

Notice of decision – Digital advertising signs, adjacent to Homebush Bay Drive Overpass, Rhodes

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 10648
Applicant	Sydney Trains
Consent Authority	Minister for Planning

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

17 March 2022

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) and received two submissions, including a submission from Council making comments. One public submission objecting to the proposal 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 and public submissions are considered in the Department's Assessment Report and summarised in the table below.

Issue	Consideration
<p>Road safety (Council and public issue)</p> <ul style="list-style-type: none">• traffic safety concerns regarding the nearby traffic lights and exits• wayfinding and early driver notification of the IKEA, Rhodes store	<p><i>Assessment</i></p> <ul style="list-style-type: none">• The Department notes Transport for NSW and Council did not raise concerns in relation to the Response to Submissions.• The proposal would not reduce the line of sight of the road for drivers, pedestrian, or cyclists, or interfere with pedestrian or cyclist crossings or directional/information signage• Due to the design amendments made as part of the FRtS, the IKEA business identification sign will remain visible by vehicles travelling in Lane 1 for the length of the viewing corridor, which is considered to have been adequately resolved this matter. <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none">• a minimum 15 second dwell time• signage does not contain or use any method of illumination that distracts or dazzles drivers• a road safety check be undertaken after 12 months and that any identified safety concerns are rectified by the Applicant.
<p>Visual and amenity impacts (Council and public issue)</p> <ul style="list-style-type: none">• existing signage is obscured• disrespects View Rights of other Advertisers• location above the surrounding built forms• wayfinding	<p><i>Assessment</i></p> <ul style="list-style-type: none">• The original proposal resulted in the partial obstruction of the IKEA business identification sign (not the advertising sign on the southern side of the building) for vehicles travelling in Lane 1 heading westbound for a period of 60 m.• As part of the FRtS the height of the sign was increased by 1 m to mitigate any obstruction to the IKEA sign, which enables the IKEA sign to be visible by vehicles travelling in Lane 1 for the length of this viewing corridor. As such, this matter is considered to have been adequately resolved.• The Department notes the signage meets the criteria under Schedule 5 of Industry and Employment SEPP as the signage would not obscure or compromise important views and would not dominate the skyline or reduce the quality of vistas.• The proposal is not located above the dominant skyline as it is lower in height than the buildings further along Homebush Bay Drive in the Rhodes Corporate Park (which are six to seven storeys high). <p><i>Recommended Conditions/Response</i></p> <ul style="list-style-type: none">• No conditions are recommended.
<p>Contributes to visual clutter (Public issue)</p>	<p><i>Assessment</i></p> <ul style="list-style-type: none">• The proposal is not considered to result in significant visual clutter as there is minimal other advertising in the immediate viewing corridor, the nearest being the IKEA's advertising sign on the southern side of the building Rhodes Waterfront Shopping Centre.• The proposed monopole structure would introduce a different form of signage to the existing billboard and business identification signs and the proposed sign is not

considered to result in visual clutter as there is only one other business identification sign within the immediate vicinity.

Recommended Conditions/Response

- No conditions are recommended.

Does not demonstrate design excellence (Public issue)

Assessment

- While design excellence is not a mandatory matter for consideration for consent, the Guidelines outline best practice for the planning and design of outdoor advertisements in transport corridors and complements the provisions of the Industry and Employment SEPP under the EP&A Act.
- General criteria sub-provision (a) of Section 2.5.1 of the Guidelines advises advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.
- The proposal is considered to be of a contemporary design standard that is suitable for the road and rail corridor.
- Further assessment of the proposal against the Guidelines is provided in

Recommended Conditions/Response

- No conditions are recommended.

Other issues (permissibility, merit, concurrence, inconsistency with assessments)

Assessment

- The Department notes that all development applications are assessed on a merit basis.

Recommended Conditions/Response

- No conditions are recommended.