

**ANGEL PLACE
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SYDNEY NSW 2000**

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18 June 2020

General Manager
Penrith City Council
601 High Street, Penrith NSW 2750

Dear Sir/ Madam,

STATEMENT OF ENVIRONMENTAL EFFECTS – HOME CONSORTIUM PENRITH CHIPMUNKS – CHANGE OF USE AND FITOUT DEVELOPMENT APPLICATION

1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared on behalf of Home Consortium (the applicant) to accompany a Development Application (DA) to Penrith City Council. The DA seeks consent to subdivide Tenancy 5 (T5) at Home Consortium Penrith (72-82 Mulgoa Road and 43-45 Regentville Road, Jamisontown) (the site) into two tenancies. In addition this DA seeks consent for signage, fitout and use of the reconfigured T5 as a “*recreation facility (indoor)*” for the purpose of a Chipmunks Playland & Café.

This application is accompanied by the following documentation:

- Architectural Plans prepared by Buchan.
- BCA Report prepared by McKenzie.
- Fire Report prepared by Omnii.
- Traffic Report prepared by One Mile Grid.
- Quantity Surveyor Report prepared by Napier Blakely.

The proposal is considered to be both reasonable and appropriate in regard to the relevant requirements of Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

2. SITE DESCRIPTION

2.1. THE SITE

Home Consortium Penrith (the site) is located at 72-82 Mulgoa Road and 43-45 Regentville Road in Jamisontown NSW, legally described as Lot 200 DP 1230338.

An aerial view of the site is shown at **Figure 1** below. The site has a 254.21m frontage to Mulgoa Road and a 160.94m frontage to Regentville Road.

The main access to the car parking areas is via a signalised intersection from Mulgoa Road with a secondary access point from Regentville Road.

Figure 1 – Site Aerial



Source: Urbis GIS

2.2. SITE CONTEXT

The site is located in Jamisontown at the foot of the Blue Mountains, approximately 2km south of central Penrith and 50km west of Sydney CBD as indicated at **Figure 2** below.

Penrith is a major centre in the Sydney metro area, and one of the major commercial centres in Greater Western Sydney. Known as the adventure capital of NSW, Penrith is home to a number of premium sporting venues and historical sites, as well as a large diversity of residents. Home

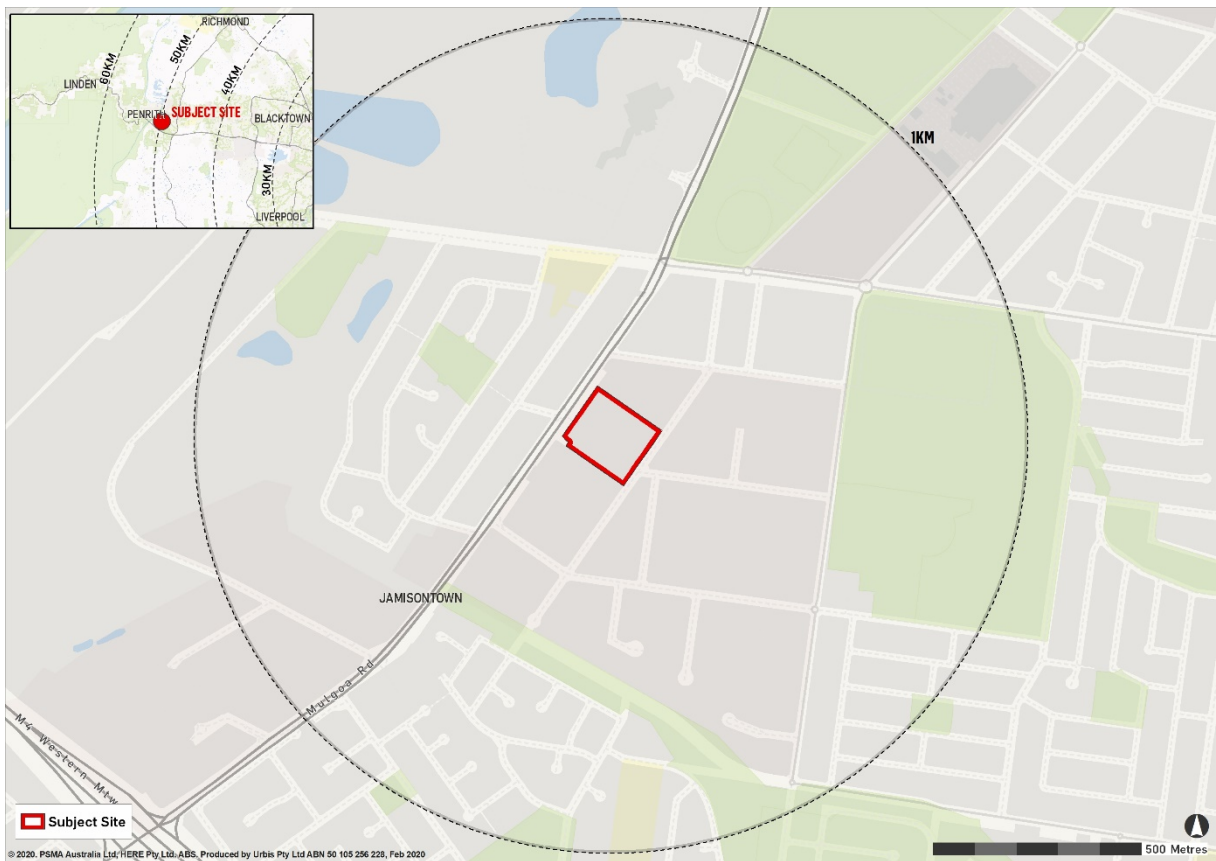
Consortium Penrith is located on Mulgoa Road, one of Penrith’s major arterial roads, and is home to a number of established lifestyle brands, as The Mechanic & Sons café, operated by the ‘Bearded Bakers’ from Knafeh Bakery. The centre offers plentiful free car parking and complimentary WiFi.

Land to the north and south is a mixture of bulky goods and similar commercial land uses, including uses such as The Good Guys, car dealerships and home building supplies. Development to the east of the site is general industrial, consistent with its zoning. It comprises a range of industrial land uses including construction material supplies, machinery supplies and car repairers.

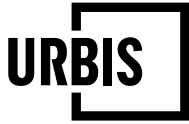
To the west of the site, on the opposite side of Mulgoa Road is a low-density residential area. This area is generally characterised by single detached dwellings which are principally accessed from Mulgoa Road via Willoring Crescent, Stuart Street and Jamison Road.

A ‘Homemaker’s Super Centre’ is located approximately 1.3km from the site on Patty’s Place.

Figure 2 – Location Plan



Source: Urbis GIS



2.3. APPROVAL HISTORY

The relevant approval history for the site is summarised in **Table 1** below.

Table 1 - Approval History

DA	Summary	Impact on this DA
DA13/1257	Deferred commencement consent was granted on 24/3/2014 for a Masters store, and 4 bulky goods tenancies in a separate building. The application was integrated development that required approval under s138 of the Roads Act.	The approval demonstrates that bulky goods premises is appropriate on the site.
DA14/0555	This DA was approved on 11/06/2014 for the demolition of existing structures.	No impact on this DA.
DA14/0688	Approved on 19/08/14, this consent allowed for remediation works to take place on-site.	No earthworks or any other major external works will take place as part of this DA.
DA13/1257.01	A modification application was approved on 01/07/2014, involving the reconfiguration of the car park and access arrangement, signage, landscaping and built form of the bulky goods tenancies.	The site layout, access and landscaping arrangements under this modification application, are not proposed to change.
DA13/1257.02	This modification application sought to alter the site signage and was refused on 10/02/16 due to inconsistency with SEPP 64, amongst other reasons.	Only signage zones are proposed as part of this DA.
DA16/1355	This was approved on 10/02/2017 for the alterations and additions to the existing Masters building, change of use to bulky goods premises, ancillary café and associated signage.	This application amended the built form of the site and changed the use of the site to a bulky goods premises.

3. PROPOSED DEVELOPMENT

3.1. OVERVIEW

Chipmunks Playland & Café is an indoor playcentre with a café and spaces for children’s birthday parties and private functions. In addition, some store offer drop-off services, vacation care and after school childcare services. The proposed Penrith centre will allow Chipmunks to expand their offering within Greater Western Sydney.

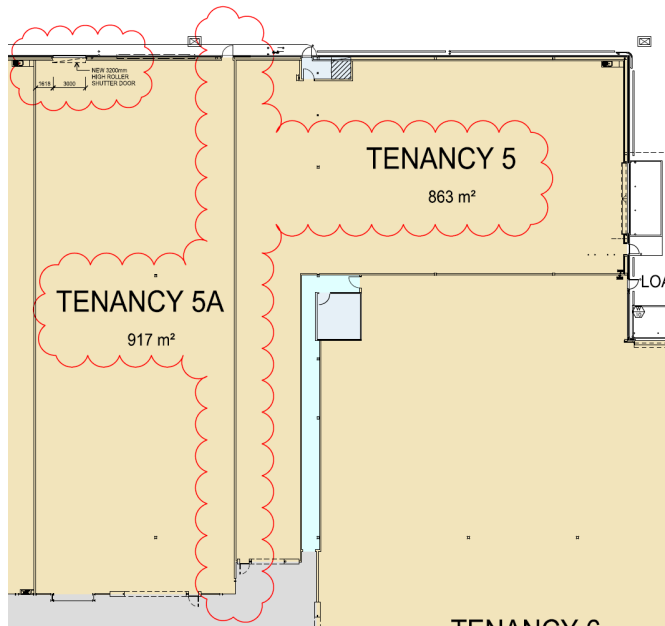
3.2. CHANGE OF USE

This proposal seeks development consent for the change of use of Tenancy 5 from a “bulky goods premises” to a “recreation facility (indoor)” and the associated fit out of the tenancy to support a Chipmunks Playland & Café.

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.

Further details of the proposal are illustrated in the Architectural Plans prepared by Buchan and the fit out plans prepared by Buchan. An extract of these is provided in **Figure 3** below.

Figure 3 – Proposed Floor Plan



Source: Buchan

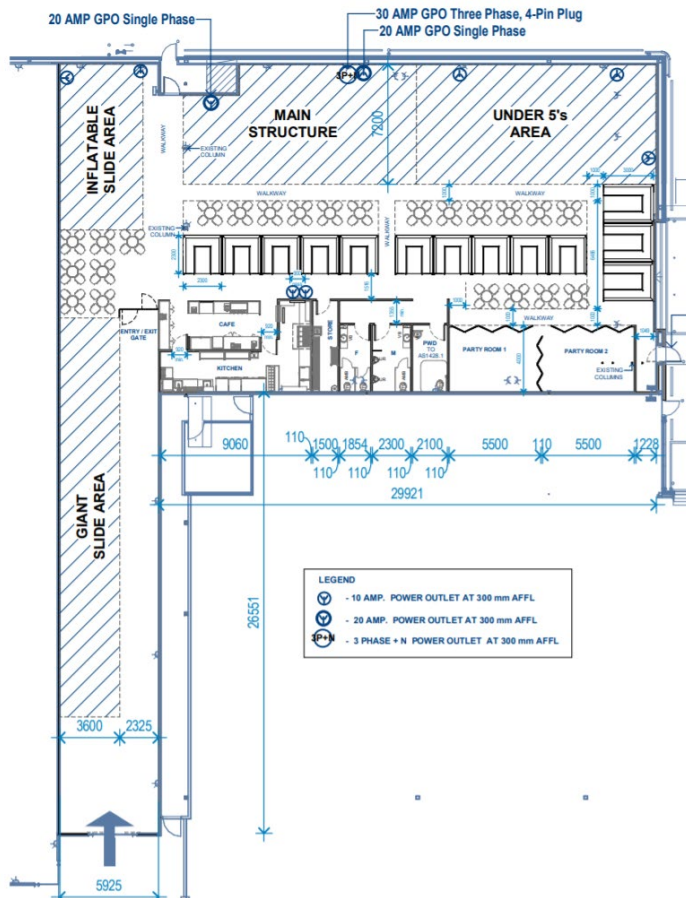
3.3. INTERNAL FIT OUT WORKS

The development proposes the split of Tenancy 5 via an intertenancy wall into Tenancy 5a and Tenancy 5 (the site), along with the internal fit out for the purpose of the Chipmunks Playland & Café. These works include:

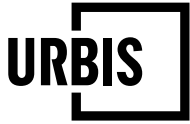
- Commercial Kitchen
- Male, female and accessible amenities
- Two party rooms
- Booth seating
- Playroom
- Ancillary café

Further details of the proposed layout are detailed in **Figure 4** below and within the accompanying Layout Plans prepared by Chipmunks Playland & Café.

Figure 4 – Proposed Layout Plan



Source: Chipmunks Playland & Café



3.4. BUSINESS IDENTIFICATION SIGNAGE

Proposed business identification signage will be internal to the site.

3.5. NUMERIC OVERVIEW

The numeric overview of the proposed development is detailed within **Table 2** below.

Table 2 – Numeric Overview

Parameter	Proposed
Hours of Operation	Monday – Wednesday: 8:30am – 5:30pm Thursday – Friday: 8:30am – 8:00pm Saturday: 8:30am – 5:00pm Sunday: 9:00am – 4:00pm Public Holidays: 10:00am – 4:00pm
Children per class	150 children
Staffing	15 staff
Parking	- 345 car parking spaces. - 6 bicycle parking spaces
Loading and Servicing	Remain as existing.
Waste Management	Remain as existing.

4. STATUTORY PLANNING ASSESSMENT

This section assesses the proposal against the key applicable controls found within:

- *Penrith Local Environmental Plan 2010.*
- *Penrith Development Control Plan 2014.*

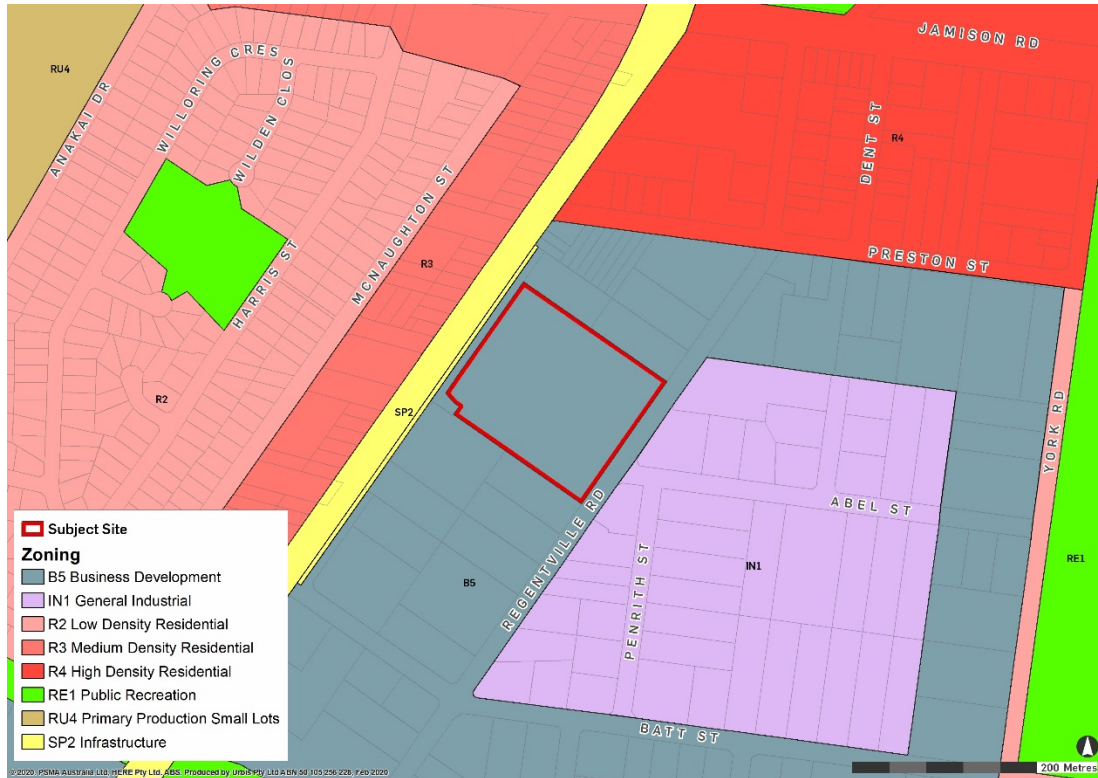
4.1. PENRITH LOCAL ENVIRONMENTAL PLAN 2010 (PLEP 2010)

Penrith Local Environmental Plan 2010 (PLEP) is the principal environmental planning instrument for the Penrith local government area. The key provisions of PLEP are addressed in **Table 3** below.

Table 3 – PLEP 2010 Compliance Table

Control	Provision	Response	Compliance
Zoning and Permissibility	B5 Business Development (see Figure 5 – Penrith LEP 2010 Zoning Map)	Recreation facility (indoor) are listed as permitted with consent. The proposal is therefore permitted with consent.	YES
Objectives	<ul style="list-style-type: none"> ▪ To enable a mix of business and warehouse uses, and bulky goods 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. 	<ul style="list-style-type: none"> ▪ The proposal will further contribute to the mix of uses at the site through a diversity of businesses that support not detract from the viability of the Penrith centre. ▪ The proposal will contribute to the economic strength of Penrith by maintaining jobs and limiting the retailing of food, groceries and clothing. 	YES
Height	12m	All proposed alterations will be below the maximum building height of 12m.	YES
Floor Space Ratio	No maximum FSR applies to the site.	N/A	N/A
Land with Scenic and Landscape Value	The western half of the site is identified as Land with Scenic Landscape Values. In these locations, Council must be satisfied that the location and design of development minimises the visual impact of the development from major roads and other public places.	The proposal does not alter the siting of buildings on-site, nor their bulk and scale.	YES

Figure 5 – Penrith LEP 2010 Zoning Map



4.2. PENRITH DEVELOPMENT CONTROL PLAN 2014

As detailed in **Table 4** the proposal is generally consistent with relevant controls of Penrith Development Control Plan 2014 (PDCP).

Table 4 – PDCP 2014 Compliance Table

Control	Provision	Comment	Compliance
Principal 2	Achieve long term economic and social security.	This DA will facilitate the introduction of a recreation facility (indoor) that will generate 15 jobs to the locality.	Yes
C5 Waste Management	Applications for changes of use for commercial developments are to	Waste management will remain unchanged from existing.	Yes

Control	Provision	Comment	Compliance
C10 Transport Access and Parking	provide a Waste Management Plan upon lodgement of a DA. In accordance with RMS Guidelines or if there are no parking guidelines for a specific use, then a site-specific car parking analysis will be required. This may require the applicant to submit a car parking report from a suitably qualified traffic consultant.	The proposal will provide 345 spaces and complies. Refer to attached Traffic Report prepared by One Mile Grid.	Yes

5. SECTION 4.15 ASSESSMENT

5.1. STATUTORY POLICY AND COMPLIANCE

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

The proposed development has been assessed in accordance with the relevant state, regional and local planning policies, as follows:

- *Penrith Local Environmental Plan 2010*
- *Penrith Development Control Plan 2014.*

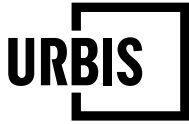
This SEE demonstrates that the proposed development is consistent with the relevant statutory planning policies and achieves the objectives of the relevant provisions.

5.2. BUILT AND NATURAL ENVIRONMENTAL IMPACTS

5.2.1. Traffic

A Transport Impact Assessment was prepared by One Mile Grid and accompanies this SEE. The assessment provides an assessment of the proposed traffic generation, provision of car parking and vehicular access. The statement confirms that the parking provisions for the site are sufficient to meet demand and that internal circulation and layouts are appropriate.

Furthermore, the Applicant is also considering the introduction of a PAD site childcare centre. The cumulative impacts of both this DA and a potential future child care facility have been taken into consideration in the assessment of parking impacts. The TIA concludes that the parking can adequately accommodate both the works proposed under this DA and a future childcare facility.



5.2.2. BCA

A BCA Report has been prepared by McKenzie Group and accompanies this SEE. The report outlines compliance with Building Code of Australia (BCA) requirements for a recreation facility (indoor) tenancy, and confirms the proposal meets the legislative requirements.

The report details, that whilst prescriptive compliance of the BCA can generally be achieved for the proposed recreation facility (indoor), the proposal will require the review by an accredited fire engineer. See Section 5.2.3 for further details.

5.2.3. Fire

A Fire Engineering Report has been prepared by Omnii Consulting Fire Engineers and accompanies this SEE. Omnii Consulting have reviewed the base building documentation produced by Buchan Group and have confirmed that the tenancy use and fit out are capable of complying with the requirements of the National Construction Code (NCC) and the fire engineering performance requirements of the BCA. For further details, reference should be made to the accompanying Fire Engineering Report.

5.3. SOCIAL AND ECONOMIC IMPACTS

The proposed Chipmunks Playland & Café will contribute to job creation and the supply of indoor recreation facilities within Greater Western Sydney. The DA will contribute to the diversity of services available and expand consumer choice within the local area.

5.4. SUITABILITY OF THE SITE FOR DEVELOPMENT

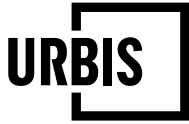
The proposed development is considered suitable for the site for the following:

- The proposal is permissible under all relevant planning controls, noting building height and FSR controls remain unchanged.
- The proposal will have no anticipated impact on the surrounding natural and built environments.
- The proposal will be located within an already established bulky goods centre.
- The proposal will service families of the precinct and broader Greater Western Sydney area.

5.5. THE PUBLIC INTEREST

The proposed change of use and fit out of the Chipmunks Playland & Café centre are considered in the public interest for the following reasons:

- The proposal accords with the principles and objectives of all relevant planning controls, and does not result in any built form impacts beyond those previously assessed by Council during the assessment of the original Masters DA or subsequent Home Co DAs. Traffic impacts associated with the proposal are negligible.
- The proposal will create a new Chipmunks Playland & Café tenancy which will increase consumer choice within the site and will help to support the economic viability of the Centre and the Penrith area.



6. CONCLUSION

This DA seeks consent for the change of use and associated fit out of Tenancy 05 (T05) for a “*bulky goods premises*” to a “*recreation facility (indoor)*” for the purpose of a Chipmunks Playland & Café. This will also result in the split of Tenancy 5 (T5) into two tenancies, internal fit out works, and signage associated with the tenancy.

The proposal is appropriate for the location and should be supported because:

- The proposal is consistent with the requirements of the Penrith LEP and DCP.
- The proposal results in negligible changes to the internal layout.
- It involves a change of use from one permissible use to another permissible use.
- It maintains the approved built form and car parking arrangements and will have no environmental impacts.
- The proposal will facilitate the activation of the site. Contributing to a number of jobs, the diversity of available services and consumer choice in the local area will provide a positive social and economic benefit to the locality.

For the reasons outlined within this SEE, the proposal is in the public interest and should be approved.

Yours sincerely,

A handwritten signature in black ink that reads "L. Butler".

Liam Butler
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