

Notice of decision – DA 22/14349, Advertising Signage, Pacific Highway, Lindfield

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 22/14349 / PAN-278151 Advertising Signage, Pacific Highway, Lindfield
Applicant	Transport Asset Holding Entity of New South Wales/ Sydney Trains or any person carrying out any development to which the consent applies
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.

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

16 May 2023

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 2021*;
- 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 about the project (see 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 (Industry and Employment) 2021* (Industry and Employment SEPP) and is consistent with 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 advertisements in transport corridors. The proposal supports this aim by ensuring the proposal does not have any significant impacts on the surrounding area;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. Residential amenity and safety impacts have been addressed through conditions referenced in Attachment 1;
- the issues raised by the community during consultation and in 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 29 November 2022 to 12 December 2022 (14 days) and received four unique submissions, including one objection to the project and comments from Ku-ring-gai Council and Transport for NSW (TfNSW).

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include residential amenity and safety impacts. Other issues are addressed in detail in the Department's Assessment Report.

Issue	Consideration
Visual Impact <ul style="list-style-type: none"> • The sign has the potential to impact road safety for northbound motorists travelling on the Pacific Highway. 	Assessment <ul style="list-style-type: none"> • The visual impact concerns relate to north bound motorists and overall road safety. The proposal was referred to TfNSW for review of road safety impact. TfNSW reviewed the proposal and raised no objection subject to conditions of consent. Conditions/Response <ul style="list-style-type: none"> • Conditions limit illumination levels, including for local lighting conditions and particular times of day & night, in accordance with the Guidelines and Australian Standards.
Illumination Impact <ul style="list-style-type: none"> • Illumination from the sign will be visible from residential apartments located on Linfield Avenue. • Hours of operation for the display of the sign and illumination impact to residents. A curfew should be imposed to address unanticipated light spill to the existing and proposed residential purposes. 	Assessment <ul style="list-style-type: none"> • A revised Lighting Impact Assessment Report was submitted by the applicant in response to submissions received. As a result of the review and assessment of the revised documentation it is considered that illumination impacts associated with the proposed signage are acceptable on the basis that automatic dimming will ensure luminance levels remain compliant with the maximum luminance stipulated in the Guidelines and the lux limit in the Australian Standards. It is further considered that the illumination would not result in any unacceptable glare or detract from the amenity of the locality. Conditions/Response <ul style="list-style-type: none"> • Conditions of consent require reduced luminance levels during the morning and evening night-time periods to reduce light spill impacts on residential receivers.