

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA19/0729
Proposed development:	External Signage & Alterations to Existing Commercial Building (Petbarn)
Property address:	13 - 23 Pattys Place, JAMISONTOWN NSW 2750
Property description:	Lot 10 DP 1046110
Date received:	21 October 2019
Assessing officer	Ian Dencker
Zoning:	Zone B5 Business Development - LEP 2010 RU4 Primary Production Small Lots - LEP 2010
Class of building:	N/A
Recommendations:	Approve

Executive Summary

Council is in receipt of a development application for signage at 13 - 23 Pattys Place, Jamisontown. The subject site is zoned B5 Business Development under the *Penrith Local Environmental Plan 2010* and the proposed development is permissible with Council consent.

The proposal is ancillary to the existing Petbarn retail store.

Following a request for information, a revised signage scheme has been submitted which is of a suitable design, thereby ensuring there are no adverse impacts on the visual quality and character of the Penrith Homemaker Centre. Conditions are recommended to ensure the proposed signage does not result in any adverse impacts on the complex.

An assessment of the proposal under Section 4.15 of the *Environmental Planning and Assessment Act 1979* has been undertaken and the application is recommended for approval.

Site & Surrounds

The site is known as the Penrith Homemaker Centre at 13-23 Pattys Place, Jamisontown and is legally described as Lot 10 DP 1046110. The subject premises is a Petbarn retail store and is situated on the northern side of Pattys Place.

The surrounding area is characterised by commercial and industrial land uses. Green open space adjoins the site to the north. The broader road network includes the intersection of the M4 Motorway and Mulgoa Road approximately 370m to the south-east of the site.

Proposal

The applicant seeks approval for the erection of signage in association with the existing Petbarn retail store at 13 - 23 Pattys Place, Jamisontown.

The Statement of Environmental Effects lodged with the development application describes the proposal as follows:

This application seeks approval for advertising signs relating to the existing Petbarn premises at 13-23 Pattys Place, Jamisontown. The proposed advertising signs represent a complete revitalisation of the existing, outdated signage scheme utilised by the premises. Petbarn is in the process of revitalising the exterior of the majority of their buildings with a more unified and minimalistic signage scheme as proposed in this application. The proposed signage scheme includes the painting of the top of the facade of the south and western elevations in Petbarn's corporate colours, being yellow and black. The animal silhouettes featured on the proposed signage plans form part of the painting of the building and are not considered to be individual signs. Nevertheless, their size and materiality have been provided on the plans prepared by CV Media and Signage.

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 4.15 - Evaluation

The proposed development has been assessed in accordance with the matters for consideration under Section 4.15 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

The proposal includes business identification and advertising signage which is ancillary to the existing Petbarn retail premises on the site. The site is situated within the Penrith Homemaker Centre and is subject to a B5 Business Development zoning. The surrounding area comprises of commercial and industrial development and a broad range of signage themes. The proposed signage is considered to be of a high quality design which will provide effective communication without compromising the visual amenity of the surrounding area.

Schedule 1 (Assessment Criteria):

Criteria	Comments
Character of the area	The Penrith Homemaker Centre accommodates commercial land uses and associated signage. The proposal is compatible with the context of the locality.
Special areas	The proposal is not within or in close proximity to any environmentally sensitive areas, heritage areas, natural or other conservation areas, waterways or rural landscapes.
Views and vistas	The proposal does not obstruct any important views or vistas and is not within a skyline view. The location and extent of signage will ensure the viewing rights of other advertisers are not comprised.
Streetscape, setting or landscape	The proposed signage is consistent with the existing signage designs in the locality, wholly contained within the Penrith Homemaker Centre and will have no visibility from Mulgoa Road. Overall, the proposal is not considered to create visual clutter which will ensure that there will be no adverse impacts on the visual quality of the surrounding area.
Site and building	The scale and design of the signage is in proportion relative to the size of the building. In addition, the proposal does not require any vegetation management as a result of the proposed signage.
Associated devices and logos with advertisements and advertising structures	Nil
Illumination	Nil
Safety	The proposal is not considered to reduce safety for local traffic or pedestrians.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the proposal against relevant criteria within the *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 - See discussion
Clause 2.3 Permissibility	Complies
Clause 2.3 Zone objectives	Complies - See discussion
Clause 4.3 Height of buildings	Complies - See discussion
Clause 5.9 Preservation of trees or vegetation	N/A
Clause 5.10 Heritage conservation	N/A
Clause 7.5 Protection of scenic character and landscape values	Complies - See discussion

Clause 1.2 Aims of the plan

The proposal aims to promote a retail store which will in turn drive economic activity. The site is not in proximity to any places of environmental significance and the minor works are unlikely to result in any adverse impacts on the surrounding environment. The proposed development therefore satisfies the aims of the plan.

Clause 2.3 Zone objectives

The proposal seeks to market an existing Petbarn retail premises. As the proposed signage is ancillary to this permissible land use in the B5 Business Development zone, the objectives of the B5 zone are therefore satisfied.

Clause 4.3 Height of buildings

The proposal does not require any alterations to the building height.

Clause 7.5 Protection of scenic character and landscape values

The premises is wholly contained within the Penrith Homemaker Centre and the proposal has no visibility from Mulgoa Road and will not be visible from any places with scenic value. This will ensure that there will be no adverse impacts on the scenic character and landscape values of the surrounding area.

Section 79C(1)(a)(iii) The provisions of any development control plan**Development Control Plan 2014**

Provision	Compliance
DCP Principles	Complies - see Appendix - Development Control Plan Compliance
C1 Site Planning and Design Principles	Complies
C2 Vegetation Management	N/A
C3 Water Management	N/A
C4 Land Management	N/A
C5 Waste Management	Complies
C6 Landscape Design	N/A
C7 Culture and Heritage	N/A
C8 Public Domain	N/A
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	N/A
C13 Infrastructure and Services	N/A
D3.1. Bulky Good Retailing	N/A
D3.2. Sex Services Premises	N/A
D3.3. Restricted Premises	N/A

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

Context and Setting

The premises is within the Penrith Homemaker Centre which is characterised by commercial land uses and a diverse range of signage themes. The proposal (as amended) is consistent with the character of the locality.

Traffic Impacts

The proposed development will have no impacts on local traffic conditions.

Signage Design

The design principles of *Penrith Development Control Plan 2014* have been satisfied, such as design quality and the nature of the proposed signage relative to the signage themes of the surrounding area.

Socio-Economic Impacts

The proposal aims to promote an existing Petbarn retail outlet which will boost economic growth in the Penrith Homemaker Centre. Given the overall benefits of the associated commercial land use, the proposal is supportive of economic development and is unlikely to impact on the surrounding businesses.

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

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

- The proposed signage supports the retail activity on the site
- The proposal does not affect existing facilities or services
- The proposal will have minimal impacts on traffic flows and the surrounding environment
- The development site is not subject to any natural hazards, nor does it contain any significant ecosystems or threatened species
- The proposal does not involve any earthworks or the removal of any significant flora and fauna

Section 79C(1)(d) Any Submissions

Community Consultation

Given the nature of the proposed works, the application was not required to be notified or advertised. As such, no public submissions have been received.

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

Given the nature and scale of the proposal (as amended) in addition to the proposal being compliant with the applicable development controls, the proposed development will not generate any significant issues of public interest.

Conclusion

In assessing this application against the relevant environmental planning policies including the *Penrith Local Environmental Plan 2010* and *Penrith Development Control Plan 2014*, the proposal satisfies the aims, objectives and provisions of these policies. The proposal does not contravene any development standards and is unlikely to have any significant impacts on the natural, social or economic environments. The site is suitable for the development and the proposal is in the public interest. Therefore, the application is worthy of support and is recommended for approval subject to recommended conditions.

Recommendation

That DA19/0729 for Petbarn signage at 13-23 Pattys Place, Jamisontown be approved subject to the attached conditions.

General

- 1

[A001](#)

The development must be implemented substantially in accordance with the following plans 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.
- | Drawing Title | Prepared By | Reference No. | Dated | Revision |
|-------------------------------------|--------------------|-----------------------------|------------|----------|
| Petbarn Penrith Mulgoa Drawings 1-5 | CV Media & Signage | PET_PenrithMulgoa_Elevation | 21/03/2017 | E1 |
- 2

[A039 - Graffiti](#)

The finishes of the premises and all structures are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.
- 3

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

The intensity of the signage illumination and any obtrusive effects of outdoor lighting shall be controlled in accordance with AS 4282 - 1997, "Control of the obtrusive effects of outdoor lighting". The signage shall not be fitted with any flashing or moving lights or elements.
- 4

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

The installation of the approved signage shall be carried out strictly in accordance with the manufacturer's specifications and the landowner/manager shall ensure the signs remain structurally sound and safe.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part B - DCP Principles

The proposal aims to promote an existing Petbarn retail store which will in turn stimulate economic activity, support employment and assist in strengthening the local region. In consideration of the extent of proposed works, the proposal poses no threats to the surrounding natural and built environments. The proposal therefore contributes to sustainable development which satisfies the DCP principles.

Part C - City-wide Controls

C9 Advertising and Signage

C9.4. Commercial, Mixed Use and Industrial Zones

The original plans were not considered appropriate. The revised design is of a suitable scale and reduced the overall visual prominence of the signage to ensure that there will be minimal impacts on the visual quality of the Penrith Homemaker Centre.