

Notice of decision – Digital Advertising Sign – Rail Overpass M2 Motorway, Epping

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 10649
Applicant	Sydney Trains
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 Housing and Infrastructure's Assessment Report is available [here](#).

Date of decision

21 February 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 16 December 2020 until 29 January 2021 (45 days). It is noted the standard 28 day exhibition period was extended due to the shutdown period that aligns with the end of year holidays.

The Department received submissions making comments from Parramatta City Council and Hornsby Shire Council. 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
<i>Heritage (Hornsby Shire Council)</i> <ul style="list-style-type: none">• noted that the potential impact on the Beecroft-Cheltenham heritage conservation area has been addressed in the documentation	<i>Assessment</i> <ul style="list-style-type: none">• The Department considers the impacts to heritage to be acceptable given that the sign is not readily visible from the heritage conservation area as it is located within the road cutting and screened from roadside vegetation. <i>Conditions</i> <ul style="list-style-type: none">• No additional conditions are required.
<i>Urban design (Parramatta Council)</i> <ul style="list-style-type: none">• The proposed signs cannot be viewed from the local road network due to the extent of noise walls along the M2.• The western sign sits above the bridge deck, interrupting the elevation and skyline of the bridge. The dimensions of the western sign should be reduced.	<i>Assessment</i> <ul style="list-style-type: none">• The Department notes that the sign causes little visual impacts to the surrounding residences given its location within the road cutting. This sign is also screened from an existing noise wall and roadside vegetation.• The Department notes that the western sign has been deleted from the application. <i>Conditions</i> <ul style="list-style-type: none">• Standard conditions are recommended to ensure compliance with illumination, dwell times and advertising signage content.
<i>Traffic Safety (Parramatta Council)</i> <ul style="list-style-type: none">• Council raised concerns regarding traffic safety with both signs. Concerns were raised the proximity to decision making points including the cyclist crossing and the exit ramp.• Concerns were additionally raised regarding the proximity to the interchange sequence sign and the potential to cause information overload for a driver.	<i>Assessment</i> <ul style="list-style-type: none">• The Department notes that the western sign has been deleted from the application.• The Department commissioned an independent traffic audit which found the eastern sign to be suitable for approval from a traffic safety perspective. <i>Conditions</i> <p>The Department recommends a suite of conditions to ensure the sign complies with the requirements of SEPP IE and the Guidelines and would not result in any adverse traffic safety impacts. The conditions include:</p> <ul style="list-style-type: none">• The requirement for the road safety check 12 months after the sign begins operation with any safety concerns to be rectified by the applicant or have the sign be removed• the requirement for a luminance audit• maintaining an electronic log of the sign's activities

- regulations around signage content to prevent distraction and ensure Guidelines compliance
 - restrictions on dwell time and transition time
 - permitted luminance levels
 - dedication of 5% advertising time to road safety messaging.
-