



# Central Coast Highway, Gosford Advertising Billboard Signage Modification 1

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Modification to amend the location of the supporting monopole structure  
Section 4.55(1A) Assessment (DA 10660 MOD 1)

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Cover image: *Photomontage of proposed signage at Central Coast Highway prepared by Ethos Urban*

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# Glossary

Abbreviation	Definition
<b>Applicant</b>	Sydney Trains
<b>Consent</b>	Development Consent
<b>Council</b>	Central Coast Council
<b>DA</b>	Development Application
<b>DCP</b>	Development Control Plan
<b>Department</b>	Department of Planning and Environment
<b>EPI</b>	Environmental Planning Instrument
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2021</i>
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
<b>GCCDCP 2018</b>	Gosford City Centre Development Control Plan 2018
<b>LEP</b>	Local Environmental Plan
<b>LGA</b>	Local Government Area
<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>RMS</b>	Any references to Roads and Maritime Services will be legally taken to mean TfNSW automatically
<b>RFI</b>	Request for Information
<b>Secretary</b>	Secretary of the Department of Planning and Environment
<b>SEPP</b>	State Environmental Planning Policy
<b>Industry and Employment SEPP</b>	<i>State Environmental Planning Policy (Industry &amp; Employment) 2021</i>
<b>Site</b>	Central Coast Highway, Gosford
<b>TfNSW</b>	Transport for NSW
<b>the Guidelines</b>	Transport Corridor Outdoor Advertising and Signage Guidelines 2017

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# 1 Introduction

This report provides the Department of Planning and Environment's assessment of a request to modify the approval of a monopole digital advertising billboard located at the Central Coast Highway, Gosford (DA 10660).

The proposal seeks to relocate the pole structure of the approved advertising signage 4m to the north. The Applicant notes that this is required to allow Sydney Train's truck access and movements on ground underneath the signage.

The application was lodged on 20 January 2023 by Transport Asset Holding Entity of New South Wales on behalf of Sydney Trains (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

## 1.1 Background

The site is legally referred to as Lot 1 DP872939. The approved signage would be located on the north-eastern crest of the railway corridor that transverses beneath the Central Coast Highway overpass. The site is dissected by the Brian McGowan Bridge and the Central Coast Highway (**Figure 1**).

The Central Coast Highway is classified as a highway under the *Roads Act 1993*. The highway carries two lanes of traffic in each direction and the existing speed limit is 60 km/hr. The highway includes an off ramp exit to the Pacific Highway upon approach to the site.



**Figure 1** | Local Context Map (Source: Applicant's documentation from DA 10660)



The railway corridor travels in a north-south direction and comprises part of the Central Coast & Newcastle Rail Line. The corridor includes a total of five separate railway tracks. There are no existing signs or advertising billboards within the vicinity of the site **(Figure 2)**.



**Figure 2 |** View of the proposed modified sign location from the southern pedestrian pathway looking north-east (Base Source: Applicant's documentation from DA 10660)

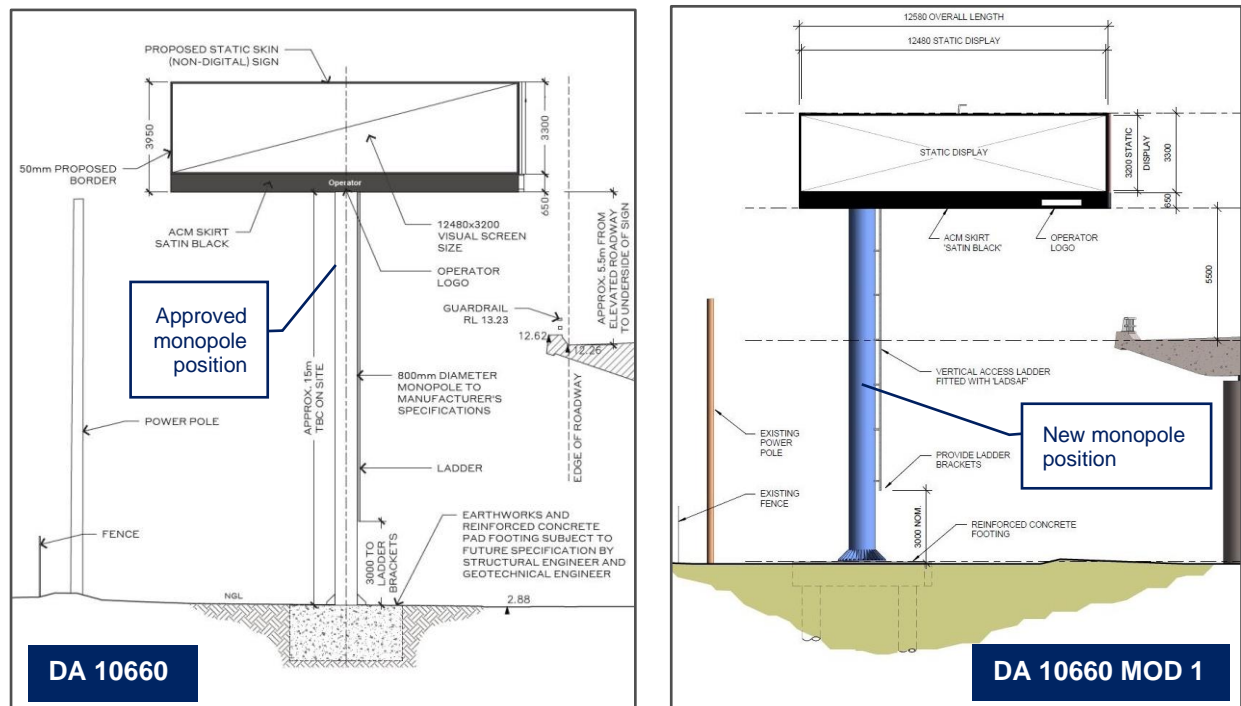
## 1.2 Approval history

A consent was granted for DA 10660 on 14 April 2022 for the construction of a monopole digital advertising billboard. The original consent has not been modified to date.

## 2 Proposed modification

The request seeks to modify Condition A2 of the consent to allow the relocation of the monopole structure supporting the approved advertising signage by 4 metres to the north at ground level. All other features and characteristics of the approved signage will remain the same.

Figure 3 shows a comparison of the original monopole position on the western elevation of the approved signage per DA10660 and the proposed modification.



**Figure 3 | Western Elevation Drawings of Approved Structure per DA10660 and proposed per DA 10660 MOD 1 (Base Source: Applicant's documentation)**

### 2.1 Applicant's Justification

The Applicant provides that the modification will ensure that the location of the monopole structure would not interfere with Sydney Trains operations. It will allow truck access and movements at ground level underneath the approved advertising signage.

## 3 Statutory context

### 3.1 Scope of Modification

Section 4.55(1A) of the EP&A Act outlines the matters that a consent authority must take into consideration when determining an application that seeks to modify a Part 4 consent and results in minor environmental impacts. The matters for consideration under section 4.55(1A) of the EP&A Act that apply to the modification of the project approval have been considered in **Table 1**.

**Table 1 | Section 4.55(1A) Evaluation**

Section 4.55(1A) Evaluation	Consideration
a) that the proposed modification is of minimal environmental impact, and	<b>Section 5</b> of this report provides an assessment of the issues associated with the proposed changes. The Department is satisfied that the proposed modification will have minimal environmental impacts.
b) that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and	The proposed modification seeks to amend the position of the approved signage's supporting monopole structure from the centre of the sign to 4m towards its northern end. All other features and aspects of the approved signage remain the same as approved. On this basis, the Department is satisfied that the proposed modification results in development that is substantially the same as originally approved.
c) the application has been notified in accordance with the regulations, and	Notification of the modification application was not required in accordance with the <i>Environmental Planning and Assessment Regulation 2021 (EP&amp;A Regulation)</i> . Details are provided in <b>Section 4</b> of this report.
d) any submissions made concerning the proposed modification have been considered	The Department received confirmation from Transport for NSW (TfNSW) and Central Coast Council (Council) that they have no objections to the proposed modification.

The Department has reviewed the scope of the modification application and considers that the application involves minimal environmental impacts as the proposal is substantially the same development as originally approved.



### 3.2 Objects of the Act

The Minister or delegate must consider the objects of the EP&A Act when making decisions under the EP&A Act. The Department has considered the objects of the EP&A Act in its assessment of the modification application and is satisfied that the modification meets the objects of the EP&A Act as the modification will:

- promote the proper management and development of the land owned by Sydney Trains in allowing a more efficient truck access and movements
- promote the orderly and economic use of land through the utilisation of part of a light rail corridor
- not result in unacceptable environmental, built and cultural heritage impacts
- promote planning and assessment coordination since the advice and comments from TfNSW and Council has been given due consideration by the Department in the public exhibition and assessment stages

### 3.3 Consent authority

The Minister for Planning and Public Spaces is the consent authority for the modification request. However, under the Minister's delegation dated 9 March 2022, the Team Leader, Regional Assessments, may determine the application as:

- a political disclosure statement has not been received,
- no objection from Council was received, and
- no submissions were received from the public objecting to the proposal.

### 3.4 Mandatory matters for consideration

The approved signage was assessed by the Department against the provisions of applicable EPIs that were in force at the time of the assessment. The Department is satisfied that the proposed modification does not significantly alter the conclusions of the original assessment against those EPIs. The Department has also considered the proposed modification and its associated key assessment issues against the relevant provisions of the current EPIs (**Appendix C – Statutory Considerations**). The Department is satisfied that the proposal is consistent with the current EPIs.

## 4 Engagement

### 4.1 Department's engagement

The Department's Community Participation Plan (CPP), dated November 2019 prepared in accordance with Schedule 1 of the EP&A Act, requires applications for modifications of development consent that are not required to be exhibited by the EP&A Regulations to otherwise be exhibited at the discretion of the Department based on the urgency, scale and nature of the proposal.

The Department formed the view that based on the minor nature of the modification, exhibition was not required however the modification documents were made publicly available on the Department's website and referred to TfNSW and the Central Coast Council for review.

### 4.2 TfNSW advice

The Department received comments from TfNSW who noted that they did not have any objections to the proposed modification and have assessed that the modification will have no significant impact on the nearby classified (State) road network.

### 4.3 Council submission

The Department received comments from Central Coast Council who noted that they did not have any objections to the proposed modification on the provision the development is consistent with the relevant legislation it was originally approved.

### 4.4 Request for additional information

Following receipt of the application, the Department reviewed the submitted documents and on 14 December 2022 requested for clarification and additional information on the following:

- structural feasibility statement prepared by a suitably qualified expert which assesses the impacts of the modification to the approved signage, methodology for excavation and construction, and new structural requirements including wind loading
- updated plans with details of footings, base and pilings
- updated plans showing dimensions of the western elevation sign per approved DA

In response, the Applicant submitted the Structural Design Statement and methodology for excavation and construction discussed in more detail in **Section 5**. The Applicant also submitted the updated plans as requested by the Department.

The Department reviewed the Structural Design Statement, updated plans and work methodology and is satisfied that the Department's concerns have been appropriately addressed.

## 5 Assessment

The Department has considered in **Table 2** the key assessment issues associated in moving the supporting monopole structure of the approved advertising signage by 4m to the north.

**Table 2 | Assessment Issues**

Issue	Findings	Recommendations
<b>Structural Feasibility</b>	<p>The Department requested a structural feasibility statement which considered the signage's structural details, wind loading requirements and methodology for excavation and construction.</p> <p>In response to the Department's request, the Applicant submitted:</p> <ul style="list-style-type: none"> <li>a Structural Design Statement which provides structural details of the proposed signage and confirms that the design complies with the requirements of <i>Australian Standard AS.1170.1 – SAA Loading Code</i> and <i>Australian Standard AS.1170.2 – Structural design actions</i>. It also confirms that the design complies with the relevant provisions of the Building Code of Australia 2019 Amendment 1, the relevant Australian Standards (AS3600 – 2001, AS4100 – 1998, AS1657 - 2018) and is in accordance with accepted engineering principles</li> <li>a methodology for excavation and construction which clarifies the scope of works, installation sequencing and equipment requirements.</li> <li>updated general arrangement plans.</li> </ul> <p>Both Council and TfNSW did not raise concerns about the structural adequacy of the application.</p> <p>Noting the conclusion of the Structural Design Statement, the Department is satisfied that the application is capable of complying with Australian structural design standards.</p>	No additional conditions necessary.
<b>Visual Amenity Impacts</b>	<p>The Department notes the signage will be within the sightlines of road users of the Brian McGowan Bridge.</p> <p>The Modification Report submitted by the Applicant noted that despite the change to the location of the supporting structure, all other aspects of the approved signage will remain as</p>	No additional conditions necessary.

originally approved, including its high-quality design and finish. The Applicant concluded that the proposal would continue to be compatible with the surrounding area.

Both Council and TfNSW indicated no objection to the proposed modification.

The Department notes that modification will not significantly change the conclusions of the Visual Impact Assessment, prepared by Ethos Urban dated 16 December 2020, submitted with the original DA. The Department also notes that by moving the supporting structure to the side of the sign, it creates one unobstructed through-sign view rather than two smaller through-sign views. The Department is satisfied that the modification will not significantly change the visual impact associated with the sign

<b>Road Safety</b>	<p>The Department notes that the application does not seek to amend the advertising display area, angle of view, illumination or dwell time approved the signage. The proposal simply seeks to move the supporting monopole structure by 4m northwards.</p> <p>Both Council and TfNSW did not raise any concerns with road safety.</p> <p>The Department is satisfied that the application will not lead to any additional impacts to road safety.</p>	<p>No additional conditions necessary.</p>
<b>Public Benefit Statement</b>	<p>The Applicant submitted an updated Public Benefit Statement (PBS) dated 18 November 2022 with the proposal.</p> <p>The Department reviewed the updated PBS and the original PBS approved in DA 10660 and notes that except for the name of EPIs in force at that time that DA 10660 was approved, the two PBS are the same and there is no change to the public benefits provided.</p>	<p>The Department recommends that the PBS dated 18 November 2020 listed under Condition A2 of the conditions of consent be deleted and replaced by the PBS dated 18 November 2022.</p>

## 6 Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. The Department considers the proposal to be acceptable on the basis that the proposal:

- simply seeks to relocate the supporting structure to achieve access for trucks and vehicles servicing the site
- is capable of being structurally feasible and designed to relevant Australian Standards
- complies with statutory requirements of relevant environmental planning instruments
- will not significantly alter the design of the approved signage
- will not create any significant environmental impacts

The Department is satisfied that the modification can be approved, subject to the recommended conditions (**Appendix B**).

## 7 Recommendation

It is recommended that the A/Team Leader, Regional Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application DA 10660 MOD 1 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **modifies** the consent approval DA 10660
- **signs** the attached Instrument of Modification (**Appendix B – Instrument of Modification**).

**Recommended by:**



**Abigail Bautista**  
Planning Officer  
Regional Assessments

**Recommended by:**



**Tahlia Sexton**  
Senior Planning Officer  
Regional Assessments



## 8 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink, appearing to read 'M. Niles', written in a cursive style.

**Michelle Niles**

A/Team Leader

Regional Assessments

as delegate of the Minister for Planning and Public Spaces

# Appendices

## Appendix A – Modification Report and Associated Documentation

<https://pp.planningportal.nsw.gov.au/daex/under-consideration/digital-advertising-sign-central-coast-highway-modification-1-da-10660-mod-1>

## Appendix B – Instrument of Modification

<https://pp.planningportal.nsw.gov.au/daex/under-consideration/digital-advertising-sign-central-coast-highway-modification-1-da-10660-mod-1>

## Appendix C – Statutory Considerations

In line with the requirements of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the assessment of the modification application has included detailed consideration of the matters listed under section 4.15(1) of the EP&A Act (**Table 3**) and relevant sections of the *State Environmental Planning Policy (Industry & Employment) 2021* (**Table 4 and**

**Table 5**), the Transport Corridor Outdoor Advertising and Signage Guidelines (**Table 6**) and Gosford City Centre Development Control Plan 2018 (**Table 7**) that relate to visual amenity, design and structural criteria.

Section 4.55(3) of the EP&A Act states that in determining the application for modification, the consent authority must take into consideration the matters referred to in section 4.15(1) of the assessment of the originally approved application (**Table 3**).

**Table 3 | Matters for Consideration under Section 4.15 (1) of the EP&A Act**

Matter	Consideration
a) the provisions of: i.) any environmental planning instrument, and	<p>The Department has considered the following relevant environmental planning instruments in the assessment of the original approved application:</p> <ul style="list-style-type: none"><li>• State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) (now consolidated in SEPP (Industry &amp; Employment) 2021)</li><li>• State Environmental Planning Policy (Infrastructure) 2007</li><li>• State Environmental Planning Policy (Gosford City Centre) 2018 (SEPP GCC 2018) (now consolidated within the SEPP (Precincts - Regional) 2021)</li><li>• Gosford Local Environmental Plan 2014 (GLEP 2014)</li></ul> <p>The Department is satisfied that the proposed changes do not significantly alter the conclusions of the original</p>

	assessment of the signage against those EPIs or any subsequent replacement EPIs.
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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	Not applicable.
iii.) any development control plan, and	The modification application meets the relevant/applicable objectives of the Gosford City Centre Development Control Plan 2018.
iii.) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	The Applicant has not entered into a planning agreement under Section 7.4 of the EP&A Act.
iv.) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates.	The Department has assessed the modification application in accordance with all relevant matters prescribed by the regulations.
(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,	The Department has considered the likely impacts of the modification application and concludes that there would be no significant environmental impacts from the modification application.
(c) the suitability of the site for the development,	The signage is permissible with consent and the proposed modification does not give rise to any permissibility issues.
(d) any submissions made in accordance with this Act or the regulations,	Both Council and TfNSW has advised that they do not have any objection to the proposed modification.

e) the public interest.

The Department considers the subject modification does not alter the benefits that the public will obtain from the originally approved development.

## State Environmental Planning Policy (Industry and Employment) 2021

The Industry and Employment SEPP currently applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserve. The proposed digital signage has been assessed against the requirements of the Industry and Employment SEPP in **Table 4** and the specific assessment criteria of Schedule 5 of the Industry and Employment SEPP in

### Table 5.

**Table 4 | Industry and Employment SEPP Compliance Assessment**

Clause	Criteria	Comments	Complies?
Part 3.2 Signage Generally			
3.6 Granting of consent to signage	The signage is to be consistent with the objectives of this Policy.	The modification is compatible with the desired amenity and visual character of the area. It will not alter the features of the approved signage in providing effective communication and having a high quality finish. It is therefore consistent with the objectives of Industry and Employment SEPP.	Yes
	The signage is to satisfy the assessment criteria in Schedule 5.	See relevant assessment in <b>Table 5.</b>	Yes

**Table 5 | Industry and Employment SEPP Schedule 5 Compliance Table**

Assessment Criteria	Comments	Complies?
3 Views and Vistas		
Does the proposal: <ul style="list-style-type: none"><li>• obscure or compromise important views?</li><li>• dominate the skyline and reduce the quality of vistas?</li></ul>	The modification will not alter the position of the approved advertising billboard relative to the Brian McGowan Bridge. As per originally approved signage, the modification will not compromise any important views, the skyline or interfere with other advertisers.	Yes

Assessment Criteria	Comments	Complies?
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- respect the viewing rights of other advertisers?

#### 4 Streetscape, Setting or Landscape

Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The modification will not alter the scale and proportion of the approved signage. The change seeks the relocation of the supporting monopole to one side of the signage is just minor and remains appropriate for the streetscape and transport corridor setting of the Central Coast Highway.	Yes
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#### 5 Site and building

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?	The modification will not alter the scale and proportion of the approved signage.	Yes
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### Transport Corridor Outdoor Advertising and Signage Guidelines

The *Transport Corridor Outdoor Advertising and Signage Guidelines* supplement the provisions of the Industry and Employment SEPP (previously SEPP 64) by providing detailed information in relation to signage within transport corridors, including design criteria and road safety considerations. The modification has been assessed against relevant sections of the Guidelines ([Table 6](#))

**Table 6** | Assessment of the Guidelines design criteria

Assessment Criteria	Comments	Compliance
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#### Site-Specific and Structural Criteria

##### General Criteria

a) The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.	The relocation of the monopole support to one side of the approved billboard retains the same contemporary standard of the approved signage that is suitable for the road corridor.	Yes
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Assessment Criteria	Comments	Compliance
b) The advertising structure should be compatible with the scale, proportion, and other characteristics of the site, building or structure on which the proposed signage to be located.	The proposed modification will retain the scale and proportion of the approved signage. It will not alter its compatibility to the scale of the bridge on which the approved signage will be located.	Yes
c) The advertising signage should be in keeping with important features of the site, building or bridge structure.	The modification does not detract from any important features of the site or bridge.	Yes
d) The placement of the advertising signage should not require the removal of significant trees or other native vegetation.	The modification does not require removal of trees.	Yes

#### Bridge Criteria

Architecture of the bridge must not be diminished.	The signage will not cantilever over the bridge and will not diminish the architecture of the bridge.	Yes
<p>The advertisement must not</p> <ul style="list-style-type: none"> <li>extend laterally outside the structural boundaries of the bridge</li> <li>extend below the base of the bridge structure unless it is contained wholly into a pylon or abutment or meet RMS's minimum road clearance</li> <li>protrude above the top of the structural boundaries of the bridge</li> <li>block significant views for pedestrians or other bridge users.</li> <li>create a tunnel effect, impede passive surveillance</li> </ul>	<p>The signage will not extend laterally, below or above the structural boundaries of the bridge. It will not block significant views for pedestrians or other bridge users. Also, the modification will not impact passive surveillance or reduce safety for drivers, pedestrians or bridge users.</p>	Yes



Assessment Criteria	Comments	Compliance
	or in any other way reduce safety for drivers or pedestrians or other bridge users.	

## Gosford City Centre Development Control Plan 2018

Part 5.2.19 of the GCCDCP 2018 outlines Council's desired objectives and measures for the installation of signage. The modification application does not alter the development's compliance and consistency with the relevant desired objectives of the GCCDCP 2018 (**Table 7**).

**Table 7** | Assessment of relevant provisions of GCCDCP 2018

Assessment Criteria	Comments	Compliance
<b>General Location and Design of Signs</b>		
1. Signs are to be designed and located to:	The modification will not significantly change its appearance of the approved signage. Supporting cabling and conduit will remain built within the signage and obscured from view.	Yes
a) Relate to the use of the building;		
b) Be visually interesting and exhibit a high level of design quality;		
c) 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;		
d) 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, and		
e) Have only a minimal projection from the building.		