

# PENRITH CITY COUNCIL

## MAJOR ASSESSMENT REPORT

<b>Application number:</b>	DA15/0503
<b>Proposed development:</b>	2 x Temporary Advertising Signs
<b>Property address:</b>	3997 Greenwood Parkway, JORDAN SPRINGS NSW 2747 36 - 52 Cullen Avenue, JORDAN SPRINGS NSW 2747
<b>Property description:</b>	Lot 3997 DP 1179646 Lot 24 DP 1194338
<b>Date received:</b>	25 May 2015
<b>Assessing officer</b>	Belinda Borg
<b>Zoning:</b>	URBAN ZONE (SREP30 - ST MARYS)
<b>Class of building:</b>	N/A
<b>Recommendations:</b>	Approve

### Executive Summary

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Council is in receipt of a Development Application for the erection of 2 (new) advertising signs at Lot 3997 DP1179646 and Lot 24 DP 1194338 Greenwood Parkway, Jordan Springs. The purpose of the works is to advertise the future development that is to occur within each site in delivering infrastructure for the Western Precinct. The land is zoned 'Urban' under the provisions of the Sydney Regional Environmental Planning Policy No.30 – St Marys (SREP 30). Advertisements are permitted with consent pursuant to Clause 40 of SREP 30.

There are no key issues identified as arising from the proposed development.

The application is has not been notified, due to the minor nature of the proposal.

This application is to be determined under delegated authority by Council as the development provides a public service to the existing and future resident is of Jordan Springs.

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

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The site comprises of six (6) development precincts where the proposed signage is to be located within the Western Precinct, known as Jordan Springs.

The Western Precinct is bounded by Regional Park to the north, east and south and The Northern Road and established residential to the west.

The site has been remediated as part of the former ADI site. Validation Reports and Site Audit Statements have been issued.

The heritage items identified in the REP are located outside the site and are not in the immediate vicinity.

The entire Western Precinct is located outside of the Probable Maximum Flood Level of South Creek.

### Background

The St Marys site was endorsed by the NSW Government for inclusion on the Urban Development Program in 1993. The St Marys Site has a total site area of approximately 1,545 hectares comprising six (6) precincts including the Western Precinct, Central Precinct, North and South Dunheved Precincts, Ropes Creek Precinct and Eastern Precinct. A Regional Park surrounds the Precincts, which has an area of approximately 900ha.

Precinct Plans have been prepared in accordance with Part 3 of SREP 30 for each of the six (6) precincts subsequently. The Western Precinct Plan was adopted by Penrith City Council on 23 March 2009.

The site is located within the southern portion of the Western Precinct, which is now known as Jordan Springs. The Jordan Springs Concept Plan which identifies the location of a basin/lake on this site at the south of the Precinct.

On 13 July 2013, DA13/0065 was approved for the construction of a temporary basin on the site. Under DA14/0935, the site was also approved to be subdivided to form Village 5 which included the creation of a lot which accommodates the proposed lake (Lot 3997 DP 1179646).

On 9 April 2015, DA14/1497 was approved for the creation of a permanent lake, including associated stormwater drainage works, cycleways and footpaths at Lot 3997 Greenwood Parkway, Jordan Spings.

## Proposal

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The proposal is for the erection of two (2) temporary V-Board Advertising Signs within the Western Precinct, known as Jordan Springs at two (2) locations:

- Location 1: North-Western Sign at the corner of Greenwood Parkway and Alinta Promenade (Lot 24 in DP1194338).
- Location 2: North-Eastern Sign at the corner of Greenwood parkway and Lakeside Parade (Lot 3997 in DP117946).

Both signs are of the same width, height and face area:

Number of Faces	Face Width	Face Height	Face Area
2	4800mm	2400mm	11.52m <sup>2</sup>

## Plans that apply

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- Western Precinct
- State Environmental Planning Policy No 64—Advertising and Signage
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River
- Sydney Regional Environmental Plan No.30 - St Marys

### • Section 79C - Evaluation

The development has been assessed in accordance with the matters for consideration under Section 79C of the EP&A Act, 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 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. A detailed assessment can be found in the following table.

#### Appendix 1: SEPP 64 ASSESSMENT

**Clause 3** The aims of the SEPP are to ensure that signage (including advertising):

- (i) is compatible with the desired amenity and visual character of an area;*
- (ii) is of high quality design and finish;*
- (iii) to provide time-limited consents for the display of certain advertisements.*

The Policy does not regulate the content of signs and does not require consent for a change in the content of signage. Notwithstanding this, the content of the signage is consistent with the approved use of the site.

#### Clause 8

Under Clause 8, a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.

#### Part 3

Part 3 does not apply to the directional signage or the freestanding information sign as this is consistent with the definition of proposed business identification:

***business identification sign means a sign:***

*(a) that indicates:*

*(i) the name of the person, and*

*(ii) the business carried on by the person, at the premises or place at which the sign is displayed, and*

*(b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not include any advertising relating to a person who does not carry on business at the premises or place.*

Therefore clause 13, 17, 18, 19 and 23 do not apply to the proposed signage. An assessment under Schedule 1 has been undertaken for these signs.

#### Schedule 1

##### 1. Character of the Area

Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?

Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?

The proposal is for temporary signage which will play an important role in achieving the continued sales and marketing of Jordan Springs. The proposal is therefore consistent with the desired future character of the area.

The proposal is consistent with type of signs used to promote new residential development in the locality.

<p>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</p>	<p>The proposed signage is considered to be in keeping with advertising signage for the project and complements the inherent high quality nature of the built environment.</p>
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## 2. Special Areas

<p>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?</p>	<p>The proposal would not detract from the amenity or visual quality of the area. This is considered to be a sufficient distance for the signage to not be a nuisance. Conditions of consent limiting the period of the signage is recommended.</p>
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## 3. Views and Vistas

<p>Does the proposal obscure or compromise important views?</p>	<p>The proposal would not obscure or compromise any views and is in keeping with the size and scale of similar temporary signage in the surrounding area. The low scale of the proposed sign would not dominate the skyline or diminish existing vistas. The proposal does not impede upon any other signs in the vicinity of the development.</p>
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Does the proposal dominate the skyline and reduce the quality of vistas?

Does the proposal respect the viewing rights of other advertisers?

## 4. Streetscape, Setting or Landscape

<p>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p>	<p>The scale, proportion and form of the signage is appropriate considering the setting of each site.</p>
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<p>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</p>	<p>The proposal is considered to contribute to the streetscape and ensures a uniform design of which is high quality.</p>
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Does the proposal reduce clutter by rationalising and simplifying existing advertising?

Does the proposal screen unsightliness?

<p>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</p>	<p>The proposal intends to provide identification of infrastructure to be delivered within Jordan Springs. The use on the site is not considered to be unsightly. The proposal will erect signage that would not protrude above existing vegetation.</p>
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## 5. Site and Building

<p>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?</p>	<p>The scale, proportions and form of the signage is appropriate considering the setting of each site.</p>
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<p>Does the proposal respect important features of the site or building, or both?</p>	<p>The proposal is considered to be in respect to all natural features on the site.</p>
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<p>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</p>	<p>The proposed signs are specifically designed to complement and promote the future character of the locality.</p>
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## 6. Associated Devices and Logos with Advertisements and Advertising Structures

<p>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>	<p>The proposed signage will not have any devices, platforms or lighting devices.</p>
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## 7. Illumination

<p>Would illumination result in unacceptable glare?</p>	<p>Illumination is not proposed.</p>
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<p>Would illumination affect safety for pedestrians, vehicles or aircraft?</p>	<p>Illumination is not proposed.</p>
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<p>Would illumination detract from the amenity of any residence or other form of accommodation?</p>	<p>Illumination is not proposed.</p>
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<p>Can the intensity of the illumination be adjusted, if necessary?</p>	<p>Illumination is not proposed.</p>
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<p>Is the illumination subject to a curfew?</p>	<p>Illumination is not proposed.</p>
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## 8. Safety

<p>Would the proposal reduce the safety for any public road?</p>	<p>The location and scale of the proposed signs have been determined so as to not reduce safety for users of public roads.</p>
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<p>Would the proposal reduce the safety for pedestrians or bicyclists?</p>	<p>The proposal would not cause any adverse impacts to pedestrians or bicyclists.</p>
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Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

No sightlines will be altered as a result of the proposal.

### **Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River**

Sydney Regional Environmental Plan No.20 – Hawkesbury/Nepean River (SREP 20) applies to the subject land and requires that the consent authority shall not grant consent unless the development is consistent with any relevant, general and specific aim of SREP 20. The general aims and objectives of the plan are to improve the amenity of the river and protecting the lands within the river valley, including scenic quality.

The proposed development provides urban structure and guidance for the future development of the Western Precinct and is consistent with the planning policies and strategies set out in SREP 20.

### **Sydney Regional Environmental Plan No.30 - St Marys**

The site is zoned Urban under the provisions of Sydney Regional Environmental Plan No. 30 – St Marys (SREP 30). The proposal can be defined as an advertisement and they are permissible land uses in the Urban zones.

According to the REP, advertisement means:

*“the display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of a work.”*

The proposed development provides guidance for the future development of the Western Precinct and is consistent with the planning policies and strategies set out in SREP 30.

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

### **Western Precinct**

<b>Provision</b>	<b>Compliance</b>
Western Precinct Plan	Complies

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

This section is not applicable for the subject application.

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

### Context and Setting

The proposal is compatible with the surrounding and adjacent land uses and will have no major impact on the amenity of the area. The proposal will provide information on the delivery of infrastructure within Jordan Springs.

### Site Design

The location of the signage is considered to be appropriate for the locality.

### Social and Economic

The proposal is consistent with the objectives of SREP 30 in relation to achieving a sustainable environmental, social and economic outcome and the development principles of the Framework Plan in relation to delivering a recreation area to cater for a range of active and healthy lifestyles.

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

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

- The location of the land facilitates a permissible land use under SREP 30.
- It is consistent with aims of the REP and zone objectives.
- The proposal is not considered to have any adverse social, environmental or economic impact on the area.

## Section 79C(1)(d) Any Submissions

### **Community Consultation**

In accordance with **Clause 4.4 of Appendix F4 of Penrith Development Control Plan 2010**, the proposed development did not have to be notified to adjoining residents.

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

The proposed development is consistent with the objectives of the EP&A Act in so far as it promotes the coordinated and orderly, and economic use and development of the land. As a result Council can be satisfied that the development subject to conditions is consistent with the public interest.

## Conclusion

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In assessing this application against the relevant environmental planning policies, being Sydney Regional Environmental Plan No. 20 - Hawkesbury/Nepean River and Sydney Regional Environmental Plan No. 30 St Marys, the proposal satisfies the aims, objectives and provisions of these policies.

In its current form, the proposal will have a positive impact on the surrounding character of the area as it provides urban structure and guidance for future development of the Western Precinct.

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

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1. That DA15/0503 for Other-Signage (New) 2 Advertising Signs at Lot 3997 DP1179646 and Lot 24 DP1194338 Greenwood Parkway, Jordan Springs. be approved subject to the attached conditions (Development Assessment Report Part B).



## General

### 1 A001

The development must be implemented substantially in accordance with the plans stamped approved by Council and any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Title	Plan ID	Revision No.	Prepared By	Date
Statement of Environmental Effects	15270	-	JBA	22 May 2015
Lend Lease - Jordan Springs Signage Locations: Cover Page	DLL0292 Page 1 of 5	-	Scaffad	27/4/2015
Lend Lease - Jordan Springs Location Plan	DLL0292 Page 2 of 5	1	Scaffad	27/4/2015
Lend Lease - Jordan Springs Location Plan	DLL0292 Page 3 of 5	1	Scaffad	27/4/2015
Lend Lease - Jordan Springs Location Plan - V Board Mockup	DLL0292 Page 4 of 5	1	Scaffad	27/4/2015
Lend Lease - Jordan Springs Location Plan - V Board Mockup	DLL0292 Page 5 of 5	1	Scaffad	27/4/2015

### 2 A039 - Graffiti

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

### 3 A Special - Time limitation

The consent is limited to a period of 2 years at which time the signage is to be removed.

## BCA Issues

### 4 E01A - BCA compliance for Class 2-9

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).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

## Construction



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

Construction works or subdivision 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.