

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA15/0825
Proposed development:	Business Identification Signage
Property address:	19 - 31 Town Terrace, GLENMORE PARK NSW 2745
Property description:	Lot 9100 DP 1022720
Date received:	24 July 2015
Assessing officer	Jonathon Wood
Zoning:	Zone B2 Local Centre - LEP 2010
Class of building:	Class 10b
Recommendations:	Approve

Executive Summary

Council is in receipt of a development application for the installation of signage associated with Dominos Pizza at 19-31 Town Terrace, Glenmore Park.

Under Penrith LEP 2010 the site is zoned B2 Local Centre and business identification signs are permitted with consent in the zone.

Key issues identified for the proposed development and site include:

- The extent of signage proposed (noting original scheme had 5 external signs which has now been reduced to 2 external signs which is considered satisfactory when considering the previous signage located on the site (Blockbuster).

The application has been notified to adjoining properties and no submissions were received in response.

An assessment under Section 79C of the Environmental Planning and Assessment Act 1979 has been undertaken and the application is recommended for approval subject to recommended conditions.

Site & Surrounds

The subject site is part of the broader Glenmore Park Town Centre, contained generally by Town Terrace, and Glenmore Parkway. The broader site contains a large shopping centre that features a Woolworths and a number of specialty stores. The portion of the subject site that is associated with the proposal is an external tenancy located at the north-western corner of the building that fronts onto the pedestrian walkway and at grade parking areas.

The tenancy is currently vacant however the site previously accommodated a Blockbuster Video store that featured a number of external signs, including a banner sign, large fascia sign (fixed above awning on external wall of the building) and a sign above the entry to the tenancy.

Proposal

The proposed development involves the installation of business identification signage associated with Domino's Pizza.

The proposal involves the installation of 2 signs (reduced from 5 signs) as follows:

- Installation of a Hamper Sign above the entry the tenancy, being 4.1m x 900mm with LED backlighting;
- Installation of a Fascia Sign sitting on the upper portion of the façade (above awning) being 4.27m x 11500mm with LED backlighting. It is noted that this area was previously subject to a Blockbuster Sign that was approximately twice the length of the signage proposed.

A number of other internal signs are noted on the plans however they are exempt from the requirement for consent.

Plans that apply

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

Planning Assessment

- **Section 79C - Evaluation**

Section 79C(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy No 64—Advertising and Signage

As assessment has been undertaken of the application against relevant criteria with State Environmental Planning Policy No 64—Advertising and Signage and the application is satisfactory subject to recommended conditions of consent.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

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

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Part 2 Permitted or prohibited development	Complies
Clause 2.3 Permissibility	Complies
Clause 2.3 Zone objectives	Complies
Clause 4.3 Height of buildings	Complies
Clause 7.1 Earthworks	N/A
Clause 7.2 Flood planning	N/A
Clause 7.4 Sustainable development	Complies
Clause 7.20 Orchard Hills	N/A
Clause 7.21 Twin Creeks	N/A
Clause 7.23 Location of sex services premises and restricted premises	N/A

Section 79C(1)(a)(ii) The provisions of any draft environmental planning instrument

There are no draft Environmental Planning Instruments that apply to the proposal.

Section 79C(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2014

Provision	Compliance
DCP Principles	Complies
C1.1 Site Planning	Complies
C1.2 Design Principles	Complies
C2.1. Preservation of Trees and Vegetation	N/A
C2.2. Biodiversity Corridors	N/A
C2.3 Bushfire Management	N/A
C3.1 The Water Cycle/Water Conservation	N/A
C3.2 Catchment Management and Water Quality	N/A
C3.3 Watercourses, Wetlands and Riparian Corridors	N/A
C3.4 Groundwater	N/A
C3.5 Flood Planning	N/A
C3.6 Stormwater Management and Drainage	N/A
C3.7 Water Retention Basins / Dams	N/A
C3.8 Rainwater / Storage Tanks	N/A
C4.1 Site Stability and Earthworks	N/A
C4.2 Landfill	N/A
C4.3 Erosion and Sedimentation	N/A
C4.4 Contaminated Lands	N/A
C4.4 Contaminated Lands	N/A
C4.5 Salinity	N/A
C5.1 Waste Management Plans	N/A

C5.2 General Controls	N/A
C5.3 Development Specific Controls	N/A
C5.4 Hazardous Waste Management	N/A
C5.5 On-Site Sewage Management	N/A
C6.1 Controls	N/A
C7.1 European Heritage	N/A
C7.2 Aboriginal Culture and Heritage	N/A
C7.3 Significant Trees and Gardens	N/A
C8.1. Pedestrian Amenity	Complies
C8.2. Street Furniture	N/A
C8.3. Lighting	N/A
C8.4. Outdoor Dining and Trading Areas	N/A
C8.5. Public Art	N/A
C9.1. General Requirements for Signs	Complies
C9.2. Signs in the Vicinity of Heritage Items	N/A
C9.3 Residential, Rural and Environmental Zones (E3 and E4)	N/A
C9.4. Commercial, Mixed Use and Industrial Zones	Does not comply - see Appendix - Development Control Plan Compliance
C9.5. Open Space Zones (Public and Private Recreation)	N/A
C9.6. Special Event Advertising	N/A

Section 79C(1)(a)(iiia) The provisions of any planning agreement

There are no planning agreements applying to this application.

Section 79C(1)(a)(iv) The provisions of the regulations

The proposed development complies with the requirements of the Regulations.

Section 79C(1)(b)The likely impacts of the development

Likely impacts of the proposed development as identified throughout the assessment process include:

Impact raised in submissions

N/A

Impacts raised in referral comments

N/A

Other impacts identified in assessment

(i) Context and Setting (environmental impacts and impacts on built environment)

The proposal is consistent with the bulk, scale, colour and design of other development in the locality noting the scale of signage is considered acceptable when having regard to the existing signage in this location (Blockbuster) and having regard to the design of the proposed signage.

The development will have only minor impact on the amenity of the area and the streetscape.

The development is compatible with the surrounding and adjacent land uses.

It is considered the development will have minimal impact on the amenity of the area.

The development will have no impacts on natural environment.

(ii) Access and transport

The development will have no impact on the local road system.

(iii) Heritage

The property is not subject to any Heritage Order or identified as a heritage item under a planning instrument.

(iv) Soil

The proposed development will have no impact on soil erosion and sedimentation.

(v) Natural and Technological Hazards

The development is not subject to flooding, subsidence or slip.

(vi) Site Design

The proposed development is sensitive to environmental conditions and site attributes.

The proposed development safeguards the health and safety of the occupants.

Section 79C(1)(c)The suitability of the site for the development

The site is suitable for the following reasons:

- The site is zoned to permit the proposed use
- The use is compatible with surrounding/adjoining land uses
- The signage is appropriate for the scale of the building.

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with the Act and Regulations, consideration has been given to any necessary referrals and any submissions made.

Community consultation

In accordance with Clause 4.4 of Appendix F4 of Penrith Development Control Plan 2014, the proposed development was notified to nearby and adjoining residents. No submissions were received in response.

Referrals

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

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

Section 79C(1)(e)The public interest

The proposed development will not generate any significant issues of public interest.

Conclusion

In assessing this application against the relevant environmental planning policies, the proposal satisfies the aims, objectives and provisions of these policies.

The proposed design is site responsive, complies with key development standards and is in the public interest.

The site is suitable for the proposed development, the proposal is in the public interest, and there is unlikely to be negative impacts arising from the proposed development.

Therefore, the application is worthy of support, subject to recommended conditions.

Recommendation

1. That DA15/0825 for Business Identification Signage at 19-31 Town Terrace, Glenmore Park, be approved subject to the attached conditions (Development Assessment Report Part B) subject to the attached conditions;

General

1 A001

The development must be implemented substantially in accordance with the following plans stamped approved by Council:

- Additional Signage Proposal: Drawing Reference DOM-AR-870, Pages 1-6 Rev F2, dated 14 August 2015;

and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

2 A Special (BLANK)

The lighting associated with the signage is limited to LED backlighting only. The lighting is not to flash or flicker to ensure that there is no distraction to motorists.

BCA Issues

3 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).

4 E003 - Structural alterations

The signage is to be installed in accordance with the manufacturers specifications.

Construction

5 H041 - Hours of work (other devt)

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

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

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

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

Appendix - Development Control Plan Compliance

Development Control Plan 2014

C9 Advertising and Signage

The proposal is generally compliant with the DCP however the proposal incorporates 2 signs, including a sign above the entry to the tenancy, and a further sign affixed to the upper portion of the external wall (above the existing awning). The signs are flushmounted and having regard to the overall form of the building and the existing Blockbuster sign (that was approximately 8m long) the extent of signage to the building is considered acceptable.