

Digital advertising signs

Church Street overpass – Burns Bay Road, Hunters Hill

Statement of Environmental Effects

Roads and Maritime Services | September 2019



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Executive Summary

This Statement of Environmental Effects (SEE) has been prepared by Keylan Consulting Pty Ltd for JCDecaux on behalf of Roads and Maritime Services (RMS) (the Applicant) to accompany a Development Application (DA) for the installation of new digital advertising signs on either side of the Church Street overpass above Burns Bay Road in Hunters Hill and within the Hunters Hill local government area (LGA).

The DA is submitted to the Department of Planning, Industry and Environment (DPIE) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This SEE addresses the relevant requirements of *State Environmental Planning Policy No 64 – Advertising and Signage* (SEPP 64) and associated *Transport Corridor Outdoor Advertising and Signage Guidelines, Assessing Development Applications under SEPP 64* (DP&E, 2017) (SEPP 64 Guidelines).

The Minister for Planning and Public Spaces (the Minister) is the consent authority for the application, as prescribed under clause 12(d)(ii) of SEPP 64.

The proposal

The digital advertising signs are proposed on the northern and southern elevations of the Church Street overpass and will be visible to both northbound and southbound motorists travelling along Burns Bay Road.

Each sign is proposed to include:

- an advertising display area of 39.94 m² (Supersite format)
- a 10 second dwell time for message changes
- the display of illuminated advertisements on a 24-hour, 7 day per week basis
- a maximum luminance limit during the night time period of 100 cd/m² (Sign 1) and 135 cd/m² (Sign 2)
- the ability to automatically adjust the brightness of the display area to ambient lighting conditions including reduced brightness during the post-curfew period (11 pm to 6 am)

The application seeks consent to operate the signs for a period of 15 years.

The estimated capital investment value of the development is \$907,500.

The site and locality

The site is located in Hunters Hill and is approximately 10 kilometres (km) north-west of the Sydney central business district (CBD) and 4.5 km south-east of the Ryde Town Centre within the Hunters Hill LGA.

Burns Bay Road is a State Road (classified as a Freeway under the *Roads Act 1993*) that travels in a general north-south alignment between Centennial Avenue in Lane Cove (to the north) and Victoria Road (the Gladesville Bridge) in Drummoyne (to the south). It is a dual carriageway with two lanes of traffic in both directions with a speed limit of 70 km/hr on approach to the Church Street overpass in both directions.

Church Street is a classified regional road that travels in a general east-west alignment between Mount Street (to the east) and Gladesville Road (to the west) and extends above

Burns Bay Road. The Church Street overpass is located approximately 300 m north of Tarban Creek Bridge and approximately 450 m south of Fig Tree Bridge.

The site is within an established road corridor with the broader area characterised by low and medium density residential development and mixed use commercial and residential uses in the suburbs of Hunters Hill.

There are no pedestrian footpaths or cycle lanes along Burns Bay Road in proximity to the site and no parking is permitted.

Permissibility

The Church Street overpass and Burns Bay Road are located on land that applies to the *Hunters Hill Local Environmental Plan 2012* (HHLEP 2012). The site is zoned SP2 Infrastructure (Classified Road). Signage is prohibited in the SP2 zone under the HHLEP 2012.

Notwithstanding, clause 16 of SEPP 64 overrides the provisions of any other environmental planning instrument including the provisions under the HHLEP 2012. Consequently, under clause 16(1)(b)(ii) of SEPP 64, the display of an advertisement by or on behalf of RMS on a bridge constructed by or on behalf of RMS on any road corridor is permissible with development consent.

SEPP 64 and associated SEPP 64 Guidelines

The proposal has been comprehensively assessed against the provisions of SEPP 64 and associated SEPP 64 Guidelines.

An assessment against the criteria in Schedule 1 of the SEPP 64 has found that the proposal is compatible with the existing character of the area that is an established road corridor, will not dominate the skyline or reduce the quality of vistas and will not result in unacceptable road safety, heritage or illumination impacts.

The proposal has also been assessed against the criteria set out in the SEPP 64 Guidelines. The criteria relates to the land use compatibility, digital signage, road safety and illumination requirements. The assessment demonstrates the proposal is consistent with the relevant criteria.

Compliance with SEPP 64 and the SEPP 64 Guidelines are addressed in detail at Section 4.3.1, Section 4.3.2 and at **Appendix 4**.

Road safety

A Signage Safety Assessment (SSA) has been prepared by WSP (**Appendix 5**). The SSA has been prepared in accordance with SEPP 64 and associated SEPP 64 Guidelines.

The SSA has relied upon historical crash data supplied by RMS. Two road accidents were recorded along Burns Bay Road close to the Church Street overpass during the 5 year period between 1 July 2013 and 30 June 2018. These included a non-casualty (towaway) incident and a collision between a motorcycle and a car (injury).

The proposed signs will be positioned above the northbound and southbound traffic lanes and therefore drivers will not need to turn away from their direct line-of-sight to view the full extent of the signs. Further, there are no intersections, crossings, merge points or critical traffic control devices located within the readable distances of the signs.

The SSA concludes that the locality presents a low risk environment for the proposed digital advertising signs and is acceptable on road safety grounds.

Lighting impacts

A Lighting Impact Assessment (LIA) has been prepared by Electrolight (**Appendix 6**). The LIA has assessed the proposal against the illumination criteria under the SEPP 64 Guidelines and AS 4282-2019: Control of the Obtrusive Effects of Outdoor Lighting.

Light spill during the night time period is found to comply with the criteria under AS 4282-2019 from the nearest affected residence. Further, the maximum luminance levels for each sign are set below the recommended maximum permissible luminance levels to comply with the illumination criteria set out in the SEPP 64 Guidelines.

The LIA confirms the signs will not result in unacceptable glare, adversely impact on the safety of pedestrians, residents or vehicular traffic or adversely impact on the visual amenity of nearby residences or accommodation.

Heritage impacts

The site is located in a Heritage Conservation Area (HCA) listed as the 'Hunters Hill Conservation Area No 1 - The Peninsula' under Schedule 5 of the HHLEP 2012. The site is also located in close proximity to a number of local heritage items listed under the HHLEP 2012. A Heritage Impact Statement (HIS) has been prepared by Urbis which assessed the potential impacts of the proposal on the surrounding heritage items (**Appendix 7**).

The HIS includes an assessment of significance in accordance with the criteria for assessing heritage significance developed by the Heritage Council of NSW. The assessment found that the subject site (the Church Street overpass) does not meet the threshold for heritage listing.

The HIS finds that the existing views to the subject site from the Heritage Conservation Area (HCA) and the nearby heritage items is minimal due to screening by established mature tree plantings along the Burns Bay Road corridor and the adjoining streets.

The HIS concludes that the proposal will not generate any adverse impacts on the heritage significance of the HCA and surrounding heritage items due to the siting of the signs.

Visual impacts

An assessment of the visual impacts of the proposal from the nearest residential areas to the east and west of the Burns Bay Road corridor has determined that, on balance, there will be a negligible and therefore acceptable visual impact.

The visual impact is assessed as negligible on the basis that the signs will fit neatly within the structural elements of the Church Street overpass, will not obstruct any viewlines and will be barely visible from the nearest residences due to the surrounding undulating topography and location of the Burns Bay Road on- and off-ramps to Church Street and Gladesville Road.

Public benefits

The SEPP 64 Guidelines require an application for digital advertising proposed by RMS to demonstrate how the local community will benefit from the proposal, such as improvements to traffic safety for drivers, pedestrians and cyclists in the local area where the advertising signs are proposed.

A Public Benefit Statement prepared by RMS is included as part of the application (refer **Appendix 1**). The statement confirms that part of the revenue generated by the proposed advertising signs in Hunters Hill will help fund essential RMS services to the benefit of the local community, including:

- the maintenance and repair of existing road infrastructure
- the ongoing maintenance of the existing road network
- planning and development of future road networks
- road safety programs across NSW in conjunction with the Transport for NSW Centre for Road Safety.

Further to the above, the digital advertising signs will display road safety messages for a minimum period of 5 per cent of all advertising time and will be made available for use by the RMS and Transport for NSW in the event of a 'threat to life' emergency.

Conclusion

Following a detailed consideration of the proposal in its legislative and physical context, this SEE determines that the proposal:

- is compatible with the existing and desired future character of the area and will not impact on any items of European or Aboriginal heritage, or on any threatened species or habitat areas
- meets the objectives of SEPP 64 and is compatible with the amenity and visual character of the surrounding area
- demonstrated compliance with the assessment criteria under Schedule 1 of SEPP 64
- demonstrates compliance with the criteria set out in the SEPP 64 Guidelines in regards to land use compatibility, digital signage, road safety, heritage and illumination requirements
- will have a negligible visual impact on the adjacent residential properties in Hunters Hill
- will be of high quality design and finish
- will provide a public benefit as RMS will contribute the revenue that is generated by the advertising signs as funding toward new road infrastructure, the maintenance of existing road infrastructure and improved road safety messaging to the community.

Consequently, the proposal is considered to be in the public interest and therefore warrants approval.

1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by Keylan Consulting Pty Ltd on behalf of Roads and Maritime Services (RMS) to accompany a Development Application (DA) involving the installation of two digital advertising signs on the Church Street overpass above Burns Bay Road in Hunters Hill and within the Hunters Hill local government area (LGA).

The DA and accompanying SEE have been prepared under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and addresses the relevant requirements of *State Environmental Planning Policy No 64 – Advertising and Signage* (SEPP 64).

This SEE also includes a detailed assessment of the operation of the proposed digital advertising signs against the requirements outlined in the *Transport Corridor Outdoor Advertising and Signage Guidelines, Assessing Development Applications under SEPP 64* (DP&E, 2017) (SEPP 64 Guidelines).

This report should be read in conjunction with the supporting plans and documents outlined in Table 1.

Supporting documentation	Appendix No.
Public Benefit Statement (RMS)	Appendix 1
Capital Investment Value Statement (JCDecaux)	Appendix 2
Design Drawings (Arcadis)	Appendix 3
SEPP 64 Assessment (Keylan Consulting)	Appendix 4
Signage Safety Assessment (WSP)	Appendix 5
Lighting Impact Assessment (Electrolight)	Appendix 6
Heritage Impact Statement (Urbis)	Appendix 7

Table 1: Supporting documentation

1.1 LED technology for outdoor advertising

Outdoor advertising requires changeable signs or images. Traditional outdoor advertising billboards require manual change of materials (paint, paper and vinyl) either pasted onto billboards or tensioned across support frames. The introduction of digital technology has enabled new methods to change signage without regular manual change to the advertising signage.

A LED or digital screen will present a very high quality image by adopting a pixel pitch of between 10 mm in accordance with industry standards. A digital screen is comprised of a cluster of red, green, blue and amber diodes driven together to form a full colour pixel usually square in shape. These pixels are spaced evenly apart and are measured from centre to centre for absolute pixel resolution.

The proposed digital advertising signs will only display static content. The LED display will not scroll, flash or feature motion pictures or emit intermittent light. The advertising signage includes an operation management system to ensure that only static images are displayed.

1.2 Pre-lodgement consultation

1.2.1 Department of Planning, Industry and Environment

On 14 May 2019, a pre-lodgement meeting was conducted between JCDecaux and senior officers from the Department of Planning, Industry and Environment (DPIE).

The meeting provided an opportunity for JCDecaux to introduce the site and the proposal and to facilitate discussion on key issues that are considered as part of this DA. The application has been prepared in accordance with the advice given at the pre-lodgement meeting with DPIE.

2 Site analysis

2.1 Site location

The subject site is located in Hunters Hill and is approximately 10 kilometres (km) north-west of the Sydney central business district (CBD) and 4.5 km south-east of the Ryde town centre within the Hunters Hill LGA.

Burns Bay Road is an RMS State road (classified as Main Road MR 166 and a Freeway under the *Roads Act 1993*) that travels in a general north-south alignment between Centennial Avenue in Lane Cove (to the north) and Victoria Road (the Gladesville Bridge) in Drummoyne (to the south).

Church Street is an RMS regional road (classified as Secondary Road SR 2033 under the *Roads Act 1993*) that travels in a general east-west alignment between Mount Street (to the east) and Gladesville Road (to the west) and extends above Burns Bay Road. The Church Street overpass is located approximately 300 m north of Tarban Creek Bridge and approximately 450 m south of Fig Tree Bridge.

The subject site in context to the surrounding area is shown in Figure 1 and Figure 2.

The Church Street overpass viewed from Burns Bay Road is shown in Figure 3 and Figure 4.

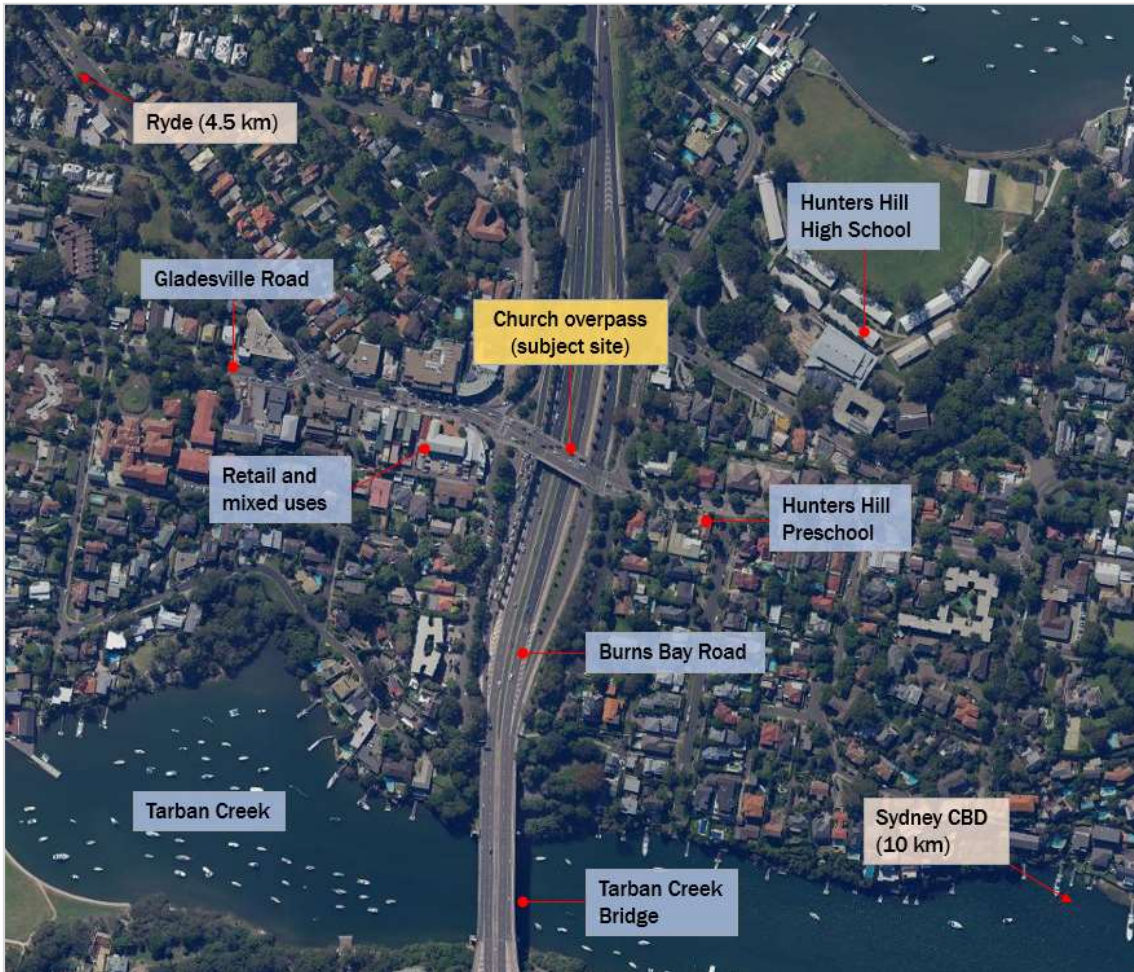


Figure 1: Site context – Church Street overpass, Hunters Hill (Base source: SIX Maps)



Figure 2: Site location – Church Street overpass, Hunters Hill (Source: WSP)



Figure 3: Church Street overpass from Burns Bay Road – view northbound (Source: Google Maps)



Figure 4: Church Street overpass from Burns Bay Road – view southbound (Source: Google Maps)

2.2 Existing road environment

Burns Bay Road is in an established classified road corridor and comprises a dual carriageway with two lanes of traffic in both the northbound and southbound directions. A speed limit of 70 kilometres per hour (km/hr) on approach to the Church Street overpass is in place in both directions.

In the northbound direction, the Victoria Road on-ramp and Church Street off-ramp are located south of the Church Street overpass. There is a directional sign for the Church Street off-ramp located approximately 250 m south of the overpass. Repeater speed signs are also provided approximately 150 m south of the overpass.

In the southbound direction, the Church Street off-ramp commences from approximately 350 m north of the Church Street overpass and a large directional sign is provided at this location.

Pedestrians are not permitted along Burns Bay Road and there is no dedicated cycling infrastructure in proximity to the Church Street overpass. Car parking is also not permitted along Burns Bay Road.

RMS currently has a licence agreement with Optus Mobile for three telco panel antennas attached to the southern elevation of the Church Street overpass. The antennas will be decommissioned by February 2020 and subsequently removed.

2.3 Surrounding location

The signs will be located within an established road corridor and are proposed on a concrete bridge with open style balustrading (Church Street overpass). There are no existing advertising structures located on the overpass at present.

Land use zones surrounding the road corridor and in proximity to the site include:

- low density residential zones generally comprising detached dwellings on the eastern and western sides of the Burns Bay Road corridor, throughout the suburb of Hunters Hill
- medium density residential zones along Church Street to the east and isolated medium density residential land use to the west, adjacent to the Burns Bay Road corridor
- mixed use residential and commercial zones along Gladesville Road to the west including local shops, retail and shop-top housing
- educational establishments including Hunters Hill Preschool located approximately 120 m to the east of the site and Hunters Hill High School located approximately 250 m to the north-east of the site (refer Figure 1 above).

3 Proposed development

3.1 Development summary

The proposal involves the installation of two digital advertising signs attached to the Church Street overpass above Burns Bay Road in Hunters Hill.

The development is summarised in Table 2 below.

Development proposal	Description
Development summary	Two (2) x new digital advertising signs attached to the northern and southern elevations of the Church Street overpass above Burns Bay Road in Hunters Hill.
Signage locations	<ul style="list-style-type: none"> • Sign 1 is proposed on the southern elevation of the Church Street overpass (visible to northbound traffic). • Sign 2 is proposed on the northern elevation of the Church Street overpass (visible to southbound traffic).
Signage format	Supersite
Signage dimensions	42.31 m ² (12.63 m x 3.35 m) – Sign 1 and Sign 2.
Advertising display area	39.94 m ² (12.48 m x 3.20 m) – Sign 1 and Sign 2.
Road clearance from ground level to the sign	<ul style="list-style-type: none"> • Sign 1 – 5.10 m clearance to Burns Bay Road. • Sign 2 – 5.87 m clearance to Burns Bay Road.
Dwell time	10 seconds – Sign 1 and Sign 2.
Signage exposure	Visibility and readability: <ul style="list-style-type: none"> • 250 m – Sign 1 and Sign 2
Illumination	The digital signage is illuminated using LEDs installed within the front face.
Consent time period	15 years.
Existing signage	Existing street name signs will be relocated, as shown on the DA drawings submitted as part of the application.

Table 2: Development summary

Design drawings and dimensions for each sign are shown in Figure 5 to Figure 7 (and included as part of the Design Drawings package at **Appendix 3**).

Indicative images of each sign, as viewed from Burns Bay Road, are provided at Figure 8 and Figure 9.

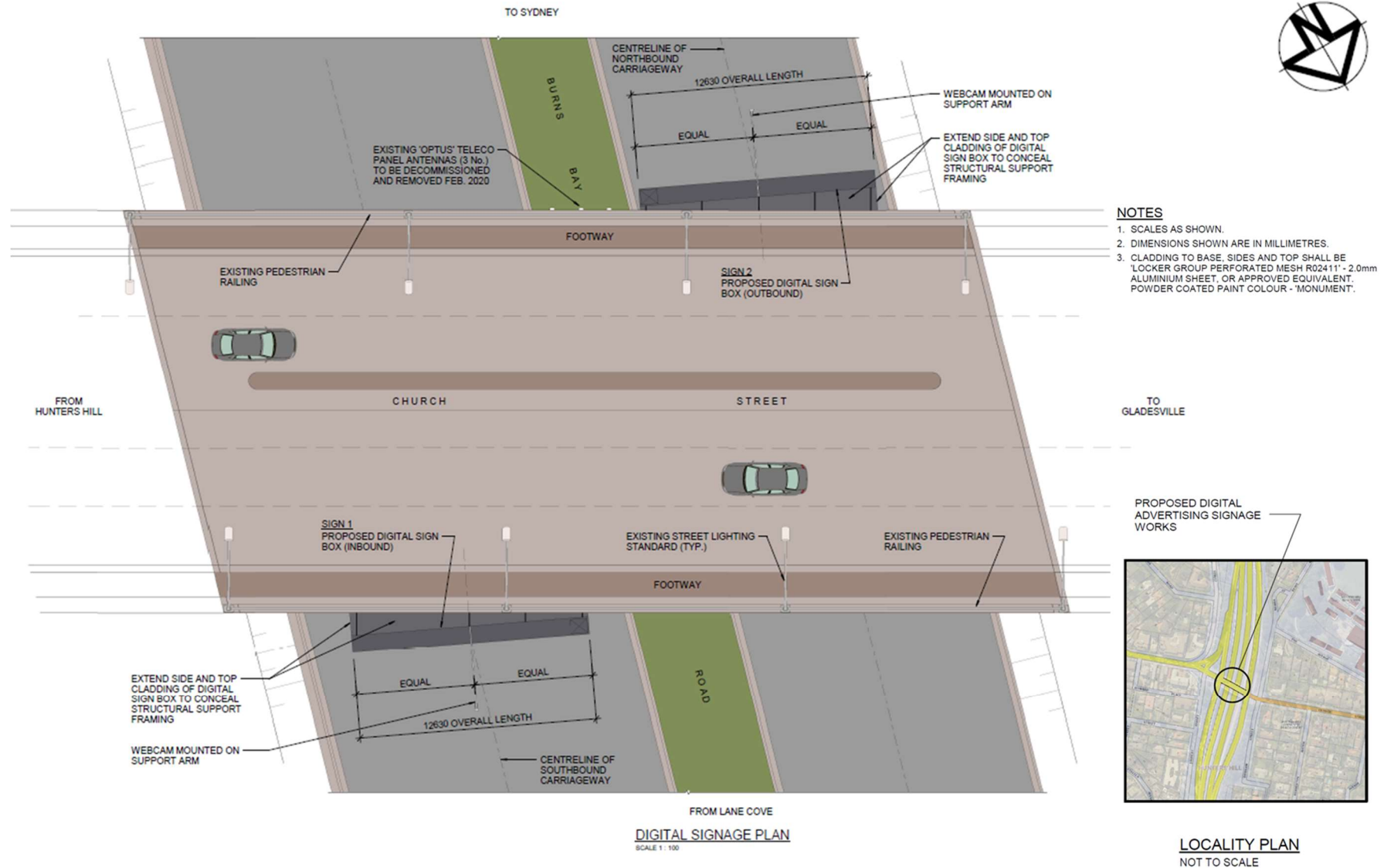


Figure 5: Digital signage plan (Source: Arcadis)

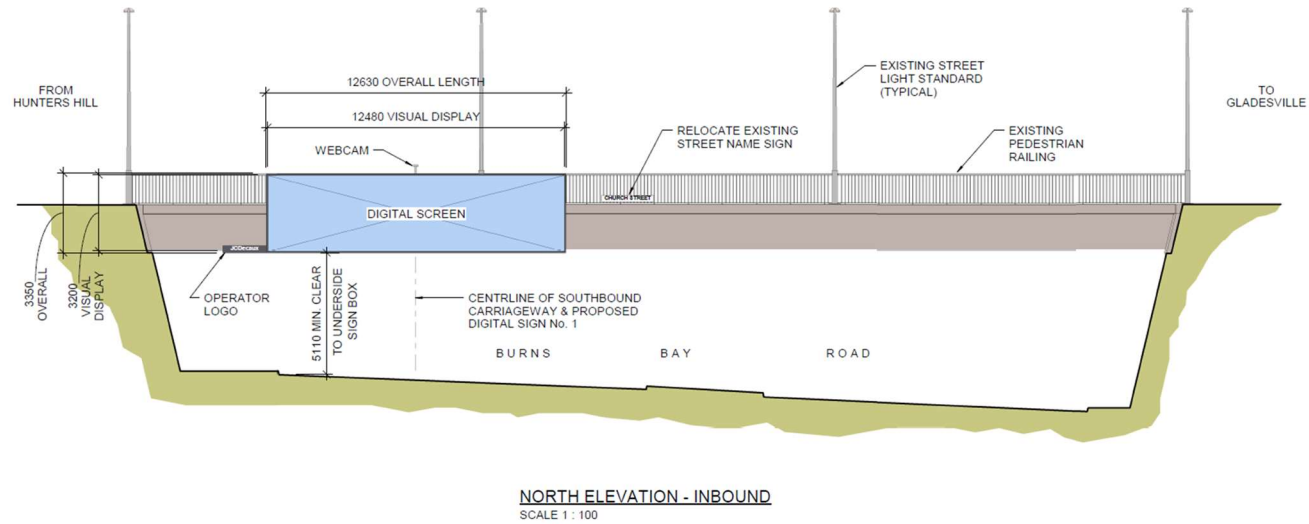


Figure 6: Sign 1 – northbound elevation (Source: Arcadis)

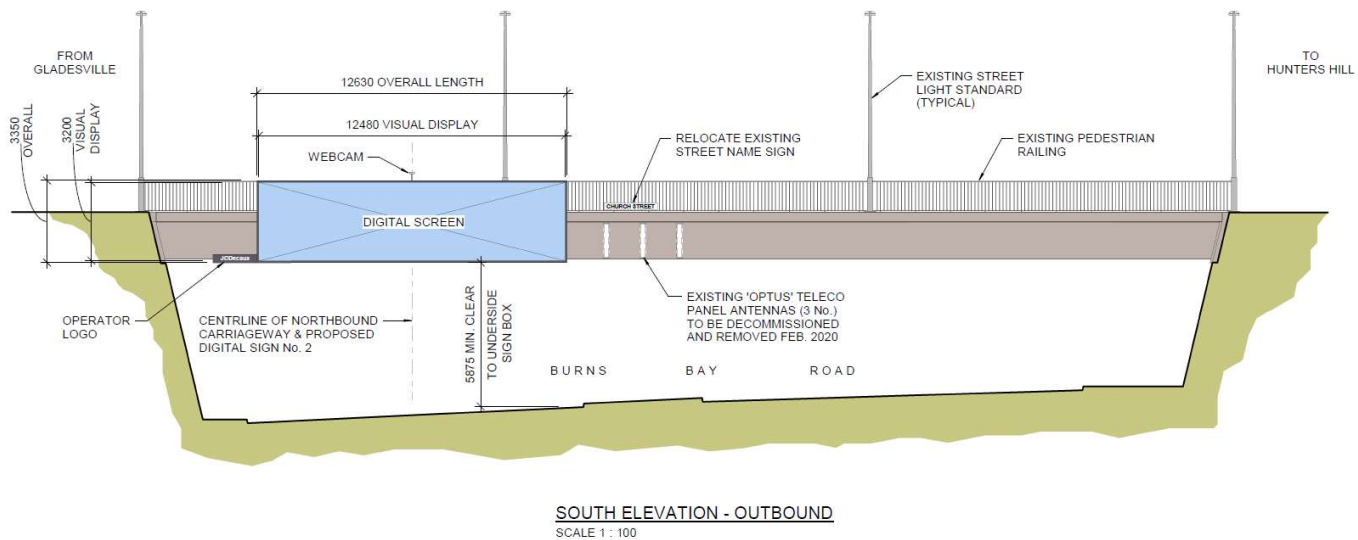


Figure 7: Sign 2 – southbound elevation (Source: Arcadis)



Figure 8: Indicative view northbound from Burns Bay Road, Hunters Hill (Source: JCDecaux)



Figure 9: Indicative view southbound from Burns Bay Road, Hunters Hill (Source: JCDecaux)

3.2 Digital LED screen operation and content management

JCDecaux will operate the content management system for the advertising signage. This management system ensures that unapproved content is not downloaded either by mistake or without appropriate authorisation.

A webcam will monitor operation of the signs 24 hours a day. A motion threat response is built into the display, which will make the screen incapable of displaying movement or live video feed. In the event that unapproved content is displayed the signage will, by default, revert to a black screen format immediately.

The LED screen will display content in feed cycles that are sequentially rotated on a loop cycle. Static digital advertisements will appear on the screen for a 10 second dwell time before changing to a new static digital image. There will be a 0.1 second transition time between images, which appears instantaneous.

The proposed dwell time is consistent with the global and national operation of LED screens, variable messaging and scrolling technology as demonstrated below:

- the dwell time for electronic signage in the United States is typically 8 seconds
- scrolling technology is typically 7 to 8 seconds
- NSW RMS variable messaging signage works on a 3 second transition time for both information and emergency displays
- the 10 second dwell time specified for this 70km/hr speed zone is consistent with the SEPP 64 Guidelines (DP&E, 2017) and the Outdoor Media Association.

JCDecaux will implement content controls for the proposed signage, including:

- no tobacco products
- no overtly religious advertising
- no advertising that contains overt and sexually graphic images
- no pornography and illegal drugs.

Further, all advertising copy material will comply with the following:

- Australian Advertising Industry Code of Conduct
- The Outdoor Media Association (OMA) Code of Conduct.

4 Statutory planning considerations

4.1 Environmental Planning and Assessment Act 1979

The EP&A Act sets out the statutory planning framework for NSW. The Act aims to promote the orderly and economic use and development of land, facilitate ecologically sustainable development and integrate economic, environmental and social considerations as part of the decision-making processes for environmental planning and assessment matters.

4.1.1 Objects of the EP&A Act

Development under the EP&A Act must have regard to the objects of the Act, as set out under Section 1.3 of the Act. The development is considered to be consistent with the objects of the Act, as outlined in Table 3 below.

The Objects of the Act	Consideration
(a) <i>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The development promotes the social and economic welfare of the community by generating revenue to contribute to the provision of new road infrastructure, maintenance of existing road infrastructure and provide messages to the community during key periods on behalf of the NSW Government. The development will not impact on the State's natural and other resources.
(b) <i>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	This SEE provides information on the relevant economic, environmental and social impacts of the development to enable the consent authority to undertake a thorough environmental assessment and assist in its decision-making on the application.
(c) <i>to promote the orderly and economic use and development of land,</i>	The development promotes the orderly and economic use of the land by proposing digital advertising signs within an established transport corridor that will provide public benefits including the generation of revenue to contribute to the provision of new road infrastructure and maintenance of existing road infrastructure.
(d) <i>to promote the delivery and maintenance of affordable housing,</i>	Affordable housing does not form part of this application.
(e) <i>to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	The development will not impact on any threatened species or other species of native animals and plants, ecological communities and their habitats.
(f) <i>to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	The Heritage Impact Statement (HIS) submitted as part of the application has found that the proposal will not generate any adverse impacts on the significance of the heritage conservation zone in which the development is located, nor will it impact on any surrounding heritage items due to the siting of the signs (Appendix 7).
(g) <i>to promote good design and amenity of the built environment,</i>	The development will be located within an established transport corridor. The design of the signs are considered to promote good

The Objects of the Act	Consideration
	design and will not have an adverse impact on the amenity of the surrounding location.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The development does not involve the construction and/or maintenance of a building.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	This SEE is submitted to DPIE to enable an environmental assessment of the application. It is expected that the SEE will be referred by DPIE to other State agencies and Council for further assessment and comment.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	As part of DPIE's assessment of the application, the SEE will be made publicly available and the community, Council and State agencies invited to provide comment via a submission on the proposal. Any submissions received will be addressed as part of a Response to Submissions Report.

Table 3: Objects of the EP&A Act

4.1.2 Section 4.15 Matters for Consideration

The consent authority is required to take into consideration the matters listed under section 4.15 of the EP&A Act when determining a development application. An evaluation of the proposed development against the provisions of Section 4.15(1) of the EP&A Act is provided in Table 4 below.

The Objects of the Act	Consideration
(a) the provisions of:	
(i) any environmental planning instrument, and	Environmental planning instruments that apply to the development are addressed at Section 4.3.
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	There are no proposed (draft) environmental planning instruments that are relevant to the development or the subject site.
(iii) any development control plan, and	Development control plans that apply to the site are addressed at Section 4.4.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	No planning agreement or draft planning agreement has been entered into as part of this application.
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The EP&A Regulation is addressed at Section 4.2.
(v) (Repealed)	N/A.
that apply to the land to which the development application relates,	

The Objects of the Act	Consideration
(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts I the locality,</i>	The likely impacts of the development are addressed at Section 5.
(c) <i>the suitability of the site for the development,</i>	The suitability of the site for the development is considered at Section 5.5.
(d) <i>any submissions made in accordance with this Act or the regulations,</i>	Any submissions received on the application will be considered and addressed as part of a Response to Submission report.
(e) <i>the public interest.</i>	The development is in the public interest as it will provide funding towards new road infrastructure, the maintenance of existing road infrastructure and improved road safety through direct messaging to the community. The public interest is further discussed at Section 5.6.

Table 4: Section 4.15 Assessment

4.2 Environmental Planning and Assessment Regulation 2000

The EP&A Regulation sets out the key operational provisions for the NSW planning system. These provisions relate to the making of development applications, requirements for environmental impact assessments, notification requirements, building regulations and other miscellaneous matters.

Part 1, Schedule 1 of the EP&A Regulation lists the information that is to be included as part of a DA. The requirements of Part 1, Schedule 1 and where they are provided within this SEE is outlined in Table 5.

Requirement	Consideration
(1) <i>A development application must contain the following information:</i> (a) <i>the name and address of the applicant,</i>	The Applicant for this DA is RMS. The relevant contact name and the address of the Applicant is provided on the DA form submitted with the application.
(b) <i>a description of the development to be carried out,</i>	A description of the development is provided at Section 3.
(c) <i>the address, and formal particulars of title, of the land on which the development is to be carried out,</i>	The land on which the development is to be carried out is described as the Church Street overpass above Burns Bay Road in Hunters Hill. The site location described in further detail at Section 2.1.
(d) <i>an indication as to whether the land is, or is part of, critical habitat,</i>	The land subject to this application is not defined as critical habitat.
(e) <i>an indication as to whether the development is likely to significantly affect threatened species, populations or ecological communities, or their habitats, unless the development is taken to be development that is not likely to have such an effect because it is biodiversity compliant development,</i>	The development will not affect any threatened species, populations or ecological communities, or their habitats. Further, the development is not biodiversity compliant development as defined under the EP&A Regulation.
(ea) <i>for biodiversity compliant development, an indication of the reason why the development is biodiversity compliant development,</i>	The development is not biodiversity compliant development as defined under the EP&A Regulation.

Requirement	Consideration
<i>(f) a list of any authorities from which concurrence must be obtained before the development may lawfully be carried out or from which concurrence would have been required but for section 4.13 (2A) or 4.41,</i>	Concurrence from other authorities is not required for the development to be lawfully carried out.
<i>(f1) in the case of an application that is accompanied by a biodiversity development assessment report, the reasonable steps taken to obtain the like-for-like biodiversity credits required to be retired under the report to offset the residual impacts on biodiversity values if different biodiversity credits are proposed to be used as offsets in accordance with the variation rules under the Biodiversity Conservation Act 2016,</i>	The application is not required to be accompanied by a biodiversity development assessment report.
<i>(f2) if the land is subject to a private land conservation agreement under the Biodiversity Conservation Act 2016, a description of the kind of agreement and the area to which it applies,</i>	The land is not subject to a private land conservation agreement.
<i>(g) a list of any approvals of the kind referred to in section 4.46 (1) of the Act that must be obtained before the development may lawfully be carried out,</i>	The development does not meet the criteria of integrated development and therefore any approvals listed under section 4.46(1) of the EP&A Act are not required.
<i>(g1) in the case of State significant development, a list of any authorisations that must be provided under section 4.42 of the Act in relation to the development,</i>	The development does not meet the criteria of State significant development.
<i>(h) the estimated cost of the development,</i>	The estimated cost of the development is \$907,500 (refer Capital Investment Value Statement at Appendix 2).
<i>(h1) in the case of State significant development, the capital investment value of the development,</i>	The development does not meet the criteria of State significant development.
<i>(i) evidence that the owner of the land on which the development is to be carried out consents to the application, but only if the application is made by a person other than the owner and the owner's consent is required by this Regulation,</i>	N/A – this application is made by RMS and is the owner of the land on which the development is to be carried out.
<i>(j) a list of the documents accompanying the application.</i>	A list of the documents that accompany the application is provided in Table 1.

Table 5: Information to be included as part of a DA – EP&A Regulation

4.3 Environmental planning instruments

4.3.1 State Environmental Planning Policy No. 64 – Advertising and Signage

SEPP 64 sets out specific requirements in relation to outdoor advertising and signage. The primary objectives of SEPP 64 are to ensure that signage (including advertising):

- is compatible with the desired amenity and visual character of an area
- provides effective communication in suitable locations
- is of high quality and finish.

SEPP 64 applies to all signage and advertisements that can be displayed with or without development consent under another environmental planning instrument and is visible from any public place or private reserve.

Schedule 1 Assessment

Under clause 8 of SEPP 64, a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage is consistent with the objectives of SEPP 64 and the assessment criteria set out under Schedule 1 of that SEPP. An assessment against the criteria of Schedule 1 is provided at Table 6.

SEPP 64 Schedule 1 Assessment	Response	Compliance
1. Character of the Area		
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	The proposal is compatible with the existing character of the area (an established road corridor) and is not expected to have any adverse impact on the future character of the area in which it is proposed.	✓
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	The proposal is within a major road corridor and no existing outdoor advertising is provided in the immediate locality.	✓
2. Special Areas		
<i>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?</i>	The proposal is located within a major road corridor and will not detract from the amenity or visual quality of any special areas.	✓
3. Views and vistas		
<i>Does the proposal obscure or compromise important views?</i>	The signs are proposed to be attached to an existing overpass (Church Street) and will not obscure or compromise important views.	✓
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	The signs are proposed within an established road corridor and attached to an existing overpass. The proposed signs will not dominate the skyline or reduce the quality of vistas.	✓
<i>Does the proposal respect the viewing rights of other advertisers?</i>	The signs are not proposed in proximity to any other advertisements and will therefore not impact on the viewing rights of other advertisers.	✓
4. Streetscape, Setting or Landscape		
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	The signs will not extend outside the structural boundaries of the Church Street overpass and is considered appropriate for its setting, being located within a major road corridor.	✓

SEPP 64 Schedule 1 Assessment	Response	Compliance
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	The digital advertising signs will enhance the visual interest for motorists along Burns Bay Road through the presentation of high quality, high resolution static digital advertisements.	✓
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	There is no existing advertising signage in place on the Church Street overpass.	✓
<i>Does the proposal screen unsightliness?</i>	The proposal will partially screen the existing unsightly pedestrian safety barriers that are located along the northern and southern elevations of the Church Street overpass.	✓
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	The proposal will not protrude above any buildings, structures or tree canopies. Further, the proposal will not protrude above the existing pedestrian safety barriers that are located on either side of the Church Street overpass.	✓
<i>Does the proposal require ongoing vegetation management?</i>	The proposal will not require ongoing vegetation management.	✓
5. Site and Building		
<i>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?</i>	The proposal is considered to be compatible with the scale and proportion of the Church Street overpass and will not protrude above the existing pedestrian safety barriers that are located on either side of the overpass.	✓
<i>Does the proposal respect important features of the site or building, or both?</i>	The proposal will be attached to an existing overpass. There are no known important features at the site that will be impacted by the proposed signs.	✓
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	The proposal involves the installation of two state of the art digital (LED) signs and will provide messages to motorists along Burns Bay Road during key periods.	✓
6. Associated Devices and Logos with Advertisements and Advertising structures		
<i>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?</i>	A security camera / web camera is proposed to ensure the display of the LED screen is working properly. A compliant operator logo will also be located at the bottom of the screen and within the skirting of the sign.	✓
7. Illumination		
<i>Would illumination result in unacceptable glare?</i>	The Lighting Impact Assessment (LIA) submitted as part of the application confirms that the signs will not result in unacceptable glare for the nearest residential properties (refer Appendix 6).	✓
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	The LIA confirms that the signs will not affect the safety for pedestrians, vehicles or aircraft (refer Appendix 6).	✓

SEPP 64 Schedule 1 Assessment	Response	Compliance
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	The LIA confirms that the illumination of the signs will not impact on the amenity of nearby residences or any other form of accommodation (refer Appendix 6).	✓
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	It is possible for the illumination of the signs to be adjusted. Further, a light sensor is proposed for each sign that will automatically adjust the brightness of the display area to adjust to ambient lighting conditions.	✓
<i>Is the illumination subject to a curfew?</i>	Illumination of the signs will be adjusted during the night time period to reduce light spill and to ensure compliance with the post-curfew requirements set out in AS 4282-2019.	✓
8. Safety		
<i>Would the proposal reduce the safety for any public road?</i>	<p>The SSA submitted as part of the application (refer Appendix 5) confirms that there are no intersections, merge points, pedestrian or cyclist crossings or traffic control devices located within the sight stopping distance of the site.</p> <p>The signs are also proposed in a location that has recorded few road traffic incidents including only two road accidents (non casualty) in the 5-year period between 1 July 2013 and 30 June 2018.</p> <p>The proposal will not reduce the safety for any public road. Road safety is discussed in further detail at Section 5.1.</p>	✓
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	<p>Pedestrians are not permitted along Burns Bay Road and there is no dedicated cycling infrastructure along this section of road in proximity to the Church Street overpass.</p> <p>The proposal will not impact on the ongoing safety of pedestrians and cyclists on the Church Street overpass.</p>	✓
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	The location of the signs on the northern and southern elevations of the Church Street overpass will not obscure sightlines from any public areas.	✓

Table 6: SEPP 64 Schedule 1 Assessment

Consent authority

In accordance with clause 12(d)(i) of SEPP 64, the Minister for Planning (the Minister) is the consent authority for the application as it proposes an advertisement that is displayed on behalf of RMS on 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.

4.3.2 Transport Corridor Outdoor Advertising and Signage Guidelines

The *Transport Corridor Outdoor Advertising and Signage Guidelines* (DP&E, 2017) (SEPP 64 Guidelines) sets out a best practice approach for the planning and design of outdoor advertisements in transport corridors in NSW.

The SEPP 64 Guidelines have been established to compliment the provisions of SEPP 64 under the EP&A Act and require the DA for any advertising sign that is located in, or adjacent to, a transport corridor to demonstrate how the proposal meets the following:

- the provisions of SEPP 64 (refer Section 4.3.1)
- the Land Use Compatibility Criteria for Transport Corridor Advertising (refer Table 7 below)
- the Digital Sign Criteria (refer Table 8 below)
- the Bridge Sign Criteria (refer Table 9 below)
- the Sign Location Criteria (refer Section 5.1)
- the Sign Design and Location Criteria (refer Section 5.1)
- Luminance Levels for Digital Advertisements Criteria (refer Section 5.2.1)
- the Public Benefit Test (refer Section 5.6)

Land Use Compatibility Criteria – Transport Corridor Advertising

Land Use Compatibility Criteria – Transport Corridor Advertising	Response	Compliance
i. The use of outdoor advertising in a given locality should not be inconsistent with the land use objectives for the area outlined in the relevant LEP.	<p>The proposal is located on land zoned SP2 Infrastructure zone the HHLEP 2012. The proposal is considered to be consistent with the objectives of the SP2 zone which is to: provide for infrastructure related uses; prevent development that is not compatible with or that may detract from the provision of infrastructure; and, to facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.</p> <p>While signage is prohibited in the SP2 zone under the HHLEP 2012, SEPP 64 overrides the provisions of the LEP and provides for development that is proposed on behalf of RMS, on a bridge constructed by or on behalf of RMS, to be permissible with development consent.</p>	✓
ii. Advertisements must not be placed on land where the signage is visible from the following areas, if it is likely to significantly impact on the amenity of those areas: <ul style="list-style-type: none"> • environmentally sensitive area • heritage area (excluding railway stations) • natural or other conservation area 	<p>The signs are proposed within a heritage conservation area listed under Schedule 5 of the HHLEP 2012. The HIS submitted as part of the application has found that the proposal will not significantly impact on the heritage significance of the listed heritage conservation zone.</p>	✓

Land Use Compatibility Criteria – Transport Corridor Advertising	Response	Compliance
<ul style="list-style-type: none"> • open space (excluding sponsorship advertising at sporting facilities in public recreation zones) • waterway • residential area (but not including a mixed residential and business zone, or similar zones) • scenic protection area • national park or nature reserve. 	<p>The proposal may be partly visible from the residential areas adjacent to the Burns Bay Road corridor. However, views will be mostly obscured by:</p> <ul style="list-style-type: none"> • existing vegetation including mature trees along the Burns Bay Road corridor and surrounding local roads • the raised height of the Burns Bay Road on-ramps and off-ramps to Church Street and Gladesville Road located on either side of the Burns Bay Road corridor • the undulating topography which results in the adjacent residential areas being situated higher than the road corridor <p>Further to the points listed above, there will be no significant impact on the amenity of the adjacent residential areas as the signs will not obscure viewlines, emit noise or generate illumination impacts.</p> <p>There is the potential for Sign 2 to be visible from a waterway being the Lane Cove River, in the vicinity of Fig Tree Bridge and Linley Point. However, the sign will have a negligible impact on the amenity of the waterway.</p> <p>The proposal will not be visible from any environmentally sensitive area, scenic protection area or national park or nature reserve.</p>	
<p>iii. Advertising structures should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant scenic views or views that add to the character of the area.</p>	<p>The signs will be attached to an existing road overpass and will not dominate or protrude above the skyline or obscure or compromise any significant scenic views.</p>	✓
<p>iv. Advertising structures should not be located so as to diminish the heritage values of items or areas of local, regional or state heritage significance.</p>	<p>The proposal will not impact on any items or areas of local, regional or state heritage significance. This is confirmed in the HIS provided at Appendix 7.</p>	✓
<p>v. Where possible, advertising structures should be placed within the context of other built structures in preference to non-built areas. Where possible, signage should be used to enhance the visual landscape. For example, signs may be positioned adjacent to, or screening, unsightly aspects of a landscape, industrial sites</p>	<p>The proposal is considered to be consistent with the context of the existing setting, being an established major road corridor, and will provide visual interest to motorists along Burns Bay Road.</p> <p>Further, the signs will partially screen the existing, visually dominant</p>	✓

Land Use Compatibility Criteria – Transport Corridor Advertising	Response	Compliance
or infrastructure such as railway lines or power lines.	pedestrian safety barriers that are located along either side of the Church Street overpass.	

Table 7: Land Use Compatibility Criteria – SEPP 64 Guidelines

Digital Sign Criteria (signs greater than or equal to 20 sqm)

Design Sign Criteria	Comment	Compliance
a. <i>Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (d) below</i>	Static digital advertisements will appear on the screen for a 10 second dwell time before changing to a new static digital image.	✓
b. <i>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.</i>	The signage content will be managed in order to comply with the requirements for message sequencing.	✓
c. <i>The image must not be capable of being mistaken:</i> i. <i>For a prescribed traffic control device because it has, for example, red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device.</i> ii. <i>As text providing driving instructions to drivers.</i>	The signage content will be managed in order to ensure images are not capable of being mistaken for a traffic control device or as text providing driving instructions to drivers.	✓
d. <i>Dwell times for image display must not be less than:</i> i. <i>10 seconds for areas where the speed limit is below 80km/h</i> ii. <i>25 seconds for areas where the speed limit is 80km/h and over</i>	The speed limit along Burns Bay Road in both the northbound and southbound directions on approach to the Church Street overpass is 70 km/hour. A compliant dwell time of 10 seconds is proposed for each sign.	✓
e. <i>The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.</i>	The transition time between messages will be no longer than 0.1 seconds and the default image in the event of image failure will be a black screen.	✓
f. <i>Luminance levels must comply with the requirements in Section 3 below.</i>	The Luminance criteria is addressed at Section 5.2.1.	✓
g. <i>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.</i>	The signage content will be managed in order to ensure drivers are not unreasonably distracted.	✓

Design Sign Criteria	Comment	Compliance
h. <i>The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).</i>	The signage content will be managed in order to ensure text and information is kept to a minimum.	✓
i. <i>Any sign that is within 250m of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.</i>	The proposal will not be visible from a school zone.	✓
j. <i>Each sign proposal 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.</i>	This SEE provides a comprehensive assessment of the proposal and considers impacts of the digital advertising signs from both the northbound and southbound directions of Burns Bay Road and surrounding locality.	✓
k. <i>At any time, including where the speed limit in the area 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 using an independent RMS-accredited road safety auditor. Any safety issues identified by the auditor and options for rectifying the issues are to be discussed between RMS and the sign owner and operator.</i>	This requirement is noted.	✓
l. <i>Sign spacing should limit drivers' view to a single sign at any given time with a distance of no less than 150m 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.</i>	The proposed signs are not located near any other advertising signs.	✓
m. <i>Signs greater than or equal to 20sqm must obtain RMS concurrence and must ensure the following minimum vertical clearances;</i> i. <i>2.5m from lowest point of the sign above the road surface if located outside the clear zone</i> ii. <i>5.5m from lowest point of the sign 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.</i> <i>If attached to road infrastructure (such as an overpass), the sign must</i>	This requirement is noted. No portion of the advertising sign will extend lower than the minimum vertical clearance under the Church Street overpass.	✓

Design Sign Criteria	Comment	Compliance
<i>be located so that no portion of the advertising sign is lower than the minimum vertical clearance under the overpass or supporting structure at the corresponding location.</i>		
n. <i>An electronic log of a sign's operational 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 sign's activity in case of a complaint.</i>	The Applicant is satisfied for this requirement to be included as a condition of consent.	✓
o. <i>A road safety check which focuses on the effects of the placement and operation of all signs over 20sqm must be carried out in accordance with Part 3 of the RMS Guidelines for Road Safety Audit Practices after a 12 month period of operation but within 18 months of the signs installation. The road safety check must be carried out by an independent RMS-accredited road safety auditor who did not contribute to the original application documentation. A copy of the report is to be provided to RMS and any safety concerns identified by the auditor relating to the operation or installation of the sign must be rectified by the applicant. In cases where the applicant is the RMS, the report is to be provided to the Department of Planning and Environment as well.</i>	The Applicant is satisfied for this requirement to be included as a condition of consent.	✓

Table 8: Digital Sign Criteria – SEPP 64 Guidelines

Bridge Signage Criteria

Bridge Signage Criteria	Response	Compliance
<p>a. <i>The architecture of the bridge must not be diminished.</i></p> <p><i>Note: Consideration should be given to whether the advertising structure is compatible with the form and scale of the bridge, and sympathetic to the bridge style and design. Consideration should be given to whether the advertisement significantly detracts from the principle structural qualities of the bridge or any important decorative inclusions. It is preferable that the sign be directly integrated into the structural design of the bridge. The sign should not</i></p>	<p>The proposal is not considered to diminish the architectural qualities of the Church Street bridge.</p> <p>The signs are considered to be compatible with the form and scale of the bridge structure and will not detract from its structural qualities or any decorative inclusions.</p>	✓

Bridge Signage Criteria	Response	Compliance
<p><i>compromise the architectural and visual quality of the bridge structure.</i></p>		
<p><i>b. The advertisement must not extend laterally outside the structural boundaries of the bridge.</i></p> <p><i>Note: The structural boundaries of the bridge include the solid part of the structure, road deck, handrail and safety guard fencing, but do not include additional devices attached to the structure such as lighting and power poles.</i></p>	<p>The signs will not extend laterally outside of the structural boundaries of the bridge and will not extend beyond the pedestrian handrail located on both sides of the Church Street bridge.</p> <p>This is confirmed by the project design drawings submitted as part of the application (refer Appendix 3).</p>	<p>✓</p>
<p><i>c. The advertisement must not extend below the soffit of the superstructure of the bridge to which it is attached, unless the vertical clearance to the base of the advertisement from the roadway is at least 5.8m.</i></p>	<p>The signs will not extend below the soffit of the Church Street bridge.</p>	<p>✓</p>
<p><i>d. On a road or pedestrian bridge, the advertisement must:</i></p> <p><i>i. not protrude above the top of the structural boundaries of the bridge</i></p> <p><i>ii. not block significant views for pedestrians or other bridge users (e.g. cyclists)</i></p> <p><i>iii. not create a tunnel effect, impede passive surveillance, or in any other way reduce safety for drivers, pedestrians or other bridge users.</i></p> <p><i>Note: Signs that extend above bridge handrail height (approximately 1m above the walking surface level) have the potential to block views, create a tunnel effect or impede passive surveillance by blocking clear sightlines to and from the bridge. These viewing and safety impacts may be avoided by:</i></p> <ul style="list-style-type: none"> • ensuring that signs are below handrail height • for signs more than 1m above the walking surface level, ensuring that signs are: <ul style="list-style-type: none"> – not longer than half the length of the bridge – not longer than 14m (which ever length is shorter) • only having a sign on one side of the bridge. 	<p>This SEE confirms that the positioning of the signs on the Church Street bridge:</p> <ul style="list-style-type: none"> • will not protrude above the top of the structural boundaries of the bridge • will not block significant views for pedestrians or other bridge users including cyclists • will not create a tunnel effect, impeded passive surveillance or generate any safety impacts for drivers, pedestrians and cyclists • will not extend more than 1 m above the height of the existing handrail • is not longer than half the length of the Church Street bridge • is not longer than 14 m • only one sign will be installed on each side of the bridge. 	<p>✓</p>

Bridge Signage Criteria	Response	Compliance
e. Paragraphs (a) to (d) above do not apply to the continuation of the display of any existing advertising on bridges approved prior to the gazettal of State Environmental Planning Policy No 64 (Advertising and Signage) (Amendment No 2) in 2007 for only one additional period under SEPP 64 Clause 14 if there is no increase in the advertising display area of the signage.	N/A – there is no existing advertising signs on the Church Street bridge.	N/A
f. A DCP to display an advertisement on a bridge must be accompanied by a statement demonstrating how the advertisement will contribute to a public benefit. Section 4 outlines the public benefit test requirements.	This application does not require the preparation of a site-specific DCP. Notwithstanding, the public benefit test set out in Section 4 of the SEPP 64 Guidelines is addressed at Section 5.6 of this SEE.	✓
g. Any advertising sign proposed for development on a bridge over a classified road requires that construction drawings be submitted for review and approval by RMS bridge engineers prior to construction to ensure all road safety requirements are met.	Construction drawings for the signs will be submitted for review and approval by RMS bridge engineers, prior to the commencement of construction. The Applicant is satisfied for this requirement to be included as a condition of consent.	✓
h. 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.	A fall arrest system will be implemented as part of the design and will ensure the signs will not detach in the event of impact by an over high vehicle. The Applicant is satisfied for this requirement to be included as a condition of consent.	✓

Table 9: Bridge Sign Criteria – SEPP 64 Guidelines

4.3.3 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) identifies the environmental assessment category into which different types of infrastructure and services development fall. In addition, the ISEPP identifies those matters that are to be considered in the assessment of development that is adjacent to particular types of infrastructure, including development in and adjacent to road corridors.

Clause 101 of the ISEPP requires the consent authority to be satisfied that any new development with a frontage to a classified road will not compromise the operation and function of the road. The proposal comprises a new development with frontage to a classified road (Burns Bay Road – Main Road 166).

A Signage Safety Assessment (SSA) has been prepared as part of the application and is included at **Appendix 5**. The SSA considers the ongoing operation and function of Burns Bay Road in context to the development and concludes that the surrounding road environment presents a low risk environment for the proposed digital advertising signs. Road safety is further discussed at Section 5.1.

4.3.4 Hunters Hill Local Environmental Plan 2012

The *Hunters Hill Local Environmental Plan 2012* (HHLEP 2012) provides a land use planning framework and sets out development controls that apply to certain development types within the Hunters Hill LGA.

The HHLEP 2012 specifies a variety of aims and objectives for the LGA, including to maintain and enhance the character and identity of established neighbourhoods by regulating the use and development of land and to promote high standards of urban and architectural design quality.

Land use zone

The development is proposed on land zoned SP2 Infrastructure (Classified Road) under the HHLEP 2012. The objectives of the SP2 zone are to:

- provide for infrastructure related uses
- prevent development that is not compatible with or that may detract from the provision of infrastructure
- to facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

The location of the proposed signs in context to the surrounding land use zones is shown in Figure 10.

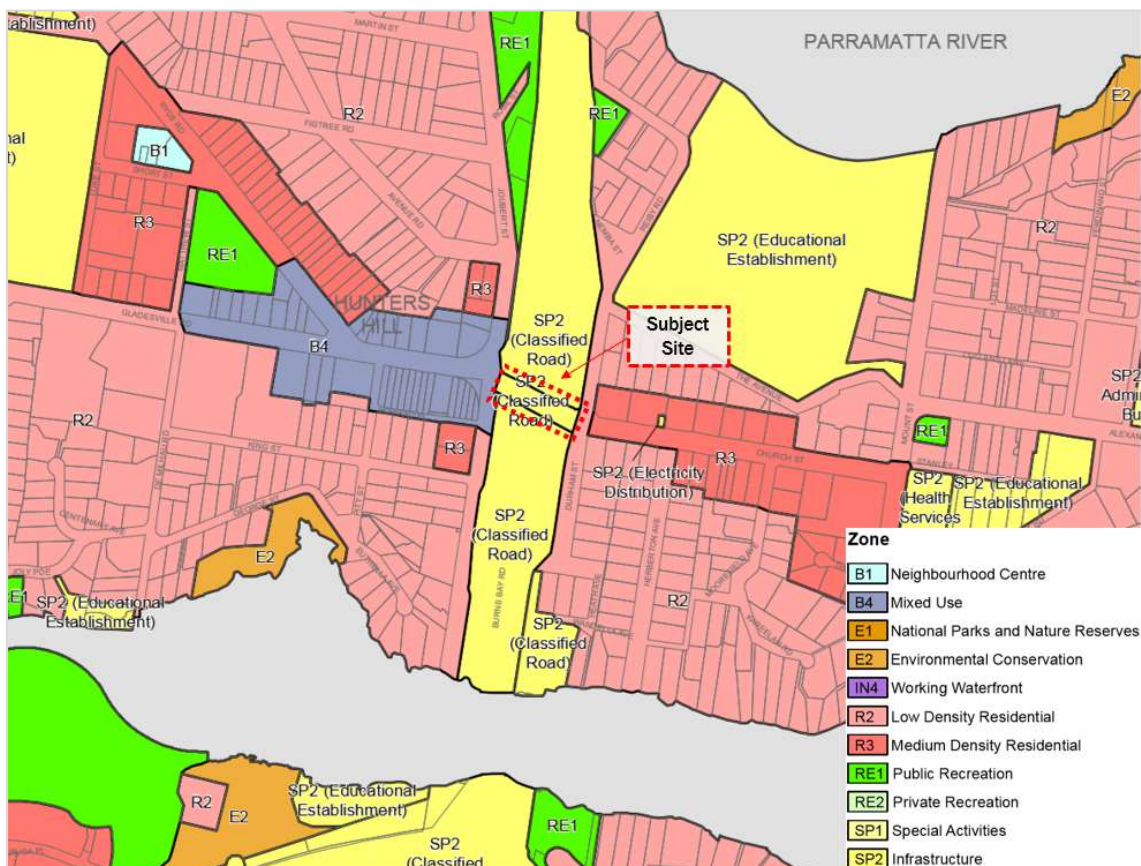


Figure 10: Land use zones under the HHLEP 2012 (Base source: HHLEP 2012)

Permissibility

Under the HHLEP 2012, signage (and therefore advertising structures) is prohibited in the SP2 zone. However, SEPP 64 overrides any inconsistencies with another EPI including the HHLEP 2012 (as discussed at Section 4.3.1).

Accordingly, clause 16(1)(b) of SEPP 64 provides that development proposed on behalf of RMS, and on a road that is a freeway or associated road use land that is adjacent to such a road, is permissible with development consent.

Heritage conservation

Clause 5.10 of the HHLEP 2012 sets out the objectives and requirements to conserve the environmental heritage of Hunters Hill.

The site is located within a heritage conservation area and is in proximity to a number of heritage items listed under Schedule 5 of the HHLEP 2012, including:

- Hunters Hill Conservation Area No 1 – The Peninsula – Item No: C1 (located within)
- Hunters Hill Conservation Area No 2 – The Isler – Item No: C2 (located in proximity)
- Hunters Hill, Stone walls – Item no: I287
- 64–68 Gladesville Road, Hunters Hill (Hotel) – Item no: I479
- Nemba Street, corner Reiby Road, Hunters Hill (Site of Nemba) – Item no: I462



Figure 11: Surrounding heritage conservation zones and items (Base source: HHLEP 2012)

A HIS been prepared by Urbis as part of the application (refer **Appendix 7**). The HIS addresses the relevant requirements under clause 5.10 of the HHLEP 2012. This is reflected in Table 10. Heritage is further considered at Section 5.3.

Clause 5.10 of the HHLEP 2012 Relevant requirements	Response
<p>(1) Objectives</p> <p>The objectives of this clause are as follows:</p> <p>(a) to conserve the environmental heritage of Hunters Hill,</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</p> <p>(c) to conserve archaeological sites,</p> <p>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</p>	<p>The subject site is located within the following heritage conservation area listed in the Hunters Hills Local Environmental Plan 2012, Schedule 5 Environmental heritage:</p> <p>Hunters Hill Conservation Area No 1 – The Peninsula (C1)</p> <p>The subject site is located in close proximity to heritage items of local significance listed in Hunters Hills Local Environmental Plan 2012, Schedule 5 Environmental heritage as follows:</p> <ul style="list-style-type: none"> • Hunters Hill, Stone walls – Item no: I287 • 64–68 Gladesville Road, Hunters Hill (Hotel) – Item no: I479; • Nemba Street, corner Reiby Road, Hunters Hill (Site of Nemba) – Item no: I462; <p>This Heritage Impact Statement seeks to provide the consent authority with the necessary information to confirm the proposed development on the subject site meets the objectives of this clause.</p>
<p>(2) Requirement for consent</p> <p>Development consent is required for any of the following:</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p>	<p>This Heritage Impact Statement and accompanying documentation seeks to provide the consent authority with the necessary information required to satisfy this clause of the LEP.</p> <p>The subject site is not a heritage item. There are three heritage items in close proximity to the subject site. The subject site is located within the Hunters Hill Conservation Area C1</p> <p>The proposed works are associated with a development application for signage only.</p> <p>This report assesses the visual impact of the proposed signage on the heritage conservation area and heritage items.</p>
<p>(4) Effect of proposed development on heritage significance</p> <p>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage</p>	<p>This Heritage Impact Statement seeks to provide the consent authority with the necessary heritage assessment the proposed development will have on the heritage conservation area.</p> <p>This report (the Heritage Impact Statement (HIS)) seeks to satisfy this clause of the LEP.</p>

Clause 5.10 of the HHLEP 2012 Relevant requirements	Response
<p>management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	
<p>(5) Heritage assessment</p> <p>The consent authority may, before granting consent to any development:</p> <p>(a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>The subject site is located within the following heritage conservation area listed in the Hunters Hills Local Environmental Plan 2012, Schedule 5 Environmental heritage:</p> <ul style="list-style-type: none"> • Hunters Hill Conservation Area No 1 – The Peninsula (C1) <p>The subject site is located in close proximity to heritage items of local significance listed in Hunters Hills Local Environmental Plan 2012, Schedule 5 Environmental heritage as follows:</p> <ul style="list-style-type: none"> • Hunters Hill, Stone walls – Item no: I287 • 64–68 Gladesville Road, Hunters Hill (Hotel) – Item no: I479; • Nemba Street, corner Reiby Road, Hunters Hill (Site of Nemba) – Item no: I462; <p>This Heritage Impact Statement assesses the visual impact of the proposed signage on the three heritage items and within the Heritage Conservation Area (HCA).</p>
<p>(6) Heritage conservation management plans</p> <p>The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<p>The subject site is not a heritage item. A conservation management plan (CMP) is not required for the subject site.</p>

Table 10: Relevant considerations under clause 5.10 of the HHLEP 2012 (Source: Urbis)

Acid sulfate soils

The site is identified as Class 5 land on the HHLEP 2012 Acid Sulfate Soils Map and, therefore, clause 6.1 of the HHLEP 2012 applies.

The objective clause 6.1 is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage. The proposal does not involve any earthworks activities or the disturbance of soils. Consequently, the proposal will not disturb, expose or drain acid sulfate soils and/or cause environmental damage.

4.4 Development Control Plan

4.4.1 Hunters Hill Development Control Plan 2013

The Hunters Hill Development Control Plan 2013 (HHDCP 2013) provides detailed planning and design guidelines and development controls for development in the Hunters Hill LGA.

Chapter 5.5 of the HHDCP 2013 sets out development controls and guidelines in relation to signage and advertising structures. The objectives under Chapter 5.5 are to:

- ensure that advertising structures and signage do not detract from existing scenic qualities, or heritage significance, or neighbourhood character, or residential amenity which are characteristics of the Hunters Hill Municipality
- encourage advertising structures and signage that harmonise with the form and design of buildings to which they are attached
- prevent excessive signage which contributes to visual clutter

Of particular relevance to the application is Chapters 5.5.6 and 5.5.8 and are addressed below.

Chapter 5.5.6 – Controls for Heritage Items & Heritage Conservation Areas

The proposal is compatible with the requirements of Chapter 5.5.6 on the basis that:

- the provisions of clause 5.10 of the HHLEP 2012 are adequately satisfied (refer Section 4.3.4)
- the signage is position within a classified road corridor which is considered a location that is commonly used for signage and advertising
- there are no heritage considerations that will limit the proposal, as confirmed in the HIS submitted as part of the application (refer Section 5.3)

Chapter 5.5.8 – Safety & Maintenance

The proposal is compatible with the requirements of Chapter 5.5.8 on the basis that:

- the signs will be located at a height which avoids impact from footpath maintenance vehicles and discourages vandalism
- the signs will not impact on the safety of motorists due to illumination controls, position, colours, design and proximity away from traffic lights (refer Section 5.1)
- RMS is the Applicant and has therefore had the opportunity to assess the proposal
- the signs will be kept in a clean and tidy condition at all times

In summary, the proposal is considered to be consistent with the objectives of the HHDCP 2013 and the specific provisions outlined in Chapters 5.5.6 and 5.5.8.

5 Environmental assessment

5.1 Road safety

A Signage Safety Assessment (SSA) has been prepared by WSP (refer **Appendix 5**). The SSA considers the signage exposure and road accident history and has been prepared having considered the requirements for road safety set out in the SEPP 64 Guidelines.

5.1.1 Road environment

The existing road environment along Burns Bay Road in proximity to the Church Street overpass is summarised in Table 11.

Existing feature	Description
Road classification	<ul style="list-style-type: none"> • Burns Bay Road is a classified State road (Main Road MR 166). • Church Street is a classified regional road (Secondary Road SR 2033).
Speed limit	<ul style="list-style-type: none"> • 70 km/hour in the northbound and southbound directions on approach to the Church Street overpass.
Nearby intersections and traffic control devices	<ul style="list-style-type: none"> • No intersections, crossings, merge points or critical traffic control devices within the readable distances of the proposed signs.
Road configuration and geometry	<ul style="list-style-type: none"> • Dual carriageway comprising: <ul style="list-style-type: none"> ○ Two traffic lanes (northbound). ○ Two traffic lanes (southbound). • The road alignment near the site is generally straight with a slight curvature.
Crash data	<ul style="list-style-type: none"> • Two road accidents (one non-casualty and one involving injury) occurred within the readable distance of the signs in the 5-year period between 1 July 2013 and 30 June 2018 (discussed further at Section 5.1.3).
Pedestrian and cyclist infrastructure	<ul style="list-style-type: none"> • No pedestrian or cyclist infrastructure exists along Burns Bay Road in proximity to the proposed signs.
Parking	<ul style="list-style-type: none"> • No stopping or car parking is permitted along Burns Bay Road in proximity to the Church Street overpass.
Stopping sight distance (SSD)	<ul style="list-style-type: none"> • The SSD along Burns Bay Road is 103 m. • The signs are not proposed within the SSD of any intersections or traffic control devices (discussed further at Section 5.1.4).

Table 11: Existing road environment (Source: WSP)

5.1.2 Signage exposure

The SSA identifies Sign 1 and Sign 2 as being both visible and readable from Burns Bay Road within approximately 250 m north and south of each sign, respectively.

The proposed signs will be positioned above northbound and southbound traffic lanes. Therefore, drivers will not need to turn away from their direct line-of-sight to view the full extent of the sign.

The signage exposure distances and indicative views from Burns Bay Road at a distance of approximately 250 m are shown in Figure 12 to Figure 14.



Figure 12: Signage exposure distances (Source: WSP)



Figure 13: Indicative view from approximately 250 m – Sign 1 northbound direction (Source: WSP)



Figure 14: Indicative view from approximately 250 m – Sign 2 southbound direction (Source: WSP)

5.1.3 Road accident history

In determining the road accident history in proximity to the site, the SSA has relied upon crash data provided by RMS for the 5-year period between 1 July 2013 and 30 June 2018.

During this period, two road accidents were recorded along Burns Bay Road, including:

- a collision between a motorcycle and a car in the northbound direction approximately 150 m south of the Church Street overpass. The accident occurred in the AM peak on a weekday in 2015 and resulted in a moderate injury
- a collision between a car travelling in the southbound direction and a parked truck immediately north of the Church Street overpass. The accident occurred late at night in 2013. No casualties were recorded.

The location of these road accidents in proximity to the site is shown in Figure 15.



Figure 15: Historical crash data in proximity to the site (Source: WSP)

5.1.4 Stopping sight distance

Stopping Sight Distance (SSD) is defined in the *Guide to Road Design, Part 3: Geometric Design* (Austroads, 2016) as the distance required to enable a normally alert driver, travelling at the design speed on wet pavement to perceive, react and brake to a stop before reaching a hazard on the road ahead.

Using the formula prescribed in the Austroads guide, the SSD along Burns Bay Road is determined to be 103 m in the 70 km/hour speed zones. The SSA confirms the SSD was derived having considered the operating speed of the road, the road gradient and other road characteristics. The SEPP 64 Guidelines require signs to not be located:

- less than the SSD from an intersection, merge point, exit ramp, traffic control signal or sharp curves
- less than the SSD from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment
- so that it is visible from the stem of a T-intersection.

The SSA confirms that there are no intersections, merge points, pedestrian or cyclist crossings or traffic control devices located within the 103 m SSD of the proposed sign locations.

5.1.5 Road safety criteria – SEPP 64 Guidelines

The SSA includes an assessment of the proposal against the criteria for road safety set out under Section 3 of the SEPP 64 Guidelines.

Responses provided in the SSA in respect to the sign location criteria (Section 3.2) and the sign design and operation criteria (Section 3.3) of the SEPP 64 Guidelines is outlined in Table 12 and Table 13, respectively.

Sign Location Criteria	Response provided by WSP	Compliance
Road clearance		
<p><i>a. The advertisement must not create a physical obstruction or hazard. For example:</i></p> <p><i>i. Does the sign obstruct the movement of pedestrians or bicycle riders? (e.g. telephone kiosks and other street furniture along roads and footpath areas)?</i></p> <p><i>ii. Does the sign protrude below a bridge or other structure so it could be hit by trucks or other tall vehicles? Will the clearance between the road surface and the bottom of the sign meet appropriate road standards for that particular road?</i></p> <p><i>iii. Does the sign protrude laterally into the transport corridor so it could be hit by trucks or wide vehicles?</i></p>	<p><i>Both signs are proposed on either side of the existing overpass above the road and not protruding below the overpass. Therefore, the signs could not obstruct the movement of pedestrians or cyclists and could not be hit by vehicles.</i></p>	<p>✓</p>
<p><i>b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone in an acceptable location in accordance with Austroads Guide to Road Design (and RMS supplements) or behind an RMS approved crash barrier.</i></p>	<p><i>The proposed signs would be attached to the sides of the existing overpass and would be located outside the clear zone requirements for Burns Bay Road.</i></p>	<p>✓</p>
<p><i>c. Where a sign is proposed within the clear zone but behind an existing RMS-approved crash barrier, all its structures up to 5.8m in height (relative to the road level) are to comply with any applicable lateral clearances specified by Austroads Guide to Road Design (and</i></p>	<p><i>The proposed signs would be attached to the sides of the existing overpass and would be located outside the clear zone requirements for Burns Bay Road.</i></p>	<p>✓</p>

Sign Location Criteria	Response provided by WSP	Compliance
RMS supplements) with respect to dynamic deflection and working width.		
d. 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 signs will be designed to meet the wind loading requirements in accordance with the relevant Australian Standards.	✓
Line of sight		
a. An advertisement must not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings.	The signs would be attached to the overpass and therefore the signs could not obstruct a driver's view.	✓
b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The signs would be attached to the overpass and therefore the signs could not obstruct a pedestrian or cyclist's view of the road. Further, pedestrians are not permitted on Burns Bay Road in the vicinity of the Church Street overpass.	✓
c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road. In this context, the location and arrangement of signs' structures should not give visual clues to the driver suggesting that the road alignment is different to the actual alignment. An accurate photo-montage should be used to assess this issue.	The signs would be attached to the sides of the overpass above the northbound and southbound carriageways. Therefore, the signs would not indicate a road alignment contrary to the existing roadway.	✓
d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time. For example: i. The sign should not be located in such a way that the driver's head is required to turn away from the road and the components of the traffic stream in order to view its display and/ or message. All drivers should still be able to see the road when viewing the sign, as well as the main components of the traffic stream in peripheral view. ii. The sign should be oriented in a manner that does not create headlight reflections in the driver's line of sight. As a guideline, angling a sign five degrees away from right angles to the driver's line of sight can minimise headlight reflections. On a curved road alignment,	The signs would be attached to the sides of the overpass above the northbound and southbound carriageways. Driver's would be able to view the signs briefly while still being able to view the traffic stream in their peripheral view. The elevated signs would not create headlight reflections in the driver's line of sight.	✓

Sign Location Criteria	Response provided by WSP	Compliance
<p><i>this should be checked for the distance measured back from the sign that a car would travel in 2.5 seconds at the design speed.</i></p>		
<p>Proximity to decision making points and conflict points</p>		
<p><i>a. The sign should not be located:</i></p> <p><i>i. less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves</i></p> <p><i>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</i></p> <p><i>iii. so that it is visible from the stem of a T-intersection.</i></p>	<p><i>The SSD along Burns Bay Road is derived using a formula prescribed in the Guide to Road Design, Part 3 which uses the posted speed limit of the road, road gradient and other road characteristics. Accordingly, Burns Bay Road's SSD is 103 metres.</i></p> <p><i>No intersections, merge points, pedestrian or cyclist crossings or traffic control devices are located within the 103 metres SSD of the proposed sign location.</i></p> <p><i>The Church Street off-ramps in both directions, start outside the SSD and their respective directional signage are readable prior to the proposed advertising signs being readable. Therefore, the sign wouldn't distract a driver while diverging to these off-ramps.</i></p> <p><i>The SSD is discussed at Section 5.1.4.</i></p>	<p>✓</p>
<p><i>b. The placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver's view:</i></p> <p><i>i. of a road hazard</i></p> <p><i>ii. to an intersection</i></p> <p><i>iii. to a prescribed traffic control device (such as traffic signals, stop or give way signs or warning signs)</i></p> <p><i>iv. to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher.</i></p>	<p><i>The signs would not distract a driver from an intersection or emergency vehicle access point given that the proposed signs would not be located within the SSD requirements of any of these features.</i></p> <p><i>As discussed in Section 2.1, speed zone signs are located approximately 150 metres south of the overpass. However, these are repeater signs and are not associated with a speed change. Therefore, the sign would not be distracting a driver at a critical information /decision making time.</i></p>	<p>✓</p>
<p>Sign spacing</p>		
<p><i>a. Sign spacing should limit drivers view to a single sign at any given time with a distance of no less than 150m 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.</i></p>	<p><i>The proposed signs would not be located near any other advertising signs.</i></p>	<p>✓</p>

Table 12: Sign location criteria – Section 3.2 of the SEPP 64 Guidelines (Source: WSP)

Sign Design and Operation Criteria	Response provided by WSP	Compliance
Advertising signage and traffic control devices		
a. 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.	<i>The proposed signs would not distract driver's from any directional signs, traffic signals, prescribed traffic control devices, regulatory signs or advisory signs and they would not obscure information relating to the road alignment.</i>	✓
b. The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a prescribed traffic control device. For example: i. Could the advertisement be construed as giving instructions to traffic such as 'Stop', 'Halt' or 'Give Way'? ii. Does the advertisement imitate a prescribed traffic control device? iii. If the sign is in the vicinity of traffic lights, does the advertisement use red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal?	<i>This criterion relates to signage content and should be considered once the signs are in operation. The criterion could be included in the Consent Conditions.</i>	✓
Additional criteria for digital signs and moving signs		
a. The image must not be capable of being mistaken: i. for a rail or traffic sign or signal because it has, e.g. red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal ii. as text providing driving instructions to drivers.	<i>This criterion relates to signage content and should be considered once the signs are in operation. The criterion could be included in the Consent Conditions.</i>	✓
b. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).	<i>This criterion relates to signage content and should be considered once the signs are in operation. The criterion could be included in the Consent Conditions.</i>	✓
Dwell time and transition time – criteria for digital signs		
a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.	<i>The proposed digital signs would display static advertisement only, with no motion.</i>	✓
b. Dwell times for image display must not be less than:	<i>Both signs would be visible to drivers from within an 70km/h speed zone.</i>	✓

Sign Design and Operation Criteria	Response provided by WSP	Compliance
i. 10 seconds for areas where the speed limit is below 80km/h. ii. 25 seconds for areas where the speed limit is 80km/h and over	<i>Therefore, the proposed dwell time of 10 seconds is suitable for both signs.</i>	
c. Any digital sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.	<i>The signs would not be located in or near a school zone.</i>	✓
d. Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts.	<i>The proposed digital signs would display static advertisement only.</i>	✓
e. The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.	<i>The signs would have an almost instantaneous transition no longer than 0.1 seconds.</i>	✓

Table 13: Sign design and operation criteria – Section 3.3 of the SEPP 64 Guidelines (Source: WSP)

5.2 Illumination

The proposed signs will be illuminated using LEDs installed within the front face on a 24 hour, 7 days per week basis. The brightness of the LEDs shall be controlled to provide upper and lower thresholds (as required) and will include a light sensor to automatically adjust the brightness of the display area to adjust to ambient lighting conditions.

A Lighting Impact Assessment (LIA) has been prepared by Electrolight (refer **Appendix 6**). The LIA has assessed the proposal against the illumination criteria under:

- SEPP 64
- the SEPP 64 Guidelines
- AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting.

5.2.1 Illumination criteria – SEPP 64 Guidelines

Section 3.3.3 of the SEPP 64 Guidelines sets out the illumination criteria for digital signs. The LIA has categorised the site as being within Zone 3 of the SEPP 64 Guidelines, which is described as areas with generally medium levels of off-street ambient lighting (e.g. small to medium shopping/commercial centres).

The luminance levels for digital advertisements that are within a Zone 3 environment, as outlined in the SEPP 64 Guidelines, are shown in Table 14.

Luminance Levels for Digital Advertisements		
Lighting Condition	Max Permissible Luminance for Zone 3 (cd/sqm)	Complies
Full sun on face of signage	No limit	✓
Daytime luminance	6000	✓
Morning and evening twilight and inclement weather	500	✓
Night time	350	✓

Table 14: Luminance levels for digital advertisements criteria – Section 3.3.3 of the SEPP 64 Guidelines (Source: Electrolight)

The LIA confirms that the signs, once illuminated to the maximum luminances, is visually consistent with the existing ambient lighting and is therefore suitable for the local area. It is noted that the maximum luminance limit during the night time period will be 100 cd/m² for Sign 1 and 135 cd/m² for Sign 2, which is well below the recommended maximum permissible luminance level set out in the SEPP 64 Guidelines (350 cd/sqm for Zone 3), as outlined in Table 15.

Sign No.	Proposed luminance level (max) – night time period (cd/sqm)	Luminance level (max) – SEPP 64 Guidelines (Zone 3)	Complies
Sign 1	100	350	✓
Sign 2	135	350	✓

Table 15: Maximum luminance – night time period

5.2.2 AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting

The Control of the Obtrusive Effects of Outdoor Lighting (AS 4282-2019) sets out limits for different obtrusive factors associated with the night time operation of outdoor lighting systems. The LIA has undertaken an assessment of the signs during the ‘post-curfew’ period (11 pm to 6 am), which is considered the most obtrusive night time period and generally when residents are trying to sleep.

The LIA has categorised the site as being within Environmental Zone A3 of AS 4282-2019 which is described as having medium district brightness (e.g. suburban areas in towns and cities). Lighting impacts on the residential dwellings nearest to the signs have been assessed.

The location of these dwellings are shown in Figure 16.



Figure 16: Location of nearest residential properties (Source: Electrolight)

The maximum lighting limits for Environmental Zone A3 during the pre-curfew and post-curfew periods, as set out in AS 4282-2019, is shown in Table 16.

Environmental Zone	Maximum vertical illuminance (lux)		Complies
	Pre-curfew	Post-curfew	
A3	10	2	✓

Table 16: Maximum lighting limit (post-curfew)

The LIA modelled the light spill from both Sign 1 and Sign 2 based on the proposed maximum night time illumination levels of 100 cd/m² for Sign 1 and 135 cd/m² for Sign 2. It is noted that some of the residential properties are shielded by mature vegetation which will obstruct any spill light from the signs. Notwithstanding, the model results presented in the LIA are provided on the assumption that there was no vegetation present at the site, in accordance with AS 4282-2019.

The modelling finds the nearest potentially affected residential property at 12 Church Street, Hunters Hill will receive a maximum luminance level of 0.77 lux during the post-curfew period. Consequently, the signs demonstrate compliance with the maximum night time illumination levels specified under AS 4282-2019.

5.2.3 Illumination summary

The LIA recommends the Applicant ensure that the average luminance difference between successive images do not exceed 30 per cent to ensure compliance with AS 4282-2019 and for the dwell time to no exceed 10 seconds or greater. The Applicant has committed to these recommendations.

Further, the signs are designed to automatically adjust the brightness of the display area to adapt to the ambient lighting conditions, including during the night time period in accordance with AS 4282-2019.

In summary, the LIA determines that the signs:

- are found to be compliant with the criteria set out in AS 4282-2019 and the SEPP 64 Guidelines
- will not result in unacceptable glare or adversely impact the safety of pedestrians, residents or vehicular traffic
- will not impact on the visual amenity of nearby residences or accommodation.

5.3 Heritage

The site is located in a heritage conservation area and is in close proximity to a number of local heritage items listed under the HHLEP 2012. A HIS has been prepared by Urbis that assessed the potential impacts of the proposal on the surrounding heritage items (refer **Appendix 7**).

The HIS has assessed the visual impact of the proposal on the conservation area and heritage items in the vicinity of the site. The HIS considers the proposal with regards to the Assessing Heritage Significance guides, the HHLEP 2012 and HHDCP 2013.

The HIS identifies that the site is not a heritage item listed under Schedule 5 of the HHLEP 2012. The site is however located within the “Hunters Hill Conservation Area No 1 – The Peninsula” (C1) (HCA) and is located in close proximity to three heritage items, including:

- Hunters Hill, Stone walls – Item no: I287
- 64–68 Gladesville Road, Hunters Hill (Hotel) – Item no: I479
- Nemba Street, corner Reiby Road, Hunters Hill (Site of Nemba) – Item no: I462

The three heritage items listed above are shown in Figure 17 to Figure 19.



Figure 17: View south at Reiby Street showing stone walls – heritage item no. I287 (Source: Urbis)

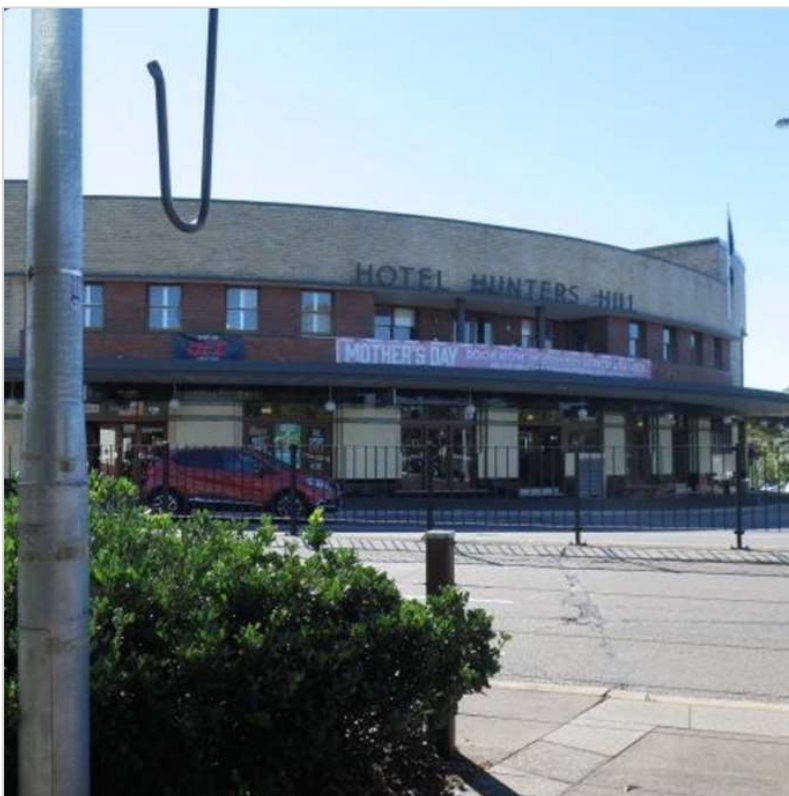


Figure 18: View of the Hunters Hill Hotel from Gladesville Road – heritage item no. I479 (Source: Urbis)



Figure 19: View south in Nemba Street – heritage item no. I462 (Source: Urbis)

5.3.1 Significance assessment

The HIS acknowledges that prior to any decisions being made to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context.

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance. The HIS has considered the criteria in accordance with the ‘Assessing Heritage Significance’ guides in determining whether the proposal, being located within heritage conservation area, is acceptable.

The seven criteria and corresponding significance assessment provided in the HIS is shown in Table 16.

Criteria	Significance assessment
A – Historical Significance An item is important in the course or pattern of the local area’s cultural or natural history.	The Burns Bay Road overbridge was constructed in 1963 as part of the first (and only) stage of the North Western Expressway which included the Gladesville, Figtree and Burns Bay Road bridges over Tarban Creek and Lane Cove River. It does not meet the threshold for listing as a local heritage item.
B – Associative Significance An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area’s cultural or natural history.	The subject site has no known associative significance.
C – Aesthetic Significance An item is important in demonstrating aesthetic characteristics and/or a high degree	The Burns Bay Road overbridge is representative of the type of road bridges built by the DMR in this period. It does not meet the threshold for local listing under this criterion.

Criteria	Significance assessment
<i>of creative or technical achievement in the local area.</i>	
D – Social Significance <i>An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.</i>	<i>The Burns Bay Road overbridge is a utilitarian structure providing physical access between the two halves of the Hunters Hill LGA. It does not warrant listing as a local heritage item under this criterion.</i>
E – Research Potential <i>An item has potential to yield information that will contribute to an understanding of the local area’s cultural or natural history.</i>	<i>The item does not warrant listing under this criterion.</i>
F – Rarity <i>An item possesses uncommon, rare or endangered aspects of the local area’s cultural or natural history.</i>	<i>The Burns Bay Road overbridge represents a common type of bridge structure constructed in the 1960s by the DMR. It is neither exceptional in design nor rare. It therefore does not possess significance warranting heritage listing at a local level.</i>
G – Representative <i>An item is important in demonstrating the principal characteristics of a class of NSWs (or the local area’s):</i> <ul style="list-style-type: none"> • <i>cultural or natural places; or</i> • <i>cultural or natural environments</i> 	<i>The DMR erected many such overbridges in the 1960s during a major road building phase in New South Wales history. However, it does not possess significance under this criterion to warrant listing at a local level.</i>

Table 17: Assessment of heritage significance (Source: Urbis)

5.3.2 Heritage summary

The HIS finds that the existing views to the subject site from the HCA and the heritage items are minimal due to screening by established mature tree plantings along the Burns Bay Road corridor and the adjoining streets. The HIS finds that existing views from heritage items located to the north of the overbridge are minimal as they are located within the slopes leading to the Lane Cove River and screened by the steep embankments along the Burns Bay Road corridor.

In summary, the HIS concludes that *the proposed signage will not generate any adverse impacts on the heritage significance of the HCA and heritage items in the vicinity due to the siting of the signs.*

5.4 Visual

Sign 1 and Sign 2 each propose a 39.94 m² advertising display area with the operator logo positioned at the base of the sign (shown on the Design Drawings at **Appendix 3**).

Indicative photomontages of the signs, as viewed from Burns Bay Road, are shown in Figure 8 and Figure 9 (refer Section 3.1 above).

Potential view impacts from nearby residential properties

Visual exposure of the advertising signs may be experienced from a small number of residential properties located adjacent to the Burns Bay Road corridor. The visual exposure to the signs is minimal and will be hindered by a number of physical characteristics of the site, including:

- the raised height of the Burns Bay Road on-ramps and off-ramps to Church Street and Gladesville Road which are located on either side of the Burns Bay Road corridor
- the surrounding, undulating topography which results in the adjacent residential areas being situated higher than the road corridor
- the presence of mature trees and vegetation, particularly along Joubert Street, Durham Street and Reiby Road that shield views to Burns Bay Road and the Church Street overpass

The nearest, and potentially most affected, residential properties include 16A – 16D Joubert Street (approximately 60 m to Sign 1) and 12 Church Street (approximately 60 m to Sign 2) (Figure 16). The degree of visual impact at these properties is assessed as negligible on the basis that:

- the advertising signs will be mostly shielded from view due to the physical characteristics of the site and surrounding area (listed above)
- the signs will not extend outside the structural boundaries of the Church Street overpass, ensuring that no viewlines or existing scenic views will be compromised by the proposal

Figure 20 provides an example of the physical characteristics of the surrounding area that generally shields the signs from view from the adjacent residential areas. This image is taken from Durham Street, located immediately east of the Burns Bay Road corridor, and looking north toward the intersection with Church Street.

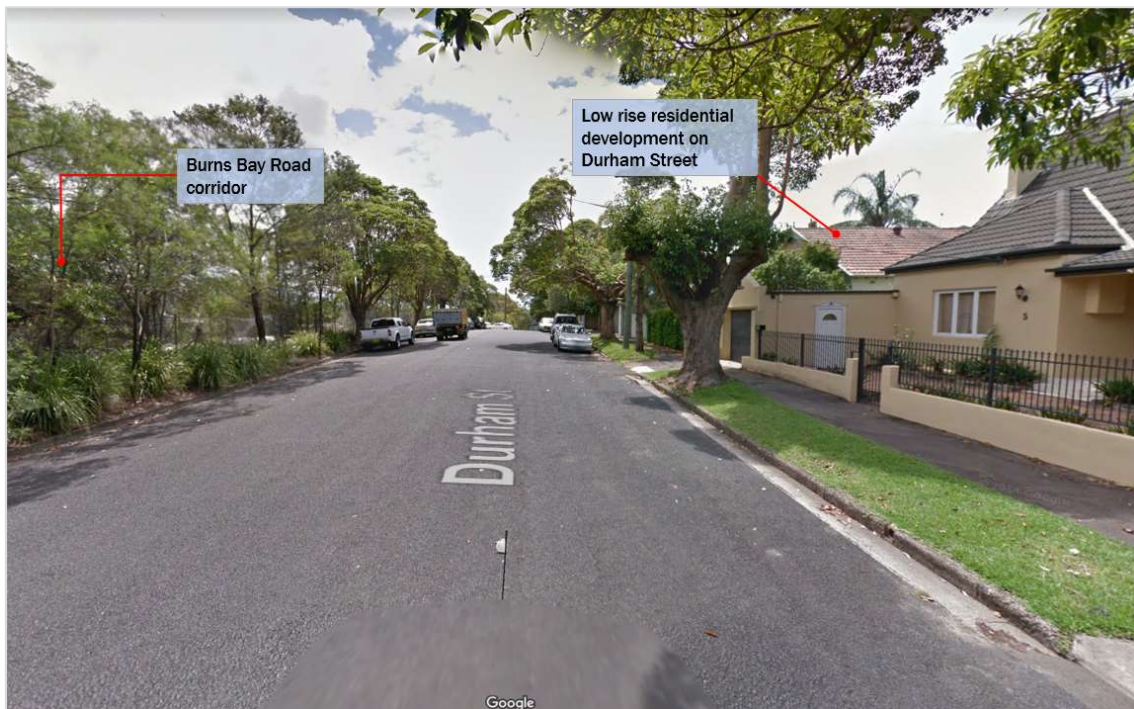


Figure 20: View from Durham Street looking north toward the intersection with Church Street (Base source: Google Maps)

On balance, the proposal is assessed as having a negligible impact on the visual amenity of the adjacent residential catchment and will not significantly change the existing visual character of the locality being an established major road corridor.

Visual impact summary

This SEE has considered the visual impacts of the proposal from the adjacent residential areas surrounding the site. In summary, the proposal is assessed as having a negligible visual impact on the surrounding area, on the basis that:

- the signs will not extend outside of the structural boundaries of the Church Street overpass (including the existing pedestrian safety barriers) and will, therefore, not obstruct a viewline or any significant scenic views
- the topography that surrounds the site results in the adjacent residential area being situated higher than the road corridor. Therefore, the viewing catchment of the signs is primarily restricted to those within the road corridor
- the steep embankments alongside Burns Bay Road restricts views of the signs from the residential areas surrounding the site
- the presence of mature trees and vegetation along the carriageway of Burns Bay Road and surrounding local roads (including Durham Street, Reiby Road and Joubert Street) further restricts views of the signs from the residential areas surrounding the site.

5.5 Site suitability

Section 4.15(1)(c) of the EP&A Act requires the consent authority to consider the suitability of a site for a proposed development. This SEE confirms the site to be a suitable location for the provision of digital advertising signage on the basis that:

- the proposal is compatible with the existing and desired future character of the area, noting that the advertising signs are proposed within a major road corridor
- there will be no impact on any significant European or Aboriginal cultural heritage items or heritage conservation zones
- there will be no impact on any threatened species, populations, ecological communities or associated habitat areas
- there will be no visual impacts on sensitive land uses as the undulating topography and presence of significant vegetation surrounding the site primarily restricts the viewing catchment of the signs to those within the road corridor
- detailed investigations of the road network have determined that the development will not impact on the continued and safe operation of Burns Bay Road in its function as a classified road
- the illumination of the signs will not result in unacceptable glare or adversely impact on the visual amenity of surrounding residences and accommodation
- the development fully complies with the relevant statutory and policy provisions that govern outdoor advertising signage and LED technology in NSW.

Further to the above, the site is considered to be an effective location for outdoor advertising that will generate revenue to the benefit of the local community. The public benefits of the proposal are discussed in further detail at Section 5.6.

5.6 Public benefit

In accordance with the SEPP 64 Guidelines, an application for digital advertising that is proposed by RMS must demonstrate how the local community will benefit as a result of the display of the advertisement. Any public benefits must be linked to improvements in local community services and facilities and may include:

- improved traffic safety (road, rail, bicycle and pedestrian)
- improved public transport services
- improved public amenity within, or adjacent to, the transport corridor
- support school safety infrastructure and programs
- other appropriate community benefits such as free advertising time to promote a service, tourism in the locality, community information, or emergency messages.

The SEPP 64 Guidelines further require RMS to prioritise any improvement works in the local area where the advertising signs are proposed and for expenditure to be focused on improvements to traffic safety for drivers, pedestrians and cyclists.

A Public Benefit Statement prepared by RMS is included as part of the application (refer **Appendix 1**). The statement confirms that part of the revenue generated by the proposed advertising signs in Hunters Hill will help fund essential RMS services to the benefit of the community, including:

- the maintenance and repair of existing road infrastructure
- the ongoing maintenance of the existing road network
- planning and development of future road networks
- road safety programs across NSW in conjunction with the Transport for NSW Centre for Road Safety.

Further to the above, the digital advertising signs will display road safety messages for a minimum period of 5 per cent of all advertising time and will be made available for use by the RMS and Transport for NSW in the event of a ‘threat to life’ emergency.

Accordingly, the application addresses the public benefit test outlined in the SEPP 64 Guidelines through the provision of funding toward new road infrastructure, the maintenance of existing road infrastructure and improved road safety through direct messaging to the community.

6 Conclusion

This SEE has been prepared by Keylan Consulting Pty Ltd for RMS (the Applicant) to accompany a DA seeking consent for the installation of new digital advertising signs on the Church Street overpass above Burns Bay Road in Hunters Hill.

The DA is submitted to DPIE pursuant to Part 4 of the EP&A Act. This SEE has addressed the relevant requirements the EP&A Act and the environmental planning instruments that apply to the proposal including SEPP 64 and associated SEPP 64 Guidelines.

Each sign is proposed to comprise an advertising display area of approximately 39.94 m². The signs will be visible to motorists travelling in both the northbound and southbound directions along Burns Bay Road.

Following a detailed consideration of the proposal in its legislative and physical context, this SEE determines that the proposal:

- meets the objectives of SEPP 64 as it is compatible with the amenity and visual character of the surrounding area
- demonstrates compliance with the assessment criteria set in Schedule 1 of the SEPP 64
- demonstrates compliance with the criteria set out in the SEPP 64 Guidelines in regards to land use compatibility, digital signage, road safety and illumination requirements and the public benefit test
- will not impact on any items of European or Aboriginal heritage
- will not impact on any threatened species, populations, ecological communities and associated habitat areas
- will have a negligible visual impact on the adjacent residential properties in Hunters Hill
- will be of high quality design and finish and will provide visual interest for motorists using Burns Bay Road
- the proposal is in the public interest as RMS will provide the revenue that is generated by the advertising signs as funding toward new road infrastructure, the maintenance of existing road infrastructure and improved road safety messaging to the community

In consideration of the above, it is considered that the digital advertising signs will not have an adverse impact on the environment or on the safety of road users and therefore warrants approval.

Appendix 1

Public Benefit Statement (RMS)

Appendix 2

Capital Investment Value Statement (JCDecaux)

Appendix 3

Design Drawings (Arcadis)

Appendix 4

SEPP 64 Assessment

Table 1: SEPP 64 Statutory Compliance (relevant clauses)

SEPP 64 Provision	Comment	Compliance
3. Aims, objectives etc		
<p>(1) <i>This Policy aims:</i></p> <p>(a) <i>To ensure that signage (including advertising):</i></p> <p>(i) <i>is compatible with the desired amenity and visual character of an area, and</i></p> <p>(ii) <i>provides effective communication in suitable locations, and</i></p> <p>(iii) <i>is of high quality design and finish, and</i></p> <p>(b) <i>to regulate signage (but not content) under part 4 of the Act, and</i></p> <p>(c) <i>to provide time-limited consents for the display of certain advertisements, and</i></p> <p>(d) <i>to regulate the display of advertisements in transport corridors, and</i></p> <p>(e) <i>to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</i></p> <p>(2) <i>This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.</i></p>	<p>(a) The proposal is assessed to be compatible with the visual character and desired amenity of the locality being an established major road corridor. The signs will be of a high quality design and are compatible with the land use character of the location.</p> <p>(b) The proposal will be assessed and regulated under Part 4 of the EP&A Act and will be appropriately managed by the Minister's conditions of consent.</p> <p>(c) Duration of consent for the proposal will be controlled by Clause 14 of SEPP 64 and will be consistent with the Minister's conditions of consent.</p> <p>(d) The proposal does not present any significant road safety issues and is not expected to compromise road safety in its vicinity. This is confirmed in the Signage Safety Assessment (refer Appendix 5). Further, the proposal has been comprehensively assessed against the relevant road safety criteria in the SEPP 64 Guidelines.</p> <p>(e) The proposal will provide public benefits by providing a revenue stream for the NSW Government to be allocated towards funding of essential services, road infrastructure and road safety programs.</p>	✓
4. Definitions		
	<p>The proposal constitutes an advertisement to which Part 3 of the SEPP applies.</p> <p>The proposal has an advertising display area of 39.94 m² for both Sign 1 and Sign 2 (3.2 m x 12.48 m).</p>	✓

SEPP 64 Provision	Comment	Compliance
	<p>Burns Bay Road is a classified road (Main Road 166) under Part 5 of the <i>Roads Act 1993</i>.</p> <p>Church Street is a classified road (Secondary Road 2033) under Part 5 of the <i>Roads Act 1993</i>.</p> <p>The proposal constitutes an advertisement on a bridge on transport corridor land.</p>	
8. Granting of consent to signage		
<p>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:</p> <p>(a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and</p> <p>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.</p>	<p>This SEE provides a detailed assessment demonstrating that the proposal is consistent with the objectives of the Policy and the assessment criteria specified in Schedule 1.</p> <p>This assessment is provided at Section 4.3.1 of the SEE.</p>	✓
9. Advertisements to which this Part applies		
<p>(1) This Part applies to all signage to which this Policy applies, other than the following:</p> <p>(a) business identification signs,</p> <p>(b) building identification signs,</p> <p>(c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,</p> <p>(d) signage on vehicles.</p> <p>(e) Despite subclause (1) (d), clause 27A applies to signage on a trailer (within the meaning of the Road Transport Act 2013).</p>	<p>The proposal constitutes an advertisement under the provisions of Part 3.</p>	✓
10. Prohibited advertisements		
<p>(1) Despite the provisions of any other environmental planning instrument, the display of an advertisement is prohibited on land that, under an environmental planning instrument, is within any of the following zones or descriptions:</p> <ul style="list-style-type: none"> • environmentally sensitive area • heritage area (excluding railway stations) • natural or other conservation area • open space • waterway 	<p>Land on which the signs are proposed to be installed is within a heritage area. This is due to the site location being within the Hunters Hill Conservation Area No 1 – The Peninsula (Item no. C1 under Schedule 5 of the <i>Hunters Hill Local Environmental Plan 2012</i>).</p> <p>Notwithstanding the above, clause 16(1) of SEPP 64 states that, despite clause 10(1), the display of an advertisement on transport corridor land is permissible with development consent in the case of an</p>	✓

SEPP 64 Provision	Comment	Compliance
<ul style="list-style-type: none"> • residential (but not including a mixed residential and business zone, or similar zones) • scenic protection area • national park • nature reserve <p>(2) This clause does not apply to the following:</p> <p>(a) the Mount Panorama Precinct,</p> <p>(b) the display of an advertisement at a public sporting facility situated on land zoned public recreation under an environmental planning instrument, being an advertisement that provides information about the sponsors of the teams or organisations using the sporting facility or about the products of those sponsors.</p>	<p>advertisement displayed by or on behalf of RMS, on a bridge constructed by or on behalf of RMS on any road corridor.</p> <p>Consequently, clause 16(1) of SEPP 64 prevails and the development is permissible with consent.</p>	
12. Consent authority		
<p>For the purposes of this Policy, the consent authority is:</p> <p>(a) the council of a local government area in the case of an advertisement displayed in the local government area (unless paragraph (c), (d) or (e) applies), or</p> <p>(b) RMS in the case of an advertisement displayed on a vessel, or</p> <p>(c) the Minister for Planning in the case of an advertisement displayed by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW on a railway corridor, or</p> <p>(d) the Minister for Planning in the case of an advertisement displayed by or on behalf of RMS on 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</p> <p>(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</p> <p>(ii) a bridge constructed by or on behalf of RMS on any road corridor, or</p>	<p>In accordance with clause 12(d)(ii), the Minister for Planning and Public Spaces is the consent authority for the application as it is an advertisement displayed by or on behalf of RMS, on a bridge (Church Street) constructed by or on behalf of RMS on a road corridor (Burns Bay Road).</p>	✓

SEPP 64 Provision	Comment	Compliance
<p>(iii) land that is owned, occupied or managed by RMS, or the Minister for Planning in the case of an advertisement displayed on transport corridor land comprising a road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 Motorway, the M4 Motorway, the M5 Motorway, the M7 Motorway, the Cross City Tunnel or the Lane Cove Tunnel, or associated road use land that is adjacent to such a road.</p> <p>(e) the Minister for Planning in the case of an advertisement displayed on transport corridor land comprising a road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 Motorway, the M4 Motorway, the M5 Motorway, the M7 Motorway, the Cross City Tunnel or the Lane Cove Tunnel, or associated road use land that is adjacent to such a road.</p>		
13. Matters for consideration		
<p>(1) A consent authority (other than in a case to which subclause (2) applies) must not grant consent to an application to display an advertisement to which this Policy applies unless the advertisement or the advertising structure, as the case requires:</p> <p>(a) is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and</p> <p>(b) has been assessed by the consent authority in accordance with 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>(c) satisfies any other relevant requirements of this Policy.</p> <p>(2) If the Minister for Planning is the consent authority or clause 18 or 24 applies to the case, the consent authority must not grant consent to an application to display an</p>	<p>The proposal satisfies the objectives set out in clause 3(1).</p> <p>This SEE concludes that the proposal is consistent with the assessment criteria detailed in Schedule 1 of SEPP 64 and in the SEPP 64 Guidelines.</p> <p>As part of the application, the Applicant (RMS) has committed to the provision of funding towards new road infrastructure, the maintenance of existing road infrastructure and improved road safety programs to the benefit of the local community.</p>	<p>✓</p>

SEPP 64 Provision	Comment	Compliance
<p>advertisement to which this Policy applies unless the advertisement or the advertising structure, as the case requires:</p> <p>(a) is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and</p> <p>(b) has been assessed by the consent authority in accordance with the assessment criteria in Schedule 1 and in the Guidelines and the consent authority is satisfied that the proposal is acceptable in terms of</p> <p>(i) design, and</p> <p>(ii) road safety, and</p> <p>(iii) the public benefits to be provided in connection with the display of the advertisement, and</p> <p>(c) satisfies any other relevant requirements of this Policy.</p> <p>(3) In addition, if clause 18 or 24 applies to the case, the consent authority must not grant consent unless arrangements that are consistent with the Guidelines have been entered into for the provision of the public benefits to be provided in connection with the display of the advertisement.</p>		
14. Duration of consents		
<p>(1) A consent granted under this Part ceases to be in force:</p> <p>(a) 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, or</p> <p>(b) if a lesser period is specified by the consent authority, on the expiration of the lesser period.</p> <p>(2) The consent authority may specify a period of less than 15 years only if:</p> <p>(a) before the commencement of this Part, the consent authority had adopted a policy of granting consents in relation to applications to display advertisements for a lesser period and the duration of the consent specified by the</p>	<p>This application seeks consent to operate the signs for a period of 15 years.</p> <p>It is acknowledged that any consent granted for the application will expire 15 years after the date on which the consent becomes effective.</p>	<p>✓</p>

SEPP 64 Provision	Comment	Compliance
<p>consent authority is consistent with that policy, or</p> <p>(b) the area in which the advertisement is to be displayed is undergoing change in accordance with an environmental planning instrument that aims to change the nature and character of development and, in the opinion of the consent authority, the proposed advertisement would be inconsistent with that change, or</p> <p>(c) the specification of a lesser period is required by another provision of this Policy.</p>		
16. Transport corridor land		
<p>(1) Despite clause 10 (1) and the provisions of any other environmental planning instrument, the display of an advertisement on transport corridor land is permissible with development consent in the following cases permissible with development consent in the following cases:</p> <p>(a) the display of an advertisement by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW on a railway corridor,</p> <p>(b) the display of an advertisement by or on behalf of RMS on:</p> <p>(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</p> <p>(ii) a bridge constructed by or on behalf of RMS on any road corridor, or</p> <p>(iii) land that is owned, occupied or managed by RMS and that is within 250 metres of a classified road,</p> <p>(c) the display of an advertisement on transport corridor land comprising a road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 Motorway, the M4 Motorway, the M5 Motorway, the M7 Motorway, the Cross City Tunnel</p>	<p>In accordance with sub-clause (1)(b)(ii), the proposal is permissible with development consent as the application is for the display of an advertisement on behalf of RMS on a bridge (Church Street) constructed by or behalf of RMS on a road corridor (Burns Bay Road).</p>	<p>✓</p>

SEPP 64 Provision	Comment	Compliance
<p><i>or the Lane Cove Tunnel, or associated road use land that is adjacent to such a road.</i></p> <p>(2) <i>Before determining an application for consent to the display of an advertisement in such a case, the Minister for Planning may appoint a design review panel to provide advice to the Minister concerning the design quality of the proposed advertisement.</i></p> <p>(3) <i>The Minister must not grant consent to the display of an advertisement in such a case unless:</i></p> <p>(a) <i>the relevant local council has been notified of the development application in writing and any comments received by the Minister from the local council within 28 days have been considered by the Minister, and</i></p> <p>(b) <i>the advice of any design review panel appointed by the Minister has been considered by the Minister, and</i></p> <p>(c) <i>the Minister is satisfied that the advertisement is consistent with the Guidelines.</i></p> <p>(4) <i>This clause does not apply to the display of an advertisement if the Minister determines that display of the advertisement is not compatible with surrounding land use, taking into consideration any relevant provisions of the Guidelines.</i></p>	<p>In accordance with sub-clause (2), the Minister may appoint a design review panel to provide advice concerning the design quality of the proposal.</p> <p>It is anticipated that DPIE will refer to the application to Council for comment as part of its assessment.</p> <p>In accordance with sub-clause (4), an assessment against the SEPP 64 Guidelines has been provided in the SEE.</p>	
17. Advertisements with display area greater than 20 square metres or higher than 8 metres above ground		
<p>(1) <i>This clause applies to an advertisement:</i></p> <p>(a) <i>that has a display area greater than 20 square metres, or</i></p> <p>(b) <i>that is higher than 8 metres above the ground.</i></p> <p>(2) <i>The display of an advertisement to which this clause applies is advertised development for the purposes of the Act.</i></p> <p>(3) <i>The consent authority must not grant consent to an application to display an advertisement to which this clause applies unless:</i></p> <p>(a) <i>the applicant has provided the consent authority with an impact statement that</i></p>	<p>The proposal has an advertising display area of greater than 20 square metres (39.94 square metres). Therefore, clause 17 applies.</p> <p>The assessment criteria in Schedule 1 of SEPP 64 is addressed in the SEE at Section 4.3.1.</p>	<p>✓</p>

SEPP 64 Provision	Comment	Compliance
<p><i>addresses the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and</i></p> <p><i>(b) the application has been advertised in accordance with section 79A of the Act, and</i></p> <p><i>(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.</i></p>	<p>It is anticipated that the application will be notified by DPIE in accordance with Schedule 1 of the EP&A Act – Community participation requirements.</p>	
18. Advertisements greater than 20 square metres and within 250 metres of, and visible from, a classified road		
<p><i>(1) This clause applies to the display of an advertisement to which clause 17 applies, that is within 250 metres of a classified road any part of which is visible from the classified road.</i></p> <p><i>(2) The consent authority must not grant development consent to the display of an advertisement to which this clause applies without the concurrence of RMS.</i></p> <p><i>(3) In deciding whether or not concurrence should be granted, RMS must take into consideration:</i></p> <p><i>(a) the impact of the display of the advertisement on traffic safety, and</i></p> <p><i>(b) the Guidelines.</i></p> <p><i>(c) (Repealed)</i></p> <p><i>(4) If RMS has not informed the consent authority within 21 days after the copy of the application is given to it under clause 17 (3) (c) (ii) that it has granted, or has declined to grant, its concurrence, RMS is taken to have granted its concurrence.</i></p> <p><i>(5) Nothing in this clause affects clause 16.</i></p> <p><i>(6) This clause does not apply when the Minister for Planning is the consent authority.</i></p>	<p>The proposal has an advertising display area of greater than 20 square metres (39.94 square metres) and is within 250 metres, of and is visible from, a classified road.</p> <p>However, sub-clause (6) states that this clause does not apply when the Minister for Planning is the consent authority.</p> <p>The Minister is the consent authority for the application in accordance with clause 12(a)(ii) and, therefore, clause 18 of SEPP 64 does not apply.</p>	<p>N/A</p>
19. Advertising display area greater than 45 square metres		
	<p>The proposed signs do not have a display area of greater than 45 square metres.</p>	<p>N/A</p>

SEPP 64 Provision	Comment	Compliance
20. Location of certain names and logos		
<p>(1) <i>The name or logo of the person who owns or leases an advertisement or advertising structure may appear only within the advertising display area.</i></p> <p>(2) <i>If the advertising display area has no border or surrounds, any such name or logo is to be located:</i></p> <p style="padding-left: 20px;">(a) <i>within the advertisement, or</i></p> <p style="padding-left: 20px;">(b) <i>within a strip below the advertisement that extends for the full width of the advertisement.</i></p> <p>(3) <i>The area of any such name or logo must not be greater than 0.25 square metres.</i></p> <p>(4) <i>The area of any such strip is to be included in calculating the size of the advertising display area.</i></p>	The location of the operator logo is located on the sign's border and is not greater than 0.25 square metres.	✓
21. Roof or sky advertisements		
	The proposal is not a roof or sky advertisement.	N/A
22. Wall advertisements		
	The proposal is not a wall advertisement.	N/A
23. Freestanding advertisement		
	The proposal is not a freestanding advertisement.	N/A
24. Advertisements on bridges		
<p>(1) <i>A person may, with the consent of the consent authority, display an advertisement on a bridge.</i></p> <p>(2) <i>The consent authority may grant consent only if the consent authority is satisfied that the advertisement is consistent with the Guidelines.</i></p> <p>(3) <i>(Repealed)</i></p>	An assessment against the relevant criteria in the SEPP 64 Guidelines is provided in this SEE at Section 4.3.1.	✓
25. Special promotional advertisements		
	The proposal is not a special promotional advertisement.	N/A
26. Building wrap advertisements		
	The proposal is not a building wrap advertisement.	N/A
27. Advertisements within navigable waters		
	The proposal is not within any navigable waters.	N/A
27A. Advertisements on trailers parked on (or visible from) roads or roads related areas		
	The application is not for advertisements on trailers.	N/A

SEPP 64 Provision	Comment	Compliance
28. Application of provisions of this Division		
	Clause 28 is noted.	✓
Part 4 Miscellaneous		
	The provisions under Part 4 of SEPP 64 do not apply to this application.	N/A

Appendix 5

Signage Safety Assessment (WSP)

Appendix 6

Lighting Impact Assessment (Electrolight)

Appendix 7

Heritage Impact Statement (Urbis)