

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA16/0122
Proposed development:	Illuminated External Wall Sign for Existing Medical Centre
Property address:	Pyramid Street, EMU PLAINS NSW 2750
Property description:	Lot 1 DP 610862
Date received:	9 February 2016
Assessing officer	Sufyan Nguyen
Zoning:	Zone B2 Local Centre - LEP 2010
Class of building:	Class 6
Recommendations:	Approve

Executive Summary

Council is in receipt of a development application for the installation of an illuminated business identification sign for Emu Plains Medical Centre facing the Great Western Highway at Emu Plains. The commercial premises is located at Lennox Shopping Centre at the corner of the Great Western Highway and Lawson Street/Pyramid Street, Emu Plains and is surrounded by residential dwellings. The subject site is zoned B2 Local Centre under the *Penrith Local Environmental Plan 2010* and the proposed development is permitted with Council consent.

An initial design positioned the sign on the building façade approximately 900mm below the awning and 2000mm from the edge of the building wall. However, this positioning is not compatible with the signage theme of the commercial premises and therefore revised plans were required. To minimise impacts to visual amenity, the sign will be integrated with a parapet and have an offset border from the edges of the parapet. Given that the commercial premises has numerous tenancies with above ground floor signs of varying sizes, the integrated design will fit in with the theme of the shopping centre signage and is suitable in the context of retail and commercial land uses.

An assessment of the proposal 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 northern side of the Great Western Highway, Emu Plains and on the corner of Lawson Street and Pyramid Street (western side). The site has a total land area of 3.449ha and is an irregular quadrilateral shape. Centro Lennox Shopping Centre accommodates a mix of retail and commercial land uses with a variety of businesses such as fresh food, cafes, banks, automotive services and health services. The site is predominately surrounded by residential dwellings including a retirement village south of the site.

Proposal

The applicant seeks approval of the installation of a back-lit illuminated business identification sign on the external wall of Lennox Shopping Centre, Emu Plains. The proposed sign shall be positioned above ground floor level on the parapet to the right of an entrance door facing the Great Western Highway.

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

The development 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

The sign design is of high quality and the integrated design approach satisfies the aims of *Clause 3 (a) (i)* given that the commercial premises has several existing awning signs surrounding the building and therefore it is compatible with the visual amenity and desired character of the locality. The proposed sign satisfies the Schedule 1 assessment criteria under the SEPP.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the application against relevant criteria within *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
Clause 1.2 Aims of the plan	Complies - See discussion
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Complies - See discussion

Clause 1.2 Aims of the plan

The proposed business identification sign informs the community of the business premises and promotes the business which aims to stimulate economic activity, a driving factor for a sustainable and prosperous region.

Clause 2.3 Permissibility

Business identification signs are permissible with consent in the B2 Local Centre zone

Clause 2.3 Zone objectives

The proposed business identification sign supports the business land use and is compatible with the desired future character of the locality.

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	N/A
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)(a)(iiia) The provisions of any planning agreement

There are no planning agreements applying to the proposed development.

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

The regulations do not present any restrictions or requirements for the proposed development on the subject site.

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

Subject to the recommended conditions of consent, it is not considered that the proposal will result in any significant impacts on the natural, social or economic environments of the locality given its scale, location and consistency with surrounding land uses.

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

The site is considered suitable for the proposed development given that the integrated design approach of the sign fits in with the character of the commercial premises. The design complements the adjacent Post Office colour scheme and provides visual amenity. Furthermore, recommended conditions will ensure that the proposal will have minimal effects on the surrounding environment.

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with Appendix F4 of the *Penrith Development Control Plan 2014*, notification of the proposed development was not required.

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 being *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 recommended for approval subject to the recommended conditions.

Recommendation

That DA16/0122 for the erection of a backlit illuminated business identification sign at Lennox Shopping Centre, corner of the Great Western Highway and Lawson Street, Emu Plains 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	Plan No.	Prepared By	Dated	Revision
Site Plan	-	-	-	-
Sign Details	-	-	-	-
Sign Location Plan	-	-	-	-

2 [A039 - Graffiti](#)

The finishes of the sign shall be maintained at all times and any graffiti or vandalism immediately removed/repaired.

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

The installation of the sign shall be carried out strictly in accordance with the manufacturer's specifications. Any wiring or installation fixtures associated with the sign or internal illumination must be contained wholly within the body of the sign or must not be visible from the public domain.

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

The erection of the sign shall comply with the following:

- (a) The dimensions of the sign shall be 3000mm wide x 600mm high.
- (b) The size of sign shall not protrude beyond the parapet.
- (c) The sign shall be mounted flush to the parapet with metal self-tapping screws.
- (d) There shall be an even border surrounding the sign of at least 20mm from each side of the parapet.
- (e) The content of the sign shall be consistent with the approved sign details plan.

BCA Issues

5 [E01A - BCA compliance for Class 2-9](#)

All aspects of the sign 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).

Construction

6 [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

7 [Q05E - Compliance Certificate for earthworks if Construction Certificate not required](#)

On completion of the works, a Compliance Certificate is to be obtained from the Principal Certifying Authority certifying compliance with all conditions of the development consent. 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 certifier who issued the Compliance Certificate.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part B - DCP Principles

The proposed sign will assist the commercial premises with stimulating socio-economic activity through informing the community of the business location and opening days. Driving economic growth is a key factor for achieving long term economic and social security and therefore the proposal is considered a sustainable use of commercial and retail land.

Part C - City-wide Controls

C9 Advertising and Signage

The proposed business identification sign is of high quality and the design is compatible with the signage theme of the commercial premises given that there are several existing awning signs. Integrating the sign within the dimensions of the parapet will restrict the overall size of the sign which will minimise any impacts on visual amenity.