



File Ref: DN23/0011  
13 July 2023

Transport Asset Holding Entity Of New South Wales  
Level 3, 36-46 George Street  
BURWOOD NSW 2134  
Email: [Andrew.Watson@planning.nsw.gov.au](mailto:Andrew.Watson@planning.nsw.gov.au)

Dear Sir,

**Development Referral No. DN23/0011**

**Proposal:** Removal of an existing static advertising sign and installation of a new monopole digital advertising sign on the eastern side of the Princes Highway, Heathcote.

**Property:** 91R Wilson Parade, Heathcote

I refer to the above development proposal which was referred to Council for comment in accordance with the provisions of Section 2.98 from SEPP (Transport and Infrastructure) 2021 (TISEPP) and thank you for the opportunity to make comment after the end of the notification period.

Council has reviewed the proposal and considers that the application is supportable but subject to a condition relating to illumination so the impacts of light spill and its intrusiveness to adjoining and nearby sensitive receptors (dwelling houses) are minimised.

A review of the application shows that the sign will be oriented to the southwest. A review of Council's mapping shows that a number of dwelling house are located to the south and southwest. The closest dwelling is located less than 45m of the sign.

Section 5.2.2 of the Statement of Environmental Effects details that 'post-curfew' hours are between 11pm to 6am and this is the period when residents are trying to sleep. When assessing development proposals involving sensitive receptors in close proximity to busy roads and rail corridors, Section 2.100(3)(a) from the TISEPP and Section 3 from the NSW Department of Planning's Development Near Rail Corridors and Busy Roads – Interim Guideline requires an applicant to implement measures to minimise impacts of noise intrusion to any bedroom in residential accommodation between 10pm to 7am, daily.

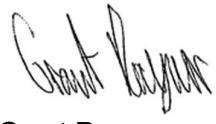
While the sign will not emit noise, light spill from the continual illumination and periodic changes to sign content is highly likely to have impacts to the adjoining and nearby dwellings and the same level of amenity protection must be provided to residents.

Therefore, a precautionary approach must be adopted and the lowest illuminance level of 250cd/m<sup>2</sup> (refer to Section 5 from the Lighting Impact Assessment prepared by Electro Light, Ref: 3023.27 dated 31 April 2023) must commence from 10pm, not 11pm, which aligns with Section 2.100 and the interim guideline.

Clause 7, Schedule 5 Assessment Criteria from SEPP (Industry and Employment) 2021 requires the illumination of signage not detract from the amenity of any residence or other forms of residential accommodation. The adoption of an earlier night time curfew period of 10pm will ensure minimal amenity impacts and compliance with this assessment obligation.

If you need any clarification of the above comments, please contact Council's Senior Development Assessment Officer Daniel Lukic on 9710 0668 or email [dlukic@ssc.nsw.gov.au](mailto:dlukic@ssc.nsw.gov.au) and quote the application number in the subject.

Yours faithfully

A handwritten signature in black ink, appearing to read "Grant Rayner". The signature is written in a cursive, flowing style.

Grant Rayner  
Development Assessment and Certification Manager