

Notice of decision

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 23/2901 (PAN-310932) Digital advertising sign - M2 Motorway Windsor Road Overpass, Baulkham Hills
Applicant	G.O. SIGNAGE NOMINEES PTY LTD & O S T O R (NO 14) PTY
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director, Key Sites Assessments has, under Section 4.16 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the conditions specified in Schedule 2 of the development consent.

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

Date of decision

28 August 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:

- permissibility - the project is permissible with development consent under the State Environmental Planning Policy (Industry and Employment) 2021
- consistency with NSW Government Policy – the project is consistent with the Transport Corridor Outdoor Advertising and Signage Guidelines 2017 which aim to provide best practice for the planning and design of outdoor advertisements in transport corridors
- impacts can be managed – lighting and road safety issues can be appropriately minimised through the proposed conditions of consent and managed in accordance with NSW Government policies and Australian Standards
- public interest - 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, for at least 28 days from Thursday 20 April 2023 to Monday 22 May 2023.

The Department received a submission making comments from City of Parramatta Council, and correspondence from The Hills Shire Council confirming they did not intend to make a submission and there was no objection. No public submissions were received.

The Department also undertook the following consultation activities:

- exhibition on the Department's website
- notification of adjoining landholders, Council, and relevant government agencies in writing.

The issues raised by Council are considered in the Department's Assessment Report and summarised in the table below.

Issue	Consideration
Road safety	<p>City of Parramatta raises no objection on traffic grounds. For the approach and departure side of the sign, there are no decision-making points or conflict points in accordance with Section 3.2.3 of the Outdoor Advertising Signage Guidelines. The closest decision making/conflict point (i.e. the merge point and diverge points) for both directions are more than 300 m away, and therefore are unlikely to be impacted by the proposal.</p> <p><i>Assessment</i></p> <p>The Department considers road safety matters have been satisfactorily addressed in the Applicant's Traffic Safety Assessment and subsequent information, and that the proposed sign will not result in an adverse safety risk. Transport for NSW (TfNSW) has also issued their concurrence and general terms of approval.</p> <p><i>Recommended Conditions/Response</i></p> <p>It is recommended that TfNSW's general terms of approval form conditions of consent and that the sign be audited after 18 months of its operation to confirm any impact on road safety. In the event that the recommendations from the audit cannot be addressed by the Applicant to the satisfaction of TfNSW, the sign is to be removed.</p>
Council boundaries	<p>The M2 Motorway is the boundary between The Hills Shire and City of Parramatta Councils. Accordingly, this proposal is also to be reviewed by The Hills Shire Council.</p> <p><i>Assessment</i></p> <p>The application was also referred to The Hills Shire Council at the time of exhibition. The Hills Shire Council confirmed they did not object or wish to comment on the application.</p> <p><i>Recommended Conditions/Response</i></p> <p>No conditions are recommended.</p>