



Erection of a digital advertising sign on the Church Street Overpass, Hunters Hill

Development Application Assessment (DA 10082)

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Cover image: View of the proposed sign (southern elevation) from Burns Bay Road Source: Applicant's Signage Safety Assessment

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Glossary

Abbreviation	Definition
CIV	Capital Investment Value
Council	Hunters Hill Council
DCP	Development Control Plan
Department	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
Guidelines	Transport Corridor Outdoor Advertising and Signage Guidelines
Heritage	Heritage NSW, Department of Premier and Cabinet
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
RMS	Roads and Maritime Services, TfNSW
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
TfNSW	Transport for NSW

Executive Summary

In 2019, JCDecaux, on behalf of Transport for NSW (TfNSW) (previously known as RMS), (the Applicant) submitted a development application (DA 10082) seeking consent to install two digital advertising signs on the southern and northern elevations of the Church Street overpass over Burns Bay Road at Hunters Hill.

In March 2021, TfNSW amended the development application (DA) to only seek consent for the installation of a single digital advertising sign on the southern elevation of the Church Street overpass. The previously proposed sign on the northern elevation is no longer proposed.

The site is located within the Hunters Hill local government area (LGA).

Engagement

The Department of Planning, Industry and Environment (Department) publicly exhibited the original DA for 28 days from 17 October 2019 to 14 November 2019 and sought advice from Hunters Hill Council (Council), TfNSW and Heritage NSW. The Department received 23 public submissions of objection, primarily from residents of Hunter Hill, and two government agency submissions. Council objects to the proposal on the basis of heritage impacts, road safety, amenity and visual character, and loss of space for community banners on the overpass. Council requested the Minister appoint a Design Review Panel to review the design quality of the advertising.

The Department also visited the site and met with residents of the closest residential property, 12 Church Street, to gain a better understanding of the concerns raised during exhibition.

In response to concerns raised in submissions, the Applicant amended the proposal to delete the sign on the northern elevation of the overpass to reduce the potential visual and amenity impacts on 12 Church Street residents.

Assessment

The Department has assessed the proposal against the requirements of State Environmental Planning Policy No. 64 (SEPP 64) and the *Transport Corridor Outdoor Advertising and Signage Guidelines* (the Guidelines) and has carefully considered the issues raised in submissions. On balance, the Department's assessment concludes the proposed sign on the southern elevation of the overpass is acceptable as:

- it would not result in any significant visual or amenity impacts as the proposed sign is positioned on the southern elevation of the Church Street overpass, within the cutting of Burns Bay Road with a night-time luminance less than the maximum permitted by the Guidelines
- it would not detract from any heritage items or conservation areas as the sign is well screened from the surrounding area, and is contained wholly within the structure of the overpass so as not to dominate views
- it is unlikely to result in any adverse road safety impacts as there are no intersections, merge points, pedestrian or cyclist crossings or traffic control devices within the stopping sight distance of the proposed sign. In addition, the sign will operate in accordance with the road safety criteria in the Guidelines

- it is consistent with the Guidelines which outline best practice for the planning and design of advertisements in transport corridors and as such does not require additional review by a design review panel
- it would provide public benefits with the revenue raised being used for road infrastructure maintenance, network management, road user compliance activities and road safety programs across NSW
- JCDecaux have committed to enter into a separate agreement with Council to deliver additional local public benefits by providing local non-profit community groups up to ten hours media time each month.

Conclusion

The Department considers the proposal is acceptable as the proposed sign is permissible within the road corridor. In addition, the Department is satisfied the Applicant has responded to the issues raised in submissions by deleting the previously proposed sign on the northern elevation of the overpass in response to concerns raised and visual and amenity impacts. The Department concludes the remaining sign on the southern elevation of the overpass would not result in any adverse safety or amenity impacts for road users or surrounding properties and complies with the requirements of SEPP 64 and the Guidelines.

The Department is therefore satisfied the proposal is in the public interest and it is recommended that the application be approved, subject to conditions.

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1 Introduction

1.1 Background

This report provides an assessment of a development application (DA 10082) lodged by JCDecaux on behalf of Transport for NSW (TfNSW) (the Applicant) under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The Applicant initially sought consent to install two digital advertising signs on the southern and northern elevations of the Church Street overpass over Burns Bay Road at Hunters Hill. However, in March 2021, TfNSW amended the proposal to only seek consent for the installation of a single digital advertising sign on the southern elevation of the Church Street overpass. The site is within the Hunter's Hill local government area (LGA).

1.2 The site

The site is located at the Church Street overpass over Burns Bay Road, Hunters Hill (**Figure 1**), approximately 7km northwest of the Sydney CBD.

Burns Bay Road is a State Road, classified as a Freeway under the *Roads Act 1993* that connects Lane Cove to Hunters Hill, Gladesville and Victoria Road. Burns Bay Road is a dual carriageway comprising of two lanes of traffic in both northbound and southbound directions. It has a speed limit of 70 km/hr and is not located within a School Zone.

The Church Street overpass consists of a bridge with two lanes of traffic in the west direction and three lanes of traffic, including one right-hand turning lane, in the east direction, as well as on and off ramps to and from Burns Bay Road. The overpass connects Gladesville and Hunters Hill (to the west) and Hunters Hill and Woolwich (to the east). The overpass sits within the cutting of Burns Bay Road and is at and below the level of surrounding land (**Figures 3 and 4**).

Surrounding development (**Figures 1 and 2**) comprises:

- low to medium density residential housing is located to the east, northeast, southeast and southwest of the site
- multiple local heritage items and state heritage listed "The Priory" and "Gladesville Bridge" located within the vicinity of the site.



Figure 1 | Site location (Source: Nearmap)

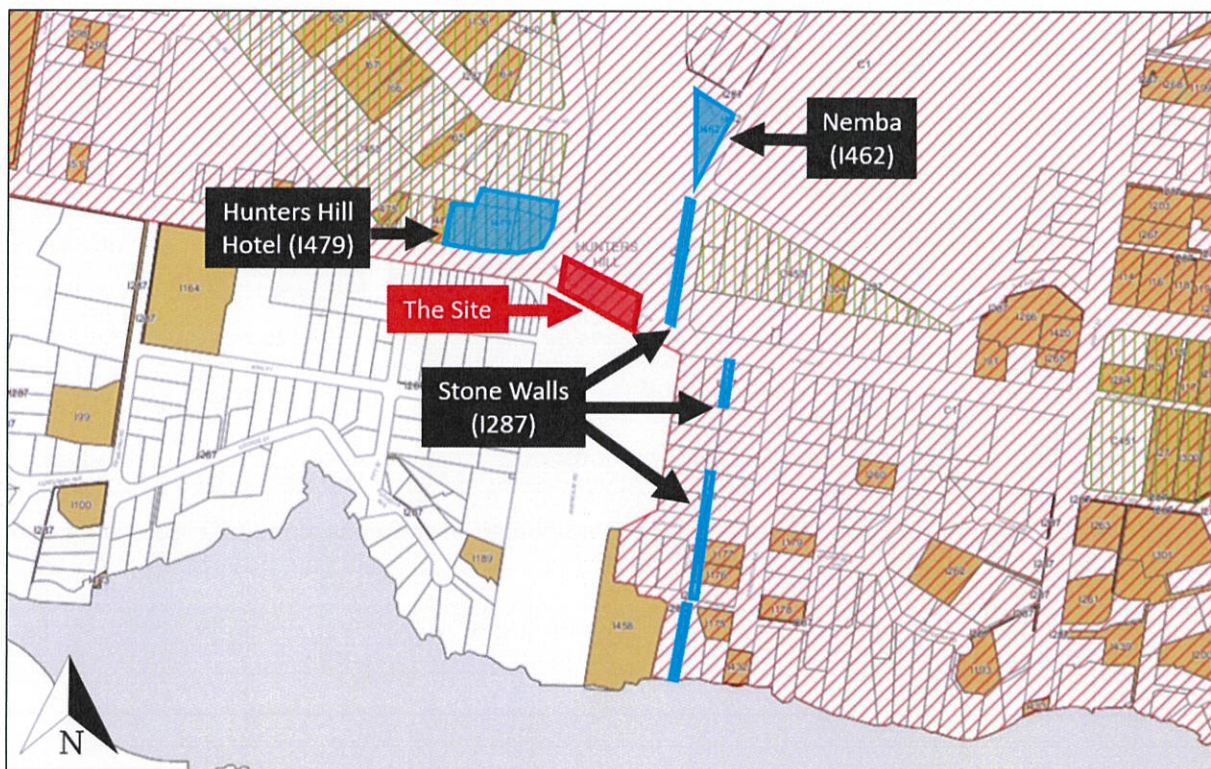


Figure 2 | Local heritage listed items under the HHLEP 2012 (Source: HHLEP 2012)



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

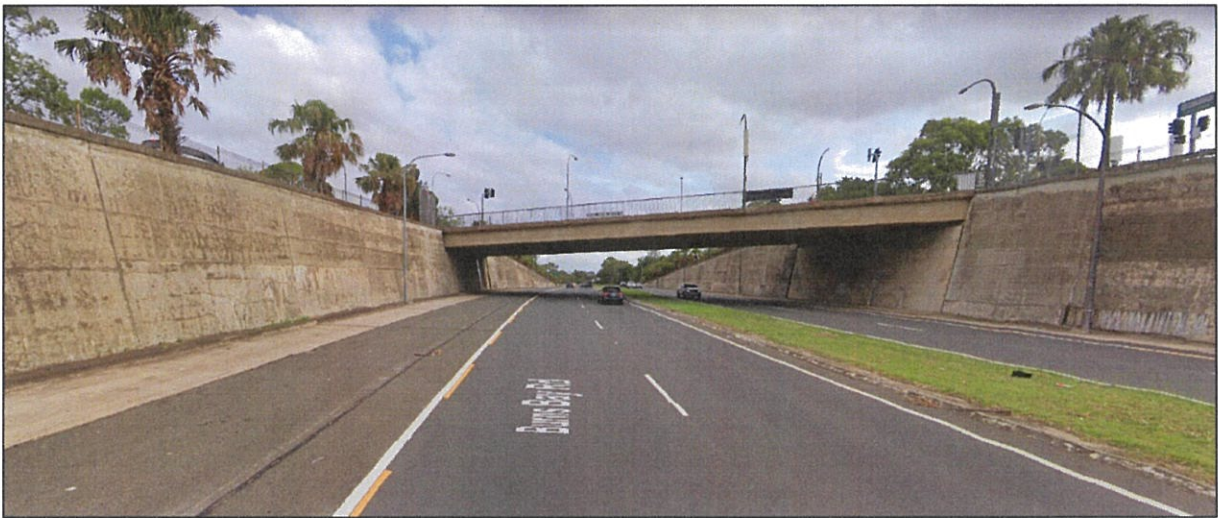


Figure 4 | Church Street overpass (northern elevation) from Burns Bay Road (view southbound)
(Source: Google Maps)

2 Project

2.1 Description of proposal

The development application (DA 10082), as amended, seeks consent for the erection of a new digital advertising sign on the southern elevation of the Church Street overpass above Burns Bay Road. The advertising sign will be operated by JCDecaux, on behalf of TfNSW.

The Department notes the DA initially proposed two signs, on the north and south elevations of the Church Street overpass, however in response to concerns raised in submissions the Applicant has amended the proposal to delete the sign on the northern elevation of the overpass (**Figure 5**).

The proposed sign will be visible to northbound motorists travelling along Burns Bay Road, towards Lane Cove

The details of the proposed sign are shown in **Table 1** and **Figures 5 to 8**.

Table 1 | Main Components of the Project

Aspect	Description
Advertising area	39.94 m ²
Signage structure	12.66m x 3.35m (42.41 m ²)
Total height	3.35m
Road clearance from ground level to the sign	6.025m
Signage display	Digital LED screen
Dwell time	10 seconds
Transition time between images	0.1 seconds
Hours of operation	24 hours a day, 7 days

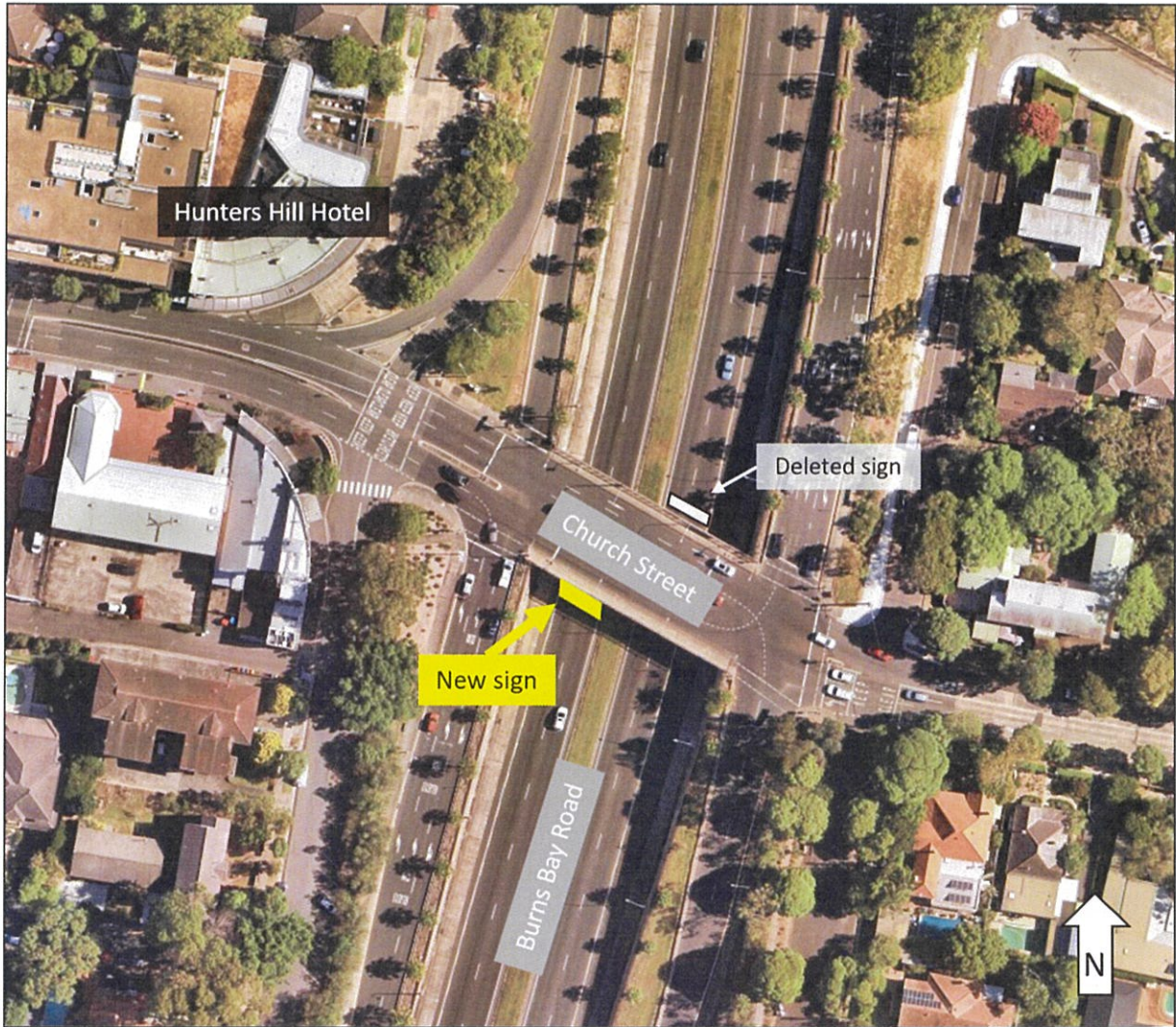


Figure 5 | Digital sign location (Source: Amended Plans) (Source: basemap Google maps)

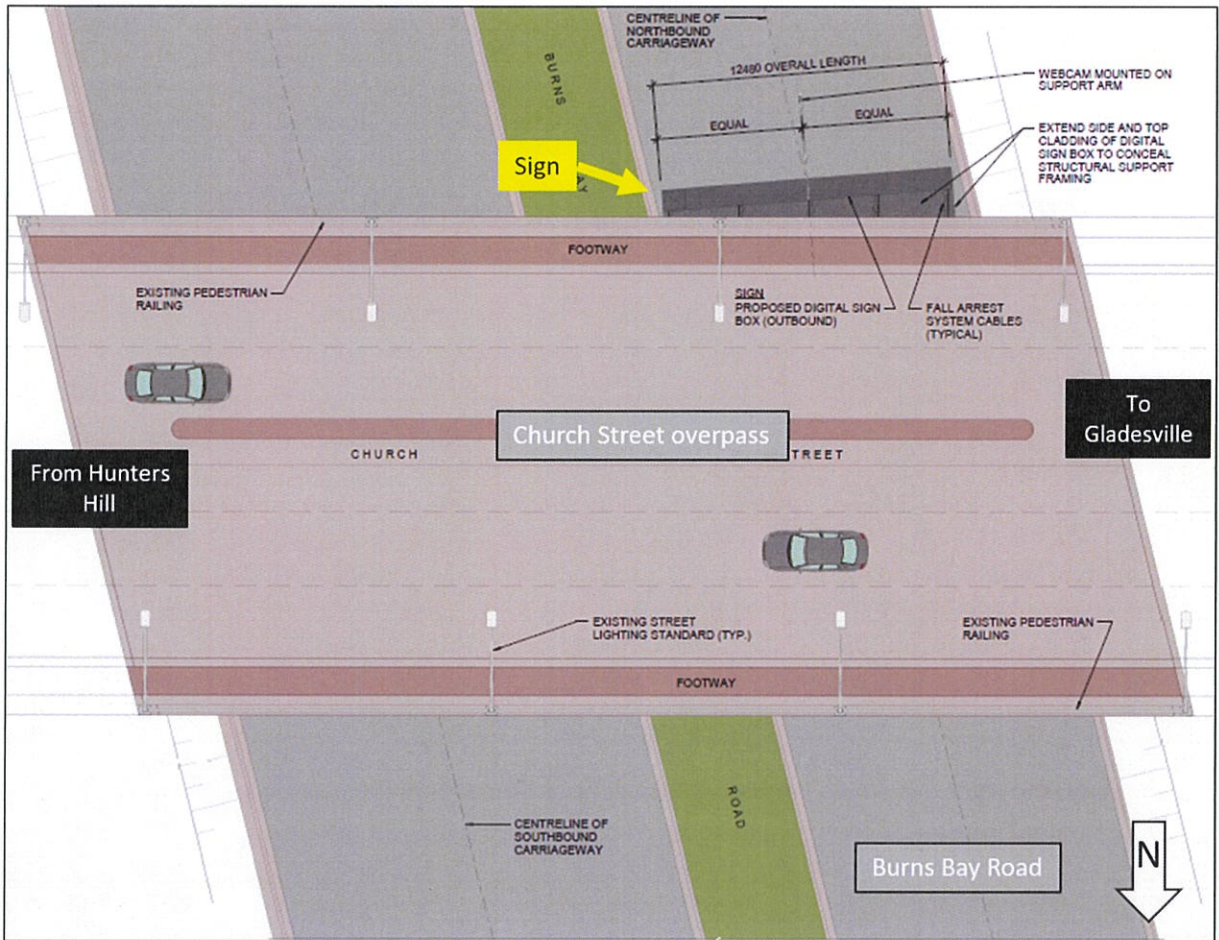


Figure 6 | Digital sign plan (Source: Amended Plans)

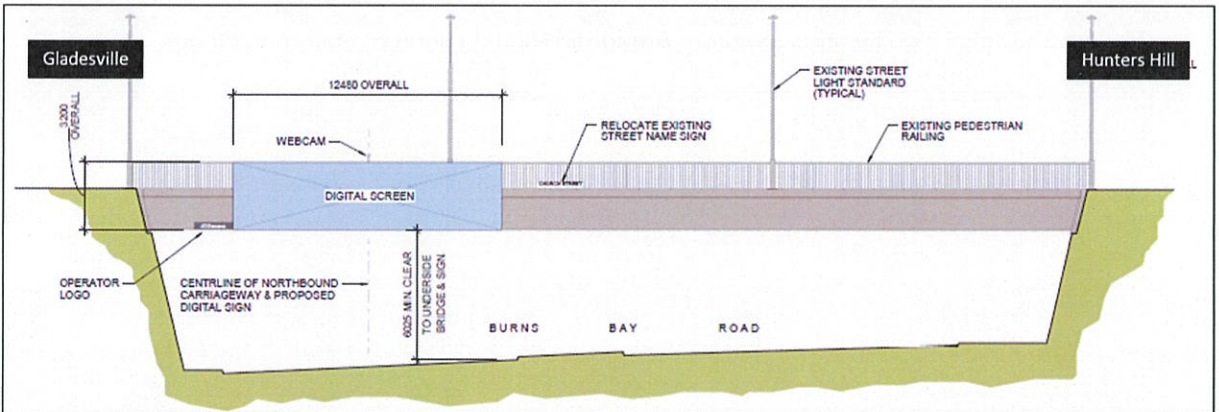


Figure 7 | Digital sign southern elevation (outbound) (Source: Amended Plans)

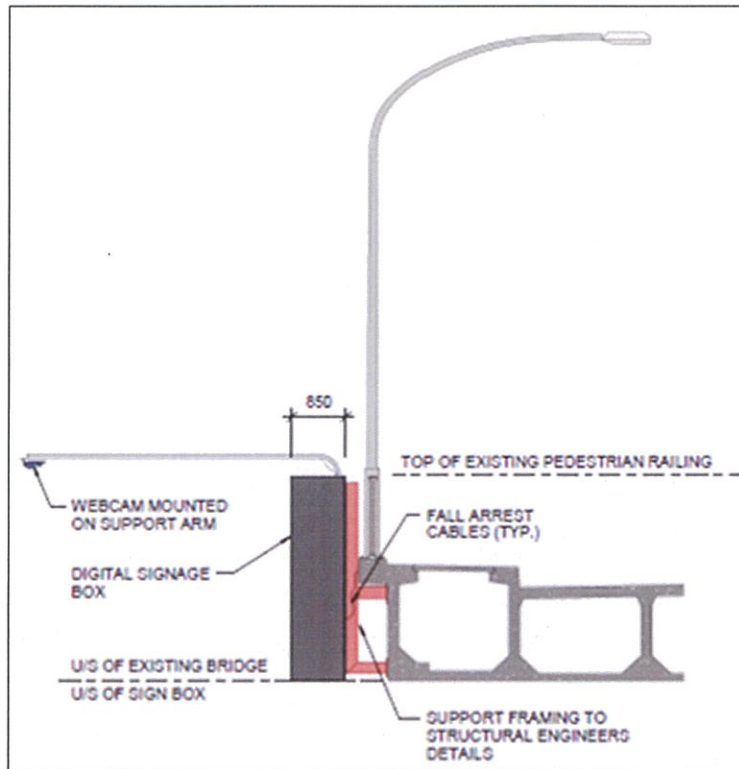


Figure 8 | Typical section (Source: Amended Plans)

3 Statutory Context

3.1 Consent authority

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

3.2 Permissibility

Advertising structures and signage are prohibited in the SP2 Infrastructure zone under the Hunters Hill Local Environmental Plan 2012. However, clause 16(1) of State Environmental Planning Policy 64— Advertising and Signage states, despite the provisions of any EPI or clause 10(1) of the SEPP, the display of an advertisement on a bridge constructed by or on behalf of RMS on any road corridor is permissible with development consent.

The proposal to erect the new digital advertising sign is therefore permissible with consent.

3.3 Mandatory matters for consideration

The following are the relevant mandatory matters for consideration:

- the matters in section 4.15(1) of the EP&A Act
- relevant Environmental Planning Instruments (EPIs)
- objects of the EP&A Act
- Ecological Sustainable Development
- Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

3.3.1 Section 4.15(1) Matters for consideration

The matters for consideration under section 4.15 of the EP&A Act have been addressed in **Appendix C**.

3.3.2 Environmental Planning Instruments

The relevant environmental planning controls and guidelines that apply to the proposal include:

- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)
- Transport Corridor Outdoor Advertising and Signage Guidelines 2017
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Hunters Hill Local Environmental Plan (HHLEP) 2012
- Hunters Hill Development Control Plan (HHDCP) 2013

The Department is satisfied the DA is consistent with the relevant requirements of the environmental planning instruments (EPIs), development control plans (DCPs) and guidelines, as detailed in **Appendix C** of this report.

3.3.3 Objects of the EP&A Act

In accordance with the EP&A Act, the Department considers the proposal is satisfactory in regard to the objects of the EP&A Act as detailed in **Appendix C**.

3.3.4 Ecologically Sustainable Development (ESD)

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

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

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

4 Engagement

4.1 Department's engagement

The Department publicly exhibited the original application for 28 days from Thursday 17 October 2019 until Thursday 14 November 2019. The application was exhibited on the Department's website, at Service NSW and Hunter's Hill Council offices.

The Department placed a public exhibition notice in the Northern District Times and The Weekly Times on Wednesday 16 October 2019, and notified Hunter's Hill Council, RMS, TfNSW, Heritage NSW, and adjoining landholders in writing.

4.2 Summary of submissions

The Department received 26 submissions, including an objection from Hunters Hill Council and 23 public submissions of objection. TfNSW (RMS) and Heritage NSW provided comments on the proposal.

A summary of the submissions is provided in **Sections 4.3, 4.4 and 4.5** below and a link to the full copy of the submissions is provided in **Appendix A**.

4.3 Key issues – Government agency

4.3.1 TfNSW

TfNSW did not object to the proposed sign, subject to the proposal complying with the Guidelines, SEPP 64, AUSTRROADS standards, driver sightlines, maintenance of existing bridge elements, maintenance of the vertical clearance from the roadway to the top of the bridge, a Construction Traffic Management Plan and a Road Occupancy Licence (ROL).

The matters raised by TfNSW have been considered and addressed in **Section 5** and the recommended conditions have been incorporated into the recommended instrument of consent (**Appendix D**).

4.3.2 Heritage NSW

Heritage NSW, as delegate of the Heritage Council of NSW advised:

- the proposal is not within the curtilage of any State Heritage Register item, although it is in the vicinity of both The Priory and Gladesville Bridge
- the proposal is unlikely to have any adverse impact on the State heritage values of Gladesville Bridge, as the bridge is too great a distance from the proposal
- the cultural landscape of The Priory is separated from the Church Street overpass and the State heritage values are unlikely to be impacted by the proposal
- the proposal would not have any physical impacts on The Priory or Gladesville Bridge.

4.4 Key issues – Council

Hunter's Hill Council object to the proposal on the following basis:

- Impact on the character of the conservation area
- impacts on local heritage items within the vicinity of the proposal, including the Hunters Hill Hotel
- impacts on the State heritage listed Gladesville Bridge
- driver and pedestrian safety at the Burns Bay Road off ramps to the Church Street over pass
- loss of community banners that currently advertise on the bridge
- light pollution and loss of visual amenity for residential properties, particularly 12 Church Street
- inconsistencies with the aims of Regional Environmental Plan (Sydney Harbour Catchment) 2005 and SEPP No. 64 – Advertising and signage
- setting undesirable precedents for similar proposals.

Council also requested that, prior to the Department's determination of the proposal, the Minister appoint a design review panel to provide advice concerning the design quality of the digital advertising signs under clause 16(2) of SEPP No.64 – Advertising and signage.

4.5 Key issues – Community / special interest groups

A total of 23 public submissions of objection were received, including one submission from the Hunters Hill Trust.

The majority (86%) of community members who objected to the proposal live within 5 km of the subject site in either Hunters Hill or nearby suburbs. Some submissions were made by individuals from surrounding areas who frequented the Burns Bay Road corridor.

The key issues raised in submissions are summarised in **Table 4** below and are considered in **Section 5** and **Appendix B**:

Table 2 | Public submissions – key issues raised

Public submissions (objections)	% of Submissions
Heritage and character	70
Driver safety	57
Visual impact	52
Light pollution	35
Night operation	30
Pedestrian safety	30

Not in the public interest/ lack of public benefit	17
Commercial use of a public asset	14
Property value	13
Environmental impact	9

4.6 Response to submissions

Following the exhibition of the DA, the Department placed copies of all the submissions received on its website and requested the Applicant provide a response to the issues raised. The Department also requested additional information in relation to:

- an assessment of visual impacts from 12 Church Street
- further justification for the categorisation of the site within Zone 3 for the purposes of illumination levels under the *Transport Corridor Outdoor Advertising and Signage Guidelines*.

On 20 February 2020 the Applicant provided a Response to Submissions (RtS) (**Appendix A**) addressing the concerns of the Department, TfNSW, Council, Heritage NSW and the community.

Council provided further comments on the RtS on 10 March 2020, reiterating its key issues relating to the proposal. In particular, Council restated that it is of the opinion that the Minister should appoint a Design Review Panel to enable a proper and comprehensive consideration of the issues raised by Council and the community.

The Applicant:

- provided a further response to Council on 17 March 2020 that was provided under separate cover to address the loss of informal advertising banners
- provided a response to Council's submission to the RtS on 27 March 2020 addressing Council's further concerns
- amended the DA on 25 March 2021, to delete the previously proposed sign on the northern elevation of the Church Street overpass.

The Department has considered the issues raised in submissions in its assessment of the proposal (refer to **Section 5** of this report).

5 Assessment

5.1 Key assessment issues

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

- character and heritage
- visual impact
- illumination
- road safety
- public benefit

Each of these matters is addressed separately below. Other matters are addressed in **Section 5.7**.

5.2 Character and heritage

Hunters Hill Council, the Hunters Hill Trust and public submissions raised concerns regarding the impact of the original proposal on the character and heritage values of the Hunters Hill area.

The Department has considered the potential character and heritage impacts of the proposal below.

5.2.1 Character

The Department has carefully considered the concerns raised by Council and the community about the proposal detracting from the character of the area.

The Department notes the specific location of the site on Burns Bay Road is defined by the arterial road with high traffic volumes and the overpass. This character is distinct from the broader Hunters Hill locality which has a quiet, leafy, suburban character.

The Department also acknowledges the Applicant deleted the sign on the northern elevation of the overpass in response to community concerns. This would eliminate all impacts of the previously proposed sign on the character of the area as viewed from the north.

On this basis, the Department considers the proposed sign on the southern elevation of the overpass complements and does not detract from the character of the site for the following reasons:

- the proposed sign is integrated into the southern elevation of the overpass and will not dominate the skyline, as it does not protrude over the top of the pedestrian safety barriers located along the overpass
- the proposed sign will not detract from the built form of the overpass or road as it does not extend outside of the existing structure of the bridge

- the proposed sign is unlikely to result in adverse impacts on residences, as it is oriented south towards Burns Bay Road and most are protected from the sign by existing vegetation and fences
- the proposed sign is consistent with signage found on overpasses and arterial road corridors and has limited impacts on the public domain as it sits at and below the surrounding area within the Burns Bay Road cutting (**Figures 3 and 4**).

The Department is therefore satisfied that the proposed sign would not result in any significant impact on the character of the area.

5.2.2 Heritage

The Department carefully considered the concerns raised by Council and the community about heritage impacts the Gladesville Bridge, the Hunters Hill Conservation Area and the surrounding local heritage items.

The Department sought advice from Heritage NSW in relation to potential impacts on nearby State heritage items and considers the proposal would have minimal impact on the heritage of the area for the following reasons:

- Heritage NSW has advised the proposed signage is unlikely to affect the setting of, or have any adverse impacts on views to or from, the Gladesville Bridge as the sign is not visible from the bridge, located approximately 775 m to the south.
- the sign is not visible from the Priory, located approximately 1 km to the west and the sign is situated on the opposite side of the overpass
- the previously proposed sign on the northern elevation of the overpass has been deleted
- the proposed sign on the southern elevation of the overpass will not have adverse visual impacts to the nearest heritage items (**Figure 2**). In particular:
 - it will have minimal impact on the Hunters Hill Hotel (Item no: I479) as the sign is positioned on the opposite side of the overpass to the hotel and does not protrude above or below the existing bridge structure
 - the sign would not be visible from or affect views of the Stone walls (Item no: I287) as the walls are positioned to the east of the Burns Bay Road corridor
 - the sign is not visible from or would affect views from Nemba (Item no: I462) as the item is located to the north of the overpass
- the sign will not detract from the Conservation Area as the site is located on a major corridor and is contained within the structural boundaries of the bridge.

The Department concludes that the proposal will have minimal and acceptable impacts on the local and State heritage items and on the conservation area.

5.2.3 Conclusion

The Department's assessment concludes the site is suitable for the proposed sign and that the sign on the southern elevation of the overpass would not have an adverse impact on local amenity, character or heritage as:

- the location of the sign on a major road corridor is consistent with other signage found on overpasses and arterial road corridors and would not impact on the existing or desired future character of the area
- the previously proposed sign on the northern elevation of the overpass has been deleted
- the proposed sign on the southern elevation of the overpass will have minimal and acceptable impacts on the local and State heritage items and on the conservation area.

5.3 Visual impact

The Department received submissions from Council and the public about the visual impacts of the proposal on the surrounding area, particularly from residential properties including 12 Church Street.

In response to the concerns raised in submissions, the Applicant has deleted the sign on the northern elevation of the Church Street overpass, which the Department notes significantly reduces the visibility of signage in the public and private domain.

5.3.1 Public domain

The Applicant has assessed the visual impacts of the proposal on the surrounding public domain and concludes that the proposed sign on the southern elevation of the overpass would have an acceptable visual impact on the surrounding area as the signage is largely screened by mature vegetation along the adjacent streets.

The Department notes the proposed sign on the south elevation of the overpass is oriented to Burns Bay Road and will predominantly be visible by northbound motorists travelling along Burns Bay Road, towards Lane Cove. The Department considers the visual impact on the public domain acceptable as:

- views of the proposed sign will be limited as it is within the Burns Bay Road cutting and viewed in the context of the busy road corridor
- the sign will not obscure important views or dominate the skyline as it will be confined wholly within the structure of the overpass and its pedestrian safety barriers
- views from adjacent streets are screened by mature vegetation.

5.3.2 Private domain

The Department has carefully reviewed the submissions and has visited the site to better understand the view impact from private residential properties. The Department considered the impacts of the proposal from the closest properties, including the Hunters Hill Hotel, 12 Church Street and 16A-16D Joubert Street (**Figure 9**).

The Department notes the previously proposed sign on the northern elevation of the overpass would be visible to residential apartments in 12 Church Street and the Hunters Hill hotel. In response to concerns raised, the Applicant has deleted the sign on the northern elevation of the Church Street overpass to eliminate these impacts.

The Department considers the proposed sign on the southern elevation of the overpass has limited visibility from neighbouring properties along Joubert Street as the sign sits within the cutting of Burns Bay Road below the surrounding land. Further any views of the sign will be screened by existing mature vegetation between the off-ramp and Joubert Street.



Figure 9 | Sign location and closest properties (Source: DPIE)

5.3.3 Conclusion

The Department concludes that view impacts from the public and private domain are acceptable as:

- views of the proposed sign are predominantly limited to northbound motorists travelling along Burns Bay Road, towards Lane Cove, oblique views from Church Street and the Burns Bay Road off ramp (northbound only)
- landscaped embankments provide screening to filter views of the proposed sign from properties in Joubert Street
- the previously proposed sign on the northern elevation of the overpass has been deleted to eliminate view impacts to 12 Church Street and the Hunters Hill hotel.

5.4 Road safety

Road safety was a key concern raised in the public and Council submissions, particularly safety for vehicles and pedestrians using Burns Bay Road and the on and off ramps for the Church Street overpass.

The Applicant provided an assessment of the development application against the Guidelines, SEPP 64 criteria and Austroads Guide to Road Design. The assessment found that there had been two crashes within the readable distance of the subject site over a five-year period, however the circumstances of the two crashes have not revealed any road safety issues that need addressing. The assessment also noted that the proposed sign does not obstruct the view of any traffic control device, vehicles, pedestrians or cyclists. Pedestrians are not permitted along the Burns Bay Road corridor.

There are no intersections, merge points, pedestrian or cyclist crossings or traffic control devices within the stopping sight distance (103 m) of the proposed sign. The Church Street off-ramp sign (northbound) is located approximately 250 m south of the site.

The Applicant notes that posted speed signs are located approximately 150 m south of the Church Street overpass. The Applicant contends that while these signs are located closely outside of the stopping sight distance of 103 m, they are repeat speed signs and are not associated with a speed change. The Applicant therefore considers that the proposal would not be distracting to drivers at a critical decision-making time.

The sign will have a proposed dwell time of 10 seconds which is consistent with and complies with the Guidelines for the posted speed of 70km/hr.

Based on this information, the Department considers the application to be acceptable with regards to road safety, particularly as:

- the Church Street/Burns Bay Road off-ramp is well sign posted
- the proposed sign is 250 m from the Church Street off-ramp, will not be readable at this distance and would not distract a driver while diverging to the off-ramp
- the sign will not be visible to drivers along Church Street and the Burns Bay Road on-ramps
- the sign will not be visible from any critical decision-making points such as at intersections, pedestrian crossings or at merge points
- the proposed sign is unlikely to affect pedestrian safety as the sign is attached to the bridge and does not obstruct any views of traffic signals or existing footpaths along the on and off ramps and Church Street
- there have been two crashes over a five-year period that have not raised any road safety issues
- the repeat speed signs are located closely outside of the stopping sight distance but are not indicating any speed change and thus, do not require drivers to take any action
- the sign will operate in accordance with the Guidelines.

The Department recommends a condition requiring a road safety check after 12 months and any safety concerns that are identified must be rectified by the Applicant accordingly.

5.5 Illumination

The proposed digital sign will be illuminated with LED lights and operated on a 24-hour basis, 7 days a week. The luminance will be automatically adjusted to suit ambient light levels through the day and night.

Public submissions raised concerns with the illumination and the impact of light spill, particularly at night. The Department met with residents of 12 Church Street during its site visit who expressed concerns about the light from the sign projecting out and into their dwellings. In response to concerns raised, the Applicant deleted the sign on the northern elevation of the overpass.

The Applicant provided a Lighting Impact Assessment (LIA) which assesses the luminance of the sign against the relevant Guidelines and Australian Standard 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting, SEPP 64 and the Guidelines.

The Guidelines categorise sign locations and set luminance levels based on land use and ambient lighting levels from Zone 1 (highly lit areas) down to Zone 4 (low lit residential areas). The LIA categorised the location as 'Zone 3', which is characterised as an area with generally medium-level off-street ambient lighting. The proposed luminance levels are shown in **Table 5**.

Table 3: Maximum luminance for signage

Lighting Conditions	Maximum Zone 3 Luminance Levels	Maximum Zone 4 Luminance Levels	Proposed Luminance Levels
Full sun on face of signage	No limit	No limit	No limit
Day-time luminance	6000 cd/m ²	6000 cd/m ²	6000 cd/m ²
Morning and Evening			
Twilight and Inclement Weather	700 cd/m ²	500 cd/m ²	700 cd/m ²
Night-time	350 cd/m ²	200 cd/m ²	135 cd/m ²

The Department has reviewed the Applicant's LIA, however as the sign is located in close proximity to residential properties, it considers that the site is more appropriately categorised as 'Zone 4' (which covers areas with generally low levels of off-street ambient lighting).

As such, the Department recommends that the maximum luminance levels in the morning and evening, twilight and inclement weather be reduced from 700 cd/m² to 500 cd/m² to meet the requirements of Zone 4. The Department notes the proposed night-time luminance of 135 cd/m² is substantially less than the maximum allowed for in the Guidelines for Zone 3 or 4.

Having considered the issues raised in submissions and the Applicant's LIA, the Department considers the illumination of the proposed sign is acceptable for the following reasons:

- the proposed sign is oriented toward northbound traffic on Burns Bay Road and not at the neighbouring properties
- neighbouring properties are shielded from the sign by mature vegetation between the Burns Bay Road off ramp and Joubert Street
- the sign will be backlit with LED lights and is not designed to project light out onto its surroundings
- the night-time luminance of 135 cd/m² will result in minor and acceptable levels of light spill to the nearest residential properties (20% of the maximum lux permitted by AS4282-2019)
- the recommended reduced luminance levels from 700 cd/m² to 500 cd/m² will significantly reduce illumination impacts on surrounding residents in the morning and evening.

The Department concludes that the proposed night-time illumination will operate at a level below that allowed for by the Guidelines and the AS4282-2019. This, combined with the Department recommendation to reduce luminance levels during the morning, evening and inclement weather, will minimise adverse illumination impacts.

5.6 Public benefit

The existing overpass is used informally for displaying community banners. Concern was raised by Council and a public submission regarding the loss of non-advertising banners for community groups such as schools and Council to promote events locally and free of charge.

The Guidelines require proposals for certain outdoor advertisements on classified roads and on bridges to meet a public benefit test to ensure that the advertising will result in a positive gain or benefit for the local community.

The Applicant has provided a Public Benefit Statement, prepared by TfNSW, that identifies the following public benefits:

- advertising on transport corridors generates revenue that the NSW Government uses to fund road infrastructure maintenance, network management, road user compliance activities and road safety programs across NSW
- the sign provides affordable advertising space for road safety messages in a strategic location which plays an important role in helping to address key road safety problems and have contributed to a significant reduction in the number of deaths on NSW roads over recent years
- the proposed sign will display road safety messages for a minimum of 5% of advertising time and it would also be made available for use by TfNSW in the event of an emergency.

The Applicant also confirmed that revenue from advertising supports road maintenance programs including the following works within the Hunters Hill LGA:

- contribution to Hunters Hill Council's Local Government Road Safety Program to improve road safety for the community by supporting the delivery of effective local road safety initiatives
- safety improvements along Victoria Road, Huntleys Point to reduce the likelihood of crashes including vehicle activated signage as part of the Liveable and Safe Urban Communities initiative
- bridge maintenance for the road and pedestrian bridge at Hunters Hill
- ongoing landscaping and enhancement works, including the pedestrian footway alongside Riverside Girls High School and the pedestrian bridge across Victoria Road, Huntleys Point
- pothole repairs and routine pavement maintenance along Victoria Road
- ongoing maintenance including removal of litter, debris, cleaning of drainage pits, graffiti and poster removal and overgrown vegetation along road corridors.

The Department has considered the Applicant's public benefit statement and is satisfied the proposal will result in direct public benefits in the local area as required by the Guidelines as:

- revenue raised will be used for road infrastructure maintenance, network management, road user compliance and road safety programs activities across NSW as well as supporting road maintenance programs in the Hunters Hill LGA,
- it will display road safety messages for a minimum of 5% of advertising time and it would also be made available for use by TfNSW in the event of an emergency.

In response to concerns raised by Council, the Applicant notes the community banners placed on the overpass are informal and is unaware of any approvals in place for this use. Notwithstanding, the sign operator, JCDecaux, has committed to enter into a private agreement with Council which would allow local non-profit community groups up to ten hours of media time each month to address the loss of informal community banners on the overpass.

The Department supports the sign operator's commitment to enter into a private agreement with Council to enable non-profit community message on the proposed sign, as it is above and beyond the public benefit requirements of the Guidelines and would provide additional local community benefits.

The Department therefore concludes that the proposal is in the public interest as it will directly contribute to public benefits within Hunters Hill and across NSW.

5.7 Other matters

The Department's consideration of other issues is provided at **Table 4**.

Table 4 | Department's assessment of other issues

Issue	Department's assessment	Recommended condition(s)
Design Review Panel	<ul style="list-style-type: none"> • Council requested that the Minister appoint a Design Review Panel to provide advice on the design quality of the proposed advertisement under clause 16(2) of SEPP 64. • The Department notes the Guidelines provide best practice guidance for the planning and design of outdoor advertisements in transport corridors including: <ul style="list-style-type: none"> • land use capability criteria, including the requirement that signage does not have significant impacts on heritage and residential area • design criteria, including consideration of Schedule 1 of SEPP 64, and criteria for sign placement, clutter, bridge signage and digital signage • road safety and public benefits. • The Department has undertaken a detailed assessment of the proposal against the requirements of SEPP 64, including Schedule 1 criteria and the Guidelines and concludes it is acceptable as: <ul style="list-style-type: none"> • the proposed sign will not have significant impacts on nearby State and locally listed heritage items and the Hunters Hill Conservation Area as discussed in Section 5.2.2 • the proposed sign is consistent with the objectives of the SP2 zone, will not adversely affect the character of the site or cause significant impacts on surrounding land • the proposed sign is consistent with the design criteria in the Guidelines for digital signage and bridge signage (Appendix C) • the proposal is unlikely to have any adverse impacts on driver and pedestrian safety along Burns Bay Road, the off-ramps to the overpass or Church Street as outlined in Section 5.4 • the proposal will deliver public benefits and will continue to allow non-profit community group advertising for up to ten hours per month (Section 5.5). • The Department notes the Applicant has deleted the sign on the northern elevation of the overpass in response to concerns raised in submissions and as such any impacts are significantly reduced. • On this basis, the Department does not consider it necessary to appoint a Design Review Panel as it is satisfied that the proposed location and design of the signage is acceptable and will have minor impacts on the heritage and residential character of Hunters Hill, consistent with SEPP 64 and the Guidelines. 	No additional conditions or amendments to the proposal are necessary.

Commercial use of a public asset	<ul style="list-style-type: none"> Concern was raised in public submissions that the proposal is utilising the overpass for commercial purposes and is commercialising the area. As discussed in Section 5 and Appendix C, the Department is satisfied that the proposal is consistent with SEPP 64, including Schedule 1 criteria and the Guidelines which envisage digital advertising on TfNSW assets along major road corridors. The Department concludes the proposed advertising on the overpass is appropriate. 	No additional conditions or amendments to the proposal are necessary.
Property value	<ul style="list-style-type: none"> Concern was raised in public submissions that the proposal would have an adverse impact on property values. The Department has assessed the merits of the application in detail in Section 5 of this report and against SEPP 64, including Schedule 1 criteria and the Guidelines in Appendix C and concludes the proposal has acceptable impacts and therefore is unlikely to adversely impact on property values. 	No additional conditions or amendments to the proposal are necessary.
Environmental impact	<ul style="list-style-type: none"> Concern was raised in public submissions that the proposal would have an adverse impact upon wildlife such as birds and moths. The Department notes that the Guidelines provide guidance for the reflectivity and illumination of advertisements in transport corridors including the maximum permissible luminance and lux levels for a subject area. The Department has undertaken a detailed assessment of the proposal against SEPP 64, including Schedule 1 criteria and the Guidelines and concludes it is acceptable. The Department considers that the proposal is unlikely to result in any significant impacts to wildlife noting the highly disturbed nature of the area, and its location within a well-lit arterial road reserve. The Department therefore concludes, subject to conditions, the proposal is unlikely to cause an adverse impacts to birds or moths. 	The Department has recommended a condition outlining the maximum permissible luminance for each sign in different lighting conditions.
Precedent for similar proposals	<ul style="list-style-type: none"> Council raised concern that the proposal would set a precedent for similar proposals. The Department has assessed the proposal on its merits and concludes that it is permissible with consent and consistent with SEPP 64 and the Guidelines. Any potential future proposals would be determined on their merits, in accordance with relevant SEPP 64 and the Guidelines and subject to consultation with Council and the community. The Department therefore does not consider the proposal would set a development precedent. 	No additional conditions or amendments to the proposal are necessary.

6 Evaluation

The Department has assessed the DA and supporting information in accordance with the matters for consideration under Part 4 of the EP&A Act, including the relevant environmental planning instruments. The Department's assessment concludes that the proposal is appropriate as:

- it meets the relevant statutory requirements, is permissible within the road corridor and consistent with the objectives of the SP2 zone, SEPP 64 and the Guidelines
- it will have minimal and acceptable impacts on the character of the Hunters Hill and will not have adverse impacts on nearby State or local heritage items or the conservation area
- it will not have adverse visual impacts from the public domain or adjacent residential properties as:
 - the previously proposed sign on the northern elevation of the overpass has been deleted
 - the proposed sign on the southern elevation of the overpass is positioned and oriented towards Burns Bay Road, is within the road cutting and is screened from neighbouring properties by existing mature vegetation
- it has adequately demonstrated that the sign complies with the relevant road safety standards and requirements and is not visible from any critical decision-making points
- it proposes reduced luminance levels during night-time periods, significantly less than the maximum permitted in the Guidelines and Australian Standards, to protect the amenity of neighbouring residential properties
- it will provide for measurable public benefit by generating revenue for the delivery and ongoing maintenance of road infrastructure and road safety programs within the Hunters Hill LGA and NSW
- JCDecaux have committed to enter into a separate agreement with Council to deliver additional local public benefits by providing local non-profit community groups up to ten hours media time each month.

The Department's assessment therefore concludes the development application is acceptable and is in the public interest. The Department recommends the application be approved, subject to the recommended conditions (outlined in **Appendix D**). This assessment report is hereby presented to the Minister for Planning and Public Spaces for determination.

7 Recommendation

It is recommended that the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report;
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the application;
- **agrees** with the key reasons for approval listed in the notice of decision;
- **grants consent** for the application in respect of DA 10082, subject to the conditions in the attached development consent;
- **signs** the attached development consent.

Recommended by:



Anthony Witherdin

Director

Key Sites Assessments

Recommended by:



Anthea Sargeant

Executive Director

Key Sites and Regional Assessments

8 Determination

The recommendation is: Adopted / ~~Not Adopted~~ by:

A handwritten signature in blue ink that reads "Rob Stokes". The signature is written in a cursive style with a large, looping initial "R".

The Hon. Rob Stokes MP
Minister for Planning and Public Spaces

Appendices

Appendix A – List of referenced documents

Appendix B – Community Views

Appendix C – Matters for Consideration / Environmental Planning Instruments

Appendix D – Recommended Instrument of Consent

Appendix A – List of referenced documents

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

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10082

1. Statement of Environmental Effects (SEE)
2. Submissions
3. Response to Submissions
4. Additional Information

Appendix B – Community Views

The Department received 23 submissions from the public including the Hunters Hill Trust. The consideration of the issues raised in submissions is included in **Table 5** below

Table 5 | Community views and consideration

Issue	Consideration
Heritage and character	<ul style="list-style-type: none"> The Department considers the proposed sign will not detract from the character of the area or from any local heritage items as the sign is integrated into the overpass structure and will not dominate the skyline. Heritage NSW has advised that the proposed sign is too distant from the State heritage listed items to have an adverse impact. The Department considers the location of the sign within the major road corridor is unlikely to adversely impact on the heritage character of the area.
Driver safety	<ul style="list-style-type: none"> The Applicant provided a Signage Safety Assessment (SSA) that assessed the proposal against the NSW Government Signage Guidelines, SEPP 64 and Austroads Guide to Road Design. The SSA assessed the sign exposure distance, sight stopping distance and road accident history in proximity to the site. The SSA concluded the road environment along Burns Bay Road in proximity to Church Street overpass presents a low risk environment for the proposed sign. The Department is satisfied the proposal complies with the Guidelines and concludes the proposed sign would not have a negative impact on road safety.
Visual impact	<ul style="list-style-type: none"> The Applicant has deleted the previously proposed sign on the northern elevation of the overpass in response to concerns raised about visual impacts. The Department considers the proposed sign on the southern elevation of the overpass will not have adverse visual impacts as: <ul style="list-style-type: none"> it would be viewed by the public in the context of the busy road corridor and would not obscure significant views, dominate the skyline or reduce the quality of vistas the sign is screened from surrounding residential properties by existing mature vegetation. The Department therefore concludes the proposed sign would not result in any adverse visual impacts to the public domain or residential properties surrounding the site.
Light pollution	<ul style="list-style-type: none"> The digital sign would be illuminated with LEDs. A Lighting Impact Assessment (LIA) confirmed the proposed sign would comply with the relevant Guidelines and Australian Standard 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting. The Department has included conditions of consent to ensure luminance levels are consistent with the Guidelines and AS 4282-1997 to protect residential amenity.
Night operation	<ul style="list-style-type: none"> The digital sign would be illuminated with LEDs and operated 24 hours a day, 7 days per week. A LIA confirmed the proposed sign would comply with the relevant Guidelines and Australian Standard 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting.

	<ul style="list-style-type: none"> • The Department notes the proposed night-time luminance is significantly below the maximum luminance and lux limit required by the Guidelines and the Australian Standard. • The Department has included a condition of consent to restrict the luminance levels to 135 cd/m² during the night-time to protect residential amenity.
Pedestrian safety	<ul style="list-style-type: none"> • The Applicant provided a Signage Safety Assessment (SSA) that assessed the proposal against the NSW Government Signage Guidelines, SEPP 64 and Austroads Guide to Road Design. • The Department considers the proposed sign is unlikely to affect pedestrian safety as the sign is attached to the bridge and does not obstruct any views of traffic signals or existing footpaths along the on and off ramps and Church Street. • The Department is satisfied the proposal complies with the Guidelines and concludes the proposed sign would not have a negative impact on road safety (for pedestrians or cyclists).
Public interest/public benefits	<ul style="list-style-type: none"> • The Applicant has provided a Public Benefit statement with the application. • The Department is satisfied the proposal will result in direct public benefits in the local area as required by the Guidelines as revenue raised will be used for road infrastructure maintenance, network management, road user compliance and road safety programs activities across NSW as well as supporting road maintenance programs in the Hunters Hill LGA. • In addition the sign will display road safety messages for a minimum of 5% of advertising time and it would also be made available for use by TfNSW in the event of an emergency. • In response to concerns raised by Council, the Applicant notes the community banners placed on the overpass are informal and is unaware of any approvals in place for this use. Notwithstanding, the sign operator, JCDecaux, has committed to enter into a private agreement with Council which would allow local non-profit community groups up to ten hours of media time each month to address the loss of informal community banners on the overpass. • The Department supports the sign operator's commitment to enter into a private agreement with Council to enable non-profit community message on the proposed sign, as it is above and beyond the public benefit requirements of the Guidelines and would provide additional local community benefits.
Commercial use of public asset	<ul style="list-style-type: none"> • The Department notes the proposed sign is permissible with consent and is consistent with SEPP 64 and the Guidelines, which envisage and provide controls for digital advertising signage along transport corridors. • The sign will be located within a busy road corridor and will enable revenue generated by the sign to be used by TfNSW for the delivery and ongoing maintenance of NSW road infrastructure and road safety programs.
Property value	<ul style="list-style-type: none"> • The Department is satisfied the proposal complies with the Guidelines and concludes the proposal has acceptable impacts and is unlikely to have any adverse impacts on property values.
Environmental impact	<ul style="list-style-type: none"> • The Department notes the Guidelines address reflectivity and illumination of advertisements in transport corridors. • The Department is satisfied the proposed sign complies with the Guidelines and the maximum permissible luminance levels and therefore concludes the proposal would not have any adverse environmental impacts.

Appendix C – Matters for consideration / Environmental Planning Instruments

To satisfy the requirements of section 4.15 of the EP&A Act, the Department’s assessment of the proposal has given detailed assessment to a number of statutory requirements. These include:

- the objects found in Section 1.3 of the EP&A Act
- the matters listed under Section 4.15(1) of the EP&A Act, including applicable EPIs and regulations. The Department has considered these matters in its assessment of the proposal in **Table 6** and **Table 7**.

Table 6 | Objects of the EP&A Act

Objects of section 1.3 of the EP&A Act	Department’s response
(a) 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,	The proposal involves the installation of a digital sign on an existing bridge and therefore does not affect any natural or other resources. The use of digital rather than printed advertisements reduces use of resources required for printed advertisements.
b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The impacts of the proposed development can be appropriately mitigated or conditioned. Refer to Section 5 and Appendix D of this report.
c) to promote the orderly and economic use and development of land,	The proposal represents an orderly and economic use of the land. The merits of the proposal are considered in Section 5 of this report.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable.
e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposed development would not have an adverse impact on the natural environment.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposed development would not have an adverse impact on any heritage items. Refer to Section 5 of this report.
(g) to promote good design and amenity of the built environment,	The proposed digital sign will be affixed to the south elevation of the Church Street overpass. The design will not compromise the function or public access to the bridge. The impact of the illumination upon local amenity has been considered in Section 5 of this report.
(h) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	Refer to Section 4 of this report.
(i) to provide increased opportunity for community participation in environmental planning and assessment.	Section 4.1 sets out the details of the Department’s public exhibition of the DA.

Table 7 | Section 4.15 matters for consideration

Section 4.15 Evaluation	Consideration
(a)(i) any environmental planning instrument	The proposal complies with the relevant legislation as addressed in Section 3.3.2 and Appendix C of this report.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	The proposal complies with the Hunters Hill DCP 2013 as addressed in Appendix C of this report.
(a)(iii) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6), the requirements for notification (Part 6, Division 7) and fees (Part 15, Division 1) (refer to Section 3.3.5 of this report).
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development	The Department considers the likely impacts of the development are acceptable and/or have been appropriately mitigated or addressed by recommended conditions (refer to Section 5 and Appendix D of this report).
(c) the suitability of the site for the development	The site is suitable for the development as addressed in Section 5 of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period (refer to Sections 4 and 5 and Appendix A of this report).
(e) the public interest	The Department considers the proposal to be in the public interest (refer to Section 5 of this report).

To satisfy the requirements of section 4.15(1)(a)(i) of the EP&A Act, the following EPIs, DCP and guidelines were considered as part of the assessment of this proposal:

- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)
- Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (the Guidelines)
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Hunters Hill Local Environmental Plan 2015 (HLEP 2012)
- Hunters Hill Development Control Plan 2012 (HDCP 2013)

State Environmental Planning Policy No. 64 – Advertising and Signage

SEPP 64 applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserve. The proposed digital sign has been assessed against the

requirements of SEPP 64 in **Table 8** and the specific assessment criteria of Schedule 1 of SEPP 64 in **Table 9**.

Table 8 | SEPP 64 Compliance Assessment

Clause	Criteria	Comments	Compliance
Part 2 Signage generally			
8 Granting of consent to signage	The signage is to be consistent with the objectives of this Policy	The proposed development is compatible with the desired amenity and visual character of the area (as outlined in Section 5), provides effective communication, is of a high quality finish and is therefore consistent with the objectives of SEPP 64	Yes
	The signage is to satisfy the assessment criteria in Schedule 1	See relevant assessment in Table 9 .	Yes
Part 3 Advertisements			
12 Consent authority	<p>The consent authority is the Minister for Planning and Public Spaces or delegate in the case of an advertisement displayed by or on behalf of RMS on:</p> <ul style="list-style-type: none"> i. a road that is a freeway or tollway (under the <i>Roads Act 1993</i>) or associated road use land that is adjacent to such a road, or ii. a bridge constructed by or on behalf of RMS on any road corridor, or iii. land that is owned, occupied or managed by RMS. 	<p>The proposal is for a sign located on a bridge constructed on behalf of TfNSW (RMS) on a road corridor. The Minister for Planning and Public Spaces is therefore the consent authority.</p>	Yes
13 Matters for consideration	<p>The advertisement or advertising structure is to be:</p> <ul style="list-style-type: none"> i. consistent with the objectives of this Policy ii. assessed in accordance with the assessment criteria in Schedule 1 and the Guidelines iii. satisfies any other relevant requirement of this Policy. 	<p>The objectives are considered above.</p> <p>The proposal has been assessed in accordance with the assessment criteria in Schedule 1 in Table 9 and the Guidelines in Table 10.</p> <p>All other relevant requirements are addressed in this table.</p>	Yes
	Arrangements for the provision of the public benefits to be provided in connection with the display of the advertisement.	The proposal has adequately demonstrated it will provide for public benefit (refer to Section 5 of this report).	Yes
14 Duration of consents	A consent granted under this Part ceases to be in force on	The Department recommends a condition of consent to limit the	Yes

	the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act.	approval for a maximum period of 15 years from the date of operation.	
16 Transport corridor land	<p>The display of an advertisement on transport corridor land is permissible with development consent when the display of an advertisement is on behalf of RMS on:</p> <ul style="list-style-type: none"> i. a road that is a freeway or tollway (under the Roads Act 1993) or associated road use land that is adjacent to such a road, or ii. a bridge constructed by or on behalf of RMS on any road corridor, or iii. land that is owned, occupied or managed by RMS and that is within 250 metres of a classified road. <p>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</p>	<p>The proposed sign is to be affixed on a vehicular bridge constructed on behalf of TfNSW (RMS) over a road corridor and is therefore permissible with development consent.</p> <p>Council requested that the Minister appoint a design review panel to provide advice on the design quality of the proposal. As outlined in Section 5.6, the proposal complies with the Guidelines (Table 10) and on this basis it is not considered necessary to appoint a design review panel to provide advice on the design quality of the sign.</p>	<p>Yes</p> <p>N/A</p>
	<p>The Minister must not grant consent to the display of an advertisement unless:</p> <ul style="list-style-type: none"> 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 have been considered by the Minister, and ii. the advice of any design review panel has been considered by the Minister, and iii. the Minister is satisfied that the advertisement is consistent with the Guidelines. 	<p>Council has been notified in writing and objected to the proposal (refer to Section 4 of this report).</p> <p>The Department did not consider it necessary to appoint a design review panel for this application given the proposal has been assessed against, and complies with, the Guidelines.</p> <p>A full assessment of the proposal against the Guidelines is provided in Table 10.</p>	<p>Yes</p>
17 Advertisements with display area greater than 20 square metres or	<p>For an advertisement with a display area greater than 20 square metres:</p> <ul style="list-style-type: none"> i. the applicant has provided the consent 	<p>The proposed sign has an area greater than 20 square metres.</p> <p>The Applicant's SEE addresses the assessment criteria in Schedule 1.</p>	<p>N/A</p>

higher than 8 metres above ground

authority with an impact statement that addresses the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and

- ii. the application has been advertised in accordance with section 79A of the Act, and
- iii. 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.

The Department is satisfied that the proposal is acceptable in terms of its impacts as detailed in **Section 5** of this report.

The application has been advertised in accordance with Schedule 1 clause 9 of the Act as detailed in **Section 4** of this report.

19 Advertising display area greater than 45 square metres

The consent authority must not grant consent to the display of an advertisement with an advertising display area of greater than 45 square metres unless:

- i. a development control plan is in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct, or
- ii. in the case of the display of an advertisement on transport corridor land, the consent authority is satisfied that the advertisement is consistent with the Guidelines.

The sign has an advertising display area of 39.94 m². Therefore, this clause is not applicable to the proposed development.

N/A

20 Location of certain names and logos

The name or logo of the person who owns or leases an advertisement or advertising structure must:

- i. appear only within the advertising display area
- ii. if the advertising display area has no border or surrounds - located within the advertisement or a strip below the advertisement that extends for the full width of the advertisement
- iii. not be greater than 0.25 square metres

The logo is displayed to the left of the advertising structure, rather than within a strip extending the full width of the advertisement. The logo will be no greater than 0.25 square metres and is consistent with other digital advertising within road corridors.

No, however the Department is satisfied the logo is appropriately and discretely located adjacent to the signs.

	iv. be included in calculating the size of the advertising display area.		
24 Advertisements on bridges	The consent authority may grant consent only if the consent authority is satisfied that the advertisement is consistent with the Guidelines.	The proposal is consistent with the Guidelines as detailed in Table 10 .	Yes

Table 9 | SEPP 64 Schedule 1 Compliance Table

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed sign is to be mounted on the southern elevation of the Church Street overpass over Burns Bay Road. The proposed sign is compatible with the character of the transport corridor and does not adversely impact the broader character of Hunters Hill as discussed in Section 5 .	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed sign is compatible with other digital signs associated with other major roads in the locality.	Yes
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed sign does not detract from any environmental sensitive, natural, conservation, open space, waterway or rural landscapes. The proposed sign is not visible from the SHR items, "The Priory" and "Gladesville Bridge" and does not result in any adverse impacts to these heritage items. The proposed sign is located adjacent to a residential area but does not detract from the amenity of the area as the site is located within a major transport corridor.	Yes
3 Views and vistas		
Does the proposal: <input checked="" type="checkbox"/> obscure or compromise important views? <input checked="" type="checkbox"/> dominate the skyline and reduce the quality of vistas? <input checked="" type="checkbox"/> respect the viewing rights of other advertisers?	The proposed sign is affixed to the southern elevation of the Church Street overpass and is contained within the envelope of the existing bridge structure. As the sign does not project beyond that of the existing outline of the bridge, the proposal does not compromise any important views, the skyline or interfere with other advertisers.	Yes
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the sign is appropriate for the streetscape and transport corridor setting of Burns Bay Road.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The digital sign will increase the visual interest of the setting by incorporating more frequently changing advertisements.	Yes

Does the proposal reduce clutter by rationalising and simplifying existing advertising?	Currently no advertising exists within the area that will be consolidated by the proposed sign.	Yes
Does the proposal screen unsightliness?	The proposed sign partly screens the existing Church Street overpass and is considered to be aesthetically neutral.	Yes
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed sign does not protrude above the structure of the bridge. No tree canopies or buildings exist within the immediate vicinity. The sign will not protrude above the existing pedestrian safety barrier on the overpass.	Yes
Does the proposal require ongoing vegetation management?	The proposal will not require any ongoing vegetation management.	Yes
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed sign is contained within the existing overpass and is compatible with the scale, proportion and characteristics of the bridge.	Yes
Does the proposal respect important features of the site or building, or both?	The proposed sign is integrated with the architecture of the existing overpass.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposal is innovative in creating the capacity to display road safety advertising in this area.	Yes
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Yes, one small and discrete logo has been designed as an integral part of the signage.	Yes
7 Illumination		
Would illumination: result in unacceptable glare? affect safety for pedestrians, vehicles or aircraft? detract from the amenity of any residence or other form of accommodation.	The proposed illumination would not result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, or detract from the amenity of any residence (refer to Section 5 of this report).	Yes
Can the intensity of the illumination be adjusted? Is the illumination subject to a curfew?	The intensity of the illumination will be adjusted during the day and during inclement weather. The sign will be illuminated at a level lower than allowed for by the Guidelines to protect residential amenity during the night-time period. As the illumination complies with the Guidelines, a curfew is not required (refer to Section 5 of this report).	Yes
8 Safety		

Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas for any public road? The proposal would not adversely impact road safety for pedestrians or vehicles or obscure sightlines (refer to **Section 5** of this report). Yes

Transport Corridor Outdoor Advertising and Signage Guidelines

The *Transport Corridor Outdoor Advertising and Signage Guidelines* outline best practice for the planning and design of outdoor advertisements in transport corridors. The Guidelines supplement the provisions of SEPP 64 by providing detailed information in relation to signage within transport corridors, including design criteria and road safety considerations. The proposal has been assessed against the Guidelines in **Table 10**.

Table 10 | Assessment of SEPP 64 Guidelines design criteria

Assessment Criteria	Comments	Compliance
Land Use Compatibility Criteria		
Outdoor advertising should not be inconsistent with the LEP land use objectives for the area.	The proposal is consistent with the objectives of the SP2 Zone under the Hunters Hill LEP 2012 as it will provide for infrastructure and related uses and minimises impacts on adjacent land.	Yes
Advertisements must not be placed on land where signage is visible from the following areas if it is likely to create significant amenity impacts: <ul style="list-style-type: none"> • Environmentally sensitive area • Heritage area • Natural or other conservation area • Open space • Waterway • Residential • Scenic protection area • National park or nature reserve. 	The proposed digital sign would not create adverse amenity impacts on any environmentally significant area, natural/other conservation areas, open space area, waterway, scenic protection area, national park or nature reserve. Although the proposed digital sign will be within the vicinity of heritage listed items, they will not detract from the character or significance of the heritage items as the sign will be contained within the overpass structure and will be positioned to face the transport corridor.	Yes
Advertising signage should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant views or views that add to the character of the area.	The sign is located in a transport corridor along Burns Bay Road and an assessment of potential impacts to surrounding residences is considered in Section 5 .	Yes
Advertising signage should not be located to diminish the heritage values of items or areas of local, regional or state heritage significance.	The proposed sign is within the existing overpass structure and does not protrude above the skyline or obscure/compromise significant views or views that add character to the area.	Yes
Advertising signage should be placed within the context of other built structures in	The site is located within the vicinity of locally and state listed heritage items and within a conservation area. However, the sign is oriented toward oncoming traffic (northbound), is in keeping with the local character of the road corridor and will not detract from the heritage significance of the area as outlined in Section 5 .	Yes
Advertising signage should be placed within the context of other built structures in	The proposed sign is attached to the existing built structure of the overpass.	Yes

preference to non-built areas. Signage should be used to enhance the visual landscape.

Site-Specific and Structural Criteria

General Criteria

(a) The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.	The proposed sign is of a contemporary standard that is suitable for the road corridor.	Yes
(b) The advertising structure should be compatible with the scale, proportion, and other characteristics of the site, building or structure on which the proposed signage to be located.	The proposed sign is confined to the envelope of the existing overpass and is compatible with the scale of the bridge on which it will be located.	Yes
(c) The advertising signage should be in keeping with important features of the site, building or bridge structure.	The proposal does not detract from any important features of the site or overpass.	Yes
(d) The placement of the advertising signage should not require the removal of significant trees or other native vegetation.	The proposal does not require the removal of any vegetation.	Yes
(e) The advertisement proposal should incorporate landscaping that complements the advertising signage and is in keeping with the landscape and character of the transport corridor.	The proposed sign will not incorporate landscaping. Notwithstanding it will continue to be in character with the transport corridor.	Yes
(f) Any safety devices, platforms, lighting devices or logos should be designed as an integral part of the signage or structure on which it is to be displayed.	The proposed sign includes a fall arrest system to prevent the sign falling to the carriageway if struck by high vehicles. The logo will be integrated as part of the structure, be visually discrete and will not exceed 0.25m ² .	Yes
(g) Illumination of advertisements must comply with the requirement in Section 3.3.3 in the Guidelines.	The illumination of the advertising sign does not result in unacceptable light spill (refer to Section 5 of this report).	Yes
(h) Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.	The proposal does not result in unacceptable light spillage to nearby residential properties, national parks or nature reserves (refer to Section 5 of this report).	Yes

Bridge Criteria

Architecture of the bridge must not be diminished.	The proposed sign will be fully incorporated into the structure of the bridge and will not diminish the architecture of the bridge.	Yes
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<p>The advertisement must not</p> <ul style="list-style-type: none"> • extend laterally outside the structural boundaries of the bridge • extend below the base of the bridge structure unless it is contained wholly into a pylon or abutment or meet RMS's minimum road clearance • protrude above the top of the structural boundaries of the bridge • block significant views for pedestrians or other bridge users. • create a tunnel effect, impede passive surveillance or in any other way reduce safety for drivers or pedestrians or other bridge users. 	<p>The proposed sign does not extend laterally, below or above the structural boundaries of the bridge.</p> <p>The proposed sign will not block significant views for pedestrians or other bridge users.</p> <p>The proposed sign will not reduce passive surveillance or reduce safety for drivers, pedestrians or bridge users.</p>	<p>Yes</p>
<p>A development application must include a statement demonstrating how the advertisement will contribute to a public benefit.</p>	<p>The Applicant has provided a statement of public benefit. This is addressed in Section 5 of this report.</p>	<p>Yes</p>
<p>Any advertising sign proposed for development on a bridge over a classified road requires the construction drawings to be submitted for review and approval by RMS bridge engineers, prior to construction, to ensure all road safety requirements are met.</p>	<p>The Department recommends a condition that construction drawings be submitted to the satisfaction of TfNSW bridge engineers prior to construction.</p>	<p>Yes</p>
<p>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.</p>	<p>The proposed sign includes a fall arrest system to prevent the sign falling to the carriageway if struck by an over height vehicle.</p> <p>As a condition of consent, details of the 'fall arrest' system are to be provided prior to the issue of any Construction Certificate.</p>	<p>Yes</p>
<p>Digital Sign Criteria</p>		
<p>(a) Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion d) below.</p>	<p>The proposal is for the display of a static digital advertisement with a 'dwell time' of 10 seconds in accordance with criteria (d) below.</p>	<p>Yes</p>
<p>(b) Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.</p>	<p>The proposed sign is not seeking consent for message sequencing.</p>	<p>Yes</p>
<p>(c) The image must not be capable of being mistaken:</p> <ul style="list-style-type: none"> (i) for a prescribed traffic control (ii) device as text providing driving instructions to drivers. 	<p>The proposed digital sign would not be capable of being mistaken for a prescribed traffic control device and/or text providing driving instructions.</p>	<p>Yes</p>
<p>(d) Dwell times for image display are:</p> <ul style="list-style-type: none"> (i) 10 seconds for areas where the speed limit is below 80km/h; and (ii) 25 seconds for areas where the speed limit is 80km/h and over. 	<p>A 10 second dwell time is proposed as the speed limit of Burns Bay Road at this location is 70 km/h.</p>	<p>Yes</p>

(e) **The transition time between messages must be no longer than 0.1 second.** The proposed transition time between messages is 0.1 second. Yes

(f) **Luminance levels comply with the following requirements** Yes, subject to condition

Lighting conditions	Maximum Zone 4 Luminance Levels	Proposed Luminance Levels
Full sun on face of signage	No limit	No limit
Day-time luminance	6000 cd/m ²	6000 cd/m ²
Morning and evening	500 cd/m ²	700 cd/m ² *
Twilight and inclement weather		
Night-time luminance	200 cd/m ²	135 cd/m ²

The proposed digital sign would operate in accordance with the maximum Zone 4 luminance levels for digital signs contained in the Guidelines (refer to **Section 5** of this report) and would operate according to the luminance criteria.

*A condition of consent is recommended to ensure the proposed luminance levels for morning and evening and twilight and inclement weather be reduced to 500 cd/m².

(g) **The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.** The images would not dazzle or distract drivers. A condition of consent is recommended to ensure that the sign images comply with requirements to not contain flickering or flashing content. Yes

(h) **The amount of text and information supplied on a sign should be kept to a minimum. Text should preferably be displayed in the same font and size.** The advertisements would primarily display images with information/text kept to a minimum. A condition of consent is recommended to ensure that text and information is kept to a minimum. Yes

(i) **Any sign that is within 250 m of a classified road and is visible from a school zone must be switched to fixed display during school zone hours.** A condition of consent is not required as the sign is not visible from a school zone. Yes

(j) **Each sign must be assessed on a case by case basis, including replacement of an existing fixed, scrolling or tri-vision sign with a digital sign and in the instance of a sign being visible from each direction, both directions for each location must be assessed on their own merits.** The Department has undertaken detailed assessment of the design and location of the proposal (refer to **Section 5** of this report). Yes

(k) **At any time, including where the speed limit in the areas of the sign is changed, if detrimental effect is identified on road safety post installation of a digital sign, RMS reserves the right to re-assess the site which may result in a change to the dwell time or removal of the sign.** TfNSW may reassess the sign if road safety circumstances change and increase the dwell time or remove the sign, as appropriate. The Minister's approval would not be required for any increase in dwell time or removal of the sign. Yes

(l) Sign spacing should limit drivers view to a single sign at any given time with a distance of no less than 150 m between signs in any one corridor. Exemptions for low speed, high pedestrian zones or CBD zones will be assessed by RMS as part of their concurrence role.	There is not another sign within 150 m of the proposed sign.	Yes
(m) Signs greater than 20 m ² must obtain RMS concurrence and must ensure the following minimum vertical clearances: (i) 2.5 m from lowest point of the sign above the road surface if located outside the clear zone. (ii) 5.5 m from lowest point of the site above the road surface if located within the clear zone (including shoulders and traffic lanes) or the deflection zone of a safety barrier if a safety barrier is installed.	The Application has been submitted on behalf of TfNSW and the Minister for Planning and Public Spaces is the consent authority. Therefore, TfNSW concurrence is not required. The vertical clearance between the road surface and the lowest point of the proposed sign is 6.025 m. The proposed sign will not result in any change to the vertical clearance between the underside of the sign structure and the road surface The proposed sign will not protrude below the bridge structures.	No, Sign 1 is lower than 5.5 m above the road, however it is acceptable as it is not lower than the existing bridge.
(n) An electronic log of a sign's activity must be maintained by the operator for the duration of the development consent and be available to the consent authority and/or RMS to allow a review of the signs activity in case of complaint.	This matter will be included as a condition of consent.	Yes
(o) A road safety check which focuses on the effects of the placement and operation of all signs over 20 m ² must be carried out after 12 month period of operation but within 18 months of the sign's installation.	A condition of consent will require a road safety check would be carried out after the first 12 months of operation (but within 18 months of the signage installation).	Yes

Road Safety Assessment Criteria – 3.2.1 Road clearance

The advertisement must not create a physical obstruction or hazard.	The proposed sign is to be affixed to the southern elevation of the existing Church Street overpass and maintains the existing clearance of 6.025 m between the sign and the road.	Yes
Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone. Where a sign is proposed within the clear zone but behind an existing RTA-approved crash barrier, all its structures up to 5.3m in height (relative to the road level) are to comply with lateral clearances as specified by Section 6 of the RTA's Road Design Guide with respects to dynamic deflection and working width.	The proposed sign will utilise the existing Church Street overpass as a support structure. Therefore, the sign does not require sign supports within the clear zone and no roadside hazards are introduced.	Yes
All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS 1170.1 and AS1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.	The proposed sign is located on a bridge and a condition has been included requiring the proposal to comply with AS 1170.1 and AS 1170.2.	Yes

Digital signs greater than 20 m ² must ensure a minimum clearance of 5.5 m from the lowest point of the sign.	The vertical clearance between the road surface and the lowest point of the proposed signage is 6.025 m. The proposed sign will not result in any change to the vertical clearance between the underside of the sign structure and the road surface. The proposed sign will not protrude below the bridge structure.	Yes
An advertisement must not obstruct the driver's view of the road particularly of other vehicles, bicycle riders or pedestrians at crossings. An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The proposed digital sign is confined to the envelope of the existing overpass and will not obstruct views beyond that of the existing bridge.	Yes
The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road.	The proposal will not give incorrect information on the alignment of the road.	Yes
The advertisement should not distract a driver away from the road environment for an extended length of time.	The proposed sign is located front-on and will not require drivers to direct their attention away from the road.	Yes
The sign should not be located: i. less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves ii. less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment iii. so that it is visible from the stem of a T-intersection.	The proposed sign would comply with the road safety requirements, as discussed in Section 5 . The sign is not located within the safe sight distance or safe stopping distance from an intersection, merge point, exit ramp, traffic control signal, sharp curve or any other decision-making points.	Yes
The placement of a sign should not distract a driver at a critical time.	The placement of the sign will not distract drivers at critical times as it is not visible within the stopping sight distance of any intersection or other decision-making point (Section 5).	Yes

3.3.1 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.	The proposal will not distract drivers or reduce the visibility and effectiveness of directional signs, traffic signals, traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment (Section 5).	Yes
(b) The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a traffic control device.	The proposal will not interfere with stopping sight distance for the road's design speed and would not interfere with the effectiveness of the existing traffic control devices (Section 5).	Yes
(c) The image must not be capable of being mistaken for traffic signals or driving instructions.	The application does not provide specific detail for sign content. Due to the nature of the digital sign display, the advertising content of the sign will change. Furthermore, consent is not required for a change in the content of signage	Yes

in accordance with SEPP 64. Therefore, a condition of consent will be applied to ensure the sign content is not mistaken for traffic signals or driving instructions.

(d) Digital signs must not contain animated or video/movie style advertising or messages, including live television, satellite, Internet or similar broadcasts.	A condition of consent will be applied to ensure the sign does not contain animated or video/movie style advertising or messages, including live television, satellite, internet or similar broadcasts.	Yes
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3.3.4 Interaction and sequencing

The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users.	The proposed sign does not incorporate technology that will interact with in-vehicle electronic devices or mobile devices.	Yes
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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.	No message sequencing is proposed	Yes
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Public Benefit

As proponents of outdoor advertising, RMS must demonstrate that revenue raised from outdoor advertising is directly linked to a public benefit.	The proposal has adequately demonstrated the public benefit (refer to Section 5 of this report).	Yes
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RMS must record the total amount of outdoor advertising revenue received each year in their financial accounts and their Annual Reports. The Annual Reports must also outline investments made in the year on transport safety, amenity improvements or other public works, listing specific works to which the funds have been or are to be applied.	This is recommended to be included as a condition of consent.	Yes
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State Environmental Planning Policy (Infrastructure) 2007

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

Clause 101 of the Infrastructure SEPP requires the consent authority to be satisfied that new development with a frontage to a classified road would not compromise the operation and function of the road. The DA for the proposed digital sign has been made on behalf of TfNSW, would be affixed to the southern elevation of the existing Church Street overpass over Burns Bay Road and would not compromise the operation and function of the road.

Sydney Regional Environment Plan (Sydney Harbour Catchment) 2005

The Sydney Regional Environment Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour REP) aims to ensure the catchment, foreshores and waterways of Sydney Harbour are recognised, protected

and enhanced by maintaining a healthy, sustainable natural and urban environment, ensuring a prosperous working harbour, encouraging a culturally rich and vibrant place for people, ensuring accessibility to the harbour and its foreshores, and protecting and rehabilitating watercourses, wetlands and ecological connectivity.

The Department considers the proposal is consistent with the aims of Sydney Harbour REP as:

- the proposal is not likely to be visible from the Lane Cove River or Tarban Creek due to the existing vegetation, development and undulating topography of the surrounding land
- views from the Church Street overpass will not be impacted and there is no adverse impact on the national and heritage significance of the waterways
- the proposal is to be located within a busy road corridor and will therefore, not impact upon the operation of healthy sustainable environments, the prosperous working harbour or the accessibility to and along the harbour foreshore
- the proposal will not have significant adverse impacts on the surrounding heritage items or conservation areas
- it will not add unacceptable bulk or scale to the overpass as the sign is to be located wholly within the structure of the overpass.

Hunters Hill Local Environmental Plan 2012

The site is zoned SP2 Infrastructure under the HHLEP 2012 in which signage is prohibited. Notwithstanding, the Department is satisfied the signage is permissible under clause 16(1) of SEPP 64. Clause 16(1) of SEPP 64 states that, despite the provisions of any EPI or clause 10(1) of the SEPP, the display of an advertisement by or on behalf of TfNSW on a bridge constructed by or on behalf of TfNSW on any road corridor is permissible with development consent.

The objectives of the SP2 Infrastructure zone within the HHLEP 2012 are to provide for infrastructure and related uses, to 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 and that minimises any adverse impacts on surrounding land. The Department considers the proposal is compatible with the use of the site as an arterial road corridor and is therefore consistent with the objectives of the zone.

Hunters Hill Development Control Plan 2013

Section 5.5.2 of the HHDCP 2013 outlines Council's desired objectives for the installation of signage and advertising structures.

The Department is satisfied that the proposal is consistent with the objectives for signage within the HHDCP 2013 as it:

- does not detract from existing scenic qualities, heritage significance, neighbourhood character or residential amenity of the Hunters Hill Municipality (**Section 5**)
- harmonises with the form of the Church Street overpass the sign is affixed to and is wholly contained within the envelope of the overpass
- does not contribute to excessive signage or visual clutter (**Section 5**)
- does not adversely impact on the heritage values of the locality (**Section 5**).

Appendix D – Recommended Instrument of Consent

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=10082

