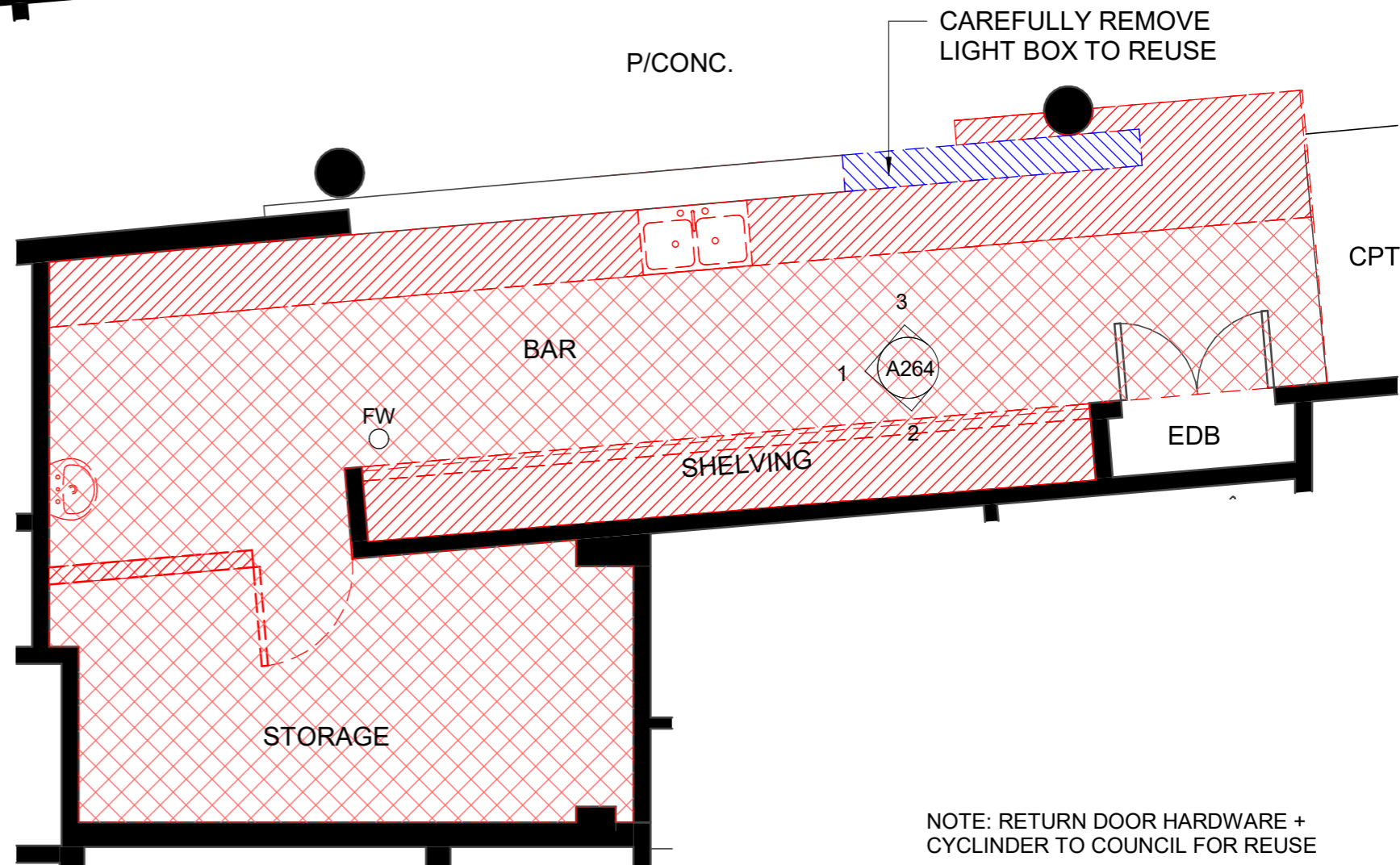
Electrical Services Legend	
Ex MDB	Existing Main Distribution board
10	Double general purpose outlet, white-10 amp @ 1100mm Above FFL.
15	Single general purpose outlet, white - 15amp @ 1100mm Above FFL
Ex	Single general purpose outlet, white- 10amp @ 1100mm Above FFL
A	Double general purpose outlet, white 10amp @200mm above bench
D	Data outlet
Note:	
1. Electrical Design (if required) to be carried out by Contractor.	
2. Cost of Electrical Design to be carried out by Contractor.	
3. Provide three phase power, unless otherwise noted.	

REV	DATE	DESCRIPTION	APPROV.	APPROVALS
A	14/05/21	For Review	RMC	CLIENT DATE
B	18/05/21	For DA	RMC	Joan (HR) 18/05/21
				ASSETS: DATE
				GH 18/05/21
				DESIGN + PROJ. DATE
				ARCH (RMC) 18/05/21

LEGEND:	
	- REUSE
	- DEMOLITION
	- FLOORING DEMOLITION



1 Plan - Existing - Cafe
1 : 50



2 Plan - Demolition - Cafe
1 : 50


NOTE: RETURN DOOR HARDWARE + CYCLINDER TO COUNCIL FOR REUSE

PENRITH CITY COUNCIL

REV	DATE	DESCRIPTION	APPROV.	APPROVALS
A	14/05/21	For Review	RMC	CLIENT
B	18/05/21	For DA	RMC	Joan (HR)
				ASSETS:
				GH
				DESIGN + PROJ.
				ARCH (RMC)

DATE	APPROVALS	DWG TITLE
18/05/21	CLIENT	Plan - Cafe - Existing & Demolition
18/05/21	ASSETS:	
18/05/21	GH	
	DESIGN + PROJ.	
18/05/21	ARCH (RMC)	

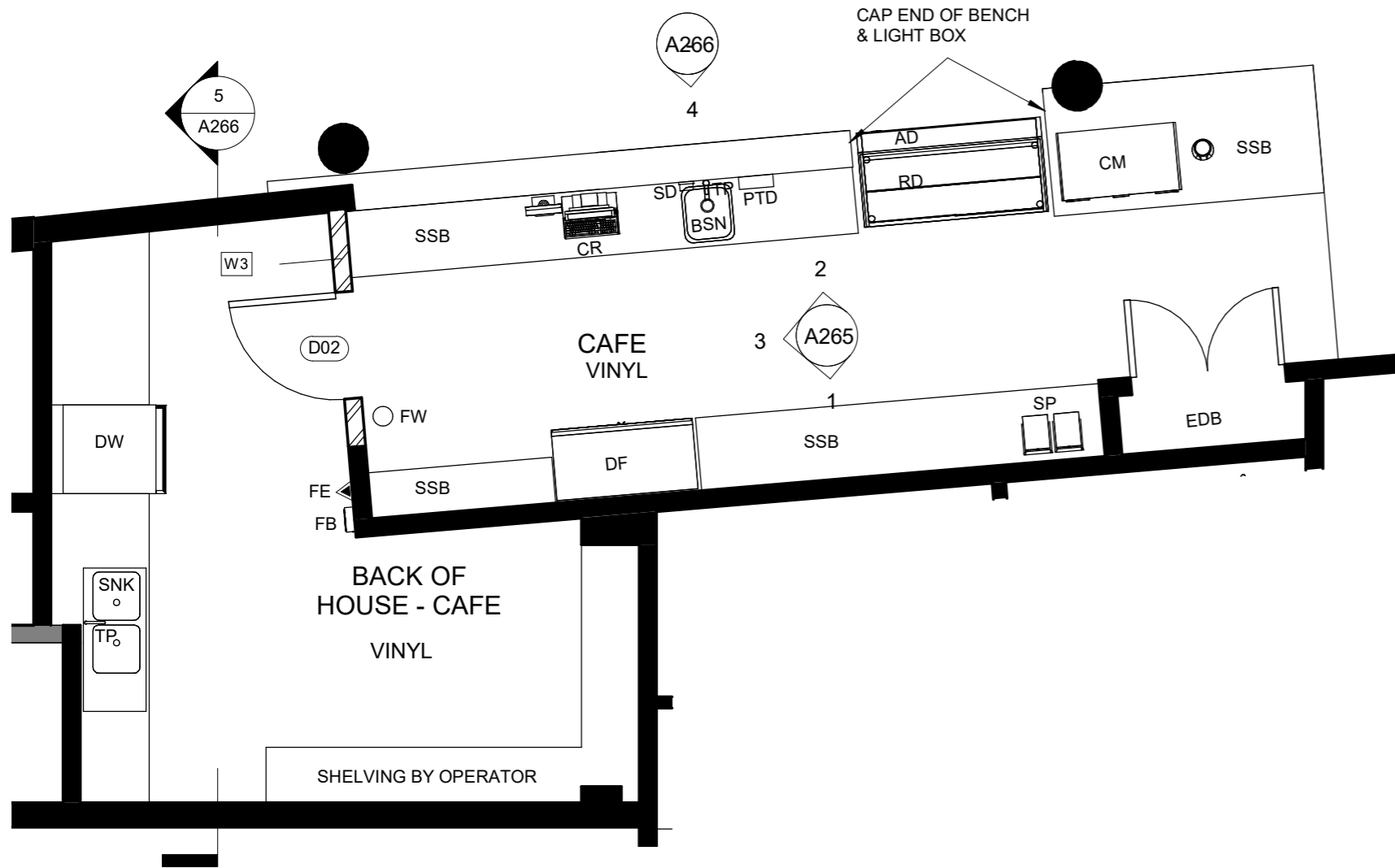
PROJECT Change of use from Bar to Cafe	
PROJECT ADDRESS	Joan Sutherland Performing Arts Centre Lot 1033, DP 849297 597 High St, Penrith NSW 2750

	DATE: 18/05/21
	ASSET NO: B1560
	REV NO: B
SHEET NO. MP137 - A261	

NOTE: THESE PLANS SHOULD BE READ IN CONJUNCTION WITH DIGITAL DATA ISSUED TO THE CLIENT. THE DIGITAL DATA CONTAINS NUMEROUS LAYERS OF INFORMATION WHICH ARE NOT SHOWN ON THESE PLANS FOR THE SAKE OF CLARITY.

Version: 1, Version Date: 07/06/2021

PRINT: (A3)



Fixtures Legend	
CM	- Coffee Machine
BSN	- Basin
DW	- Dish Washer(Heat recovery)
SNK	- Sink
TP	- Tap
SD	- Soap Dispensor
PTD	- Paper Towel Dispensor
CR	- Cash Register
SSB	- Stainless Steel Bench
AD	- Ambient Display
RD	- Refrigerated Display
DF	- Drinks Fridge
SP	- Sandwich Presser
TOB	- Top of Bench
SB	- Splashback
CS	- Cove Skirting
FE	- Fire Extinguisher
FB	- Fire Blanket
CT	- Counter Top

Finishes, Fixtures & Fittings to comply with AS4674-2004 & construction and fitout of Food Premises.	
--	--

Wall Legend	
W3	- Masonary wall with render and tile finish

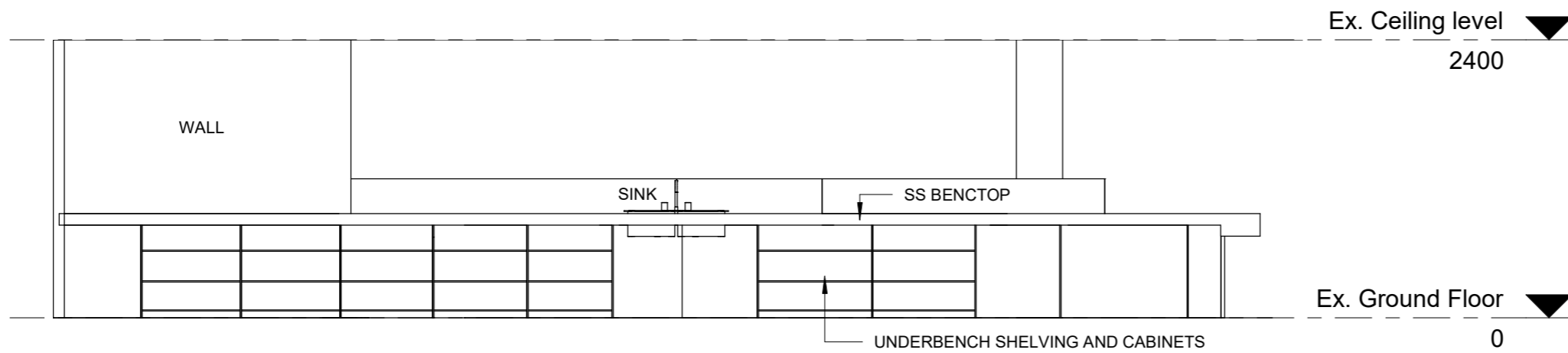
1 Plan - Cafe - Proposed
1 : 50

REV	DATE	DESCRIPTION	APPROV.	APPROVALS	APPROVALS
A	14/05/21	For Review	RMC	CLIENT	DATE
B	18/05/21	For DA	RMC	Joan (HR)	18/05/21
				ASSETS:	DATE
				GH	18/05/21
				DESIGN + PROJ.	DATE
				ARCH (RMC)	18/05/21

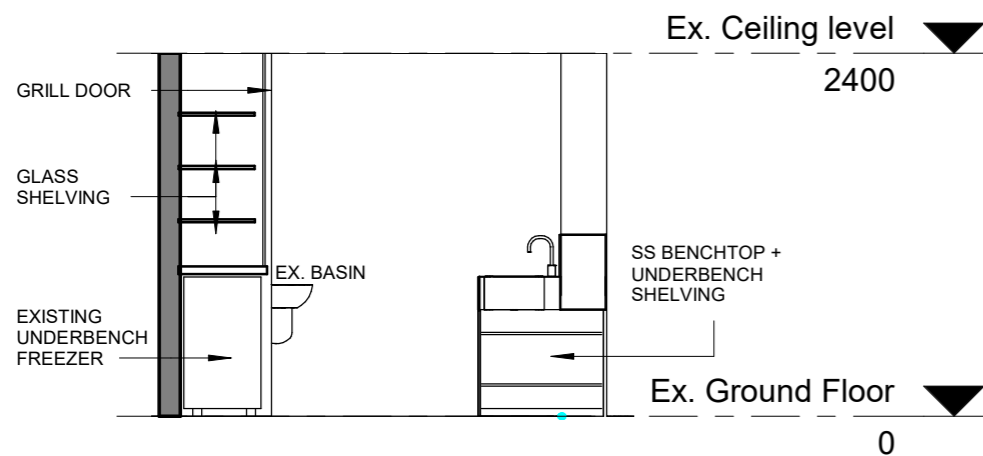
DWG TITLE	
Plan - Cafe - Proposed	

PROJECT	
Change of use from Bar to Cafe	
PROJECT ADDRESS	Joan Sutherland Performing Arts Centre Lot 1033, DP 849297 597 High St, Penrith NSW 2750

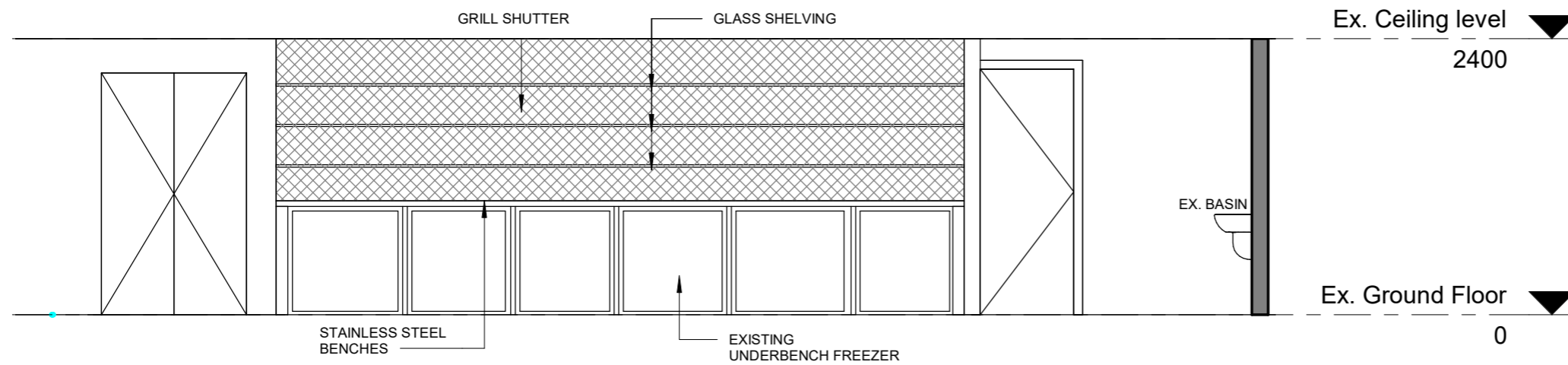
	DATE: 18/05/21
	ASSET NO: B1560
	REV NO: B
SHEET NO. MP137 - A262	



1 Elevation 1 - Cafe Existing
1 : 50



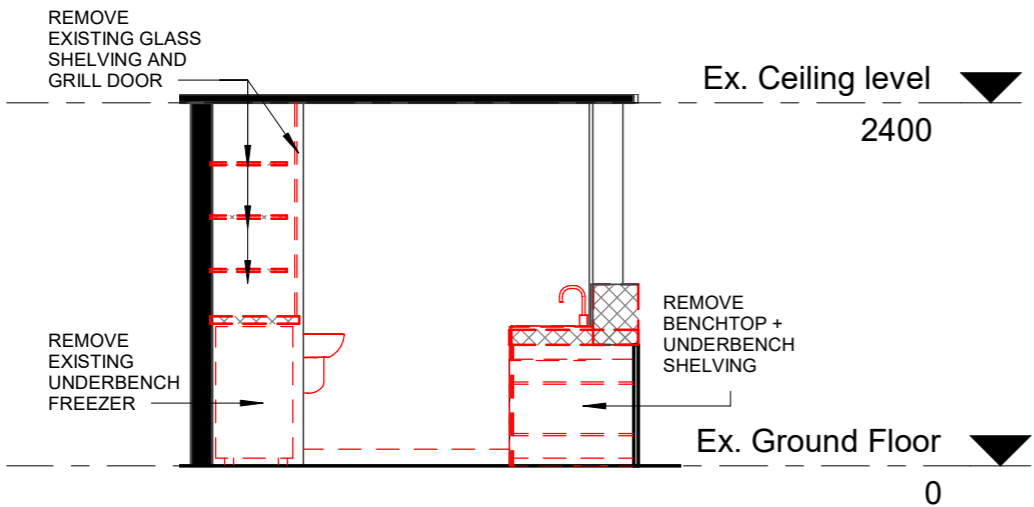
2 Elevation 2 - Cafe Existing
1 : 50



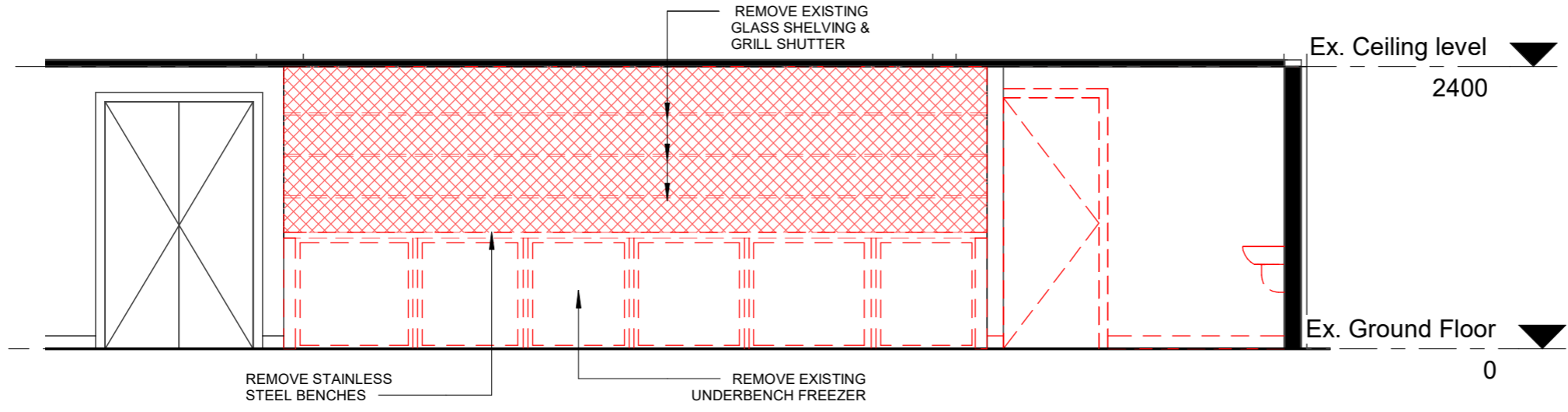
3 Elevation 3 - Cafe Existing
1 : 50

REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DWG TITLE
A	14/05/21	For Review	RMC	CLIENT	DATE
B	18/05/21	For DA	RMC	Joan (HR)	18/05/21
				ASSETS:	DATE
				GH	18/05/21
				DESIGN + PROJ.	DATE
				ARCH (RMC)	18/05/21





1 Elevation 1 - Cafe Demolition
1 : 50

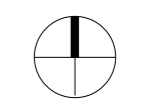


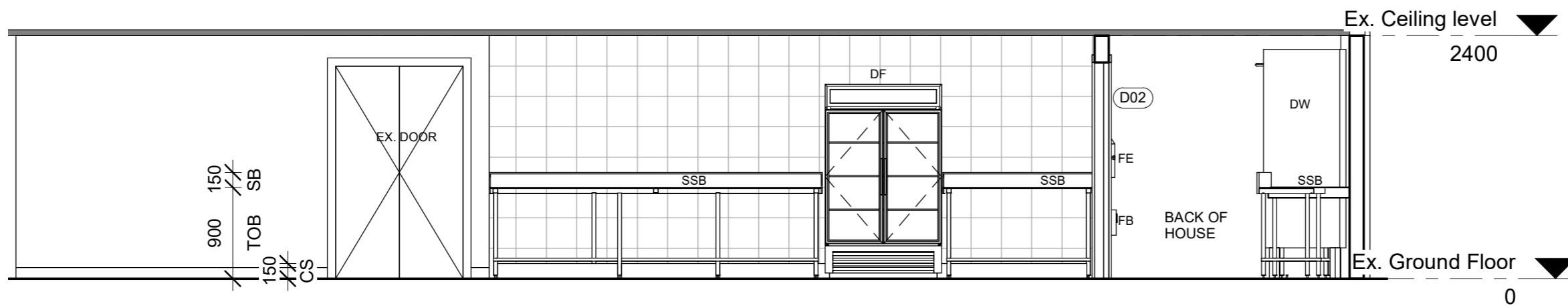
2 Elevation 2 - Cafe Demolition
1 : 50



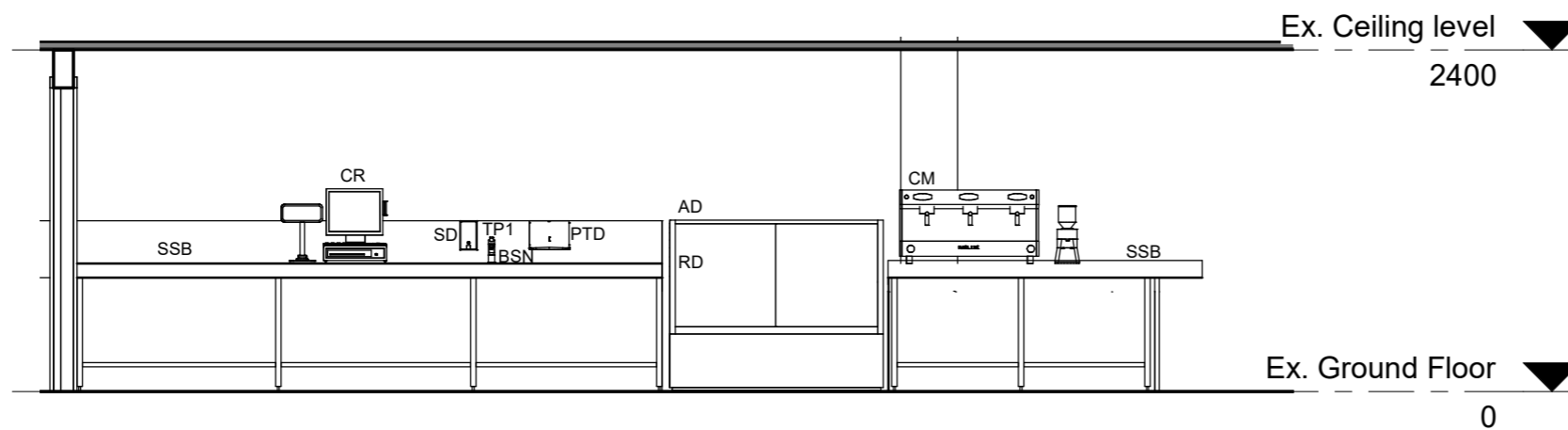
3 Elevation 3 - Cafe Demolition
1 : 50

REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DWG TITLE
A	14/05/21	For Review	RMC	CLIENT	Section & Elevation - Demolition - Cafe
B	18/05/21	For DA	RMC	Joan (HR)	
				ASSETS:	
				GH	
				DESIGN + PROJ.	
				ARCH (RMC)	18/05/21





1 Elevation 1 - Cafe
1 : 50



2 Elevation 2 - Cafe
1 : 50



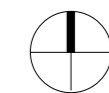
3 Elevation 3 - Cafe
1 : 50

Fixtures Legend

- CM - Coffee Machine
- BSN - Basin
- DW - Dish Washer(Heat recovery)
- SNK - Sink
- TP - Tap
- SD - Soap Dispenser
- PTD - Paper Towel Dispenser
- CR - Cash Register
- SSB - Stainless Steel Bench
- AD - Ambient Display
- RD - Refrigerated Display
- DF - Drinks Fridge
- SP - Sandwich Presser
- TOB - Top of Bench
- SB - Splashback
- CS - Cove Skirting
- FE - Fire Extinguisher
- FB - Fire Blanket
- CT - Counter Top

Finishes, Fixtures & Fittings to comply with AS4674-2004 & construction and fitout of Food Premises.

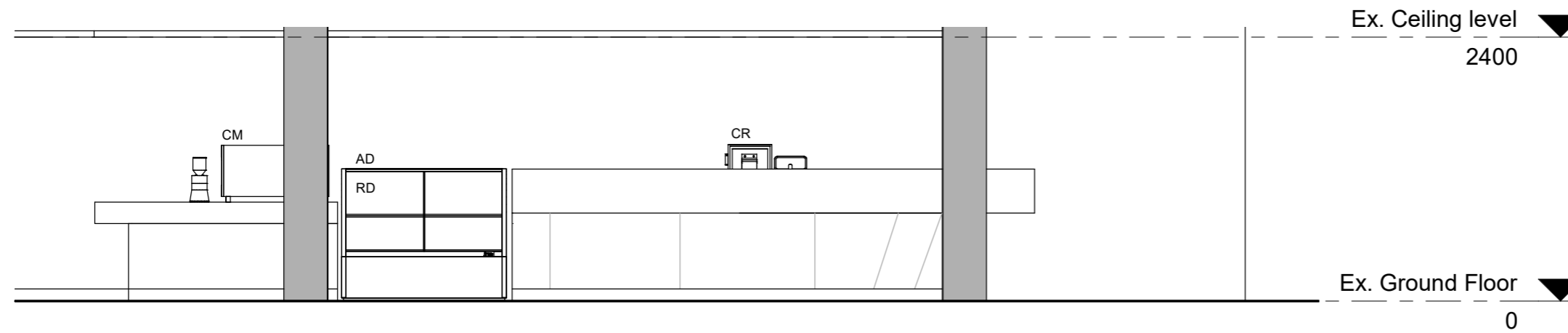
REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DWG TITLE												
A	18/05/21	For DA	RMC	<table border="1"> <tr> <th>CLIENT</th> <th>DATE</th> </tr> <tr> <td>Joan (HR)</td> <td>18/05/21</td> </tr> <tr> <th>ASSETS:</th> <th>DATE</th> </tr> <tr> <td>GH</td> <td>18/05/21</td> </tr> <tr> <th>DESIGN + PROJ.</th> <th>DATE</th> </tr> <tr> <td>ARCH (RMC)</td> <td>18/05/21</td> </tr> </table>	CLIENT	DATE	Joan (HR)	18/05/21	ASSETS:	DATE	GH	18/05/21	DESIGN + PROJ.	DATE	ARCH (RMC)	18/05/21	Elevations & Sections - Cafe - Sheet 1
CLIENT	DATE																
Joan (HR)	18/05/21																
ASSETS:	DATE																
GH	18/05/21																
DESIGN + PROJ.	DATE																
ARCH (RMC)	18/05/21																



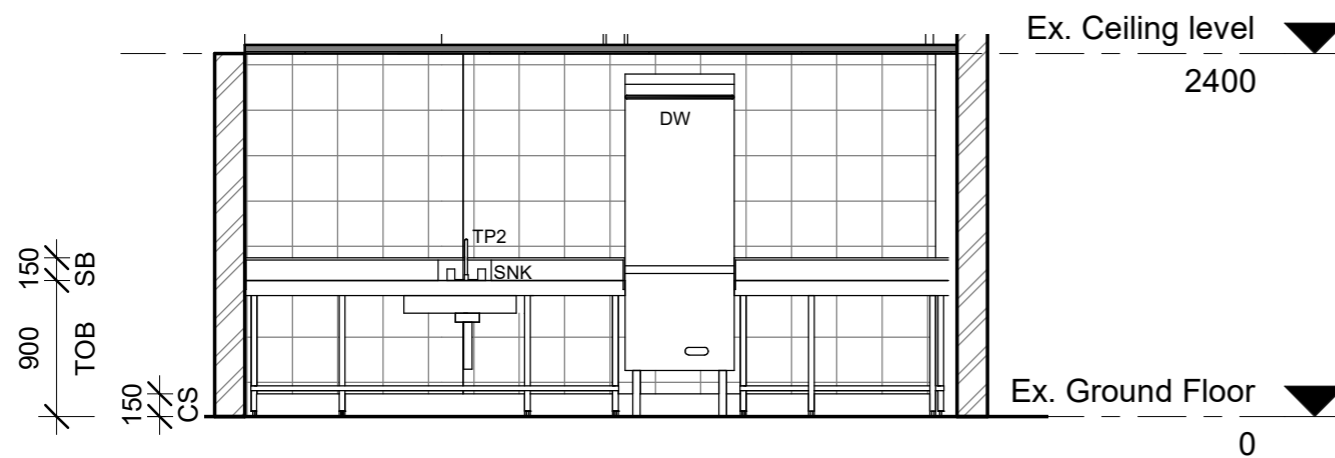
Fixtures Legend

- CM - Coffee Machine
- BSN - Basin
- DW - Dish Washer(Heat recovery)
- SNK - Sink
- TP - Tap
- SD - Soap Dispensor
- PTD - Paper Towel Dispensor
- CR - Cash Register
- SSB - Stainless Steel Bench
- AD - Ambient Display
- RD - Refrigerated Display
- DF - Drinks Fridge
- SP - Sandwich Presser
- TOB - Top of Bench
- SB - Splashback
- CS - Cove Skirting
- FE - Fire Extinguisher
- FB - Fire Blanket
- CT - Counter Top

Finishes, Fixtures & Fittings to comply with AS4674-2004 & construction and fitout of Food Premises.



4 Elevation 4 - Cafe
1 : 50



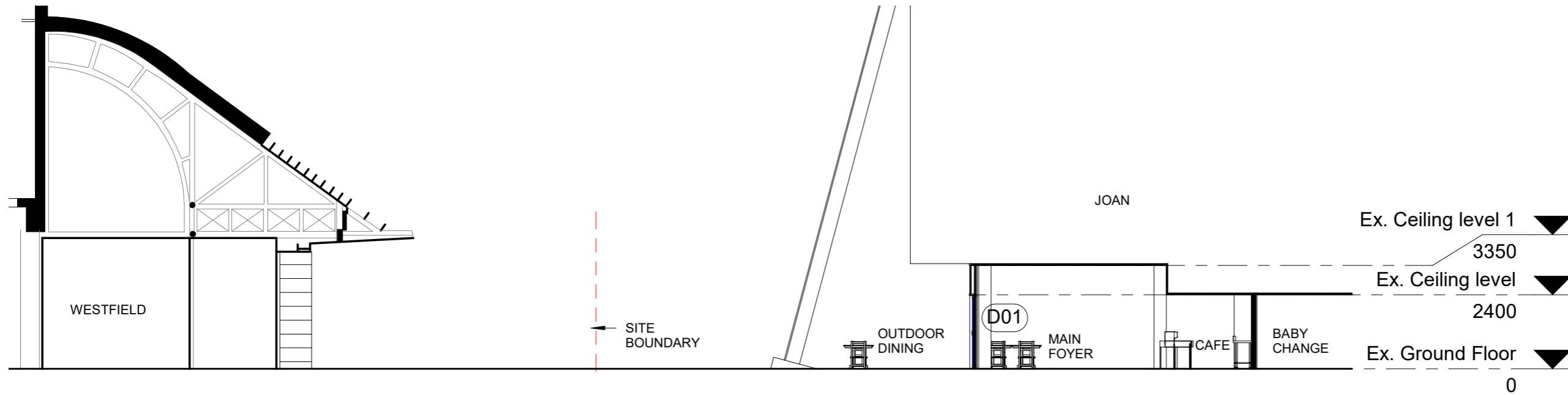
5 Section - Back Of House - Cafe
1 : 50

REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DATE
A	14/05/21	For Review	RMC	CLIENT	18/05/21
B	18/05/21	For DA	RMC	Joan (HR)	18/05/21
				ASSETS:	DATE
				GH	18/05/21
				DESIGN + PROJ.	DATE
				ARCH (RMC)	18/05/21

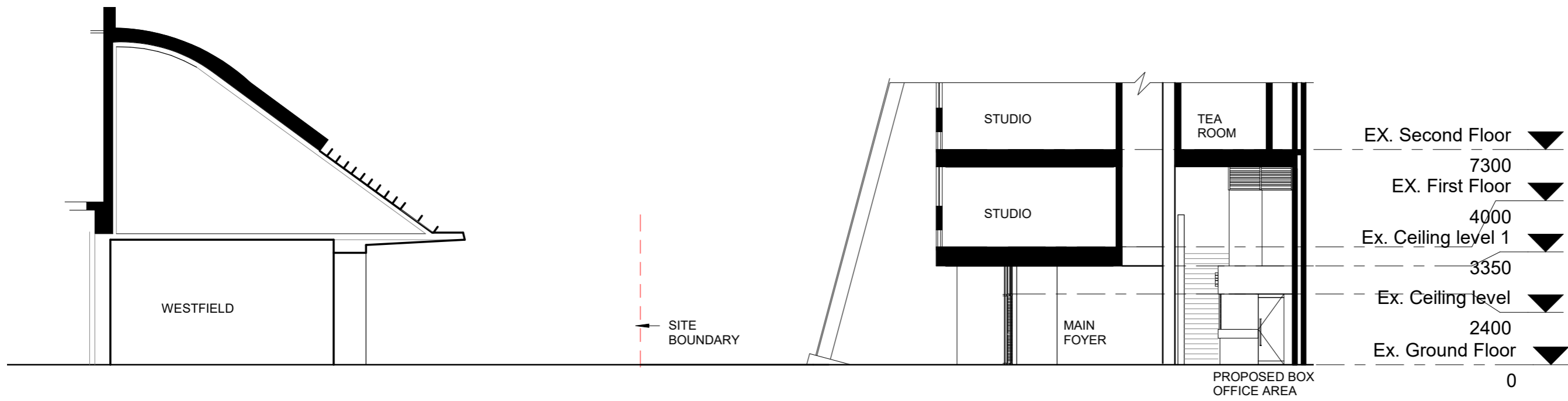
DWG TITLE
Elevations & Sections - Cafe - Sheet 2

PROJECT
Change of use from Bar to Cafe
PROJECT ADDRESS
Joan Sutherland Performing Arts Centre Lot 1033, DP 849297 597 High St, Penrith NSW 2750

	DATE: 18/05/21
	ASSET NO: B1560
	REV NO: B
SHEET NO. MP137 - A266	



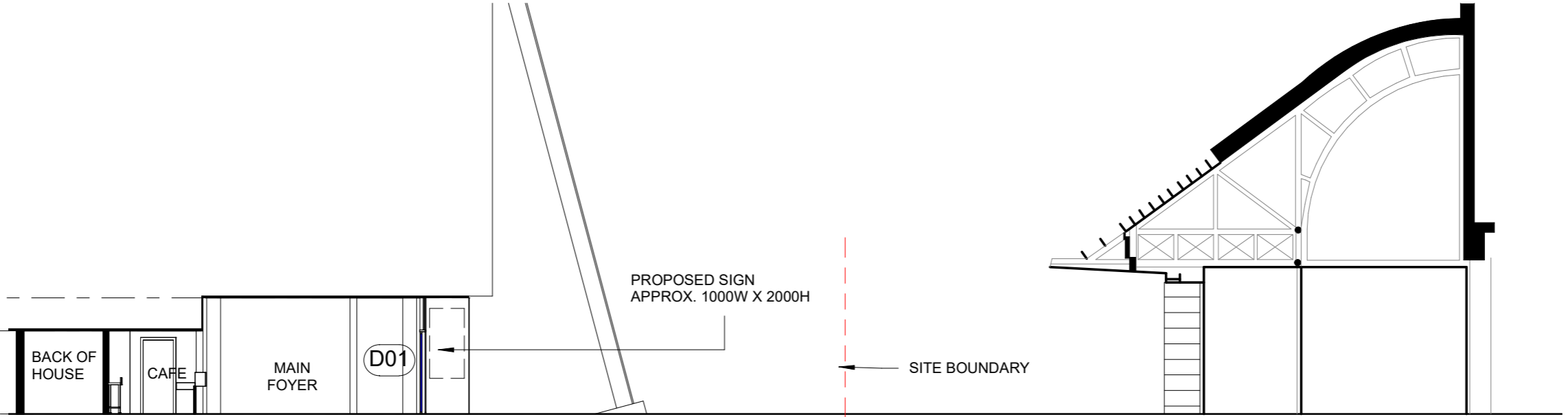
1 Proposed - Section 1
1 : 150



2 Proposed - Section 2
1 : 150

REV	DATE	DESCRIPTION	APPROV.	APPROVALS
A	14/05/21	For Review	RMC	CLIENT
B	18/05/21	For DA	RMC	Joan (HR)
				ASSETS:
				GH
				DESIGN + PROJ.
				ARCH (RMC)

- ▼ Ex. Ceiling level 1
3350
- ▼ Ex. Ceiling level
2400
- ▼ Ex. Ground Floor
0



3 Proposed - Section 3
1 : 150

REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DATE
A	14/05/21	For Review	RMC	CLIENT	18/05/21
B	18/05/21	For DA	RMC	Joan (HR)	18/05/21
				ASSETS:	DATE
				GH	18/05/21
				DESIGN + PROJ.	DATE
				ARCH (RMC)	18/05/21

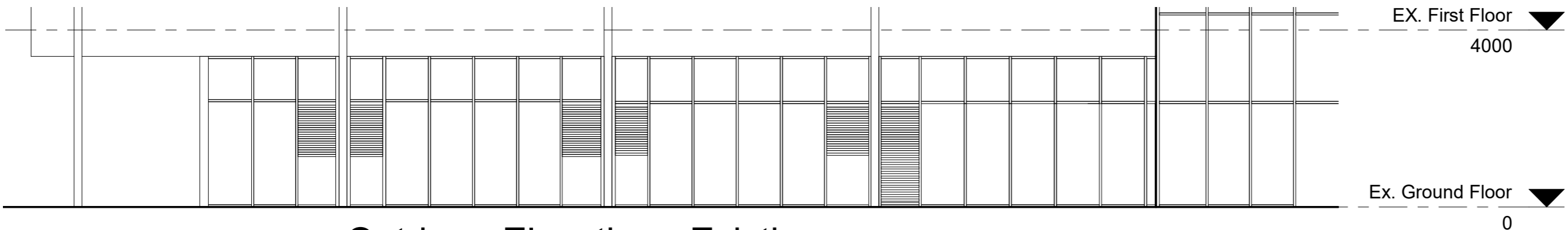
DWG TITLE
Section - Outdoor Dining - Proposed - Sheet 2 of 2

PROJECT
Change of use from Bar to Cafe

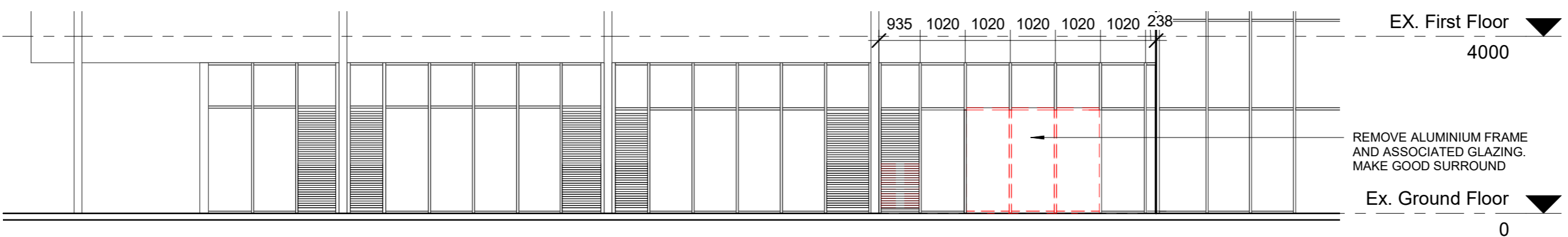
PROJECT ADDRESS
Joan Sutherland Performing Arts Centre
Lot 1033, DP 849297
597 High St, Penrith NSW 2750

	DATE: 18/05/21
	ASSET NO: B1560
	REV NO: B
SHEET NO. MP137 - A502	

LEGEND:	
	- DOOR
	- LOUVER
	- WINDOW
	- DEMOLITION
	- EXTEND OF WORK



1 Outdoor Elevation - Existing
1 : 100



2 Outdoor Elevation - Demolition
1 : 100

PENRITH CITY COUNCIL

NOTE: THESE PLANS SHOULD BE READ IN CONJUNCTION WITH DIGITAL DATA ISSUED TO THE CLIENT. THE DIGITAL DATA CONTAINS NUMEROUS LAYERS OF INFORMATION WHICH ARE NOT SHOWN ON THESE PLANS FOR THE SAKE OF CLARITY.
 Document Set ID: 9627898
 Version: 1, Version Date: 07/06/2021

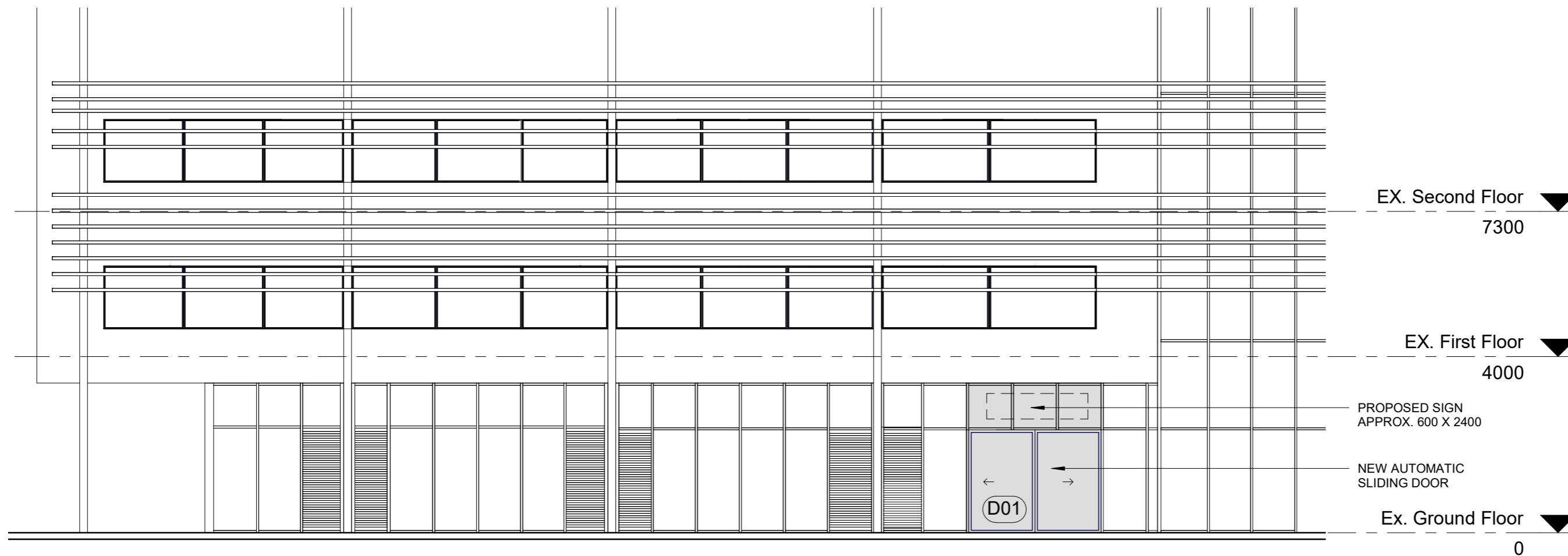
REV	DATE	DESCRIPTION	APPROV.	APPROVALS	APPROV.	DATE
A	18/04/21	For Review	RMC	CLIENT		
B	18/05/21	For DA	RMC	Joan (HR)		18/05/21
				ASSETS:		DATE
				GH		18/05/21
				DESIGN + PROJ.		DATE
				ARCH (RMC)		18/05/21

DWG TITLE
Elevation - Outdoor Dining - Demolition

PROJECT
Change of use from Bar to Cafe
PROJECT ADDRESS
Joan Sutherland Performing Arts Centre Lot 1033, DP 849297 597 High St, Penrith NSW 2750

	DATE: 18/05/21
	ASSET NO: B1560
	REV NO: B
SHEET NO. MP137 - A601	

LEGEND:	
	- DOOR
	- LOUVER
	- WINDOW
	- DEMOLITION
	- EXTEND OF WORK



1 Proposed Outdoor Elevation
1 : 100

PENRITH CITY COUNCIL

NOTE: THESE PLANS SHOULD BE READ IN CONJUNCTION WITH DIGITAL DATA ISSUED TO THE CLIENT. THE DIGITAL DATA CONTAINS NUMEROUS LAYERS OF INFORMATION WHICH ARE NOT SHOWN ON THESE PLANS FOR THE SAKE OF CLARITY.

Document Set ID: 9627898
Version: 1, Version Date: 07/06/2021

REV	DATE	DESCRIPTION	APPROV.	APPROVALS
A	14/05/21	For Review	RMC	CLIENT
B	18/05/21	For DA	RMC	Joan (HR)

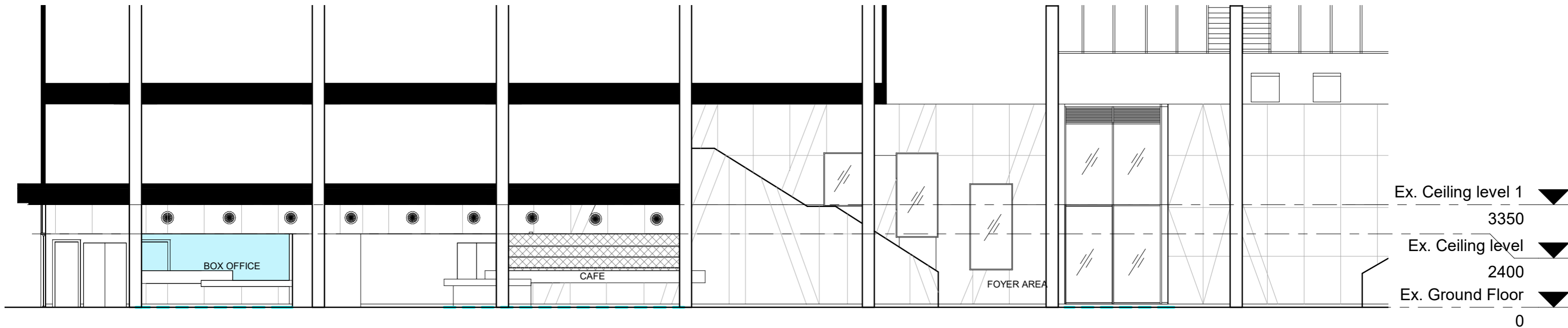
APPROVALS	DATE	APPROVALS	DATE
ASSETS:	DATE	GH	18/05/21
DESIGN + PROJ.	DATE	ARCH (RMC)	18/05/21

Elevation - Outdoor Dining - Proposed

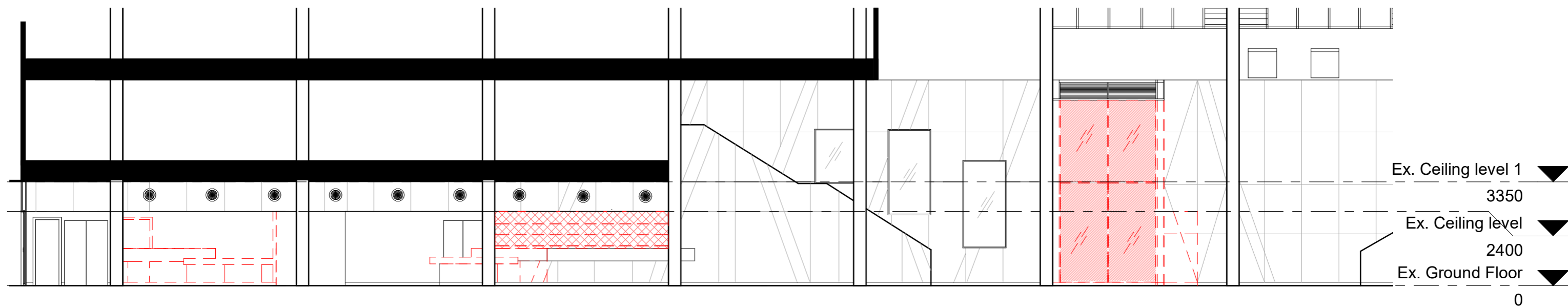
PROJECT
Change of use from Bar to Cafe

PROJECT ADDRESS Joan Sutherland Performing Arts Centre
Lot 1033, DP 849297
597 High St, Penrith NSW 2750

	DATE: 18/05/21
	ASSET NO: B1560
	REV NO: B
SHEET NO. MP137 - A602	

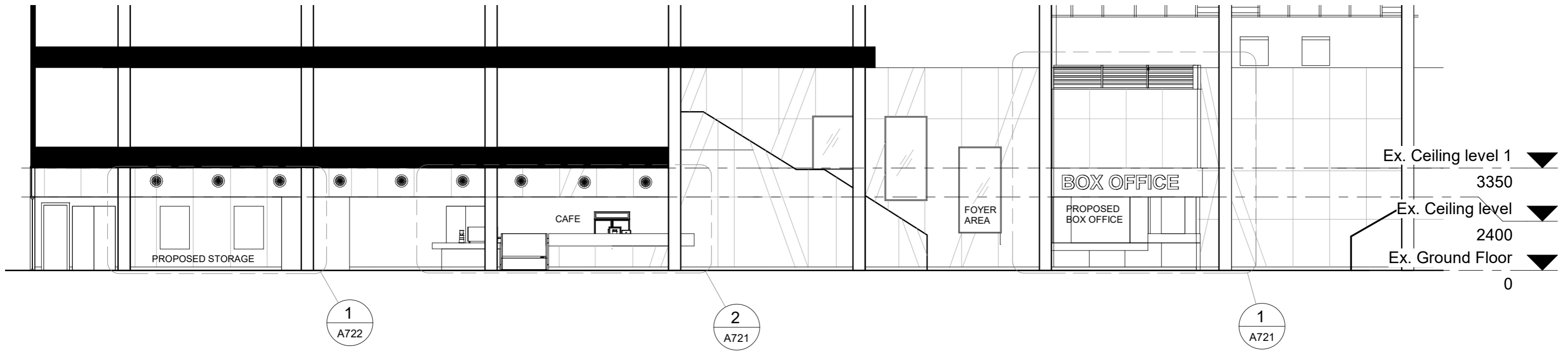


1 Internal Section - Existing
1 : 125



2 Internal Section - Demolition
1 : 125

REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DATE
A	14/05/21	For Review	RMC	CLIENT	DATE
B	18/05/21	For DA	RMC	Joan (HR)	18/05/21
				ASSETS:	DATE
				GH	18/05/21
				DESIGN + PROJ.	DATE
				ARCH (RMC)	18/05/21



1 Internal Section - Proposed
1 : 125

REV	DATE	DESCRIPTION	APPROV.	APPROVALS
A	18/04/21	For Review	RMC	CLIENT
B	14/05/21	For Review	RMC	Joan (HR)
C	18/05/21	For DA	RMC	

APPROVALS	DATE	APPROVALS	DATE
ASSETS:	DATE		
GH	18/05/21		
DESIGN + PROJ.	DATE		
ARCH (RMC)	18/05/21		

Elevations & Sections - Internal - Sheet 2 of 2

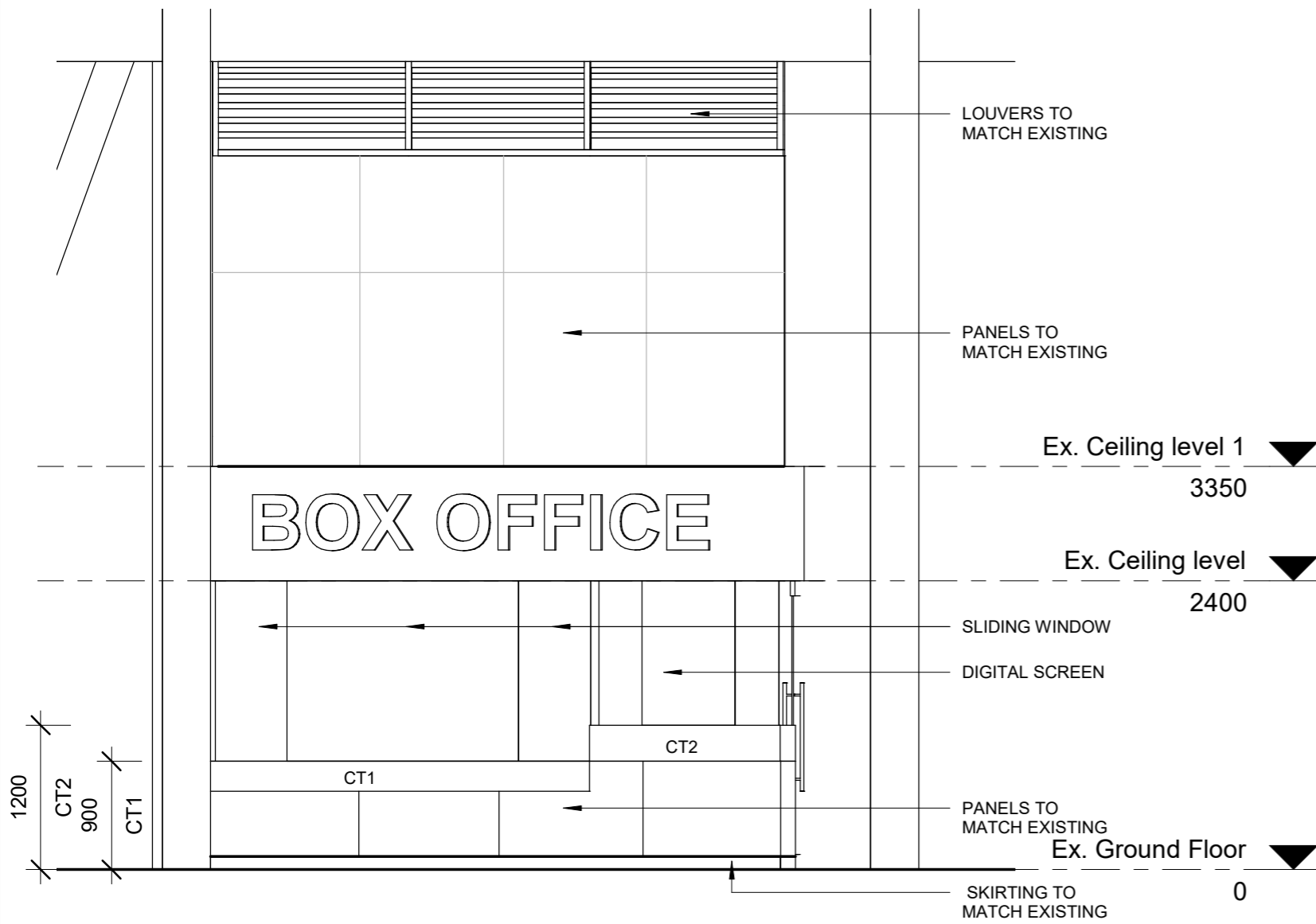
PROJECT	Change of use from Bar to Cafe
PROJECT ADDRESS	Joan Sutherland Performing Arts Centre Lot 1033, DP 849297 597 High St, Penrith NSW 2750

	DATE: 18/05/21
	ASSET NO: B1560
	REV NO: C
SHEET NO. MP137 - A711	

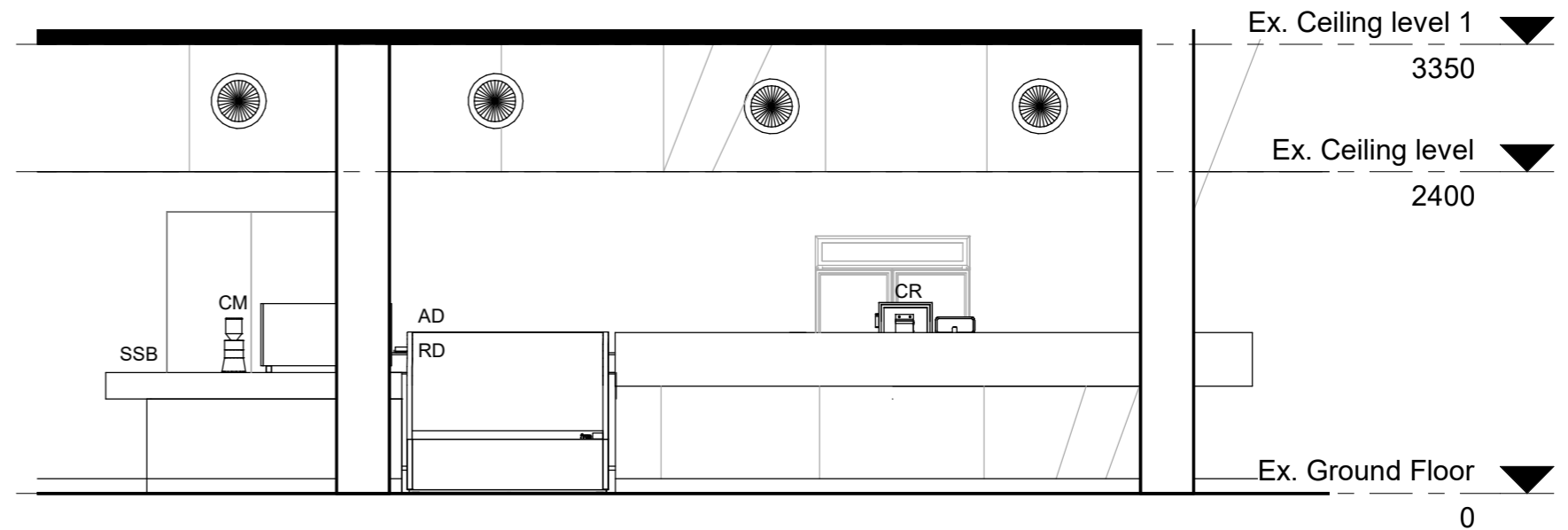
Fixtures Legend

- CM - Coffee Machine
- BSN - Basin
- DW - Dish Washer(Heat recovery)
- SNK - Sink
- TP - Tap
- SD - Soap Dispensor
- PTD - Paper Towel Dispensor
- CR - Cash Register
- SSB - Stainless Steel Bench
- AD - Ambient Display
- RD - Refrigerated Display
- DF - Drinks Fridge
- SP - Sandwich Presser
- TOB - Top of Bench
- SB - Splashback
- CS - Cove Skirting
- FE - Fire Extinguisher
- FB - Fire Blanket
- CT - Counter Top

Finishes, Fixtures & Fittings to comply with AS4674-2004 & construction and fitout of Food Premises.



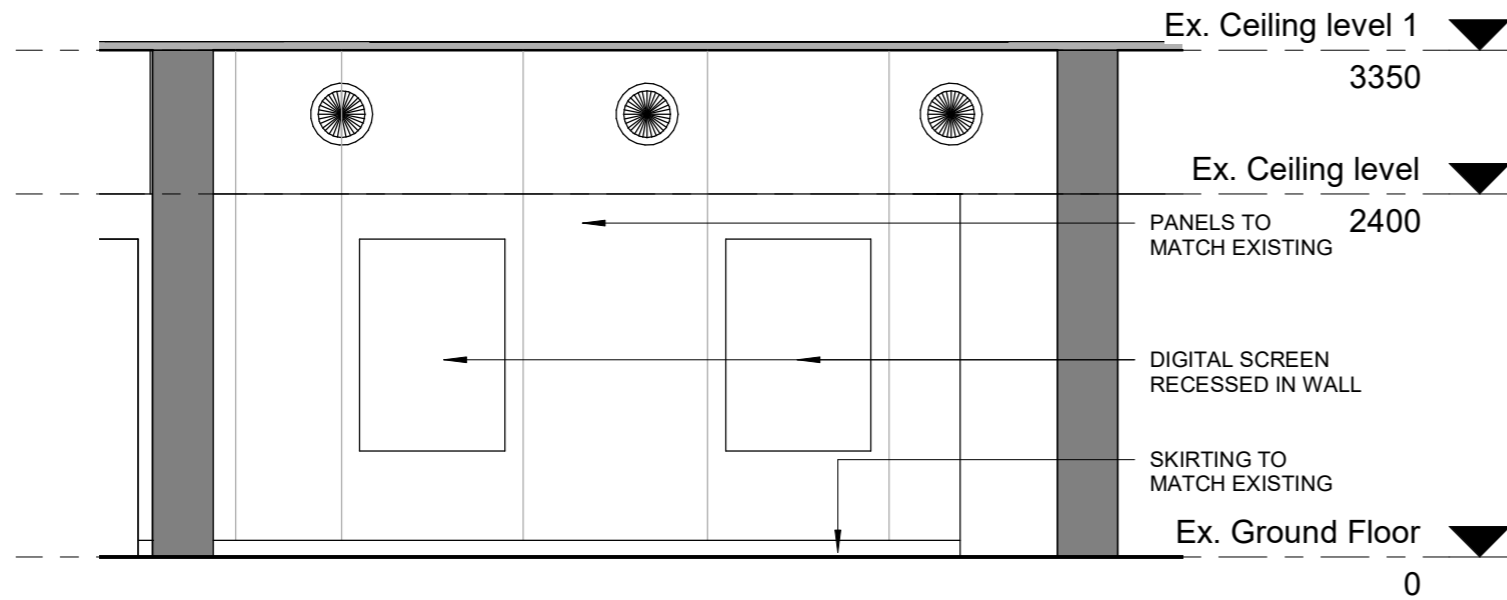
1 Elevation - Detail Box Office
1 : 50



2 Elevation - Detail Cafe
1 : 50

REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DWG TITLE
A	14/05/21	For Review	RMC	CLIENT	DATE
B	18/05/21	For DA	RMC	Joan (HR)	18/05/21
				ASSETS:	DATE
				GH	18/05/21
				DESIGN + PROJ.	DATE
				ARCH (RMC)	18/05/21





1 Elevation - Detail Store Room
1 : 50

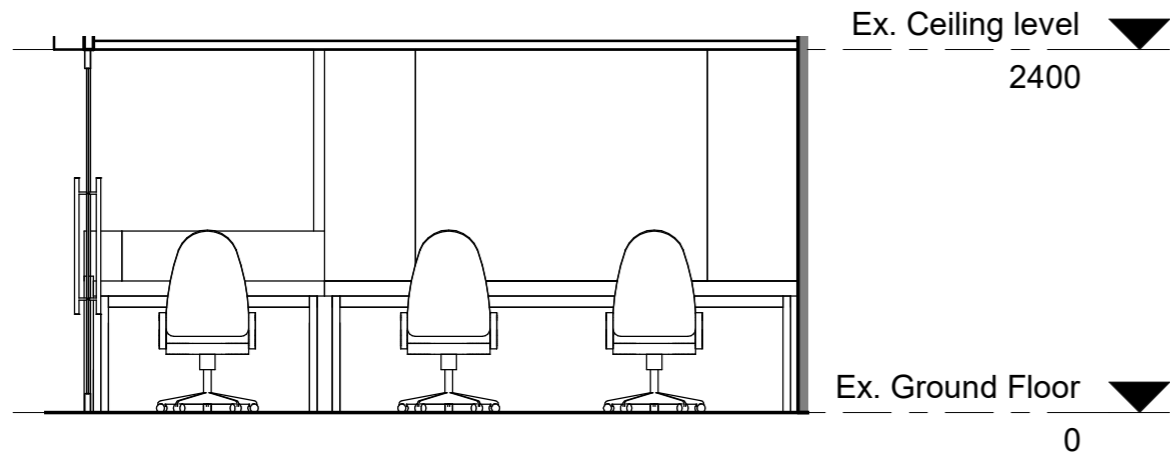
REV	DATE	DESCRIPTION	APPROV.	APPROVALS
A	18/04/21	For Review	RMC	CLIENT
B	14/05/21	For Review	RMC	Joan (HR)
C	18/05/21	For DA	RMC	

ASSETS:	DATE
GH	18/05/21
DESIGN + PROJ.	DATE
ARCH (RMC)	18/05/21

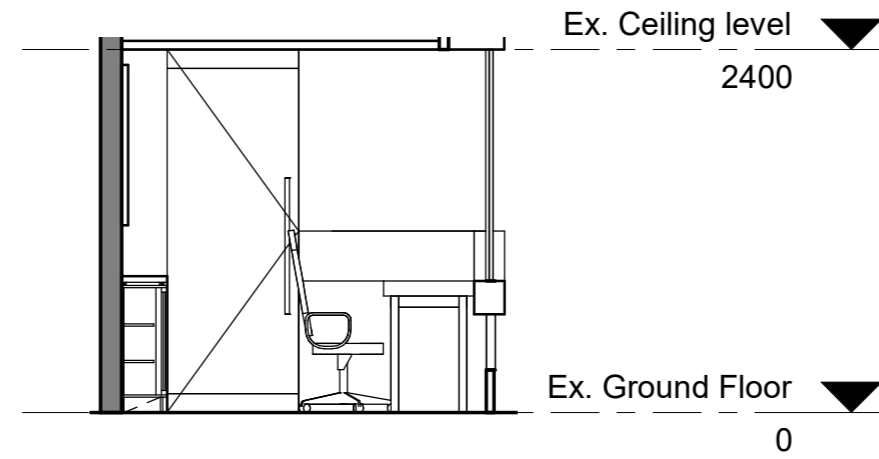
Details - Internal Elevation - Sheet 2 of 2

PROJECT Change of use from Bar to Cafe	
PROJECT ADDRESS	Joan Sutherland Performing Arts Centre Lot 1033, DP 849297 597 High St, Penrith NSW 2750

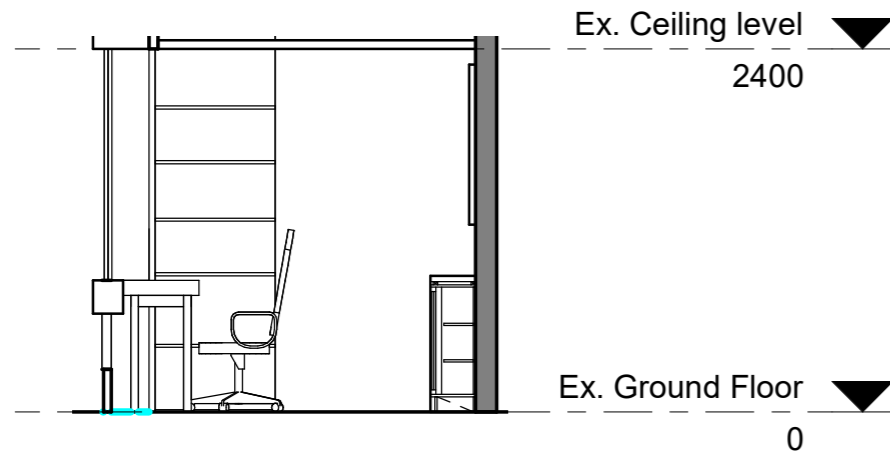
	DATE: 18/05/21
	ASSET NO: B1560
	REV NO: C
SHEET NO. MP137 - A722	



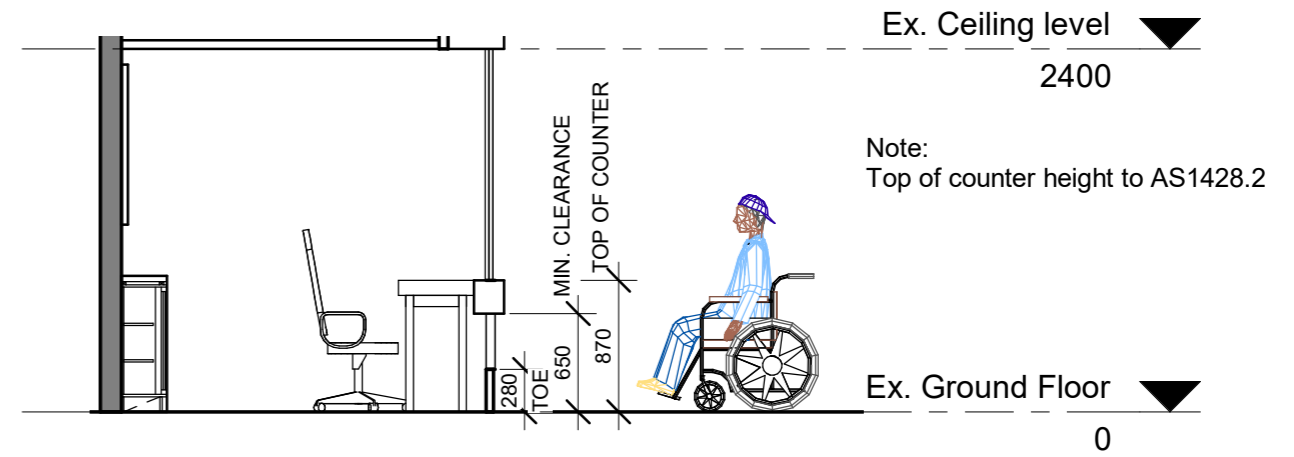
1 Elevation 1 - Box Office
1 : 50



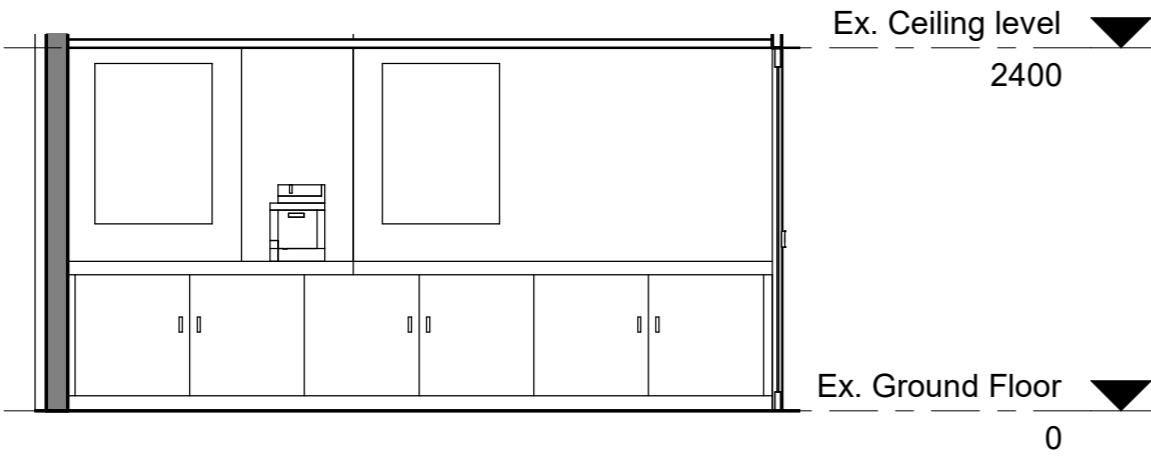
4 Elevation 4 - Box Office
1 : 50



2 Elevation 2 - Box Office
1 : 50



5 Elevation 5 - Box Office
1 : 50



3 Elevation 3 - Box Office
1 : 50

REV	DATE	DESCRIPTION	APPROV.	APPROVALS	DWG TITLE
				CLIENT	DATE
				Joan (HR)	05/21/21
				ASSETS:	DATE
				GH	05/21/21
				DESIGN + PROJ.	DATE
				Checker	05/21/21

Box Office Elevations	
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PROJECT	Change of use from Bar to Cafe
PROJECT ADDRESS	Joan Sutherland Performing Arts Centre Lot 1033, DP 849297 597 High St, Penrith NSW 2750

	DATE: 05/21/21
	ASSET NO: B1560
	REV NO:
SHEET NO. MP137 - A244	



Statement of Environmental Effects

CHANGE OF USE AND MINOR
INTERNAL BUILDING WORK

597-599 HIGH STREET,
PENRITH

5 JUNE 2021



QUALITY ASSURANCE

PROJECT:	Change of Use and Minor Internal Building Work
ADDRESS:	597-599 High Street, Penrith
LOT/DP:	Lot 1033 in DP849297
COUNCIL:	Penrith Council
AUTHOR:	Think Planners Pty Ltd

Document Management

Prepared by:	Purpose of Issue:	Date:
Laurance El-khoury	Draft Issue	31 May 2021
Reviewed by:	Purpose of Issue:	Date:
Schandel Fortu	DA-Issue	5 June 2021

Integrated Development (under S4.46 of the EP&A Act). Does the development require approvals under any of the following legislation?

Coal Mines Subsidence Compensation Act 2017	No
Fisheries Management Act 1994	No
Heritage Act 1977	No
Mine Subsidence Act 1992	No
Mining Act 1992	No
National Parks and Wildlife Act 1974	No
Petroleum (Onshore) Act 1991	No
Protection of the Environment Operations Act 1997	No
Roads Act 1993	No
Rural Fires Act 1997	No
Water Management Act 2000	No
Concurrence	
SEPP 64- Advertising and Signage	No
SEPP Coastal Management 2018	No
SEPP (Infrastructure) 2007	No
SEPP (Major Development) 2005	No
SREP (Sydney Harbour Catchment) 2005	No

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EXECUTIVE SUMMARY

This Statement of Environmental Effects has been prepared in support of a Development Application to facilitate a change of use to the atrium foyer at Joan Sutherland Centre to a cafe as well as minor internal building works.

The proposal seeks consent for the following:

- Relocation of the existing box office, minor building works to facilitate repurposing of this space as a storage area.
- Change of use of the existing atrium bar to a new café with associated indoor dining area and alfresco dining area directly adjoining.
- Creation of a new box office which will allow for wheel chair access as shown in the enclosed plans.

The installation of a café is an opportunity for Council to improve the amenity of the Joan and encourage a broader patronage base. The café is to be installed at the atrium foyer as shown in the attached plans. A café will secure a commercial offering to support the Joan operations and the outdoor dining space will improve activation of this space and adjoining public areas.

An existing commercial kitchen is located within the building and will be used for some of the food preparation area with the café area itself also used for food preparation. The new café will focus on heating up food and toasting sandwiches rather than deep frying food. Please note the application does not comprise the existing kitchen which already has approval.

The subject site is zoned B3 Commercial Core under the Penrith Local Environmental Plan 2010. There is a maximum building height of 20m and maximum floor space ratio of 1.5:1 under Penrith Local Environmental Plan 2010. This proposal does seek to make any external changes to the built form as such this proposal does not seek additional gross floor area or any increase to the approved built form.

The development seeks to utilise the land in accordance with the zoning with the proposal strictly limited to internal works with no change to the approved building envelope, building height, floor space ratio and setbacks. The only exception are a small number of external tables and chairs for the outdoor dining area. These are not permanent fixtures.

The proposal is a low-impact development as it will have minimal adverse environmental, or amenity impacts and provides an appropriate outcome on site in an appropriate location.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social, or economic impacts, and that the proposal represents an appropriate use of well-located land; the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant, and appropriate conditions of consent.



SITE AND LOCALITY

LEGAL DESCRIPTION

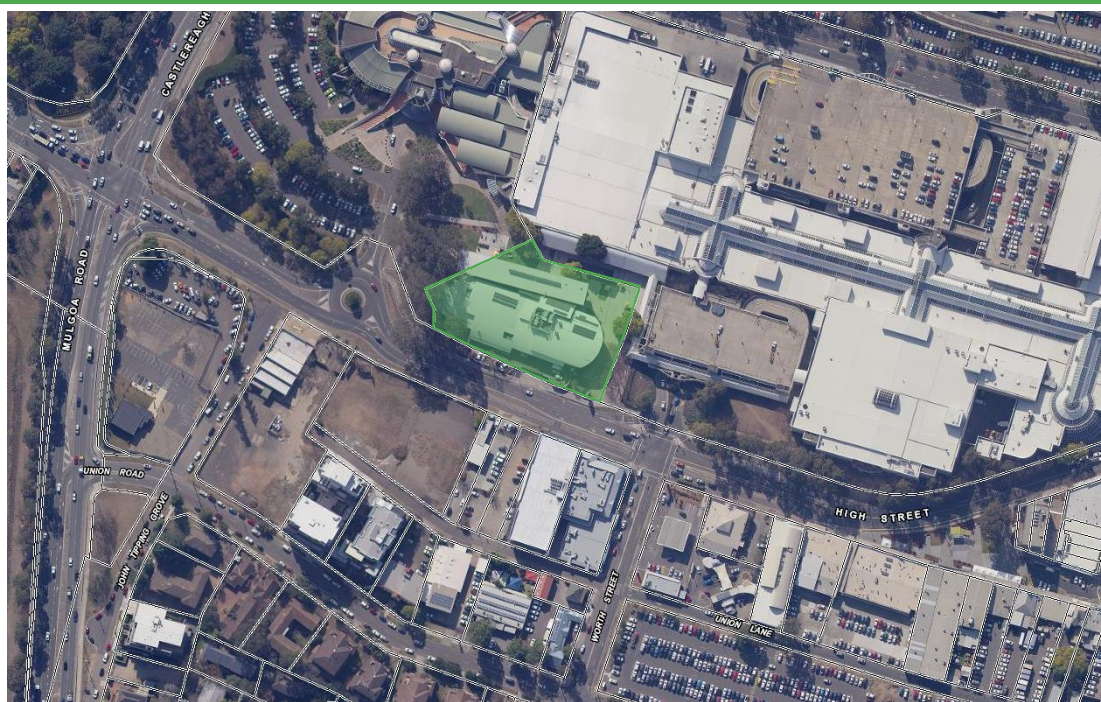
The subject site is legally described as Lot 1033 in DP 849297, though more commonly known as 597-599 High Street, Penrith.

SUBJECT SITE

The subject site can be best described as a large irregular shaped allotment with a frontage to High Street. The Joan is one of the leading performing arts venues in Penrith as well as home to the Penrith Conservatorium of Music and several other smaller community groups. Annually, it is estimated that the Joan has 122,710 people come through its doors.

An aerial map extract of the site is provided below demonstrating its relationship with adjoining land parcels.

Figure 1: Aerial Map Extract of the Subject Site (Source: Six Maps 2020)



■ Subject Site

DESCRIPTION OF PROPOSAL

This Development Application seeks consent to facilitate a change of use to the atrium foyer at Joan Sutherland Centre to a café.

The proposal seeks consent for the following:

- Relocation of the existing box office, minor building works to facilitate repurposing of this space as a storage area. The new storage area is to be 9m² in size.
- Change of use of the existing bar to a new café with associated indoor dining area and alfresco dining area directly adjoining. The new café is to be a total of 19m² in area with an associated storage area of 16m².
- The total seating area for the café equates to 66m² with 40m² internal within the existing building and 26m² within the undercroft area.
- Creation of a new box office which will have wheel chair access as shown in the enclosed plans which is 11m² in area.

Outdoor dining space

- Outdoor dining will take place in the current undercroft of the Joan façade with access from the new external doors. Stacking/sliding doors will be required in the foyer to open out straight onto the outdoor dining space.
- Moveable outdoor planter boxes, or fabric barriers and removable dining furniture can be utilised to delineate the outdoor dining area.

Relocation of box office

The box office currently sits at the eastern end of the Joan in the atrium foyer by moving this to the centre of the Joan, the current box office is to be converted for storage space.

Hours of Operation

The proposed hours of operation are 7am to 9pm Sunday to Wednesday, 7am to 11pm Thursday to Saturday. It is considered the hours of operation are appropriate as the proposal is located within an established commercial precinct and residential uses are prohibited in this zone.

Signage

The proposal will provide concept dimensions on the plans for future signage. As detailed below:

- Proposed sign dimensions = 660 x 2400- See Section 3 of the architectural plans
- Proposed sign dimensions = 1000 x 2000 – See Outdoor Elevation 1 for detail

A separate signage development application will be required once the full signage details are known. At this stage signage details are only shown to demonstrate they can be fully integrated with the architectural design of the building. When further details of the signage are known, further consent will need to be obtained and at that stage SEPP 64 will be addressed.

The installation of a café at the Joan is an opportunity for Council to improve the amenity of the Joan and encourage a broader patronage base. A café will secure a commercial offering to support the Joan operations and the outdoor dining space will improve the use of the Mondo.

PRE DA MEETING

A Pre DA Meeting was held with Penrith City Council staff on the 18 May 2021. The table below provides detail on the key matters raised and how the proposal has addressed the comments. Please note that Pre DA notes were not provided at the time of writing this report.

Key Issues	Design Responses
Acoustic Concerns	Councils environmental officer confirmed a noise management plan was suitable for the proposed development. A Noise Management Plan is provided with this application.
Waste Management	<p>A demolition waste management plan is provided with this submission.</p> <p>In terms of the ongoing waste management, the café operator will ensure staff place waste and recycling into separate bins that are located in the loading dock. Recycling bins and residual bins will be provided to promote recycling. Bins will be kept clean and in good condition.</p> <p>Appropriate personal protective equipment (PPE) will be provided for all people handling waste or bins; and appropriate gloves and other PPE should be always used.</p>
Building Requirements	At the Pre DA meeting, Council staff were uncertain whether an access report is to be provided. An access report can be provided if necessary. It is worth noting, the proposal has been designed in accordance with the relevant standards within the BCA and all relevant Australian Standards.
Signage	Signage dimensions will be provided on the final architectural plans as part of this Development Application. However, a separate Development Application for signage will be lodged in the near future and once a future operator of the café is known.
Servicing	The servicing and loading bay access to the proposed café is considered appropriate. The proposal will utilise the servicing area to collect deliveries and dispose of waste. The serving area is located on the corner of the building with existing vehicular access provided from High Street.

CONSIDERATION OF PLANNING CONTROLS

The following summarises the relevant key planning controls in relation to the proposal and the compliance of each.

PENRITH LOCAL ENVIRONMENTAL PLAN 2010

As evident via the zoning map extract, the development site is zoned B3 Commercial Core under and permitted a maximum building height of 20m and maximum floor space ratio of 1.5:1 under Penrith Local Environmental Plan 2010.

Figure 2: Zoning Map Extract (Source: Penrith LEP 2010)



The development seeks to utilise the land in accordance with the zoning with the proposal strictly limited to internal works with change of use with no change to the approved building envelope, building height, floor space ratio and setbacks.

The proposal is a low-impact development as it will have minimal adverse environmental, or amenity impacts and provides an appropriate outcome on site in an appropriate location.

'Food and drink premises' are permissible with consent within the B3 zone.

The proposal consistent with the definition contained within the Local Environmental Plan:

food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following—

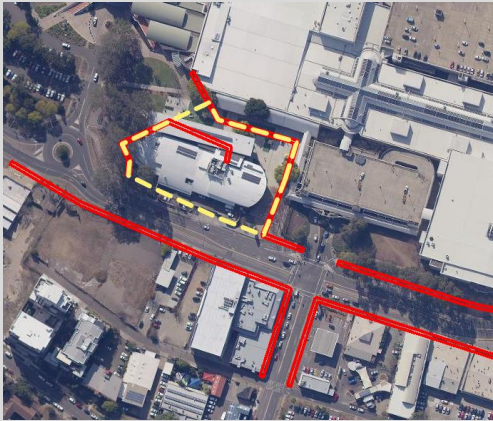
- (a) a restaurant or cafe,
- (b) take away food and drink premises,
- (c) a pub,
- (d) a small bar.

The development proposal is consistent with the prescribed zone objectives under the B3 zone that are stipulated as:

- To provide a wide range of retail, business, office, entertainment, community, and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of Penrith City Centre as the business, retail, and cultural centre of the region.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

Penrith Local Environmental Plan 2010 – Compliance Table			
Clause	Controls	Comment	Complies
Zoning	B3 Commercial Core	A food and drink premises are permissible with Council consent in the B3 Commercial Core zone.	Yes
Part 2 Permitted or Prohibited Development			
2.3	Zone Objectives and Land Use Table	The proposal is consistent with the zone objectives of the B3 Commercial Core zone and will contribute towards revitalizing the Joan Sutherland Centre without adversely impacting on adjoining land or the wider environment.	Yes

2.6	Subdivision	Not applicable.	N/A
2.7	Demolition Requires Consent	Only minor internal partitions to be demolished as per the plans provided. Please note that a demolition waste management plan is provided with this submission.	Yes
Part 4 Principal Development Standards			
4.3	Height of Buildings	No change to building height approved.	Yes
4.4	Floor Space Ratio	No change to FSR approved.	Yes
Part 7 Additional Local Provisions			
7.2	Flood Planning	Not applicable.	N/A
7.3	Development on Natural Resources Sensitive Land	Not applicable.	N/A
7.5	Protection of Scenic Character and Landscape Values	Not applicable.	N/A
7.8	Active Street Frontages	The subject land parcel is identified as "Active Street Frontage" on the Active Street Frontage Map extract illustrated below:	Yes
			
<p>(5) In this clause, a building has an active street frontage if all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises.</p> <p>The proposal provides a food a drink premises which will attract pedestrians to the ground floor use. The proposal has been designed to be consistent with the aim of creating site activation.</p>			

PENRITH DEVELOPMENT CONTROL PLAN 2014 – PART C – CITY-WIDE CONTROLS

All relevant Council controls have been considered in the following compliance table.

Penrith Development Control Plan 2014 – Part C – City-Wide Controls Compliance Table			
Clause	Controls	Comment	Complies
C1 Site Planning and Design Principles			
1.1	Site Planning	<p><u>1.1.1 Site Analysis</u></p> <p>A site analysis is not required for this application as this is predominantly an application for internal fit out work.</p>	N/A
1.2	Design Principles	<p><u>1.2.3 Building Form – Height, Bulk and Scale</u></p> <p>It is considered that the proposal will result in an appropriate outcome on site that responds to the unique characteristics of the site.</p> <p>The proposal is a low-impact development as it will have minimal adverse environmental, or amenity impacts and provides an appropriate outcome on site in an appropriate location.</p> <p>The proposal is strictly limited to the change of use with no change to the building height and FSR under the originally approved scheme.</p>	Yes
C5 Waste Management			
		<p>A demolition waste management plan is attached as part of this application.</p> <p>The café operator will ensure staff place waste and recycling into separate bins that are located in the loading dock. Recycling bins and residual bins will be provided to promote recycling.</p> <p>Bins will be kept clean and in good condition. Appropriate personal protective equipment (PPE) will be provided for all people handling waste or bins; and appropriate gloves and other PPE should be used at all times.</p>	Yes

Refer to attached Architectural Plans and Waste Management Plans for detail.

C8 Public Domain

8.1	Pedestrian Amenity	<p><u>1) Active Street Frontage and Address</u></p> <p>a) The subject land parcel is identified as “Active Street Frontage” on the Active Street Frontage. It is noted that the proposal is an upgrade to the Joan Sutherland Centre. The proposal provides a food a drink premises which will attract pedestrians to the ground floor use and enhance street level activation.</p> <p>b) The proposed entries occupy less than 50% of the street frontage and do not exceed a frontage of 12m.</p> <p>c) The proposed active street frontages are to the same level as the adjoining footpath and directly accessible from the street.</p> <p>d) The proposal is consistent with the definition of street address.</p> <p>The installation of a café positively contributes to the public domain by proposing an opportunity for Council to improve the amenity of the Joan and encourage a broader patronage base. A café will secure a commercial offering to support the Joan operations and the outdoor dining space will improve the use of the Mondo.</p> <p>As such, the subject proposal addresses its frontages by providing and active frontage which includes a diverse range of activities and uses.</p> <p><u>2) Permeability</u></p> <p>e) The principles of Crime Prevention through Environmental Design are incorporated into a site’s permeability to create a safe and secure environment and encourage activity along these areas.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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		<u>3) Awnings</u>	
		a) Outdoor dining will take place in the current undercroft of the Joan façade with access from the new external doors.	N/A
		<u>4) Landscape in the Public Domain and Street Tree Planting</u>	
		Not applicable	N/A
8.2	Street Furniture	Not applicable.	N/A
8.3	Lighting	The proposal has been designed in accordance with the Public Lighting Policy as well as the requirements of AS 1158 Lighting for roads and public spaces should be used for street lighting.	Yes
8.4	Outdoor Dining and Trading Areas	<u>2) Outdoor Dining</u>	
		a) The proposed outdoor dining area operates in conjunction with a food and drink premises including hours of operation.	Yes
		b) The outdoor dining area is located in that part of the public domain that is in front of the food and drink premises.	Yes
		c) The proposal will incorporate an outdoor dining area which will take place in the current under croft of the Joan façade with access from the new external doors.	Yes
		By working with the existing outdoor space in the walkway the scheme is able to provide an outdoor dining area, that will be suitable for the Joan café to use.	
		d) The proposal has been designed to comply with the numeric standards for outdoor dining areas.	Yes
		e) <i>The outdoor dining area must be:</i>	
		<i>i. Defined by a barrier that is of sturdy construction and is a minimum of 60cm high with no sharp edges or protruding feet that may cause a trip hazard to pedestrians or patrons; and</i>	Yes

		<i>ii. Complimentary in colour to the seating.</i>	
		The proposal has been designed in with respect to the above-mentioned controls.	Yes
		f) A bin is allocated which is visible to the patrons.	Yes
		g) No food is to be prepared or stored outside.	Yes
		h) The proposal will maintain a neat and tidy appearance at all times.	Yes
8.5.	Public Art	Not applicable	N/A
C10 Transport, Access, and Parking			
10.5	Parking, Access, and Driveways	<p>The Joan Sutherland is well located in the heart of the Penrith CBD and is located between the Penrith Civic Centre and Westfield Penrith. The land parcel is located within proximity to existing parking arrangements including but not limited to the following:</p> <ul style="list-style-type: none"> - Westfield Penrith - Penrith City Council car park - Jane Street Car Park - Union Road Car Park. <p>Moreover, the site is also located within proximity to public transportation (Penrith Train Station and Local Bus Stops) and</p> <p>The additional parking demand created by the new café can be catered for by the existing parking provided within proximity of the site.</p> <p>Considering the land parcel is located within walking distance to public transportation and several public car parks, the proposal does not require to provide additional car parking to the Joan Sutherland Centre.</p> <p>It is therefore concluded that the proposed development will not have any unacceptable parking implications.</p>	Yes

C12 Noise and Vibration

General requirements

Generally, there are no areas of the Café operation that warrant particular concern in relation to an adverse noise impact to the community.

Yes

There may be internal issues of noise conflict between the Café Operator and the Landlord. Complaints from internal users in relation adverse noise impact are to be noted in the Incident Diary with details of the complaint and the action taken to address the complaint. The task of the manager is to ensure that all noise complaints are recorded, and management responses documented.

A Management Diary and an Incident Register is to be kept and monthly meetings will be held between the landlord and the café operator to discuss and resolve.



PENRITH DEVELOPMENT CONTROL PLAN 2014 – PART E – KEY PRECINCTS CONTROLS

All relevant Council controls have been considered in the following compliance table.

Penrith Development Control Plan 2014 – Part 5- Key Precincts Controls Compliance Table			
Clause	Controls	Comment	Complies
E11 Penrith – Part A Penrith City Centre			
11.1.3 Penrith City Centre Precincts and Character areas			
6.	Civic and Cultural Precinct	<p>The proposed café is located within the Joan Sutherland Performing Arts Centre.</p> <p>The installation of a café positively contributes to the public domain by proposing an opportunity for Council to improve the amenity of the Joan and encourage a broader patronage base.</p> <p>A café will secure a commercial offering to support the Joan operations and the outdoor dining space will improve the use of the Mondo.</p>	Yes
11.2 Building Form			
11.2.2	Building to Street Alignment and Street Setbacks	The proposal will result in an appropriate outcome on site that responds to the unique characteristics of the site, with no changes to setbacks.	N/A
11.2.3	Street Frontage Heights	These controls in the DCP are not intended to be applied to a design excellence proposal as such they are not relevant to the proposal.	N/A
11.2.4	Building Depth and Bulk	The proposal is a low-impact development as it will have minimal adverse environmental, or amenity impacts and provides an appropriate outcome on site in an appropriate location.	N/A
11.2.5	Boundary setback and building separation	The proposal is strictly limited to the change of use with no change to the building height, FSR, setbacks and building separation under the originally approved scheme.	N/A
11.2.6	Mixed Use Buildings	Not applicable	N/A
11.2.7	Site Cover and Deep Soil Zones	Not applicable	N/A

11.2.8	Landscape Design	The proposal will incorporate moveable outdoor planter boxes or barrier as required by the operator.	Yes
11.2.9	Planting on Structures	Not applicable	N/A
11.3 Pedestrian Amenity			
11.3.1	Permeability	<p>It can be seen the subject proposal is consistent with the key objectives and controls noting the installation of a café positively contributes to the public domain by proposing an opportunity for Council to improve the amenity of the Joan and encourage a broader patronage base.</p> <p>A café will secure a commercial offering to support the Joan operations and the outdoor dining space will improve the use of the Mondo.</p>	Yes
11.3.2	Active Street Frontages and Address	<p>The subject land parcel is identified as “Active Street Frontage” on the Active Street Frontage Map. The proposed use positively contributes to the public domain.</p> <p>As such, the subject proposal addresses its frontages by providing a food and drink premises which will attract pedestrians to the Joan Sutherland Centre</p>	Yes
11.3.3	Awnings	Not applicable.	N/A
11.3.4	Vehicle Footpath Crossings	Has been addressed via previous Development Application.	N/A
11.3.5	Pedestrian Overpasses and Underpasses	The proposal provides for the safe and efficient movement of pedestrians with the development being consistent with the key objectives and controls noting the proposal promotes pedestrian activation and circulation at grade.	Yes
11.3.6	Building Exteriors	No change to building exteriors.	N/A
11.4 Access, Parking and Servicing			
11.4.1	Pedestrian Access and Mobility	At the Pre DA meeting, Council staff were uncertain whether an access report is to be provided. An access report can be	N/A

		provided if necessary. It is important to note the proposal has been designed in accordance with the relevant standards within the BCA and all relevant Australian Standards.	
11.4.2	On-Site Parking Options	The proposal seeks consent for the installation of a café, noting no change to on-site parking options.	N/A
11.4.3	Site Facilities and Services	The proposal seeks consent for the installation of a café, noting no change to site facilities and services.	N/A
11.5 Sustainable Development			
11.5.1	Reflectivity	This control has been addressed via previous development application approved.	N/A
11.5.2	Maximising Liveability and Longevity	This control has been addressed via previous development application approved.	N/A
11.5.3	Reduce Resource Consumption	This control has been addressed via previous development application approved.	N/A
11.7	Controls for Special Areas	Not applicable.	N/A



CONCLUSION

It is concluded that following a review of the relevant planning controls, the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social, or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant, and appropriate conditions of consent.

