



File Ref: DA 22/14950



22 May 2023

Department of Planning, Industry & Environment  
Locked Bag 5022  
Parramatta  
NSW 2124

Dear Janith,

**New Request for Advice – Digital Advertising Signage – Hume Highway, Ashfield**

Thank you for providing Council with the opportunity to comment on the development proposal.

It is acknowledged that the following amendments have been undertaken since Council previously commented on the proposal:

- The height of the monopole has been reduced from 3.35m to 2.95m; and
- The depth of the signage has been reduced from 1.35m to 450mm.

Council has reviewed the additional information and in summary, it is considered that the amended proposal still does not satisfy relevant planning objectives and controls, is inappropriate to the character of the area and does not provide a public benefit. Following on from Council's letter dated 15 December 2022, the following concerns are yet to be satisfactorily addressed:

- Consistency with the underlying objectives of the *EP&A Act 1979* – The sign is still not considered to promote good design within an area established by local character, and the sign is not considered to promote good amenity for existing local residents and future residents in close proximity.
- Permissibility – Further details of this matter are discussed below.
- The amended proposal still has not demonstrated that it satisfies the requirements of *Part 3 – Transport Corridor Advertising and Signage Guidelines* and *Schedule 5 – Assessment Criteria* under SEPP (Industry and Employment) 2021, the aims and objectives of the Inner West Local Environmental Plan 2022 and the requirements of *Chapter A: Part 10* of the Inner West Comprehensive Development Control Plan 2016.



- Visual impacts upon surrounding residential properties – Further details of this matter are discussed below.
- Traffic/pedestrian safety – Whilst it is acknowledged that Transport for NSW (TfNSW) have provided concurrence, we would like to bring to your attention that TfNSW have recommended a condition requiring dwell times between displays to be no shorter than 25 seconds. The current documentation specifies that dwell times will be for a minimum of 15 seconds, which is a consideration in determining a safe stopping distance, and ultimately an appropriate location for the sign.
- Impacts upon the Public Domain – The response provided by the applicant has been considered, however Council does not agree with this response or the subsequent impacts that the proposal will deliver upon the public domain for the reasons previously outlined.
- Public Benefit & Interest – The amended documentation still fails to demonstrate a direct public benefit provided by the proposal, or a framework/mechanism to support this claim. Council does not agree that the public benefits stated by the applicant outweigh the adverse impacts that the signage will present to the surrounding locality.

#### Permissibility & Zone Objectives

As previously noted, the location of the sign is within *SP2 – Rail Infrastructures Land*, under the *Inner West Local Environmental Plan 2022 (IWLEP 2022)*. The applicant notes that regardless of permissibility under the IWLEP 2022, the proposed sign is permissible with consent under Clause 3.14 of State Environmental Planning Policy (Industry and Employment) (Industry and Employment SEPP) as it is on behalf of Sydney Trains and is within a railway corridor. Council disagrees with this position for the following reasons:

- The proposal relies on Clause 3.14 of the Industry and Employment SEPP for permissibility, with no details provided regarding any advertising by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW.
- The applicant acknowledges that the specific detail of each advertisement is not yet known. However, Council contends this is an imperative requirement in order for the proposal to be permissible under Clause 3.14 of the Industry and Employment SEPP.
- The use of outdoor advertising in a given locality should not be inconsistent with the land use objectives for the area outlined in the IWLEP 2022. For the reasons previously mentioned in Council's letter dated 15 December 2022, the proposal is inconsistent with the objectives of the *SP2 – Rail Infrastructures* zone under the IWLEP 2022, given that the sign is not identified to provide any function that would be considered ordinary, incidental or ancillary to the railway.

As a result, Council maintains that the Minister should not grant consent to the sign.

#### Visual impact upon Residential Properties

It is acknowledged that additional information within the Visual Impact Assessment has been provided to confirm the impacts to the surrounding residential properties, particularly to the nearest residential properties along Grosvenor Crescent, Liverpool Road and Carlton



Crescent. Following a review of this information, Council considers that the signage will continue to present an adverse visual impact to the surrounding residential properties.

Council is still concerned that the screen size of the signage has not been reduced, which is considered to be the greatest impact caused by the proposal. Exacerbating this concern is that despite the height reduction to the monopole, the sign still extends above the railway line and will be visually obtrusive to the surrounding residential properties.

The applicant has stated that the proposal will comply with all relevant requirements of *AS 4282-2019: Control of the Obtrusive Effects of Outdoor Lighting*, and that the signs do not emit light backwards whereby the residential properties to the east/rear of the sign will receive no illuminance during the night-time operation. However, no elevations have been submitted which clarify the visibility of the signage during the night-time period, including with the associated luminance levels.

### **Conclusion**

As outlined above, it is considered that the proposed signage does not satisfy relevant planning objectives and controls, is not consistent with the desired future character of the area and there is no public benefit associated with the signage. As a result, it is considered that the sign should be refused.

We would invite the applicant and the DPIE Team to meet with Council to discuss this proposal and future proposals that may be considered.

If you need any further assistance in relation to the above matters, please contact Sean Wilson on 9392 5065 or email [sean.wilson@innerwest.nsw.gov.au](mailto:sean.wilson@innerwest.nsw.gov.au)

Yours faithfully

A handwritten signature in blue ink, appearing to read "Ruba Osman". The signature is stylized with large, flowing loops.

Ruba Osman  
**Development Assessment Manager**