

Our Ref: 638

10 April 2017

Chief Executive Officer  
Penrith City Council  
PO Box 60  
Penrith NSW 2751

Dear Sir / Madam,

**Application for Planning Approval**  
**Lot 10 and 11 (No. 13-23, Tenancy T390) Pattys Place, Jamisontown, NSW**

Dynamic Planning and Developments Pty Ltd (DPD) acts on behalf of Super Cheap Auto Pty Ltd in support of an Application for Planning Approval for Signage including an LED screen sign, a car parking awning structure and a minor modification to parking bays at Lot 10 and 11 (No. 13-23, Tenancy T390) Pattys Place, Jamisontown, NSW (herein referred to as the 'subject site').

For submission purposes, we provide the following information:

- This detailed submission providing details of the proposal and planning justification;
- Three (3) copies of the development application plans;
- Executed Penrith City Council 'Development Application Form';
- Credit Card Authorisation Form for the requisite application fee; and
- One (1) electronic copy of the submission.

Legal Description

The Title details of the subject site are as follows:

Address	Deposited Plan No
Lot 10 and 11 Pattys Place, Jamisontown, NSW	DP 1046110

Table 1 – Site details

The subject site occupies a total site area of approximately 64777.2sqm.

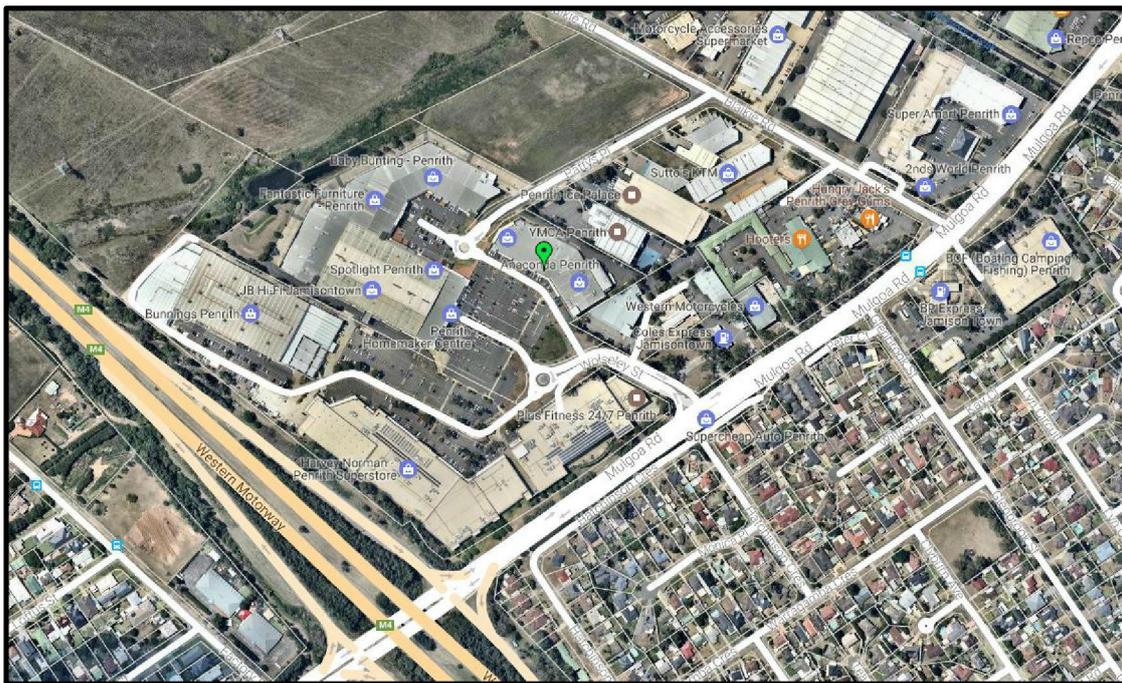
## Site Context

The subject site is located within the Business Development Zone (B5) within the suburb of Jamisontown. The objectives of this zone are to:

- *Enable a mix of business and warehouse uses, and bulky goods premises that require large floor area, in locations that are close to, and that support the viability of, centers; and*
- *Maintain the economic strength of centres in Penrith by limiting the retailing of food, groceries and clothing.*

The subject site forms part of the Penrith Homemakers Centre which currently provides for a range of land uses including shops and showrooms which predominantly offer homeware shopping such as electrical, living, bedding, flooring and homewares products but also includes recreation centres, fast food, restaurants and a bar/hotel. The Penrith Homemakers Centre is located on the corner of the Western Motorway and Mulgoa Road. The subject site fronts Pattys Place which is an internal access road within the Centre.

Figure 1 below provides an aerial context of the subject site and figure 2 provides a view from the car park of the Super Cheap Auto tenancy.



**Figure 1 – Local Context**



Figure 2 – View from carpark

## Proposal:

The subject application seeks approval for additional signage and a proposed car parking awning structure (herein referred to as a carport for simplicity purposes) for the existing Super Cheap Auto tenancy. Development plans illustrating the proposed works are provided in **Attachment 1**.

Super Cheap Auto Pty Ltd, is a thriving specialty retail showroom business, specialising in automotive parts, tools and accessories. The proposed development which is the subject of this application is intended to enhance the existing business and improve the overall façade of the building. A summary of each element of the proposal is provided below.

### Signage

The following signs are proposed and are illustrated within **Attachment 1**:

Proposed signage requiring approval includes:

- Wall Sign (Corporate Logo) – 8000mm x 1800mm
- Full Colour LED Screen Sign – 8000mm x 4500mm
- Wall Sign – 7000mm x 2600mm
- Wall Sign – 6870mm x 680mm
- Wall Sign (Chevrons) – 1928mm x 1150mm
- Window Sign – 5910mm x 2380mm
- Window Sign – 5456mm x 2380mm
- Window Sign – 5900mm x 2380mm
- Welcome Sign – 1200mm x 260mm

The signage outlined above will replace the existing tenancies signage which is illustrated in **Attachment 2**. The size and location of the proposed signage will remain largely consistent with the existing tenancy signage as well as the existing signage of surrounding tenancies (included as **Attachment 3**) however the content of the signs have been modified to promote the branding, products and services of Super Cheap Auto. The most significant modification to the tenancy's signage is the installation of the LED screen sign which is centrally located above the tenancy entrance. This LED screen sign is outlined in further detail below:

### Full Colour LED Screen Sign

Due to the unique nature of the proposed LED screen advertisement, further explanation of the intended use is necessary in order to assist the City with the assessment of the application. The intention behind the proposed LED screen is to display both still framed and video advertisements illustrating the Super Cheap Auto branding as well as products and services offered. The screen will not emit any audio transmission however audio may be able to be streamed through car radios and other external devices. Whilst it is acknowledged that this proposal is not a typical signage application, it is expected that this advertising medium will become more frequent occurrence in the future. Furthermore, the subject site is considered to be an appropriate location for such a proposal as the site is removed from all public roads and directly fronts a large commercial shopping centre car park. The screen will therefore not impact any adjacent sensitive land uses or development and due to the low speed traffic environment of the surrounding car park, the LED screen is unlikely to compromise vehicular or pedestrian safety within the site.

Preliminary advice was sought from the Penrith City Council Planning Department prior to the lodgement of this application to determine the appropriateness of the proposal within its context from the City's perspective. This correspondence is included in **Attachment 4**. The City's planning department confirmed that the LED screen could be contemplated subject to the scaling down of the overall dimensions of the LED screen and a reduction in the extent and proliferation of the tenancy's additional signage. In response to the City comments, the LED screen and the surrounding signage which is illustrated in **Attachment 1** has been reduced in size and scale from what was originally proposed to the City.

### Proposed Carport Structure

The proposed carport is located directly adjacent to the Super Cheap Auto tenancy and encompasses three existing parking bays. This structure will involve a minor alteration to the affected parking bays by consolidating the three existing bays into two widened bays. The purpose of the proposed structure is to provide two formalised parking bays directly adjacent to the tenancy to assist customers with the loading of bulky goods and the installation of (non-mechanical) products such as wiper blades, roof racks and seat covers. The carport will also provide weather protection for these parking bays and the widening of the two parking bays provides sufficient space for customers and Super Cheap Auto staff to load goods into the vehicles. Figure 3 below shows a conceptual design of the proposed carport.



**Figure 3 – Conceptual model of carport structure**

The following table provides details on the building structure components of the proposal.

<b>Building Feature</b>	<b>Description</b>
Length	6000mm
Width	8400mm
Height	3890mm
Structure	Steel

**Table 2 – Carport Structure Dimensions**

The proposed carport will not impact the existing use of the subject site, nor will it detract from the amenity of the locality, as outlined in further detail below. Rather, it intends to compliment the site’s existing business operations by improving services for customers.

The carport is considered to incorporate high quality design measures for visual aesthetics which ensures that it complements rather than detracts from the existing development on site. The unenclosed design of the carport facilitates sheltered parking while reducing visual impacts of building bulk and maintaining adequate sightlines, surveillance, solar penetration and air circulation within the existing car park.

Whilst the structure will result in the removal of one parking bay, this is considered to be a minor modification that will not compromise the functionality of the site for the following reasons:

- ~700-800 bays parking bays are currently provided within the Penrith Homemakers Centre. The removal of one bay will therefore only represent a 0.125% reduction in parking which will have a negligible impact on the site;
- Shopping centre parking provides a reciprocal function whereby shoppers will visit multiple tenancies during a single visit. Whilst specific parking requirements are provided for individual tenancies under the applicable planning framework, this reciprocal function reduces the overall extent of parking required for shopping centres. It is therefore considered that the removal of one bay will not compromise the provision of adequate parking for Super Cheap Auto customers as an excessive amount of parking is provided elsewhere within the centre;
- Aerial photographs provided by Nearmap between 2011-present illustrate that the shopping centre car park does not reach maximum capacity. The extent of bays within the centre are typically ~50% vacant. This demonstrates that the extent of parking provided within the centre is currently excessive and will adequately accommodate a reduction of one bay.

### Development Requirements

The application does not propose any external modifications to the existing building other than the installation of the proposed signage and carport. As such, the majority of development requirements prescribed under the relevant state and local planning instruments are not impacted by the proposal. The development requirements which are affected by the application are discussed in detail below.

The proposal relates to advertising signage and as such, the provisions of the following policies are applicable:

- State Environmental Planning Policy No 64 – Advertising and Signage; and
- Penrith City Council Development Control Plan 2010 – Clause 9 – Advertising and Signage

A detailed assessment of the proposal against the relevant provisions of these policies are provided below.

Requirement	Assessment
<p><i>Character of the Area</i> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?; and Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</p>	<p>The proposed signage is promotes the products and services offered by Super Cheap Auto which is consistent with the approved land use for the tenancy and the theme of the Penrith Homemakers Centre. Furthermore, the proposed signage is in accordance with the objectives of Zone B5 – Business Development which seeks to promote a mix of business uses and bulky goods premises in locations that are close to, and that support the viability of, centers.</p>
<p><i>Special areas</i> 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?</p>	<p>The subject site is not located within an environmentally sensitive area, heritage area, natural or other conservation area, open space area, waterway, rural landscape or residential area.</p>
<p><i>Views and vistas</i> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Is Does the proposal respect the viewing rights of other advertisers?</p>	<p>The proposed signage is affixed to the wall of the existing tenancy and is replacing previous signage and will therefore not impact views or vistas.</p>
<p><i>Streetscape, setting or landscape</i> Is the scale, proportion and form of the proposal appropriate for the streetscape or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management?</p>	<p>Whilst the proposed signage is significant in terms of size and scale, the subject site is located within a shopping centre that doesn't abut any public streets and the proposed signage faces an existing carpark.</p> <p>In addition to the above, the proposed signage is strategically integrated into the current building form to prevent clutter and ensure that all signage is rationalised. The signage does not protrude above the building and does not require ongoing vegetation management.</p>
<p><i>Site and Building</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? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both?</p>	<p>The scale of the signage is considered to be proportionate to the tenancy/building that it is affixed to for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed signage represents an appropriate portion of the tenancies frontage;</li> <li>• The size of the proposed signage including the LED screen has been reduced as per consultation with the Penrith City Council;</li> </ul>

	<ul style="list-style-type: none"> <li>The proposed complements the shape and design of the building; and</li> </ul> <p>Additionally, the proposed LED screen represents innovation and imagination through its modern presentation of advertising within an appropriate context.</p>																		
<p><i>Associated devices and logos with advertisements and advertising structures</i></p> <p>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?</p>	<p>Lighting devices are integrated into the design of the Corporate Logo Sign, one of the Message Signs, the Fitment Signage and the Chevrons.</p>																		
<p><i>Illumination</i></p> <p>Would illumination result in unacceptable glare?          Would illumination affect safety for pedestrians, vehicles or aircraft?          Would illumination detract from the amenity of any residence or other form of accommodation?          Can the intensity of the illumination be adjusted, if necessary?          Is the illumination subject to a curfew?</p>	<p>The proposed illuminated signage incorporates 19w T8 LED Globes with a total output of:</p> <table border="1"> <thead> <tr> <th>Colour</th> <th>Average cd/sqm</th> <th>Maximum cd/sqm</th> </tr> </thead> <tbody> <tr> <td>Red</td> <td>50</td> <td>57</td> </tr> <tr> <td>White</td> <td>620</td> <td>890</td> </tr> <tr> <td>Yellow</td> <td>500</td> <td>570</td> </tr> <tr> <td>Black</td> <td>4</td> <td>5</td> </tr> <tr> <td colspan="3">Average Sign Face Output – 186cd/sqm</td> </tr> </tbody> </table> <p>The extent of illumination outlined above is considered to be appropriate within the context of the site and due to the site not fronting any major streets, the safety of pedestrians, vehicles and aircraft is not compromised.</p> <p>The light boxes will be connected to a PE cell and timer to regulate times of illumination to coordinate with business hours. The intensity of the illumination may be adjusted if necessary. It is considered that any restrictions regarding intensity and/or curfew can be enforced by Council through the imposition of conditions of approval.</p>	Colour	Average cd/sqm	Maximum cd/sqm	Red	50	57	White	620	890	Yellow	500	570	Black	4	5	Average Sign Face Output – 186cd/sqm		
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<p><i>Safety</i></p> <p>Would the proposal reduce the safety for any public road?          Would the proposal reduce the safety for pedestrians or bicyclists?          Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</p>	<p>As outlined above, the Super Cheap Auto tenancy forms part of the Penrith Homemakers Centre and doesn't front any public roads. The shopping centre car park adjacent to the tenancy is a low speed traffic environment and as such, the proposed signage will not compromise vehicular or pedestrian safety. As previously noted, all signage is affixed to the walls of the tenancy and will therefore not obscure sightlines from public areas.</p>																		

Table 2 - State Environmental Planning Policy No 64 – Advertising and Signage – Assessment Criteria

Clause	Requirement	Assessment
9.1	<b>General Requirements for Signs</b>	
(1)	<b>General</b>	
<b>A)</b>	Signs are to be designed and located to:	
<b>I.</b>	Relate to the use of the building.	Proposed signage advertises the existing Super Cheap Auto tenancy.
<b>II.</b>	Be visually interesting and exhibit a high level of design quality.	Proposed signage is of a high quality that is visually interesting and enticing.
<b>III.</b>	Be constructed of high quality, durable materials.	Proposed materials are considered weather resistant and durable, enhancing the appearance of the building.
<b>IV.</b>	Be wholly contained within the property	All proposed signs are located on the existing tenancy
<b>V.</b>	Have only a minimal projection from the building.	Proposed signs are affixed to the exterior of the existing building.
<b>VI.</b>	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.	Proposed signage is considered aesthetically pleasing and complements the architectural features and design of the building i.e: one major sign per tenancy wall; top of LED screen aligns with the top of adjacent building walls; largest signage (LED) located centrally above the entrance.
<b>VII.</b>	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.	The building fronts a carpark and proposed signs simply affixed to this frontage, only visible from one side. No cabling, conduit of support structure is visible from public areas.
<b>VIII.</b>	Be sympathetic to the existing character of the area and the particular architectural/urban design utilised in any improvements scheme.	The majority of the proposed signage is considered to be consistent with the existing signage of the site and surrounding tenancies as illustrated in <b>Attachments 2 and 3</b> . The LED screen proposes a more contemporary element to the Penrith Homemakers centre however the location and context of the tenancy is considered to be a desirable setting for such an innovative advertising medium.
<b>B)</b>	Signs that contain additional advertising promoting products or services not related to the approved use of the premises or site are not permitted.	Proposed signs only promote Super Cheap Auto products and services.

<b>C)</b>	Signs painted or applied on the roof are prohibited.	No proposed signage on the roof.
<b>D)</b>	Corporate colour, 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.	After liaison with the Penrith City Council Planning Department, the number, position and scale of signs and in particular the LED screen has been modified to better complement the architecture and design of the building. The current proposal as depicted in <b>Attachment 1</b> is now considered to complement the architecture, materials, finishes and colours of the building and the streetscape.
<b>E)</b>	Flat standing signs are only permissible where the main building is set back 3 metres or more from the street alignment.	Building not located on a public street.
<b>F)</b>	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.	Proposed signage is considered consistent with surrounding tenancies as illustrated in <b>Attachment 3</b> and is not considered to give rise to visual clutter.
<b>G)</b>	Signs must not involve damage, removal or pruning to trees or other vegetation and must not result in pruning or removal for visibility purposes.	No vegetation will be effected.
<b>H)</b>	The dominant design of any sign must relate to business identification rather than product advertising.	Proposed signage promotes the business and branding of Super Cheap Auto as well as general services rather than individual product advertising.
<b>(2)</b>	<b>Signs and Road Safety</b>	
<b>A)</b>	Signs are regarded as prejudicial to the safety of the travelling public and are therefore prohibited if they:	
<b>I.</b>	Obscure or interfere with road traffic signs and signals or with the view of oncoming vehicles or pedestrians	Site not located on a public street. As noted above the internal shopping centre is a low speed traffic environment which will not be detrimentally affected by the proposed signage.
<b>II.</b>	Obscure or interfere with the view of a road hazard or an obstruction which should be visible to drivers or other road users;	
<b>III.</b>	Give instructions to traffic by use of the word 'stop' or other directions, which could be confused with traffic signs;	The content of the proposed signage is not likely to be confused for traffic signs.
<b>IV.</b>	Include variable messages or intensity of lighting sufficient to impair drivers vision or distract drivers attention; or	The proposed LED screen will display video advertisements which will include variable messages and varying intensification of lighting. Whilst this form of advertising may not be

		suitable for developments fronting public roads, as noted above the Super Cheap Auto tenancy directly fronts an internal shopping centre car park only which is a low speed traffic environment. The observation of the LED screen by drivers within the car park at such a low speed environment is unlikely to compromise vehicular or pedestrian traffic.
<b>V.</b>	Are located in places where drivers require greater concentration, such as at major intersections or merging and diverging lanes.	The subject site is not considered to be a place which warrants greater driver concentration.
<b>(3)</b>	Inappropriate Signs	
<b>A)</b>	<p>Council will not support an application for an advertisement for a form, type or size described below:</p> <ul style="list-style-type: none"> <li>- Roof signs.</li> <li>- Sky signs controlled from the land.</li> <li>- Signs painted on or applied on the roof.</li> <li>- Flashing signs.</li> <li>- Signs made of canvas, calico or the like.</li> <li>- Signs displayed on an awning blind or external window blind.</li> <li>- Hoardings.</li> <li>- Billboards.</li> <li>- Bulletin boards.</li> <li>- Signs in the nature of posters attached directly onto walls, roof surfaces or any street furniture.</li> <li>- Signs mounted on parked or stationary motor vehicles, trailers where the principle purpose of the vehicle trailer is not for the transportation of goods or people but is parked in a location and position as an advertising medium.</li> <li>- A-frame or sandwich board signs.</li> <li>- 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 high not in excess of 7.0m.</li> <li>- Signs that are located on land which advertises business that are not being conducted on that land.</li> <li>- Vertical or horizontal projecting signs.</li> <li>- Fin signs.</li> <li>- Above awning signs.</li> </ul>	None proposed.

**Table 3 - Penrith City Council Development Control Plan 2010 – Clause 9 – Advertising and Signage**

## Conclusion

The subject application seeks approval for proposed signage, including a LED screen sign and a carport structure at Lot 1 (No. 13-23, Tenancy T390) Pattys Place, Jamisontown. In light of the above, the proposal is considered to warrant support based on the following reasons:

- The proposed signage does not pose a threat to public safety or health due to the specific context of the subject site;
- The proposed signage relates to an existing Super Cheap Auto business;
- The proposed signage is in keeping with State Environmental Planning Policy No 64 – Advertising and Signage;
- The proposed signage is in keeping with Penrith City Council Development Control Plan 2010 – Clause 9 – Advertising and Signage
- The scale and design of the proposed signage complements the existing building;
- The scale and design of the proposed signage is compatible with existing surrounding development;
- The proposed carport will not compromise the functionality of the site and will enhance the services provided to customers;
- The proposed modification to the parking spaces is minor and will not result in insufficient parking being provided for the shopping centre; and
- The LED screen proposes a more contemporary element to the Penrith Homemakers centre and the location and context of the tenancy is considered to be a desirable setting for such an innovative advertising medium.

In light of the above, we request the City's favourable consideration of the subject proposal based on the merits presented in the preceding sections of this submission.

Should you have further queries or seek clarification with regard to the matters raised above, please do not hesitate to contact the undersigned on (08) 9275 4433.

Yours faithfully,



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**EDWARD O'CONNELL**  
**TOWN PLANNER**