

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF DEVELOPMENT APPLICATION NO. 65-7-2008

(FILE NO. S08/01204)

INSTALLATION OF AN ILLUMINATED ADVERTISEMENT

I, the Minister for Planning, pursuant to Sections 80 (1) (a) and 80A of the *Environmental Planning & Assessment Act, 1979*, and clause 12(d)(ii) of State Environmental Planning Policy No 64 – Advertising and Signage determine the development application referred to in the attached Schedule 1, by **granting consent** to the application subject to the conditions of consent in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To ensure that the signage and associated structures do not result in any significant adverse environmental impacts; and
- (2) To protect the public interest



The Hon. Kristina Keneally MP
Minister for Planning

Sydney,

1 Dec.

2008

SCHEDULE 1

PART A—TABLE

Application made by:	Roads and Traffic Authority 260 Elizabeth Street, Surry Hills NSW 2010
Application made to:	Minister for Planning
Development Application:	DA 65-7-2008
On land comprising:	Lot 45 in DP 1057670 within the M7 corridor (Prestons) Lot 110 in DP 1115905 within the M7 corridor (Glendenning) Lot 102 in DP 1109052 within the M7 corridor (Dean Park)
Local Government Area	Liverpool and Blacktown
For the carrying out of:	The DA seeks consent for the installation of one advertising structure at each of the subject sites in Prestons, Glendenning and Dean Park. The advertising structures would support two signage panels arranged in a V formation in order to address both directions of traffic flow. A detailed description of the development consented to is described in Conditions A1, Part A, Schedule 2
Estimated Cost of Works	\$560,000
Type of development:	Advertised Development
S.119 Public inquiry held:	No
BCA building class:	10b
Approval Body / Bodies:	Not Integrated
Determination made on:	
Determination:	A development consent is granted subject to the conditions in the attached Schedule 2.
Date of commencement of consent:	This development consent commences on the date identified in the formal notification letter accompanying the Determination.
Date consent is liable to lapse	This consent will lapse 15 years from the date of commencement of consent, unless: (1) a shorter period of time is specified by the Regulations or (2) a condition in Schedule 2, or (3) the development has physically commenced.

PART B—NOTES RELATING TO THE DETERMINATION OF DA NO. 65-7-2008

Responsibility for other approvals / agreements

The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The Applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act, 1979*. The right to appeal is only valid, for a development application, within **12 months** after the date on which the Applicant received this notice.

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

In this consent,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this consent.

Applicant means Roads and Traffic Authority or any party acting upon this consent.

Approval Body has the same meaning as within Division 5 of Part 4 of the Act.

BCA means the Building Code of Australia.

Certifier has the same meaning as Section 116G of the Act.

Council means Blacktown Council and Liverpool Council.

DA No. 65-7-2008 means the development application and supporting documentation submitted by the Applicant on 7 July 2008.

Department means the Department of Planning or its successors.

Guidelines means the *Transport Corridor Outdoor Advertising And Signage Guidelines – Assessing Development Applications Under SEPP 64, July 2007*.

Director-General means the Director-General of the Department.

Minister means the Minister for Planning.

Regulations means the *Environmental Planning and Assessment Regulations, 2000* (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

SCHEDULE 2

CONDITIONS OF CONSENT

DEVELOPMENT APPLICATION NO. DA 65-7-2008

PART A—ADMINISTRATIVE CONDITIONS

A1 Development Description

Development consent is granted only to carrying out the development described in detail below:

- 1) Erection of a double sided advertising structures 12.66m wide by 3.35m high (42.38m²) at Ash Avenue, Prestons and Belfast Place, Glendenning and a double sided advertising structure 18.99m wide by 4.5m (85.45m²) high at Richmond Road, Dean Park.

A2 Development in Accordance with Plans

The development shall be in accordance with development application number 65-7-2008 submitted by the Applicant on 7 July 2008, and in accordance with the following:

Statement of Environmental Effects entitled Outdoor Advertising, Parramatta Road Pedestrian overbridge, Auburn prepared by Mike George Planning, dated July 2008			
Architectural (or Design) Drawings prepared by Opus International Consultants			
Drawing No.	Revision	Name of Plan	Date
S1	3	General Arrangement	23-4-2008
S2	2	Side Elevation & Section	23-4-2008
S3	1	Landscaping Signage Plan	23-4-2008
S4	1	Landscaping Elevation	23-4-2008

except for:

- 1) any modifications as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA;
- 2) otherwise provided by the conditions of this consent.

A3 Inconsistency between documents

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

A4 Duration of Consent

This development application consent is issued for a limited period of 15 years. The consent will cease to be in force/expire after the determination date in Part A Schedule 1 of the consent.

Note: A new Development Application must be submitted prior to that date for assessment and determination if it is intended to continue the use beyond the cessation date.

A5 Flashing Illumination

The approved advertisement must not have / use:

- 1) Flashing lights;
- 2) Electronically Changeable/Variable Messages;
- 3) Animated display, moving parts or simulated movement;
- 4) Any large area of illuminated display in the colour red;
- 5) Complex displays that hold a driver's attention beyond 'glance appreciation';
- 6) Displays resembling traffic signs or signals; and
- 7) A method and level of illumination that distracts or dazzles.

A6 Relocation of RTA directional signage

If the advertisement obscures any RTA directional signage, the directional sign is to be relocated by the RTA at the applicant's cost to a location that is satisfactory to the RTA.

A7 Prescribed Conditions

The Applicant shall comply with the prescribed conditions of development consent under clause 98 of the Regulation.

END OF PART A

PART B —PRIOR TO COMMENCEMENT OF WORKS

B1 STRUCTURAL DETAILS

Prior to the commencement of construction, the Applicant shall submit to the satisfaction of the Certifier structural drawings prepared and signed by a suitably qualified practising Structural Engineer that comply with:

- 1) the relevant clauses of the BCA,
- 2) the relevant development consent,
- 3) drawings and specifications comprising the Construction Certificate, and
- 4) the relevant Australian Standards listed in the BCA (Specification A1.3).

Construction Management

B2 Construction Management Plan

Prior to the commencement of any works on the site, a Construction Management Plan shall be submitted to and approved by the Certifier. The Plan shall address, but not be limited to, the following matters where relevant:

- 1) hours of work (to ensure minimal disruption of any surrounding residential amenity and traffic operation),
- 2) contact details of site manager,
- 3) traffic management, including details of the location of parking for vehicles associated with the construction (ie. Parked vehicles shall not impede the movement of traffic or pedestrians in and around the site)
- 4) noise and vibration management, and
- 5) waste management

The Applicant shall submit a copy of the approved plan to the Department and Council.

B3 Long Service Levy Payment

Construction is not to commence unless the required levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 has been paid.

B4 Outdoor Lighting

The advertisement shall not release light above horizontal and shall comply with AS4282:1997 *Control of Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifier prior to the commencement of works.

B5 Contact Telephone Number

Prior to the commencement of the works, the Applicant shall forward to the Department and Council a 24 hour telephone number to be operated for the duration of the construction works. This telephone number is to be continually attended by a person with authority over the works for the duration of the development

END OF PART B

PART C—DURING CONSTRUCTION

Construction Management

C1 Approved Plans to be On-site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the site at all times and shall be readily available for perusal by any officer of the Department, Council or the Certifier.

C2 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Certifier and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:

- 1) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- 2) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- 3) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- 4) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

C3 Road-works

Land to be dedicated at no cost to Council in order for the road widening in connection with the 3.5 metre wide footpath. The owner of the subject land shall submit a separate Subdivision Application to Blacktown Cit Council in order to initiate this requirement.

C4 Vehicular Crossing

The proponent shall construct to Council Standard a commercial and industrial vehicular footway crossing in accordance with Council plan A(BS)103S.

Noise and Vibration

C5 Hours of Work

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- 1) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive;
- 2) between 8:00 am and 1:00 pm, Saturdays;
- 3) no work on Sundays and public holidays.

Works may be undertaken outside these hours where:

- 4) the delivery of materials is required outside these hours by the Police or other authorities;
- 5) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;
- 6) the work is approved through the Construction Noise and Vibration Management Plan; and
- 7) residents likely to be affected by the works are notified of the timing and duration of these works at least 48 hours prior to the commencement of the works.

The above hours may be varied with the written agreement of the Director-General having regard to traffic safety while addressing amenity impacts of surrounding land uses.

C6 Construction Noise

Noise from construction activities associated with the development shall comply with the NSW Environment Protection Authority's Environmental Noise Manual and the Protection of the Environment Operations Act 1997.

C7 No materials on footpath

No materials, machinery, signs or vehicles used in or resulting from construction or demolition relating to the development shall be stored or placed on Council's footpath, nature strip or roadway.

C8 Construction Inspections

The building works where applicable must be inspected at the following stages during construction:

- Pre-commencement, and
- Completion

Compliance certificates verifying a satisfactory level of compliance must be lodged with the Certifier for each required inspection.

END OF PART C

PART D—POST OCCUPATION

D1 Advertisement Materials

All future advertising skins installed on the signage structure shall employ the use of a biodegradable PVC material (BIOflex or similar where possible) to ensure that the signage satisfies environmental design and performance requirements.

D2 Maintenance

Regular maintenance of the approved advertisement shall be undertaken in accordance with the approved Operational Management Plan prepared by Eye Corp Pty Ltd, dated 18 April 2008.

D3 Advertising Revenue/Public Benefit

The total amount of outdoor advertising revenue received each year must be recorded by the RTA in its financial accounts and Annual Reports. The Annual Reports must also outline the RTA investments made each year on transport safety, amenity improvements or other public works listing specific works to which the funds have been or are to be applied.

D4 Wind Loading

The approved advertisement must meet wind loading requirements as specified in Australian Standard AS 1170.1 and AS 1170.2.

D5 Location of certain names and logos

The name or logo of the person who owns or leases the approved advertisement may appear only within the advertising display area and must not be greater than 0.25 square metres.

D6 Removal of graffiti

The owner/manager of the site or sign must be responsible for the removal of all graffiti from the advertisement within 48 hours of notification.

END OF PART D

ADVISORY NOTES

AN1 Requirements of Public Authorities for Connection to Services

The Applicant shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Applicant. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the Certifier prior to the commencement of works.

AN2 Compliance with Building Code of Australia

The Applicant is advised to consult with the Certifier about any modifications needed to comply with the BCA prior to the commencement of works.

AN3 Structural Capability for Existing Structures

The structural capabilities of an existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

AN4 Application for Hoardings and Scaffolding

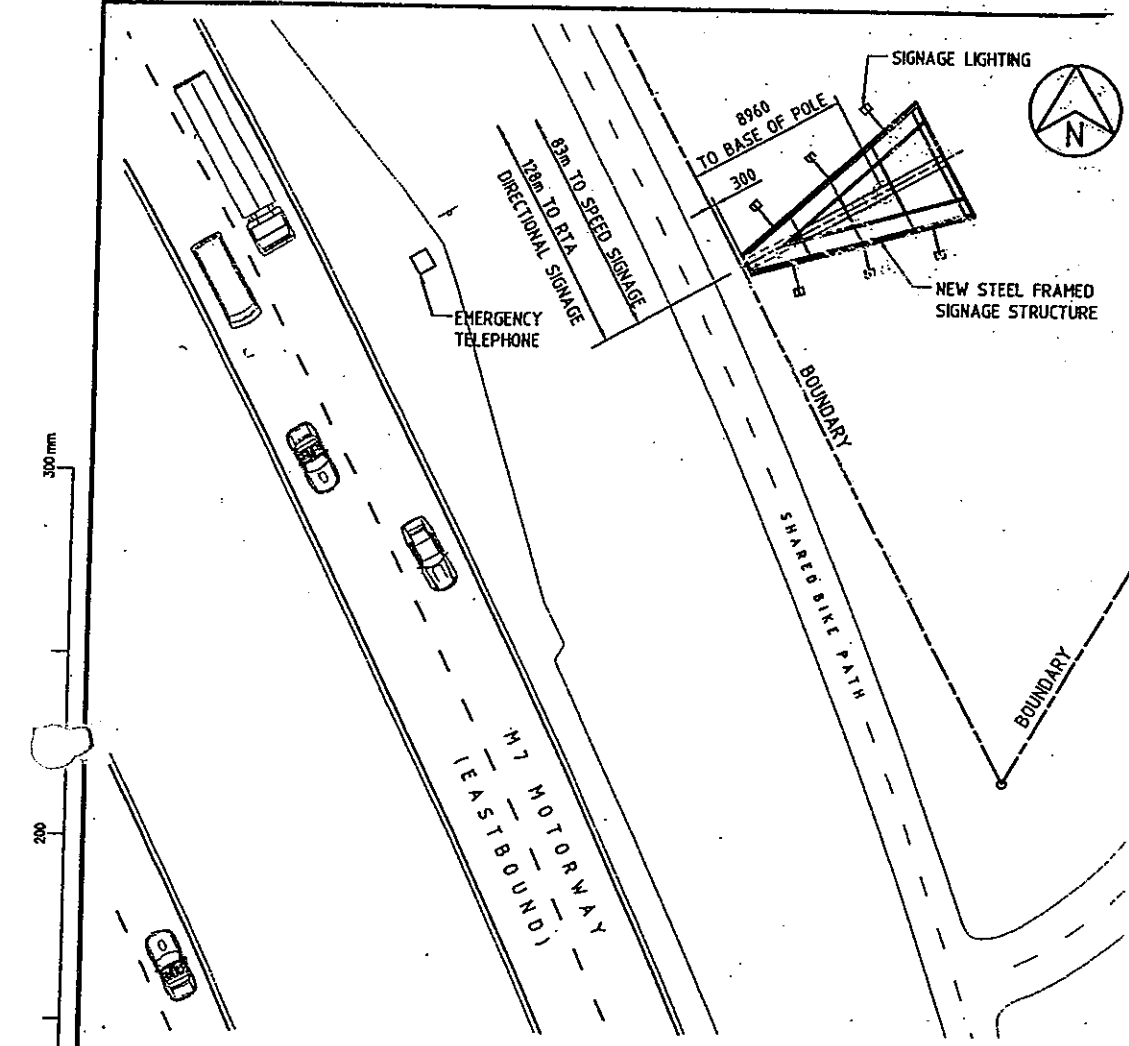
A separate application shall be made to Council for approval under Section 68 of the *Local Government Act, 1993*, to erect a hoarding or scaffolding in a public place. Such an application shall include:

The Applicant shall provide evidence of the issue of a Structural Works Inspection Certificate and structural certification shall be submitted to the satisfaction of the Certifier prior to the commencement of works.

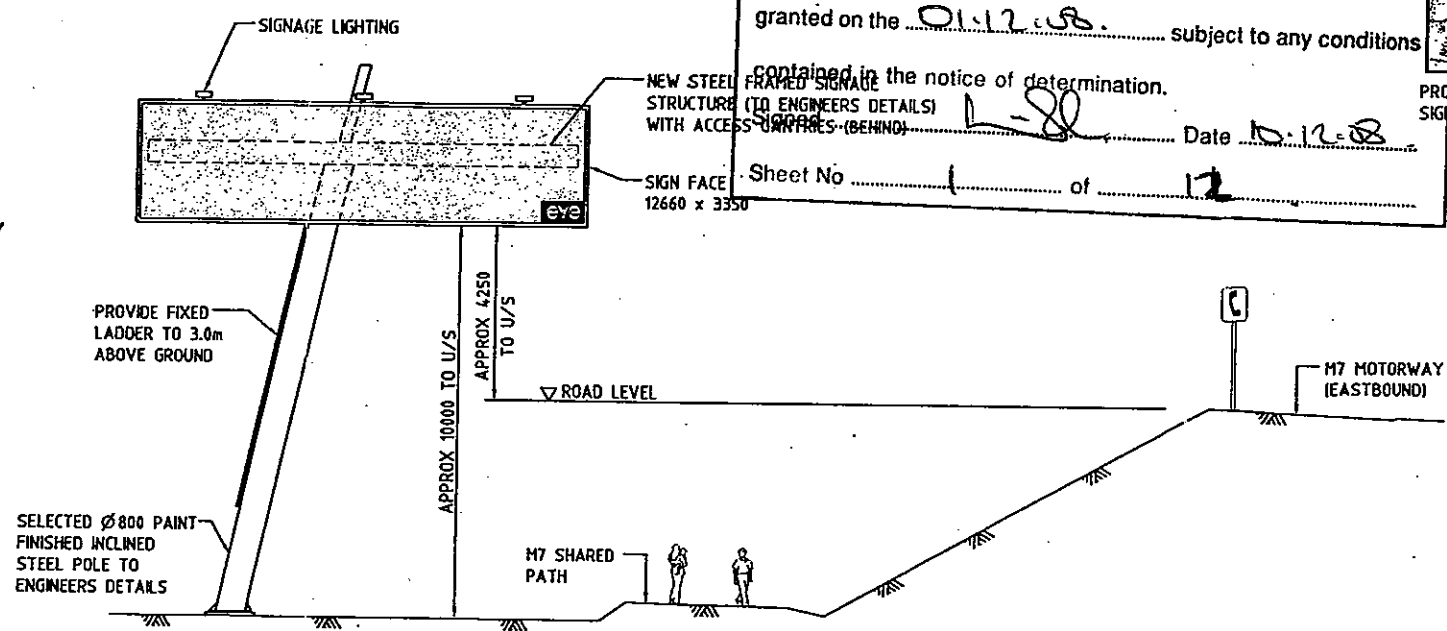
AN5 Use of Mobile Cranes

The Applicant shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with to the satisfaction of the Certifier:

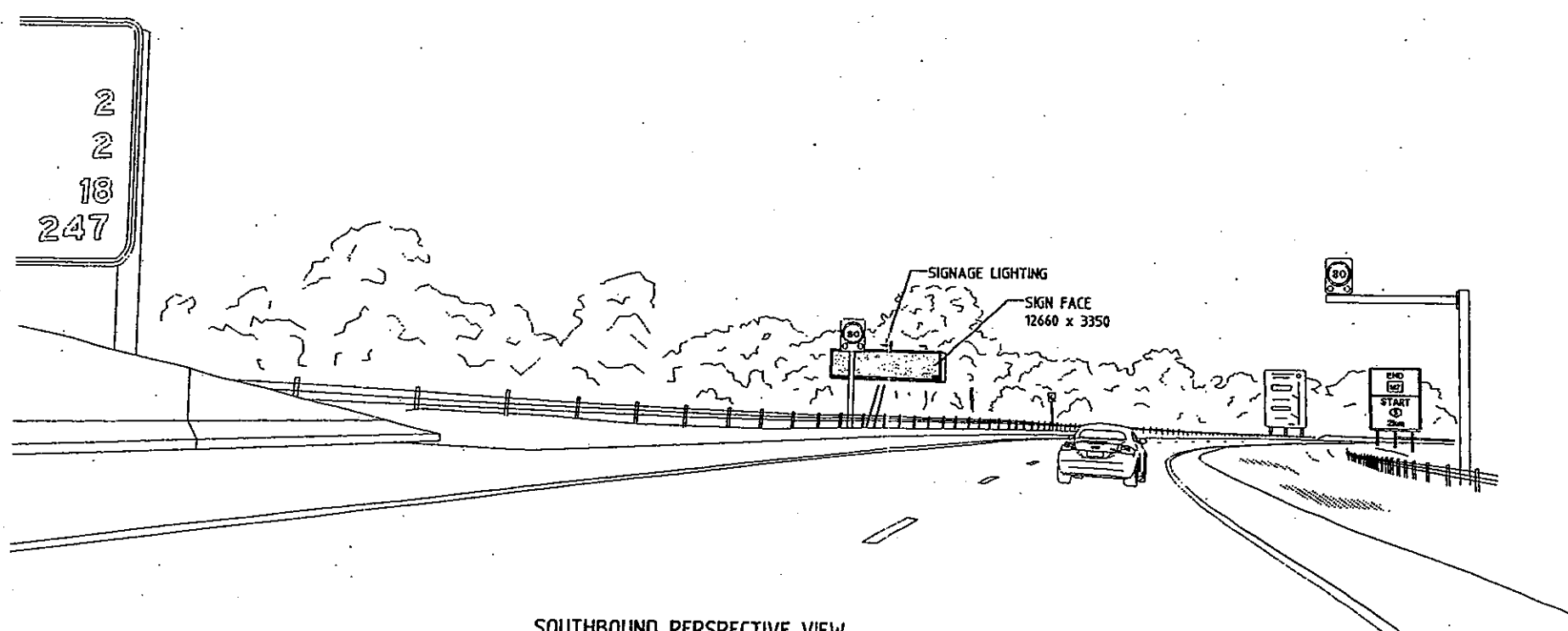
- 1) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- 2) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.



PLAN OF NEW SIGNAGE STRUCTURE
SCALE 1:200 (APPROXIMATE)



SOUTHBOUND ELEVATION/SECTION
SCALE 1:100



SOUTHBOUND PERSPECTIVE VIEW
NOT TO SCALE

NOTE:
ALL DIMENSIONS TO
BE CONFIRMED ON SITE
BY FINAL SURVEY.

GOVERNMENT
Department of Planning

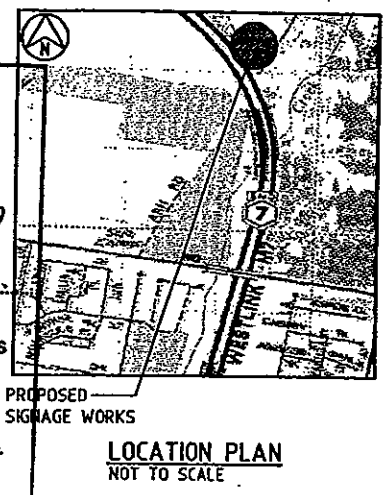
Issued under the Environmental Planning and Assessment Act 1979

Approved NP Application No. 65-7-2088

granted on the 01.12.08 subject to any conditions
contained in the notice of determination.

Sheet No 1 of 12

Date 10.12.08



3. ISSUED FOR INFORMATION		23.04.08
2. ISSUED FOR INFORMATION	PMA	18.03.08
1. ISSUED FOR DA APPROVAL	PMA	25.07.06
AMENDMENT	APP'D	DATE
DESIGN	MFC	PMA 25.07.06
DRAWN	WUN	CJS 25.07.06
APPROVED	P.M.ALLEN	25.07.06

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TITLE
NEW SIGNAGE STRUCTURE
ON M7 MOTORWAY
NEAR ASH ROAD
PRESTONS

GENERAL ARRANGEMENT

STATUS

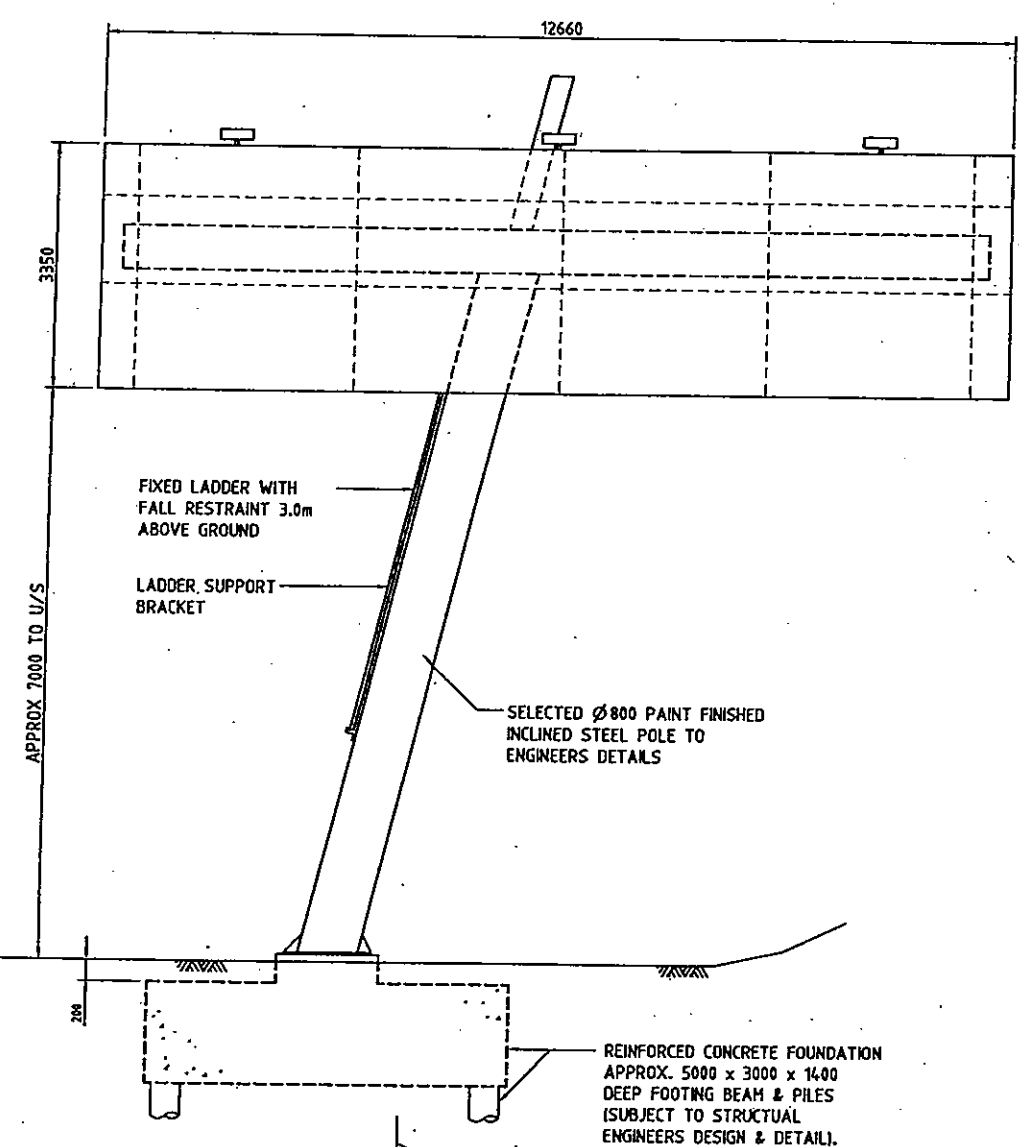
SCALE AS SHOWN PLOT DATE

FILE

FEATURE IDENTIFIER 11086-18 CODE - SHEET S1 REVISION 3

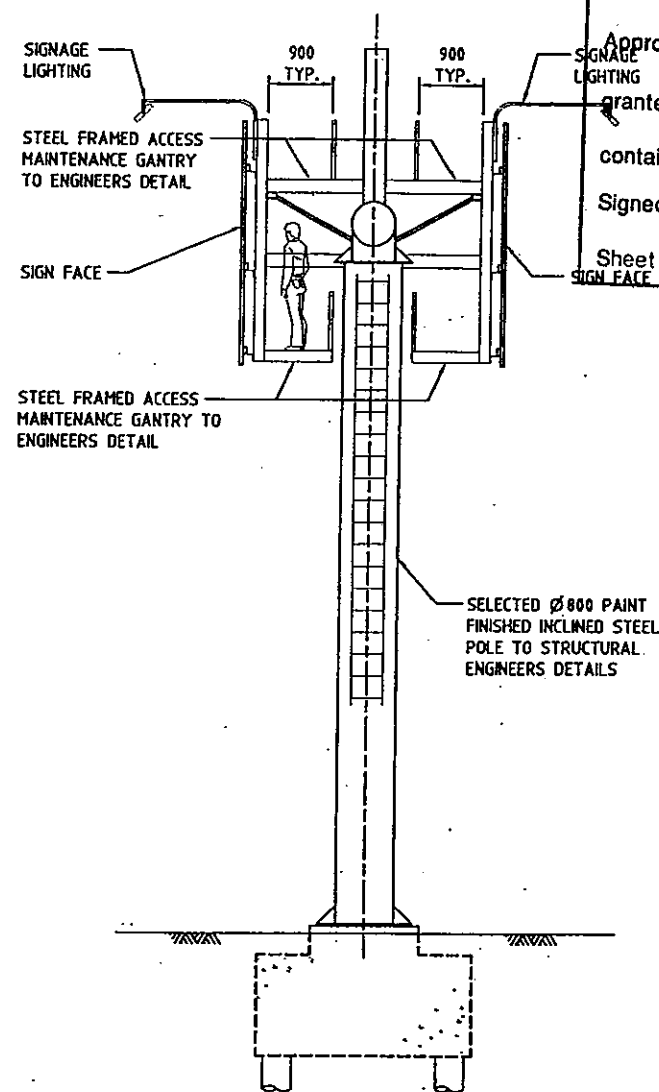
11086.18_CD.dwg ORIGINAL SHEET SIZE A1 (840x594)

PRELIMINARY
NOT FOR CONSTRUCTION



SOUTHBOUND SIDE ELEVATION
SCALE 1:50

NOTE:
ALL DIMENSIONS TO
BE CONFIRMED ON SITE
BY FINAL SURVEY.



TYPICAL SECTION
SCALE 1:50

NSW GOVERNMENT
Department of Planning

Issued under the Environmental Planning and Assessment Act 1979

Approved MP Application No. 65-7-208
granted on the 1.12.08 subject to any conditions
contained in the notice of determination.
Signed L-88 Date 10.12.08
Sheet No 2 of 12

2. ISSUED FOR INFORMATION			
23.04.08			
1.			
ISSUED FOR DA APPROVAL		PMA	25.07.06
AMENDMENT		APP'D	DATE
BY	CHECKED	DATE	
DESIGN	MFC	PMA	25.07.06
DRAWN	WUN	CJS	25.07.06
APPROVED		P.M.ALLEN	25.07.06

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TITLE
NEW SIGNAGE STRUCTURE
ON M7 MOTORWAY
NEAR ASH ROAD
PRESTONS

SIDE ELEVATION & SECTION

STATUS		APPROVAL	
SCALE	AS SHOWN	PLOT DATE	JULY 2006
FILE			
FEATURE IDENTIFIER	CODE	SHEET	REVISION
11086-18	-	S2	2

**PRELIMINARY
NOT FOR CONSTRUCTION**





NSW GOVERNMENT
Department of Planning

Issued under the Environmental Planning and Assessment Act 1979

Approved NV Application No. DA 65-7-2058

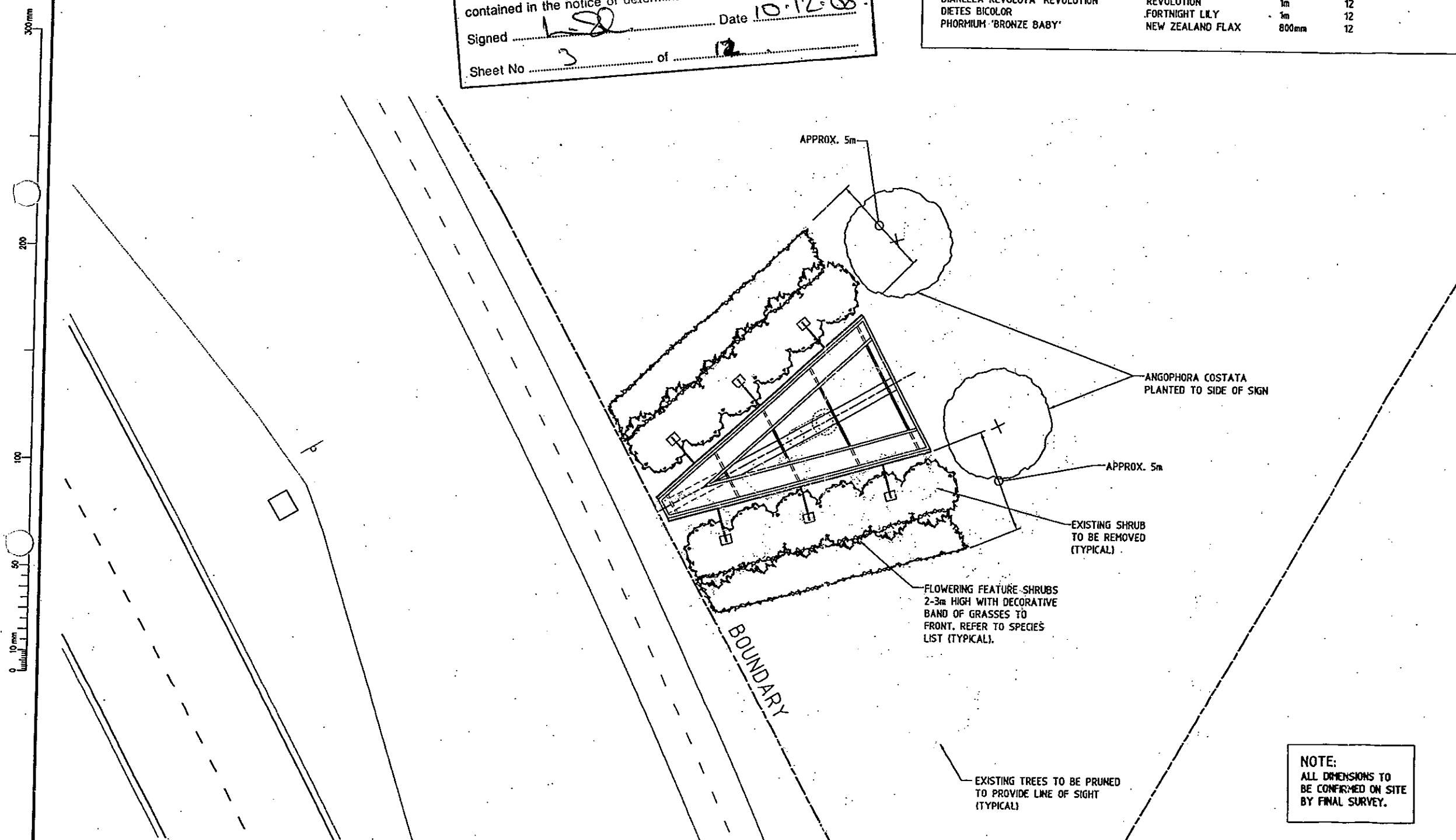
granted on the 3.12.08 subject to any conditions

contained in the notice of determination.
Signed LSQ Date 10.12.08

Sheet No 3 of 12

PLANT SCHEDULE: M7 MOTORWAY PRESTONS

BOTANIC NAME	COMMON NAME	APP HEIGHT	DENSITY/m ²
TREES			
ANGOPHORA COSTATA	SYDNEY RED GUM	15m	
SHRUBS			
CALLISTEMON 'KINGS PARK SPECIAL'	KINGS PARK SPECIAL	2m	1
MELALEUCA NESOPHILA	WESTERN TEA-MYRTLE	3m	1
SYZYGIUM LEUHMANNI 'ROYAL FLAME'	LILLY PILLY	2m	1
GROUNDCOVERS			
DIANELLA REVOLUTA 'REVOLUTION'	REVOLUTION	1m	12
DIETES BICOLOR	FORTNIGHT LILY	1m	12
PHORMIUM 'BRONZE BABY'	NEW ZEALAND FLAX	800mm	12



PLAN OF NEW SIGNAGE STRUCTURE
SCALE 1:100

NOTE:
ALL DIMENSIONS TO
BE CONFIRMED ON SITE
BY FINAL SURVEY.

PRELIMINARY
NOT FOR CONSTRUCTION

1. ISSUED FOR INFORMATION			
AMENDMENT		APP'D	DATE
BY	CHECKED	DATE	
DESIGN			
DRAWN			
APPROVED			
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TITLE
NEW SIGNAGE STRUCTURE
ON M7 MOTORWAY
NEAR ASH ROAD
PRESTONS

LANDSCAPING SIGNAGE PLAN

STATUS			
SCALE	PLOT DATE		
AS SHOWN			
FILE			
FEATURE IDENTIFIER	CODE	SHEET	REVISION
11086-18	-	S3	1

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NSW GOVERNMENT
Department of Planning

Issued under the Environmental Planning and Assessment Act 1979

Approved MP Application No. DA 65-7-2008

granted on the 01.12.08 subject to any conditions

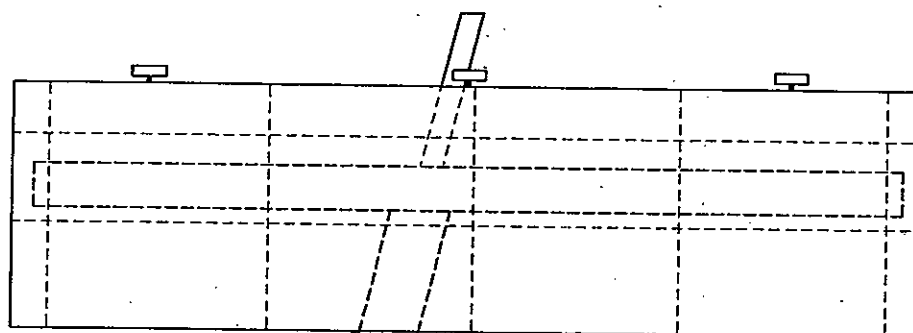
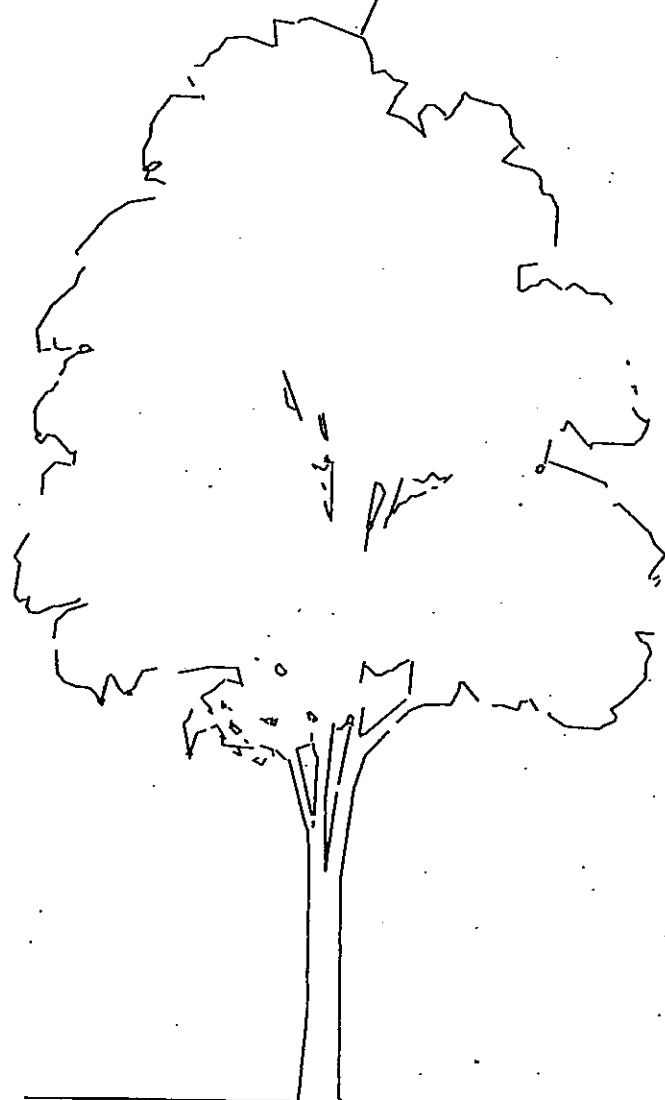
contained in the notice of determination.

Signed L-80 Date 10.12.08

Sheet No 4 of 12

300 mm
200
100
50
0 10 mm
100 mm

ANGOPHORA COSTATA
PLANTED TO SIDE OF SIGN



FLOWERING FEATURE SHRUBS
2-3m HIGH WITH DECORATIVE
BAND OF GRASSES TO FRONT.
REFER TO SPECIES LIST.



SOUTHBOUND SIDE ELEVATION
SCALE 1:50

NOTE:

1. ALL DIMENSIONS TO BE CONFIRMED ON SITE BY FINAL SURVEY.
2. REFER TO THE PLANT SCHEDULE ON DWG S3.

PRELIMINARY
NOT FOR CONSTRUCTION

1. ISSUED FOR INFORMATION			
			23.04.08
AMENDMENT	BY	CHECKED	DATE
DESIGN			
DRAWN	WJW		
APPROVED			
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TITLE
NEW SIGNAGE STRUCTURE
ON M7 MOTORWAY
NEAR ASH ROAD
PRESTONS

LANDSCAPING ELEVATION

STATUS

SCALE
AS SHOWN

PLOT DATE

FILE

FEATURE IDENTIFIER	CODE	SHEET	REVISION
11086-18	-	S4	1

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23/04/2008 15:18

GRAPHIC SCALES