

# Continued Use of Advertising Signage, including repair / replacement, Old Windsor Road, Bella Vista / Glenwood

Development Application Assessment Report (DA 23/4918)

March 2025





# Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

---

Published by NSW Department of Planning, Housing and Infrastructure  
[dphi.nsw.gov.au](http://dphi.nsw.gov.au)

Continued Use of Advertising Signage, including repair / replacement, Old Windsor Road, Bella Vista / Glenwood (DA 23/4918) Assessment Report

Published: March 2025

Cover photo – Existing signage southbound, Bella Vista (Source: Applicant's Documentation)

## Copyright and disclaimer

© State of New South Wales through Department of Planning, Housing and Infrastructure 2025. Information contained in this publication is based on knowledge and understanding at the time of writing, March 2025, and is subject to change. For more information, please visit [nsw.gov.au/copyright](http://nsw.gov.au/copyright).

# Preface

This assessment report provides a record of the Department of Planning, Housing and Infrastructure's (the Department) assessment and evaluation of the Development Application for the continued use of the existing advertising signage (including repair and replacement as necessary), located on Old Windsor Road at Bella Vista and Glenwood, lodged by Mulpha Norwest (the Applicant). The report includes:

- an assessment of the proposal against government policy and statutory requirements, including mandatory considerations
- a demonstration of how matters raised by stakeholders have been considered
- an explanation of any changes made to the proposal during the assessment process
- an assessment of the likely environmental, social and economic impacts of the proposal
- an evaluation which weighs up the likely impacts and benefits of the proposal, having regard to the proposed mitigations, offsets, community views and expert advice; and provides a view on whether the impacts are on balance, acceptable
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether consent for the proposal should be granted and any conditions that should be imposed.

# Contents

<b>Preface.....</b>	<b>i</b>
<b>1 Introduction.....</b>	<b>1</b>
1.1 The proposal.....	1
1.2 Proposal location.....	1
1.3 Proposal background.....	3
1.4 Surrounding Context.....	4
<b>2 Proposal.....</b>	<b>6</b>
2.1 Proposal overview .....	6
<b>3 Statutory context.....</b>	<b>10</b>
3.1 Permissibility and assessment pathway .....	10
3.2 Other approvals and authorisations.....	11
3.3 Mandatory matters for consideration .....	11
<b>4 Engagement.....</b>	<b>14</b>
4.1 Exhibition of the Development Application.....	14
4.2 Request for further information.....	14
4.3 Amended Application and Exhibition.....	16
<b>5 Assessment.....</b>	<b>18</b>
5.1 Structural Safety.....	18
5.2 Design and Suitability of the Site.....	20
5.3 Traffic Safety.....	21
5.4 Other issues.....	22
<b>6 Evaluation.....</b>	<b>26</b>
<b>7 Recommendation.....</b>	<b>27</b>
<b>8 Determination .....</b>	<b>28</b>
<b>Glossary.....</b>	<b>29</b>
<b>Appendices.....</b>	<b>30</b>

Appendix A – Summary of key amendments to the proposal.....	30
Appendix B – List of referenced documents.....	Error! Bookmark not defined.
Appendix C – Statutory considerations.....	32
Appendix D – Recommended instrument of consent.....	57

# 1 Introduction

## 1.1 The proposal

Mulpha Norwest (the Applicant) proposes to continue the operation of the two existing illuminated static advertisement signs, located on a pedestrian bridge over Old Windsor Road, Bella Vista and Glenwood for a further 15 years. Due to necessary maintenance for safety reasons, approval is also sought to remove the existing sign boxes and replace them with identical new or refurbished signs.

An overview of the proposed development is provided in **Section 2** of this report.

## 1.2 Proposal location

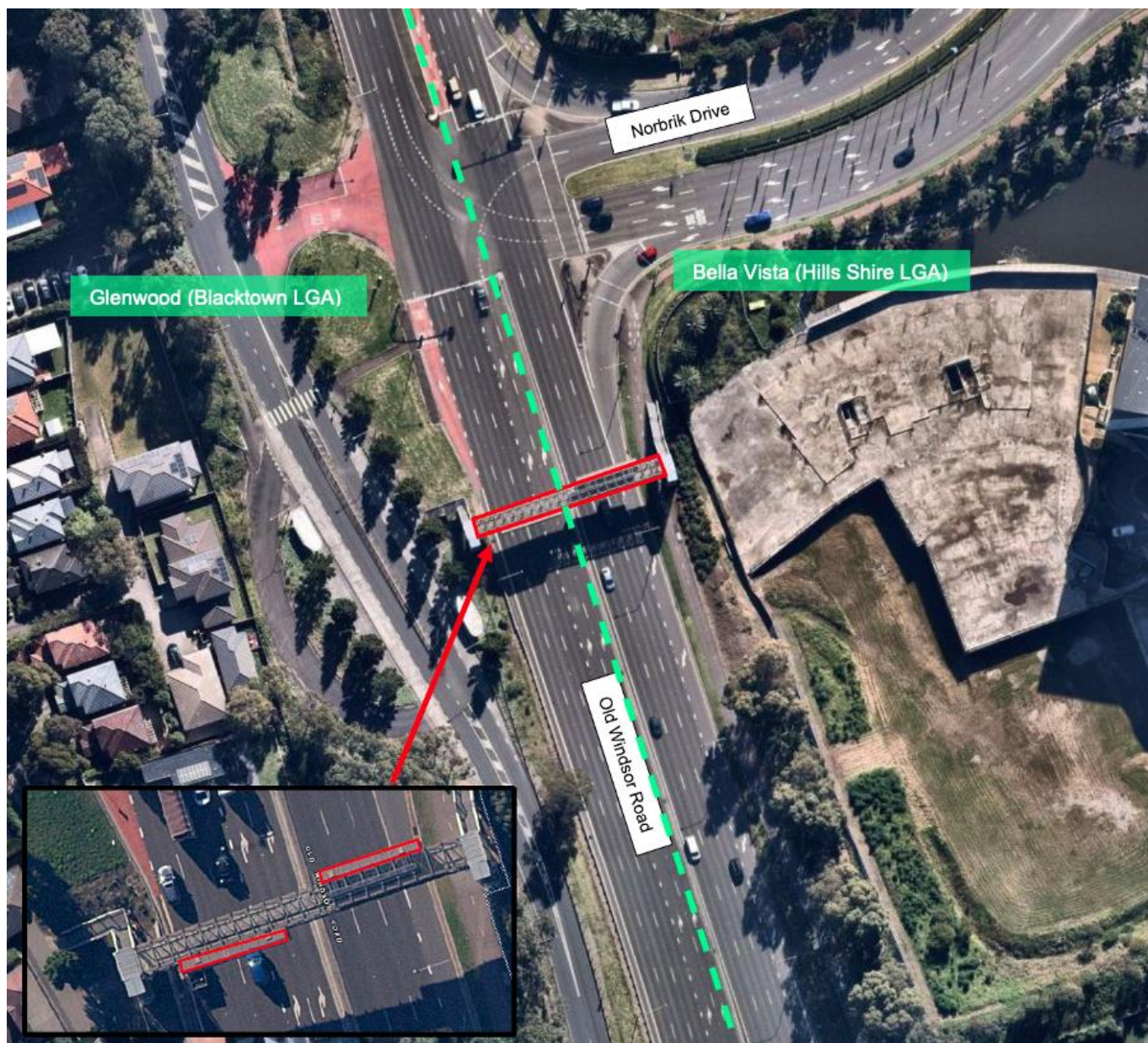
The existing signs are located on a pedestrian overpass bridge over Old Windsor Road, approximately 55m south of its intersection with Norbrik Drive. (see **Figure 1** and **Figure 2**).

Old Windsor Road is located along the boundary of the Blacktown and The Hills Local Government Areas (LGAs), and the pedestrian bridge connects the suburb of Glenwood (Blacktown LGA) on the western side of the road, with Bella Vista (The Hills LGA) on the eastern side. It is a state classified road (Road No. A3) that travels in a north / south alignment.

The advertising structures are affixed to the northern and southern elevations of the pedestrian bridge, one being visible to northbound motorists and the other visible to southbound motorists. The existing signs have dimensions of 12.97m x 3.86m, for a total area of 50m<sup>2</sup> each.



**Figure 1** | Regional context map (Source: Google Maps with DPHI markup)



**Figure 2** | Local context map (Source: Applicant's documentation with DPHI annotations)

### 1.3 Proposal background

On 20 August 2010, the then Minister for Planning granted consent to DA090-09-2009 (original application) for the installation of two internally illuminated advertising signs on Old Windsor Road at Bella Vista.

The consent was granted for a period of 10 years from the date of commencement of consent and expired on 20 August 2020.

The existing signs were constructed generally in accordance with the previous consent and approved plans and has been on the subject site since late 2010 (approximately 14 years).

The signs are the subject of a contractual arrangement with TfNSW, through a Works Authorisation Deed (WAD). The WAD required the Applicant to construct and maintain the bridge for a period of 15 years. However, the terms of the WAD also specify that if an extension is sought for the advertising signage, the WAD is also extended for the period of the development consent (in this case, an additional 15 years). The proposal would therefore ensure the maintenance of the bridge for the next 15 years by the Applicant, instead of TfNSW, and without cost to the taxpayer.

## 1.4 Surrounding Context

The signs are affixed to a pedestrian bridge that crosses over Old Windsor Road, which is a nine-lane roadway, inclusive of turning lanes. It has a legal speed limit of 80km/hr in both directions. There is a pedestrian footpath / cycle way on the eastern side of the road with low pedestrian activity. Both sides of the road have no stopping and clearway zones.

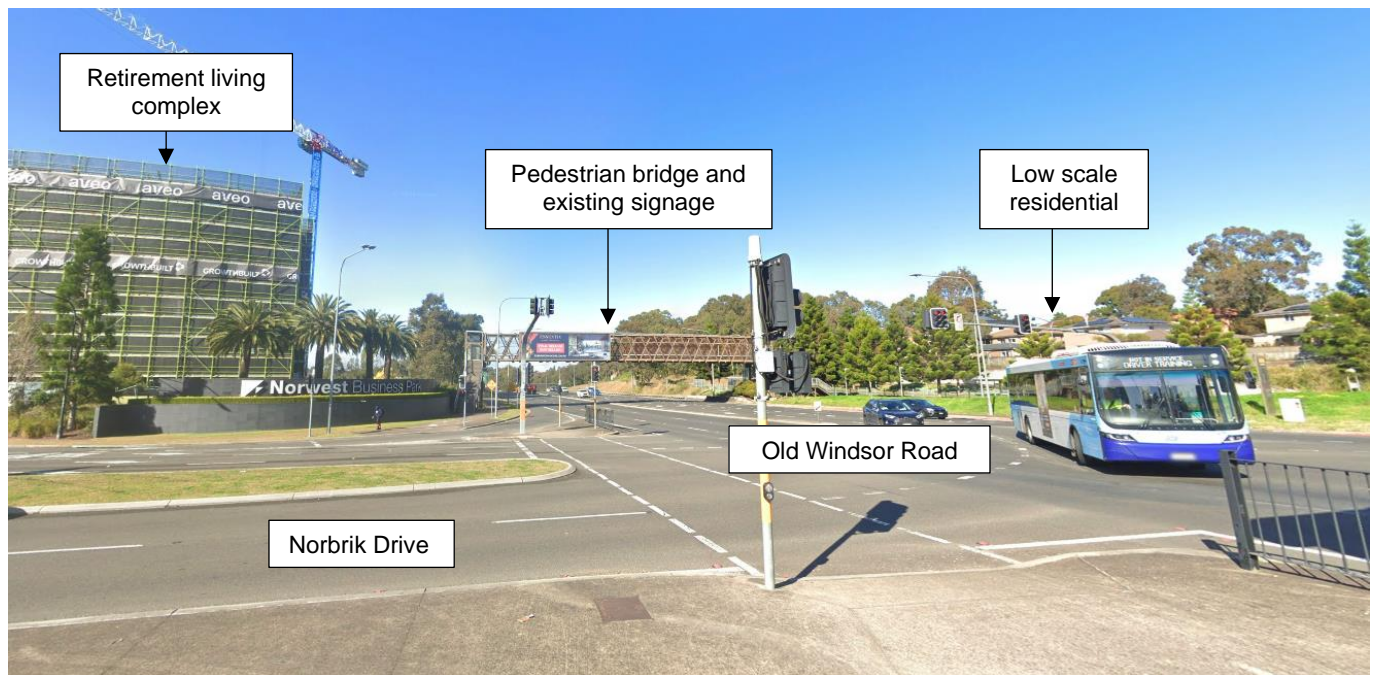
The North-west Transitway runs parallel to Old Windsor Road on the western side of the road.

The pedestrian bridge links a Transitway bus stop on the western side of the road with the suburb of Bella Vista on the eastern side. It includes stair and lift access.

Beyond the carriageway of Old Windsor Road and the North-west Transitway, the immediate locality is characterised by residential development, including low-scale free-standing dwelling houses on the western side of the road, and a 10-storey retirement living complex located on the eastern side. Beyond the retirement complex is the Norwest Business Park.



**Figure 3** | Old Windsor Road pedestrian overpass and existing signage northbound (Source: Google Streetview)



**Figure 4** | Old Windsor Road pedestrian overpass and existing signage southbound (Source: Google Streetview)

# 2 Proposal

## 2.1 Proposal overview

The original proposal sought to continue the operation of two illuminated static advertising signs on a pedestrian bridge over Old Windsor Road for a further 15 years.

On 6 December 2024, the Applicant amended the proposal to also include:

- The removal of the existing sign boxes
- Necessary maintenance of the bridge and any sign box refurbishment (or replacement) to be carried out concurrently and in accordance with the recommendations of a Structural Condition Assessment Report, and
- The re-installation of the re-furbished or replaced sign boxes and re-commencement of the static advertising.

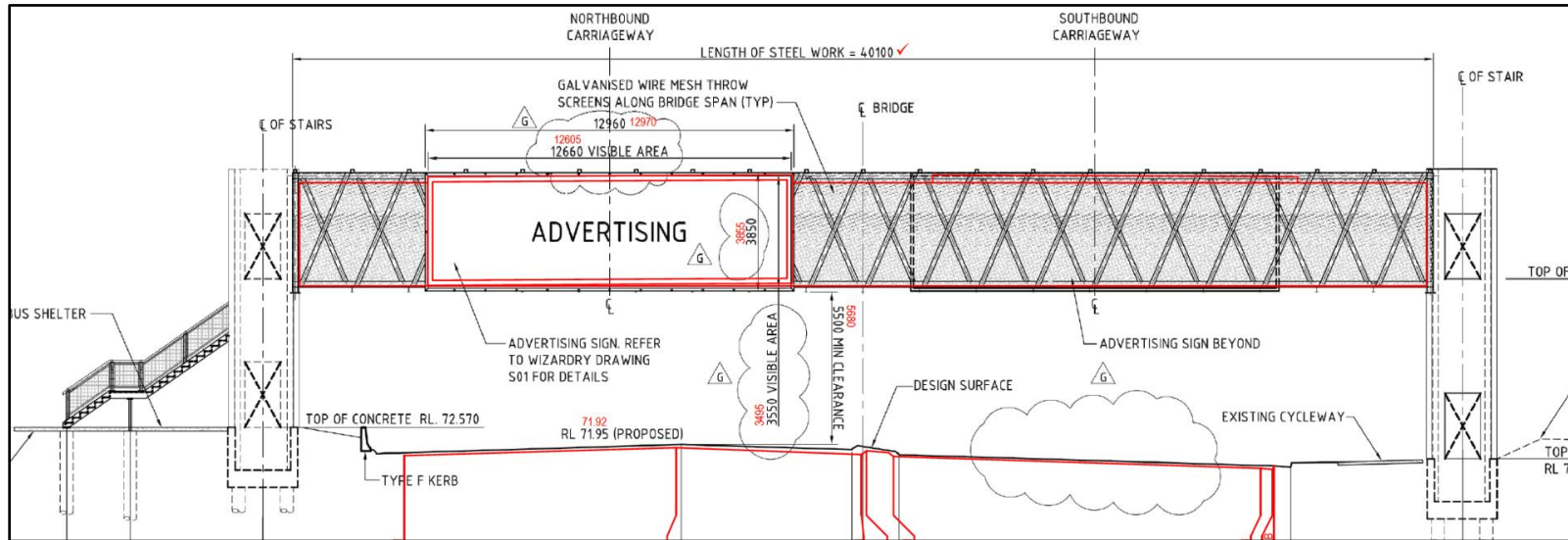
The key aspects of the proposal (as amended) are outlined in Table 1. The proposed signs are shown in Figure 5 | Works-as-executed Survey South Elevation (Looking North) (actual as-built shown in red over previously approved plans) (Source SEE)

Figure 6 | Works-as-executed Survey North Elevation (Looking South) (actual as-built shown in red over previously approved plans) (Source SEE)

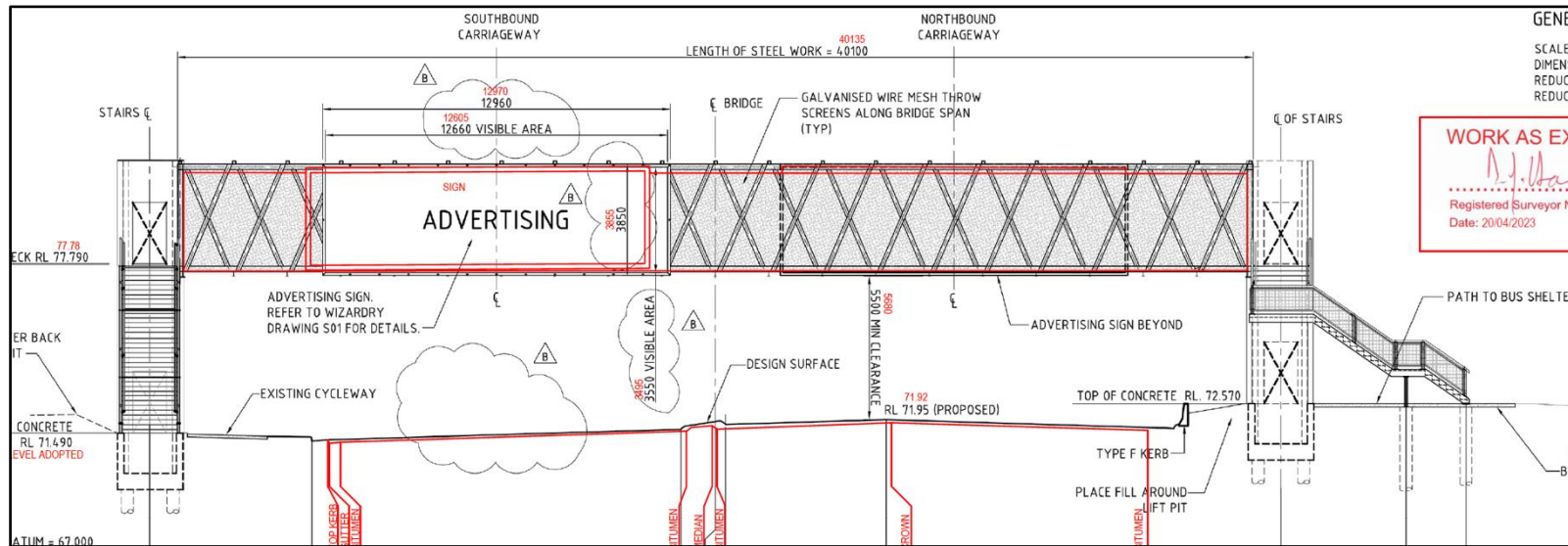
Table 1 | Key aspects of the proposal

Aspect	Description
Development summary	<ul style="list-style-type: none"><li>• Continued operation of two approved internally illuminated static advertising signs on a pedestrian bridge over Old Windsor Road for a further 15-year period</li><li>• The immediate removal of the existing sign boxes and necessary structural maintenance work to the bridge and any sign box refurbishment (or replacement) to be carried out concurrently and in accordance with the recommendations of the Structural Condition Assessment Report</li><li>• The re-installation of the re-furbished or replaced sign boxes and re-commence the static advertising</li></ul>

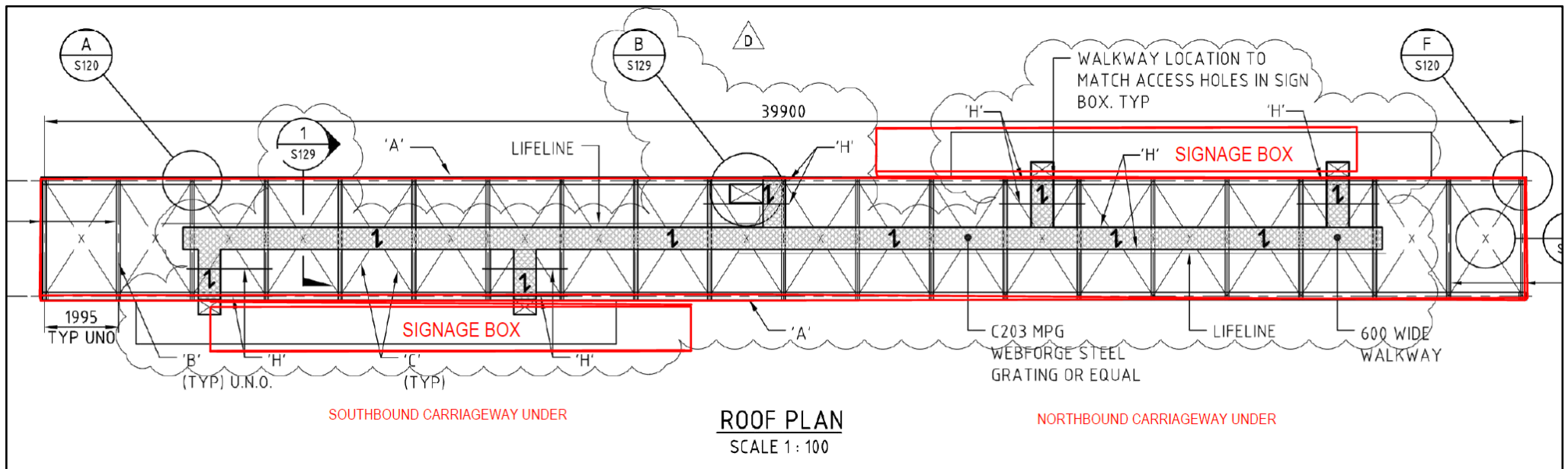
Aspect	Description
<b>Signage location</b>	<ul style="list-style-type: none"> <li>• Located on a pedestrian bridge over Old Windsor Road, Bella Vista and Glenwood (the bridge straddles the suburb boundary line)</li> <li>• Advertising display areas are oriented to face northbound and southbound traffic on Old Windsor Road</li> </ul>
<b>Advertising display area (per sign)</b>	<ul style="list-style-type: none"> <li>• 50m<sup>2</sup> (12.970m x 3.855m)</li> </ul>
<b>Illuminated display area (per sign)</b>	<ul style="list-style-type: none"> <li>• 44 m<sup>2</sup> (12.605m x 3.495m)</li> </ul>
<b>Road clearance to the bottom of the sign</b>	<ul style="list-style-type: none"> <li>• 5.88m minimum clearance</li> </ul>
<b>Consent time period</b>	<ul style="list-style-type: none"> <li>• 15 years</li> </ul>
<b>Maximum illuminance</b>	<ul style="list-style-type: none"> <li>• 200cd/m<sup>2</sup></li> </ul>



**Figure 5 | Works-as-executed Survey South Elevation (Looking North) (actual as-built shown in red over previously approved plans) (Source SEE)**



**Figure 6 | Works-as-executed Survey North Elevation (Looking South) (actual as-built shown in red over previously approved plans) (Source SEE)**



**Figure 7 |** Works-as-executed Roof Plan (actual as-built shown in red over previously approved plans) (Source SEE)

## 3 Statutory context

### 3.1 Permissibility and assessment pathway

Details of the statutory pathway under which consent is sought and the permissibility of the proposal are provided in Table 2 below.

**Table 2 |** Permissibility and assessment pathway

Consideration	Description
<b>Consent authority</b>	The Minister for Planning and Public Spaces (the Minister) is the consent authority for the proposal, as prescribed under clause 3.10(c) of State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP).
<b>Permissibility</b>	<p>The site is located within both the Blacktown LGA and the Hills Shire LGA (with the LGA boundary located in the centre of Old Windsor Road). The site is zoned:</p> <ul style="list-style-type: none"><li>• SP2 Infrastructure under the Blacktown Local Environmental Plan 2015 (BLEP 2015), and</li><li>• SP4 Enterprise under the Hills Local Environmental Plan 2019 (THLEP 2019).</li></ul> <p>‘Signage’ is a permissible use in the SP2 zone of the BLEP 2015 but is prohibited in the SP4 zone of the THLEP 2019. However, the development can be considered permissible under clause 5.3 of THLEP 2019 as development within 20 metres of a zone boundary.</p> <p>Additionally, Section 3.14(1)(b) of Industry and Employment SEPP states that the display of an advertisement on behalf of TfNSW on land that is owned, occupied, or managed by TfNSW and that is within 250 metres of a classified road is permissible with development consent.</p> <p>As the proposal is for the display of an advertisement on behalf of TfNSW on a classified road owned, occupied and managed by TfNSW, the application is therefore permissible with consent.</p>
<b>Decision-maker</b>	<p>In accordance with the Minister’s delegation dated 9 March 2022, the Director, Regional Assessments may determine the application as:</p> <ul style="list-style-type: none"><li>• the application has not been made by a person who has disclosed a reportable political donation;</li><li>• there are less than 15 public submissions in the nature of objections; and</li><li>• the council has not made a submission by way of objection.</li></ul>

Consideration	Description
<b>Assessment Pathway</b>	The application will be assessed under Part 4 of the EP&A Act.

## 3.2 Other approvals and authorisations

Section 138 of the *Roads Act 1993* (Roads Act) requires that a person must not carry out work on or over a public road without the consent of TfNSW (RMS). The Applicant has not sought integrated development approval under section 4.46 of the EP&A Act as part of the application. However, the application was referred to TfNSW for comment. On 10 February 2025, TfNSW advised that concurrence is provided to the application, subject to recommended conditions. The Department has adopted these conditions in the recommended consent. In addition, an advisory note has been included to inform the Applicant of the requirement to apply to TfNSW for approval under the Roads Act.

## 3.3 Mandatory matters for consideration

### 3.3.1 Matters of consideration required by the EP&A Act

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is shown in Table 3 below.

**Table 3** | Matters for consideration

Matter for consideration	Department's assessment
<b>Environmental planning instruments, proposed instruments, development control plans &amp; planning agreements</b>	<p>The relevant EPIs, development control plans and guidance are:</p> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Industry and Employment) 2021</li> <li>• <i>Transport Corridor Outdoor Advertising and Signage Guidelines 2017</i> (the Guidelines)</li> <li>• Blacktown Local Environmental Plan 2015</li> <li>• The Hills Local Environmental Plan 2019</li> <li>• Blacktown Development Control Plan 2015</li> <li>• The Hills Development Control Plan 2012</li> </ul> <p>Detailed consideration of the provisions of the EPIs is provided in <b>Appendix C</b>. The Department is satisfied that the development generally complies with the relevant provisions of the EPIs.</p>
<b>Environmental Planning and Assessment Regulation 2021 (EP&amp;A Regulation)</b>	Appendix C
<b>Likely impacts</b>	Section 5 - Assessment
<b>Suitability of the site</b>	Section 1.3 - Proposal background and Section 5 - Assessment
<b>Public submissions</b>	Section 4 - Engagement & Section 5 - Assessment
<b>Public interest</b>	Section 4 - Engagement, Section 5 - Assessment & Section 6 - Evaluation

### 3.3.2 Objects of the EP&A Act

In determining the application, the consent authority should consider whether the proposal is consistent with the relevant objects of the EP&A Act (s 1.3) including the principles of ecologically sustainable development. Consideration of those factors is described in **Appendix C**.

As a result of the analyses in **Appendix C**, the Department is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ecologically sustainable development (ESD).

### 3.3.3 Biodiversity development assessment report

Section 7.7 of the *Biodiversity Conservation Act 2016* (BC Act) requires all Part 4 development applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) if a proposed development is likely to significantly affect threatened species.

The proposal relates to existing signs in a cleared area (road reserve) and no works (other than replacement of the existing signs) are proposed. The Department considers that the continuing use of the signs and their replacement would not have any material impact on threatened species. Therefore, a BDAR was not required to be provided with the development application.

## 4 Engagement

### 4.1 Exhibition of the Development Application

#### 4.1.1 Public exhibition of the SEE as lodged

After accepting the development application, the Department:

- publicly exhibited the proposal from 9 June 2023 to 22 June 2023 on the NSW Planning Portal
- notified occupiers and landowners in the vicinity of the site about the public exhibition
- notified and invited comment from TfNSW, Hills Shire Council and Blacktown City Council.

#### 4.1.2 Summary of advice received from government agencies

The Department received advice from TfNSW (Appendix B). The advice did not object to the proposal and but requested further information in relation to:

- design and installation of a fall arrest system to prevent the signs from falling on the road
- a detailed structural assessment report of the bridge and the signs.

#### 4.1.3 Summary of council comments

Blacktown City Council advised that it has no objection to the development, but that consultation with the residents along Crestview Drive is recommended.

The Hills Shire Council advised that it has no objection to the development, and it will not be making a submission.

#### 4.1.4 Summary of public submissions

No public submissions were received during the exhibition period.

### 4.2 Request for further information

Prior to the lodgement of the application, the Department issued a Request for Information (RFI) on 31 March 2023 requesting that the Applicant provide an As-Built Survey Plan and Elevation to outline how the existing signs were constructed relative to the pedestrian over-bridge.

The Applicant subsequently provided the As-Built Survey Plan, dated 20 April 2023, to the Department.

Following the exhibition of the application, the Department issued an RFI on 2 July 2023 requesting that the Applicant respond to the comments received from TfNSW and address additional comments from the Department regarding:

- provision of additional assessment against applicable controls and guidelines
- the structural viability of the signs, fall arrest system details and windloading
- landowner's consent.

The Applicant provided a response to the RFI on 1 August 2023, which included:

- an assessment of the proposal against Section 2.119 of the Transport and Infrastructure SEPP
- an updated Signage Safety Assessment that included an assessment against Section 2 of the *Transport Corridor Outdoor Advertising and Signage Guidelines*
- a condition assessment of the structure and details of the fall arrest system.

Following the provision of the response to RFI, the Department issued another RFI on 8 September 2023 requesting the following information:

- a calculation of the advertising display area in accordance with the definition under Section 3.2 of the Industry and Employment SEPP
- confirmation that both existing signs are structurally sound to be operated for a further 15 years through an assessment of the existing condition of the signs and the feasibility of operating the signage for a further 15 years
- confirmation from a suitably qualified person that the sign meets wind loading requirements
- the provision of landowner's consent for the making of the DA, as the current landowner's consent was just for the use of the land.

Additional information was provided by the Applicant on 19 July 2024 in response to the Department's RFI, which included:

- an assessment of the proposal against Section 3.2 the Industry and Employment SEPP
- a report providing an analysis of the structural integrity of the sign, alongside the Applicant's updated request for the operation of the sign for 2 years, based on the finding of the report
- confirmation that landowner's consent from TfNSW could not be provided, as Mulpha was the landowner under a Works Authorisation Deed (WAD) with TfNSW under Section 142 of the *Roads Act 1993*.

Following the provision of this information, the Department issued an RFI on 31 July 2024 requesting the following information:

- landowner's consent from TfNSW, as they are technically the owners of the land on which the bridge structure is located (being the road reserve)
- confirmation of next steps following the provision of the structural report, which recommended remediation within a year of the report being issued, despite the Applicant revising their request and instead seeking consent for the operation of the sign for a further 2 years.

On 30 September 2024, the Applicant provided the following response to the Department's RFI. Further information on this response to the RFI is provided in Section 4.3.1 below.

## 4.3 Amended Application and Exhibition

### 4.3.1 Amended Application

The additional information provided on 30 September 2024 included amendments to the proposal to:

- remove the existing signs to carry out any necessary repairs,
- replace with refurbished and repaired signs, or new structurally adequate signs, identical to the existing signs in terms of size, appearance and illumination.

The application was accompanied by TfNSW landowner consent.

The amended application, under Clause 37 of the EP&A Regulation, was accepted by the Department on 3 October 2024.

### 4.3.2 Public exhibition of the Amended Application

After accepting the amended application, the Department:

- publicly exhibited the proposal from 11 December 2024 until 14 January 2025 on the NSW Planning Portal
- notified occupiers and landowners in the vicinity of the site about the public exhibition
- notified and invited comment from Hills Shire Council and Blacktown City Council
- referred the application to TfNSW.

### 4.3.3 TfNSW comments

On 10 February 2025, TfNSW advised that it provides concurrence to the proposal, subject to conditions in relation to:

- A fall arrest system
- Compliance with the Transport Corridor Outdoor Advertising and Signage Guidelines 2017
- The images displayed on the signs
- No cost to TfNSW
- A Road Occupancy licence where required.

The conditions required by TfNSW have been included in the recommended development consent at 0.

#### **4.3.4 Summary of council comments**

Hills Shire Council advised it had no objection to the proposed development and did not provide any other comments. No comments were received from Blacktown City Council.

#### **4.3.5 Summary of public submissions**

No public submissions were received during the exhibition period.

## 5 Assessment

The Department has reviewed the Applicant's Statement of Environmental Effects, supporting information and additional information provided by the Applicant in response to the Department's assessment, including the amended application, and has considered the potential impacts of the continued use of the advertising structure.

The Department considers the key issues associated with the continued use of the existing sign are:

- structural safety
- design and suitability of the site
- traffic safety

Other issues considered are addressed in **Section 5.4** of this report.

### 5.1 Structural Safety

The application as originally lodged sought consent for continued use of the existing signs for a further 15 years. As the signs were first erected in 2010, this would result in a total life span of the signs of around 30 years.

Given the location of the signs over the roadway, the consequences of a sign box fall would be severe. The application was therefore accompanied by a Structural Investigation Report which concluded that the existing signboards are adequately fixed to the bridge structure, with adequate connections to stop the signboard frame from detaching from the bridge in a worst-case wind event.

However, TfNSW reviewed the proposal and requested additional information to ensure the structural safety of the signs, including a requirement that the Applicant design and install a fall arrest system that is intended to prevent the sign structure falling on the road, and a detailed structural assessment report.

In addition, the Department requested confirmation from a Structural Engineer that both signs meet wind loading requirements and are structurally sound to be used for another 15 years, including advice of any necessary upgrades to ensure structural viability.

In response, the Applicant provided (in August 2023 and July 2024, respectively):

- Details of a proposed fall arrest system, designed to temporarily support the load of the signage if the current support members become degraded and fail. The system includes 3 fall arrest supports secured to the bridge roofing members.
- Confirmation from a structural engineer that the signs meet wind loading requirements and

- A detailed Structural Condition Assessment report, which found significant structural defects.

The Structural Condition Assessment noted defects in relation to corrosion of the structural frame of the sign, defective bolting, sign tensioning mechanisms, mould growth, and water ponding. The report was dated December 2023 and recommended action be taken within 1 year to rectify the defects.

Following the submission of the Condition Assessment Report, the Department raised concerns with the Applicant regarding any ongoing use of the existing signs beyond December 2024.

As a result, on 30 November 2024, the Applicant submitted an amended application which confirmed that it is still seeking consent for an additional 15 years of use for the illuminated static signs, but that it would also:

- Remove the existing sign boxes
- Enable any necessary maintenance of the bridge structure to be carried out and any sign box refurbishment (or replacement) to be carried out concurrently and in accordance with the recommendations of the Structural Condition Assessment Report
- Re-install the re-furbished or replaced sign boxes and re-commence the static advertising.

The amended application was referred to TfNSW who requested further information on the structural adequacy of the bridge structure. A structural inspection report on the bridge was subsequently submitted which identified some defects but which found that the defects would have negligible impact on the bridge's overall strength and serviceability. Nevertheless, the report recommended rectification of the defects within an 18-month timeframe.

TfNSW subsequently advised that it granted concurrence to the proposal, subject to conditions, including a requirement for installation of a fall arrest system.

Based on the updated information, the Department is satisfied that the current bridge structure itself is structurally sound but is concerned that the existing signs are deteriorated and present a material risk of failure, the consequences of which would be severe. Given the Structural Condition Assessment Report for the sign boxes recommended that defects be resolved by December 2024, the Department considers immediate action should be taken to remove the current sign boxes and carry out any necessary remedial works before replacement or refurbished signs are re-installed.

Conditions are therefore recommended requiring:

- use of the advertising structures to temporarily cease within one month of the date of the approval.
- completion of all recommended remediation works to both the sign structures and the bridge structure within 3 months and prior to replacement or refurbished signs being re-installed.

- inclusion of a fall arrest system in accordance with details provided and TfNSW requirements, and
- preparation and operation of a maintenance plan to ensure appropriate ongoing structural maintenance of the signs.

Subject to these conditions, the Department is satisfied that appropriate actions would be taken to rectify existing structural defects, minimise the risk of a signboard fall and ensure the structural safety of the signs over the next 15 years.

## 5.2 Design and Suitability of the Site

The application seeks to continue the operation of two existing illuminated static advertising display signs on a pedestrian bridge over Old Windsor Road (following works to resolve structural issues). The existing signs each have an advertising display area of 50m<sup>2</sup>.

The Department considers the design and location of the advertising structure to be suitable for the following reasons:

- the existing signs have been in place for 15 years, with no known adverse impacts
- the signs have been designed to be complementary to the design of the pedestrian bridge, are typical of the character of large roadways, compatible with the form and character of the surrounding urban landscape, and do not result in adverse impacts for the existing or future character of the area
- the signs are permissible land uses and are consistent with the objectives of the applicable land use zones (as discussed in **Appendix C**)
- the signs are generally consistent with the design criteria of the Industry and Employment SEPP, the Guidelines and *AS/NZS 4282:2023 – Control of the Obtrusive Effects of Outdoor Lighting*
- the location of the advertising structure is on land owned by TfNSW, within a classified road and is consistent with advertising on other major roads.

The Department is satisfied the design and location of the site remains suitable and for the continued use of the site for advertising signs of the same design and arrangement of the existing signs (subject to resolution of structural issues discussed in **Section 5.1**) and would not result in any additional amenity impacts.

## 5.3 Traffic Safety

The Applicant provided a Signage Safety Assessment (SSA) that assessed the proposal against the Guidelines and the Industry and Employment SEPP. The SSA assessed the signage exposure distance and road accident history in proximity to the site and concluded that the proposal can be supported on road user safety grounds.

The SSA notes that in accordance with the Guidelines, the signs do not obstruct driver views of the road, other vehicles or pedestrians. Similarly, they do not obstruct views for other road users, including pedestrians or cyclists. Also, as required by the Guidelines, the signs do not adversely affect drivers' interpretation of the road alignment and are not located to require drivers to turn their head away from the road to view the signs. As a single sign within the general field of view of a driver, glances to the signs are expected to be less than one second and accordingly are not expected to impact on crash risk.

However, the SSA also notes that the Guidelines provide that signs should not be located less than the safe sight distance from an intersection or less than the safe stopping distance from a crossing and should not obstruct a drivers view of an intersection or traffic control device. The report notes that, although the signs are within the safe stopping distance of the intersection of Old Windsor Road and Norbrik Drive, the purpose of the requirement is to ensure an unobstructed line of sight between the intersection / crossing and the vehicle over the relevant distance. Given the signs are elevated above the roadway they cannot interfere with the line of sight over the relevant distances and do not compromise road safety in this regard.

The SSA also noted there have been a total of nine collisions within the visible distances of the existing signs during the 5-year study period of the report, including a cluster of six crashes at or on approach to the Norbrik Drive and Old Windsor Road Intersection. Six of the nine incidents (67%) were classified as rear-end crashes, which the SSA considers to be typical in busy urban environments where congestion is common. On this basis and given there were no other relevant observable trends in terms of crash types or influences, the SSA considers that location of the existing advertising signs does not present a safety concern.

Overall, the Department is satisfied that (subject to resolution of structural issues discussed in Section 5.1), the continued use of the signs do not pose a risk to road and pedestrian/cyclist safety because the signage:

- does not obstruct and/or reduce visibility of any traffic control devices and signage, and pedestrians or cyclists
- does not give incorrect information on the alignment of the road
- is located within the driver's peripheral vision and does not require motorists to turn their head away from the roadway ahead

- does not compromise safety for road users in the vicinity
- would not increase safety risk during night-time illumination of the signage as there is no material change in how drivers' glance at a lit sign at night vs. an unlit sign during the day, when considering other stimuli in their visual field
- is consistent with objectives of the Industry and Employment SEPP, Transport for NSW Advertising Sign Safety Assessment Matrix and the objectives of the Guidelines with regard to safety.

## 5.4 Other issues

The Department's consideration of other issues is summarised in Table 4 below.

**Table 4 | Assessment of other issues**

Issue	Findings and conclusions	Recommended conditions
<b>Amenity and Visual Impact</b>	<p>The Applicant assessed the visual impacts of the proposal to confirm that the site was still a suitable location for the advertising signs.</p> <p>The Department considers that the signs result in a minor and acceptable visual impact on the surrounding area as they are located within an established major road corridor with a low visual sensitivity.</p> <p>The wider surrounding locality includes a range of land uses, including residential land uses, however the existing signs are either not highly visible from these areas or are considered acceptable in the visual context of the site for the following reasons:</p> <ul style="list-style-type: none"> <li>• The signs are oriented towards drivers on the roadway, rather than towards surrounding premises,</li> <li>• The low-density residential areas to the west of the site are separated from the signs by the Transitway, as well as substantial intervening landscaping between these areas and the subject site,</li> </ul>	No additional conditions required.

Issue	Findings and conclusions	Recommended conditions
	<ul style="list-style-type: none"> <li>• The high-density seniors living development to the east of the site is located in an 'enterprise' zone where residential accommodation is prohibited and where signage associated with economic growth and enterprise is expected.</li> <li>• The signs are located on the pedestrian bridge and as viewed from surrounding premises are read as part of the structure of the bridge, and part of the expected urban infrastructure associated with a major road corridor.</li> </ul>	
<b>Illumination</b>	<p>A Lighting Impact Assessment (LIA) was prepared by the Applicant to consider the illumination of the existing signs, having regard to the requirements of Chapter 3 of the Industry and Employment SEPP, the Guidelines, and <i>Australian Standard 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting</i>.</p> <p>The LIA confirms that the existing signs have been found to comply with all relevant requirements of AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting, and the maximum permitted luminance's of the signs (200cd/m<sup>2</sup>) would be visually consistent with the existing ambient lighting and suitable for the local area.</p> <p>Overall, the report concluded that the existing signs should not result in unacceptable glare, safety impacts or visual amenity impact to nearby residences or accommodation.</p> <p>The Department accepts that illumination of the existing signs meet luminance criteria and therefore would not result in unacceptable glare or detract from the amenity of nearby residences.</p>	<p>Noting that the sign boxes may be replaced with new or refurbished boxes, the Department has recommended conditions requiring that all lighting be consistent with the LIA and the requirements of the Guidelines and AS/NZS 4282:2023 <i>Control of the Obtrusive Effects of Outdoor Lighting</i>.</p> <p>Subject to this condition, the Department is satisfied the proposal would not result in any adverse illumination impacts.</p>
<b>Heritage</b>	Two local heritage listings are relevant to the assessment:	No additional conditions required.

Issue	Findings and conclusions	Recommended conditions
	<ul style="list-style-type: none"> <li>Under clause 5.10 of THLEP 2019, the eastern side of Old Windsor Road is an archaeological site of local significance, specifically the original sections of the road and culvert.</li> <li>Under clause 5.10 of BLEP 2015, Old Windsor Road itself is a heritage item of local significance. The alignment of the road is significant as the second public road alignment in NSW, with remaining historic road fabric demonstrating the methods of road construction and maintenance over two centuries. However, the alignment of the roadway / location of the heritage item is shown as being located further to the west of the site and not technically on the same land as the pedestrian bridge / signs.</li> </ul> <p>In terms of both listings, as the proposal is for ongoing use of existing signs elevated above the roadway and would in no way disturb or impact the archaeological site located at / below ground level, and would in no way disturb or impact any remnants of the original roadway or its alignment, the Department is satisfied the proposal would result in no adverse impacts to the heritage values of the items.</p>	
<b>Public Benefit</b>	<p>The Applicant advises that the proposal provides the following public benefits:</p> <ul style="list-style-type: none"> <li>The bridge and signage are fully funded by the Applicant on behalf of TfNSW and at no cost to the community.</li> <li>The advertisement signs will generate revenue which will be directed to maintaining the bridge, its lift structures</li> </ul>	No additional conditions required.

Issue	Findings and conclusions	Recommended conditions
	<p>and surrounds for an additional period of 15 years.</p> <ul style="list-style-type: none"> <li>• The pedestrian bridge greatly improves pedestrian safety, the efficiency of the intersection operation and will assist in improving the management of traffic conditions on this section of Old Windsor Road.</li> <li>• The provision of direct pedestrian access between the Bus Transit-way and the business park greatly improves accessibility, enhances the usage of public transport and demonstrates the successful outcome of planning aimed at integrating land use and public transport in the region.</li> </ul> <p>The Department is satisfied the proposal will result in sufficient public benefits because it will enable the applicant to fund the ongoing maintenance of the bridge including lifts, resulting in improved pedestrian access and public transport access at no cost to taxpayers.</p>	

## 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, the Industry and Employment SEPP and other relevant environmental planning instruments. The Department's assessment has also considered the relevant matters and objects of the EP&A Act, including the principles of ecologically sustainable development (Section 3 and Appendix C). It has also assessed the proposal against the *Transport Corridor Outdoor Advertising and Signage Guidelines* (Department of Planning and Environment 2017).

The Department is satisfied that the proposed development is consistent with the objectives of the Industry and Employment SEPP and satisfies the relevant requirements of the SEPP.

The Department has also considered advice from government agencies (TfNSW) and Council in Section 4 of this report. No public submissions were received during the exhibition periods.

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 and the Guidelines
- it would have minimal impacts on the character of the area and is consistent with the existing urban and transport corridor character of the locality
- it includes improved structural safety measures and will ensure existing structural defects on the site will be rectified
- it complies with the objectives of relevant road safety standards and requirements
- its luminance levels will be consistent with the Guidelines and Australian Standards to protect the amenity of surrounding properties and safety of drivers particularly at night
- the visual impacts of the proposal on surrounding residential properties would be negligible
- the proposal is unlikely to significantly affect threatened species or ecological communities, or their habitats
- it would provide appropriate public benefit it will ensure ongoing maintenance of the bridge, resulting in improved pedestrian access and public transport access at no cost to taxpayer.

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 (0).

## 7 Recommendation

It is recommended that the Director, Regional Assessments, as delegate of the Minister for Planning and Public Spaces:

- considers the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- agrees with the key reasons for approval listed in the Notice of Decision
- signs the attached development consent (0).

Recommended by:



Meg D'souza  
Planning Officer  
Regional Assessments

Recommended by:



Erin Murphy  
Team Leader  
Regional Assessments

## 8 Determination

The recommendation is adopted/not adopted by:

A handwritten signature in black ink, appearing to read "Louise Densmore". The signature is written in a cursive style with a large, looped initial 'L'.

Louise Densmore  
Acting Director  
Regional Assessments

# Glossary

Abbreviation	Definition
<b>Advertisement</b>	Has the same meaning as Section 3.2 of the State Environmental Planning Policy (Industry and Employment) 2021
<b>Advertising display area</b>	Has the same meaning as Section 3.2 of the State Environmental Planning Policy (Industry and Employment) 2021
<b>Advertising structure</b>	Has the same meaning as Section 3.2 of the State Environmental Planning Policy (Industry and Employment) 2021
<b>Council</b>	Blacktown City Council and The Hills Shire Council
<b>DCP</b>	Development Control Plan
<b>Department/DPHI</b>	Department of Planning, Housing and Infrastructure
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>EPI</b>	Environmental planning instrument
<b>ESD</b>	Ecologically sustainable development
<b>LEP</b>	Local environmental plan
<b>Minister</b>	Minister for Planning and Public Spaces
<b>SEE</b>	Statement of Environmental Effects
<b>SEPP</b>	State environmental planning policy
<b>Signage</b>	Has the same meaning as Section 3.2 of the State Environmental Planning Policy (Industry and Employment) 2021
<b>TfNSW</b>	Transport for NSW
<b>the Guidelines</b>	<i>Transport Corridor Outdoor Advertising and Signage Guidelines 2017</i>

# Appendices

## Appendix A – Summary of key amendments to the proposal

Since lodgement, some key aspects of the proposal have been amended. The Applicant originally proposed to continue operating the southbound (north-facing) advertising signage. However, the Applicant submitted an amended DA on 6 December 2024, seeking additional physical works

A summary of the key amendments is provided in Table 5 below.

**Table 5 | Key amendments**

Aspect	Original proposal in SEE	Amended proposal
<b>Proposal Description</b>	<p>The proposal seeks to continue the continue the operation of two illuminated static advertising signs on a pedestrian bridge over Old Windsor Road for a further 15 years.</p> <p>No physical works.</p>	<p>The proposal seeks to continue the continue the operation of two illuminated static advertising signs on a pedestrian bridge over Old Windsor Road for a further 15 years.</p> <p>Physical works are proposed:</p> <ul style="list-style-type: none"><li>• Removal of the existing sign boxes</li><li>• Necessary maintenance of the bridge and any sign box refurbishment (or replacement) to be carried out concurrently and in accordance with the recommendations of the Structural Condition Assessment Report</li><li>• Re-installation of the re-furbished or replaced sign boxes, including installation of fall arrest system</li><li>• Re-commence the static advertising.</li></ul>

## Appendix B – 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 and supporting technical documents
- Agency advice and Council submissions

<https://www.planningportal.nsw.gov.au/daex/under-consideration/installation-static-advertising-signage-old-windsor-road-bella-vista-da-234918>

## Appendix C – Statutory considerations

### Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in Table 6 as follows.

**Table 6 | Objects of the EP&A Act and how they have been considered**

Object	Consideration
<b>(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,</b>	<ul style="list-style-type: none"><li>• The development seeks to maximise use of the site and provides social and economic benefits to the community by generating revenue which contributes maintenance of the bridge an essential piece of road infrastructure maintenance.</li><li>• The development would not unreasonably impact on the State's natural or other resources.</li></ul>
<b>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</b>	<ul style="list-style-type: none"><li>• The development is not anticipated to have adverse impacts on flora or fauna, including threatened species, populations and ecological communities, and their habitats. The proposed development is unlikely to have any significant impacts to the social or economic environment but would provide funds infrastructure maintenance.</li><li>• The Department is satisfied that the development would not adversely impact on the biophysical or social environments, and that the principles of ESD have been appropriately considered.</li></ul>
<b>(c) to promote the orderly and economic use and development of land,</b>	<ul style="list-style-type: none"><li>• The development promotes the orderly and economic use of the land through the utilisation of an existing structure for a permissible land use, providing public benefits including the generation of revenue to maintain the bridge.</li></ul>
<b>(d) to promote the delivery and maintenance of affordable housing,</b>	<ul style="list-style-type: none"><li>• N/A - affordable housing does not form part of this application.</li></ul>

Object	Consideration
<b>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</b>	<ul style="list-style-type: none"> <li>• The development is not anticipated to have adverse impacts on native flora or fauna, including threatened species, populations and ecological communities, and their habitats.</li> </ul>
<b>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</b>	<ul style="list-style-type: none"> <li>• The proposal would not have any material impact on built or cultural heritage (Section 5 of this report).</li> </ul>
<b>(g) to promote good design and amenity of the built environment,</b>	<ul style="list-style-type: none"> <li>• The Department considers the proposal would not result in unacceptable built form impacts, as the proposed development is located on an existing road corridor, in an urban environment.</li> <li>• The signage is generally consistent with the relevant signage design and illumination requirements (Section 5 of this report).</li> </ul>
<b>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</b>	<ul style="list-style-type: none"> <li>• The proposal includes removal and replacement of the existing deteriorated signage to ensure proper maintenance and safety outcomes. The new signs will also include a fall arrest system, and the proposal is considered to be appropriately designed having regard to structural stability and safety.</li> <li>• The Department recommends conditions of consent requiring ongoing maintenance and review of structural integrity/condition as well as health and safety requirements.</li> </ul>
<b>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</b>	<ul style="list-style-type: none"> <li>• The Department sought advice from TfNSW, Hills Shire Council and Blacktown City Council during the exhibition of the proposed development. The matters raised by TfNSW and the Councils are addressed in Section 4, the assessment in Section 5 and the recommended conditions.</li> </ul>

Object	Consideration
<b>(j) to provide increased opportunity for community participation in environmental planning and assessment.</b>	<ul style="list-style-type: none"> <li>The application and supporting documents were exhibited and comment from members of the public sought. No public submissions were made on the proposed development (see <b>Section 4</b> of this report).</li> </ul>

## 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 proposal in relation to ESD principles. The precautionary and inter-generational equity principles have been implemented throughout the decision-making process and the assessment of the development's environmental impacts are detailed in **Section 5** of this report.

## Section 4.15 – Matters for Consideration

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application.

A summary of the Department's consideration of the matters for consideration (found in s.4.15 of the EP&A Act) are provided in **Table 7** (below) and matters for consideration specific to Crown developments are in **Table 8** (below).

**Table 7 | Matters for Consideration**

Matters for Consideration	Consideration
<b>(a) the provisions of—</b> <b>(i) any environmental planning instrument, and</b>	<ul style="list-style-type: none"> <li>The Department has considered the relevant environmental planning instruments in its assessment in this appendix.</li> </ul>

Matters for Consideration	Consideration
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	<ul style="list-style-type: none"> <li>N/A: there are no applicable proposed instruments.</li> </ul>
(iii) any development control plan, and	<ul style="list-style-type: none"> <li>The proposal generally meets the applicable objectives and controls of the Hills Development Control Plan 2012 as addressed below in this appendix. The Blacktown Development Control Plan 2015 does not include any objectives or controls applicable to the proposed signs.</li> </ul>
(iii)(a) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	<ul style="list-style-type: none"> <li>The Applicant has not entered into a planning agreement under Section 7.4 of the EP&amp;A Act.</li> </ul>
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,	<ul style="list-style-type: none"> <li>The Department has assessed the development in accordance with all relevant matters prescribed by the regulations, the findings of which are contained in this report</li> </ul>
(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,	<ul style="list-style-type: none"> <li>The Department has considered the likely impacts of the development in detail in Section 5 of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.</li> </ul>

Matters for Consideration	Consideration
<b>(c) the suitability of the site for the development,</b>	<ul style="list-style-type: none"> <li>The development is permissible with consent. The site is considered suitable for the development as it is an existing bridge structure within a major road reserve, separate from residential and other uses, ensuring no adverse impacts to surrounding uses arise.</li> </ul>
<b>(d) any submissions made in accordance with this Act or the regulations,</b>	<ul style="list-style-type: none"> <li>All matters raised in submissions have been summarised in Section Error! Reference source not found. of this report and given due consideration as part of the assessment of the development in Section Error! Reference source not found. of this report.</li> </ul>
<b>(e) the public interest.</b>	<ul style="list-style-type: none"> <li>The Department considers the proposal to be in the public interest as it enables ongoing funding for public infrastructure in a location that does not result in adverse impacts to surrounding land uses.</li> </ul>

**Table 8 |** Matters for Consideration under Division 4.6 of the EP&A Act

Matter	Consideration
<b>Section 4.32 Definitions</b>	
<b>(1) In this Division— ... Crown development application means a development application made by or on behalf of the Crown.</b>	<p>The application is not being made by a public authority. Mulpha Norwest (the applicant) is a private company.</p> <p>Although the applicant advises that the proposed signage would be <i>displayed</i> by or on behalf of TfNSW, due to a contractual relationship with TfNSW (the landowner), this development application has not been lodged on behalf of TfNSW and therefore is not considered to be a Crown development application.</p>
<b>Section 4.33 Determination of Crown development applications</b>	
<b>(1) A consent authority (other than the Minister) must not—</b>	
<b>(a) refuse its consent to a Crown development application, except with the approval of the Minister, or</b>	Not applicable, as this is not a Crown development application.
<b>(b) impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.</b>	

## EP&A Regulation

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.

## Roads Act 1993

Section 138 of the *Roads Act 1993* requires that a person must not carry out work on or over a public road without the consent of TfNSW (RMS). The Applicant has not sought integrated development approval under section 4.46 of the EP&A Act as part of the application. However, The application was referred to TfNSW for comment, and on 10 February 2025 TfNSW advised that concurrence is provided to the application, subject to recommended conditions. The Department has adopted these

conditions in the recommended consent. In addition, an advisory note has been included to inform the Applicant of the requirement to apply to TfNSW for approval under the Roads Act.

## Environmental Planning Instruments (EPIs)

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 & Employment) 2021 (Industry and Employment SEPP)
- Blacktown Local Environmental Plan 2015
- The Hills Local Environmental Plan 2019
- Blacktown Development Control Plan 2015
- The Hills Development Control Plan 2012
- *Transport Corridor Outdoor Advertising and Signage Guidelines 2017* (Guidelines)

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

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 signage has been assessed against the requirements of the Industry and Employment SEPP in Table 9 and the specific assessment criteria of Schedule 5 of the Industry and Employment SEPP in Table 10.

**Table 9 | Industry and Employment SEPP Compliance Assessment**

Object	Criteria	Comments	Compliance
<b>Part 3.2 Signage Generally</b>			
3.6 Granting of consent to signage	The signage is to be consistent with the objectives of this policy	The signage is compatible with the desired amenity and visual character of the area, being a wide roadway corridor, visually separate from surrounding land uses. The signage is an effective means of communication along the roadway and is of a high-quality finish which is complementary to the finishes of the bridge. It is therefore considered consistent with the objectives.	Yes

Object	Criteria	Comments	Compliance
	The signage is to satisfy the assessment criteria in Schedule 5	See relevant assessment in Table 10.	Yes
<b>Part 3.3 Advertisements</b>			
3.8 Prohibited Advertisements	Despite the provisions of any other environmental planning instrument, the display of an advertisement is prohibited on land that, under an environmental planning instrument, is within any of the following zones or descriptions— .....  heritage area (excluding railway stations)....	Although part of the site is affected by a heritage listing, the prohibitions created by this section are overridden by the provisions of 3.14, considered below	N/A
3.10 Consent authority	The consent authority is the Minister for Planning and Public Spaces in the case of an advertisement displayed by or on behalf of TfNSW on land that is owned, occupied or managed by TfNSW	The proposal is for signage displayed under a contractual arrangement with TfNSW for the ongoing maintenance of a bridge. The signage is located within the road corridor of Old Windsor Road, which is owned and managed by TfNSW and therefore the Minister for Planning and Public Spaces is the consent authority	Yes
3.11 Matters for consideration	The advertisement or advertising structure is to be: <ul style="list-style-type: none"> <li>i. consistent with the objectives of this chapter</li> <li>ii. assessed in accordance with the assessment criteria in schedule 5 and the Guidelines</li> </ul>	The objectives are considered above.  The development application has been assessed in accordance with the assessment criteria in Schedule 5 in Table 10 and the Guidelines in Table 11.  All other relevant requirements are addressed in this table	Yes

Object	Criteria	Comments	Compliance
	iii. satisfies any other relevant requirements of this policy		
	Arrangements for the provision of the public benefits to be provided in connection with the display of the advertisement	The development application has adequately demonstrated it will provide for public benefit (refer to Section 5 of this report)	Yes
3.12 Duration of consents	A consent granted under this part ceases to be in force on the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 4 (20) of the EP&A Act	The Department recommends a condition of consent to limit the approval to a maximum period of 15 years from the date of consent.	Yes
3.14 Transport corridor land	Despite section 3.8(1), the display of an advertisement by or on behalf of TfNSW on land that is owned, occupied or managed by TfNSW and that is within 250 metres of a classified road is permissible with consent.	The development application is for signage on land owned by TfNSW and is within 250m of a classified road and is therefore permissible with consent.	Yes
	Before determining an application for consent the Minister may appoint a design review panel. The Minister must not grant consent in such a case unless: <ul style="list-style-type: none"> <li>i. the advice of any design review panel has been considered by the Minister, and</li> <li>ii. the Minister is satisfied that the advertisement is consistent with the Guidelines.</li> </ul>	N/A There was no design review panel for this development application.  An assessment of the development application against the Guidelines is provided in Table 11.	Yes

Object	Criteria	Comments	Compliance
3.15 Advertisements with display area greater than 20 square metres or higher than 8 metres above the ground	<p>The consent authority must not grant consent to an application to display an advertisement to which this section applies unless,</p> <p>(a) the Applicant has provided the consent authority with an impact statement that addresses the assessment criteria in schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and</p> <p>(b) the consent authority gave a copy of the application to TfNSW before the application is exhibited if the application is an application for the display of an advertisement to which section 3.16 applies.</p>	<p>The signage has an area greater than 20 square metres and is higher than 8m above the ground.</p> <p>The SEE addresses the assessment criteria in Schedule 5. The Department is satisfied that the impacts of the signage are acceptable as there is no change in impacts from the existing advertising signage.</p> <p>While section 3.16 of the EP&amp;A Act does not apply, the Department provided a copy of the development application to TfNSW during the exhibition period.</p>	Yes
3.16 Advertisements greater than 20 square metres and within 250 metres of, and visible from, a classified road	<p>The consent authority must not grant development consent to the display of an advertisement to which this section applies without the concurrence of TfNSW. However, this section does not apply when the Minister for Planning is the consent authority.</p>	<p>This section does not apply as the Minister is the consent authority. Notwithstanding this, the Department referred the application to TfNSW for comment and recommendations of TfNSW have been considered in Section 5 of this report and included as conditions of consent.</p>	N/A
3.17 Advertising display area greater than 45 square metres	<p>The consent authority must not grant consent to the display of an advertisement with an advertising display area of greater than 45 square metres unless:</p>	<p>Each sign has a display area greater than 45 square metres and is on transport corridor land. The Department has assessed the advertisements against the Guidelines (see Table 11 below) and</p>	Yes

Object	Criteria	Comments	Compliance
	i. a development control plan is in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct, or  ii. in the case of the display of an advertisement on transport corridor land, the consent authority is satisfied that the advertisement is consistent with the Guidelines.	is satisfied the advertisements are consistent with the Guidelines.	
3.18 Location of certain names and logos	The name or logo of the person who owns or leases an advertisement or advertising structure must: <ul style="list-style-type: none"> <li>i. appear only within the advertising display area</li> <li>ii. not be greater than 0.25 square metres</li> <li>iii. be included in calculating the size of an advertising display area.</li> </ul>	The name and logo of the owner / lessee of the signs only appears with the advertising itself and not on any border / sign structure.  The Department has recommended a condition requiring that any future logo must comply with the size requirements outlined in the Industry and Employment SEPP.	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.	The proposal considered consistent with the Guidelines as detailed in Table 11.	Yes

**Table 10 | Industry and Employment SEPP Schedule 5 Compliance Table**

Assessment Criteria	Consideration and Comments	Complies
<b>1 Character of the area</b>		
<b>Is the proposal compatible with the existing or desired future character of</b>	The signs are typical of advertising in road corridors and consistent with other similar	Yes

Assessment Criteria	Consideration and Comments Comments	Complies
<b>the area or locality in which it is proposed to be located?</b>	advertising on pedestrian bridges within the Old Windsor Road corridor. Therefore, the proposal is considered compatible with the character of the locality.	
<b>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</b>	The signage is consistent with the design and scale of other static illuminated signs located along major roads in the locality.	Yes
<b>2 Special Areas</b>		
<b>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open spaces areas, waterways, rural landscapes or residential areas?</b>	The signs are not located within, nor detract from, any environmentally sensitive, natural, conservation, open space, waterway or rural landscapes. The signs are not in direct proximity to the residential zone and would not detract from the residential zone. The site is adjacent to a heritage item, being the original alignment of Old Windsor Road, but as discussed below, the proposal would not result in any impacts to the heritage values of the item, nor would it affect the amenity or visual quality of the item.	Yes
<b>3 Views and vistas</b>		
<b>Does the proposal obscure or compromise important views?</b>	The signage does not obscure or compromise important views	Yes
<b>Does the proposal dominate the skyline and reduce the quality of vistas?</b>	The signage does not dominate the skyline or reduce the quality of vistas as it is located on an existing structure.	Yes
<b>Does the proposal respect the viewing rights of other advertisers?</b>	The signage does not impact the viewing rights of other advertisers.	Yes
<b>4 Streetscape, setting or landscape</b>		
<b>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</b>	The scale, proportion and form of the signage is appropriate for the transport corridor setting and the scale and proportions of the pedestrian overpass bridge.	Yes

Assessment Criteria	Consideration and Comments Comments	Complies
<b>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</b>	The signage will contribute to the visual interest of the road corridor by incorporating advertising on the overpass.	Yes
<b>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</b>	There will be no change to existing advertising.	N/A
<b>Does the proposal screen unsightliness?</b>	The signage does not screen unsightliness as there is none in the immediate surrounds.	N/A
<b>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</b>	The signs are affixed to the pedestrian overpass. The existing signs protrude slightly above the façade height of the elevation of the existing bridge, however, the variation is marginal and considered acceptable in this case, as discussed in Section Error! Reference source not found.. Conditions are recommended to ensure any replacement signs would be consistent with the height of the overpass.	Yes, subject to a condition.
<b>Does the proposal require ongoing vegetation management?</b>	No vegetation management is required.	Yes
<b>5 Site and building</b>		
<b>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?</b>	The scale of the signs is generally compatible with the scale and proportion of the pedestrian overpass bridge and the overall design of the signs is considered appropriate for the context of road corridor.	Yes
<b>Does the proposal respect important features of the site or building, or both?</b>	The signage does not detract from any important features.	Yes.
<b>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</b>	The proposal shows innovation through the utilisation of a pedestrian overpass in a road corridor for advertising.	Yes
<b>6 Associated devices and logos with advertisements and advertising structures</b>		

Assessment Criteria	Consideration and Comments Comments	Complies
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?	Safety devices including proposed new fall arrest supports are designed to be visually unobtrusive. Illumination is integrated into the design of the signs.	Yes
<b>7 Illumination</b>		
Would illumination result in unacceptable glare?	Illumination complies with the Guidelines and would not result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, or detract from the amenity of any residents (refer to Section Error! Reference source not found. of this report). The Department has recommended a condition of consent requiring all signage lighting be accordance with AS/NZS 4282:2023 <i>Control of the Obtrusive Effects of Outdoor Lighting</i> .	Yes
Would illumination affect safety for pedestrians, vehicles or aircraft?		Yes
Would illumination detract from the amenity of any residence or other form of accommodation?		Yes
Can the intensity of the illumination be adjusted, if necessary?	The illumination complies with the Guidelines and the intensity of the illumination can be adjusted.	Yes
Is the illumination subject to a curfew?	A curfew is not considered necessary as night time illumination levels are low and not considered to result in adverse impacts.	Yes
<b>8 Safety</b>		
Would the proposal reduce the safety for any public road?	The signage would not reduce safety for any public road.	Yes
Would the proposal reduce the safety for pedestrians or bicyclists?	The signage would not reduce safety concerns for pedestrians or cyclists.	Yes
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signage would not obscure sightlines from public areas.	Yes

## Transport Corridor Outdoor Advertising and Signage Guidelines 2017

The *Transport Corridor Outdoor Advertising and Signage Guidelines 2017* (the Guidelines) outline best practice for the planning and design of outdoor advertisements in transport corridors. The Guidelines supplement the provisions of the Industry and Employment SEPP by providing detailed information in relation to signage within transport corridors, including design criteria and road safety considerations. The development application has been assessed against the Guidelines in Table 11.

**Table 11 | Assessment against the Guidelines**

Assessment Criteria	Comments	Complies
<b>Land use compatibility criteria – Table 1</b>		
(i) The use of outdoor advertising in a given locality should not be inconsistent with the land use objectives for the area outlined in the relevant LEP.	The site is zoned SP2 Infrastructure under the Blacktown Local Environmental Plan 2015 and SP4 Enterprise under the Hills Local Environmental Plan 2019. The applicable land use objective of both zones and LEPs have been considered below and the Department is satisfied the proposal is consistent with relevant land use objectives.	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"> <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>	The signs are not located within, nor detract from, any environmental sensitive, natural, conservation, open space, waterway or rural landscapes. The signs are not in direct proximity to the residential zone and would not detract from the residential zone. The site is adjacent to a heritage item, being the original alignment of Old Windsor Road, but as discussed below, the proposal would not result in any impacts to the heritage values of the item, nor would it affect the amenity or visual quality of the item.	Yes
(iii) Advertising structures should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant	The signs are located on a major roadway integrated with the pedestrian overpass bridge and do not obscure any significant views.	Yes

Assessment Criteria	Comments	Complies
scenic views or views that add to the character of the area.		
(iv) Advertising signage should not be located to diminish the heritage values of items or areas of local, regional or state heritage significance.	The site is adjacent to a heritage item, being the original alignment of Old Windsor Road, but as discussed, the proposal would not result in any impacts to the heritage values of the item, nor would it affect the amenity or visual quality of the item.	Yes
(v) Where possible, advertising structures should be placed within the context of other built structures in preference to non-built areas. Where possible, signage should be used to enhance the visual landscape. For example, signs may be positioned adjacent to, or screening, unsightly aspects of a landscape, industrial sites or infrastructure such as railway lines or power lines.	The signs are located within the context of an existing built structure rather than in a non-built area.	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 signage is of a contemporary standard that is suitable for the transport 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 is to be located.	The signage is compatible with adjacent road infrastructure.	Yes
(c) The advertising signage should be in keeping with important features of the site, building or bridge structure.	The signage is in keeping with the surrounding road corridor character.	Yes.

Assessment Criteria	Comments	Complies
(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 keeping with the landscape and character of the transport corridor.	Landscaping is not possible given the location of the sign on a bridge above the roadway. Nevertheless, the proposal is in keeping with the 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 structure on which it is to be displayed.	Safety devices including proposed new fall arrest supports are designed to be visually unobtrusive and integrated with the existing design. Illumination is integrated into the design of the signs.	Yes.
(g) Illumination of advertisements must comply with the requirement in Section 3.3.3 of the Guidelines.	The illumination of the signage would not result in unacceptable light spill (Section Error! Reference source not found.. of this report).  The Department has recommended a condition of consent requiring all signage lighting to meet luminance criteria for non-digital signs set out in Table 5 of the Transport Corridor Outdoor Advertising and Signage Guidelines (Department of Planning and Environment, 2017).	Yes.
(h) Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.	The signage would not result in unacceptable light spillage to nearby residential properties, national parks or nature reserves.	Yes.
<b>2.5.5 Bridge Signage criteria</b>		
(a) The architecture of the bridge must not be diminished.	The signage has been designed to complement the scale and architecture of the bridge.	Yes
(b) The advertisement must not extend laterally outside the structural boundaries of the bridge.	The signs do not extend laterally outside the structural boundaries of the bridge.	Yes

Assessment Criteria	Comments	Complies
(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 signs do not extend below the soffit of the superstructure of the bridge to which it is attached.	Yes
(d) On a road or pedestrian bridge, the advertisement must:  iii. not protrude above the top of the structural boundaries of the bridge  iv. not block significant views for pedestrians or other bridge users (e.g. cyclists)  v. not create a tunnel effect, impede passive surveillance, or in any other way reduce safety for drivers, pedestrians or other bridge users	Although the existing signs protrude slightly above the top of the structural boundaries of the bridge (by about 250mm) this is considered to be a marginal protrusion, with no material adverse visual impacts.  The signs do not block any significant views, create a tunnel effect or impede passive surveillance, noting that although the signs extend above handrail height, in accordance with the Guidelines, the signs occupy only one third of the façade on each side of the bridge, are less than 14 meters in length, and are offset from each other (ie not occupying both sides of the bridge at the same location), thereby ensuring direct views from the public domain are retained to all parts of the pedestrian areas on the bridge	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	N/A: the existing advertising was approved on 20 August 2010 (post gazettal of Amendment No 2 in 2007).	N/A
(f) A DCP to display an advertisement on a bridge must be accompanied by a statement demonstrating how the advertisement will contribute to a	A DCP is not proposed.	N/A

Assessment Criteria	Comments	Complies
public benefit. Section 4 outlines the public benefit test requirements		
(g) Any advertising sign proposed for development on a bridge over a classified road requires that construction drawings be submitted for review and approval by RMS bridge engineers prior to construction to ensure all road safety requirements are met.	TfNSW has granted concurrence to the application, subject to a number of conditions, including details of the fall arrest system to be provided to TfNSW.	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.	A new fall arrest system is proposed as part of this application. Conditions of consent are recommended to ensure provision of the new fall arrest system.	Yes

#### Road safety assessment criteria

##### 3.2.1 Road clearance

(a) The advertisement must not create a physical obstruction or hazard.	The proposal 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.	Not applicable: relates to signs at the side of the roadway, rather than above the road.	N/A
(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 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.	N/A: Sign not proposed in the clear zone (roadside border area).	N/A

Assessment Criteria	Comments	Complies
(d) All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS1170.1 and AS1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.	The Department recommends a condition to ensure the proposal complies 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 signage is located well above the roadway on an existing bridge structure and therefore do not obstruct driver views.	Yes
(b) A advertisement must not obstruct a pedestrian or cyclist's view of the road.	The signage does not obstruct pedestrian and cyclist's views at road level.	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 signage does not have the potential to give incorrect information about the road alignment.	Yes
(d) The advertisement should not distract a driver away from the road environment for an extended length of time.	The location of the signs directly above the roadway ensure they would not require drivers to turn their heads to view the signs and would not create headlight reflections in the drivers line of sight.	Yes.

### 3.2.3 Proximity to decision making points and conflict points

(a) The sign should not be located: i. less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves ii. less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway	Although the signs are technically located within the safe stopping sight distance from an intersection, the development would comply with the objectives of these road safety requirements (refer to Section 5 of this reportError! Reference source not found.).	Acceptable on merit
--	--	---------------------

Assessment Criteria	Comments	Complies
<p>facility or hazard within the road environment</p> <p>iii. so that it is visible from the stem of a T-intersection.</p>		
<p>(b) The placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver's view:</p> <p>i. of a road hazard</p> <p>ii. to an intersection</p> <p>iii. to a prescribed traffic control device(such as traffic signals, stop or give way signs or warning signs)</p> <p>iv. to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher.</p>	<p>The placement of the signage is unlikely to distract drivers at critical times (refer to Section 5 of this reportError! Reference source not found.).</p>	Yes

### 3.3.1 Advertising signage and traffic control devices

<p>(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.</p>	<p>The signage would 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 (refer to Section 5 of this reportError! Reference source not found.).</p>	Yes.
<p>(b) The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a traffic control device.</p>	<p>The signage would not interfere with stopping sight distance for the road's design speed and would not interfere with the effectiveness of existing traffic control devices.</p>	Yes

### 3.3 Illumination and reflectance

#### Illumination and reflectance criteria for non-digital signs

<p>(a) Advertisements must comply with the luminance requirements in Table 5.</p>	<p>Existing signs comply. This is recommended as a condition of consent for the replacement signs.</p>	Yes
---	--	-----

Assessment Criteria	Comments	Complies
(b) For night time use, the sign (whether internally illuminated or lit from its exterior) must not cast a shadow on areas that were previously lit and that have a special lighting requirement, e.g. pedestrian crossings.	The internal illumination of the signage would not cause unacceptable shadow impacts that would affect the safety of pedestrians, residents or vehicular traffic.	Yes
(c) The light sources for illuminated signs must focus solely on the sign and:  i be shielded so that glare does not extend beyond the sign  ii with the exception of back lit neon signs, have no light source visible to passing motorists with a light output greater than that of a 15W fluorescent/LED bulb	The illumination of the signage would not cause unacceptable glare. Conditions are recommended to ensure compliance with these requirements.	Yes
(d) The level of reflectance of an advertisement, and its content, is not to exceed the 'Minimum coefficients of Luminous intensity per unit area for Class 2A Material', as set out in Australian Standard AS/NZS 1906.1:2007. Flashing illuminated advertisements will not be approved.	A condition of consent is recommended requiring the level of reflectance of the materials used and advertisements to meet the requirements specified in AS/NZS 1906.1:2017 Retroreflective materials.  No flashing illuminated advertisements are proposed.	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.	The signage does not incorporate technology that would 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	No message sequencing is proposed.	Yes

Assessment Criteria	Comments	Complies
presented on a single sign and across a series of signs.		
<b>4.0 Public benefit</b>		
<p>The public benefit test is an assessment of how the local community will benefit as a result of the display of the advertisement, and must be applied to an advertising proposal if:</p> <ul style="list-style-type: none"> <li>a. the display of the advertisement is by or on behalf of RMS or TfNSW, Sydney Trains and NSW Trains</li> <li>b. the advertisement is to be displayed along a tollway</li> <li>c. the advertisement is to be displayed on a bridge</li> <li>d. the advertisement requires RMS concurrence under SEPP 64.</li> </ul> <p>The proponent must outline in the SEE accompanying the DA what arrangements they will make to provide an appropriate public benefit.</p>	<p>The public benefit test applies as the display of the advertisements will be displayed on behalf of TfNSW and will be on a bridge.</p> <p>Public benefits are discussed in <b>Section 5</b> and the Department is satisfied the proposal will result in sufficient public benefits because it will enable the applicant to fund the ongoing maintenance of the bridge including lifts, resulting in improved pedestrian access and public transport access at no cost to taxpayers.</p>	Yes

## Blacktown Local Environmental Plan 2015

The site is zoned SP2 Infrastructure under the Blacktown Local Environmental Plan 2015. Under the BLEP 2015, 'signage' is permissible in this zone. The signage is also permissible under section 3.14(1) of the Industry and Employment SEPP as discussed in **Section 3.1** of this report.

The objectives of the SP2 Infrastructure zone within the BLEP 2015 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 roadway and pedestrian bridge and is therefore consistent with the objectives of the zone.

Heritage conservation is required to be considered in accordance with clause 5.10 of BLEP 2015. Under BLEP 2015, Old Windsor Road is a heritage item of local significance. The alignment of the road is significant as the second public road alignment in NSW, with remaining historic road fabric demonstrating the methods of road construction and maintenance over two centuries. However, the

alignment of the roadway / location of the heritage item is shown as being located further to the west of the site and not on the same land as the pedestrian bridge / signs. Further, as the proposal relates to ongoing use of existing signs elevated above the roadway, it would in no way disturb or impact any remnants of the original roadway or its alignment, and the Department is therefore satisfied the proposal would result in no adverse impacts to the heritage significance of the item.

### **Hills Local Environmental Plan 2019**

The site is zoned SP4 Enterprise under the Hills Local Environmental Plan 2019. 'Signage' is prohibited in the SP4 zone of the THLEP 2019, however under clause 5.3 the development is permissible as:

- It is within 20 metre of a zone boundary where the development would be permissible (The SP2 Infrastructure zone under BLEP 2019 discussed above)
- The development is not inconsistent with the objectives for development in both zones: The signage is consistent with the objectives of the SP2 zone as discussed above and is considered to be generally consistent with the objectives of the SP4 zone which seeks to provide for development that support enterprise and productivity.
- the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land, noting the need for a consistent approach to infrastructure delivery on the Old Windsor Road which straddles both zones

Further, as discussed in Section 3.1 of this report the signage is also permissible under section 3.14(1) of the Industry and Employment SEPP regardless of the provisions of THLEP 2019

Heritage conservation is required to be considered in accordance with clause 5.10 of THLEP 2019. Under THLEP 2019, Old Windsor Road is an archaeological site of local significance, specifically the original sections of the road and culvert. As the proposal is for ongoing use of existing signs elevated above the roadway and would in no way disturb or impact the archaeological site located at / below ground level, the Department is satisfied the proposal would result in no adverse impacts to the archaeological site.

### **Blacktown Development Control Plan (DCP) 2015**

The Blacktown Development Control Plan does not include any specific objectives or controls that would apply to the proposal.

### **The Hills Development Control Plan (DCP) 2012**

Part C Section 2 of The Hills DCP outlines Council's objectives and controls for the installation of signage. Section 2.5 includes objectives and controls for signs in the former B7 Business Park Zones

(now SP2 Infrastructure Zone), however the objectives and controls predominantly relate to building and business identification signs, rather than general advertising signs. Nevertheless, the proposal is considered to be consistent with relevant objectives in that:

- the signage is in sympathy with the building design and architectural treatment of the building (pedestrian bridge)
- the content of advertising will not interfere with the amenity of the locality or cause offence to the general public.

Section 2.11 of the DCP includes objectives and controls in relation to illumination of signs and requires that any illuminated signage shall not adversely impact upon adjoining properties and shall be designed to ensure that no light spills onto adjoining or adjacent properties. As discussed in Section 5 of this report, the illumination of the signs would result in no adverse impacts to adjacent properties.

## Appendix D – Recommended instrument of consent

The recommended instrument of consent can be found on the Department's website:

<https://www.planningportal.nsw.gov.au/daex/under-consideration/installation-static-advertising-signage-old-windsor-road-bella-vista-da-234918>