

11 February 2019



PLANNING DEVELOPMENT PROPERTY

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The General Manager
Penrith City Council
PO Box 60
Penrith NSW 2751

Dear Sir/Madam,

STATEMENT OF ENVIRONMENTAL EFFECTS

RE: Development Application for New and Replacement Signage at the proposed Shell Service Station at 1-21 Cranebrook Road, Cranebrook NSW 2749

Our Ref: 18577

1 Introduction

KDC Pty Ltd (KDC) have prepared this Statement of Environmental Effects (SEE) on behalf its client Anton Pincevic for a replacement business identification sign that will be internally illuminated at the McDonalds Cranebrook store located at 1-21 Cranebrook Road, Cranebrook NSW 2749.

The proposed works include general building updates including new signage to reflect the nationwide McDonalds refurbishment rollout. Refer to the Architectural plans prepared by RFA Architects at Appendix A for full details of the proposal.

This SEE, including attachments, provides an overall comment on the proposal.

2 Site Analysis

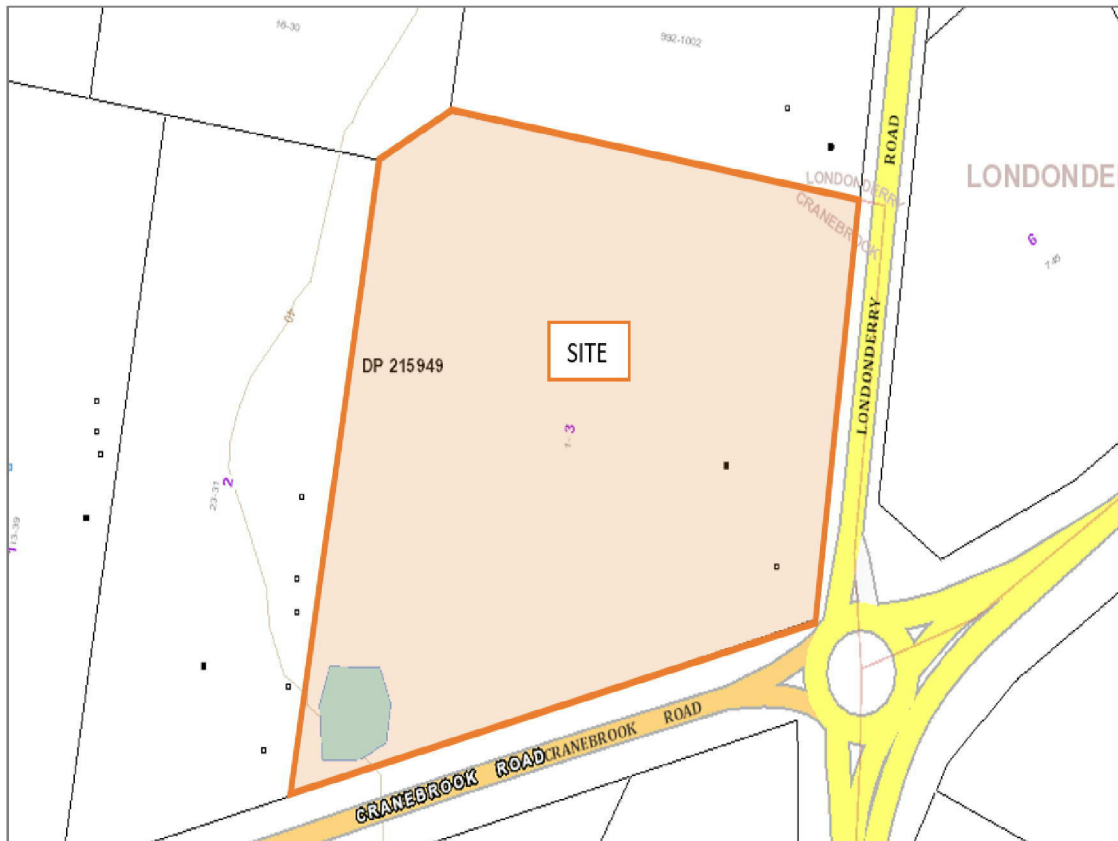
The site is located within the Penrith City Council Local Government Area (LGA). The site is located at 1-21 Cranebrook Road, Cranebrook. It is located on the corner of Cranebrook Road and Londonderry Road (See Figure 1). The site is legally known as Lot 3 in DP215949 (refer to Figure 2).

Currently, much of the site is vacant land with an existing service station and signage occupying the south eastern corner of the site. The land within the vicinity of the site is predominately low density residential and agricultural land uses.

Figure 1 – Subject Site



Figure 2 – Cadastral Plan



3 Proposal

The proposal involves general façade upgrades and new signage on the existing building including:

- New non-illuminated free-standing wayfinding signs
- New internally illuminated business identification signs, shell pecten panel
- Replacement freestanding fuel identification signs
- Replacement pylon sign
- New 'Shell Select' shop entry sign

Refer to the Architectural plans at Appendix A for full details of the proposed works. Refer to Figure 4, 5, 6, and 7 which identify the proposed signage scheme.

The pylon sign that is currently existent on the site will be replaced by another pylon sign of the same height and width. This will include the removal of the currently existent pylon sign, and the installation of the proposed new pylon sign. The new pylon sign will include relevant advertising relevant to the proposed Shell service station operation as well as the proposed McDonalds take away food and drink premises, as shown in Figure 8.

A panel is located on the proposed pylon sign that relates to the approved McDonald's take away food and drink premises that will be developed on the site. This sign as part of the proposed pylon will require approval, however all other McDonald's signage shown on the plans provided in Appendix A has been approved under DA10/1209.1.

Figure 3 – Proposed North West Elevation



Figure 4 – Proposed South West Elevation



Figure 6 – Proposed North East Elevation

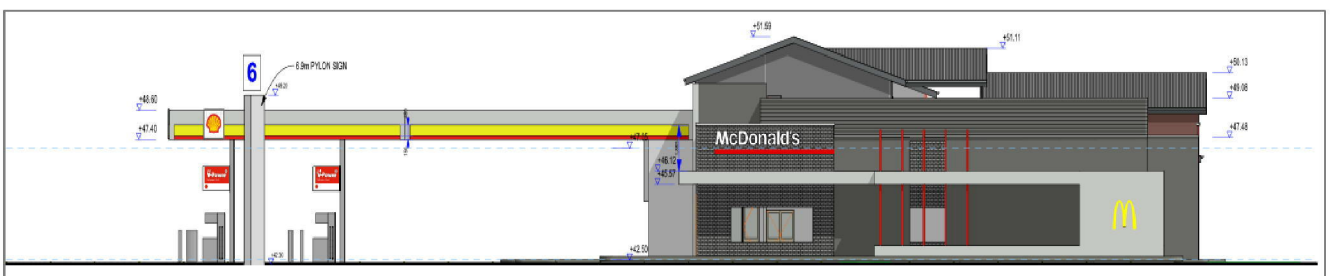


Figure 7 – Proposed South West Elevation

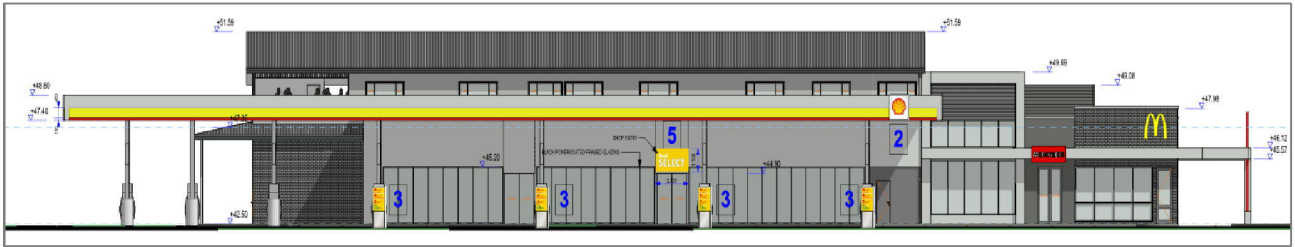
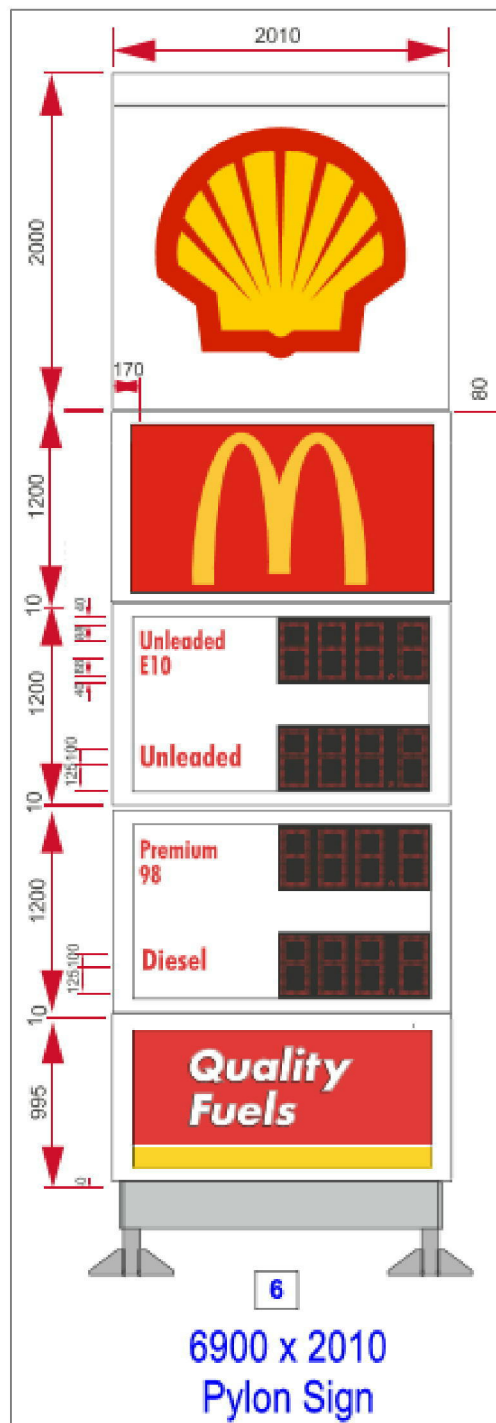


Figure 8- Proposed Pylon Sign



4 Relevant Legislation and Planning Controls

4.1 Environmental Planning and Assessment Act 1979

The proposal is subject to the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979). Section 4.15 (1) of the EP&A Act, 1979 provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribed under Section 4.15 (1), is provided within this SEE.

4.2 State Environmental Planning Policy 64 (SEPP 64) – Advertising Signage

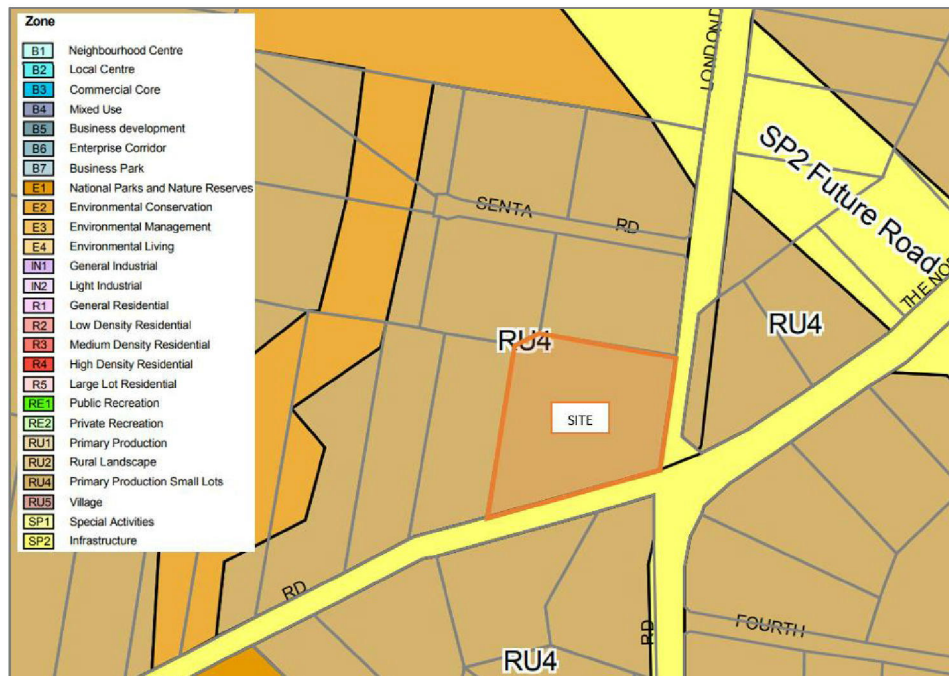
As stated in Section 3, approval is sought for new internally illuminated business signage, non-illuminated freestanding wayfinding signs, replacement free-standing fuel identification signs, a replacement pylon sign, and a new 'Shell Select' shop entry sign. The signs will feature business identification content and relevant information, relating only to the approved use. No third-party signage is proposed.

A detailed assessment of the proposal against the provisions of SEPP 64 is provided in Table 2 in Appendix C attached to this SEE. Overall, the proposed signage meets the applicable standards of SEPP 64 and is consistent with the primary aim of this SEPP.

4.3 Penrith Local Environmental Plan (LEP) 2010

Under the provisions of the Penrith LEP 2010, the site is zoned RU4 Primary Production Small Lots. Figure 3 is an extract of the zoning map.

Figure 9 – Zoning Map Extract from the Penrith LEP 2010 (LZN_011)



The proposed replacement and new signage will not alter the approved use of the premises.

Zone RU4 Primary Production Small Lots

1. Objectives of zone

- *To enable sustainable primary industry and other compatible land uses.*

- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To ensure land uses are of a scale and nature that is compatible with the environmental capabilities of the land.*
- *To preserve and improve natural resources through appropriate land management practices.*
- *To maintain the rural landscape character of the land.*
- *To ensure that development does not unreasonably increase the demand for public services or facilities.*

The proposal does not include primary industries, however the proposed Shell service station will contribute to the provision of diverse employment opportunities for the local area. The proposed Shell service station is of a scale and nature that is compatible with the environmental capabilities of the land, and will be appropriate for the rural landscape character of the local area. The proposal will also not unreasonably increase the demand for public service or facilities.

4.4 Penrith Development Control Plan (DCP) 2014

In conjunction with the Penrith LEP 2010, the Penrith DCP 2014 applies. The proposal has been prepared having due regard for the provisions of the Penrith DCP 2014. The proposal meets most of the relevant controls contained with Part 'Advertising and Signage' of the DCP, with a slight variation concerning the number and illumination of business identification signs, this is discussed further below. An assessment of the relevant development controls has been carried out and are summarised in Table 1 in Appendix B attached to this SEE.

The majority of the signage included as part of this proposal is considered to be compliant with the Penrith DCP (2014). In reference to the architectural plans provided in Appendix A, Sign 1 and Sign 3 are considered to be advertising panel signs, which are considered to be a desirable signage design under section 9.1 of the DCP. These two signs are also considered necessary for way-finding for vehicles to exit the site (Sign 1), and for the purpose of providing information about the type of fuel available at each pump (Sign 3).

The proposed pylon sign will be a replacement for the pylon sign that is already existent on the site. This is compliant with Section 9.1 of the DCP, as it is stated that pylon signs are considered inappropriate except in regards to industrial, business park, service station or shopping centre uses. The proposed Shell operation is classed as a service station, and therefore one pylon sign with the maximum height not in excess of 7m is permitted. The height of the replacement pylon sign will be the same as the pylon sign it is replacing, which is 6.9m as shown in figure 8, and therefore does not exceed 7m.

The proposed variation with the Penrith DCP (2014) concerns the slight exceedance of business identification signs numbers proposed for the site. Under Penrith DCP (2014) section 9.3, one business identification sign is permitted, however two business identification signs are included as part of this proposal. It is highly unlikely that this will cause any significant negative impacts, as the signage is proposed on two separate elevations and have a combined area of 2.88m² (refer to Architectural plans provided at Appendix A, Sign 2). This does not exceed the 3m² area control for business identification signs. These signs will also be illuminated, and although this is not generally permitted under section 9.3 of the Penrith DCP (2014), it is not thought that the illumination of these signs will cause any negative impacts to motorists or the surrounding environment. The proposed signs are consistent with the scale of the McDonalds signage that has already been approved for the site, and they are of relatively low illumination.

Another variation with the Penrith DCP (2014) is that of Sign 4, as show in the Architectural Plans provided at Appendix A). This sign has been identified as a horizontal projecting sign under section 9.1 of the DCP, which is listed as being undesirable. The proposed horizontal projecting sign is located above the fuel pumps and under the fuel canopy. Due to the location of these signs, they are not considered to present any adverse visual impact on the surrounding area, and are consistent with other service stations in the Cranebrook locality.

Although variations with the Penrith DCP (2014) have been identified, the proposal complies with all other signage related controls and is therefore considered to be permissible.

5 Assessment of Planning Issues and Likely Impacts of the Development

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment considers only those matters under Section 4.15 (1) of the EP&A Act 1979 which are relevant to the proposal. In this instance visual amenity is the only planning matter to potentially have an impact.

5.1 Visual Impact

The proposed works aim to upgrade the existing shopfront in line with up-to-date Shell specifications. The proposed signage scheme has been designed to integrate with the existing and proposed building features and results in an overall simple and uncluttered external appearance. The signage changes are minor in nature and do not detract from the existing built form or surrounding development. All signage will be of high quality materials that are sympathetic to the proposed building as well as the built form of the surrounding area.

The proposal includes illuminated elements which will be at appropriate LUX levels, generally consistent with other illuminated signs in the Cranebrook vicinity. The proposed business identification signs are designed to inform passing traffic of the Shell service station operation at the site, designed to be a simple logo, and will not contain a changeable message or an LCD display. The signs are expected to improve wayfinding in the area and assist customers in locating the Shell premises in the night time.

Overall, the proposed external façade updates are not expected to result in any adverse visual or amenity impacts and will maintain an active street frontage. Further details outlining compliance with the Penrith DCP is provided in Appendix B of this SEE.

It is not anticipated that the replacement pylon sign will have a more significant adverse visual impact than the pylon sign that is currently existent on site. The replacement pylon sign will be of the same height and scale, and contain a similar display scheme with the key difference being its relation to the proposed Shell service station operation.

6 Conclusion

The proposed building and signage upgrades located at 1-21 Cranebrook Road, Cranebrook, will enhance the shopfront appearance and contribute to the visual amenity of the area whilst enhancing a valuable service to the general public. The proposal is minor in nature and not considered likely to create any adverse impacts in terms of light spill or illumination, visual obtrusiveness to pedestrians or passing traffic, noise impacts to surrounding premises, or significant impacts to the heritage character of the area.

As discussed above, the proposed signage is consistent and compliant with the aims and objectives of all relevant planning instruments and controls, in that:

- It is consistent with the assessment criteria contained within SEPP 64;
- It is permissible within the RU4 Primary Production Small Lots and compliant with the relevant development standards under the Penrith LEP 2010; and
- Although some minor variations have been identified, the proposal complies wholly with the relevant controls contained within the Penrith DCP 2014.

Given the merits of the proposal and the absence of any significant adverse environmental impacts, the DA is considered to be in the public interest and is recommended for Council's support subject to standard conditions of consent.

We thank you for the opportunity to lodge this application and look forward to timely development consent. Should you have any questions please do not hesitate to contact the undersigned.

Kind Regards,



Connor Buckley
Town Planner
KDC Pty Ltd

Attachments:

Appendix A – *Architectural Plans*

Appendix B – *Penrith DCP 2014 Compliance Table*

Appendix C – *SEPP 64 Assessment*

Appendix A - Architectural Plans

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Appendix B – Penrith DCP 2014 Compliance Table

Table 1 – Relevant Provisions of the Penrith DCP 2014

Control	Requirement	Comment	Compliance
C9. Advertising and Signage			
9.1. General Requirements for Signs			
1) General	<p>a) Signs are to be designed and located to:</p> <ul style="list-style-type: none"> i) relate to the use of the building; ii) be visually interesting and exhibit a high level of design quality; iii) be constructed of high quality, durable materials; iv) be wholly contained within the property; 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 Penrith Development Control Plan 2014 C9 Advertising and Signage C9-4 viii) be sympathetic to the existing character of the area and the particular architectural/urban design utilised in any improvements scheme. <p>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.</p> <p>c) Signs painted or applied on the roof are prohibited;</p> <p>d) Corporate colours, logos and other graphics are encouraged to</p>	<p>The proposed signage will directly relate to the Shell service station and to the proposed McDonald's take away food and drink premises on the site, and be of high quality. The proposed signage is considered to be well integrated with the Cranebrook locality, and sympathetic to the existing character of the area.</p> <p>All proposed signage directly relates to the Shell service station and its services, as well as the proposed McDonald's take away food and drink premises on the site.</p> <p>No signage will be place on the roof of the premises.</p>	Y

	<p>achieve a very high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape.</p> <p>e) Flat standing signs are only permissible where the main building is set back 3 metres or more from the street alignment.</p> <p>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.</p> <p>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.</p> <p>h) The dominant design of any sign must relate to business identification rather than product advertising.</p>	<p>Shell colours, logos and other graphics are considered to be compatible with the local streetscape.</p> <p>The main building is set back further than 3m from the street alignment, therefore flat standing signs will be permitted.</p> <p>The proposed signage is mostly replacement signage for that which is currently existing on the site. The proposed signage is considered to be consistent with the provisions of this section.</p> <p>No tree removal or pruning will be necessary.</p> <p>The proposed signage relates directly to the identification of the Shell service station.</p>	
<p>2) Signs and Road Safety</p>	<p>a) Signs are regarded as prejudicial to the safety of the travelling public and are therefore prohibited if they:</p> <p>i) Obscure or interfere with road traffic signs and signals or with the view of oncoming vehicles or pedestrians;</p> <p>ii) Obscure or interfere with the view of a road hazard or an obstruction which should be visible to drivers or other road users;</p> <p>iii) Give instructions to traffic by use of the word 'stop' or other directions, which could be confused with traffic signs;</p> <p>iv) Include variable messages or intensity of lighting sufficient to impair drivers' vision or distract drivers' attention; or</p> <p>v) Are located in places where drivers' require greater concentration, such as at major intersections or merging and diverging lanes.</p>	<p>The proposed signage will not obscure or interfere with any road signs, views, hazards, or obstructions. The proposed signs will not include directions that could be mistaken for traffic signals. The messages and illumination will not be distracting for drivers, and the signs will be appropriately located away from areas where drivers require increased concentration.</p>	<p>Y</p>

<p>3) Inappropriate Signs</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"> i) Roof signs; ii) Sky signs controlled from the land; iii) Signs painted on or applied on the roof; iv) Flashing signs; v) Signs made of canvas, calico or the like (other than a temporary sign); vi) Signs displayed on an awning blind or external window blind; vii) Hoardings (excluding those required during construction); viii) Billboards; ix) Bulletin boards; x) Signs in the nature of posters attached directly onto walls, roof surfaces or any street furniture; 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; xii) A-frame or sandwich board signs (except where specific controls have been prepared and adopted by Council); 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; xiv) Signs that are located on land which advertises businesses that are not being conducted on that land; xv) Vertical or horizontal projecting signs; xvi) Fin signs; and xvii) Above awning signs. 	<p>One of the signs included as part of the proposal is defined as a horizontal projecting sign, that being Sign 4 as shown in the Architectural Plans provided in Appendix A. Although listed as inappropriate, it is considered to be necessary given the minimal space available above the fuel pumps, and that this sign is needed for providing information as to what fuel is available. The negative visual impacts of the horizontal projecting sign are also considered to be minimal due to their location above the fuel pumps and under the fuel canopy. These signs are also considered to be consistent with other service stations in the Cranebrook locality.</p> <p>A replacement pylon sign is included as part of this proposal. This is desirable for the Shell operation as it is considered to be located at a service station, with the maximum height of 7.0m. The proposed replacement pylon sign has a height of 6.9m, which is the same as the pylon sign that it is replacing, and it is therefore considered compliant.</p>	
<p>4) Desirable Signage Design</p>	<p>a) The following signs are permitted by Council:</p> <ul style="list-style-type: none"> i) Fascia signs; ii) Under awning signs; iii) Flush wall signs; iv) Top hamper signs; v) Painted window signs; and 	<p>As per the Architectural Plans provided at Appendix A, Sign 2 is considered a Fascia sign, Signs 1 and 3 are considered advertising panel signs, and sign 5 is considered a flush wall sign. These signs are considered to be of desirable design.</p>	

vi) Advertising panel signs.

9.3 Residential, Rural and Environmental Zones

1) A sign that is erected on a property must relate to an approved activity being conducted on that property.

The proposed signage will directly relate to the Shell service station on the property.

2) A sign that is erected on the property must be located wholly within the property and positioned so as not to impede pedestrian access or result in a traffic hazard.

The proposed signage will be wholly located within the property, and will be positioned so as not to impede pedestrian access or result in a traffic hazard.

3) The siting and design of the sign on the property should ensure that amenity and visual impacts to adjoining properties are kept to a minimum.

The proposed signage will have minimal amenity and visual impacts on adjoining properties. This is due to the minimal scale of the proposed signage. Signage has been designed to be sympathetic to the surrounding locality, and proposed illumination is minimal.

4) The siting and design of the sign on the property should be sympathetic to the existing character of the area.

The proposed signage will be sympathetic to the existing character of the Cranebrook area.

5) Only one building identification sign is to be erected on the property in association with the approved business or activity being conducted on the land.

Noted

6) The building identification sign is not to exceed 3m² or one-third of the length of the building elevation that faces the street, whichever is the lesser, and must not be illuminated.

The building identification signs will not exceed 3m². They will be illuminated at night time, however this illumination is not considered to be excessively bright and will not cause any negative impacts on the surrounding locality.

7) Only one business identification sign is to be erected on the property in association with the approved business or activity being conducted on the land.

Two business identification signs for the Shell service station is included as part of this proposal.

8) In residential zones, the business identification sign is not to exceed 3m² and must not be illuminated.

N/A

<p>9) In rural zones, the business identification sign is not to exceed 3m², must be no higher than 2m above the ground, must not be located in a position that would intrude into the skyline, and must not be illuminated.</p> <p>10) In rural zones, signage, where permissible, shall relate to the style, character and function of the building or activity, and reflect the area's landscape and character.</p> <p>11) In rural zones, signage shall not be freestanding in the landscape, but shall relate to walls, fences or buildings.</p> <p>12) A real estate sign may comprise of a double sided or 'V' sign and must not exceed 4.5m² in area per sign face. The sign must be removed within 14 days of the property being sold or let.</p> <p>13) A sign advertising an exhibition home or village must not exceed 10m² in area. The sign must be removed on expiration of the development consent for the 'exhibition home'.</p> <p>14) Illuminated signs are generally not permitted. External lighting of a sign, however, will be considered where it can be demonstrated that no adverse impact will result.</p>	<p>One business identification pylon sign will exceed 3m² and will be higher than 2m, however it is permissible as it is a sign for a service station, which is specifically mentioned as allowable under Section 9.1 of the DCP.</p> <p>The proposed signage will relate to the style, character and function of the Shell service station, and will reflect the area's landscape and character.</p> <p>Some free standing signage is included as part of this proposal. This is considered to be necessary given the nature and layout of a service station, there are several elements of the site not physically connected to the main building. No adverse impacts to the surrounding area will be caused by these free standing signs.</p> <p>N/A</p> <p>N/A</p> <p>Some illumination will be present in the proposed signage. This will not be overly bright, and will be necessary given that the signage will need to be visible at night due to the Shell service station's opening hours. No adverse impacts will be caused to the surrounding area as a result of this illumination.</p>	
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Appendix C – SEPP 64 Assessment

Table 2 - SEPP 64 Schedule 1 Assessment

Schedule 1 Assessment Criteria		Comment	Compliance
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?	The proposed signage is compatible with the existing character and streetscape on Cranebrook Road.	Y
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no applicable advertising theme for the locality.	N/A
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 proposed signage does not detract from any environmentally sensitive areas, heritage areas, natural or the conservation area, open space areas, waterways, rural landscapes or residential areas.	Y
3) Views and vistas	Does the proposal obscure or compromise important views?	The proposed signage does not obscure or compromise any important views.	Y
	Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signage will not dominate the skyline or reduce the quality of vistas.	Y
	Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure any other advertising.	Y
4) Streetscape, setting or landscape	Are the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage is consistent with the scale, proportion and form of the existing building and is appropriate for the landscape.	Y
	Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will contribute to the visual interest of the building.	Y
	Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage is only replacing existing signage. The proposed new signage will not result in any additional signage onsite therefore unlikely to result in visual clutter or disorder.	Y
	Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	Y
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage will not protrude above the building on which it is located.	Y
	Does the proposal require ongoing vegetation management?	No.	Y
5) Site and building	Is the proposal compatible with the scale, proportion and other characteristics of the site or	The signage is compatible with the existing and proposed built form.	Y

Schedule 1 Assessment Criteria		Comment	Compliance
	building, or both, on which the proposed signage is to be located?		
	Does the proposal respect important features of the site or building, or both?	The proposed signage does not detract from important features of the building or site.	Y
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signs have been incorporated into the design of the features on the building façade.	Y
6) Associated devices and logos with advertisements and advertising structures	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?	Selected signage will be appropriately illuminated.	Y
7) Illumination	Would illumination result in unacceptable glare?	Illuminated signage will not result in unacceptable glare.	Y
	Would illumination affect safety for pedestrians, vehicles or aircraft?	The illuminated signage will not be a safety concern given its size, simplicity of design, as well as location.	Y
	Would illumination detract from the amenity of any residence or other form of accommodation?	No, illumination will be at an acceptable LUX level and unlikely to be visible from any residences. It will comply with Australian Standards.	Y
	Can the intensity of the illumination be adjusted, if necessary?	No, however the illumination is not expected to create any negative visual impacts or unacceptable glare.	Y
	Is the illumination subject to a curfew?	The proposed signs will be illuminated when the site is operational.	Y
8) Safety	Would the proposal reduce the safety for any public road?	The proposed signage will not reduce safety as sightlines will not be affected and there will be no cause of distraction for drivers.	Y
	Would the proposal reduce the safety for pedestrians or cyclists?	The proposed signage will not reduce existing safety for pedestrians and cyclists.	Y
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not obscure sightlines from public areas.	Y

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