



# Erection of Digital Advertising Sign Gore Hill Freeway, Artarmon

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DA22/1842

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# Glossary

Abbreviation	Definition
<b>Applicant</b>	Sydney Trains
<b>AS 4282</b>	Australian Standard 4282 - Control of obtrusive effect of outdoor lighting
<b>Council</b>	Willoughby City Council
<b>Department</b>	Department of Planning and Environment
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2021</i>
<b>ESD</b>	Ecologically Sustainable Development
<b>Signage Guidelines</b>	Transport Corridor Outdoor Advertising and Signage Guidelines 2017
<b>LEP</b>	Local Environmental Plan
<b>Minister</b>	Minister for Planning
<b>PM NSW</b>	Place Management NSW
<b>Planning Secretary</b>	Secretary of the Department of Planning and Environment
<b>WDCP</b>	Willoughby Development Control Plan 2006
<b>WLEP</b>	Willoughby Local Environmental Plan 2012
<b>SEPP</b>	State Environmental Planning Policy
<b>SEE</b>	Statement of Environmental Effects
<b>TfNSW</b>	Transport for NSW

# Executive Summary

Keylan Consulting Pty Ltd (the Applicant), on behalf of Sydney Trains, seeks development consent for the removal of an existing static sign from within the road reserve and the construction of a new digital advertising sign located on the southwest elevation of the railway overpass above the Gore Hill Freeway, Artarmon. (DA22/1842).

## Engagement

The Department of Planning and Environment (the Department) publicly exhibited the proposal from 13 April to 10 May 2022. In addition, the Department sought advice from Willoughby City Council (Council) and Transport for NSW (TfNSW).

The Department received no public submissions. Council raised no objection to the proposal, however provided comments regarding road safety. TfNSW also raised no objection, subject to the imposition of several conditions relating to road safety.

## Assessment

The Department has assessed the proposal against the requirements of State Environmental Planning Policy (Industry and Employment) 2021 (SEPP Industry and Employment) and has considered the comments received from Council and TfNSW. The Department considers the proposal is acceptable as it:

- it meets the relevant statutory requirements and is consistent with the SEPP Industry and Employment
- the proposed scale and design of the sign is appropriate to its surroundings
- the visual impacts of the proposal on surrounding residential properties would be minor
- the proposal will comply with the Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (Signage Guidelines) and Australian Standard 4282 - Control of obtrusive effect of outdoor lighting (AS 4282) subject to appropriate conditions of consent
- the proposal includes adequate public benefits
- the proposal would not result in any adverse road safety impacts, subject to appropriate conditions
- is permissible development under the SEPP Industry and Employment.

## Conclusion

The Department's assessment concludes the proposal is appropriate as it would not result in any unacceptable amenity, visual or safety impacts and it complies with the requirements of SEPP Industry and Employment and the Signage Guidelines. The Department therefore recommends that the development 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 22/1842) lodged by Keylan Consulting Pty Ltd (the Applicant), on behalf of Sydney Trains, under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The Applicant seeks consent for the removal of an existing static sign and the construction of a new digital advertising sign located on the railway overpass above the Gore Hill Freeway, Artarmon within the Willoughby City Council local government area (LGA).

## 1.2 Site description

The site is located within an existing transport corridor, with low to medium density residential development to the northwest, and Artarmon Reserve and Artarmon Park to the north and northeast. To the south, on the southern side of the Gore Hill Freeway, are several industrial warehouses.

The proposed digital sign would be located on the southwest elevation of the railway overpass, visible to eastbound motorists using the Gore Hill Freeway (**Figure 1**).



**Figure 1** | Local context map (Source: Applicant's SEE)

The existing static advertisement sign depicted in **Figure 2** is surrounded by considerable vegetation as part of the Artarmon Park and the road reserve. The existing sign will be removed as part of the proposal.



**Figure 2 |** Site and existing sign viewed from the west (Source: SEE)



**Figure 3 |** Indicative Digital signage (Source: SEE)

The site is zoned as SP2 – Railway Infrastructure under the Willoughby Local Environmental Plan 2012 (WLEP 2012). The site is legally defined as Lot 1 in DP 1190229 and comprises the existing rail tracks, owned by Rail Corporation NSW, as the Transport Asset Holding Entity (TAHE).

The Gore Hill Freeway is classified as a freeway under the *Roads Act 1993*, with an existing speed limit at the subject site of 80 km/hr. The Gore Hill Freeway connects the T1 North Shore and Western Line servicing the North shore, parts of the Inner West and Western Suburbs. There is no pedestrian environment or cycleway on the road and is primarily comprised of an elevated vehicle overpass. The road accommodates high speed vehicular traffic and carries three lanes of traffic in each direction. The

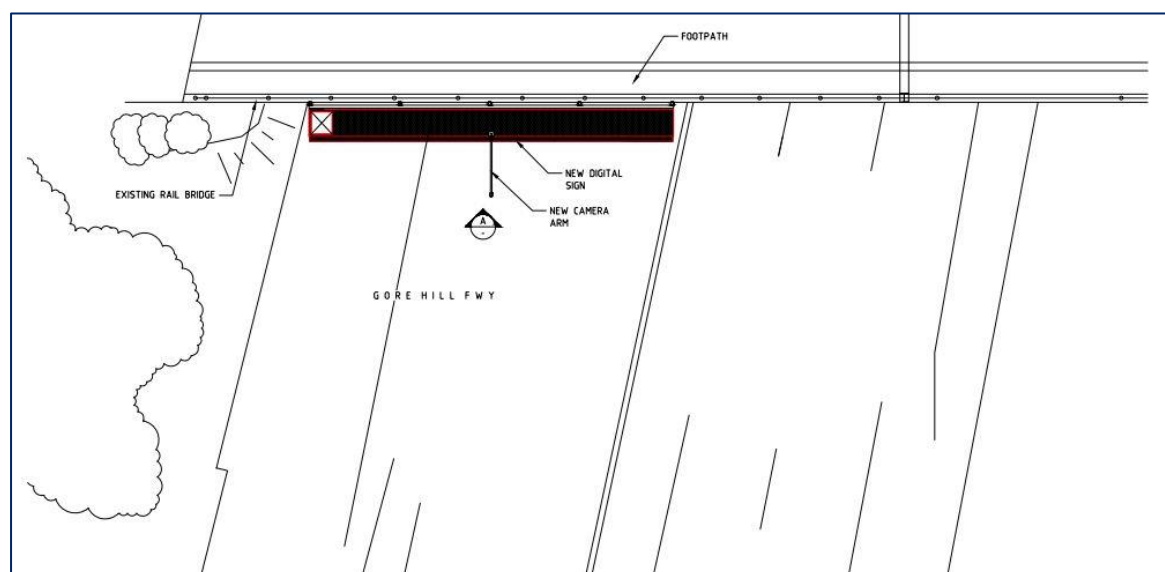
subject site is screened by mature vegetation from development to the north and south of the Gore Hill Freeway. Thick concrete sound barriers are located on the perimeters of the Gore Hill Freeway which provides a significant visual, sound and safety barrier between surrounding residential areas and pedestrians.

## 2 Proposed development

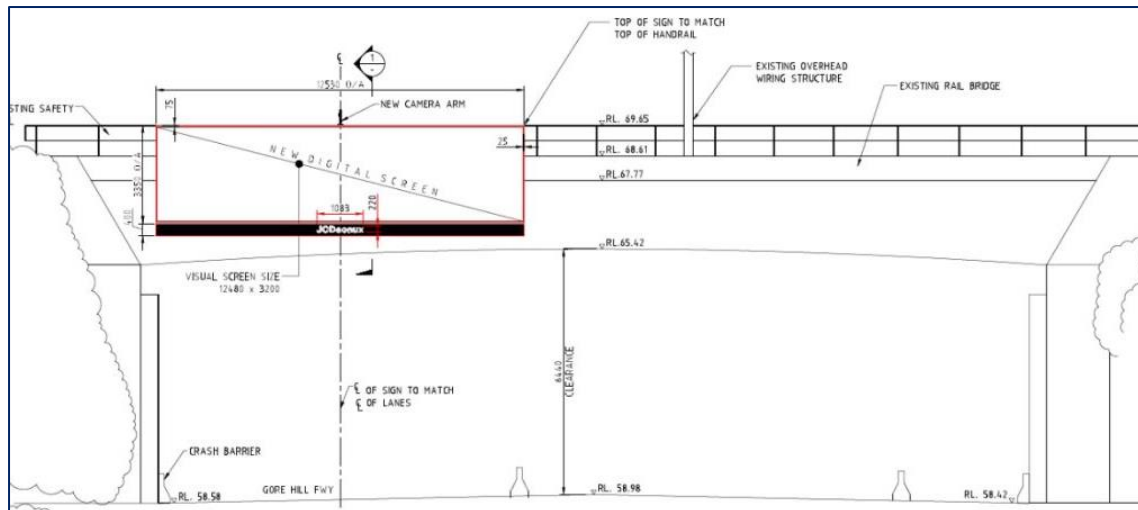
The proposal seeks consent for the removal of an existing static sign from within the road reserve and the construction of a new digital advertising sign located on the southwest elevation of the railway overpass above the Gore Hill Freeway, Artarmon. The details of the proposed design and operation of the signage are outlined in **Table 1** and shown at **Figure 4** and **Figure 5**.

**Table 1** | Details of the proposed signage

Aspect	Description
Advertising area	46.99. m <sup>2</sup> (12.53 m x 3.75 m)
Active digital display area	39.94 m <sup>2</sup> (12.48 m x 3.2 m)
Signage display	Digital LED screen
Amended dwell time	25 seconds
Transition time	0.1 second
Hours of operation	24 hours a day, 7 days a week
Illuminance at night-time	200 cd/m <sup>2</sup>



**Figure 4** | Plan drawing of proposed advertising structure (Source: SEE)



**Figure 5 |** Elevation drawing of the proposed sign (Source: SEE)

## 3 Statutory Context

### 3.1 Consent Authority

The Minister for Planning is the consent authority for the application in accordance with clause 3.10(c) of State Environmental Planning Policy (Industry and Employment) 2021 (SEPP Industry and Employment), as the application has been lodged on behalf of Sydney Trains and relates to an advertisement displayed within a railway corridor.

In accordance with the Minister's delegation, the Director, Key Sites Assessments is the determining authority for this application as:

- no political donation has been declared
- no public submissions were received
- Council does not object to the proposal.

### 3.2 Permissibility

The site is located within the Willoughby City Council LGA and zoned SP2 Infrastructure (Railways) under the Willoughby Local Environmental Plan 2012 (WLEP 2012).

The display of an advertisement by or on behalf of Sydney Trains within a railway corridor is permissible with development consent under clause 3.14(1) of SEPP Industry and Employment.

### 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 2021* (EP&A Regulation).

### 3.4 Environmental Planning Instruments, guidelines and plans

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

- SEPP Industry and Employment
- Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (Signage Guidelines)
- State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure)
- WLEP 2012
- Willoughby Development Control Plan 2006 (WDCP 2006).

The Department is satisfied the proposal is consistent with the relevant requirements of the EPIs, development control plans and guidelines, as detailed in **Appendix C** of this report.

### 3.5 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.

### 3.6 Ecologically sustainable development

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

### 3.7 Environmental Planning and Assessment Regulation 2021

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for notification and fees have been complied with.

## 4 Engagement

### 4.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the EP&A Regulation, and the SEPP Industry and Employment, the Department publicly exhibited the application for 28 days from 13 April until 10 May 2022.

The application was exhibited on the Department's website, and the Department notified adjoining landholders, Willoughby City Council and Transport for NSW (TfNSW) in writing.

### 4.2 Summary of submissions

The Department received comments from Council and TfNSW. No submissions were received from the general public.

### 4.3 Key Issues – Government Agencies

TfNSW raised no objection to the proposed signage, subject to the proposal complying with the Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (Signage Guidelines) and recommended conditions regarding display requirements, satisfactory completion of a Road Safety Assessment (RSA) and Road Occupancy License (ROL).

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

### 4.4 Key Issues – Council

Council commented on the proposal, advising the Department to consider the following:

- road safety
- illumination impacts
- compliance with AS 4282 and the Signage Guidelines.

Council's comments have been addressed in **Section 5** and **Appendix C** of this report.

### 4.5 Response to submissions

On 4 July 2022, the Applicant submitted an RtS (**Appendix A**) addressing the matters raised in the submissions. The Applicant also provided the following documents in support of the proposal:

- Attachment A - Response to Submissions
- Attachment B - Revised Lighting Impact Assessment

The Department reviewed the RtS and on 7 July 2022 requested further information regarding:

- illumination
- public benefit
- visual impacts

The Department has considered all comments received from Council and TfNSW, and is satisfied that the proposal has appropriately assessed the relevant criteria and controls within the SEPP Industry and Employment, the Signage Guidelines and Council's planning controls.

## 5 Assessment

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

- Illumination
- road safety
- design
- public benefit.

These are considered below.

### 5.1 Illumination

The proposed digital signage would be illuminated with LEDs and operate 24-hours-a-day, 7-days-per-week. The signage would be dimmed during the night-time period.

The application was accompanied by Lighting Impact Assessment (LIA) which assessed the proposal against the relevant luminance criteria within the Signage Guidelines and Australian Standard 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting (AS 4282). The LIA categorised the site as 'Zone 3', which is assigned to areas with generally medium off-street ambient lighting e.g. small to medium shopping/ commercial centres.

The Department noted the proposed sign is located within an area of generally low level street and/or background lighting.

In response, the Applicant submitted a revised LIA and reduced the proposed night-time illumination level. The revised LIA re-categorised the site as 'Zone 4', which is assigned to areas of generally low levels of off-street ambient lighting. In this zone, the Signage Guidelines stipulate a maximum day time luminance level of 6,000 cd/sqm, a maximum morning/evening luminance level of 500 cd/sqm, and a maximum night-time luminance level of digital signage of 200 cd/sqm (**Table 3**).

**Table 1 | Maximum luminance for signage and proposed luminance**

Lighting Conditions	Luminance under Guideline Zone 4 (cd/m <sup>2</sup> )	Proposed Luminance (cd/m <sup>2</sup> )	Compliance?
Full sun on face of signage	No limit	No limit	Yes
Day-time luminance	6,000	6,000	Yes
Overcast weather	500	700	No
Twilight	500	700	No
Night-time	200	200	Yes

The Applicant's revised LIA report also assessed the proposal against AS 4282. Under AS 4282, a value of less than 10 lux in daytime and 2 lux in night-time is deemed not to affect the visual amenity of residents. The Applicant's LIA demonstrated that the maximum illumination is 0 lux to the nearest dwellings. Therefore, the signage complies with the Australian Standard.

The Department notes the revised LIA maintains the morning/evening luminance levels for Zone 3 and does not comply with AS 4282. The Department therefore recommends a condition to restrict the luminance levels of the signage consistent with the maximum levels established within the Signage Guidelines for Zone 4, including a maximum luminance level of 500cd/m<sup>2</sup> to ensure any potential lighting impacts on neighbouring properties is appropriately managed.

Based on the considerations above, the Department concludes the proposal has demonstrated compliance with SEPP Industry and Employment, the Signage Guidelines, the relevant Australian Standards and would not result in any adverse illumination impacts to residents in proximity to the site, subject to the recommended conditions.

## 5.2 Road safety

The Applicant provided a Road Safety Assessment (RSA) that assessed the proposal against the Signage Guidelines, SEPP Industry and Employment and Austroads Guide to Road Design. The RSA assessed the signage exposure distance, sight stopping distance and road accident history in proximity to the site. The RSA concluded the road environment along the Gore Hill Freeway, Artarmon acceptable for the proposed signage.

Council raised concern that the proposed signage would potentially result in road safety impacts when compared to the existing static sign, noting the proposed digital sign may impact on drivers attempting a merger manoeuvre along the Gore Hill Freeway.

TfNSW raised no objection on road safety aspect of the proposal subject to the proposal being consistent with the Transport Corridor Outdoor Advertising and Signage Guidelines 2017 requirements and an RSA is prepared and will be implemented.

With respect to Council's concerns, the submitted RSA studied the viewing areas of the proposed digital sign from approximately 320m west along Gore Hill Freeway and 290 along the Pacific highway eastbound (**Figure 6**). The RSA report found that the proposed digital sign was situated in a way as to ensure the safe stopping sight distance of an intersection, merge point, exit ramp traffic control signal or sharp curve as demonstrated in **Figure 7**.



**Figure 6 | Vehicle sightlines to sign location travelling northbound on George Street (Source: RSA)**

The Department is satisfied that the proposed signage is appropriately located so as not to be within the safe stopping sight distance as per SEPP Industry and Employment and the Signage Guidelines. In addition, the Department recommends conditions of consent to ensure the signage does not contain or use any method of illumination that distracts or dazzles drivers. This would ensure the sign complies with the requirements of SEPP Industry and Employment and the Signage Guidelines and would not result in any adverse traffic safety impacts.



**Figure 7 | Driver Sightlines (eastbound) (Source: Applicant's documentation)**

Based on the findings of the RSA, and TfNSW comments, the Department considers the proposed signage is acceptable regarding road safety as the proposed signage:

- is not located near any pedestrian or cyclist crossings or school zones
- would not reduce existing driver sightlines

- would display static images only
- would comply with 25 second dwell times outlined in the Signage Guidelines
- would not affect road safety at the off-ramp merge and exit points
- is not located within the safe stopping sight distance of an intersection, merge point, exit ramp traffic control signal or sharp curve.

The Department has also recommended conditions requiring details of a fall arrest system and to undertake an RSA after 15 months of the operation of the sign. The post-operation RSA is to provide an assessment of its safety performance, particularly on road users along the subject section of freeway and any safety concerns identified must be rectified by the applicant.

The Department therefore concludes the proposed signage would not have a negative impact on road safety, subject to recommended conditions.

### **5.3 Public benefit**

The Applicant has provided a Public Benefit Statement which identifies the proposed sign would generate revenue which Sydney Trains allocates to improvements and maintenance programs, assisting in upgrades to essential public infrastructure and other rail programs. The Applicant has identified that the revenue will be funded back into the transport network and will assist in funding several projects that are being delivered by Sydney Trains that would benefit the local community, including network upgrades, fleet improvements, station upgrades and maintenance depot upgrades.

Further, the digital advertising will provide benefit to Sydney Trains, TfNSW and emergency services, with instantaneous safety or public awareness messages able to be displayed. These messages could include station emergency situations, major disruptions to train running times, Sydney Trains and TfNSW promotions and events or threat-to-life alerts by NSW Government Emergency and Police Agencies.

The proposed signs would also display road safety messages and transport project information for a minimum of 5% of all advertising time and will be made available for use by TfNSW in the event of a 'threat to life' emergency.

The Signage Guidelines require proposals for certain outdoor advertisements to meet a public benefit test to ensure that the advertising would result in a positive gain or benefit for the local community.

The Department is satisfied the proposal would result in sufficient public benefits as it would contribute to the maintenance and management of the train network and play an important role in helping to address road safety problems, consistent with the Signage Guidelines.

## 6 Evaluation

The Department has assessed the development application and supporting information in accordance with the matters for consideration under Part 4 of the EP&A Act, including SEPP Industry and Employment and other relevant EPIs. The Department's assessment concludes that the proposed sign is appropriate as:

- it meets the relevant statutory requirements and is consistent with SEPP Industry and Employment
- the proposed digital signs scale and design is appropriate to its surroundings
- the visual impacts of the proposal on surrounding residential properties would be minor
- the proposal is consistent with the Signage Guidelines and relevant Australian Standards regarding illumination, subject to appropriate conditions
- the proposal includes adequate public benefits
- the proposal would not result in any adverse road safety impacts, subject to appropriate conditions
- is permissible with development consent.

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

## 7 Recommendation

It is recommended that the Director, Key sights Assessments, as delegate of 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 22/1842 subject to the conditions in the attached development consent;
- **signs** the attached development consent and recommended conditions of consent.

Recommended by:



**Hugh Clark**

Planner

Key Sites Assessments

Recommended by:



**Annie Leung**

Team Leader

Key Sites Assessments

## 8 Determination

The recommendation is **adopted** by:



29 September 2022

**Anthony Witherdin**

Director

Key Sites Assessments

# Key Sites Assessments Appendices

Appendices should follow this general layout but may be modified for specific reporting needs where necessary:

## Appendix A – List of referenced documents

The following supporting documents and additional information to this assessment report can be found on the NSW Planning Portal as follows:

- Statement of Environmental Effects
- Additional information
- Council and TfNSW comments
- Response to Submissions
- <https://www.planningportal.nsw.gov.au/daex/under-consideration/digital-advertising-sign-gore-hill-freeway-railway-overpass-artarmon-da-221842>

## Appendix B – Statutory Considerations

To satisfy the requirements of section 4.15(1) 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 (Industry and Employment) 2021 (SEPP Industry and Employment)
- Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (Signage Guidelines)
- State Environmental Planning Policy (Infrastructure) 2007
- Willoughby Local Environmental Plan 2012 (WLEP 2012)
- Willoughby Development Control Plan 2006 (WDCP 2006)

Industry and Employment table and amendments

### State Environmental Planning Policy (Industry and Employment) 2021

The Department has considered the proposed signage against the criterion of SEPP Industry and Employment in **Table 5**, **Table 6** and **Table 7**.

**Table 5 | Requirements for SEPP Industry and Employment**

Assessment Criteria	Comments
<b>1. Signage Generally</b>	
3.6 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, provides effective communication and is of a high-quality finish and is therefore

consistent with the objectives of SEPP Industry and Employment.

The signage is to satisfy the assessment criteria in Schedule 5.

The design of the advertising structure is consistent with the theme of the railway structure it is located on. There are no other digital advertising structures in the area that present a particular theme.

## 2. Advertisements

### 3.10 Consent Authority

The proposal is for a digital advertisement sign located within a transport corridor on behalf of Sydney Trains, therefore the Minister for Planning is the consent authority.

### 3.11 Matters for consideration

The objectives are considered above.

The advertisement or advertising structure is to be:

The proposal has been assessed in accordance with the assessment criteria in Schedule 5 in **Table 5** and the Guidelines in **Table 6**.

- (a) consistent with the objectives
- (b) assessed by the assessment criteria in Schedule 5 and the Signage Guidelines
- (c) provision for public benefits

All other relevant requirements are addressed in this table.

The proposal has adequately demonstrated it will provide for public benefit (refer to **Section 5** of this report).

### 3.12 Duration of consent

The Department recommends a condition of consent to limit the approval for a maximum period of 15 years from the date of operation.

### 3.13 Transport corridor land

The proposed signage is located on a bridge, situated on rail corridor on behalf of Sydney Trains and is therefore considered to be permissible with development consent.

### 3.15 Advertising display area greater than 20 square meters

The Applicant's SEE addresses the assessment criteria in Schedule 5. The Department is satisfied that the proposal is acceptable in terms of its impacts as detailed in **Section 5** of this report.

The Department provided a copy of the application to TfNSW during the exhibition period.

### 3.16 Advertising display area greater than 45 square meters

The proposed signage has an advertising display area of 46.99 m<sup>2</sup> and is therefore greater than 45 m<sup>2</sup>.

The Department is satisfied that the advertising display area for the proposal is acceptable in terms of its impacts as the

	addition to the total allowable display area is considered minor and consistent with the Schedule 5 and the signage Guidelines.
3.18 Location of certain names and logos	<p>Logos will be included in the detailed design to be addressed by a future contractor.</p> <p>The Department has recommended conditions to ensure this is done in accordance with the requirements in SEPP Industry and Employment and the Signage Guidelines.</p>
3.22 Advertisements on bridges	The proposal is consistent with the Guidelines as detailed in <b>Table 6</b> .

**Table 6 | Consideration of Schedule 5 in SEPP Industry and Employment**

Assessment Criteria	Comments
<b>3. Character of the area</b>	
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 development is compatible with the amenity and visual character of the area, provides effective communication and is of a high-quality finish.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The design of the advertising structure is consistent with the theme of the railway structure it is located on. There are no other digital advertising structures in the area that present a particular theme.
<b>4. Special areas</b>	
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?	<p>The proposed sign is not located within, nor detracts from, any environmental sensitive, natural, conservation, open space, waterway or rural landscapes.</p> <p>The proposed sign is located adjacent to a residential area. However, impacts to residential areas are mitigated by the screening of existing vegetation and sound barrier structures, as discussed in <b>Section 5</b>.</p>
<b>5. Views and vistas</b>	
Does the proposal:	The proposed sign is located within a designated rail corridor, alongside the Gore Hill Freeway with mature vegetation and significant separation between the nearest residential

- obscure or compromise important views?
  - dominate the skyline and reduce the quality of vistas?
  - respect the viewing rights of other advertisers?
- buildings. These factors will mitigate impacts to views and Vistas as discussed in **Section 5**.

## 6. Streetscape, setting or landscape

Is the scale, proportion, and form of the proposal appropriate for the streetscape, setting or landscape?	The installation of digital signage is appropriate for the freeway and transport corridor setting of the Artarmon Railway Corridor.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The signage will contribute to the visual interest of the setting by incorporating digital advertising for the vehicular public benefit of commuters along the Gore Hill Freeway.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal would rationalise signage on the rail viaduct by replacing the existing sign with one new digital sign.
Does the proposal screen unsightliness?	The proposal would be installed on an existing bridge / infrastructure.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signage will not protrude above or below the existing rail structure.
Does the proposal require ongoing vegetation management?	The proposal will not require ongoing vegetation management.

## 7. Site and surrounds

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 scale of the proposal is considered to be appropriate for the context of the site and will support the mixed-use character of the area.
Does the proposal respect important features of the site or building, or both?	The proposed sign is appropriately integrated with the architecture of the Gore Hill Freeway (refer to <b>Section 2</b> ).

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 modern digital road safety advertising as well as integrate with the design and features of the existing viaduct structure.

## 8. 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?

Logos and safety devices will be included in the detailed design to be addressed by a future contractor. The Department has recommended conditions to ensure this is done in accordance with the requirements in SEPP Industry and Employment and the Signage Guidelines.

## 9. 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 illumination of the sign will comply with the Signage Guidelines, subject to conditions (refer to **Section 5** of this report).

Can the intensity of the illumination be adjusted, if necessary?

The illumination of the sign complies with the Guidelines and can be adjusted as needed and automatically via a sensor to adjust to ambient light conditions. Conditions are recommended conditions of consent to set illumination levels for the sign.

Is the illumination subject to a curfew?

The illumination complies with the Guidelines and the intensity of the illumination can be adjusted.

Even so, conditions are recommended to allow for the future assessment of illumination impacts and residential amenity if required.

## 10. Safety

Would the proposal reduce the safety for:

- any public road?
- pedestrians or bicyclists?
- pedestrians, particularly children, by obscuring sightlines from public areas?

Third party advertisements have existed within the proposal site area for several years and the updated signage will have a 6 percent reduced visual sign area allowing for a reduced road safety for vehicular traffic or light rail traffic or cyclists. The sign would not obscure sightlines to or from public areas and would not reduce safety for pedestrians and children.

## Transport Corridor Outdoor Advertising and Signage Guidelines

The Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (Signage Guidelines) outline best practice for the planning and design of outdoor advertisements in transport corridors. The Guidelines supplement the provisions of SEPP Industry and Employment by providing detailed information in relation to signage within transport corridors, including design criteria and road safety considerations. The proposal has been assessed against the Guidelines in **Table 6**.

**Table 7 | Assessment of the Signage Guidelines design criteria**

Assessment Criteria	Comments	Compliance
<b>Land Use Compatibility Criteria</b>		
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 WLEP 2012 in that it will contribute to the display of advertising which will generate revenue used to maintain and enhance existing and future Sydney Trains assets and services which form a key part of the transport network in Greater Sydney.	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"> <li>• Environmentally sensitive area</li> <li>• Heritage area</li> <li>• Natural or other conservation area</li> <li>• Open space</li> <li>• Waterway</li> <li>• Residential</li> <li>• Scenic protection area</li> <li>• National park or nature reserve.</li> </ul>	<p>The proposed digital signs 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.</p> <p>The sign is located in a transport corridor and an assessment of potential impacts to surrounding residences are considered in <b>Section 5</b>.</p>	Yes

Assessment Criteria	Comments	Compliance
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.	<p>The proposed sign will not dominate or protrude significantly above the existing skyline.</p> <p>The proposed digital sign is located within a railway corridor and will be attached to an existing bridge structure. These mitigating measures ensure that the proposal will not compromise significant or characterful views.</p>	Yes
Advertising signage should not be located to diminish the heritage values of items or areas of local, regional or state heritage significance.	The proposal will not affect the heritage values of items in the area.	Yes
Advertising signage should be placed within the context of other built structures in preference to non-built areas. Signage should be used to enhance the visual landscape.	The proposed sign is consistent within the context of the prevalent Gore Hill Expressway.	Yes
<b>Site-Specific and Structural Criteria</b>		
<b>General Criteria</b>		
(a) The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.	The proposed signs are 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 considered to be compatible with the scale of the bridge on which the proposed signage will be located.	Yes
(c) The advertising signage should be in keeping with important features of the site, building or bridge structure.	The proposal does not detract from any important features of the site or bridge.	Yes

Assessment Criteria	Comments	Compliance
(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 signs will not incorporate landscaping and will continue to be in character of the transport corridor.	Yes
(f) Any safety devices, platforms, lighting devices or logos should be designed as an integral part of the signage or structure on which it is to be displayed.	Logos and safety devices will be included in the detailed design to be addressed by a future contractor. The Department has recommended conditions to ensure this is done in accordance with the requirements in SEPP Industry and Employment and the Signage Guidelines.	Yes
(g) Illumination of advertisements must comply with the requirement in Section 3.3.3 in the Guidelines.	The illumination of the advertising signage 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
<b>Bridge Signage Criteria</b>		
(a) The architecture of the bridge must not be diminished.	The proposal is not considered to diminish the architecture of the bridge.	Yes
(b) The advertisement must not extend laterally outside the structural boundaries of the bridge	The proposal will not extend laterally outside of the structural boundaries of the bridge.	Yes

Assessment Criteria	Comments	Compliance
(c) The advertisement must not extend below the soffit of the superstructure of the bridge to which it is attached, unless the vertical clearance to the base of the advertisement from the roadway is at least 5.8m.	The proposed signage will not extend below the soffit of the superstructure of the bridge.	Yes
(d) On a road or pedestrian bridge, the advertisement must: <ul style="list-style-type: none"> <li>i. not protrude above the top of the structural boundaries of the bridge</li> <li>ii. not block significant views for pedestrians or other bridge users (e.g. cyclists)</li> <li>iii. not create a tunnel effect, impede passive surveillance, or in any other way reduce safety for drivers, pedestrians or other bridge users.</li> </ul>	The proposed sign is located on the side of a railway bridge. However, the sign will not extend above or below the structural boundaries of the bridge, will not block views or create a tunnel effect.	Yes
(e) Paragraphs (a) to (d) above do not apply to the continuation of the display of any existing advertising on bridges approved prior to the gazettal of State Environmental Planning Policy No 64 (Advertising and Signage) (Amendment No 2) in 2007 for only one additional period under SEPP 64 Clause 14 if there is no increase in the advertising display area of the signage.	The proposal is consistent with paragraphs (a) to (d).	Yes
(f) A DCP to display an advertisement on a bridge must be accompanied by a statement demonstrating how the advertisement will contribute to a public benefit.	The Applicant has provided a statement of public benefit, which has been addressed in <b>Section 5</b> of this report.	Yes
(g) Any advertising sign proposed for development on a bridge over a classified road requires that construction drawings be submitted for review and approval by RMS bridge engineers prior	The application has included construction drawings which will be submitted to the satisfaction of	Yes

Assessment Criteria	Comments	Compliance
to construction to ensure all road safety requirements are met.	the TfNSW bridge engineers as a condition of consent.	
(h) Any advertising sign proposed for development on a bridge over a road requires provision of a fall arrest system (sign and sign support structure to bridge) to ensure the sign will not detach in case of impact by an over high vehicle.	<p>The proposed signs include 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>	Yes
<b>Digital Sign Criteria</b>		
(a) Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (d) below.	The proposal is for the display of static digital advertisements with a dwell time of 25 seconds in accordance with criterion (d) below.	Yes
(b) Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	The proposed sign is not seeking consent for message sequencing.	Yes
<p>(c) The image must not be capable of being mistaken:</p> <p>i. For a prescribed traffic control</p> <p>ii. device as text providing driving instructions to drivers.</p>	The proposed digital signage would not be capable of being mistaken for a prescribed traffic control device and/or text providing driving instructions.	Yes
<p>(d) Dwell times for image display are:</p> <p>i. 10 seconds for areas where the speed limit is below 80km/h; and</p> <p>ii. 25 seconds for areas where the speed limit is 80km/h and over.</p>	A 25 second dwell time is proposed as the speed limit at the site is above 80 km/h.	Yes

Assessment Criteria	Comments	Compliance															
(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 to correct the morning/evening level (see <b>Section 5</b> )															
<table><tr><th>Lighting Conditions</th><th>Maximum Zone 4 Luminance Levels</th><th>Proposed Luminance Levels</th></tr><tr><td>Full sun on face of signage</td><td>No limit</td><td>No limit</td></tr><tr><td>Day-time luminance</td><td>6000 cd/m<sup>2</sup></td><td>6000 cd/m<sup>2</sup></td></tr><tr><td>Morning, Evening, Twilight and Inclement Weather</td><td>500 cd/m<sup>2</sup></td><td>700 cd/m<sup>2</sup></td></tr><tr><td>Nighttime</td><td>200 cd/m<sup>2</sup></td><td>200 cd/m<sup>2</sup></td></tr></table>	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 <sup>2</sup>	6000 cd/m <sup>2</sup>	Morning, Evening, Twilight and Inclement Weather	500 cd/m <sup>2</sup>	700 cd/m <sup>2</sup>	Nighttime	200 cd/m <sup>2</sup>	200 cd/m <sup>2</sup>	
Lighting Conditions	Maximum Zone 4 Luminance Levels		Proposed Luminance Levels														
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Nighttime	200 cd/m <sup>2</sup>	200 cd/m <sup>2</sup>															
(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.	<p>The images would not dazzle or distract drivers.</p> <p>A condition of consent is included to ensure that the sign images comply with requirements to not contain flickering or flashing content.</p>	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.	<p>The advertisements would primarily display images with text kept to a minimum.</p> <p>A condition of consent will be included to ensure that text and information is kept to a minimum.</p>	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	The Department has undertaken detailed assessment of the design and location of the proposal (refer to <b>Section 5</b> of this report).	Yes															

Assessment Criteria	Comments	Compliance
location must be assessed on their own merits.		
(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 signs if road safety circumstances change and increase the dwell time or remove the signs, as appropriate. The Minister's approval would be required for any reduction in dwell time.	Yes
(l) Sign spacing should limit drivers view to a single sign at any given time with a distance of no less than 150 m between signs in any one corridor. Exemptions for low speed, high pedestrian zones or CBD zones will be assessed by RMS as part of their concurrence role.	There is not another sign within 150 m of the proposed signage.  TfNSW have provided general approvals to the sign subject to the conditions discussed in Section 5.	Yes
(m) Signs greater than 20 m <sup>2</sup> 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.	Although not required as the Minister is the consent authority, TfNSW has reviewed the application and raised no concerns.  The proposed signage would not result in any change to the vertical clearance between the underside of the signage structure and the road surface.	Yes
(n) An electronic log of a sign's activity must be maintained by the operator for the duration of the development consent and be available to the consent authority and/or RMS to allow a review of the signs activity in case of complaint.	This matter will be included as a condition of consent.	Yes

Assessment Criteria	Comments	Compliance
(o) A road safety check which focuses on the effects of the placement and operation of all signs over 20 m <sup>2</sup> 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

### Sign Location Criteria

The advertisement must not create a physical obstruction or hazard.	The proposed signs are to be located on an existing railway structure and so would not result in any physical obstruction or hazard.	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 5.8m in height (relative to the road level) are to comply with lateral clearances specified by Austroads Guide to Road Design (and RMS supplements) with respect to dynamic deflection and working width.	The proposed sign will be attached to the side of the existing railway bridge and will have a clearance greater than 5.8m.	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 digital sign will meet the requirements of the AS 1170.02 and AS1170.20 as assessed in <b>Section 5</b> .	Yes
Digital signs greater than 20 m <sup>2</sup> must ensure a minimum clearance of 5.5m from the lowest point of the sign.	The proposed sign has a clearance greater than 5.5m from the lowest point of the sign.	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	The proposed digital signage will not obstruct views beyond that of the Gore Hill Expressway	Yes

Assessment Criteria	Comments	Compliance
obstruct a pedestrian or cyclist's view of the road.		
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 signs are located front-on and will not require the drivers to direct their attention away from the road.	Yes
<p>The sign should not be located:</p> <ul style="list-style-type: none"> <li>i. less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves</li> <li>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</li> <li>iii. so that it is visible from the stem of a T-intersection.</li> </ul>	The proposed signage would comply with the road safety requirements (refer to <b>Section 5</b> of this report).	Yes
The placement of a sign should not distract a driver at a critical time.	The placement of the sign will not distract drivers at critical times (refer to <b>Section 5</b> of this report).	Yes
<b>Sign design and operation criteria</b>		
The advertisement must not distract a driver from, obstruct or reduce the visibility and effectiveness of, directional signs, traffic signals, prescribed traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.	The proposal will not distract drivers or reduce the visibility and effectiveness of directional signs, traffic signals, traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.	Yes

Assessment Criteria	Comments	Compliance
The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a traffic control device.	The proposal will not interfere with stopping sight distance for the road's design speed and would not interfere with the effectiveness of the existing traffic control devices.	Yes
The image must not be capable of being mistaken for traffic signals or driving instructions.	The application does not provide specific detail for sign content. Due to the nature of the digital signage display, the advertising content of the signs will change. Furthermore, consent is not required for a change in the content of signage in accordance with SEPP Industry and Employment. Therefore, a condition of consent will be applied to ensure the sign content is not mistaken for traffic signals or driving instructions.	Yes
Digital signs must not contain animated or video/movie style advertising or messages, including live television, satellite, Internet or similar broadcasts.	A condition of consent will be applied to ensure the sign does not contain animated or video/movie style advertising or messages, including live television, satellite, internet or similar broadcasts.	Yes
The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users.	The proposed sign does not incorporate technology that will interact with in-vehicle electronic devices or mobile devices.	Yes
Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	No message sequencing is proposed.	Yes

#### Public Benefit Test

Assessment Criteria	Comments	Compliance
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 revenue raised from the outdoor advertising is directly linked to a public benefit (refer to <b>Section 5</b> of this report).	Yes
RMS must record the total amount of outdoor advertising revenue received each year in their financial accounts and their Annual Reports. The Annual Reports must also outline investments made in the year on transport safety, amenity improvements or other public works, listing specific works to which the funds have been or are to be applied.	A condition has been recommended for imposition to this effect.	Yes

#### **State Environmental Planning Policy (Infrastructure) 2007**

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

Clause 101 of the Infrastructure SEPP requires the consent authority to be satisfied that new development with a frontage to a classified road would not compromise the operation and function of the road. The proposed digital signage is similar in nature to other digital signs which are typically found in road corridors. In consideration of the above, the proposal would not compromise the operation and function of the road.

#### **Willoughby Local Environmental Plan 2012**

The Site is Zones SP2 Infrastructure under the WLEP 2012. The proposed sign is permissible with consent as it is considered ancillary to the existing railway corridor under WLEP 2012.

#### **Willoughby Development Control Plan 2006**

Section 4.43 of the WDCP 2006 outlines Councils desired objectives and measures for the installation of signage.

The proposed sign is consistent with the relevant desires of the WDCP 2006 (refer to **Table 7**).

**Table 7 | Assessment of compliance with WDCP 2006 signage objectives**

DCP Signage Objective	Comments	Compliance
To ensure that advertising does not detract from the scenic beauty and amenity of the Municipality; harmonises with its surroundings and the buildings to which they are attached.	The proposed digital advertising signage panel is located in an existing road corridor and the potential impacts to the amenity of the surrounding area have been assessed in <b>Section 5</b> and considered acceptable. The signage has been designed to integrate with the Help Street overpass (see <b>Section 5</b> ).	Yes
To minimise the visual impact by encouraging fewer more effective signs that may otherwise degrade the existing and likely future quality of residential environments or result in excessive, unnecessary signage, visual clutter and confusion caused by a proliferation of signs in local and neighbourhood centres.	The design and siting of the proposed signage panel has sought to minimise the potential visual impact to the surrounding residential properties (see <b>Section 5</b> ). The signage is not located in proximity to any other digital advertising sign and would not result in excessive signage or visual clutter.	Yes
Signs should enhance the distinctive urban character and scenic amenity of the Municipality and contribute to the atmosphere of the streets in local and neighbourhood centres and should be designed in sympathy with both the building to which it is attached and any adjoining buildings, taking into account the architectural styles and finishes of buildings in local and neighbourhood centres.	The proposed digital signage panel is suitably located within an existing road corridor and have been designed in sympathy to the Gore Hill Freeway.	Yes
To prevent signage from impacting on the presentation of the heritage item or area to the general public on heritage items and conservation areas.	The proposed sign is not located within a heritage conservation area or is near local heritage items, therefore the sign will not result in any adverse impacts on heritage significance.	Yes

DCP Signage Objective	Comments	Compliance
To ensure all signage is of high standards of graphic and textural content	The display content of the signage panel is subject to the Transport Corridor Outdoor Advertising and Signage Guidelines.	Yes