

# STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED CONSTRUCTION  
HOARDING AND PYLON SIGNAGE

2115-2131 CASTLEREAGH ROAD  
PENRITH



# STATEMENT OF ENVIRONMENTAL EFFECTS

## Prepared by

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## Client and Land Details

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**Client:** Aon Ari Pty Ltd  
**Subject Site:** Lot 2 DP 787827, 2115-2131 Castlereagh Road, Penrith  
**Proposal:** Proposed Construction Hoarding and Pylon Signage

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**Warwick Stimson RPIA**  
Director



This report dated October 2021 is provided to 'the client' exclusively. No liability is extended for any other use or to any other party. Whilst the report is derived in part from our knowledge and expertise, it is based on the conditions prevailing at the time of the report and upon the information provided by the client.

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Version	Date	Comment
1.0	12/10/21	Initial Draft for client review
2.0	19/10/21	Final for DA lodgement

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# 1 INTRODUCTION

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## 1.1 PROJECT OVERVIEW

Stimson Urban & Regional Planning has been engaged by Aon Ari Pty Ltd to prepare a Statement of Environmental Effects in relation to the installation of construction hoarding and the erection of a pylon sign on the property known as 2115 – 2131 Castlereagh Road, Penrith.

The hoarding is proposed to be installed through the duration of construction on the site and is to contain images and business identification signage during that time. The hoarding is to be removed 18 months after the time of installation. The proposed pylon sign currently forms part of DA21/0308 and, due to the timing of the assessment of that application, is being brought forward in this DA in an attempt to expedite its approval.

The site is zoned *INI General Industries* under *Penrith Local Environmental Plan 2010* with the proposal being permissible with consent.

The proposal is defined as *development* in Section 4 of the Act. The Act stipulates that the development must not be carried out on the subject site until consent has been obtained. Furthermore, the application does not trigger any of the ‘integrated development’ provisions of the Act and so no third-party approvals are required.

This report describes the proposed development and subject site in detail and undertakes an assessment of the proposal against the relevant aims, objectives and development provisions of Council’s LEP and DCP, and Section 4.15 of the Act.

## 1.2 REPORT STRUCTURE

This Statement of Environmental Effects is structured as follows:

- Section 1: Introduction – provides an overview of the proposal, planning history for the site and background to the application.
- Section 2: The Site and Surrounds – provides an analysis of the subject site, development within the locality and a consideration of the local and regional context.
- Section 3: Project Description – provides a detailed description of the proposed development and its characteristics.
- Section 4: Statutory Considerations – provides for an assessment of the proposal against the specific planning instruments and policies that are applicable.
- Section 5: Key Planning Issues – provides an assessment of the key issues identified in the preparation of the application.
- Section 6: Section 4.15 Assessment – provides an assessment against section 4.15 of the EPA Act.
- Section 7: Conclusion and Recommendation – summarises the report and presents a recommendation.

### 1.3 SUPPORTING DOCUMENTATION

The proposed is accompanied by the following documentation:

Documentation	Prepared by
Survey	LTS
Architectural Drawings	SJB Architects

### 1.4 LEGISLATION, ENVIRONMENTAL PLANNING INSTRUMENTS AND POLICIES TO BE CONSIDERED

- *Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No 64 – Advertising and Signage*
- *Penrith Local Environmental Plan 2010*
- *Penrith Development Control Plan 2014*

### 1.5 CONSENT AUTHORITY

The consent authority for this application is Penrith City Council.

## 2 THE SITE AND SURROUNDS

The subject site and its surrounds have the following characteristics.

<b>Site Address</b>	2115-2131 Castlereagh Road, Penrith
<b>Lot/DP</b>	Lot 2 DP 787827
<b>Site Area</b>	12 hectares
<b>Local Government Area</b>	Penrith City Council
<b>Zoning</b>	IN1 General Industrial
<b>Current Land Use</b>	Industrial
<b>Proposed Land Use</b>	No change – to remain as industrial.
<b>Surrounding Land Uses</b>	General industry to the north, west and south, with an identified wetland to the east.
<b>Topography</b>	Generally flat
<b>Terrestrial Biodiversity</b>	Not applicable for the proposed development
<b>Heritage</b>	Not mapped in LEP.
<b>Flooding/Overland Flow</b>	Not applicable for the proposed development
<b>Bushfire</b>	The site is mapped as being bushfire prone land.



Figure 1 Subject Site - Aerial

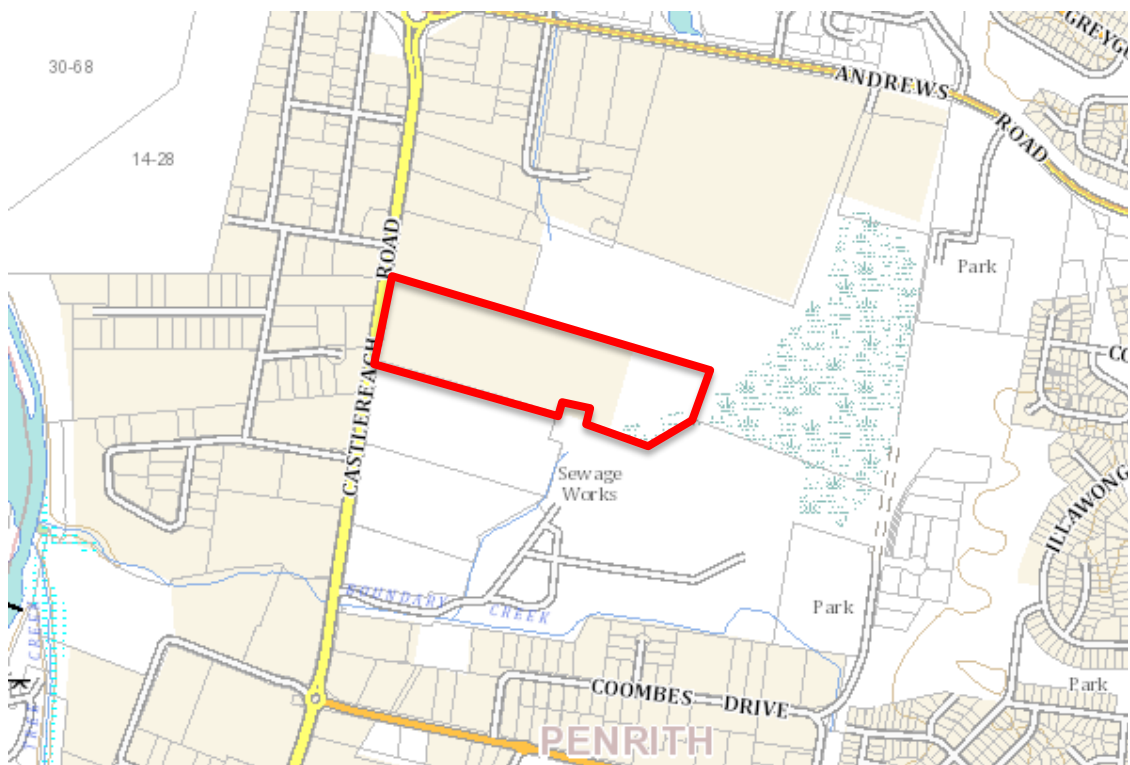


Figure 2 Subject Site - Cadastre

## 2.1 SURROUNDING CONTEXT

The subject site is located approximately 1.5km to the north of Penrith Railway Station. It is framed by Castlereagh Road along the western boundary, vacant sites to the east and south, industrial uses to the north-west and the Penrith Water Recycling Plant to the south-east.

The surrounding mixed use/general industrial precinct is a major employer in the local area and extend northwards to Andrews Road with good accessibility to major vehicular routes (particularly the M4 and A9), the Blue Mountains and the future Sydney aerotropolis.

Buffered by public open space, low density residential uses of Kingswood/Cambridge Gardens/Thornton etc. lie to the east of the site predominately comprising detached dwellings of varying age. There are relatively few residential properties in close proximity to Penrith Station with a similar pattern surrounding Emu Plains Station.

The site is generally enveloped by General Industrial uses interspersed with a range of leisure and community facilities including the Nepean Aquatic Centre, Nepean Rugby Park, Sydney International Regatta Centre and a range of other reserves/ovals. There is limited activation or public connection to the Nepean River to the west.

## 2.2 TRANSPORT NETWORK

The locality has been assessed in the context of available forms of public transport that may be utilised by prospective staff and patrons. When defining accessibility, reference is made to the NSW Planning Guidelines for Walking and Cycling (2004) where a distance of 400-800m is recommended as a comfortable walkable catchment to access public transport and local amenities. The document also suggests a distance of 1500m as a suitable catchment for cycling.



### 3 PROJECT DESCRIPTION

#### 3.1 OVERVIEW

This application seeks consent for two elements – construction hoarding, and the erection of a pylon sign.

It is noted that Council is currently assessing DA21/0308 which relates to the construction of various structures on the site and seeks approval for a number of land uses. The pylon sign currently forms part of DA21/0308 but has been included in this application in an attempt to expedite its delivery and, on lodgement of this application, be deleted from DA21/0308.

#### 3.2 PROPOSED HOARDING

It is proposed to install hoarding at the front of the site for the duration of construction activities. The hoarding is proposed to comprise signage and is proposed on a temporary basis, for a maximum of 18 months from the date of installation.

The accompanying plans indicate the form and general contents of hoarding proposed. No advertising for anything other than the site and development proposed thereon is to be attached to the hoarding.

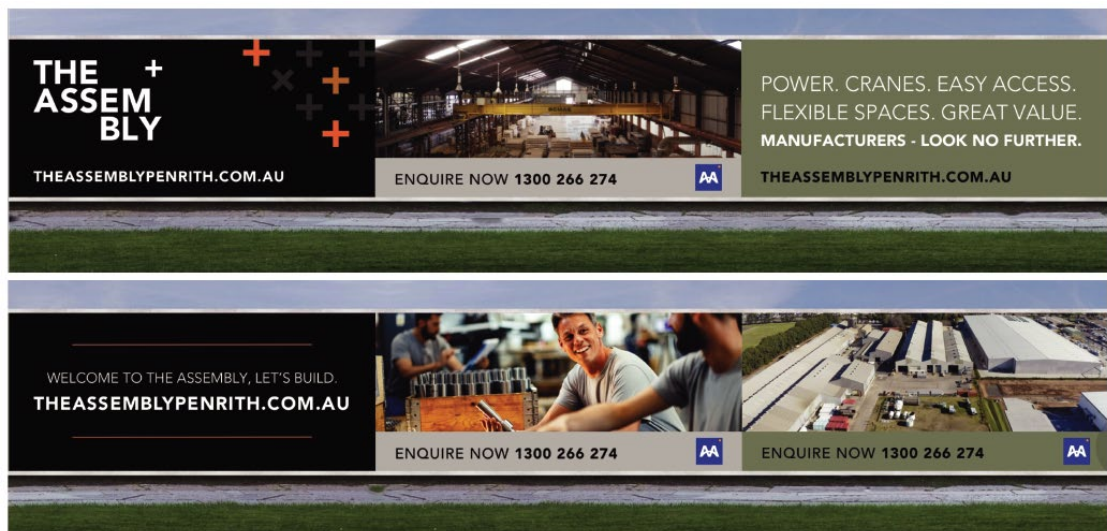


Figure 3 Example hoarding content

#### 3.3 PROPOSED PYLON (BUSINESS IDENTIFICATION) SIGNAGE

A 12m high tenancy sign is proposed at the entrance to the site. The sign is proposed to advertise tenancies that are occupying the site at any one time. This sign is digital in nature and will 'scroll' through the tenants. A detailed assessment of this signage is provided later in this report.

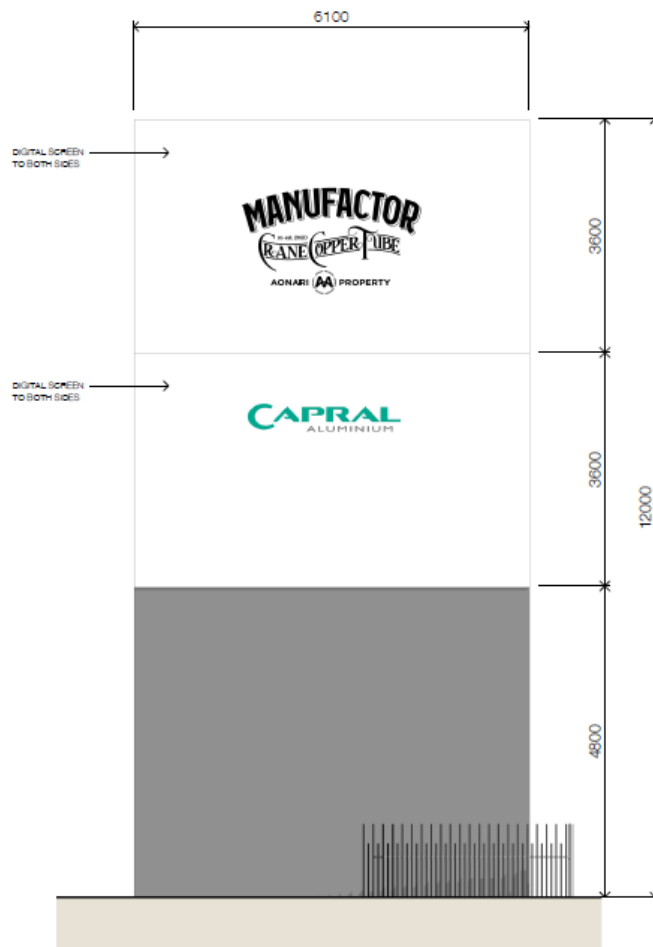


Figure 4 Digital business identification signage

### 3.4 CHARACTERISATION OF THE PROPOSED DEVELOPMENT

The appropriate land use definition of this proposal is *signage* which is a permissible land use in the subject zone with consent. *Signage* is defined in the LEP as follows:

**signage** means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities.

## 4 STATUTORY CONSIDERATIONS

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The applicable statutory planning instruments and relevant guidelines have been considered below.

### 4.1 SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 20 – HAWKESBURY NEPEAN RIVER

The aim of SREP 20 is to protect the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

Appropriate conditions of consent would normally be applied to any approval to ensure the health of the river system is not compromised by way of sediment or erosion from the works or use.

No further consideration of the SREP is required.

### 4.2 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The following clauses within the SEPP should be considered in the assessment of this proposal.

- |     |  |
|-----|--|
| 101 | Development with frontage to classified road   |
| (l) | The objectives of this clause are—   |
| (a) | to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and |
| (b) | to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads. |

The proposed development is considered to satisfy the objectives in that:

- The hoarding is temporary, to be removed after 18 months, and will therefore not compromise the ongoing operation and function of Castlereagh Road.
- The proposed pylon sign is for the purposes of business identification. Its presence is unlikely to compromise the ongoing operation and function of Castlereagh Road.
- Traffic noise or vehicle emissions will not be impacted by the proposal

The provisions of the SEPP are therefore considered to have been satisfied.

### 4.3 STATE ENVIRONMENTAL PLANNING POLICY NO 64 – ADVERTISING AND SIGNAGE

The proposed signage, including the 12m tall pylon sign at the entrance to the site has been considered in the context of the following SEPP 64 provisions.

<b>Part 1 Preliminary</b>	
<b>Provision</b>	<b>Comments</b>
<b>3 Aims, objectives etc</b>	
<i>(1) This Policy aims:</i>	
<i>(a) to ensure that signage (including advertising):</i>	
<i>(i) is compatible with the desired amenity and visual character of an area, and</i>	Signage proposed is consistent with other signage in this locality.
<i>(ii) provides effective communication in suitable locations, and</i>	Objective satisfied.
<i>(iii) is of high quality design and finish, and</i>	Objective satisfied.
<i>(b) to regulate signage (but not content) under Part 4 of the Act, and</i>	Noted.
<i>(c) to provide time-limited consents for the display of certain advertisements, and</i>	Noted. It is proposed to remove the hoarding within 18 months.
<i>(d) to regulate the display of advertisements in transport corridors, and</i>	N/A
<i>(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</i>	N/A
<i>(2) This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.</i>	Noted
<b>6 Signage to which this Policy applies</b>	
<i>(1) This Policy applies to all signage that:</i>	
<i>(a) can be displayed with or without development consent under another environmental planning instrument that applies to the signage, and</i>	The Policy applies to this Development Application.
<i>(b) is visible from any public place or public reserve, except as provided by this Policy.</i>	The Policy applies to this Development Application.
<i>(2) This Policy does not apply to signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it, or that is exempt development under this Policy.</i>	Noted
<b>Part 2 Signage generally</b>	
<b>Provision</b>	<b>Comments</b>
<b>8 Granting of consent to signage</b>	
<i>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:</i>	
<i>(a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and</i>	The signage is not inconsistent with the objectives.
<i>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.</i>	An assessment against Schedule 1 is provided below.

**Part 3 Advertisements**

**Division 1 General**

**9 Advertisements to which this Part applies**

- (1) *This Part applies to all signage to which this Policy applies, other than the following:*
- (a) *business identification signs,*
  - (b) *building identification signs,*
  - (c) *signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,*
  - (d) *signage on vehicles.*
- (2) *Despite subclause (1) (d), clause 27A applies to signage on a trailer (within the meaning of the Road Transport Act 2013).*
- This Part does not apply as all signage proposed as part of this Development Application is considered to be either business or building identification signage.

**Schedule 1 Assessment criteria**

**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?*
- Signage proposed is consistent with other signage in this industrial precinct.
- Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*
- The signage proposed is functional for tenants that will be located on the site, much the same for other industrial sites in this precinct.

**2 Special areas**

- 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?*
- The signage has been designed sympathetically and satisfies the height controls within the LEP.  
The hoarding will of course be removed after 18 months.

**3 Views and vistas**

- Does the proposal obscure or compromise important views?*
- The pylon sign is consistent with other business identification signage in the locality and will therefore not dominate the skyline or compromise any potential views.
- Does the proposal dominate the skyline and reduce the quality of vistas?*
- There are no significant vistas from viewing angles relating to the subject site.
- Does the proposal respect the viewing rights of other advertisers?*
- There are no district or wider views that would be impacted by signage proposed as part of this application.

**4 Streetscape, setting or landscape**

- Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*
- The proposed pylon sign is compliant with the building height provisions of the LEP, and therefore consistent with other business identification signage within the locality.
- Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*
- The pylon sign will provide an appropriate level of site identification for potential visitors to the site.
- Does the proposal reduce clutter by rationalising and simplifying existing advertising?*
- The proposed pylon sign will cater for the multiple tenancies that will be located on the subject site.
- Does the proposal screen unsightliness?*
- Not applicable.
- Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*
- No, the signage is situated within the front setback amongst landscaping.
- Does the proposal require ongoing vegetation management?*
- No.

<b>5 Site and building</b>	
<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. The proposed pylon sign satisfies the maximum building height provisions of the LEP and is consistent with other pylon signage in the locality.
<i>Does the proposal respect important features of the site or building, or both?</i>	The signage will not impede on any views of the Crane Enfield building in any significant way.
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	The digital nature of the pylon sign will allow the sign to 'scroll' through multiple tenancies on the site, minimizing the potential visual clutter arising from the sign.
<b>6 Associated devices and logos with advertisements and advertising structures</b>	
<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>	The pylon sign comprises a digital panel that will 'scroll' through the multiple tenancies that are on the site. This will obviously be seen at night although its brightness will be able to be lowered if required.
<b>7 Illumination</b>	
<i>Would illumination result in unacceptable glare?</i>	No. The proposed display will be managed accordingly.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	No. In the context of the size of the site, the modest size of the signage will not create any unacceptable impacts in this regard.
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	No. There are no residential receivers within close proximity of the proposed signage.
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	Yes. This aspect of the signage can be controlled.
<i>Is the illumination subject to a curfew?</i>	Not applicable. A curfew is not required.
<b>8 Safety</b>	
<i>Would the proposal reduce the safety for any public road?</i>	No. The proposed signage will contain normal business identification signage that would not create any impacts that would otherwise jeopardise the safety of the public road.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	The proposed signage will not create any unacceptable impacts on the safety for pedestrians or bicyclists.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	The proposed signage will not create any unacceptable impact on the safety of pedestrians,

The proposed signage is considered to satisfy the provision of the SEPP and can be supported on that basis.

## 4.4 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

The objectives of the LEP are as follows:

- (a) to provide the mechanism and planning framework for the management, orderly and economic development, and conservation of land in Penrith,
- (b) to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement,
- (c) to accommodate and support Penrith's future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the current and emerging needs of Penrith's communities and safeguard residential amenity,

- (d) to foster viable employment, transport, education, agricultural production and future investment opportunities and recreational activities that are suitable for the needs and skills of residents, the workforce and visitors, allowing Penrith to fulfil its role as a regional city in the Sydney Metropolitan Region,
- (e) to reinforce Penrith's urban growth limits by allowing rural living opportunities where they will promote the intrinsic rural values and functions of Penrith's rural lands and the social well-being of its rural communities,
- (f) to protect and enhance the environmental values and heritage of Penrith, including places of historical, aesthetic, architectural, natural, cultural, visual and Aboriginal significance,
- (g) to minimise the risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by managing development in sensitive areas,
- (h) to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.

It is submitted that the proposed development is not inconsistent with these objectives.

The subject site is zoned *IN1 General Industrial* with the following zone objectives applying to that zone.

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To promote development that makes efficient use of industrial land.
- To permit facilities that serve the daily recreation and convenience needs of the people who work in the surrounding industrial area.

The proposed development is consistent with the objectives of the zone in that:

- Signage will assist in 'communicating to the public' the businesses that are on the site.
- Additional employment opportunities may arise through the promotion of various businesses and activities on the site.
- The proposed signage supports the industrial uses on the site.

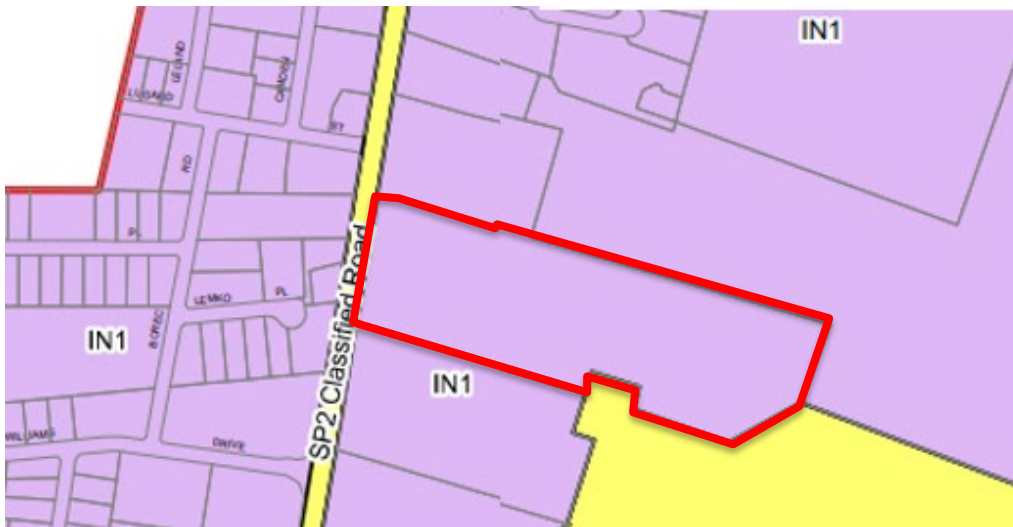


Figure 5 Land use zoning map

The following relevant clauses have also been considered in respect of this development proposal.

**Part 4 – Development Standards**

The maximum building height for the subject site is 12m. The pylon sign complies with this standard, as does the hoarding. There are no other applicable development standards.

**Clause 7.5 – Protection of scenic character and landscape values**

The objectives of the clause include:

- (1) The objectives of this clause are as follows—
  - (a) to identify and protect areas that have particular scenic value either from major roads, identified heritage items or other public places,
  - (b) to ensure development in these areas is located and designed to minimise its visual impact.

Subclause 3 requires Council to consider the following:

- 3) Development consent must not be granted for any development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the development, to minimise the visual impact of the development from major roads and other public places.

Council should be satisfied with the proposed pylon sign on the basis that it is:

- Of a scale that is consistent with other business identification signage in similar localities.
- Compliant with the development standards within the LEP.
- A sign that will not be offensive in content or visual presentation.

The proposed hoarding is to be removed in 18 months time and is considered to not create any long-term impacts on the scenic character of the locality.

The provisions of this clause are considered to be satisfied by the proposed development.

There are no other relevant provisions of the LEP applicable to the proposed development.



## 4.5 PENRITH DEVELOPMENT CONTROL PLAN 2014

The following assessment has been made in respect of the signage controls within the DCP.

Section	Comment
<b>C9 Advertising and Signage</b>	
<b>9.1. General Requirements for Signs</b>	
<b>C. Controls</b>	
<b>1) General</b>	
a) Signs are to be designed and located to:	The proposed pylon sign is considered to be consistent with the general requirements in that:
i) relate to the use of the building.	• The signage will relate to the use of the site and the various buildings.
ii) be visually interesting and exhibit a high level of design quality.	• It will be of high quality design and construction.
iii) be constructed of high quality, durable materials.	• It will be contained wholly within the property.
iv) be wholly contained within the property.	• It is sympathetic with other approved signage in the locality.
v) have only a minimal projection from the building.	
vi) be integrated and achieve a high degree of compatibility with the architectural design of the supporting building having regard to its composition, fenestration, materials, finishes and colours, and ensure that architectural features of the building are not obscured.	
vii) have regard to the view of the sign and any supporting structure, cabling and conduit from all angles, including visibility from the street level and nearby higher buildings and against the skyline; and	
viii) be sympathetic to the existing character of the area and the particular architectural/urban design utilised in any improvements scheme.	
b) Signs that contain additional advertising promoting products or services not related to the approved use of the premises or site (such as the logos or brands of products, e.g. soft drinks, brewers, photographic film, etc) are not permitted.	Noted. Not proposed within this application.
c) Signs painted or applied on the roof are prohibited;	Not applicable.
d) Corporate colours, logos and other graphics are encouraged to achieve a very high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape.	The signage will be consistent with any colour scheme utilised on the site.
e) Flat standing signs are only permissible where the main building is set back 3 metres or more from the street alignment.	Not applicable.
f) In considering applications for new signs, Council must have regard to the number of existing signs on the site and in its vicinity; whether that signage is consistent with the provisions of this section; and whether the cumulative impact gives rise to visual clutter.	The proposed pylon sign will provide signage opportunities for all tenants on the site through a scrolling digital presentation.
g) Signs must not involve damage, removal or pruning to trees or other vegetation and must not result in pruning or removal for visibility purposes.	Not proposed so therefore not applicable.

<p>h) The dominant design of any sign must relate to business identification rather than product advertising.</p>	<p>Proposed in this application.</p>
<p><b>2) Signs and Road Safety</b></p>	
<p>a) Signs are regarded as prejudicial to the safety of the travelling public and are therefore prohibited if they:</p> <ul style="list-style-type: none"> <li>i) Obscure or interfere with road traffic signs and signals or with the view of oncoming vehicles or pedestrians.</li> <li>ii) Obscure or interfere with the view of a road hazard or an obstruction which should be visible to drivers or other road users.</li> <li>iii) Give instructions to traffic by use of the word 'stop' or other directions, which could be confused with traffic signs.</li> <li>iv) Include variable messages or intensity of lighting sufficient to impair drivers' vision or distract drivers' attention; or</li> <li>v) Are located in places where drivers require greater concentration, such as at major intersections or merging and diverging lanes.</li> </ul>	<p>It is submitted that the signage will not present any safety concerns to road users and road safety. The signage proposed is consistent with other business identification signage in the locality.</p>
<p><b>3) Inappropriate Signs</b></p>	
<p>a) Council will not support an application for an advertisement of a form, type or size described below (see Figure C9.1 for example illustrations):</p> <ul style="list-style-type: none"> <li>i) Roof signs.</li> <li>ii) Sky signs controlled from the land.</li> <li>iii) Signs painted on or applied on the roof.</li> <li>iv) Flashing signs.</li> <li>v) Signs made of canvas, calico or the like (other than a temporary sign).</li> <li>vi) Signs displayed on an awning blind or external window blind.</li> <li>vii) Hoardings (excluding those required during construction).</li> <li>viii) Billboards.</li> <li>ix) Bulletin boards.</li> <li>x) Signs in the nature of posters attached directly onto walls, roof surfaces or any street furniture.</li> <li>xi) Signs mounted on parked or stationary motor vehicles, trailers (both registered and unregistered) where the principal purpose of the vehicle or trailer is not for the transportation of goods or people but is parked in a location and position as an advertising medium.</li> <li>xii) A-frame or sandwich board signs (except where specific controls have been prepared and adopted by Council).</li> <li>xiii) Pole or pylon signs, except for industrial, business park, service station or shopping centre uses which are permitted one pole or pylon signs with the maximum height not in excess of 7.0m.</li> <li>xiv) Signs that are located on land which advertises businesses that are not being conducted on that land.</li> <li>xv) Vertical or horizontal projecting signs.</li> <li>xvi) Fin signs; and</li> <li>xvii) Above awning signs.</li> </ul>	<p>The proposed hoarding is to be removed within 18 months and is therefore consistent with these controls.</p> <p>The proposed pylon sign, whilst being consistent with the maximum building height within the LEP, is of a size and scale that is commensurate with the size of the site. The signage is considered to satisfy the objectives of the SEPP, the LEP and this DCP and can therefore be supported.</p>

<b>4) Desirable Signage Design</b>	
a) The following signs are permitted by Council (see Figure C9.2 for example illustrations):	Not applicable.
i) Fascia signs.	
ii) Under awning signs.	
iii) Flush wall signs.	
iv) Top hamper signs.	
v) Painted window signs; and	
vi) Advertising panel signs.	
<b>9.4. Commercial, Mixed Use and Industrial Zones</b>	
<b>C. Controls</b>	
1) Applicants intending to erect a sign (advertisement) should first consult the relevant environmental planning instrument applying to the subject property to determine whether or not an advertisement requires development consent.	The proposed development is permissible and compliant with the provisions of the LEP.
2) All advertising is to be –	
a) constructed of high quality, durable materials;	Provided in this application.
b) considered in conjunction with design and construction of buildings;	Provided in this application.
c) restricted to one sign identifying the name of the occupants and/or products manufactured or produced on the site; and	Provided in this application.
d) contained wholly within the site	Provided in this application.
3) Signs should generally be confined to the ground level of the building, awning or fascia, unless it can be demonstrated that the building is of a scale, architectural style and in a location that would be enhanced by signage at different elevations.	Complies.
4) The sign is to be contained fully within the confines of the wall or awning to which it is mounted.	Not applicable.
5) In the case of multiple occupancy of a building or site:	
a) Each development should have a single directory board listing each occupant of the building or site. Multiple freestanding signs will not be supported.	Complies.
b) Only one sign is to be placed on the face of each premises either located on or over the door of the shop, unit, office, suite, etc.	Not applicable for this application.
c) One under awning sign shall be permitted for each shop, unit, office, suite, etc. In the case where the shop, office, suite etc. has more than one street frontage, one under awning sign may be permitted to each street frontage:	Not applicable.
d) The minimum distance between under awning signs shall be 3m and	Not applicable.
e) Where possible, multiple tenancies in the same building should use consistent sign size, location and design to avoid visual clutter and promote business identification.	Not applicable for this application.
6) Projecting wall signs, generally, will not be supported unless it can be demonstrated to be of an architectural style which is particularly suited to that building in relation to its design.	Not applicable.

<b>Illuminated signs</b>	
7) Illuminated signs are not to detract from the architecture of the supporting building during daylight.	Complies. The pylon sign will contain digital images, the intensity of which can be adjusted.
8) Illumination (including cabling) of signs is to be: <ul style="list-style-type: none"> <li>a) Concealed; or</li> <li>b) Integral with the sign; or</li> <li>c) Provided by means of carefully designed and located remote or spot lighting</li> </ul>	Complies.
9) The ability to adjust the light intensity of illuminated signs is to be installed where Council considers it necessary.	Complies.
10) A curfew may be imposed on the operation of illuminated signs where continuous illumination may impact adversely on the amenity of residential buildings, serviced apartments or other tourist and visitor accommodation, or have other adverse environmental effects.	Noted but this is not considered necessary in this location where 24/7 industrial operation occurs.
11) Up-lighting of signs is prohibited. Any external lighting of signs is to be downward pointing and focused directly on the sign and is to prevent or minimise the escape of light beyond the sign.	Noted.

It is submitted that the proposed development is consistent with the provisions of the DCP.

## **5 KEY PLANNING ISSUES**

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The following impacts have been considered in the preparation of this development proposal.

### **5.1 VISUAL IMPACT**

The signage proposed is consistent with similar signage located within this locality and is therefore considered to not create an unacceptable visual impact. The criteria within the relevant SEPP has been considered with no unacceptable impacts being identified.

### **5.2 SOCIAL AND ECONOMIC**

There are no negative social or economic impacts considered relevant to the proposal.

## **6 SECTION 4.15 ASSESSMENT**

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An assessment of the proposal has been undertaken in accordance with the statutory requirements of the EPA Act. The following assessment against Section 4.15 of the EPA Act has been undertaken.

### **6.1 SECTION 4.15(1)(A)(I) – ANY ENVIRONMENTAL PLANNING INSTRUMENTS**

The relevant environmental planning instruments have been considered earlier in this report. These include the following:

- *Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No 64 – Advertising and Signage*
- *Penrith Local Environmental Plan 2010*
- *Penrith Development Control Plan 2014*

The proposal is permissible with consent and is considered satisfactory when assessed against the relevant controls.

### **6.2 SECTION 4.15(1)(A)(II) – ANY PROPOSED INSTRUMENT THAT HAS BEEN THE SUBJECT OF PUBLIC CONSULTATION**

There are no known draft Environmental Planning Instruments relevant to the site or the proposed development.

### **6.3 SECTION 4.15(1)(A)(III) – ANY DEVELOPMENT CONTROL PLAN**

Compliance against the relevant DCP has been considered earlier in this report.

### **6.4 SECTION 4.15(1)(A)(IIIA) – ANY PLANNING AGREEMENT OR DRAFT PLANNING AGREEMENT**

There are no known planning agreements that apply to the site or development.

### **6.5 SECTION 4.15(1)(A)(IV) – THE REGULATIONS**

There are no sections of the regulations that are relevant to the proposal at this stage.

### **6.6 SECTION 4.15(1)(A)(V) – ANY COASTAL ZONE MANAGEMENT PLAN**

Not relevant to the proposed development.

**6.7 SECTION 4.15(1)(B) – THE LIKELY IMPACTS OF THAT DEVELOPMENT**

In terms of the hoarding, any perceived impacts will be short term with its removal proposed within 18 months.

The potential impacts of the pylon sign have been considered throughout this report. The consolidation of tenancy signage is considered to be a positive outcome for a multi-tenanted site and is consistent with the applicable planning controls and other signage in the locality.

**6.8 SECTION 4.15(1)(C) – THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT**

The proposal is generally consistent with the planning controls that apply in this zone. Moreover, the objectives of the zone have been satisfied, ensuring that the hoarding and pylon sign would not result in any unacceptable impact on any adjoining landowners or buildings.

The site is considered to be suitable for the development for the reasons outlined below:

- The proposal is permissible with consent in the *IN7* zone.
- The proposal represents an appropriate form of development located in an appropriate location.
- The proposal is compatible with surrounding land uses and consistent with other signage for similar land uses.

**6.9 SECTION 4.15(1)(D) – ANY SUBMISSION MADE**

Council may undertake a notification process in accordance with its controls and policies. We welcome the opportunity to provide additional information in response any submissions received.

**6.10 SECTION 4.15(1)(E) – THE PUBLIC INTEREST**

Given the type of development, its general compliance with the planning controls, how the objectives are satisfied and the suitability of the site it is considered that the public interest would not be jeopardised as a result of this development.

## **7 CONCLUSION AND RECOMMENDATION**

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The proposed development has been assessed against the requirements of the Penrith LEP and DCP and is considered to represent a form of development that is acceptable. Moreover, the assessment criteria within SEPP 64 have also been considered and the proposal is consistent with these.

The proposed hoarding and pylon sign would not result in any unacceptable impact on the locality.

The site is considered large enough and suitable for signage of this nature and is consistent with nearby and adjoining development.

An assessment against Section 4.15 of the EPA Act has not resulted in any significant issues arising.

Accordingly, it is recommended that the proposed development be approved.