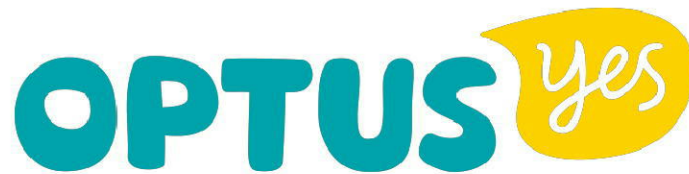


STATEMENT OF ENVIRONMENTAL EFFECTS

DEVELOPMENT APPLICATION FOR SIGNAGE / EXTERNAL WORKS



**OPTUS NEPEAN VILLAGE
SP043, NEPEAN VILLAGE,
122 STATION STREET, PENRITH, NSW, 2750**

Prepared by:

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SITE DETAILS

ADDRESS	122 Station Street, Penrith, NSW, 2750
LOT ON PLAN	Lot 1 DP715198
TENANCY NUMBER	SP043 (New Tenancy)
TENANCY AREA	N/A
LAND OWNERS	Vicinity Custodian Pty Ltd
LOCAL AUTHORITY	Penrith City Council
PLANNING SCHEME	Penrith Development Control Plan 2014 and Penrith Local Environmental Plan 2010
ZONE	B4 Mixed Use
OVERLAYS	N/A

DEVELOPMENT PROPOSAL DETAILS

LEVEL OF ASSESSMENT	Permitted with consent
PROPOSAL	Advertising signage & external works
ASSESSMENT CONTROLS	Penrith Development Control Plan 2014 and Penrith Local Environmental Plan 2010
APPLICANT	Optus C/- Checkpoint Building Surveyors

Version: 1.0 Date: 09/05/2017

Reviewed by: Chris Richards (BUrbanEnvPlan) Prepared by: James Connolly (BUrbanEnvPlan)

Position: Town Planning Consultant Position: Town Planning Consultant

Signed:  Signed: 

Date: 09/05/2017 Date: 09/05/2017

This Statement of Environmental Effects has been prepared on behalf of the tenants of the subject tenancy, *Optus*, in support of a development application at 122 Station Street, Penrith. The subject of this development application is the tenants' intention to receive development consent to undertake external works and erect external advertising signage on their tenancy.

The proposed development is consistent with the ongoing use of the site as a commercial tenancy and is seen to comply with the relative matters of the Penrith Development Control Plan 2013 (DCP).

The proposal has been assessed against the relevant provisions of the LEP and DCP including both State and Local Planning Policies and it is considered that the proposal is consistent with the requirements and intent of the Planning Scheme as outlined in this report. These notes are to be read in conjunction with the attached plans and supporting documents.

2.0 SITE DESCRIPTION AND CONTEXT

2.1 Subject Site

The subject site is located at 122 Station Street, Penrith, and is an irregular shaped site which has an area of approximately 51608m². The site is adjoined by Station Street to the North-West, Reserve Street to the North-East, and Woodriff Street to the South-East. The site is currently improved by the Nepean Village Shopping Centre which is a regional shopping centre servicing the local and greater area. The site is adjoined by a number of commercial, retail and residential premises and properties in the surrounding Mixed Use zoning.

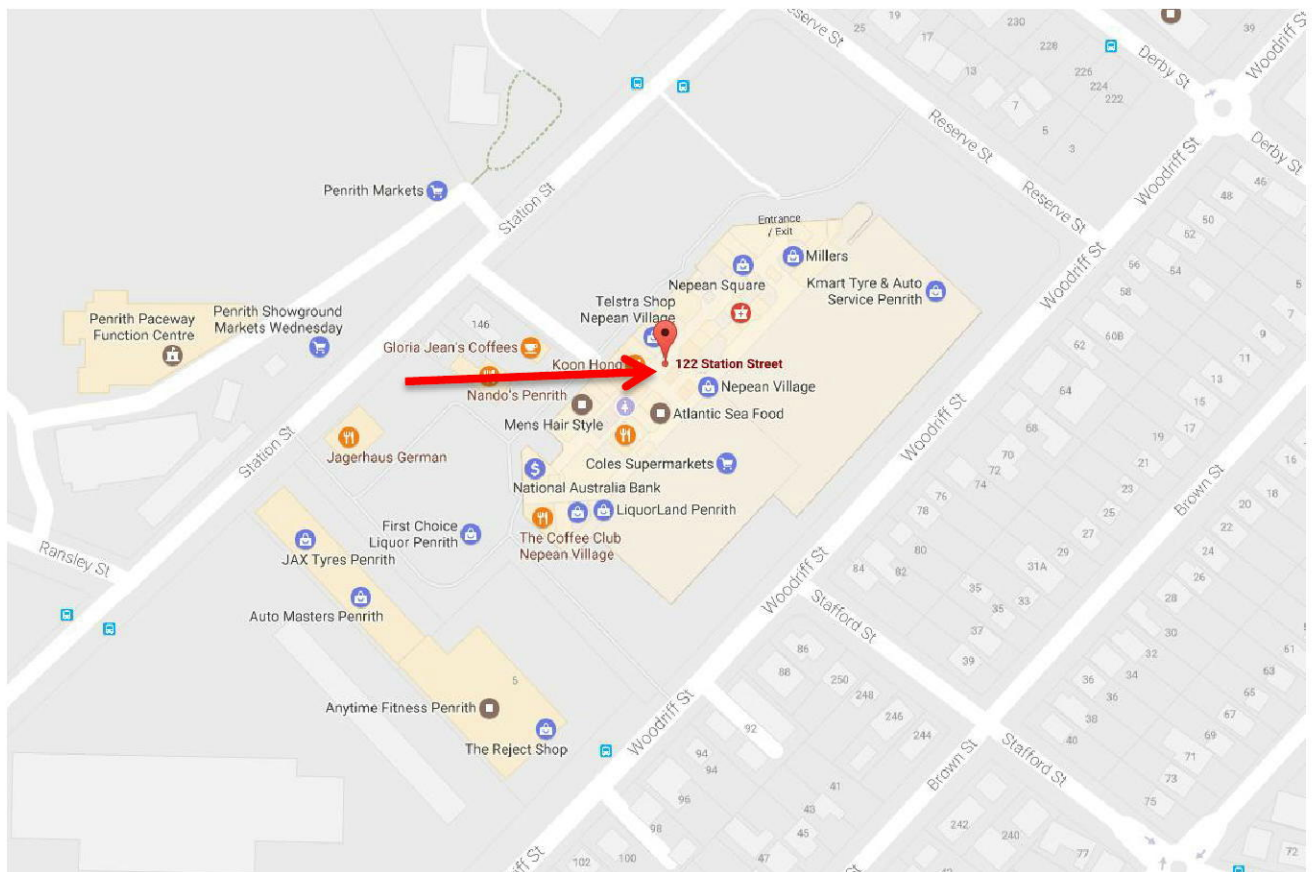


Figure 1: Site Location



Figure 2: Site Location

2.2 Subject Tenancy

The subject tenancy (Shop 043) is a new tenancy which has been constructed as part of refurbishment works to the centre. Approval has already been giving for the new empty Optus shell base build, including the fixed external solid wall. The location of the tenancy is indicated below.

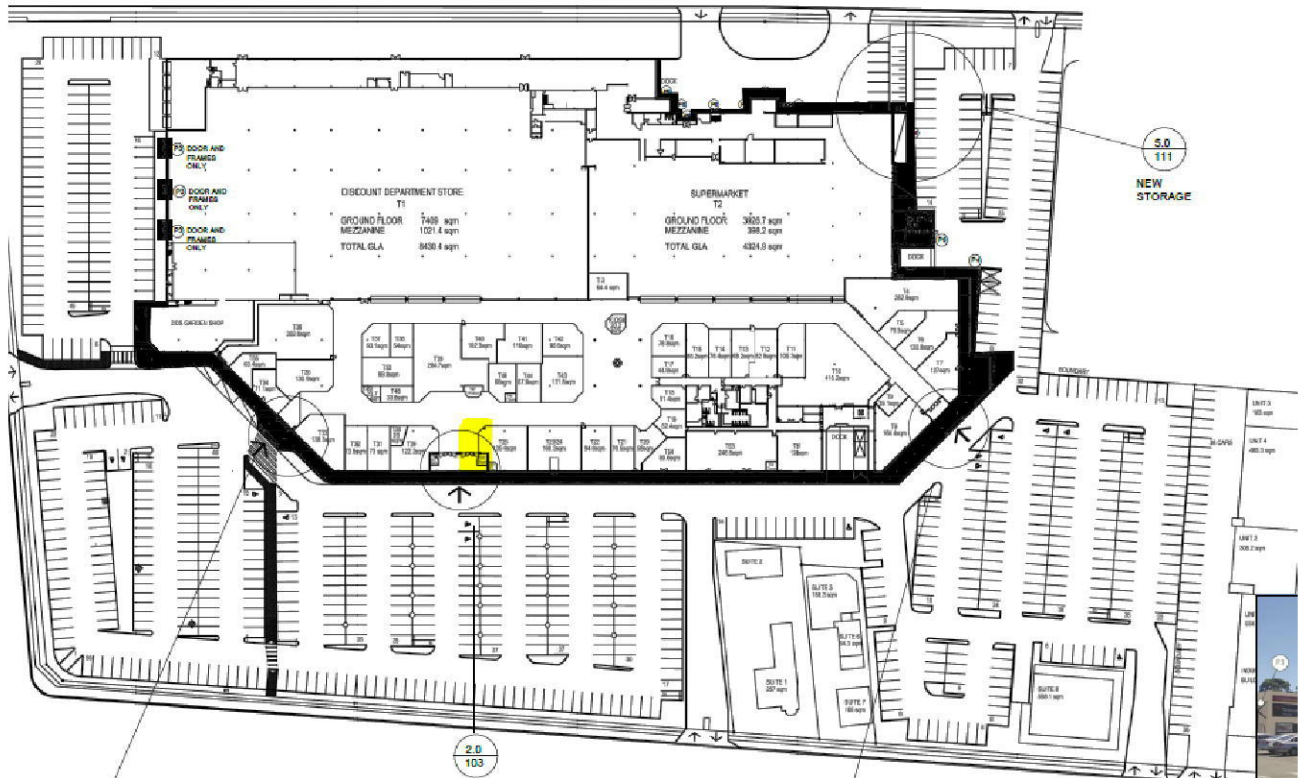


Figure 3: Indicative Tenancy Location

STATEMENT OF ENVIRONMENTAL EFFECTS

OPTUS NEPEAN VILLAGE

As indicated below in Figure 4 & 5 (works being undertaken by centre, not directly relevant to this application), the new tenancy is approximately 73m² in size. It is to be noted that the external wall has approval and is being constructed in place of the new operable glazed doors which is being undertaken by the centre.

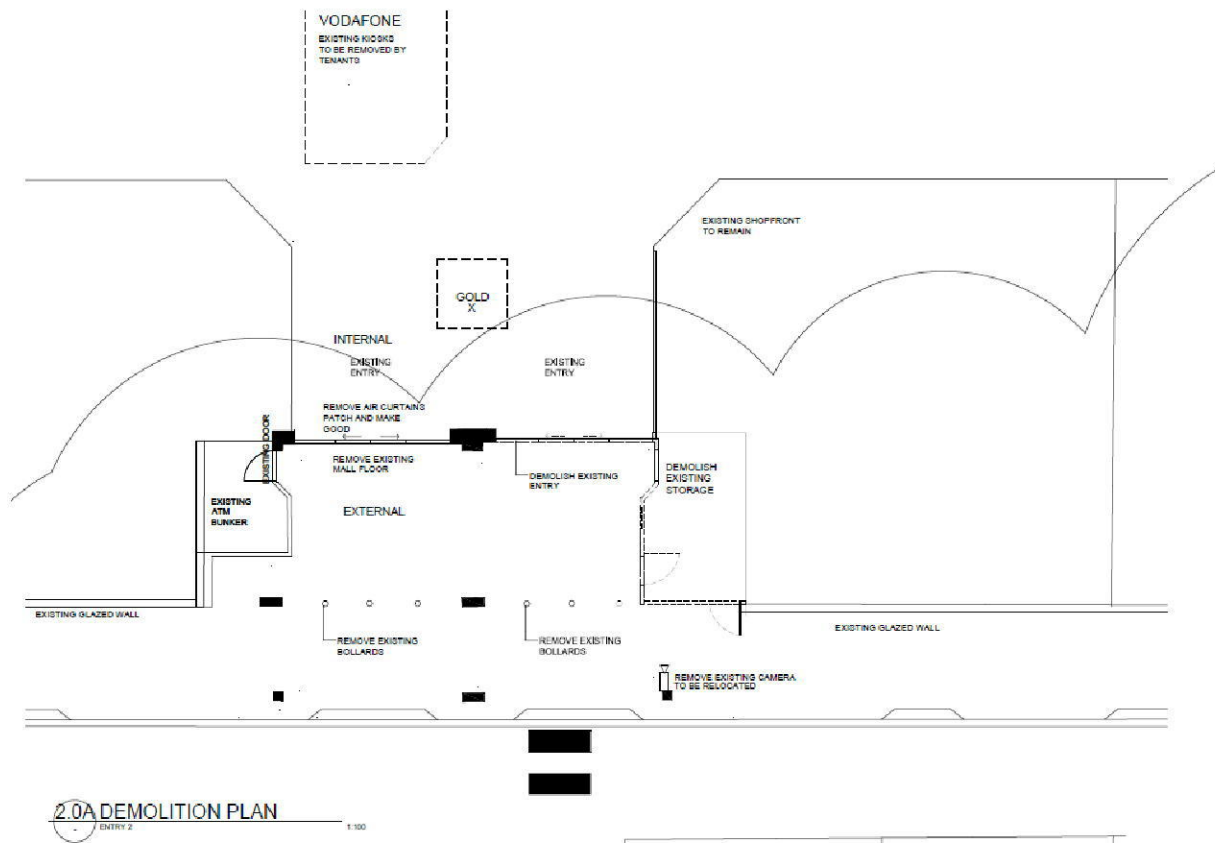


Figure 4: Existing conditions prior to centre works

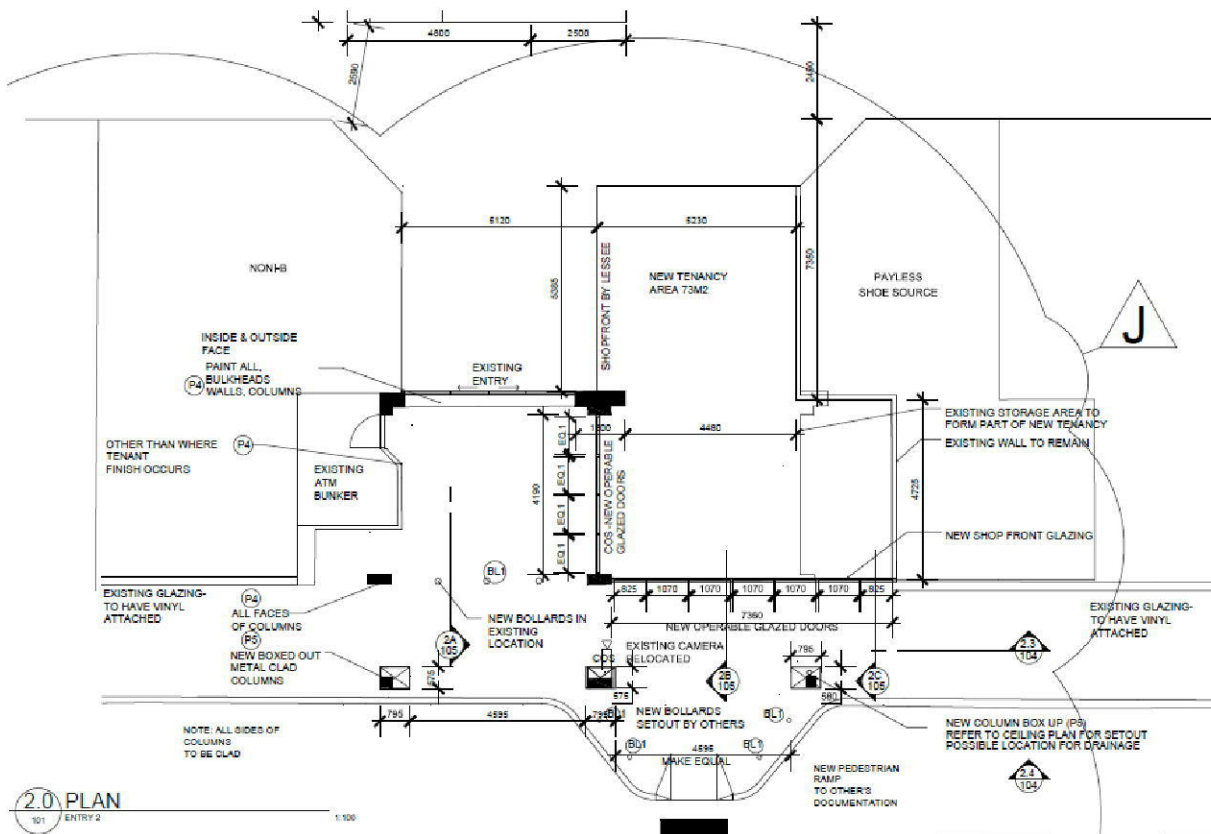


Figure 5: Centre works with new tenancy (glazed doors changed to solid wall)

The external of the tenancy is indicated below in Figure 6 and Figure 7.



Figure 6: External view of tenancy



Figure 7: External view of tenancy

3.0 PROPOSED DEVELOPMENT

The aspects of the proposed are identified in the below table:

Application Component	Details
Advertising Signage	<ul style="list-style-type: none"> • Sign 1 – 2000mm (W) x 400mm (H) new illuminated “Optus” wall sign with 25mm opal acrylic teal vinyl face fixed directly to wall. • Sign 2 – “Yes” Optus graphic applied to shopfront area.
External Works	<ul style="list-style-type: none"> • Clad existing solid wall in dibond MT04 finish with edge of cladding to be finished with stainless steel capping.

Full details of the proposed works are available on the attached plans and elevations.

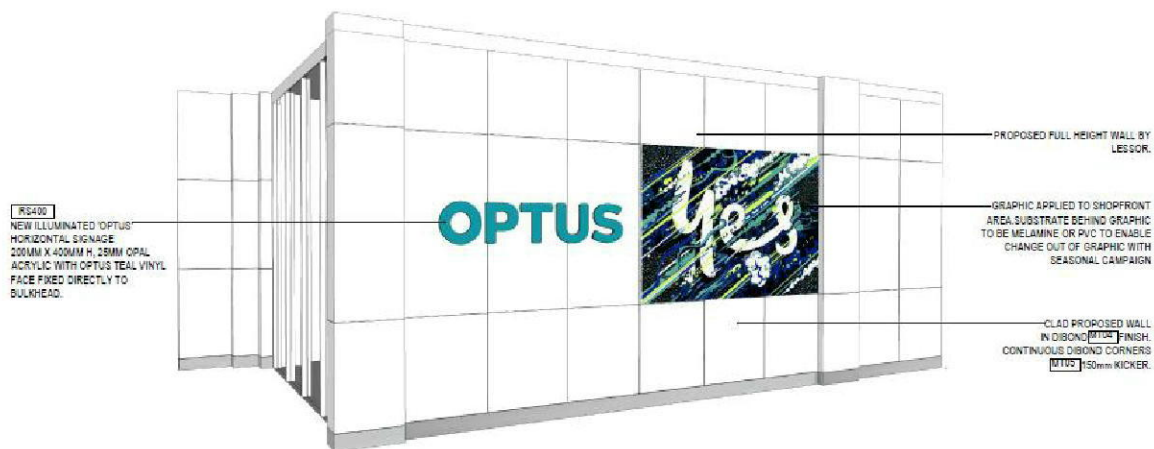


Figure 8: Proposed Concept Shopfront

The proposal has been assessed against the relevant statutory planning controls in order to assess its compatibility with the subject site. In determining this development application, the assessing authority must take into consideration the local planning provisions, which have been addressed below.

4.1 Zoning

As per the below LEP Mapping (Figure 9), the subject site is identified as being within the B4 Mixed Use Zoning which is designed to serve the following purpose:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To create opportunities to improve public amenity.
- To provide a wide range of retail, business, office, residential, community and other suitable land uses.

It is seen that the continued use and investment in the site agrees directly with the intent of the zone through adding to the vibrant mixed use of the area.

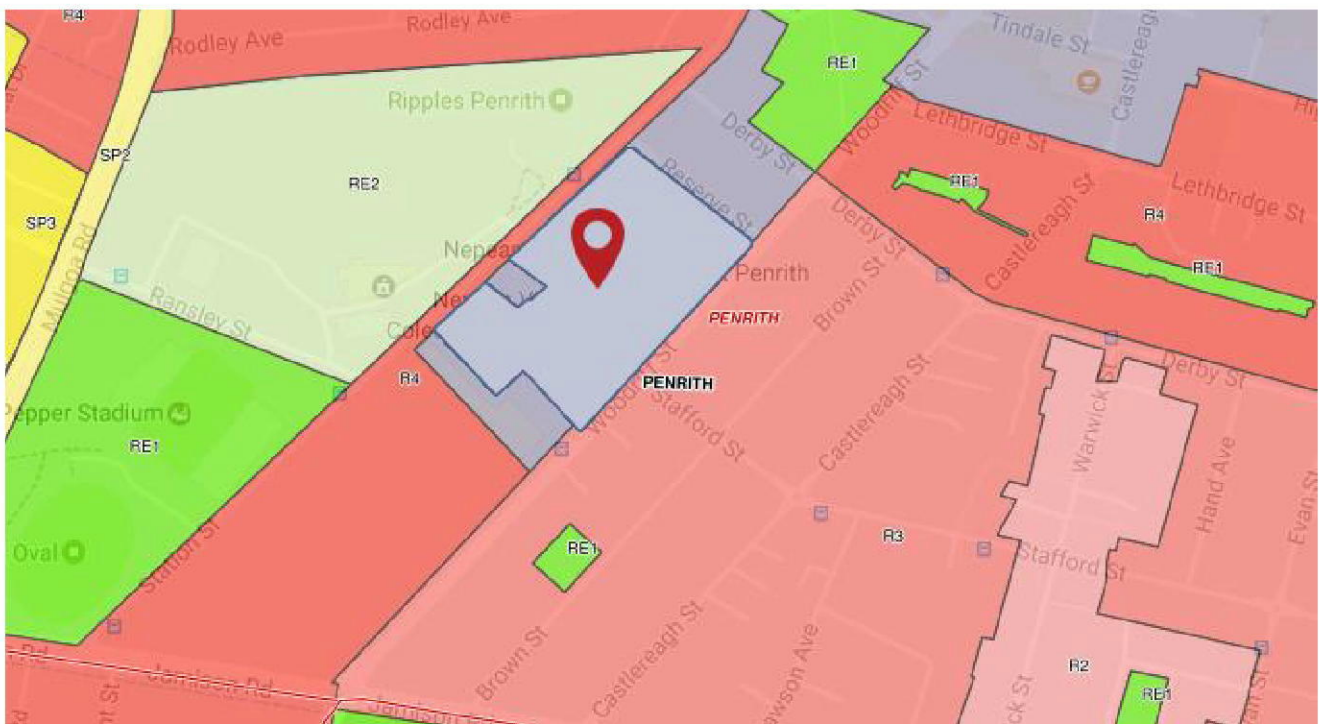


Figure 9: Zoning (B4 Mixed Use)

4.2 Other Overlays

The site is not affected by any overlays bearing relevance to the application.

4.3 Level of assessment

Pursuant to SEPP Exempt and Complying Development 2008, Part 2, Division 2, Subdivision 1, the proposed signage cannot be considered exempt due to the number of the proposed signs, and therefore development consent is required.

SEPP Exempt and Complying Codes Part 2, Division 2, Subdivision 1 - Advertising and Signage Exempt Development Code

2.83 General requirements

(1) To be exempt development under this code, development specified in this Division must:

- (a) have the consent in writing of the owner of the land on which the sign is to be located and, if the sign or part of the sign projects over adjoining land, the consent of the owner of the adjoining land, and
- (b) be approved under section 138 of the Roads Act 1993, if the sign or part of the sign projects over a public road, including a footway, and
- (c) not be carried out on or in relation to a building being used as restricted premises, and
- (d) not cover any mechanical ventilation inlets or outlets located on any building on which it is carried out, and
- (e) not obstruct or interfere with any traffic sign, and
- (f) not result in more than 3 business identification signs being constructed or installed in relation to a building if the building houses only one commercial tenant, and
- (g) not result in more than 6 business identification signs being constructed or installed in relation to any building, and
- (h) not result in more than one business identification sign being constructed or installed in relation to a home business, home industry or home occupation in a residential zone.

(2) This clause does not affect any other requirement of this Policy in relation to exempt development.

4.4 Compliance with BCA

The proposed development is capable of complying with the applicable codes of the Building Code of Australia which will be part of a detailed assessment.

5.0 COMPLIANCE WITH PLANNING CONTROLS

5.1 Compliance with Penrith DCP Advertising Controls

The below table illustrates the proposals compliance with the Penrith Development Control Plan 2014 and its associated advertising controls. It is seen that the proposal adequately addresses the controls highlighted in the plan and creates a desirable outcome through good quality construction, materials and design.

Development Controls	Compliance
<p>9.1 General Requirements for Signs</p> <p><u>1 - General</u></p> <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 	<p>a) Proposed signage has been designed of high quality durable materials and is located wholly within the property. There is minimal projection and the signage relates to the use of the tenancy and exhibits a high level of design quality. The proposed signage is sympathetic to the character of the area and is appropriate for the subject site.</p>

<p>supporting structure, cabling and conduit from all angles, including visibility from the street level and nearby higher buildings and against the skyline; and</p> <p>viii. be sympathetic to the existing character of the area and the particular architectural/urban design utilised in any improvements scheme.</p> <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 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><u>2 – Signs and Road Safety</u></p> <p>a) Signs are regarded as prejudicial to the safety of the travelling public and are therefore prohibited if they:</p> <ol style="list-style-type: none"> i. Obscure or interfere with road traffic signs and signals or with the view of oncoming vehicles or pedestrians; ii. Obscure or interfere with the view of a road 	<p>b) Proposed signage purely relates to the use of the site as a retail premises.</p> <p>c) No roofs signs proposed.</p> <p>d) Proposed signage colours and logos are compatible with the subject site and surrounding area.</p> <p>e) No flat standing signs are proposed.</p> <p>f) Proposed signage is related to the retail premises and associated business advertising. The proposed signage has been designed to be minimal in nature and is</p> <p>g) Proposed signage will not damage any existing trees or vegetation.</p> <p>h) The proposed signage relates to business identification of the tenant.</p> <p>a) Proposed signage has been designed as to not introduce a hazard to vehicles or pedestrians. The signage will not interfere with road traffics signs, and cannot be mistaken for one. The proposed signage will not impair drivers' vision or distract drivers' attention, and</p>
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<p>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><u>3 – Inappropriate Signs</u></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; 	<p>is located in areas which are deemed appropriate for advertising.</p> <p>a) No new inappropriate signs are proposed. The signage locations are considered appropriate.</p>
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<p>xvi. Fin signs; and xvii. Above awning signs.</p>	
<p>9.4 Commercial, Mixed Use and Industrial Zones <u>Objectives</u></p> <p>a) To promote an integrated design approach to all signage in character with the locality and its architectural and landscape features;</p> <p>b) To prevent the proliferation of advertising signs.</p> <p>c) To permit the adequate display of information concerning the identification of the premises, the name of the occupier and the activity conducted on the land.</p> <p>d) To encourage a coordinated approach to advertising signs where multiple occupancy of buildings or sites occurs.</p> <p>e) To prevent distraction to motorists and road users, and minimise the potential for traffic conflicts.</p> <p>f) To ensure signage does not create conflicts or safety problems for pedestrians.</p>	<p>a) Proposed signage is similar in design to existing signage on the site and in the surrounding area.</p> <p>b) Proposed signage does not contribute to visual clutter as the signage has been designed to integrate with the existing form of the building.</p> <p>c) Proposed signage relates to the activity conducted within the subject tenancy and is purely for business identification purposes.</p> <p>d) Proposed signage is part of a co-ordinated design approach to the subject building with adjoining tenants having similar signage.</p> <p>e) Proposed signage has been designed as to not prevent a distraction to motorists or road users.</p> <p>f) Proposed signage has been designed as to not create a conflict or safety issue for pedestrians.</p>
<p><u>Controls</u></p> <p>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.</p> <p>2) All advertising is to be –</p> <ol style="list-style-type: none"> a. constructed of high quality, durable materials; b. considered in conjunction with design and construction of buildings; c. restricted to one sign identifying the name of the occupants and/or products manufactured or produced on the site; and d. contained wholly within the site. <p>3) Signs should generally be confined to the ground</p>	<p>1) Noted – development consent is required.</p> <p>2) Proposed signage has been designed to be of high quality with durable materials and an integral part of the building design. The proposed signage is located wholly within the site and relates to the services offered by the subject tenant.</p> <p>3) Proposed signage is appropriate for the</p>

<p>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 (see Figure C9.3 below).</p> <p>4) The sign is to be contained fully within the confines of the wall or awning to which it is mounted.</p> <p>5) In the case of multiple occupancy of a building or site:</p> <ul style="list-style-type: none"> a. Each development should have a single directory board listing each occupant of the building or site (see Figure C9.4 below). Multiple freestanding signs will not be supported; 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.; c. One under awning sign shall be permitted for each shop, unit, office, suite, etc. (see Figure C9.5). 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; d. The minimum distance between under awning signs shall be 3m (see Figure C9.6); and 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. <p>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.</p>	<p>subject site due to the architectural style of the building and the appropriate signage opportunities on the site.</p> <p>4) Proposed signage is contained fully within the walls and awnings which they are mounted on.</p> <p>5) The signage has been designed to suit the architectural form of the building and spaced appropriately to introduce no associated amenity or safety issues. As part of the established shopping centre the proposed signage is considered appropriate for external business identification</p> <p>6) No projecting wall signs are proposed.</p>
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5.2 Compliance with SEPP 64 Advertising and Signage Controls

The below table illustrates the proposal's compliance with the SEPP 64 Advertising and Signage controls. It is seen that the proposal adequately addresses the controls highlighted in the plan and creates a desirable outcome through good quality construction, materials and design.

Development Controls	Compliance
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<p>1) Character of the area</p> <ul style="list-style-type: none"> • Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? • Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? <p>2) Special areas</p> <ul style="list-style-type: none"> • 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>3) Views and vistas</p> <ul style="list-style-type: none"> • Does the proposal obscure or compromise important views? • Does the proposal dominate the skyline and reduce the quality of vistas? • Does the proposal respect the viewing rights of other advertisers? <p>4) Streetscape, setting or landscape</p> <ul style="list-style-type: none"> • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting 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>5) Site and building</p> <ul style="list-style-type: none"> • 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 	<p>1) The proposed signage is compatible with the proposed future character of the area which involves a number of commercial uses. Considering the commercial setting of the site and surrounding and existing signage, it is considered appropriate.</p> <p>2) The proposed signage is considered to be consistent with the likely future surrounding signage and does not detract from any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas.</p> <p>3) The proposed signage does not obscure or compromise any important views. The proposed signage will not dominate the skyline or reduce the quality of vistas. It respects the viewing rights of other advertisers as there is the appropriate amount of clear glazing considering the size of the window.</p> <p>4) The proposed signage will be consistent with the scale, proportion and form of the area and surrounding and existing signage. The proposed signage will contribute to visual interest of the streetscape. The proposed signage will be minimal in nature considering the size of the windows in order to prevent clutter, and to keep signage simple and conducive to the requirements of SEPP 64. The proposed signage is not located near any existing trees and does not require ongoing vegetation management.</p> <p>5) The proposed signage has been designed to be compatible with the future signage on the other buildings within the area. The proposed changes do not detract from important features of the site or building considering the size of the window. The proposed signage is consistent with the client's branding and modern store design. The placement of signage has been considered appropriate</p>
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<p>building, or both?</p> <p>6) Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> • 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>7) Illumination</p> <ul style="list-style-type: none"> • 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? • Is the illumination subject to a curfew? <p>8) Safety</p> <ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or cyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>given the site and characteristics of the business centre.</p> <p>6) The proposed signage has had all safety devices and integral design functions as part of the construction of the sign.</p> <p>7) The illuminated signage will not result in unacceptable glare. The illuminated signage will not provide a safety concern and is considered appropriate considering the commercial setting of the site. It will not be predominantly visible from any residences or other forms of accommodation.</p> <p>8) The changes to the signage will not reduce safety as sightlines will not be affected and there will be no cause of distraction for drivers. The proposed changes will not reduce existing safety for pedestrians and cyclists. The proposed changes will not obscure sightlines from public areas as there is still the appropriate levels of window glazing.</p>
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5.3 Section 79C(1) Assessment

In determining a development application, the assessing consent authority must take into consideration the following matters as part of Section 79C of the Environmental Planning and Assessment Act 1979. This assessment is shown in the below table.

Evaluation	Compliance
<p>In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:</p> <p>a) the provisions of:</p> <ul style="list-style-type: none"> (i) any environmental planning instrument, and (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed 	<p>The proposed works align with the relative matters of the LEP and DCP as per the compliance assessment in this Statement of Environmental Effects. The proposed works are seen to meet all the relative controls and are seen as a good design outcome for the subject site.</p>

<p>instrument has been deferred indefinitely or has not been approved), and</p> <p>(iii) any development control plan, and</p> <p>(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and</p> <p>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</p> <p>(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,</p> <p>b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</p> <p>c) the suitability of the site for the development,</p> <p>d) any submissions made in accordance with this Act or the regulations,</p> <p>e) the public interest.</p>	<p>The proposed works will not introduce any negative impacts and is seen as a desirable outcome for the refurbishment of the vacant site.</p> <p>The site has previously been used as a retail tenancy, and considering the commercial setting of the site the proposed works are deemed to be suitable.</p> <p>As per the DCP requirements, the development application may be placed on public exhibition to invite submissions, and if applicable council will assess these accordingly.</p> <p>The proposed works are to an established commercial site and are seen to be in the public's interest through refurbishing an envisaged use.</p>
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5.4 Assessment Summary

The rebranding of the existing façade is seen to be a positive addition to the building, which is currently established within a commercial precinct. The proposed works to the site will not have an effect on neighbouring buildings which may contain significant facades.

In line with DCP objectives, the proposal contributes to the vibrancy, investment and high quality design of the area while balancing the mix of commercial and heritage interests. Further to this, the retention of existing levels of shopfront glazing is in line with active street frontage policy. Through maintaining shopfront transparency, the proposal seeks to maintain an inclusive and engaging pedestrian environment while contributing to levels of casual surveillance.

The proposed signage complies with the development controls for signage and advertising structures as the signage has been developed to complement the architectural design of the building and to avoid visual clutter. In line with the standards set under the relevant planning controls, the proposed signage considers the compatibility of the signs with the commercial streetscape and the cumulative impact of signage on visual clutter.

The design for the signage is of a high quality and is compatible with signage on neighbouring buildings. The size of the signage is consistent with the commercial location of the building and has been designed to minimise obstruction to the site's architectural elements. Ultimately the proposal complies with the intent and design objectives of the local planning provisions and Planning Scheme, and is seen as a good design outcome.

6.0 CONCLUSION

This Statement of Environmental Effects has reviewed the proposed external works and advertising signage on the subject site. It is seen that the alterations to the existing tenancy are in the interest of continued investment in the area and the sustainable use of buildings within the established commercial precinct.

The signage does not detract from the building design, and it assists the tenancy in its branding as a commercial outlet. In line with DCP objectives, the proposal contributes to the vibrancy, investment and high quality design of the area. Ultimately the proposal complies with the intent and design objectives of local planning controls and represents ongoing investment in the area. For these reasons it is seen that the proposal should receive full development consent subject to reasonable and relevant conditions