

# PENRITH CITY COUNCIL

## MAJOR ASSESSMENT REPORT

<b>Application number:</b>	DA17/1275
<b>Proposed development:</b>	Gymnasium Business Identification Signage (Tenancy C01)
<b>Property address:</b>	1 - 11 Town Terrace, GLENMORE PARK NSW 2745
<b>Property description:</b>	Lot 2 DP 865459
<b>Date received:</b>	12 December 2017
<b>Assessing officer</b>	Jane Hetherington
<b>Zoning:</b>	Zone B2 Local Centre - LEP 2010
<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 business identification signage at 1-11 Town Terrace, Glenmore Park. The subject site is zoned B2 Local Centre under the provisions of Penrith Local Environmental Plan 2010. The proposal is a permissible land use in the zone with Council consent. An assessment under Section 4.15 (previously 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 subject site is located within the Stage 2 Glenmore Park Town Centre. The subject proposal relates to tenancy C01, which is located on the first floor of the mixed use building which fronts Luttrell Street. The neighbouring tenancies, located on the ground floor are used as retail and commercial spaces within the complex.

### Proposal

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The proposed development involves:

- Signage associated with the Plus Fitness 24/7 Fitness Studio;
- Includes two window signs;
- 1 x frosted sign measuring 1500mm x 1500mm that reads 'Plus Fitness'; and
- 1 x frosted sign measuring 1500mm x 1500mm that reads '24 Hour Gym'.

### Plans that apply

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- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy No 64—Advertising and Signage

- **Section 79C - Evaluation**

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

In accordance with Clause 6, the provisions of SEPP 64 apply to the development as the proposal incorporates signage.

Under the policy the proposed signage is broadly defined as signage which means:

*“all signs, notices, devices, representations and advertisements that advertise or promote 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:*

- (a) Building identification signs, and*
- (b) Business identification signs, and*
- (c) Advertisements to which Part 3 applies,*

*but does not include traffic signs or traffic control facilities”.*

In accordance with Clause 8 (granting of consent to signage), the proposal is consistent with the aims and objectives as set out in Clause 3(1)(a) and satisfies the assessment criteria specified in Schedule 1.

*Schedule 1 (Assessment Criteria):*

<b>Criteria</b>	<b>Comments</b>
<b>Character of the area</b>	The proposed signage provides effective and clear identification of the use of the gym on-site and is compatible with the streetscape and locality.
<b>Special areas</b>	To the east of Luttrell Street are playing fields zoned RE1 Public Recreation. The signage is consistent with signage in the surrounding locality and is not considered to detract from the amenity or visual quality of this adjoining open space area.
<b>Views and vistas</b>	The proposal does not detract, obscure or dominate important views or vistas.
<b>Streetscape, setting or landscape</b>	The scale, proportion and form of the proposed signage is relative to the use of the site.
<b>Site and building</b>	Given the size and location of the signage to be displayed, the proposal is consistent with a scale, proportions and form appropriate to the building and site.
<b>Associated devices and logos with advertisements and advertising structures</b>	This section is not applicable to the subject signage.
<b>Illumination</b>	N/A
<b>Safety</b>	The minor scale of the signage is not considered likely to reduce safety for local traffic or pedestrians.

### Local Environmental Plan 2010 (Amendment 4)

<b>Provision</b>	<b>Compliance</b>
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Complies

### Clause 2.3 Permissibility

The subject site is zoned B2 Local Centre under the provisions of Penrith Local Environmental Plan 2010. The proposal is considered to be ancillary to the approved gym (defined as a recreation facility - indoor) and is therefore a permissible land use in the B2 zone with Council consent.

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

### Development Control Plan 2014

Provision	Compliance
C1 Site Planning and Design Principles	N/A
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

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

### *Context and Setting*

The proposed signage is relatively minor and is of a consistent scale to the signage of the adjoining properties. As a result it is considered it will have only minor impacts on the character of the surrounding area.

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

In view of the above assessment, Council can be satisfied that the site is suitable for the development subject to conditions.

## 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 have to be notified.

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

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

## **Conclusion**

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In assessing this application against the relevant environmental planning policies, being SEPP 64, Penrith Local Environmental Plan 2010 and Penrith Development Control Plan 2014, the proposal satisfies the aims, objectives and provisions of these policies. 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 DA17/1275 for Gymnasium Business Identification Signage at 1-11 Town Terrace, Glenmore Park, be approved subject to the attached conditions.

# CONDITIONS

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## General

1 [A001](#)

The development must be implemented substantially in accordance with the Signage Plan, Version 2.0, dated 9/02/2018, as 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 plan and by the following conditions.

2 [A039 - Graffiti](#)

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

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

The erection of the approved signage shall not unduly reduce or compromise the structural integrity of the existing building/structure.

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

The installation of the approved signage shall be carried out strictly in accordance with the manufacturer's specifications.

# **Appendix - Development Control Plan Compliance**

## **Development Control Plan 2014**

### **Part C - City-wide Controls**

#### **C9 Advertising and Signage**

The proposed signage is consistent with the objectives of the DCP. The signage is of a scale that is appropriate to the building and is not considered to raise any safety concerns for pedestrians or motorists.