

Draft Notice of decision – Erection of Digital Advertising Sign Gore Hill Freeway, Artarmon.

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	Development Application
Application number and project name	DA 22/1842
Applicant	Sydney Trains
Consent Authority	Minister for Planning

Decision

The Director under delegation from the Minister for Planning has, under s.4.16 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to the recommended conditions [and any additional conditions]

A copy of the development consent and conditions is available [here](#)

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

Date of decision

29 September 2022

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application;
- the findings and recommendations in the Department's Assessment Report' and
- the views of the community and relevant government agencies about the project (Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The Key reasons for granting consent to the development application are as follows:

- the project is permissible with development consent under *the State Environmental Planning Policy 64 – Advertising and Signage* (now consolidated in *State Environmental Planning Policy (Industry & Employment 2021)*) and is consistent with the NSW Government policies including the *Transport Corridor Outdoor Advertising and Signage Guidelines (the Guidelines)* with the aim to achieve best practice for the planning and design of outdoor advertisement in transport corridors. The proposal supports this aim by ensuring the proposal does not have any significant impacts on the surrounding areas;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with the applicable NSW Government policies and standards. Road Safety, Illumination and the Public Benefit concerns have been addressed through conditions referenced in Attachment 1;
- the issues raised by submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent (where applicable); and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Development Application for the project, including the Statement of Environmental Effects from 13 April 2022 until 10 May 2022 (27 days) and received 0 submissions, including comments from TfNSW and Willoughby City Council.

The key issues raised by agencies and considered in the Department's Assessment Report and by the decision maker include road safety, illumination impacts and public benefit. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Road Safety</i>	<ul style="list-style-type: none">• The Applicant provided a Road Safety Assessment that assessed the proposal against the NSW Government Signage Guidelines, SEPP Industry and Employment and Austroads Guide to Road Design.• The Department has imposed a condition of consent to restrict flashing lights, complex/moving displays, display imitating traffic control devices and dazzling illumination.• The Department is satisfied the proposal complies with the Guidelines and concludes the proposed signage would not have a negative impact on road safety.
<i>Illumination</i>	<ul style="list-style-type: none">• The Applicant has provided a Lighting Impact Assessment (LIA) that assessed the proposal against the signage Guidelines and Australian Standard 4282 1997 controls for illumination.• The department notes that proposal's location within a generally low level of lighting may have an impact on illumination impacts and so has imposed a condition to levels of illumination to zone 4 as per the Guidelines.• The Department considers the illumination levels of the proposal appropriate for the surrounding developing and therefore complies with the requirements of the Guidelines.
<i>Public Benefit</i>	<ul style="list-style-type: none">• The Applicant has provided a Public Benefit Statement with the application.• The Department notes the proposal would provide safety messaging to the public and that the signage can provide live traffic and accident updates.• The Department considers the public benefit statement provides clear evidence of the benefit to the local community and therefore complies with the requirements of the Guidelines.