

Statement of Environmental Effects

Penrith Homemaker Centre – Tenancy T250 at 13-23 Pattys Place, JAMISONTOWN NSW

Lot 10 DP 1046110

9 June 2021

Under instruction from

Wela Fitness Pty Ltd

For the purpose of

Change of use to Recreation Facilities (Indoor)

Knight Frank Town Planning (ACT & NSW)
LEVEL 22, 123 PITT STREET,
SYDNEY NSW 2000

Planning.NSW@au.knightfrank.com

KFTP Reference: 18-023-5

Qualifications

This report is prepared for the private and confidential use of the parties named on the title page, and only for the purpose outlined on the title page. It should not be relied on for any other purpose and should not be reproduced in whole or part for any other purpose without the express written consent of Knight Frank Town Planning (ACT & NSW).

This report is current at the date of the development application only.

This report is to be read in its entirety and in association with other documentation submitted as part of the Development Application.

Job Name	Penrith Homemaker Centre		
Job Number	18-023-5		
Client	Wela Fitness Pty Ltd		
Quality Management			
	Name	Date	Signature
Prepared by	Greg Sciortino	4 June 2021	GS
Checked by	Nicholas Cavallo	4 June 2021	NC
Approved for release by	Nicholas Cavallo	9 June 2021	NC
For further information contact	Nicholas Cavallo Senior Town Planner Nicholas.Cavallo@au.knightfrank.com 02 9036 6876		

COPYRIGHT KNIGHT FRANK TOWN PLANNING

All intellectual property and copyright reserved.

Apart from any fair dealing for the purpose of private study, research, criticism or review, as permitted under the Copyright Act, 1968, no part of this report may be reproduced, transmitted, stored in a retrieval system or adapted in any form or by any means (electronic, mechanical, photocopying, recording or otherwise) without written permission.

Enquiries should be addressed to Knight Frank Town Planning.

East Coast Futures Pty Ltd ABN: 84 624 283 343, trading as Knight Frank Town Planning Sydney, is independently owned and operated, is not a member of and does not act as agent for the Knight Frank Group

Contents

1.	Executive Summary	4
2.	Introduction	5
	2.1 Background	5
3.	Subject Site	6
	3.1 Site Location and Description	6
	3.2 Aerial Photograph	6
	3.3 Current Tenants	7
4.	The Proposal	8
	4.1 Proposed Development	8
5.	Environmental Assessment	11
	5.1 Assessment of Planning Controls	11
	5.1.1 State Environmental Planning Policies	11
	5.1.2 Penrith Local Environmental Plan 2010	15
	5.1.3 Penrith City Council Development Control Plan	16
6.	Section 4.15 Considerations	20
	6.1 Section 4.15 (1)(a)(i) The Provisions of any Environmental Planning Instrument,	20
	6.2 Section 4.15 (1)(a)(ii) The provisions of any Draft Environmental Planning Instrument	20
	6.3 Section 4.15 (1)(a)(iii) Any Development Control Plan	20
	6.4 Section 4.15 (1)(a)(iiia) Any Planning Agreement that has been entered into or any Draft Agreement	20
	6.5 Section 4.15 (1)(a)(iv) The Regulations	20
	6.7 Section 4.15 (1)(b) The likely impacts of that development,	20
	6.8 Section 4.15 (1)(c) The Suitability of the Site for the Development	21
	6.9 Section 4.15 (1)(d) Any submissions made	21
	6.10 Section 4.15 (1)(e) The Public Interest	21
7.	Conclusion	22

Appendices

- ◆ **Appendix 1 - Architectural Drawings**
- ◆ **Appendix 2 - Waste Management Plan**

1. Executive Summary

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) to Penrith City Council for the fit-out and use of gym premises within the Penrith Homemaker Centre. The proposed development will be within tenancy T70 located at 13-23 Pattys Place, Jamisontown ("the site").

Specifically, development consent is being sought for the fitout and use of a *recreation facilities (indoor)* at tenancy T70. Wela Fitness Pty Ltd (t/a Air Locker) currently operate facilities at Bondi Junction, Newcastle, Kotara and Maitland.

This SEE and accompanying specialist documentation describes the proposed development at the site and provides an environmental assessment against the relevantly applicable Environmental Planning Instruments and Policies, pursuant to Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The assessments carried out in this SEE demonstrates that the proposed development:

- ◆ would remain consistent with the relevantly applicable Environmental Planning Instruments and Policies;
- ◆ would remain in the public interest by improving the range of offerings within the Penrith Homemaker Centre;
- ◆ would contribute to the further economic development of Penrith City Council Local Government Area, both during the construction and operational phases supporting the operation of the Penrith Homemaker Centre;
- ◆ will retain the economic strength of centres within Penrith;
- ◆ is permitted with development consent and consistent with the objectives of the B5 Business Development zone; and
- ◆ is therefore worthy of Council's approval.

2. Introduction

2.1 Background

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) to Penrith City Council on behalf of Harvey Norman (Calardu Penrith Pty Limited ACN 71 622 609) for the fit-out and use of a gym within the Penrith Homemaker Centre. The proposed development will be within tenancy T70 located at 13-23 Pattys Place, Jamisontown ("the site"). The site has a legal description of Lot 10 DP1046110.

Specifically, development consent is being sought for the change of uses to a *recreation facility (indoor)* and associated construction works for the fitout. The operator of the premises is Air Locker which provide simulated altitude training, currently operating facilities at Bondi Junction, Newcastle, Kotara and Maitland.

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.

This SEE and accompanying specialist documentation describes the proposed development at the site and provides an environmental assessment against the relevantly applicable Environmental Planning Instruments and Policies, pursuant to Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Approval History

We note that a Complying Development Certificate 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.

3. Subject Site

3.1 Site Location and Description

The Penrith Homemaker Centre (the Centre) is a specialised retail premises facility located west of Mulgoa Road, Jamisontown and north of the M4 Western Motorway. The Centre comprises 40 retailers of furniture, white goods, home hardware, furnishings, manchester, etc. Access to the site is via Wolseley Street / Mulgoa Road with secondary access via Pattys Place. The site has an area of approximately 6.43 hectares.

There is a total of 1629 parking spaces across the Penrith Homemaker Centre in the form of at grade parking and basement parking, in the northernmost building.

3.2 Aerial Photograph



Figure 1 - Aerial Photo
Source: SixMaps

3.3 Current Tenants



Figure 2 - Tenancy Plan

Source: Penrith Homemaker Centre

Figure 2 contains a map of the current tenants within the Penrith Homemaker Centre. Note that this tenancy map is approximate only. The subject tenancy T70 is located at the former 'beds n dreams', which has since been divided into three (3) tenancies by way of Complying Development Certificate.

4. The Proposal

4.1 Proposed Development

The Penrith Homemaker Centre (the Centre) comprises a range of large format retailers located adjoining both Mulgoa Road and the M4 Western Motorway. The Centre offer for retail such items as furniture, white goods, home hardware, furnishings and Manchester across 40 retailers. The Centre also contains a café and take away food premises which support its operation.

The proposal comprises the 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.

The most recent use of the subject tenancy was for the purpose of a *specialised retail premises* being 'beds n dreams'.

The proposed gymnasium/health studio will contribute towards the range of offerings at the Centre and will not conflict with the existing use of the site.

Architectural drawings prepared by Archi Spectrum that are appended to this report, provide further details of the proposed development, see **Figure 3**

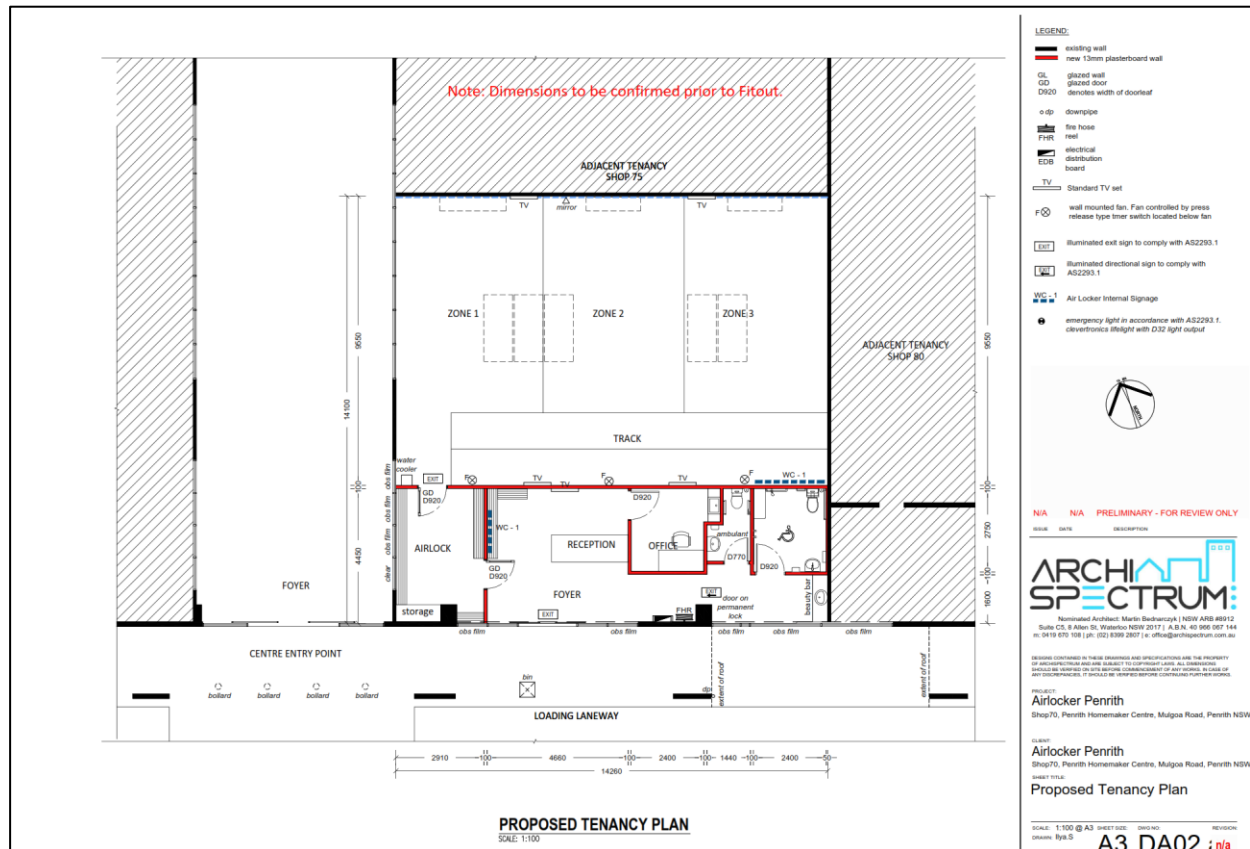


Figure 3 - Proposed Floor Plan and Fit-out
Source: Archi Spectrum

4.2 Operational Matters

Hours of Operation

The proposal will partly operate outside the general trading hours for the Penrith Homemaker Centre as detailed within **Table 1**. As seen in **Figure 3** above, the tenancy has a separate external entrance that means the proposed studio can be accessed outside of the regular operating hours of the centre, therefore having no impact on the operation of the Homemaker Centre. Appropriate safety measures will be provided including existing CCTV camera within the Centre, internal and external lighting, for clients attending outside of the general trading hours.

Table 1 Trading Hours – Homemaker Centre and Proposed Air Locker

Day	Homemaker Centre Hours	Proposed Hours – Air Locker
Monday	9.00am – 5.30pm	5.00am – 11.00am and 4.00pm – 8.00pm
Tuesday	9.00am – 5.30pm	5.00am – 11.00am and 4.00pm – 8.00pm
Wednesday	9.00am – 5.30pm	5.00am – 11.00am and 4.00pm – 8.00pm
Thursday	9.00am – 9.00pm	5.00am – 11.00am and 4.00pm – 8.00pm
Friday	9.00am – 5.30pm	5.00am – 11.00am and 4.00pm – 7.00pm
Saturday	9.00am – 5.00pm	8.00am – 12.00pm
Sunday	10.00am – 4.00pm	Closed

Staffing and Operation

With regard to staffing levels it is envisaged that there will be between 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.

5. Environmental Assessment

Knight Frank Town Planning has undertaken an assessment of the proposal against the relevant environmental planning legislation and guidelines to identify potential environmental impacts and mitigation measures. These are discussed below.

5.1 Assessment of Planning Controls

This SEE includes an assessment of the proposal in terms of the matters for consideration as listed under Section 4.15 Evaluation of the EP&A Act and should be read in conjunction with information annexed to this report as outlined on the contents page of this report.

5.1.1 State Environmental Planning Policies

Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River

Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (SREP 20) is a deemed State Environmental Planning Policy. The provisions of SREP 20 apply to the site as it falls within the Hawkesbury-Nepean River Catchment. Clause 3 Aims of SREP 20 states that:

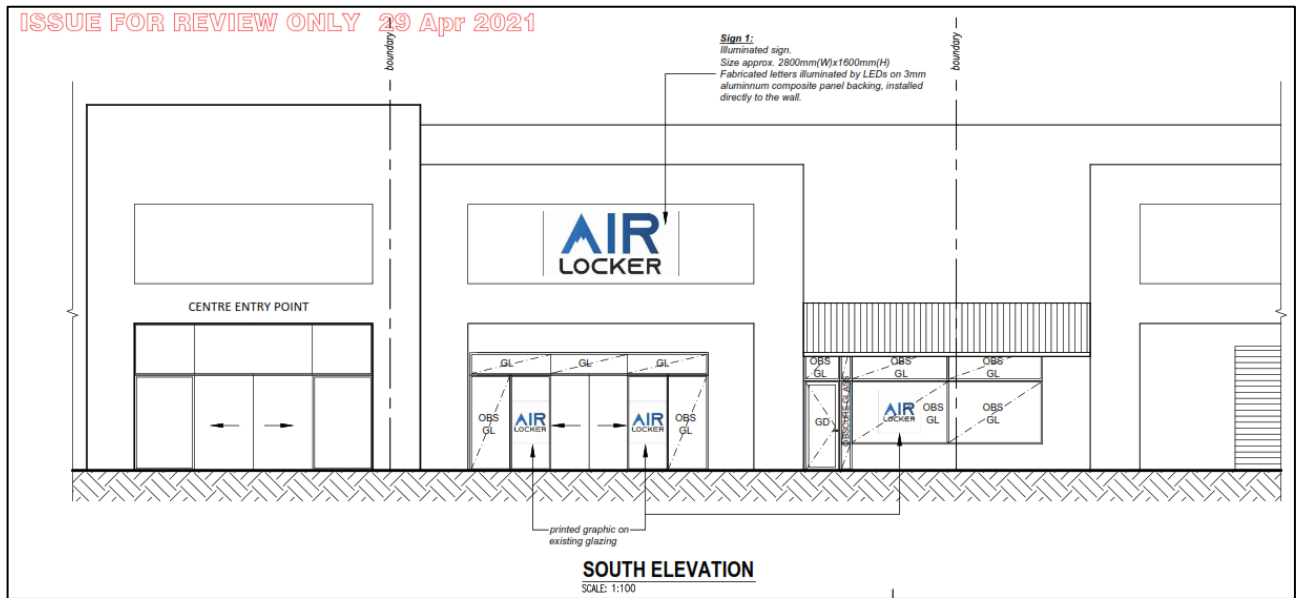
The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

Clause 6 of SREP 20 relevantly contains *Specific Planning Policies and Recommended Strategies*. The development, which comprises a change of use to an existing tenancy within an existing building, is consistent with the Strategies. The site is located within the city centre and is not within a scenic corridor of the Nepean River. It is also considered that the proposal would not adversely impact the water or scenic qualities of the Nepean River environment and is therefore consistent with the planning strategies and aims of SREP 20.

State Environmental Planning Policy No. 64 – Advertising and Signage

The application seeks consent for the installation of business identification signage as indicated on the drawings prepared by Archi Spectrum. We note that the signage will largely replace the existing signage for the previous tenant and is located generally consistent with that existing signage. An assessment of the business identification signage, in accordance with State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) has been carried out below in **Table 2**.

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" (as seen in **Figure 4**) 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 extent and type of signage is considered to be compatible with the existing signage within the Centre.



Source: Archi Spectrum

Table 2 – SEPP 64 – Advertising and Signage Compliance

SEPP 64 – ADVERTISING AND SIGNAGE	RESPONSE
<p>3 Aims, objectives etc</p> <p>(1) This Policy aims:</p> <p>(a) <i>to ensure that signage (including advertising):</i></p> <ul style="list-style-type: none"> (i) <i>is compatible with the desired amenity and visual character of an area, and</i> (ii) <i>provides effective communication in suitable locations, and</i> (iii) <i>is of high quality design and finish, and</i> <p>(b) <i>to regulate signage (but not content) under Part 4 of the Act, and</i></p> <p>(c) <i>to provide time-limited consents for the display of certain advertisements, and</i></p> <p>(d) <i>to regulate the display of advertisements in transport corridors, and</i></p> <p>(e) <i>to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</i></p> <p>(2) <i>This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.</i></p>	<p>The proposed development includes the installation of wall-mounted business identification signage facing the existing carpark on the south facing façade.</p> <p>Consistent with the clause 3(1) aims of the Policy:</p> <ul style="list-style-type: none"> • The business identification signage is considered compatible with the desired amenity and visual character of the site; • Would provide effective communication to suppliers / public at a suitable location upon entering the site; and • It would be of a high quality design and finish.
<p>6 Signage to which this Policy applies</p> <p>(1) <i>This Policy applies to all signage that:</i></p> <p>(a) <i>can be displayed with or without development consent under another environmental planning instrument that applies to the signage, and</i></p> <p>(b) <i>is visible from any public place or public reserve, except as provided by this Policy.</i></p> <p><i>Note</i></p>	<p>This Policy applies to the business identification signage being proposed by the development. An assessment against the Schedule 1 Assessment Criteria is below.</p>

SEPP 64 – ADVERTISING AND SIGNAGE	RESPONSE
<p><i>Public place and public reserve are defined in section 4 (1) of the Act to have the same meanings as in the Local Government Act 1993.</i></p> <p><i>(2) This Policy does not apply to signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it, or that is exempt development under this Policy.</i></p>	
<p>PART 3 ADVERTISEMENTS</p> <p>9 Advertisements to which this Part applies</p> <p><i>(1) This Part applies to all signage to which this Policy applies, other than the following:</i></p> <p><i>(a) business identification signs,</i></p> <p><i>(b) building identification signs,</i></p> <p><i>(c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,</i></p> <p><i>(d) signage on vehicles.</i></p>	<p>Architectural drawings included as part of this DA, show the location of proposed <i>business identification signage</i> to assist and direct customers with identifying the premises.</p> <p>It is noted that Part 3 Advertisements of SEPP 64 (i.e. clauses 9 – 28) therefore does not apply to the <i>Business identification signage</i> being proposed.</p>
<p>Schedule 1 Assessment Criteria</p> <p>1 Character of the area</p> <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 or locality?</i> <p>2 Special areas</p> <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> <p>3 Views and vistas</p> <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> <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> 	<p>1 Character of the area</p> <p>The proposal is considered to remain compatible with the existing and desired future character of the area in which it is located. The proposed business identification signage is considered consistent with and appropriate for the site.</p> <p>2 Special areas</p> <p>It is considered that the proposed business identification signage location proposed would enhance the customer experience and functioning of the tenancy and would not result in any adverse impact.</p> <p>3 Views and vistas</p> <p>The business identification signage is integrated into the building's south façade to the carpark and would not obscure or compromise important views, dominate the skyline or reduce the quality of vistas.</p> <p>4 Streetscape, setting or landscape</p> <p>The scale, proportion and wall-mounted form of the proposed business identification signage being 1600mm in height and 2800mm in width are considered appropriate</p>

SEPP 64 – ADVERTISING AND SIGNAGE	RESPONSE
<ul style="list-style-type: none"> • Does the proposal reduce clutter by rationalising and simplifying existing advertising? • Does the proposal screen unsightliness? • Does the proposal protrude above buildings, structures or tree canopies in the area or locality? • Does the proposal require ongoing vegetation management? <p>5 Site and building</p> <ul style="list-style-type: none"> • Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both? <p>6 Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> • 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? <p>7 Illumination</p> <ul style="list-style-type: none"> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? <p>8 Safety</p> <ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>for the site. Visual interest would be enhanced with the proposed signage.</p> <p>5 Site and building</p> <p>The proposal is considered compatible with the scale, proportion and other characteristics of the site, as well as the signage for surrounding tenancies within the Homemaker Centre.</p> <p>6 Associated devices and logos with advertisements and advertising structures</p> <p>There are no safety devices or platforms as part of the signage. The signage will be illuminated by LEDs. The indicative signage design and colours shown on plans prepared by Archi Spectrum would strengthen the site branding and provide guidance to clients looking for the site.</p> <p>7 Illumination</p> <p>The signage will be illuminated by LEDs that will not have an adverse impact on pedestrians, vehicles or aircraft and won't create glare.</p> <p>8 Safety</p> <p>The proposal would not reduce public safety for any public road, pedestrians or bicyclists. The proposed business identification signage would form part of the building's feature entrance elements and not obscure sightlines from public areas.</p>

5.1.2 Penrith Local Environmental Plan 2010

The Penrith Local Environmental Plan 2010 (LEP) is the relevant Environmental Planning Instrument that applies to development within the Penrith Local Government Area.

The site is zoned B5 Business Development under the Penrith LEP 2010, which makes the following provisions for the zone:

1 Objectives of zone

- To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To maintain the economic strength of centres in Penrith by limiting the retailing of food, groceries and clothing.

2 Permitted without consent

Nil

3 Permitted with consent

Car parks; Centre-based child care facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Respite day care centres; Roads; Self-storage units; Signage; Specialised retail premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres

4 Prohibited

Pond-based aquaculture; Restaurants or cafes; Any other development not specified in item 2 or 3

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

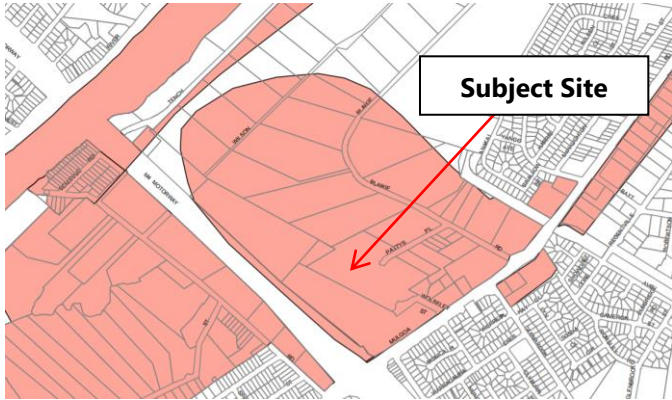
recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a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

The proposed development will contribute to the range of offerings within the Penrith Homemaker Centre. It is minor in nature, is compatible with the existing uses and will support the viability of the Penrith Homemaker Centre.

The proposed development is assessed in detail against the relevant provisions of the LEP within **Table 3**.

Table 3 – Penrith Local Environmental Plan 2010

LEP 2010 CLAUSE	PROVISION	RESPONSE
7.5 Protection of Scenic Character and Landscape Values	(1) <i>The objectives of this clause are as follows:</i> (a) <i>to identify and protect areas that have scenic value either from major roads, identified heritage items or other public places,</i> (b) <i>to ensure development in these areas is located and designed to minimise its visual impact.</i>	The site has been identified on the 'Scenic and Landscape Values Map Sheet SLV_006' (extract below) as containing scenic and landscape values. The

LEP 2010 CLAUSE	PROVISION	RESPONSE
	<p>(2) This clause applies to land identified as "Land with scenic and landscape values" on the Scenic and Landscape Values Map.</p> <p>(3) Development consent must not be granted for any development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the development, to minimise the visual impact of the development from major roads and other public places.</p> 	<p>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.</p>

5.1.3 Penrith City Council Development Control Plan

The Chapters of the Penrith Development Control Plan 2014 that are relevant to the proposed development and have been addressed within **Table 4** below, include:

- ◆ Chapter C5 Waste Management;
- ◆ Chapter C9 Advertising and Signage;
- ◆ Chapter C10 Transport, Access and Parking; and
- ◆ Chapter D3 Commercial and Retail Development.

Table 4 – Penrith Development Control Plan 2014

DCP 2014 Chapter C5 Waste Management	PROVISION	RESPONSE
C5 Waste Management	<p><i>General Objectives</i></p> <p>a) To facilitate sustainable waste management within the City of Penrith in accordance with the principles of Ecologically Sustainable Development.</p> <p>b) To manage waste in accordance with the 'Waste Hierarchy' to: i) Avoid producing waste in the first place; ii) Minimise the amount of waste produced; iii) Re-use items as many times as possible to minimise waste; iv) Recycle once re-use options have been exhausted; and</p>	<p>With regard to ongoing waste management practices the appropriate sorting of waste will occur. A gym is not considered to be a significant generator of waste.</p>

DCP 2014 Chapter C5 Waste Management	PROVISION	RESPONSE
	<p><i>v) Dispose of what is left, as a last resort, in a responsible way to appropriate waste disposal facilities;</i></p> <p><i>c) To assist in achieving Federal and State Government waste minimisation targets as set out in the Waste Avoidance and Resource Recovery Act 2001 and NSW Waste Avoidance and Resource Recovery Strategy 2007;</i></p> <p><i>d) To minimise the overall environmental impacts of waste by: i) Encouraging development that facilitates ongoing waste avoidance and complements waste services offered by both Council and/or private contractors; ii) Requiring on-site source separation and other design and siting standards which assist waste collection and management services offered by Council and/or the private sector; iii) Encouraging building designs and construction techniques that minimise waste generation; iv) Maximising opportunities to reuse and recycle building and construction materials as well as other wastes in the ongoing use of a premise; and v) Reducing the demand for waste disposal</i></p>	<p>The proposal will not otherwise impact upon the existing waste management requirements and practices of the Centre.</p> <p>A Waste Management Plan is included as part of this development application at Appendix 2, which considers the waste generation during construction and the ongoing waste management requirements.</p>

DCP 2014 Chapter C9 Advertising and Signage	PROVISION	RESPONSE
9.4 Commercial, Mixed Use and Industrial Zones	<p><i>a) To promote an integrated design approach to all signage in character with the locality and its architectural and landscape features;</i></p> <p><i>b) To prevent the proliferation of advertising signs.</i></p> <p><i>c) To permit the adequate display of information concerning the identification of the premises, the name of the occupier and the activity conducted on the land.</i></p> <p><i>d) To encourage a coordinated approach to advertising signs where multiple occupancy of buildings or sites occurs.</i></p> <p><i>e) To prevent distraction to motorists and road users and minimise the potential for traffic conflicts.</i></p> <p><i>f) To ensure signage does not create conflicts or safety problems for pedestrians.</i></p>	<p>The proposed signage is compatible with the existing signage character and is for the purposes of identifying the location of the business. The signage is on the south façade of the building and faces the existing internal carpark for the Homemaker Centre.</p>

DCP 2014 Chapter C10 Transport, Access and Parking	PROVISION	RESPONSE
A. General Objectives	<p><i>a) To integrate transport planning and land use to promote sustainable development and greater use of public transport systems;</i></p> <p><i>b) To minimise the impacts of traffic generating developments and manage road safety issues;</i></p> <p><i>c) To ensure that access paths and driveways are integrated in the design of developments and minimise impacts on road systems;</i></p> <p><i>d) To provide appropriate parking for all development whilst promoting more sustainable transport use;</i></p> <p><i>e) To facilitate connections and accessibility for those using non-vehicle transport by providing appropriate facilities to improve amenity and safety;</i></p> <p><i>f) To facilitate bicycle connections and provide appropriate bicycle facilities to improve amenity and safety; and</i></p> <p><i>g) To ensure that access is provided for all people with diverse abilities.</i></p>	<p>As per the parking rates in Council's DCP the proposed use would require 14 parking spaces based on a GFA of 200m². If we take into consideration the previous use being a <i>specialised retail premises</i>, which would attract car parking rates of 4 spaces, then this would reduce to an overall requirement of 10 parking spaces.</p> <p>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 <i>specialised retail premises</i> being the principal use of the site. This has created a surplus of car parking spaces within the Centre.</p> <p>There exists a surplus of car parking within the Centre, with a total of 1629 car parking spaces provided. It is our view that the existing quantity of car parking provided is sufficient to cater for the proposed and existing uses.</p> <p>It is important to also note that most classes for the proposed gym will fall outside of the core hours of</p>
B. Controls	<i>Traffic studies may be required for some developments.</i>	
1) Traffic Studies		
2) Road Safety	<i>ii) Minimise the potential for vehicular/pedestrian conflicts, providing protection for pedestrians where necessary;</i>	
Table C10.2 Car Parking Rates	<p><i>Bulky Goods Premises</i> <i>1 space per 50 m² of gross floor area.</i></p> <p><i>Fitness Centre including Gym</i> <i>7 spaces per 100m² GFA</i></p>	

DCP 2014 Chapter C10 Transport, Access and Parking	PROVISION	RESPONSE
		operation for the Penrith Homemaker Centre.

DCP 2014 Chapter D3 Commercial and Retail Development	PROVISION	RESPONSE
3.1 Bulky Goods Retailing	<p>A. Controls</p> <p>1) General</p> <p>a) The built form is to provide consistent landscaped front setbacks and an active street address.</p> <p>b) Where bulky goods developments also comprise ancillary café or service uses, locate these uses within the primary street frontage to generate activity and interest at street level.</p> <p>c) Provide pedestrian footpaths on all streets.</p> <p>d) Entrances to bulky goods premises must be on the primary street frontage.</p> <p>e) Awnings are to be provided at entry points.</p> <p>f) Bulky goods developments are to be located on or close to the main street alignment.</p> <p>g) Provide consistent street planting and footpaths are to be provided along Blaikie Road to establish the public domain.</p> <p>h) Setback areas are to be landscaped, but may incorporate an off-street parking area if it can be demonstrated that the location of the car parking area as illustrated in Figures D3.1-D3.3:</p> <p>i) Is within a setback which is at least 13m wide and set behind a landscaped area which is at least 4m wide;</p> <p>ii) Promotes the function and operation of the development.</p>	<p>The proposed development will provide a greater offering for customers and staff of the Penrith Homemaker Centre.</p>

6. Section 4.15 Considerations

The following *Matters for Consideration* are to be taken into consideration by a consent authority when determining a development application, pursuant to Section 4.15 *Evaluation* of the *Environmental Planning and Assessment Act 1979*.

6.1 Section 4.15 (1)(a)(i) The Provisions of any Environmental Planning Instrument,

The relevantly applicable provisions of Penrith LEP 2010 have been examined above in this SEE and the proposal is considered to be consistent with those provisions. The proposal will support the established Penrith Homemaker Centre by expanding the range of offerings available.

The proposal is consistent with the objectives of the Penrith LEP 2010 and will not detract from established centres within the Penrith City Council LGA.

6.2 Section 4.15 (1)(a)(ii) The provisions of any Draft Environmental Planning Instrument

There is no Draft EPI of relevance to the proposed development.

6.3 Section 4.15 (1)(a)(iii) Any Development Control Plan

The relevantly applicable provisions of Penrith DCP 2014 have been examined above in this SEE and the proposal is considered to be consistent with those provisions.

6.4 Section 4.15 (1)(a)(iiia) Any Planning Agreement that has been entered into or any Draft Agreement

There is no relevant Planning Agreement that has been entered into nor any Draft Agreement.

6.5 Section 4.15 (1)(a)(iv) The Regulations

Not applicable to the proposed development.

6.7 Section 4.15 (1)(b) The likely impacts of that development,

Context and Setting

The proposal will not detract from the existing character of the locality and streetscape and will not result in adverse impacts upon the surrounding development or public domain as examined in this report. The provision of a gymnasium/health studio will contribute towards the range of land uses within the Centre and is consistent with the objectives of the zone.

Access, transport and traffic

The proposed use will not have a significant impact on the existing traffic generation or car parking requirements for the Penrith Homemaker Centre. The proposal is minor in nature and will complement the range of uses operating largely outside of the peak hours for the Centre. It is our view that the existing access and car parking arrangement, which caters largely to the collective specialised retail premises, remains sufficient for the proposed use.

Operating Hours

The proposed gymnasium/health studio will operate outside of the general trading hours for the Penrith Homemaker Centre. The tenancy has been provided with a separate external entrance which means that the proposed studio can be accessed outside of the regular operating hours for the Centre.

Waste Management

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

Safety

The safety of clients and staff accessing the proposed gymnasium/health studio outside of the general hours of operation is not considered to be a significant issue. Appropriate safety measures will be implemented by the tenant comprising existing CCTV cameras within the Centre, external car park lighting and internal lighting from the tenancy.

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%.

Economic impact

The proposed use will support the existing specialised retail premises and provide for additional employment opportunities. With a commitment to continuous improvement and investment at the Penrith Homemaker Centre, the existing customer base would be retained and continue to grow.

6.8 Section 4.15 (1)(c) The Suitability of the Site for the Development

The proposed development is consistent with the objectives of the B5 Business Development zone. The provision of a gymnasium/health studio will complement the existing uses within the Centre.

6.9 Section 4.15 (1)(d) Any submissions made

Any submissions made to Council during the notification and advertising period would be evaluated during the DA assessment phase. Knight Frank Town Planning would welcome the opportunity to be able to respond to any issues that may be raised.

6.10 Section 4.15 (1)(e) The Public Interest

The proposal will not give rise to any adverse environmental, amenity or streetscape impacts. The proposal will contribute towards the range of uses at the Penrith Homemaker Centre without conflicting with the existing use of the site. The proposed development is considered to be in the public interest by contributing to the local economy and supporting the role of the Centre.

7. Conclusion

The relevant matters for consideration under Section 4.15 Evaluation of the Environmental Planning and Assessment Act 1979 have been addressed in this Statement of Environmental Effects and the proposed development has been found to be consistent with the objectives and requirements of the relevant planning provisions.

The proposed development, comprising the change of use to a gymnasium/health studio as a use permitted with consent under the definition of *recreation facilities (indoor)*, will expand upon the range of offerings within the Penrith Homemaker Centre and contribute to its continued growth. The proposal is permitted with development consent within the B5 Business Development zone and is consistent with the zone objectives.

The site is suitable for the proposed development, containing all the required infrastructure including parking and access, which will positively contribute to the area. For reasons outlined in this statement of environmental effects the proposed development is considered worthy of being granted development consent.

Appendix A

Architectural Drawings

Appendix B

Waste Management Plan