

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA18/0070
Proposed development:	Replacement Business Identification Signage (Beaurepairs)
Property address:	24 Woodriff Street, PENRITH NSW 2750
Property description:	Lot 18 DP 1582
Date received:	25 January 2018
Assessing officer	Ryan Gill
Zoning:	Zone B4 Mixed Use - LEP 2010
Class of building:	Class 6
Recommendations:	Approve

Executive Summary

Council is in receipt of a development application for replacement business identification signage at 24 Woodriff Street, Penrith. Under Penrith Local Environmental Plan 2010, the proposal is defined as signage. The subject site is zoned B4 Mixed Use and the proposal is a permissible land use in the B4 zone with Council consent. The application did not need to be notified to nearby and adjoining properties.

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 situated on the north-eastern corner of the intersection of Woodriff Street and Tindale Street in Penrith. It is 891m² in area and is orientated in a east west direction and is relatively flat. The surrounding area is largely characterised by commercial development.

Proposal

The proposed development involves:

- Removal of existing signage.
- Erection of one (1) new flush wall mounted illuminated business identification sign.
- Erection of five (5) non-illuminated flush wall mounted business identification signs.
- Re-skinning of existing illuminated pylon sign.

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

• Section 79C - Evaluation

The proposal has been assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration.

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

State Environmental Planning Policy No 64—Advertising and Signage

An assessment has been undertaken below of the proposal against relevant criteria within State Environmental Planning Policy No.64—Advertising and Signage and the proposal is satisfactory subject to recommended conditions of consent.

Criteria	Yes/No
1. Character of the Area	
<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>	Yes
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	Yes
2. Special areas	
<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>	No
3. Views and vistas	
<i>Does the proposal obscure or compromise important views?</i>	No
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	No
<i>Does the proposal respect the viewing rights of other advertisers?</i>	Yes
4. Streetscape, setting or landscape	
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	Yes
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	Yes
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	Yes

<i>Does the proposal screen unsightliness?</i>	Yes
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	No
<i>Does the proposal require ongoing vegetation management?</i>	No
5. Site and building	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	Yes
<i>Does the proposal respect important features of the site or building, or both?</i>	Yes
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	Yes
6. Associated devices and logos with advertisements and advertising structures	
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>	Yes
7. Illumination	
<i>Would illumination result in unacceptable glare?</i>	No
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	No
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	No
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	Not required
<i>Is the illumination subject to a curfew?</i>	No
8. Safety	
<i>Would the proposal reduce the safety for any public road?</i>	No
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	No
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	No

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

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

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 1.2 Aims of the plan	Complies
Clause 2.3 Permissibility	Complies
Clause 2.3 Zone objectives	Complies
Clause 7.7 Servicing	Complies
Clause 7.8 Active street frontages	Complies

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 Site Planning and Design Principles	Complies
C2 Vegetation Management	Complies - see Appendix - Development Control Plan Compliance
C3 Water Management	Complies - see Appendix - Development Control Plan Compliance
C4 Land Management	N/A
C5 Waste Management	Complies
C6 Landscape Design	Complies
C7 Culture and Heritage	N/A
C8 Public Domain	Complies
C9 Advertising and Signage	Complies - see Appendix - Development Control Plan Compliance
C10 Transport, Access and Parking	N/A
C11 Subdivision	N/A
C12 Noise and Vibration	Complies
C13 Infrastructure and Services	Complies
D3.1. Bulky Good Retailing	N/A
D3.2. Sex Services Premises	N/A
D3.3. Restricted Premises	N/A
E11 Penrith	Complies - see Appendix - Development Control Plan Compliance

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

There are no planning agreements applying to this proposal.

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

The relevant prescribed conditions of the regulations will be imposed as conditions of consent where required. Subject to the recommended conditions of consent, the proposal complies with the relevant requirements.

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

Context and Setting

The proposal is consistent with the bulk, scale, colour and design of other development in the locality.

Traffic Impacts

The proposal will have no or minimal impact on the local road system.

Heritage Impacts

The property is not identified as a heritage item under a planning instrument.

Lighting

The proposed illuminated business identification signage will be illuminated by LED lighting that will produce white light at 75w/sqm and will only operate between 7am to 10pm which will limit the impact of light spill.

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

The site is suitable for the development for the following reasons:

- The site is zoned B4 Mixed Use which allows business identification signage with Council consent,
- The proposal is compatible with the surrounding area,
- There will be no adverse impacts from the illumination signage, and
- The proposed colours will not have an adverse impact on the streetscape.

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with Clause 4.4 of Appendix F4 of Penrith Development Control Plan 2014, the proposed development did not need to be notified to nearby and adjoining properties.

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

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

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

Conclusion

In assessing this proposal against the relevant environmental planning policies being SEPP 64, Penrith Local Environmental Plan 2014 and Penrith Development Control Plan 2014, the proposal satisfies the aims, objectives and provisions of these policies.

In its current form, the proposal will have limited impacts on the natural, social and economic environments. 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 proposal is worthy of support, subject to recommended conditions.

Recommendation

That DA18/0070 for business identification signage at 24 Woodriff Street, Penrith, be approved subject to the attached conditions.

General

1 [A001](#)

The development must be implemented substantially in accordance with the following plans that have been 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.

Name of Plan	Designed By	Version Number	Dated
New External Elevations/Signage	Forefront	B	24/07/17

2 [A039 - Graffiti](#)

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

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

All signage shall wholly contained within the site and shall not extend beyond property boundaries.

Environmental Matters

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

All waste materials stored on-site during construction 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 are to be fully enclosed when the site is unattended.

BCA Issues

5 [E Special \(BLANK\)](#)

The approved signage shall be erected in accordance with the manufacturer's or engineer's specifications.

Construction

6 [H002 - All forms of construction](#)

Prior to the commencement of construction works:

If the work involved in the erection of signage 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.

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

Construction 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 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

8 [Q05F - Occupation Certificate for Class10](#)

A Compliance Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the use of the building.

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 Compliance 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.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part C - City-wide Controls

C2 Vegetation Management

2.1 Preservation of Trees and Vegetation

The proposal does not require any removal of trees or vegetation. The site is mostly cleared and developed.

C3 Water Management

3.5 Flood Planning

The site is located within an overland flow flood affected area. However, due to the nature of the proposed signage, there will be no impact on the flood paths affecting the site.

3.6 Stormwater Management and Drainage

The proposal is for replacement signage only. There are no changes proposed to the current stormwater drainage system.

C9 Advertising and Signage

The proposed signs are in keeping with the locality. The signage does not impact on the scale of the building and does not have an adverse impact on the architectural style of the building. It is within the confines of the building walls and does not go above the roof line and does not have more than one of the same sign on the same facade of the premises.

E11 Penrith

11.3.2 Active Street Frontages and Address

The proposed signage will not change the active street frontage of the Beaurepaires business. The entrances to the business will not change from the current setup.

11.3.6 Building Exteriors

The proposed signage will have a high quality finish in terms of colour and design. The signage will contribute to the streetscape.