

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 23/15505 Digital Signage Application – Railway Bridge over Castlereagh Road, Penrith
Applicant	Sydney Trains
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director, Transport and Water Assessments, under delegation from the Minister of Planning and Public Spaces has, under s.4.16 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

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

Date of decision

15 April 2024

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 and any additional information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report;
- the views of the community about the project (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:

- the project is permissible with development consent under the *State Environmental Planning Policy (Industry and Employment) 2021* and is consistent with NSW Government policies including the *Transport Corridor Outdoor Advertising and Signage Guidelines 2017*;
- the project will provide benefit to the wider community as the revenue received from leasing the space on the bridge will be reinvested into the Sydney Trains transport network and the sign will provide for local community and emergency messaging;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. The consent authority has imposed conditions relating to construction standards, environmental considerations and construction certification;
- the issues raised by government agencies and Council during consultation have been considered and adequately addressed through changes to the project and the recommended conditions of consent (where applicable; and
- 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 23 November 2023 to 6 December 2023 (14 days) on its website. The Department also notified surrounding landholders in writing and notified Penrith City Council and Transport for NSW.

Penrith City Council made a submission but did not object to the proposal. Council raised concern over the potential risk of distraction from the sign and consequent increased risk of accidents. The sign would be located outside of the safe sight stopping distance and its siting is consistent with the requirements of the *Transport Corridor Outdoor Advertising & Signage Guidelines 2017*. As such, the sign is unlikely to pose a significant risk to traffic safety. The Department referred the application to TfNSW as recommended by Council, who also did not object to the proposal.

There were no community submissions received during the exhibition period. Therefore, the only community views to be taken into consideration in making this decision were those of Council.