

Digital Advertising Signage on M4 Western Motorway Overpass, Sydney Olympic Park

DA22/1844

September 2022



Published by the NSW Department of Planning and Environment

dpie.nsw.gov.au

Title: Digital Advertising Signage on M4 Western Motorway Overpass, Sydney Olympic Park

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
Applicant	Transport Asset Holding Entity of NSW (Sydney Trains)
BCA	Building Code of Australia
CIV	Capital Investment Value
CPP	Community Participation Plan
Council	City of Sydney Council
DA	Development Application
DCP	Development Control Plan
Department	Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
ESD	Ecologically Sustainable Development
Industry and Employment SEPP	<i>State Environmental Planning Policy (Industry and Employment) 2021</i>
LEP	Local Environmental Plan
Minister	Minister for Planning
RMS	Roads and Maritime Services, TfNSW
Planning Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SEE	Statement of Environmental Effects
TfNSW	Transport for NSW

Contents

1	Introduction	1
1.1	The site.....	1
2	Project.....	5
3	Statutory context	7
3.1	Consent Authority.....	7
3.2	Permissibility	7
3.3	Mandatory Matters for Consideration.....	7
4	Engagement.....	8
4.1	Department's engagement.....	8
4.2	Summary of Submissions	8
5	Assessment	9
5.1	Design and suitability of the site.....	9
5.2	Road and pedestrian safety	9
5.3	Illumination	11
5.4	Public benefit.....	12
6	Evaluation.....	13
7	Recommendation.....	14
8	Determination.....	15
	Appendices	16
	Appendix A – List of referenced documents	16
	Appendix B – Consideration of public submissions	16
	Appendix C – Statutory considerations.....	17
	Appendix D – Recommended Instrument of Consent	28

1 Introduction

This report provides an assessment of Development Application (DA 22/1844) lodged by Transport Asset Holding Entity of NSW (Sydney Trains) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Sydney Trains (the Applicant) seeks consent for the removal of two existing static advertising signs on two railway overpasses over the M4 Western Motorway, Sydney Olympic Park and the installation of one new digital advertising sign on the western elevation of the eastern most overpass. The site is within the City of Parramatta local government area (LGA).

1.1 The site

The site is comprised of two railway overpasses over the M4 Western Motorway, Sydney Olympic Park (**Figure 1**). The existing static signages are attached to the western elevations of both overpasses and the new digital sign is proposed on the eastern most overpass (**Figure 2**).

M4 Western Motorway is a classified road travelling in a general east-west alignment from Glenbrook in the lower Blue Mountains to Haberfield. On approach to the site, the road has three traffic lanes in both directions with a speed limit of 90 km/h.

In addition to the three travel lanes, an exit lane from the motorway to Homebush Bay Drive commences 257 metres (m) to the west of the site. There are no pedestrian footpaths, cycle lanes or parking permitted.

Surrounding development (**Figure 2**) comprises:

- warehouses and wholesale businesses to the northwest
- Sydney Olympic Park to the north and northeast
- business park uses to the south and southwest
- low to medium density residential 400 m to the southeast.

The motorway is screened from surrounding development to the north and south by densely planted mature vegetation corridors (**Figure 3** and **Figure 4**).

There is another existing static advertisement sign located on an overpass approximately 87 m west of the site (**Figure 5**).

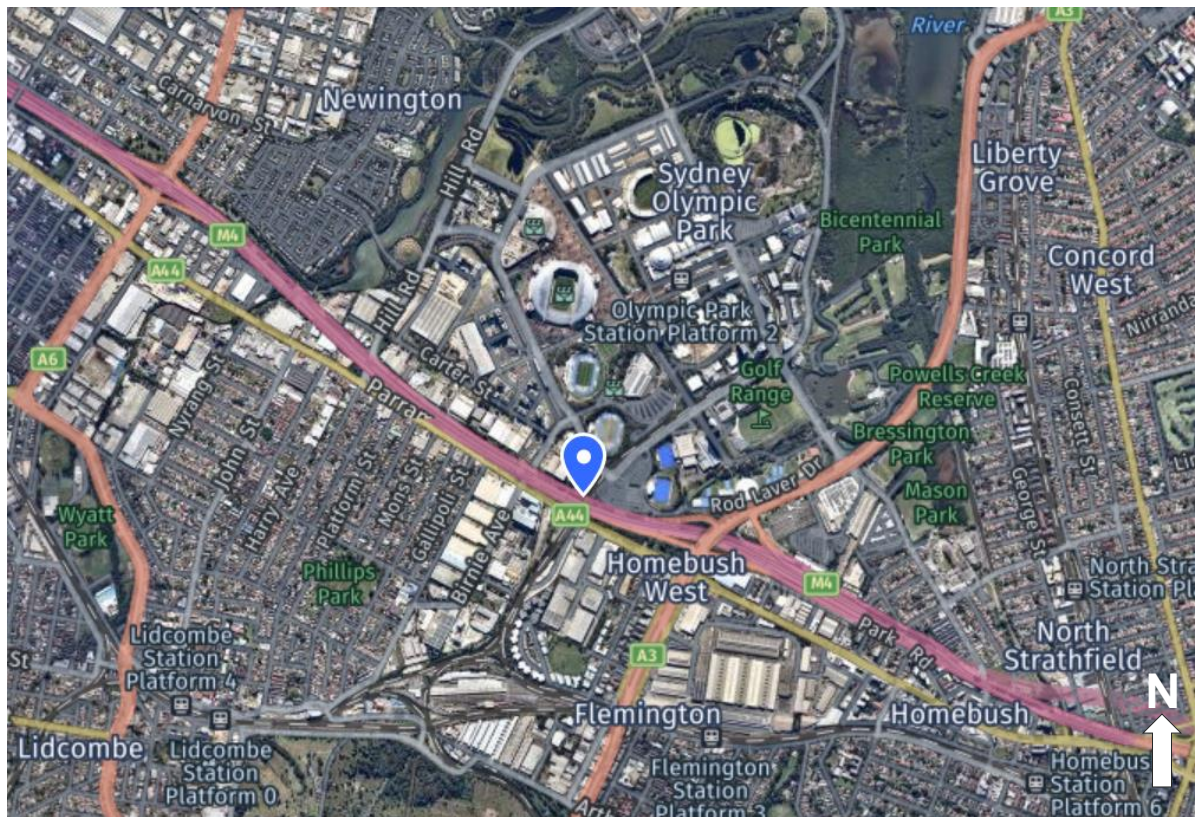


Figure 1 | Regional context of the site (Source: NearMap)



Figure 2 | Local context of the site (Source: Statement of Environmental Effects (SEE))



Figure 3 | Existing sign at the site during daytime (Source: SEE)



Figure 4 | Existing sign at the site at dusk (Source: site visit photos)



Figure 5 | Existing signage to its west located 87 m to the west of the sign (proposed sign shown in yellow) (Source: SEE)

2 Project

The development application (DA 22/1844) seeks consent for:

- the removal of the existing static advertising signs on overpasses over the M4 Western Motorway (**Figure 3** and **Figure 5**)
- installation of a single new digital advertising sign on the western elevation of the eastern most overpass.

The estimated cost of the works is \$702,900. The details of the proposed sign are outlined in **Table 1** and **Figure 6** to **Figure 9**.

Table 1 | Details of the Project

Aspect	Description
Advertising display area	42.2 m ² (12.53 m x 3.35 m plus logo area 0.24 m ²)
Visual screen size	39.94 m ² (12.48 m x 3.2 m)
Road clearance	5.97 m from ground level to the railway bridge, the same as the existing clearance
Signage display	Digital LED screen
Hours of operation	24 hours a day, 7 days a week



Figure 6 | Indicative view from M4 with nearby overpass (Source: SEE)

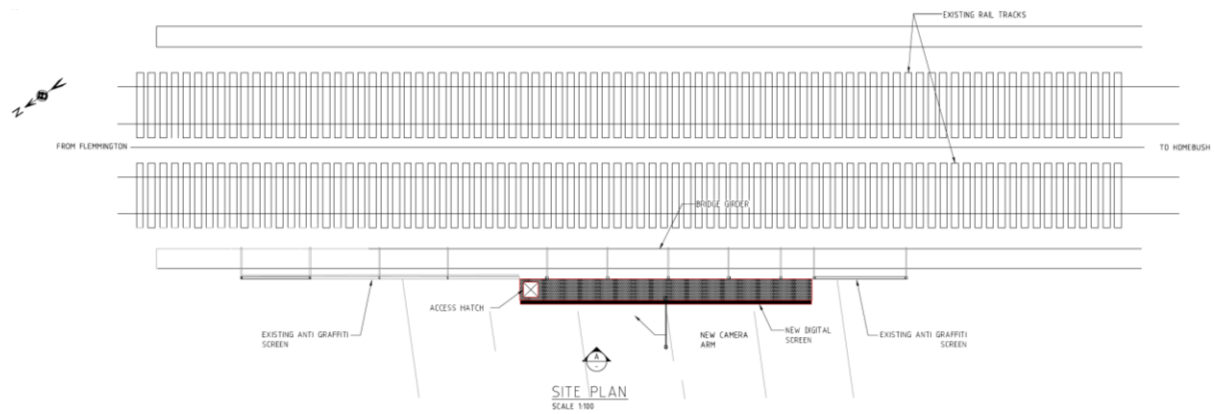


Figure 7 | Digital sign plan (the sign is shown as a black box) (Source: Architectural plan)

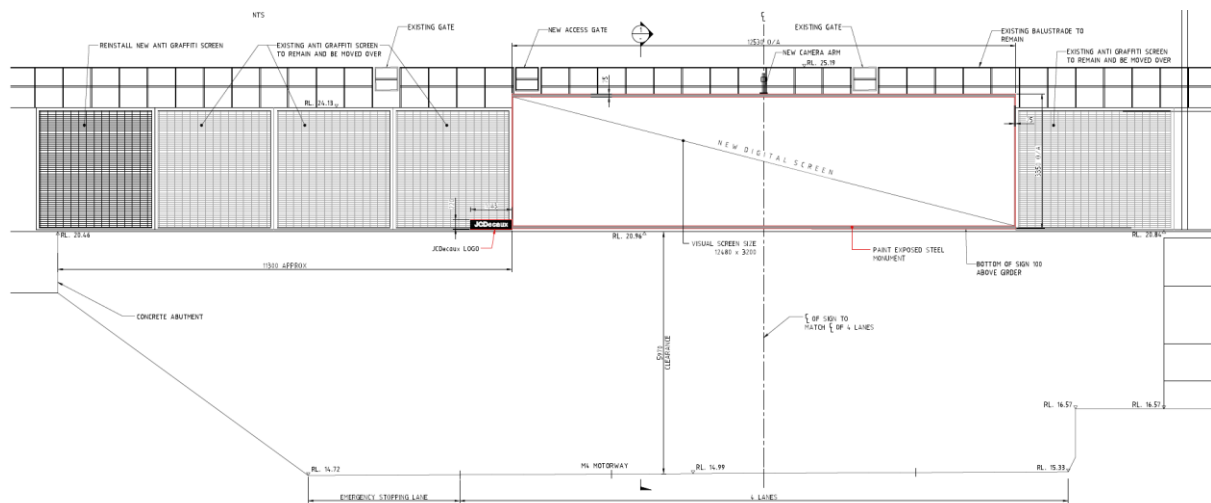


Figure 8 | Digital sign western elevation (Source: Architectural plan)

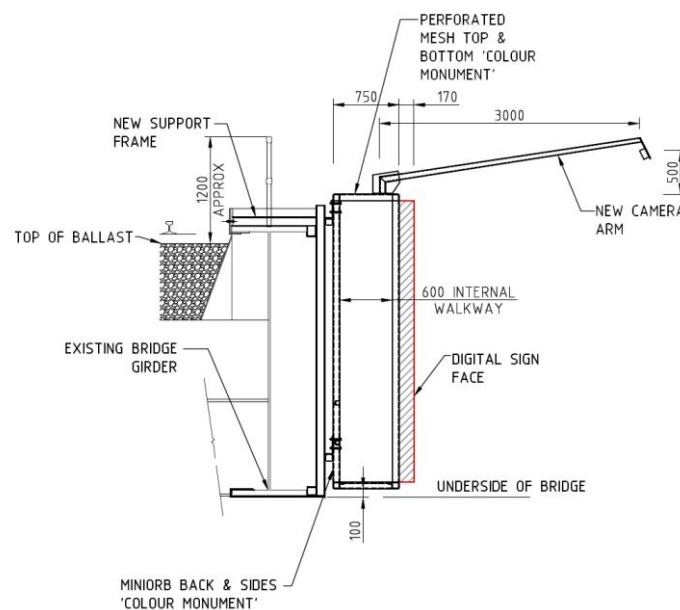


Figure 9 | Digital sign section (Source: Architectural plans)

3 Statutory context

3.1 Consent Authority

The Minister for Planning is the consent authority for the application in accordance with 3.10(c) of *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP). The DA relates to an advertisement displayed by or on behalf of Sydney Trains on a railway corridor.

In accordance with the Minister's delegation dated 9 March 2022, the Director, Key Sites Assessments may determine the application as:

- the Council has not made an objection
- there are less than 15 public submissions in the nature of objection
- a political disclosure statement has not been made.

3.2 Permissibility

The site is located in the Parramatta local government area (LGA) and subject to the Auburn Local Environmental Plan 2010.

Advertising structures are prohibited in the SP2 infrastructure zone under the Auburn Local Environmental Plan 2010. However, section 3.14(1) of the Industry and Employment SEPP states, despite section 3.8(1) and the provisions of any other environmental planning instrument, the display of an advertisement by or on behalf of Sydney Trains on a railway corridor is permissible with development consent.

The application is therefore permissible with consent.

3.3 Mandatory Matters for Consideration

The Department has considered the following relevant mandatory matters for consideration in its assessment of the proposal (refer to **Section 5** and **Appendix C** of this report):

- objects of the EP&A Act
- the matters in section 4.15(1) of the EP&A Act:
 - relevant Environmental Planning Instruments (EPIs) and proposed instruments
 - any development control plan
 - any planning agreements
 - Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)
 - likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts
 - suitability of the site
 - any submissions
 - the public interest.

4 Engagement

4.1 Department's engagement

The Department exhibited the application for 28 days from 13 April 2022 to 10 May 2022 on its website. The Department also notified surrounding landholders in writing and consulted with City of Parramatta Council, TfNSW and RMS.

4.2 Summary of Submissions

The Department received no public submissions and no comments from Council.

TfNSW (including RMS) has no objection to the proposal, subject to conditions.

TfNSW's advice and conditions have been considered and assessed in **Section 5** and **Appendix C** and incorporated into the recommended instrument of consent (**Appendix D**).

A link to the submissions is provided in **Appendix A**.

5 Assessment

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

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

5.1 Design and suitability of the site

The proposal seeks approval to remove two existing static advertising signs on two overpasses along the M4 Western Motorway and replace them with one new digital advertising sign on the railway overpass.

The proposed sign has a display area of 39.94 m² which is marginally smaller than the existing sign on the railway overpass (42.42 m²).

The Department notes that the signage has been on the western elevation of the overpass since November 2009 or earlier, and the continuation of signage in this locality is not expected to adversely impact the character of the Motorway. Further, the design and location of the proposed signage is acceptable for the following reasons:

- the proposed sign will not adversely impact the existing or future character of land uses surrounding the overpass as the proposed sign would be integrated into an existing urban setting with negligible to low visual impacts
- the proposed sign will not detract from the built form of the overpass or road as it does not extend beyond the bridge structure and is 6% smaller than the existing signage
- the proposed sign is unlikely to result in adverse impacts on nearby businesses and residences as the existing mature vegetation corridors provide separation and screening
- the proposal will reduce visual clutter by removing the other existing static sign at the west of the digital sign along the motorway
- the proposed sign complies with the design criteria of the Industry and Employment SEPP, the Transport Corridor Advertising and Signage Guidelines 2017 (Guidelines) and AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting (**Appendix C** and **Section 5.3**).

The Department is therefore satisfied that the design and location of the site is suitable and would not result in adverse impacts on the character of the area.

5.2 Road and pedestrian safety

The applicant provided a Digital Sign Safety Assessment (SSA) that assessed the proposal against the statutory requirements in the Industry and Employment SEPP and the Guidelines. The SSA and SEE assessed the signage exposure, safe stopping distance and crash history in proximity to the site and concluded that the proposal will not compromise safety for road users and is acceptable on road safety grounds.

TfNSW, Council and the public raised no concerns on road and pedestrian safety. TfNSW recommended conditions to be included in the consent.

The Department has reviewed the applicant's SSA and SEE and considers the proposed signage is unlikely to give rise to road and pedestrian safety impacts as:

- the sign is positioned within the envelope of the overpass and would therefore not obstruct any road users or reduce existing driver sightlines of the road or any traffic signs
- there is no cyclist and pedestrian access along this section of the road
- the sign is not located near any conflict points including intersections, pedestrian or cyclist crossings, traffic control devices or school zones and the two decision-making points for changing lanes to the Homebush Bay Drive exit are outside the minimum stopping sight distance (139 m) of the site (**Figure 10**)
- the Applicant's SSA has identified that only two vehicle crashes have occurred within the vicinity of the sign over the last five years, and TfNSW has raised no concerns on the crash history
- the sign will display static images only with a proposed dwell time (25 seconds) and transition time (0.1 seconds) in accordance with the Guidelines.

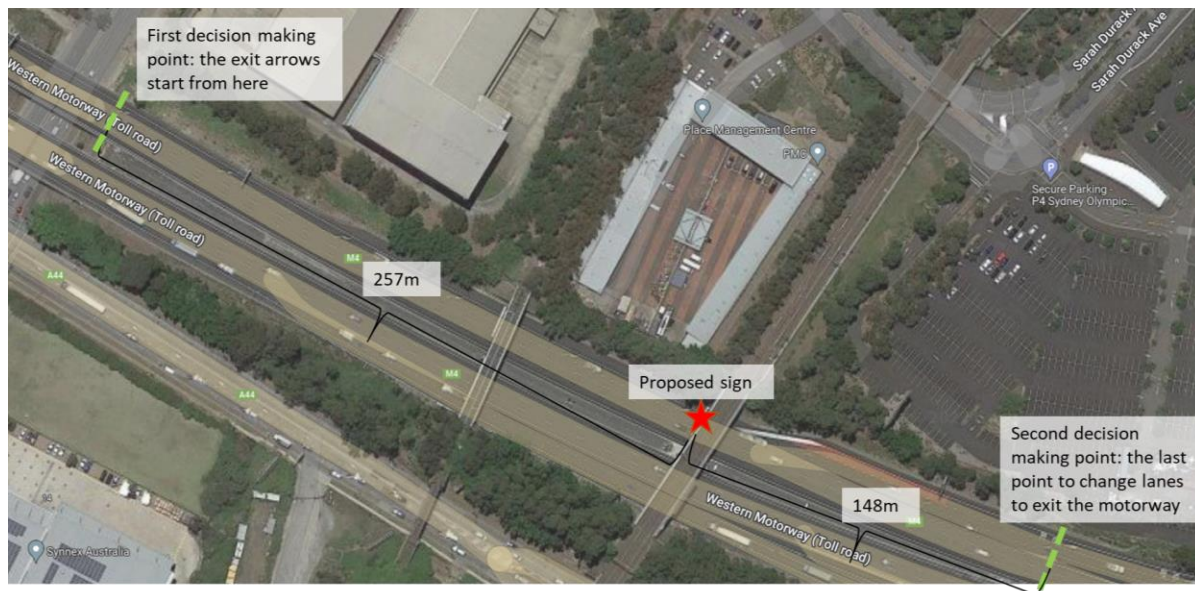


Figure 10 | Locations and distances of the decision-making points (base map source: Google Maps)

The Department recommends conditions of consent to ensure the signage does not contain or use any method of illumination that distracts or dazzles drivers, in accordance with the requirements of the Industry and Employment SEPP and the Guidelines, to ensure it does not result in any adverse traffic safety impacts. The Department also recommends a condition requiring a road safety check after 12 months of operation and any safety concerns identified must be rectified by the applicant.

Based upon the findings of the applicant's SSA and the advice provided by TfNSW, the Department is satisfied the proposal complies with the Industry and Employment SEPP and the Guidelines and the proposed signage will not have a negative impact on road safety, subject to the recommended conditions.

5.3 Illumination

The proposed signage would be illuminated with LEDs and operate on a 24-hour basis, 7 days a week. The luminance would be automatically adjusted throughout the day and night to suit ambient light conditions.

The applicant provided a Lighting Impact Assessment (LIA) that assessed the luminance against the Guidelines and Australian Standard 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting. The LIA categorised the site as 'Zone 3' under the Guidelines (areas with medium off-street ambient lighting e.g. small to medium shopping centres, land zoned B1 and B2) and 'Environmental Zone A4' under AS 4282 (areas with high district brightness e.g. town and city centres, commercial areas, and residential areas abutting commercial areas).

TfNSW, Council and the public raised no concerns on the impacts of illumination or light spill.

The Department, however, considers that the site is more appropriately categorised as 'Environmental Zone A3' under AS 4282 (areas with medium district brightness e.g. suburban areas in towns and cities) given the low level of the street and background lighting in the surrounding area at night time (**Figure 4**). As such, the Department recommended the night-time luminance level be reduced.

In response, the applicant reduced the proposed night-time luminance level from 350 cd/m² to 150 cd/m² (**Table 2**) and provided a revised LIA. The LIA concluded that the proposed sign should not result in unacceptable glare nor cause any reduction in visual amenity to nearby residences or accommodation.

Table 2 | Maximum permissible luminance and proposed luminance

Lighting Condition	Maximum Permissible Luminance (cd/m ²)			Proposed Luminance (cd/m ²)
	Zone 3	Environmental Zone A4	Environmental Zone A3	
Full sun on face of signage	No limit	--	--	No limit
Day time luminance	6,000	--	--	6,000
Morning and evening twilight and inclement weather	700	--	--	700
Nighttime	350	350	250	150

The Department considers the illumination of the proposed sign is acceptable as:

- the sign is oriented towards the west and there are no residential properties on the western side of the site
- the surrounding properties are set back from the motorway and shielded by mature vegetation
- the reduced nighttime luminance of 150 cd/m² complies with relevant criteria in both the Guidelines and AS 4282 and will result in minimal impacts on surrounding properties and drivers at night.

The Department therefore concludes the sign will not result in any adverse illumination impacts on surrounding properties.

5.4 Public benefit

The applicant provided a Public Benefit Statement (PBS) confirming the following public benefits:

- all revenue generated will be re-invested into running the Sydney Trains network including improvement and maintenance programs, and supporting the next generation of transport solutions online
- the digital sign will be available for use by Sydney Trains, TfNSW and NSW emergency services to display safety or public awareness messages
- Sydney Trains may also access the digital screens for up to 5 minutes per hour for Sydney Trains and TfNSW customer promotions and events at no cost.

The applicant also committed that the sign operator, JCDecaux, will undertake the removal of graffiti on both overpasses at the time of constructing the proposed sign.

The Department has carefully considered the PBS and is satisfied the proposal will result in sufficient public benefits as it will contribute to the improvement and maintenance of the train services and play an important role in helping to address traffic safety problems and improving local amenity, which is consistent with the Guidelines.

The Department recommends a condition to record the revenue received by Sydney Trains in its Annual Reports and how the revenue has been applied to provide a public benefit. Other recommended conditions include the removal of graffiti prior to the commencement of use and during ongoing maintenance, and the display of road safety and emergency messages 5 minutes per hour arranged by TfNSW.

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 & Employment) 2021 and other relevant environmental planning instruments. The Department's assessment concludes the proposed development is acceptable as:

- it is permissible with development consent on transport corridor land under the Industry and Employment SEPP and consistent with the objectives of the SEPP, the Guidelines and the SP2 zone
- it will have minimal impacts on the character of the area and will reduce visual clutter by removing two existing static signs on two separate overpasses and replacing them with a single digital advertising sign
- it complies with the relevant road safety standards and requirements
- its luminance levels are consistent with the Guidelines and Australian Standards and the nighttime level is reduced to less than the maximum permitted to protect the amenity of surrounding properties and safety of drivers particularly at night
- it will provide appropriate public benefit as all revenue generated will be re-invested into the Sydney Trains network.

The Department's assessment therefore concludes the proposal is acceptable and is in the public interest. The Department recommends the application be approved, subject to the recommended conditions (**Appendix D**).

7 Recommendation

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

- **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 22/1844, subject to the conditions in the attached development consent
- **signs** the attached development consent and recommended conditions of consent.

Recommended by:



Jennie Yuan
Planning Officer
Key Sites Assessments

Recommended by:



Amy Watson
Team Leader
Key Sites Assessments

8 Determination

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

 28 September 2022

Anthony Witherdin

Director

Key Sites Assessments

as delegate of the Minister for Planning

Appendices

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
- Agency advice
- Response to Submissions

<https://www.planningportal.nsw.gov.au/development-assessment/state-significant-applications/projects/state-development-applications>

Appendix B – Consideration of public submissions

The Department received no submissions from the public.

Appendix C – Statutory considerations

The Department has considered the following matters in its assessment of the proposal in **Table 3 to Table 8**.

C1 Objects of the EP&A Act

Table 3 | Consideration of the proposal against the objects of the EP&A Act

Objects of the EP&A Act	Consideration
(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 seeks to provide social and economic benefits including reinvesting all revenue to the Sydney Trains network to improve the services. The proposal will not adversely impact the State's natural and other resources.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	The Precautionary and Inter-generational Equity Principles have been applied in the decision-making process by a thorough assessment of the environmental impacts of the project. Overall, the proposal is generally consistent with ESD principles noting the application does not seek to change ESD initiatives and sustainability measures.
(c) to promote the orderly and economic use and development of land	The sign is using an approved railway infrastructure and will generate revenue to contribute to improving the Sydney Trains network.
(d) to promote the delivery and maintenance of affordable housing	Not relevant.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The proposal will not impact on the natural environment.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	The proposal is not in the vicinity of, and therefore will not cause an adverse impact on, any heritage items.
(g) to promote good design and amenity of the built environment	The design and impacts on amenity are considered in Section 5 .
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	Not relevant.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	The Department referred the proposal to TfNSW and Council (Section 4) and considered their responses (Section 5).
(j) to provide increased opportunity for community participation in environmental planning and assessment	The Department exhibited the application as outlined in Section 4 .

C2 Section 4.15(1) Matters for consideration

Table 4 | Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	The proposal complies with relevant EPIs as addressed in Section 5 and Appendix C3 .
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	The proposal complies with the relevant DCP as addressed in Appendix C4 .
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications, the requirements for notification and fees.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The Department has assessed the likely impacts of the development and concludes they are acceptable and can be addressed by the recommended conditions (refer to Section 5 and Appendix D).
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Section 5 .
(d) any submissions	Consideration has been given to the submissions received during the exhibition (Section 4 , Section 5 and Appendix B).
(e) the public interest	The Department considers the proposal to be in the public interest (Section 5).

C3 Environmental Planning Instruments

The following EPIs were considered as part of the assessment of this proposal:

- State Environmental Planning Policy (Industry and Employment) 2021 and the associated Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (the Guidelines)
- State Environmental Planning Policy (Transport and Infrastructure 2021)
- Auburn Local Environmental Plan 2010 (ALEP 2010)

State Environmental Planning Policy (Industry and Employment) 2021 (including the Guidelines)

Chapter 3 of the Industry and Employment SEPP applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserve. The proposed digital signage has been assessed against the requirements in Chapter 3 (**Table 5**) and the specific assessment criteria in Schedule 5 of the Industry and Employment SEPP (**Table 6**).

The *Transport Corridor Outdoor Advertising and Signage Guidelines* (the Guidelines) was approved for the purpose of Chapter 3 of Industry and Employment SEPP. The Guidelines supplement the SEPP's provisions by providing detailed information in relation to signage within transport corridors, including design criteria and road safety considerations. The Guidelines outline best practice for the planning and

design of outdoor advertisements in transport corridors. The proposal has been assessed against the Guidelines in **Table 7**.

Table 5 | Industry and Employment SEPP Compliance Assessment

Clause	Criteria	Comments	Compliance
Part 3.2 – Signage Generally			
3.6 Granting of consent to signage	The signage is to be consistent with the objectives of this Chapter.	The proposed development is compatible with the desired amenity and visual character of the area, provides effective communication and is high-quality finish and is therefore consistent with the objectives of Chapter 3 of the Industry and Employment SEPP.	Yes
	The signage is to satisfy the assessment criteria in Schedule 5.	Refer to Table 6 .	Yes
Part 3.3 – Advertisements			
3.10 Consent authority	The consent authority is the Minister for Planning in the case of an advertisement displayed by or on behalf of Sydney Trains on a railway corridor.	Refer to Section 3.1 .	Yes
3.11 Matters for consideration	The advertisement or advertising structure is to be: <ul style="list-style-type: none"> i. consistent with the objectives of this Chapter ii. assessed in accordance with the assessment criteria in Schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its design, road safety and the public benefits to be provided in connection with the display of the advertisement iii. satisfies any other relevant requirement of this Chapter. 	<ul style="list-style-type: none"> i. Considered in this table above ii. Assessed in Table 6 iii. Assessed in this table. 	Yes
	Arrangements for the provision of the public benefits to be provided in connection with the display of the advertisement.	Refer to Section 5.4 .	Yes
	A consent granted under this Part ceases to be in force on the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act.	The Department recommends a condition of consent to limit the approval for a maximum period of 15 years from the date of operation.	Yes
3.12 Duration of consents			
3.14 Transport corridor land	The display of an advertisement on transport corridor land is permissible with development consent when the display is by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW on a railway corridor.	Refer to Section 3.2 .	Yes

Clause	Criteria	Comments	Compliance
	<p>The Minister must not grant consent to the display of an advertisement unless:</p> <ol style="list-style-type: none"> the advice of any design review panel has been considered by the Minister, and the Minister is satisfied that the advertisement is consistent with the Guidelines. 	<ol style="list-style-type: none"> There was no design review panel for this application. Refer to Table 7. 	Yes
3.15 Advertisements with display area greater than 20 square metres or higher than 8 metres above ground	The consent authority must not grant consent unless an impact statement has been provided that addresses the assessment criteria in Schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts.	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 (Section 5).	Yes
3.18 Location of certain names and logos	<p>The name or logo of the person who owns or leases an advertisement or advertising structure must:</p> <ol style="list-style-type: none"> appear only within the advertising display area not be greater than 0.25 square metres be included in calculating the size of the advertising display area. 	The logo will be located adjacent to the bottom left corner of the screen, no greater than 0.25 m ² and was included in calculating the size of the advertising display area (Section 2).	Yes
3.22 Advertisements on bridges	The consent authority may grant consent only if the consent authority is satisfied that the advertisement is consistent with the Guidelines.	Refer to Table 7 .	Yes

Table 6 | Industry and Employment SEPP Schedule 5 Assessment Criteria 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?	Refer to Section 5.1 .	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The sign is consistent 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 sign is not located within or close to any of these areas.	Yes
3 - Views and vistas		
<p>Does the proposal:</p> <ul style="list-style-type: none"> obscure or compromise important views? dominate the skyline and reduce the quality of vistas? 	As the sign is affixed to the overpass and contained within the envelope of the existing bridge, it does not compromise any important	Yes

Assessment Criteria	Comments	Compliance
<ul style="list-style-type: none"> respect the viewing rights of other advertisers? 	views, the skyline or interfere with other advertisers.	
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 railway corridor setting.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The sign will increase the visual interest by incorporating more frequently changing advertisements.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal includes the removal of two existing static signs on two separate overpasses and replacement with one digital sign.	Yes
Does the proposal screen unsightliness?	No unsightliness near the proposal.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No.	Yes
Does the proposal require ongoing vegetation management?	No.	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 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 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 sign is innovative in creating the capacity to display digital 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?	A security camera/web camera is proposed to ensure the display of the LED screen is working properly. A compliant operator logo will be located adjacent to the bottom left corner of the screen.	Yes
7 – Illumination		
Would illumination: <ul style="list-style-type: none"> result in unacceptable glare? affect safety for pedestrians, vehicles or aircraft? detract from the amenity of any residence or other form of accommodation? 	The proposed illumination complies with the Guidelines and will not result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, or detract from the amenity of any residents (Section 5.3).	Yes
Can the intensity of the illumination be adjusted?	The illumination levels will be adjustable with a light sensor. A condition has been included.	Yes
Is the illumination subject to a curfew?	The proposal is consistent with the applicable 'post curfew' illuminance limits established under AS 4282-2019.	Yes

Assessment Criteria	Comments	Compliance
8 – Safety		
Would the proposal reduce safety for:		
<ul style="list-style-type: none"> any public road? pedestrians, or bicyclists? pedestrians, particularly children, by obscuring sightlines from public areas? 	No. Refer to Section 5.2.	Yes

Table 7 | Assessment of the Guidelines design criteria

Assessment Criteria	Comments	Compliance
Land Use Compatibility Criteria		
i. 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 ALEP 2010 as it will not detract from the provision of infrastructure.	Yes
ii. 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 sign will not create adverse amenity impacts on any of those areas.	Yes
iii. 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 within the existing overpass structure and does not protrude above the skyline or obscure or compromise significant views.	Yes
iv. Advertising signage should not be located to diminish the heritage values of items or areas of local, regional or state heritage significance.	The sign is not located within a heritage conservation area or near any heritage items.	Yes
v. 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 sign is affixed to the overpass and will be viewed in the context of the existing bridge structure.	Yes
2.5 Site-Specific and Structural Criteria		
2.5.1 General criteria		
a. The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.	The 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 sign is confined to the envelope of the existing overpass and is compatible with the scale of the overpass.	Yes

Assessment Criteria	Comments	Compliance
c. The advertising signage should be in keeping with important features of the site, building or bridge structure.	The proposal does not detract from any important features of the site or bridge.	Yes
d. The placement of the advertising signage should not require the removal of significant trees or other native vegetation.	The proposal does not require the removal of any vegetation.	Yes
e. The advertisement proposal should incorporate landscaping that complements the advertising signage and is in keeping with the landscape and character of the transport corridor.	The sign does 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.	The logo will be incorporated into the signage structure 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.	Assessed in this table below.	Yes
h. Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.	The sign is not facing any residential properties, national parks or nature reserves.	Yes
2.5.5 Bridge signage criteria		
a. Architecture of the bridge must not be diminished.	The sign will not diminish the architecture of the bridge.	Yes
b. The advertisement must not extend laterally outside the structural boundaries of the bridge.	The sign will not extend outside the structural boundaries of the bridge including the guard fencing.	Yes
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 sign will not extend below the soffit of the overpass.	
g. Any advertising sign proposed for development on a bridge over a classified road requires the construction drawings to be submitted for review and approval by RMS bridge engineers, prior to construction to ensure all road safety requirements are met.	The Department recommends a condition that construction drawings be submitted to the satisfaction of TfNSW bridge engineers prior to construction.	Yes
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.	The proposal will include a fall arrest system to prevent the sign falling if struck by an over height vehicle. As a condition of consent, details of the 'fall arrest' system are to be provided prior to the issue of any Construction Certificate.	Yes
2.5.8 Digital sign criteria (applies to signs greater than or equal to 20 sqm)		
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. A condition has been included.	Yes

Assessment Criteria	Comments	Compliance
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 proposal is not seeking consent for message sequencing. A condition has been included.	Yes
c. The image must not be capable of being mistaken: <ul style="list-style-type: none"> For a prescribed traffic control device as text providing driving instructions to drivers. 	The signage content will be managed. A condition of consent has been included.	Yes
d. Dwell times for image display must not be less than 25 seconds for areas where the speed limit is 80km/h and over.	A 25 second dwell time is proposed as the speed limit at the site is 90 km/h.	Yes
e. The transition time between messages must be no longer than 0.1 second and in the event of image failure, the default image must be a black screen	The proposed transition time between messages is 0.1 second. A condition of consent has been included.	Yes
f. Luminance levels comply with the requirements in Section 3 of the Guidelines.	Refer to Section 5.3 of this report	Yes
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 has been included.	Yes
h. The amount of text and information supplied on a sign should be kept to a minimum.	The advertisements would primarily display images with information/text kept to a minimum. A condition of consent has been included.	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.	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 a detailed assessment of the design and location of the proposal (refer to Section 5).	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 using an independent RMS-accredited road safety auditor.	RMS may reassess the sign if road safety circumstances change as appropriate.	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.	There is no other sign within 150 m of the proposed sign. The existing sign at the west of the proposed sign is proposed to be removed.	Yes
m. Signs greater than 20 m ² must obtain RMS concurrence and must ensure the following minimum vertical clearances: <ul style="list-style-type: none"> 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 	Although the proposed sign is greater than 20 m ² , TfNSW concurrence is not required when the Minister is the consent authority. The Department consulted with TfNSW who raised no objection to the proposal, subject to conditions.	Yes

Assessment Criteria	Comments	Compliance
deflection zone of a safety barrier if a safety barrier is installed.	The vertical clearance between the road surface and the lowest point of the bridge is 5.97 m. No portion of the sign will be lower than the minimum vertical clearance under the overpass.	
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 sign's activity in case of complaint.	A condition of consent has been included.	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 has been included.	Yes
Road Safety - 3.2 Sign location criteria		
3.2.1 Road clearance		
a. The advertisement must not create a physical obstruction or hazard.	The sign is to be affixed to the existing overpass and would not result in any physical obstruction or hazard.	Yes
b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone.	The sign will be located outside the clear zone.	Yes
c. 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 sign will be located outside the clear zone.	N/A
d. All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS 1170.1 and AS1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.	The 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
3.2.2 Line of sight		
a. An advertisement must not obstruct the driver's view of the road particularly of other vehicles, bicycle riders or pedestrians at crossings.	The sign will not obstruct views beyond that of the existing bridge.	Yes
b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The sign will not obstruct views beyond that of the existing bridge.	Yes
c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road.	The location of the proposal does not give incorrect information on the alignment of the road.	Yes
d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time.	The proposed sign is located front-on and will not require the drivers to direct their attention away from the road.	Yes

Assessment Criteria	Comments	Compliance
3.2.3 Proximity to decision making points and conflict points		
a. The sign should not be located: <ul style="list-style-type: none"> i. less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves ii. less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment iii. so that it is visible from the stem of a T-intersection. 	Refer to Section 5.2.	Yes
b. The placement of a sign should not distract a driver at a critical time.	The sign is not visible within the safe sight distance of any intersection or prescribed traffic control device.	Yes
Road Safety - 3.3 Sign design and operation criteria		
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 sign will not distract drivers or reduce the visibility and effectiveness of any devices or signs.	Yes
b. The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a prescribed traffic control device.	The sign will not interfere with stopping sight distance for the road's design speed or the effectiveness of a traffic control device.	Yes
3.3.4 Interaction and sequencing		
a. 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.	A condition of consent has been included to ensure the proposed sign does not incorporate technology that will interact with in-vehicle electronic devices or mobile devices.	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.	A condition of consent has been included.	Yes
Public Benefit		
As proponents of outdoor advertising, Sydney Trains must demonstrate that revenue raised from outdoor advertising is directly linked to a public benefit.	Refer to Section 5.4.	Yes
Sydney Trains 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 of consent has been included.	Yes

State Environmental Planning Policy (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP 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 2.119(2) of the Transport and Infrastructure SEPP requires the consent authority to be satisfied that the development with frontage to a classified road would not adversely affect the safety, efficiency and ongoing operation of the road. The proposed digital signage would be affixed to the existing overpass. 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.

Auburn Local Environmental Plan 2010

The site is zoned SP2 Infrastructure under the ALEP 2010 in which signage is prohibited. Notwithstanding, the signage is permissible under section 3.14(1) of the Industry and Employment SEPP as discussed in **Section 3.2** of this report.

The objectives of the SP2 Infrastructure zone within the ALEP 2010 are to provide for infrastructure and related uses and to prevent development that is not compatible with or that may detract from the provision of infrastructure. The Department considers the proposal is compatible with the use of the railway overpass and will not detract from the use of the M4 motorway corridor and is therefore consistent with the objectives of the zone.

C4 Auburn Development Control Plan 2010

The Advertising and Signage part of ADCP 2010 contains Council's provisions for the installation of signage. The proposed sign is consistent with the relevant controls of the ADCP 2010 (**Table 8**).

Table 8 | Assessment of compliance with the ADCP 2010 - Advertising and Signage

Development controls	Comments	Compliance
Advertising and signs shall be consistent with State Environmental Planning Policy No. 64 – Advertising and Signage.	Refer to Table 5 to Table 7 .	Yes
Advertising and signage shall be displayed in English but may include a translation in another language.	The sign will be displayed in English as indicated in the SEE.	Yes

Appendix D – Recommended Instrument of Consent

<https://www.planningportal.nsw.gov.au/development-assessment/state-significant-applications/projects/state-development-applications>