

DEVELOPMENT APPLICATION ASSESSMENT REPORT:

**Conversion of Existing Signage to Digital Signage –
Bexley Road – Canterbury-Bankstown Council LGA**

DA 8880



Environmental Assessment Report
under Part 4 of the
Environmental Planning and Assessment Act 1979

January 2018

ABBREVIATIONS

Applicant	Roads and Maritime Services
AS	Australian Standard
Consent	Development Consent
Council	Canterbury-Bankstown Council
DA	Development Application
DCP	Development Control Plan
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
Guidelines	Transport Corridor Outdoor Advertising and Signage Guidelines
ISEPP	State Environmental Planning Policy (Infrastructure) 2007
LED	Light-emitting diode
LEP	Local Environmental Plan
LGA	Local Government Area
LIA	Lighting Impact Assessment (LIA)
Minister	Minister for Planning
Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
RMS	Roads and Maritime Services
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SEPP 55	State Environmental Planning Policy No. 55 – Remediation of Land
SEPP 64	State Environmental Planning Policy No. 64 – Advertising and Signage
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SEE	Statement of Environmental Effects
TfNSW	Transport for New South Wales

Cover Photograph: Photomontage of proposed digital advertising signage (Applicant's SEE).

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1. BACKGROUND

This report provides an assessment of a development application (DA 8880) lodged by Roads and Maritime Services (the Applicant) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The application seeks consent for the replacement of an existing illuminated advertising sign with a digital sign, along Bexley Road within the Canterbury-Bankstown local government area.

1.1 The site and surrounds

The site is located at Bexley Road between the M5 Motorway and the train line (**Figure 1**). The surrounding area comprises predominantly industrial uses. Directly to the east and west are industrial buildings that form part of the Bexley Road Motorway Operation Complex. Beyond these structures to the south is thick vegetation associated with the Wollie Creek walking track. The nearest residential areas are approximately 70 m north to Earlwood and 140 m west to Kingsgrove, which are screened from Bexley Road by thick vegetation and industrial buildings.

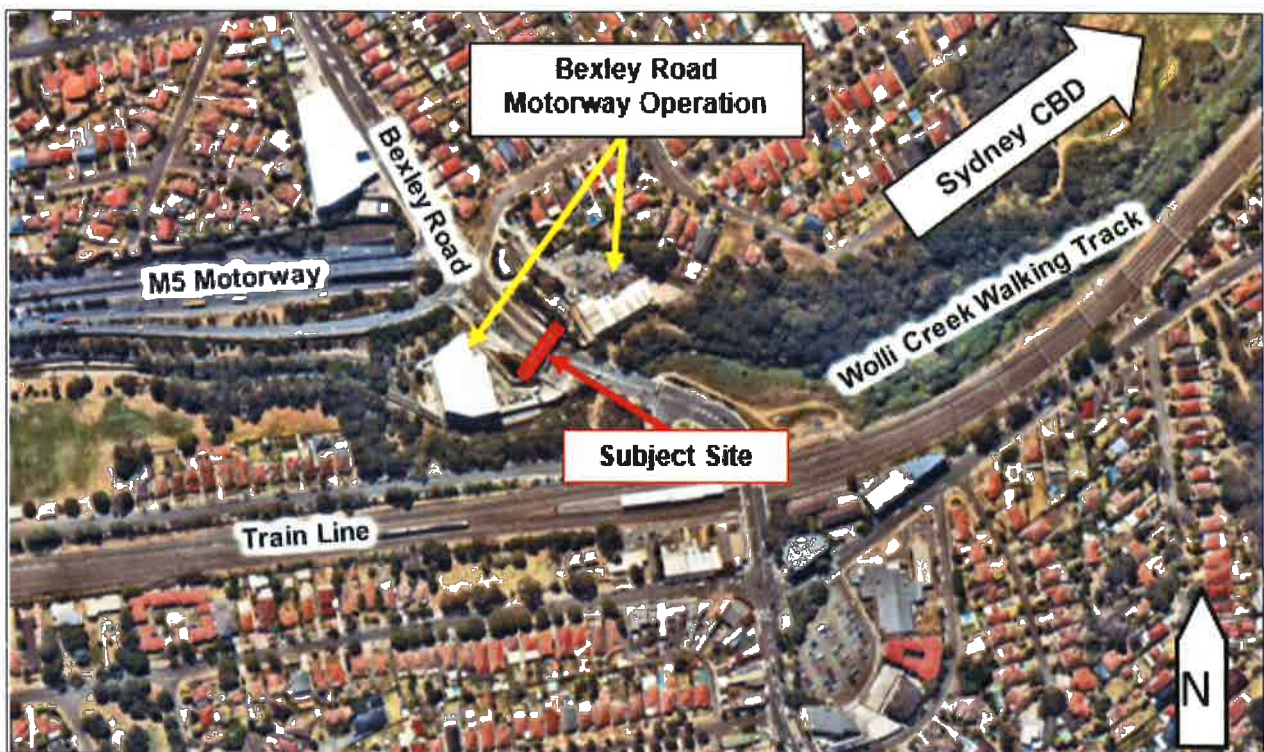


Figure 1: Site location (Source: Nearmap).

The existing illuminated signage is affixed to the north side of a pedestrian bridge, facing southbound traffic from Bexley Road (**Figure 2**).



Figure 2: The existing sign (Source: Department’s photo).

1.2 Approval History

On 3 July 2008, the Department of Planning and Environment (the Department) granted development consent to the existing illuminated static sign under DA 3-1-2009. The advertising structure as it currently appears on the site is shown in **Figure 2**.

2. DESCRIPTION OF PROPOSAL

2.1 Description of proposal

The development application seeks consent for the following:

- removal of the existing illuminated static advertising display structure with a display area of 42.41m² (12.66 m x 3.35 m)
- installation and display of a new advertising structure comprising of:
 - a digital LED screen with an area of 40.93 m² (12.44 m x 3.29 m)
 - anti-graffiti mesh support structure (inclusive of oOh!media logo) with an area of 47.61 m² (13.64 m x 3.49 m).

The digital signage is proposed to operate:

- 24-hours-a-day, 7-days-a-week
- to be static with a dwell time of 10 seconds and a transition time of 0.1 seconds.

The estimated cost of works is \$632,500.

The proposed digital signage is provided in **Figure 3**.



Figure 3: Proposed signage (Source: Applicant's SEE).

3. STATUTORY CONTEXT

3.1 Consent authority

The Minister for Planning is the consent authority for the application in accordance with clause 12(d) of State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64). The application has been submitted on behalf of the RMS and relates to an advertisement displayed on a bridge over a road corridor that has been constructed on behalf of the RMS.

In accordance with the Minister's delegation of 11 October 2017, the Executive Director, Key Sites and Industry Assessments may determine this application as:

- the relevant Council has not made an objection
- there are less than 25 public submissions in the nature of objection
- a political disclosure statement has not been made.

3.2 Permissibility

The proposed signage application has been lodged by RMS and relates to a bridge constructed on behalf of RMS and is therefore permissible with development consent in accordance with clause 16(1) of State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64).

3.3 Environmental planning instruments (EPI), development control plans (DCP) and guidelines

The relevant EPIs, DCPs and guidelines that apply to the proposal include:

- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Canterbury Local Environmental Plan (CLEP) 2012
- Canterbury Development Control Plan (CDCP) 2012
- Transport Corridor Outdoor Advertising and Signage Guidelines 2017.

The Department is satisfied the proposal is consistent with the relevant requirements of the EPIs, DCPs and guidelines, as detailed in **Appendix B** of this report.

3.4 Objects of the EP&A Act

In accordance with the EP&A Act, the Department has considered the proposal to be satisfactory with regard to the objects of the EP&A Act as detailed in **Table 1**.

Table 1: Response to the objects of section 5 of the EP&A Act.

Objects of section 5 of the EP&A Act	Department's Response
(a) <i>to encourage:</i> (i) <i>the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,</i>	The proposal involves the replacement of an existing advertising sign and therefore will not impact on natural and artificial resources.
(ii) <i>the promotion and co-ordination of the orderly and economic use and development of land,</i>	The proposal represents the orderly and economic use of the land. The merits of the proposal are considered in Section 5 of this report.

(iii) the protection, provision and co-ordination of communication and utility services,	The proposed works are confined to the existing pedestrian bridge and therefore it is not anticipated any existing communication or utility services will be impacted or require relocation as a result of the proposed works.
(iv) the provision of land for public purposes,	The proposed development is to be affixed onto the outer side of an existing pedestrian bridge. The sign will not compromise the function of the pedestrian bridge for public purposes.
(v) the provision and co-ordination of community services and facilities, and	The proposed development will not impact any community services and facilities.
(vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and	The proposed development will not have an adverse impact on the natural environment.
(vii) ecologically sustainable development, and	ESD has been addressed in Section 3.5 of this report.
(viii) the provision and maintenance of affordable housing, and	Not applicable.
(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and	The Department undertook consultation with Canterbury-Bankstown Council, Roads and Maritime Services and Transport for NSW (refer to Section 4.1 of this report).
(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.	Section 4.1 , sets out details of the Department's public exhibition of the proposal.

3.5 Ecologically Sustainable Development

The EP&A Act adopts the definition of ecologically sustainable development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes. The Department has considered the project in relation to ESD principles. The precautionary and inter-generational equity principles have been implemented throughout the decision-making process and assessment of the environmental impacts of the proposal as detailed in **Section 5** of this report.

3.6 Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for notification (Part 6, Division 7) and fees (Part 15, Division 1) have been complied with.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

In accordance with section 89F of the EP&A Act, the EP&A Regulation and clauses 16 and 17 of SEPP 64, the Department publicly exhibited the application for 30 days from 15 November 2017 until 14 December 2017. The application was exhibited on the Department's website, at the Service Centre NSW and at Canterbury-Bankstown Council's Campsie office.

The Department placed a public exhibition notice in the *Express* newspaper on 14 November 2017, and notified adjoining landholders, Council, RMS and Transport for NSW in writing.

4.1.1 Public authority submissions

Council did not object to the proposal, subject to the imposition of suitable signage conditions. Council also requested consideration to the controls contained within the *Canterbury Development Control Plan 2012* (Part F1) and SEPP 64.

RMS raised no issues with regards to the proposal.

4.1.2 Public submissions

One public submission was received raising concerns regarding the traffic safety impact of moving images and that money to fund the proposal could be better used for something else. This is addressed in **Section 5** of this report.

5. ASSESSMENT

5.1 Section 79C(1) matters for consideration

The matters for consideration under section 79C of the EP&A Act have been addressed in **Table 2**. The table represents a summary for which additional information and consideration is provided in further sections of the report and relevant appendices.

Table 2: Section 79C(1) Matters for Consideration

Section 79C(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	The proposal complies with the relevant legislation as addressed in Section 3.3 and Appendix B of this report.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	The proposal complies with the CDCP 2012 as addressed in Section 3.3 and Appendix B of this report.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6), the requirements for notification (Part 6, Division 7) and fees (Part 15, Division 1) (refer to Section 3 of this report).
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development	The Department has considered the likely impacts of the development, including visual and illumination impacts, are acceptable and/or have been appropriately mitigated or addressed by recommended conditions (refer to Section 5 and Appendix B of this report).
(c) the suitability of the site for the development	The site is suitable for the development as addressed in Sections 3 and 5 of this report.
(d) any submissions	Consideration has been given to the submission received during the exhibition period (refer to Sections 4 and 5 of this report).
(e) the public interest	The Department considers the proposal to be in the public interest (refer to Section 5 of this report).
Biodiversity values impact assessment	Not applicable.

5.2 Key assessment issues

The Department considers the key issues associated with the proposal are:

- design and suitability of the site
- road safety
- illumination
- public benefit
- public interest.

Each of these issues is discussed separately below.

5.3 Design and suitability of the site

The Department has considered the design and site suitability for the proposed replacement signage. The proposed sign is to be erected in the same location as the existing sign, affixed to a pedestrian bridge overhead Bexley Road.

The advertising display, inclusive of the area of the advertisement and the advertising structure, will have an overall area of 47.61 m², slightly larger (12.2%) than the existing advertising display, with an overall area of 42.41 m². The proposed digital LED screen itself has an area of 40.93 m², which is 3.6% smaller than the existing sign. The Department considers there would be a negligible visual difference between the existing sign and the proposed sign.

The Department considers the proposed signage to be of appropriate design and the site to be suitable for the following reasons:

- the existing advertising sign has operated at this site since 2008. The Department is satisfied the ongoing use for outdoor advertising, in the digital format, is acceptable
- the proposal satisfactorily complies with the design criteria of SEPP 64, SEPP 64 Guidelines and AS4282-1997 *Control of the obtrusive effects of outdoor lighting* (refer to **Section 5** and **Appendix B** of this report)
- the site has a high level of exposure to traffic, allowing it to generate an effective revenue stream for RMS that can be used to fund road infrastructure maintenance, network management, road-user-compliance activities, and road safety programs across NSW, including the Local Government Road Safety Program
- installation of the proposed sign would have a negligible impact on the character of the area or the visual quality and amenity to surrounding land uses, particularly having regard to:
 - the ability to adjust lighting intensity (brightness) of the proposed sign through the day and night to suit ambient background levels (refer to **Section 5** of this report)
 - the proposed sign is consistent with signage on other bridges on major roads
 - the proposed sign cannot be viewed from any nearby residences.

For these reasons, the Department is satisfied the ongoing use of the site for signage is appropriate and the design and siting of the new sign will have a negligible visual impact.

5.4 Road safety

The Department has considered the road safety impacts of the proposed digital signage. A public submission was received that raised concerns in relation to the potential distraction to drivers resulting from the display of the transitioning images.

The application was accompanied by a Signage Safety Assessment report to assess the impact of the development on road safety. The report provides support for the proposal on road user safety grounds.

The Department has considered the proposal against the road safety requirements in the *Transport Corridor Outdoor Advertising and Signage Guidelines* (Guidelines) as detailed in **Appendix B**. The key recommendations with regard to road safety for digital signage include the following:

- image dwell times be no less than 10 seconds for roads where the speed limit is below 80km/h
- transition time between messages is equal to, or less than, 0.1 second
- advertisements be displayed in a completely static manner.

The proposed signage is consistent with these provisions with an image dwell time of 10 seconds, a transition time of 0.1 second and a static advertisement display.

For these reasons, the Department supports the conclusions of the Road Safety Assessment Report and considers the proposed digital signage is acceptable on road safety grounds.

5.5 Illumination

The proposed digital signage is to be illuminated by LED and operated 24-hours-a-day, 7-days-a-week. The SEE was accompanied by a Lighting Impact Assessment (LIA) to provide an assessment of the proposal against the luminance criteria for digital signs as contained within the Guidelines and AS 4282-1997 for the *Control of the Obtrusive Effects of Outdoor Lighting*.

The LIA assessed the proposed digital signage against the requirements of AS 4282-1997, which is used to assess the likely effects of developments that involve the provision of general outdoor lighting. The LIA found that no residential developments fell within the zone where visual impact exceeds 4 lux, therefore the proposed digital signage complies with the requirements of AS 4282-1997.

The Department has assessed the proposed digital signage against the luminance criteria established in the Guidelines. The LIA categorised the site as 'Zone 3' which is characterised as an area with generally medium-level off street ambient lighting, such as small shopping and commercial centres. The Department agrees that the area can be categorised a 'Zone 3' as the sign cannot be viewed from the residential area and there is medium-level ambient lighting emanating from the Bexley Road Motorway Operation Complex.

The LIA recommends the proposal achieves compliance with the relevant luminance level requirements contained in the Guidelines for Zone 3 (**Table 3**) and the proposed digital sign would not have any adverse impacts on surrounding properties or road users.

Table 3: Guidelines - Maximum Luminance Levels – Zone 3.

Lighting Conditions	Proposed Luminance Levels	Maximum Zone 3 Luminance Levels
Full sun on face of signage	6000 cd/m ²	No limit
Daytime luminance	6000 cd/m ²	6000 cd/m ²
Morning and evening twilight and overcast weather	700 cd/m ²	700 cd/m ²
Night time	200 cd/m ²	350 cd/m ²

The proposal has demonstrated compliance with the relevant luminance criteria for digital signs including AS 4282-1997 and the Guidelines. The Department is satisfied the proposed digital signage will not result in unacceptable glare or adversely impact the safety of pedestrians, residents or road users.

5.6 Public benefit

The Department has considered the public benefit of the proposal in accordance with the requirements of the Guidelines and a public submission raising concerns that the amount spent on the proposal could be better invested elsewhere. The Guidelines require proposals for certain outdoor advertisements along railway corridors, classified roads and on bridges to meet a public benefit test to ensure that the advertising will result in a positive gain or benefit for the community. The public benefit test is an assessment of how the local community will benefit as a result of the advertisement, and must be applied if the signage is proposed on behalf of RMS.

The proposed signage has been submitted on behalf of the RMS and as a result, the Applicant must demonstrate that the revenue raised from outdoor advertising is directly linked to a public benefit. In accordance with the Guidelines, RMS must record the total amount of outdoor advertising revenue received and the investments made on transport safety, amenity improvements or other public works listing specific works to which the funds have been or are to be applied for each year. The Department recommends this is included as a condition of consent.

In addition, the Applicant has provided a Statement of Public Benefit that states the proposal will generate revenue for road infrastructure maintenance, network management, road user compliance activities and road safety programs across NSW. Accordingly, the Department considers the proposal provides for sufficient public benefit.

5.7 Public interest

The Department considers the proposal to be in the public interest for the following key reasons:

- the signage will accommodate advertising space for road safety messages (for a minimum of 5% of all advertising time) in a prime location, which would contribute to addressing key road safety issues
- the sign would be made available, as required, for the display of emergency information messages relating to major road disruptions
- advertising within transport corridors generates revenue, which the NSW State Government allocates to support road infrastructure maintenance, network management, road user compliance and road safety programs across NSW
- the proposal does not have any adverse impacts and is generally consistent with the objectives and requirements of the relevant environmental planning instruments.

6. CONCLUSION

The Department has assessed the proposal in accordance with the matters for consideration under Part 4 of the EP&A Act, including the relevant environmental planning instruments.

The Department considers the proposed conversion of the existing static sign to digital sign is an improvement, exhibiting an innovative LED display and high design quality. In addition, the advertising sign provides for measurable public benefit by generating revenue for road infrastructure, maintenance, network management, road user compliance activities and road safety programs across NSW.

The Department has considered the potential impact of the development, including design, site suitability, illumination and road safety as raised in the public submission. The proposal has adequately demonstrated the digital sign complies with the relevant standards and requirements and will have negligible environmental impact.

The Department concludes the impacts of the development are acceptable and the proposal is in the public interest. The Department recommends the application be approved, subject to conditions.

7. RECOMMENDATION

It is recommended that the Executive Director, Key Sites and Industry Assessments as delegate of the Minister for Planning:

- a) **considers** the recommendations of this report
- b) **approves** the application (DA 8880), under section 80 (1)(a) of the EP&A Act, having considered matters in accordance with (a) above
- c) **signs** the attached development consent at **Appendix C**.

Prepared by: Ellen Mannix
Planning Officer
Key Sites Assessments

Endorsed by:

AH 11-1-18

Andrew Hartcher
Acting Team Leader
Key Sites Assessments



Ben Lusher
Director
Key Sites Assessments

DECISION

Approved by:

Sargeant

Anthea Sargeant 19/1/18
Executive Director
Key Sites and Industry Assessments

APPENDIX A RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows.

1. Environmental Impact Statement

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8880

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8880

3. Applicant's Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8880

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs), DCPs and Guidelines

To satisfy the requirements of section 79C(a)(i) and (iii) of the EP&A Act, the following EPIs, DCP and guidelines were considered as part of the assessment of this proposal:

- State Environmental Planning Policy No 64 – Advertising Structures and Signage (SEPP 64)
- Transport Corridor Outdoor Advertising and Signage Guidelines
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- State Environmental Planning Policy No 55 – Remediation of Land
- Canterbury Local Environmental Plan (CLEP) 2012
- Canterbury Development Control Plan (CDCP) 2012.

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy No 64 – Advertising and Signage

SEPP 64 applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserve. The proposed digital signage has been assessed against the requirements of SEPP 64 in **Table 4** and the specific assessment criteria of Schedule 1 of SEPP 64 in **Table 5**.

Table 4: SEPP 64 Assessment.

Clause	Criteria	Comments	Compliance
Part 2 Signage generally			
8 Granting of consent to signage	The signage is to be consistent with the objectives of this Policy.	The proposed development is considered to be compatible with the desired amenity and visual character of the area, provides effective communication and is high quality design and is therefore consistent with the objectives of SEPP 64.	Yes
	The signage is to satisfy the assessment criteria in Schedule 1.	See relevant assessment in Table 5 .	Yes
Part 3 Advertisements			
12 Consent authority	The consent authority is the Minister for Planning in the case of an advertisement displayed by or on behalf of RMS on: <ul style="list-style-type: none"> (i) a road that is a freeway or tollway (under the <i>Roads Act 1993</i>) or associated road use land that is adjacent to such a road, or (ii) a bridge constructed by or on behalf of RMS on any road corridor, or (iii) land that is owned, occupied or managed by RMS. 	The proposal is for a sign located on a bridge constructed on behalf of RMS on any road corridor, therefore the Minister for Planning is the consent authority.	Yes

13 Matters for consideration	The advertisement or advertising structure is to be: (a) consistent with the objectives of this Policy (b) assessed in accordance with the assessment criteria in Schedule 1 and the Guidelines (c) satisfies any other relevant requirement of this Policy.	The objectives are considered above. The proposal has been assessed in accordance with the assessment criteria in Schedule 1 in Table 5 and the Guidelines in Table 6 . All other relevant requirements are addressed in this table.	Yes
	Arrangements for the provision of the public benefits to be provided in connection with the display of the advertisement.	The proposal has adequately demonstrated it will provide for public benefit (refer to Section 5 of this report).	Yes
14 Duration of consents	A consent granted under this Part ceases to be in force on the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act.	The Department recommends a condition of consent to limit the approval for a maximum period of 15 years from the date of operation.	Yes
16 Transport corridor land	The display of an advertisement on transport corridor land is permissible with development consent when the display of an advertisement is on behalf of RMS on: (i) a road that is a freeway or tollway (under the Roads Act 1993) or associated road use land that is adjacent to such a road, or (ii) a bridge constructed by or on behalf of RMS on any road corridor, or (iii) land that is owned, occupied or managed by RMS and that is within 250 metres of a classified road.	The proposed signage is to be affixed on a pedestrian bridge constructed on behalf of RMS over a road corridor and is therefore considered to be permissible with development consent.	Yes
	The Minister must not grant consent to the display of an advertisement unless: (a) the relevant local council has been notified of the development application in writing and any comments received by the Minister from the local council have been considered by the Minister, and (b) the advice of any design review panel has been considered by the Minister, and (c) the Minister is satisfied that the advertisement is consistent with the Guidelines.	Canterbury-Bankstown Council has been notified in writing and did not raise any objections to the proposal (refer to Section 4 of this report). There was no design review panel for this application. An assessment of the proposal against the Guidelines is provided in Table 6 .	Yes

<p>17 Advertisements with display area greater than 20 square metres or higher than 8 metres above ground</p>	<p>For an advertisement with a display area greater than 20 square metres:</p> <p>(a) the applicant has provided the consent authority with an impact statement that addresses the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and</p> <p>(b) the application has been advertised in accordance with section 79A of the Act, and</p> <p>(c) the consent authority gave a copy of the application to RMS at the same time as the application was advertised in accordance with section 79A of the Act if the application is an application for the display of an advertisement to which clause 18 applies.</p>	<p>The proposed signage has an area of 47.61m² and therefore this clause applies.</p> <p>The Applicant's SEE addresses the assessment criteria in Schedule 1. The Department is satisfied that the proposal is acceptable in terms of its impacts as detailed in Section 5 of this report.</p> <p>The application has been advertised in accordance with section 79A of the Act as detailed in Section 4 of this report.</p> <p>The Department provided a copy of the application to RMS during the advertisement period.</p>	<p>Yes</p>
<p>19 Advertising display area greater than 45 square metres</p>	<p>The consent authority must not grant consent to the display of an advertisement with an advertising display area of greater than 45 square metres unless:</p> <p>(a) a development control plan is in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct, or</p> <p>(b) in the case of the display of an advertisement on transport corridor land, the consent authority is satisfied that the advertisement is consistent with the Guidelines.</p>	<p>The proposed signage has an area of 47.61m² and therefore this clause applies.</p> <p>The proposal is for an advertisement on transport corridor land and the proposal is consistent with the Guidelines as detailed in Table 6.</p>	<p>Yes</p>
<p>20 Location of certain names and logos</p>	<p>The name or logo of the person who owns or leases an advertisement or advertising structure must</p> <ul style="list-style-type: none"> - appear only within the advertising display area - not be greater than 0.25 square metres - be included in calculating the size of the advertising display area. 	<p>The proposed oOh!media logo is to be contained within the advertising display area and has a maximum area of 0.25m² that has been included in the calculation of the advertising display area.</p>	<p>Yes</p>
<p>24 Advertisements on bridges</p>	<p>The consent authority may grant consent only if the consent authority is satisfied that the advertisement is consistent with the Guidelines.</p>	<p>The proposal is consistent with the Guidelines as detailed in Table 6.</p>	<p>Yes</p>

Table 5: SEPP 64, Schedule 1 compliance table.

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is to be mounted to a pedestrian bridge overhead Bexley Road. The proposed signage is compatible with the existing character of the transportation corridor.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed digital sign is of similar size to the current sign. The new digital sign is in the same location and orientation as the existing sign and would remain consistent with the existing signage and other signs associated with other major roads in the locality.	Yes
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage is not located within, nor detracts from, any environmentally sensitive, heritage, natural, conservation, open space, waterways or residential. The sign is located overhead of a major road and will be predominately viewed from that road. Despite there being residential areas to the north of the sign, the sign is orientated towards the road, and cannot be viewed from the residential area and therefore does not detract from the amenity of visual quality of the residential area.	Yes
3 Views and vistas		
Does the proposal: <ul style="list-style-type: none"> • obscure or compromise important views? • dominate the skyline and reduce the quality of vistas? • respect the viewing rights of other advertisers? 	The proposed signage is affixed to a pedestrian bridge and is contained within the envelope of the existing bridge. As the sign does not project beyond that of the existing outline of the pedestrian bridge, the proposal does not compromise any important views, the skyline or interfere with other advertisers.	Yes
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The upgrade of the existing illuminated sign to a digital sign is appropriate for the streetscape and transport corridor setting of Bexley Road.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed digital screen provides for alternating signs, contributing to the visual interest of Bexley Road.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed digital screen provides for alternating signs in one integrated structure, thereby reducing the total number of signage structures.	N/A
Does the proposal screen unsightliness?	The proposal sign partly screens the existing pedestrian bridge, considered to be aesthetically neutral.	Yes
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage is contained within the outline of the existing pedestrian bridge and does not protrude above the existing structure.	Yes
Does the proposal require ongoing vegetation management?	The proposed signage does not contain, or impact upon any vegetation.	Yes

5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage is of similar size to the existing sign and is to be contained within the outline of the existing pedestrian bridge, compatible with the site.	Yes
Does the proposal respect important features of the site or building, or both?	The proposed signage does not detract from the road signals, thereby respecting the features of the road way site.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposal incorporates LED technology with alternating signage, exhibiting an innovative display.	Yes
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The required lighting for the sign is incorporated into the LED display and the oOh!media logo has been integrated within the anti-graffiti mesh, the support structure for the sign.	Yes
7 Illumination		
Would illumination: <ul style="list-style-type: none"> • result in unacceptable glare? • affect safety for pedestrians, vehicles or aircraft? • detract from the amenity of any residence or other form of accommodation. 	The proposed illumination is contained within the LED screening and would not result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, or detract from the amenity of any residence (refer to Section 5 of this report).	Yes
Can the intensity of the illumination be adjusted? Is the illumination subject to a curfew?	The intensity of the illumination can be adjusted. However due to the location of the sign (out of sight from residents) a curfew is not required (refer to Section 5 of this report).	Yes
8 Safety		
Would the proposal reduce safety for: <ul style="list-style-type: none"> • pedestrians, particularly children, by obscuring sightlines from public areas? • for any public road? 	The proposal would not adversely impact on road safety for pedestrians or vehicles or obscure sightlines (refer to Section 5 of this report).	Yes

Transport Corridor Outdoor Advertising and Signage Guidelines

The *Transport Corridor Outdoor Advertising and Signage Guidelines* outline best practice for the planning and design of outdoor advertisements in transport corridors. The Guidelines supplement the provisions of SEPP 64 by providing detailed information in relation to signage within transport corridors, including design criteria and road safety considerations. The proposal has been assessed against the Guidelines in **Table 6**.

Table 6: Assessment of SEPP 64 Guidelines design criteria.

Assessment Criteria	Comments	Compliance
Land Use Compatibility Criteria		
Outdoor advertising should not be inconsistent with the LEP land use objectives for the area.	The proposal is consistent with the objectives of the SP2 Zone under the CLEP 2012 as it will provide for infrastructure and related uses.	Yes
Advertisements must not be placed on land where signage is visible from the following areas if it is likely to create significant amenity impacts: <ul style="list-style-type: none"> - Environmentally sensitive area - Heritage area - Natural or other conservation area - Open space - Waterway - Residential - Scenic protection area - National park or nature reserve. 	The proposed digital sign does not create significant amenity impacts on any environmentally significant area, heritage area, natural/other conservation areas, open space area or rural landscapes. The sign is located in a transport corridor and is surrounded by the Bexley Road Motorway Operation buildings. There is recreationally zoned space to the rear of the sign, however the sign does not face or compete with these views.	Yes
Advertising signage should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant views or views that add to the character of the area.	The proposed digital sign is within the existing envelope and does not protrude above the skyline or obscure/compromise significant views or views that add character to the area.	Yes
Advertising signage should not be located to diminish the heritage values of items or areas of local, regional or state heritage significance.	The site is not within a heritage conservation area or environmentally significant area.	Yes
Advertising signage should be placed within the context of other built structures in preference to non-built areas. Signage should be used to enhance the visual landscape.	The proposed signage replaces an existing sign of a similar size and is consistent within the context of the pedestrian bridge.	Yes
Site-Specific and Structural Criteria		
General Criteria		
(a) The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.	The proposed digital signage exhibits design excellence, displaying innovative high resolution digital advertisements.	Yes
(b) The advertising structure should be compatible with the scale, proportion and other characteristics of the site, building or structure on which the proposed signage to be located.	The proposed digital signage is confined to the envelope of the existing pedestrian bridge, considered to be compatible with the scale of the bridge on which the proposed signage will be located.	Yes
(c) The advertising signage should be in keeping with important features of the site, building or bridge structure.	The proposal does not detract from any important features of the site or bridge.	Yes
(d) The placement of the advertising signage should not require the removal of significant trees or other native vegetation.	The proposal does not require the removal of any vegetation.	Yes
(e) The advertisement proposal should incorporate landscaping that complements the advertising signage and is in keeping with the landscape and character of the transport corridor.	The existing signage does not incorporate landscaping and the proposed signage will also not incorporate landscaping to continue to be in character of the transport corridor.	Yes

(f) Any safety devices, platforms, lighting devices or logos should be designed as an integral part of the signage or structure on which it is to be displayed.	The proposed digital will integrate all safety devices and electronic components within the signage structures. The proposed oOh!media logo is to be contained within the advertising display area.	Yes
(g) Illumination of advertisements must comply with the requirement in Section 3.3.3.	The illumination of the advertising signage does not result in unacceptable glare (refer to Section 5 of this report).	Yes
(h) Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.	The proposal does not result in unacceptable light spillage to nearby residential properties, national parks or nature reserves (refer to Section 5 of this report).	Yes
Bridge Criteria		
Architecture of the bridge must not be diminished.	The proposed sign is of similar size to the existing sign and will not detract from the existing architectural archway outline of the bridge	Yes
The advertisement must not <ul style="list-style-type: none"> extend laterally outside the structural boundaries of the bridge extend below the base of the bridge structure unless it is contained wholly into a pylon or abutment or meet RMS's minimum road clearance protrude above the top of the structural boundaries of the bridge block significant views for pedestrians or other bridge users. create a tunnel effect, impede passive surveillance or in any other way reduce safety for drivers or pedestrians or other bridge users. 	<p>The proposed sign does not extend laterally, below or above the structural boundaries of the bridge.</p> <p>The proposed sign will not block significant views for pedestrians or other bridge users.</p> <p>The proposed sign will not reduce passive surveillance or reduce safety for drivers, pedestrians or bridge users.</p>	Yes
Above criteria do not apply to the continuation of existing advertising approved prior to the gazettal of SEPP 64 Amendment 2 for only one additional period under SEPP 64 clause 14 if there is no increase in the advertising display area of the signage.	Not applicable	N/A
A development application must include a statement demonstrating how the advertisement will contribute to a public benefit.	The Applicant has provided a statement of public benefit. This is addressed in Section 5 of this report.	Yes
Any advertising sign proposed for development on a bridge over a classified road requires the construction drawings to be submitted for review and approval by RMS bridge engineers, prior to construction, to ensure all road safety requirements are met.	The application has included construction drawings which will be reviewed by RMS bridge engineers as a condition of consent.	Yes
Any advertising sign proposed for development on a bridge over a road requires provision of a fall arrest system (sign and sign support structure to bridge) to ensure the sign will not detach in case of impact by an over-high vehicle.	The submitted construction plans include provisions for safety cables to act as a fall arrest system in the event of the bridge being struck by an over height vehicle.	Yes

Digital sign criteria																	
a) Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion d) below.	The proposal is for the display of static digital advertisements with a 'dwell time' of 10 seconds in accordance with criterion d) below.	Yes															
b) Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	The proposed signage is not seeking consent for message sequencing.	Yes															
c) The image must not be capable of being mistaken: i. For a prescribed traffic control device ii. as text providing driving instructions to drivers.	The proposed digital signage would not be capable of being mistaken for a prescribed traffic control device and/or text providing driving instructions.	Yes															
d) Dwell times for image display are: (i) 10 seconds for areas where the speed limit is below 80km/h; and (ii) 25 seconds for areas where the speed limit is 80km/h and over.	Bexley road has a speed limit of 60km/h. The dwell time for the display is 10 seconds.	Yes															
e) The transition time between messages must be no longer than 0.1 second.	The proposed transition time between messages is 0.1 second.	Yes															
f) Luminance levels comply with the following requirements		Yes															
<table border="1"> <thead> <tr> <th>Lighting Conditions</th> <th>Proposed Luminance Levels</th> <th>Maximum Zone 3 Luminance Levels</th> </tr> </thead> <tbody> <tr> <td>Full sun on face of signage</td> <td>6000 cd/m²</td> <td>Maximum Output cd/m²</td> </tr> <tr> <td>Day-time luminance</td> <td>6000 cd/m²</td> <td>6000 cd/m²</td> </tr> <tr> <td>Morning and Evening Twilight and Inclement Weather</td> <td>700 cd/m²</td> <td>700 cd/m²</td> </tr> <tr> <td>Nighttime</td> <td>200 cd/m²</td> <td>350 cd/m²</td> </tr> </tbody> </table>			Lighting Conditions	Proposed Luminance Levels	Maximum Zone 3 Luminance Levels	Full sun on face of signage	6000 cd/m ²	Maximum Output cd/m ²	Day-time luminance	6000 cd/m ²	6000 cd/m ²	Morning and Evening Twilight and Inclement Weather	700 cd/m ²	700 cd/m ²	Nighttime	200 cd/m ²	350 cd/m ²
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The proposed digital sign would operate in accordance with the Zone 3 luminance criteria for digital signs contained in the Guidelines (refer to Section 5 of this report) and would in fact operate below the luminance criteria.																	
g) The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.	The images would not dazzle or distract drivers.																
h) The amount of text and information supplied on a sign should be kept to a minimum. Text should preferably be displayed in the same font and size.	The advertisements would primarily display images with information/text kept to a minimum.																
i) Any sign that is within 250 m of a classified road and is visible from a school zone must be switched to fixed display during school zone hours.	The proposal is not visible from a school zone.																

j)	Each sign must be assessed on a case by case basis, including replacement of an existing fixed, scrolling or tri-vision sign with a digital sign and in the instance of a sign being visible from each direction, both directions for each location must be assessed on their own merits.	The Department has undertaken detailed assessment of the design and location of the proposal (refer to Section 5 of this report).	Yes
k)	At any time, including where the speed limit in the areas of the sign is changed, if detrimental effect is identified on road safety post installation of a digital sign, RMS reserves the right to re-assess the site which may result in a change to the dwell time or removal of the sign.	RMS may reassess the sign if road safety circumstances change and increase the dwell time or remove the sign, as appropriate. The Minister's approval would be required for any reduction in dwell time.	Yes
l)	Sign spacing should limit drivers view to a single sign at any given time with a distance of no less than 150 m between signs in any one corridor. Exemptions for low speed, high pedestrian zones or CBD zones will be assessed by RMS as part of their concurrence role.	There is not another sign within 150 m of the proposed signage.	Yes
m)	Signs greater than 20 m ² must obtain RMS concurrence and must ensure the following minimum vertical clearances: (i) 2.5 m from lowest point of the sign above the road surface if located outside the clear zone. (ii) 5.5 m from lowest point of the site above the road surface if located within the clear zone (including shoulders and traffic lanes) or the deflection zone of a safety barrier if a safety barrier is installed.	As the signage is greater than 20 m ² , RMS have provided concurrence. The Department has also imposed a condition to ensure there is a vertical clearance of 5.5 m between the road surface and the lowest point of the signage. This is consistent with RMS' General Terms of Approval.	Yes
n)	An electronic log of a sign's activity must be maintained by the operator for the duration of the development consent and be available to the consent authority and/or RMS to allow a review of the signs activity in case of complaint.	This has been included as a condition of consent.	Yes
o)	A road safety check which focuses on the effects of the placement and operation of all signs over 20 m ² must be carried out after 12 month period of operation but within 18 months of the sign's installation.	A condition of consent will require a road safety check would be carried out after the first 12 months of operation (but within 18 months of the signage installation).	Yes
Road Safety Assessment Criteria			
	The advertisement must not create a physical obstruction or hazard.	The proposed signage is to be affixed to the existing pedestrian bridge and provides for a minimum clearance of 5.5 m between the sign and the road.	Yes

Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone. Where a sign is proposed within the clear zone but behind an existing RTA-approved crash barrier, all its structures up to 5.3m in height (relative to the road level) are to comply with lateral clearances as specified by Section 6 of the RTA's Road Design Guide with respects to dynamic deflection and working width.	The proposed sign will utilise the existing pedestrian bridge as a support structure. Therefore, the sign does not require sign supports within the clear zone and no roadside hazards are introduced.	N/A
All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS 1170.1 and AS1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.	The proposed sign is located on a bridge Bexley Road and a condition has been included requiring the proposal to comply with AS 1170.1 and AS 1170.2.	Yes
Digital signs greater than 20sqm must ensure a minimum clearance of 5.5m from the lowest point of the sign.	The proposed sign provides for a minimum clearance of 5.5 m from the lowest point of the sign to the road.	Yes
An advertisement must not obstruct the driver's view of the road particularly of other vehicles, bicycle riders or pedestrians at crossings. An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The proposed digital signage is confined to the envelope of the existing pedestrian bridge and will not obstruct views beyond that of the existing bridge.	Yes
The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road.	The proposal will not give incorrect information on the alignment of the road.	Yes
The advertisement should not distract a driver away from the road environment for an extended length of time.	The proposed sign is located front-on and will not require the drivers to direct their attention away from the road.	Yes
The sign should not be located: <ul style="list-style-type: none"> i. less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves ii. less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment iii. so that it is visible from the stem of a T-intersection. 	The application includes a Traffic Impact Assessment that concludes that the proposal can be supported on road user safety grounds (refer to Section 5 of this report).	Yes
The placement of a sign should not distract a driver at a critical time.	The placement of the sign will not distract drivers at critical times.	Yes
The advertisement must not distract a driver from, obstruct or reduce the visibility and effectiveness of, directional signs, traffic signals, prescribed traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.	The proposal will not distract drivers or reduce the visibility and effectiveness of directional signs, traffic signals, traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.	Yes
The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a traffic control device.	The proposal will not interfere with stopping sight distance for the road's design speed and would not interfere with the effectiveness of the existing traffic control devices.	Yes

The image must not be capable of being mistaken for traffic signals or driving instructions.	The application does not provide specific detail for sign content. Due to the nature of the digital signage display, the advertising content of the sign will change. Furthermore, consent is not required for a change in the content of signage in accordance with SEPP 64. Therefore a condition of consent will be applied to ensure the sign content is not mistaken for traffic signals or driving instructions.	Yes
Digital signs must not contain animated or video/movie style advertising or messages, including live television, satellite, Internet or similar broadcasts.	A condition of consent will be applied to ensure the sign does not contain animated or video/movie style advertising or messages, including live television, satellite, internet or similar broadcasts.	Yes
The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users.	The proposed sign is an LED screen and does not incorporate technology that will interact with in-vehicle electronic devices or mobile devices.	Yes
Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	A condition of consent will be applied to ensure the sign does not contain message sequencing across images.	Yes
Public Benefit		
As proponents of outdoor advertising, RMS must demonstrate that revenue raised from outdoor advertising is directly linked to a public benefit.	The proposal has adequately demonstrated the public benefit (refer to Section 5 of this report).	Yes
RMS must record the total amount of outdoor advertising revenue received each year in their financial accounts and their Annual Reports. The Annual Reports must also outline investments made in the year on transport safety, amenity improvements or other public works, listing specific works to which the funds have been or are to be applied.	This is recommended to be included as a condition of consent.	Yes

State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP (ISEPP) aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

Clause 101 of the Infrastructure SEPP requires the consent authority to be satisfied that new development with a frontage to a classified road will not adversely affect the safety, efficiency and operation of the road. The proposed signage is to be affixed to the existing pedestrian bridge, overhead of Bexley Road (a classified road) in the same location as the existing sign. The proposed digital signage is of similar size as the existing static signage, will not protrude beyond the outline of the existing pedestrian bridge and will be appropriately illuminated. Therefore, The Department considers the proposed signage will not compromise the operation and function of the road and the proposal is consistent with the ISEPP.

State Environmental Planning Policy No 55 - Remediation of Land

SEPP 55 aims to promote the remediation of contaminated land to prevent the risk of harm to human health and the environment. SEPP 55 requires the consent authority to consider whether the land is contaminated, and if so, whether the land is suitable for the purpose for the proposed development. The proposal to affix a replacement sign to an existing pedestrian bridge will not raise any issues with regards to contamination.

Canterbury Local Environmental Plan (CLEP) 2012

The CLEP 2012 aims to encourage the development of housing, employment and recreation opportunities to meet the needs of the existing and future residents of the Canterbury area. The CLEP 2012 also aims to protect and promote the environmental and cultural heritage values of Canterbury.

The proposed signage will not restrict opportunities for the development of housing, employment and recreation and will have negligible environmental impact as discussed in this report. Therefore the Department considers the proposed signage to be consistent with the objectives of the CLEP 2012.

Canterbury Development Control Plan (CDCP) 2012

The CDCP 2012 provides for detailed objectives and controls to guide development across the former Canterbury Local Government Area. Part F of the CDCP 2012 outlines the specific objectives and controls for the installation of signage.

The proposed digital signage is consistent with the objectives as it is of high quality design, appropriate, innovative and safe. The sign will replace an existing sign and will not project above the existing pedestrian bridge to interrupt any views or result in any overshadowing.

The signage is also consistent with the specific controls relating to the visual impact, size and illumination. The proposed signage includes the oOh!media logo located within the advertising display with a maximum area of 0.25 m², compliant with the signage controls.

Furthermore, the proposed digital signage will not result in unacceptable glare or adverse impact on road safety. The proposed illumination of the LED display complies with all the relevant requirements of AS 4282-1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Therefore the Department considers the proposed signage to be consistent with the CDCP 2012.

APPENDIX C RECOMMENDED CONDITIONS OF CONSENT

The recommended conditions of consent can be found on the Department of Planning and Environment's website as follows.

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8880

