

Notice of decision – Digital Advertising Sign – Lane Cove Overpass, Macquarie Park

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 23/2902 (PAN-310940)
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 s.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

1st of September 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 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, from 20 April 2023 to 19 May 2023 (30 days). It is noted the standard 28 day exhibition period was extended as the Department performed system updates to the Planning Portal on 23 April and 29 April 2023, which meant users were unable to access the portal or lodge submissions.

The Department received a submission making comments from Council after the statutory public exhibition period. No public submissions were received within the exhibition period.

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
Vertical clearance	<p><i>Assessment</i></p> <ul style="list-style-type: none">• Council raised concerns the sign would reduce the vertical clearance to less than 5.8 m.• The Applicant advised the reference to the 5.8 m clearance requirement in the Guidelines is not applicable to the proposal, as it would not extend below the soffit of the superstructure.• The Department notes Transport for NSW did not raise concerns with the vertical clearance of the Lane Cove overpass. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none">• The Department has recommended a suite of conditions to ensure the sign does not result in adverse safety impacts, including a requirement the sign be wholly contained within the extent of the overpass structure with no reduction to the vertical clearance permitted.
Location of logo	<p><i>Assessment</i></p> <ul style="list-style-type: none">• While the logo for the sign operator is proposed to be installed below the sign and not within the advertising display area, it would comply with logo size and maximum display area requirements in the IE SEPP. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none">• The Department recommended a condition requiring the logo space attached to the bottom left corner or bottom right corner of the advertising structure (never both) and must be no greater than 0.25 m² in size.