

# Notice of decision – Digital Advertising Sign – Eden Park, Macquarie Park

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

<b>Application type</b>	Development Application
<b>Application number and project name</b>	DA 23/2904 (PAN-310946)
<b>Applicant</b>	G.O. SIGNAGE NOMINEES PTY LTD & O S T O R (NO 14) PTY
<b>Consent Authority</b>	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

18 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 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 05 May 2023 (16 days). It is noted the standard 14 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 Transport for NSW (TfNSW) within the exhibition period. No public submissions were received within the exhibition period. A submission making comments from Council was received after the statutory public 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
Road safety (Council issue) <ul style="list-style-type: none"><li>• Potential impacts of separation distance between the existing and proposed advertising signs</li></ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"><li>• The Department notes Transport for NSW did not raise concerns with the proximity of the proposed sign to the existing advertising signage located on the Lane Cove overpass.</li><li>• The proposed sign spacing would not result in driver distraction given the separation distance exceeds that recommended by the Guidelines and the sign would not be visible concurrently to motorists traveling outbound.</li></ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"><li>• The Department has recommended a suite of conditions to ensure the sign does not result in adverse safety impacts, including a requirement for a Road Safety Audit to be undertaken, with any issues identified being rectified by the Applicant.</li></ul>
Visual and amenity impacts (Council issue) <ul style="list-style-type: none"><li>• Visual clutter</li><li>• introduction of first freestanding sign along the M2</li><li>• obscure views of the vegetation corridor behind the site.</li></ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"><li>• The proposal is not considered to result in significant visual clutter as the proposed and the existing signage on the Lane Cove overpass are not within the same viewing corridor for motorists travelling outbound due to the 230 m separation distance and the bend in the motorway</li><li>• While the proposal would be the first freestanding sign along this section of the M2, a monopole structure is not inconsistent with the character of the immediately surrounding area, which includes the M2 road corridor and business and commercial uses.</li><li>• The proposal would not dominate views of the vegetation corridor given the substantial length of the corridor and the sign would be lower in height than the trees.</li><li>• 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 requirements in the IE SEPP and would not result in any significant visual impacts.</li></ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"><li>• No conditions are recommended.</li></ul>
Other issues (Council issue) SEE consideration of the Assessment Criteria in Schedule 5 of the IE SEPP	<p><i>Assessment</i></p> <ul style="list-style-type: none"><li>• The SEE included an adequate assessment into the Assessment Criteria in Schedule 5 of the IE SEPP.</li><li>• The Department notes that all development applications are assessed on a merit basis.</li></ul> <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none"><li>• No conditions are recommended.</li></ul>