

Advertising Signage – Parramatta Road, Auburn

Part 4 Development Application (DA 23/16891)

November 2024





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.

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Advertising Signage – Parramatta Road, Auburn (DA 23/16891) Assessment Report

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Cover photo: View of the eastbound facing sign (SEE [2024](#))

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 to extend the use of existing static signage at a pedestrian overbridge at Parramatta Road, Auburn in the Cumberland City Council local government area (LGA).

The application has been lodged by Transport for NSW (the Applicant) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The report includes:

- The permissibility of the proposal and who the consent authority is;
- 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; and
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether development consent for the proposal should be granted and any conditions that should be imposed.

The Department considers the proposal is in the public interest and concludes that it should be approved subject to conditions.

Executive Summary

This report details the Department's assessment of the Development Application (DA 23/16891) for the continued use of two existing static advertising signs on a pedestrian overbridge at Parramatta Road, Auburn for a further 15 years.

Proposal

Transport for NSW (the Applicant) proposes to continue the use of two existing static signs on a pedestrian overbridge at Parramatta Road, Auburn in the Cumberland City Council local government area (LGA), for another 15 years. No excavation or construction are proposed.

The proposal has a capital investment value of \$46,311.10.

Statutory context

Clause 3.9 of State Environmental Planning Policy (Industry and Employment) 2021 (the Industry and Employment SEPP) requires development consent for the display of an advertisement. The Minister is the consent authority for an advertisement displayed by or on behalf of RMS (now Transport for NSW (TfNSW)) on a bridge constructed by or on behalf of TfNSW on any road corridor (clause 3.10(d)(ii) of the Industry and Employment SEPP).

The display of an advertisement on a bridge constructed by or on behalf of TfNSW on any road corridor is permissible with consent under clause 3.14(1)(b)(ii) of the Transport and Infrastructure SEPP. Signs are also permissible with consent in the SP2 zoning of the site under the Cumberland Local Environmental Plan 2021.

The application is a Crown DA under Division 4.6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as the Applicant is a public authority.

The proposal is permissible with consent and the Minister is the consent authority. In accordance with the Minister's delegation dated 9 March 2022, the Director, Transport and Water Assessments may determine the application.

Engagement

The Department exhibited the development application for 21 days from 11 June 2024 until 2 July 2024. During the exhibition period, the Department received no submissions from the public.

Cumberland City Council was notified of the development and advised the proposal was supported subject to ensuring the signage will not produce any glare and light.

TfNSW's road safety section was also notified of the proposed development and provided recommended conditions of consent.

The Applicant provided a response to the advice from TfNSW and Cumberland City Council.

Assessment

Road Safety

The existing signs are mounted on a pedestrian overbridge above Parramatta Road, east of the signalised Parramatta Road/Macquarie Road intersection, and face the westbound and eastbound travel lanes.

The signs have been in place for several years prior to the upgrade of the Parramatta Road/Macquarie Road intersection to a signalised one and according to crash data, traffic accidents on the approaches to the sign have reduced over time following the signals installation. The sign does not physically obstruct or interfere with the view of any intersections, traffic control devices, vehicles, pedestrians, or cyclists. The continued use of the westbound facing sign presents a low risk to road safety and is therefore considered acceptable from a road safety perspective.

The westbound facing sign is within the safe stopping distance for the intersection but does not compromise safety for road users in the vicinity for the reasons described above. The eastbound facing sign is not in the safe stopping distance for eastbound traffic.

Design and Site Suitability

The Department is satisfied the design and location of the signs remains suitable and their continued use would not result in additional amenity impacts. The existing signage structure has been in place for 15 years. No further physical work is proposed as part of the development application and the advertising area and structure fit the mixed-use character of the locality. The location of the signs within a roadway corridor is suitable for advertising and consistent with signage on other bridges on major roads.

Visual Amenity

There are no physical changes to the scale of the proposal and the signs remain oriented to westbound and eastbound motorists travelling along Parramatta Road. The visual impact of the signs and advertising structure remain acceptable as the signage would not extend outside the structural boundaries of the Parramatta Road pedestrian overbridge and so would not obstruct motorists' views and is consistent with the Industry and Employment SEPP and the Transport Corridor Outdoor Advertising and Signage Guidelines.

Illumination

The existing signage is internally illuminated using non-dimmable fluorescent lights fixed to the back of the signage box. The lights operate during the nighttime period (7 days per week) and are switched off during the daytime period. The Department accepts that illumination of the signs meets the luminance criteria and therefore would not result in unacceptable glare or detract from the amenity of nearby residences, which addresses the concerns raised by Council.

Heritage

Continued use of the existing advertising signs would not have an adverse impact on the significance of any heritage items or draft heritage items nearby.

Structural Feasibility

A Structural Feasibility Statement concluded that the signage structure meets current construction standards and that its structural integrity is sound.

Conclusion

Overall, the Department's assessment concludes the proposal would provide public benefit as the revenue raised from the continued use of the signs for advertising would be allocated to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs. The signage also provides affordable advertising space for road safety messages in prime locations.

The Department's assessment concludes that the impacts of the proposed development are acceptable.

It is recommended that the proposed development be approved, subject to conditions.

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1. Introduction

1.1 The proposal

Transport for NSW (TfNSW) (the Applicant) has sought approval to continue the use of two existing static advertising signs on a pedestrian overbridge at Parramatta Road, Auburn in the Cumberland City Council local government area (LGA), for another 15 years. No excavation or construction is proposed.

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

1.2 Proposal location

The signs are located on either side of the Parramatta Road pedestrian overbridge at Auburn (**Figure 1**, **Figure 2** and **Figure 3**). The pedestrian overbridge spans Parramatta Road in a general north-south alignment, allowing pedestrians to safely cross Parramatta Road and access the Auburn North Public School from the residential areas on the southern side of the road. The signs are oriented towards eastbound and westbound traffic on Parramatta Road.

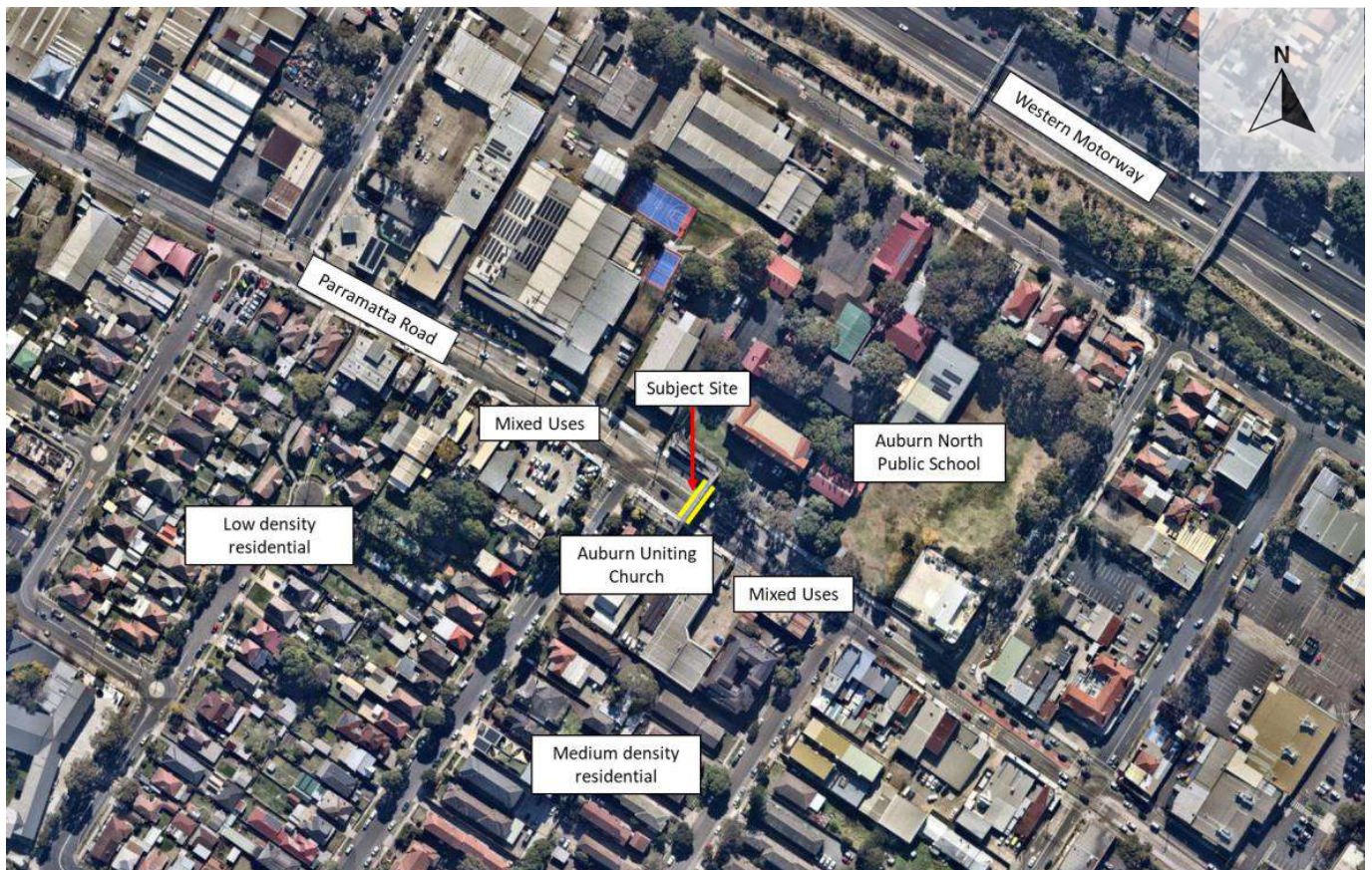


Figure 1 | Site context (source: SEE 2024)



Figure 2 | Existing sign as seen from Parramatta Road looking east (source: SEE 2024)

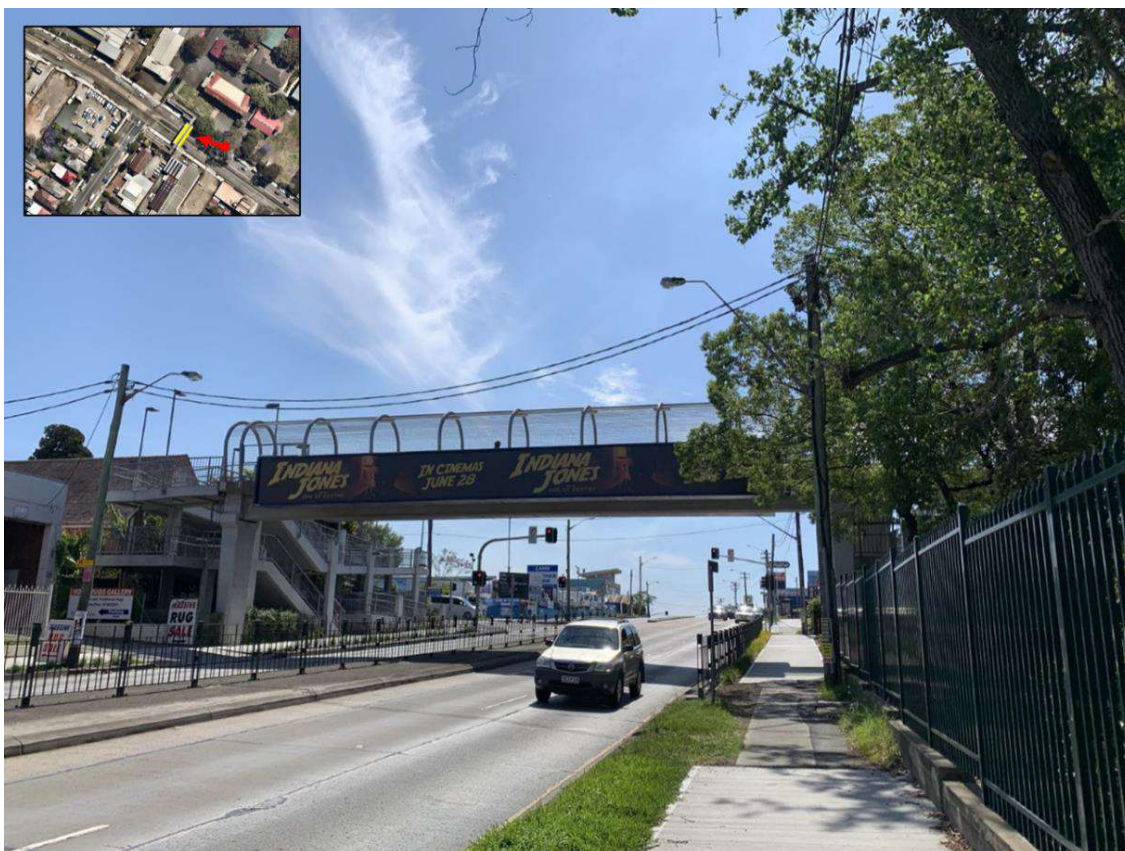


Figure 3 | Existing sign as seen from Parramatta Road looking west (source: SEE 2024)

1.3 Proposal background

On 1 December 2008 (DA/63/7/2008), the former Minister for Planning granted development consent for the installation of two illuminated advertising panels on the pedestrian overbridge on Parramatta Road, Auburn.

On 11 November 2009, a modification to DA/63/7/2008 was approved by the former Minister for Planning. The modification permitted the removal of condition D1 “Advertisement Materials” from the existing consent conditions, which required all future advertising skins installed on the sign to employ biodegradable PVC material.

The existing development consent lapsed on 30 November 2023. As such, this proposal seeks to continue use of the existing advertising structure for a period of 15 years. Each of the signage structures comprise a backlit sign box with an advertising display area of 36 m² fixed to the pedestrian overbridge.

1.4 Surrounding Context

The surrounding area comprises a mixed-use character, consisting of:

- Auburn North Public School, a locally listed heritage item, to the immediate north of the site
- Auburn Uniting Church and commercial premises to the immediate south of the site
- commercial premises to the east
- commercial premises and car and truck rental yards to the west
- a mix of low and medium density residential development located behind the commercial development along the southern side of Parramatta Road
- a mix of low and medium density residential development in the broader surrounds

Parramatta Road at this location has a 60 km/h speed restriction in both directions, and a school zone speed restriction of 40 km/hr between 8.00 am-9:30 am and 2:30 pm-4.00 pm Monday to Friday during school days.

On road cycling is permitted, however no formal cycling infrastructure or line marking is provided.

2 Proposed development

2.1 Proposal overview

The key aspects of the proposal are provided in detail in the Statement of Environmental Effects (SEE) and outlined in **Figure 4 | Site context** (source: revised architectural drawings 27/05/24)

Table 1. The existing static signage for which approval of continued use is sought are shown in **Figure 2** and **Figure 3**. The site plan is shown in **Figure 4**[Error! Reference source not found.](#) . Site elevations are shown in **Figure 5** and **Figure 6**. A cross section of the advertising sign/site structures is shown in **Figure 7**.

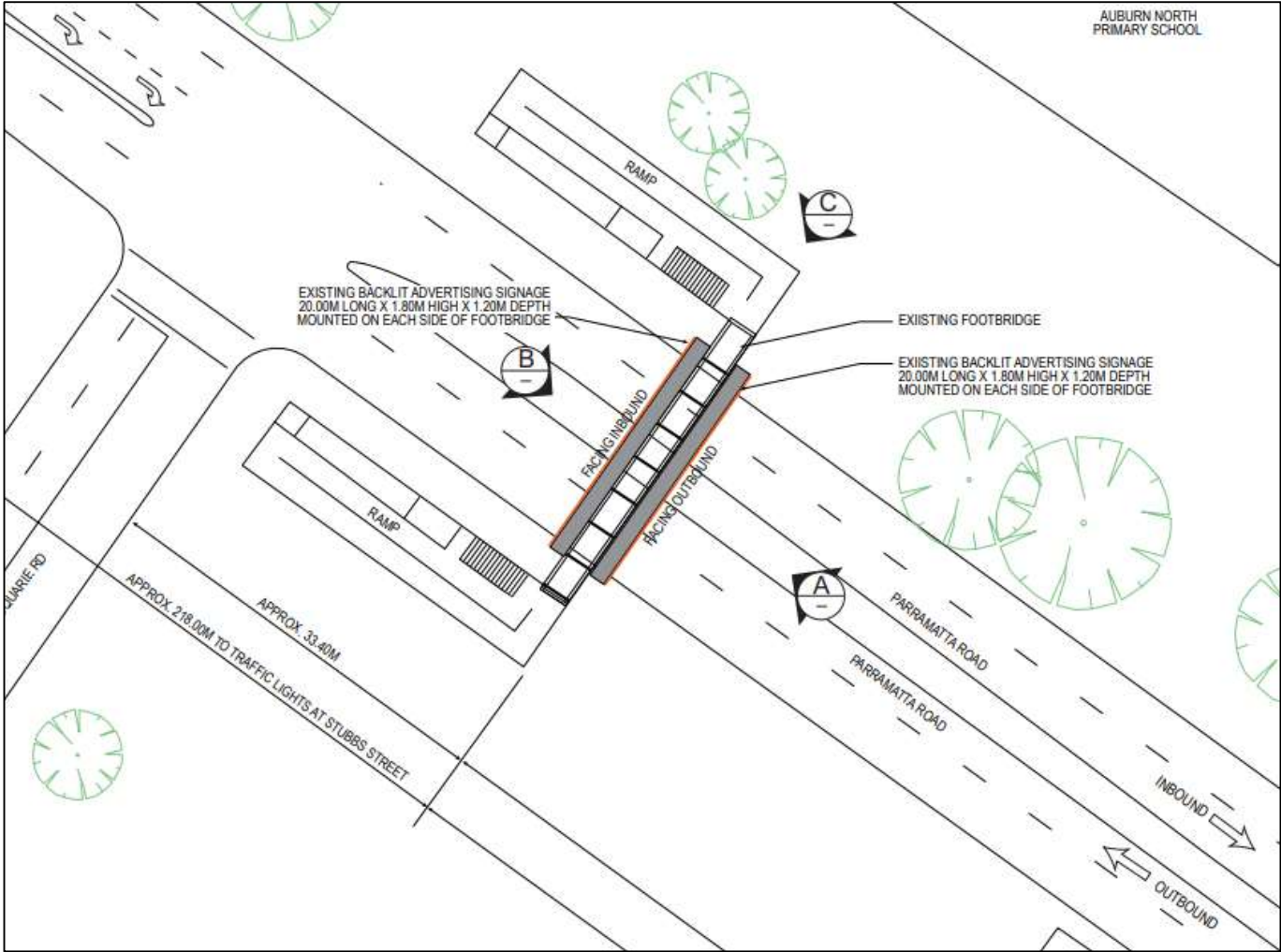


Figure 4 | Site context (source: revised architectural drawings 27/05/24)

Table 1 | Key aspects of the proposal

Aspect	Description
Summary	No physical work is proposed. The proposal seeks approval for the continued operation of the two existing illuminated static advertising signs for another 15-year period.
Advertising display area	36 m ² (20 m x 1.8 m) + 0.61m ² logo – per sign
Signage location	The signs are located on the eastern and western elevation of the Parramatta Road pedestrian overbridge, Auburn, oriented towards traffic
Road clearance from ground level to the sign	<ul style="list-style-type: none"> the pedestrian overbridge has an approximate clearance of 5.5 m to ground level (Parramatta Road) The clearance of the overbridge to the road is lower than the signage structures and not higher than 8 m above the ground.
Timing and sequencing	<ul style="list-style-type: none"> static (non-digital) advertising material will be changed approximately once a month, during daylight and generally within the afternoon period.
Type of signage	<ul style="list-style-type: none"> each sign is a static display each of the signage structures comprise a backlit sign box with an overall advertising display area of 36 m². No physical changes to the structures are proposed.
Consent period	15 years

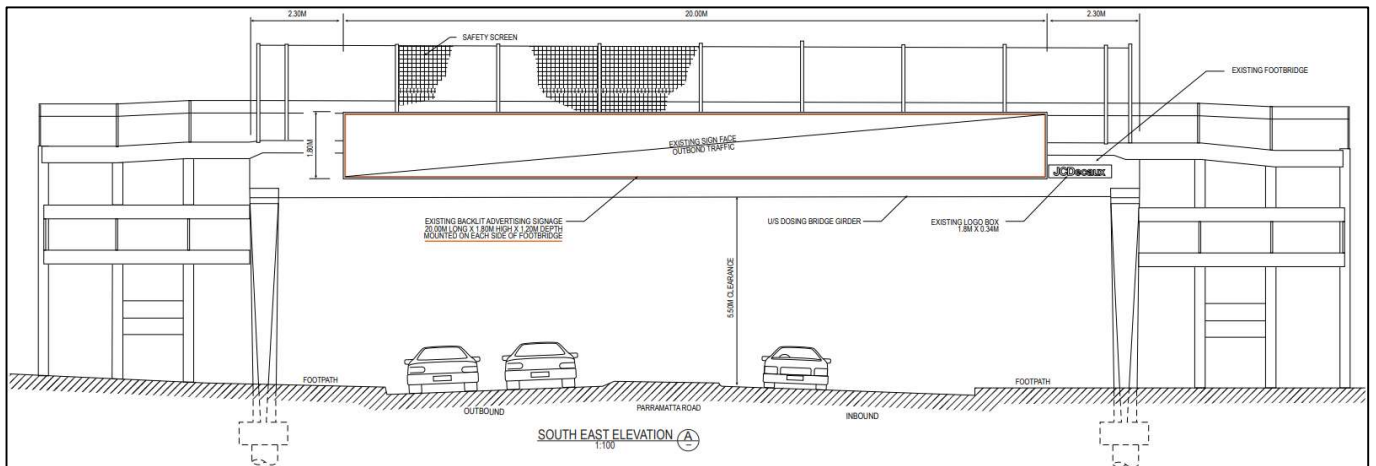


Figure 5 | Sign elevation – east (source: revised architectural drawings 27/5/24)

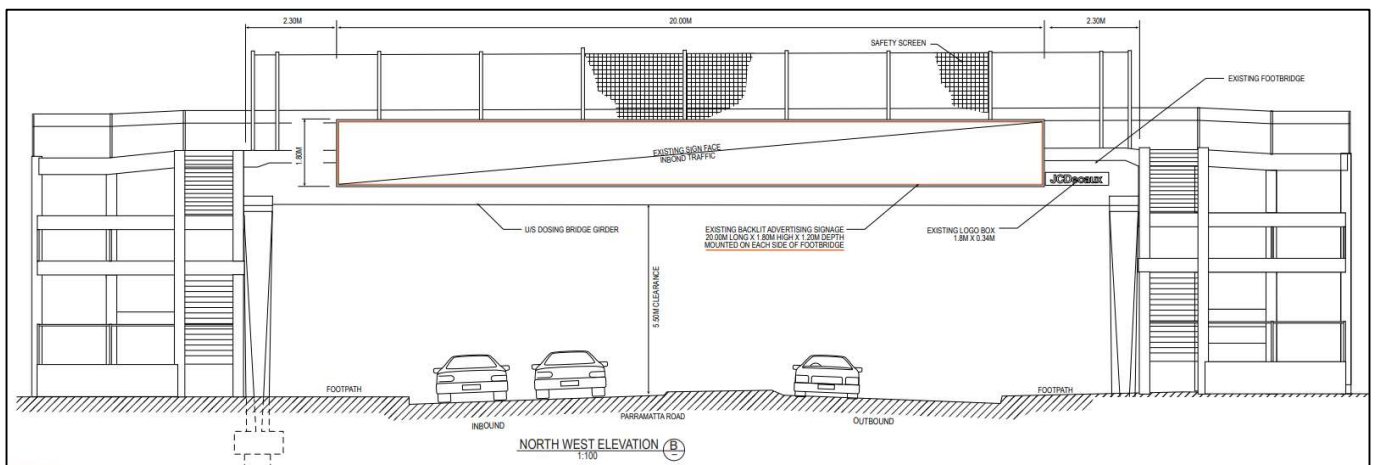


Figure 6 | Sign elevation – west (source: revised architectural drawings 27/5/24)

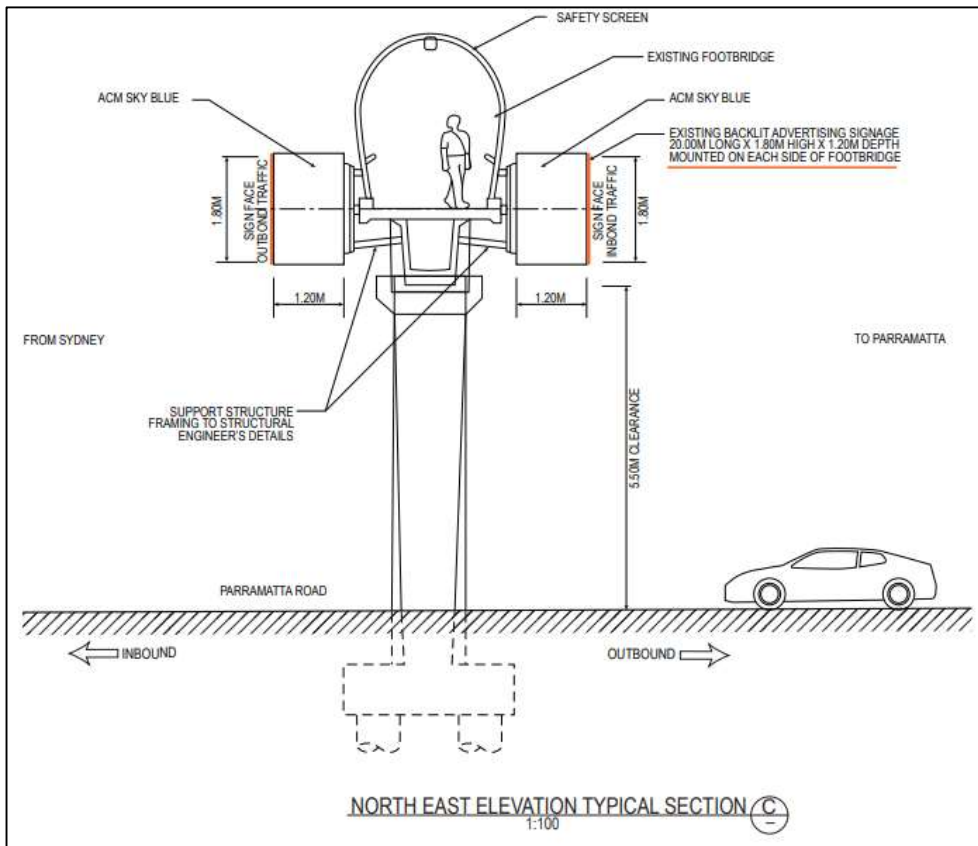


Figure 7 | Cross section of the structures (source: revised architectural drawings 27/5/24)

3 Statutory context

3.1 Permissibility and assessment pathway

Details of the legal 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
Permissibility	<p>This proposal is permissible with consent</p> <p>The signage is permissible with consent under clause 3.14(1)(b)(ii) of State Environmental Planning Policy (Industry and Employment) 2021 (the Industry and Employment SEPP) as the advertisement is on a bridge constructed by or on behalf of TfNSW, on any road corridor.</p> <p>The site is zoned SP2 Infrastructure (for the purpose of roads) under the Cumberland Local Environmental Plan 2021 (Cumberland LEP). Signage is permissible with consent in the SP2 zone.</p>
Consent authority	<p>Minister for Planning and Public Spaces (the Minister)</p> <p>The Minister for Planning and Public Spaces (the Minister) is the consent authority for an advertisement displayed on a bridge constructed by or on behalf of TfNSW on any road corridor (clause 3.10(d)(ii) of the Industry and Employment SEPP).</p>
Assessment pathway	<p>Development Assessment and Consent</p> <p>Clause 3.1(1)(b) of the Industry and Employment SEPP regulates signage (but not content) under Part 4 of the <i>Environmental Planning and Assessment Act 1979</i> (the EP&A Act).</p> <p>The application is a Crown DA under Division 4.6, section 4.32(2)(a) of the EP&A Act because it is an application made by the Crown. Clause 294(a) of the Environmental Planning and Assessment Regulation (EP&A Regulation) prescribes public authorities (other than a council) as the Crown for the purposes of section 4.32(2)(a) of the EP&A Act. The Applicant (TfNSW) is a public authority.</p> <p>The application will therefore be assessed under Part 4 of the EP&A Act.</p>

Consideration	Description
Decision-maker	<p>Director, Transport and Water Assessments</p> <p>In accordance with the Minister’s delegation dated 9 March 2022, the Director, Transport and Water Assessments may determine the application if:</p> <ul style="list-style-type: none"> • the application has not been made by a person who has disclosed a reportable political donation; • there are less than 15 public submissions in the nature of objection; and • the council has not made a submission by way of objection. <p>The proposal meets the terms of this delegation, as such, the Director, Transport and Water Assessments, is the delegated authority to determine the development application.</p>

3.2 Mandatory matters for consideration

3.2.1 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**.

Table 3 | Matters for Consideration

Matter for consideration	Department's assessment
Environmental planning instruments, proposed instruments, development control plans & planning agreements	<p>The relevant EPIs and development control plans are:</p> <ul style="list-style-type: none">• State Environmental Planning Policy (Industry & Employment) 2021 (Industry and Employment SEPP)• State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)• Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (Guidelines)• Cumberland Local Environmental Plan 2021• Cumberland Development Control Plan (DCP) 2021 <p>Detailed consideration of the provisions of the EPIs is provided in Appendix D. The Department is satisfied that the development generally complies with the relevant provisions of the EPIs and DCP.</p>
EP&A Regulation	Appendix D
Likely impacts	Section 5 – Assessment
Suitability of the site	Section 1.3 - Proposal background, Section 3 - Statutory Context and Section 5 - Assessment
Public submissions	Section 4 - Engagement & Section 5 - Assessment
Public interest	Section 4 - Engagement, Section 5 - Assessment & Section 6 - Evaluation

3.2.2 Objects of the EP&A Act and ecologically sustainable development

In determining the application, the consent authority must consider whether the proposal is consistent with the relevant objects of the EP&A Act. These are set out in section 1.3 of the EP&A Act and include the principles of ecologically sustainable development (ESD). Consideration of the objects and ESD is provided in **Appendix D**.

As a result of the analyses in **Appendix D**, the Department is satisfied that the development is consistent with the objects of the EP&A Act and the principles of ecologically sustainable development.

3.2.3 Biodiversity development assessment report

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

The proposed development is an existing signage structure attached to a pedestrian overbridge. No vegetation would be cleared, and no construction works are required. As the proposal does not affect threatened species a BDAR was not required to be provided with the development application.

4 Engagement

4.1 Exhibition of the Statement of Environmental Effects (SEE)

4.1.1 Public exhibition of the SEE

After accepting the development application and Statement of Environmental Effects (SEE), the Department:

- publicly exhibited the proposal from 11 June 2024 until 2 July 2024 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, and Cumberland City Council

The Department received no public submissions on the proposal during the public exhibition period.

4.1.2 Summary of advice received from government agencies

The Department received advice from TfNSW. The advice did not object to the proposed development and provided recommended conditions of consent regarding:

- the types of images to be displayed on the signage
- a requirement for compliance with the *Transport Corridor Outdoor Advertising and Signage Guidelines 2017* (2017 Guidelines)

4.1.3 Summary of advice received from council

The Department received advice from Cumberland City Council, which supported the proposal, subject to ensuring the signage not producing glare and light.

4.2 Response to submissions

Following the public exhibition period, the Department requested the Applicant respond to the issues raised in advice received from government agencies. The Applicant provided a submissions report to the Department (see **Appendix C**).

4.3 Request for further information

On 15 July 2024 the Department requested the Applicant provide updated architectural plans showing the advertising signs logo size and location being compliant with clause 3.18 of the Industry and Employment SEPP (see **Appendix F**).

The Applicant responded by accepting a condition of consent requiring compliance with the size and location of names and logos requirements of clause 3.18 of the Transport and Infrastructure SEPP (see **Appendix F**).

5 Assessment

The Department has reviewed the Applicant's SEE, supporting information and responses to submissions report and additional information, and considered the potential impacts of the proposed signage. Based on this, the Department considers the key issues associated with the proposal to be:

- design and suitability of the site
- road safety
- structural feasibility.

These issues are addressed below. Other issues are briefly addressed in **Section 5.4**.

5.1 Design and suitability of the site

The proposed location and design are suitable as continued use of the existing static signage would not have a significant impact on the local urban character.

The Applicant seeks to continue operation of two existing static illuminated advertising signs on a pedestrian overbridge for an additional 15 years. The signs have an approximate advertising area of 36 m² per sign and are oriented towards vehicles travelling east and west on Parramatta Road.

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

- the existing structure has been in place for 15 years. No further physical works are proposed as part of the development application
- it complies with the design criteria of the Industry and Employment SEPP, the 2017 Guidelines and AS/NZS 4282:2023 – *Control of the Obtrusive Effects of Outdoor Lighting*
- the existing advertising display area and structure fit the character of the locality (being of mixed-use) with commercial premises and a mix of low and medium density residential development
- the location of the sign within a roadway corridor is suitable for advertising and consistent with signage on other bridges on major roads.

The Department is satisfied the design and location of the site remains suitable and continued use would not result in additional amenity or road safety impacts.

5.2 Road safety

Continued use of the existing static signage would not increase driver risk

Since the initial approval of the existing static signage in December 2008, Parramatta Road has been upgraded with the Parramatta Road/Macquarie Road intersection, west of the site, being converted to a signalised intersection in 2013.

The Applicant provided a Signage Safety Assessment that assessed the proposed development against the *Austroads Guide to Road Design Part 4A 2017* (the Austroads Guidelines) and the Industry and Employment SEPP. The Signage Safety Assessment considered the signage exposure distance, safe stopping sight distance and road accident history in proximity to the site.

The Austroads Guideline specifies that the minimum safe stopping distance for a 60 km/h speed zone is 64 m. Where there is a slope on the approach, the Austroads Guideline specifies a grade correction factor be applied. In the case of the proposal location, a correction of 5 m is subtracted from the 64 m minimum stopping sight distance for the westbound approach, and 2 m is subtracted for the eastbound approach. Therefore, the safe stopping distance towards the Parramatta Road/Macquarie Road intersection would be 59 m for the westbound approach, and 62 m for the eastbound approach.

The westbound sign is located 25 m before the stop line of the Parramatta Road/Macquarie Road intersection, placing it within the safe stopping distance for the intersection. As the sign had been in operation for several years before the Parramatta Road/Macquarie Road intersection upgrade and that traffic accidents have not increased since both the installation of the sign and the intersection upgrade, the Signage Safety Assessment concluded that its continued use would not increase road safety risks. The eastbound sign is located 50 m east of the stop line of the intersection; therefore, it is not within the safe stopping distance of the intersection for eastbound traffic.

Crash history data was reviewed for both the westbound and eastbound facing signs, using crash data for the period between 1 January 1996 to 30 June 2023. The data was separated into three distinct periods:

- pre-installation of the signage: January 1996 to April 2010
- post installation of the signage (prior Macquarie Road intersection upgrades): April 2010 to January 2013
- post installation of the signage (post Macquarie Road intersection upgrades): July 2019 to June 2023 (more recent 5-year period).

The crash data shows that there has not been an increase in vehicle accidents for each of the three periods in the vicinity of the existing static signage following the installation of the signalised intersection upgrades.

The Department accepts these findings as:

- the existing static signage does not physically obstruct or interfere with the view of, or restrict sight distances to any intersections, traffic control devices, vehicles, pedestrians, or cyclists
- although the westbound sign is within the safe stopping sight distance of traffic signals (as a result of an intersection upgrade after the installation of the signage) crash data indicates there is low risk to road safety
- the existing static signage would display static images only
- the existing static signage is consistent with the Industry and Employment SEPP, Transport for NSW Advertising Sign Safety Assessment Matrix, and the 2017 Guidelines.

To ensure ongoing road safety, the Department has recommended conditions relating to the display of information and signage content to limit the potential for glare and driver distraction, consistent with the 2017 Guidelines and recommendations of TfNSW road safety advice.

5.3 Structural feasibility

The existing static signage meets current Australian standards for steel structures and would be maintained to ensure structural integrity.

The SEE was accompanied by a Structural Feasibility Statement which concluded the signage structure meets current construction standards, and that its structural integrity is sound.

The steel structure and sign box are in good condition with minor localised corrosion and that both would be structurally suitable for another 25 years, provided they are regularly inspected and maintained. The Statement recommended the structure and sign box be reinspected in two years.

The Applicant provided a supplementary structural feasibility statement in response to the Department's request to demonstrate that the structure complies with the current Australian standards for steel structures and wind load calculation. The Statement concluded that the structure meets the relevant requirements of the Australian standard.

To ensure that the structure remains safe, the Department has recommended conditions relating to maintenance and compliance with the Australian standard. This includes the preparation of a Maintenance Plan that outlines measures to treat corrosion and a schedule of structural inspections and audits.

5.4 Other issues

The Department's consideration of other issues is summarised in **Table 3** below.

Table 3 | Assessment of other issues

Issue	Findings and conclusions	Recommended conditions
Residential Amenity	<p>The SEE addressed the visual impacts of the signage on the surrounding area. The proposal does not involve any physical changes to the existing signs, and they remain oriented to westbound and eastbound motorists travelling along Parramatta Road.</p> <p>The visual impact of the signs and advertising structure are considered to be acceptable as:</p> <ul style="list-style-type: none"> the presence of mature trees, vegetation, and the existing built form along the Parramatta Road corridor restricts views of the sign from surrounding receivers the signage will not extend outside the structural boundaries of the Parramatta Road pedestrian overbridge the advertising structure is consistent with the visual requirements of the Industry and Employment SEPP and the 2017 Guidelines. 	No recommended conditions
Illumination and Glare	<p>The existing signage is internally illuminated using non-dimmable fluorescent lights fixed to the back of the signage box. The lights operate during the nighttime period (7 days per week) and are switched off during the daytime period.</p> <p>The Department accepts that illumination of the signs can meet luminance criteria and therefore would not result in an unacceptable glare or detract from the amenity of nearby residences. In comments provided by Cumberland City Council, no objection was raised provided the sign would not cause glare and lighting related impacts. These concerns have been addressed through the Lighting Impact Assessment.</p>	The Department has recommended a condition requiring that signage lighting complies with the requirements of AS 4282:2023 and the 2017 Guidelines.

Issue	Findings and conclusions	Recommended conditions
Public Benefit	<p>The Public Benefit Statement provided with the SEE advised that revenue generated from advertising on the signs would be re-invested into road infrastructure maintenance, network management, road user compliance activities and road safety programs across the whole of NSW.</p> <p>The Public Benefit Statement noted that the existing static signage provide affordable advertising space for road safety messages in prime locations, and that advertising campaigns have played an important role in helping to address key road safety problems across NSW.</p> <p>The Department is satisfied the continued use of the existing static signage would result in sufficient public benefits, as it would contribute to infrastructure maintenance, network management and road safety programs across NSW. This is broadly consistent with the 2017 Guidelines.</p>	<p>The Department has recommended a condition requiring the advertising structure to be made available for a minimum total of 28 days each calendar year for the display of road safety messages.</p> <p>The Department has also recommended that the Applicant record and report in its annual reports how the revenue generated from the signs has been applied to provide a public benefit.</p>
Size of Logo	<p>The architectural plans show the existing logo box located to the right-hand side of the existing advertising signage. The logo box has dimensions of 1.8 m x 0.34 m or 0.612 m².</p> <p>Clause 3.18 of the Industry and Employment SEPP specifies the area and location of names and logos on an advertisement. The requirements in relation to logos are:</p> <ul style="list-style-type: none"> the name or logo is to be located within the advertisement or within a strip below the advertisement that extends for the full width of the advertisement (Cl. 3.18(2)) the area of the logo must not be greater than 0.25 m² (Cl.3.18(3)). 	<p>The Department has recommended a condition requiring the logo size and location to be compliant with the requirements of clause 3.18 of the Industry and Employment SEPP.</p>
Heritage	<p>There are no significant historical or Aboriginal cultural heritage features at the site that will be</p>	<p>No recommended conditions.</p>

Issue	Findings and conclusions	Recommended conditions
	<p>impacted by the proposal. However, the proposed application would be partially visible from Auburn North Public School which is a heritage item adjacent to the site.</p> <p>The environment around the bridge is highly urbanised with other competing signs. The school itself uses a permanent sign at its entry.</p> <p>The proposed continuation of the two existing advertising signs on the Auburn pedestrian overbridge will not adversely impact the heritage significance of Auburn North Public School.</p>	

6 Evaluation

The Department has assessed the development application and supporting information against the relevant 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 concludes the proposed development is acceptable as:

- it is permissible with development consent on transport corridor land under the Industry and Employment SEPP and is consistent with the objectives of the Industry and Employment SEPP and the 2017 Guidelines
- it would not change the character of the local area and is consistent with the existing urban and transport corridor character of the locality
- its luminance levels are consistent with the 2017 Guidelines and Australian Standards for outdoor lighting to protect the nearby residential amenity and driver safety, particularly at night
- although the sign does not comply with the westbound safe stopping distances for intersections, the Department considers, based on historic crash data and given the sign was installed prior to the upgrade of the Parramatta Road/Macquarie Road Intersection to a signalised one, that the sign has not impacted upon road safety in the intersection
- it will not significantly affect threatened species or ecological communities, or their habitats
- it will provide a public benefit as revenue generated will contribute to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs across NSW.

The Department's assessment concludes that the impacts of the proposed development are acceptable, and it is in the public interest. The Department recommends that the development application be approved, subject to the recommended conditions of consent (**Appendix E**).

7 Recommendation

It is recommended that the Director, Transport and Water 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 approve the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of DA 23/16891 subject to the conditions in the attached development consent
- **signs** the attached development consent (**Appendix E**).

Recommended by:



Jake Simpson

Planning Officer

Transport and Water Assessments

Recommended by:



Michael Young

Principal Planning Officer

Transport and Water Assessments

8 Determination

The recommendation is ~~adopted/not adopted~~ by:

A handwritten signature in black ink, appearing to read 'A Beattie', with a stylized flourish at the end.

Andrew Beattie

A/Director

Transport and Water Assessments

Glossary

Abbreviation	Definition
Applicant	Transport for NSW (TfNSW)
Advertising display area	The area of an advertisement or advertising structure used for signage, and includes any borders of, or surrounds to, the advertisement or advertising structure, but does not include safety devices, platforms or lighting devices associated with advertising structure
Cumberland DCP	Cumberland Development Control Plan 2021
Cumberland LEP	Cumberland Local Environmental Plan 2021
Council	Cumberland City Council
DCP	Development Control Plan
Department	Department of Planning, Housing and Infrastructure
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPI	Environmental planning instrument
ESD	Ecologically sustainable development
Heritage NSW	Heritage NSW, within the Department of Climate Change, Energy, the Environment and Water
Industry and Employment SEPP	State Environmental Planning Policy (Industry and Employment) 2021
LEP	Local environmental plan
Minister	Minister for Planning and Public Spaces
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021

Abbreviation	Definition
Planning Secretary	Secretary of the Department of Planning, Housing and Infrastructure
SEE	Statement of Environmental Effects
SEPP	State environmental planning policy
Transport and Infrastructure SEPP	<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>
TfNSW	Transport for NSW

Appendices

Appendix A – List of referenced documents

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

- Keylan November 2023. *Statement of Environmental Effects Advertising Signage Parramatta Road, Auburn.*

<https://www.planningportal.nsw.gov.au/daex/exhibition/continued-use-existing-advertising-signs-pedestrian-overbridge-parramatta-road-auburn>

Appendix B – Government agency advice and Council comments

All government agency advice and council comments can be found here:

[advertising signs on the pedestrian overbridge at Parramatta Road, Auburn | Department of Planning Housing and Infrastructure \(nsw.gov.au\)](#)

Appendix C – Response to Submissions

The Applicants response to submissions and requests for information can be found at:

[advertising signs on the pedestrian overbridge at Parramatta Road, Auburn | Department of Planning Housing and Infrastructure \(nsw.gov.au\)](#)

Appendix D – Statutory considerations

In line with the requirements of section 4.15 of the EP&A Act, the Department's assessment has included detailed consideration of the relevant statutory requirements. These include:

- The objects of the Act listed in section 1.3 of the EP&A Act
- The matters listed under section 4.15(1) of the EP&A Act, including applicable environmental planning instruments and the Regulations

The Department has considered each of these matters which are summarised in **Table 4** and **Table 5**.

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 4** below.

Table 4 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	<p>The proposed development seeks to maximise the use of the site and provides social and economic benefits by generating revenue which the Applicant allocates to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs across the whole of NSW.</p>
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	<p>The potential environmental impacts of the proposed development have been considered by the Department.</p> <p>The proposed development is not anticipated to have any 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 should return funds for investment into TfNSW's road network.</p> <p>As such, the Department considers that the proposed development would not adversely impact on the biophysical or social environments, and that the principals of ESD have been appropriately considered.</p>
(c) to promote the orderly and economic use and development of land	<p>The development promotes the orderly and economic use of the land by continuing the operation of the existing advertising signage.</p> <p>This would allow the signs to continue to provide public benefits including the generation of revenue that contributes to improving and maintaining the TfNSW road network.</p>

Object	Consideration
(d) to promote the delivery and maintenance of affordable housing	Affordable housing does not form part of this application.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The development would not impact on any threatened species or other species of native animals and plants, ecological communities and their habitats.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	<p>There are no significant historical or Aboriginal cultural heritage features at the site that will be impacted by the proposal.</p> <p>However, the proposed application would be partially visible from Auburn North Public School which is a heritage item adjacent to the site.</p> <p>It is anticipated that there would be no adverse impact to the built and cultural heritage of this item as the signage is oriented towards the road corridor and not the school.</p> <p>Furthermore, the immediate environment is highly urbanised and includes a busy transport corridor where signage is not uncommon, the application proposes to continue the operation of the existing advertising signs, as such, there will be no physical alterations to the signage and the site would remain unchanged.</p>
(g) to promote good design and amenity of the built environment	The Department considers the proposal would not result in unacceptable built form impacts, as the development application seeks to continue the use of the pedestrian overpass bridge to display advertising signage.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	Not applicable as the proposed development is not for an occupied building.

Object	Consideration
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	The Department sought advice from TfNSW and Cumberland Council during the exhibition of the proposed development. This advice is addressed in Section 4 of this report.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department exhibited the proposed development on the NSW Planning Portal between 11/06/2024 and 02/07/2024. The Department also sought comment from members of the public, although no submissions were received.

Sections 4.15 and 4.6 of the EP&A Act - Matters for Consideration

In determining a development application, a consent authority is to take into consideration the matters specified in section 4.15 of the EP&A Act where they are of relevance to the development which is the subject of the development application. A summary of the Department's consideration of the Matters for Consideration (found in section 4.15 of the EP&A Act) are provided in **Table 5** and the Matters for Consideration under Division 4.6 of the EP&A Act are provided in **Table 6**.

Table 5 | Section 4.15 Matters for Consideration

Matters for Consideration	Consideration
(a) the provisions of — (i) any environmental planning instrument, and	<ul style="list-style-type: none"> The Department has considered the relevant environmental planning instruments in its assessment of the proposal. Details of the assessment are provided below.
(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"> There are no applicable proposed environmental planning instruments.

Matters for Consideration	Consideration
(iii) any development control plan, and	<ul style="list-style-type: none"> The proposal generally meets the relevant/applicable objectives of the Cumberland Development Control Plan 2021 as addressed in Table 12 below.
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	<ul style="list-style-type: none"> The Applicant has not entered into a planning agreement under section 7.4 of the EP&A Act.
(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"> 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
(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"> 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.
(c) the suitability of the site for the development,	<ul style="list-style-type: none"> The existing signs are mounted on a pedestrian overbridge over Parramatta Road with the signs oriented towards eastbound and westbound traffic. The development does not adversely impact on surrounding uses and is considered to be a suitable development at that location.
(d) any submissions made in accordance with this Act or the regulations,	<ul style="list-style-type: none"> No public submissions were received on the proposal
(e) the public interest.	<ul style="list-style-type: none"> The Department considers the proposal to be in the public interest (refer to Section 5 of this report).

Table 6 | Matters for Consideration under Division 4.6 of the EP&A Act

Matter	Consideration
Section 4.32 Definitions	
(1) In this Division — ... Crown development application means a development application made by or on behalf of the Crown.	The Applicant and landowner is a public authority, and the application is considered to be a Crown Development Application.
Section 4.33 Determination of Crown development applications	
(1) A consent authority (other than the Minister) must not —	
(a) refuse its consent to a Crown development application, except with the approval of the Minister, or	The Department recommends the application be approved, subject to the recommended conditions (Appendix E).
(b) impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.	

EP&A Regulation

Subject to any other references to compliance with the EP&A Regulation cited in this Assessment Report, the requirements for fees (Part 13) and the NSW Planning Portal (Part 15) have been complied with (refer to Chapter 3 of this report).

Environmental Planning Instruments (EPIs)

To satisfy the requirements of section 4.15(1) of the EP&A Act, the following EPIs, development control plans (DCPs) and guidelines were considered as part of the assessment of this proposal:

- *State Environmental Planning Policy (Industry & Employment) 2021* (Industry and Employment SEPP)
- *Transport Corridor Outdoor Advertising and Signage Guidelines 2017* (2017 Guidelines)
- *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP)
- *Development Near Rail Corridors and Busy Roads – Interim Guideline* (Department of Planning, 2008)

- *Cumberland Local Environment Plan 2021*
- Cumberland Development Control Plan 2021

State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 of the Industry and Employment SEPP applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserve. The proposed signage has been assessed against the requirements of the Industry and Employment SEPP in Table 7 and the specific assessment criteria of Schedule 5 of the SEPP in Table 8.

Table 7 | Industry and Employment SEPP Compliance Assessment

Section	Criteria	Comments	Compliance
3.1 Aims, objectives etc	(1)(a) to ensure that signage (including advertising) — (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and	The Department considers the proposed signage is compatible with the surrounding development and visual character of the area and provides an effective communication means. The proposed development is consistent with the surrounds and is therefore considered to be consistent with the objectives of the SEPP.	Yes
	(1)(b) to regulate signage (but not content) under Part 4 of the Act, and	The application relates to the continued use of the existing signage.	Yes
	(1)(c) to provide time-limited consents for the display of certain advertisements, and	If a consent is granted, the consent will be valid for 15 years.	Yes
	(1)(d) to regulate the display of advertisements in transport corridors, and	The application of the requirements relates to the regulation of the signage in transport corridors. If approved, the conditions of consent would regulate the signage structure and display.	Yes

Section	Criteria	Comments	Compliance
	(1)(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.	The development application is accompanied by a Public Benefit Statement that advises that funds obtained from the proposed development would be invested to support road infrastructure maintenance, network management, road use compliance activities and road safety programs across the whole of NSW.	Yes
3.6 Granting of consent to signage	A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied — (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and	The objectives of clause.3.1 (1)(a) are addressed above.	Yes
	(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.	See relevant assessment in Table 8.	Yes
3.8 Prohibited advertisements	(1) Despite the provisions of any other environmental planning instrument, the display of an advertisement is prohibited on land that, under an environmental planning instrument, is within any of the following zones or descriptions: <ul style="list-style-type: none"> • environmentally sensitive area • heritage area (excluding railway stations) • natural or other conservation area 	Signage on land zoned SP2 Infrastructure is permitted with consent, therefore the proposal is not a prohibited advertisement.	Yes

Section	Criteria	Comments	Compliance
	<ul style="list-style-type: none"> open space waterway residential (but not including a mixed residential and business zone, or similar zones) scenic protection area national park nature reserve 		
	<p>(2) This section does not apply to the following:</p> <p>(a) the Mount Panorama Precinct,</p> <p>(b) the display of an advertisement at a public sporting facility situated on land zoned public recreation under an environmental planning instrument, being an advertisement that provides information about the sponsors of the teams or organisations using the sporting facility or about the products of those sponsors.</p>	Noted, these requirements are not applicable.	Yes
3.10 Consent authority	<p>For the purposes of this Chapter, the consent authority is —</p> <p>(d) the Minister for Planning in the case of an advertisement displayed by or on behalf of RMS on -</p>	<p>In accordance with clause 3.10(d)(ii), the Minister is the consent authority as the advertisement is displayed on a bridge constructed by or on behalf of TfNSW on any road corridor.</p> <p>The proposal involves the continued operation of advertising signs on a pedestrian overbridge on</p>	Yes

Section	Criteria	Comments	Compliance
	<p>(i) a road that is a freeway or tollway (under the Roads Act 1993) or associated road use land that is adjacent to such a road, or</p> <p>(ii) a bridge constructed by or on behalf of RMS on any road corridor, or</p> <p>(iii) land that is owned, occupied or managed by TfNSW,</p>	Parramatta Road, therefore, the Minister for Planning and Public Spaces is the consent authority.	
3.11 Matters for consideration	<p>(2) If the Minister for Planning is the consent authority or section 3.16 or 3.22 applies to the case, the consent authority must not grant consent to an application to display an advertisement to which this Chapter applies unless the advertisement or the advertising structure, as the case requires —</p> <p>(a) is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and</p>	<p>The proposed development has been assessed against the aims and objectives of this Chapter (see clause 3.1(1)(a) above).</p> <p>The Department considers that the proposed development is consistent with the aims and objectives of the Industry and Transport SEPP.</p>	Yes
	<p>2(b) has been assessed by the consent authority in accordance with the assessment criteria in Schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of</p> <p>(i) design, and</p> <p>(ii) road safety, and</p>	<p>The proposed development is assessed against the criteria in Table 8.</p> <p>The proposed development has been assessed as generally consistent with the Schedule 5 criteria. The Department notes that the existing signage does not comply with the westbound safe stopping distance of the Parramatta Road/Macquarie Road intersection. The Department considers this non-compliance would not</p>	Yes

Section	Criteria	Comments	Compliance
	(iii) the public benefits to be provided in connection with the display of the advertisement, and	significantly increase risks to road safety and is acceptable.	
	(c) satisfies any other relevant requirements of this Chapter.	The proposed development has been assessed against other relevant criteria of the Chapter in this table.	Yes
	3. In addition, if Section 3.16 or 3.22 applies to the case, the consent authority must not grant consent unless arrangements that are consistent with the Guidelines have been entered into for the provision of the public benefits to be provided in connection with the display of the advertisement.	As part of the application, the Applicant has committed to the provision of funding towards essential TfNSW services to the benefit of the local community.	Yes
3.12 Duration of consents	(1) A consent granted under this Part ceases to be in force — (a) on the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act, or	The proposal seeks consent for a 15-year period.	Yes
	(b) if a lesser period is specified by the consent authority, on the expiration of the lesser period.	Not Applicable. The proposal seeks consent for a 15-year period.	N/A
3.14 Transport corridor land	(1) Despite section 3.8(1) and the provisions of any other environmental planning instrument, the display of an advertisement on transport corridor land is permissible with development consent in the following cases —	The proposal is permissible with development consent as the application is on behalf of TfNSW and is located on a pedestrian bridge constructed by or on behalf of TfNSW on any road corridor (Parramatta Rod).	Yes

Section	Criteria	Comments	Compliance
	<p>(b) the display of an advertisement by or on behalf of TfNSW on:</p> <p>(i) a road that is a freeway or tollway (under the <i>Roads Act 1993</i>) or associated road use land that is adjacent to such a road, or</p> <p>(ii) a bridge constructed by or on behalf of TfNSW on any road corridor, or</p> <p>(iii) land that is owned, occupied or managed by TfNSW and that is within 250 metres of a classified road,</p>		
	(2) Before determining an application for consent to the display of an advertisement in such a case, the Minister for Planning may appoint a design review panel to provide advice to the Minister concerning the design quality of the proposed advertisement.	No design review panel was appointed because the existing pedestrian overbridge has displayed advertising signage materials under previous development consents.	N/A
3.15 Advertisements with display area greater than 20 square metres or higher than 8 metres above ground	<p>(2) 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>The sign has a display area greater than 20 square metres. The Applicant has provided an impact statement that addresses the requirements of Schedule 5. This has been assessed by the Department in Table 8.</p> <p>The proposed development has been assessed as generally consistent with the Schedule 5 criteria.</p>	Yes

Section	Criteria	Comments	Compliance
	(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.	The proposed development has been exhibited, and TfNSW was provided with the Development Application prior to the exhibition commencing.	Yes
3.16 Advertisements greater than 20 square metres and within 250 metres of, and visible from, a classified road	(1) This section applies to the display of an advertisement to which section 3.15 applies, that is within 250 metres of a classified road any part of which is visible from the classified road.	The signs are located on a pedestrian overbridge that traverses Parramatta Road (a classified road) in Auburn. This section does not apply when the Minister for Planning and Public Spaces is the consent authority.	Yes
	(2) The consent authority must not grant development consent to the display of an advertisement to which this section applies without the concurrence of TfNSW.	Although the Applicant for the proposal is TfNSW, the Department referred the proposal to TfNSW for road safety advice. TfNSW neither granted nor refused to grant concurrence to the proposal, however, provided recommended requirements in any development consent for the proposal.	Yes
	(3) In deciding whether or not concurrence should be granted, TfNSW must take into consideration — (a) the impact of the display of the advertisement on traffic safety, and (b) the Guidelines.	These matters were considered in the Statement of Environmental Effects.	Yes

Section	Criteria	Comments	Compliance
	(4) If TfNSW has not informed the consent authority within 21 days after the copy of the application is given to it under section 3.15(2)(b) that it has granted, or has declined to grant, its concurrence, TfNSW is taken to have granted its concurrence.	Not applicable – TfNSW provided its advice on the proposed development within the required timeframes.	N/A
3.18 Location of certain names and logos	(1) The name or logo of the person who owns or leases an advertisement or advertising structure may appear only within the advertising display area.	The logo of the owner of the proposed advertising sign would be displayed adjacent to the sign (bottom right corner) which is non-compliant with clause 3.18 of the Industry and Employment SEPP.	No Recommended condition to require the logo size and location to be consistent with the Industry and Employment SEPP
	(2) If the advertising display area has no border or surrounds, any such name or logo is to be located – (a) within the advertisement, or (b) within a strip below the advertisement that extends for the full width of the advertisement.	The Applicant has agreed to condition of consent to require the logo size and location to be consistent with the Industry and Employment SEPP.	No Recommended condition to require the logo size and location to be consistent

Section	Criteria	Comments	Compliance
			with the Industry and Employment SEPP
	(3) The area of any such name or logo must not be greater than 0.25 square metres.	The proposed logo would have an area of 0.61 square metres, outside the advertising area, and was not included in calculation of the size of the advertising display area. The Department has recommended a condition requiring compliance with the relevant requirements of the Industry and Employment SEPP.	No Recommended condition to require the logo size and location to be consistent with the Industry and Employment SEPP
	(4) The area of any such strip is to be included in calculating the size of the advertising display area.	See above	N/A
3.22 Advertisements on bridges	(1) A person may, with the consent of the consent authority, display an advertisement on a bridge.	The proposed development is located on a pedestrian overbridge and seeks consents to continue the display of advertising on the existing signage.	Yes

Section	Criteria	Comments	Compliance
	(2) The consent authority may grant consent only if the consent authority is satisfied that the advertisement is consistent with the Guidelines.	An assessment of the proposed development against the requirements of the 2017 Guidelines has been made at Table 9 .	Yes

Table 8 | **Assessment against the requirements of Schedule 5 of the Industry and Employment SEPP**

Clause	Requirement	Comments	Compliance
1 Character of the area	Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed sign is compatible with the existing and desired future character of the area as it's located within a busy road corridor.	Yes.
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no theme for outdoor advertising in the area. The proposed sign is consistent in appearance and function with other advertising structures located on bridges across the broader TfNSW road and rail network.	Yes
2 Special areas	Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	No, however existing advertising signs are partially visible from the Auburn Public School, which is a local heritage item, and partially visible from a small number of residential properties located behind commercial premises on the southern side of Parramatta Road.	Yes

Clause	Requirement	Comments	Compliance
3 Views and vistas	Does the proposal obscure or compromise important views?	The proposal does not obscure or compromise any important views as it is located on an arterial road corridor.	Yes
	Does the proposal dominate the skyline and reduce the quality of vistas?	The proposal does not dominate the skyline or reduce the quality of vistas as it does not protrude above the top of the existing structural boundaries of the overbridge to which it is fixed.	Yes
	Does the proposal respect the viewing rights of other advertisers?	The proposal respects the viewing rights of other advertisers as it is located on an existing pedestrian overbridge and would not obscure any other advertisements.	Yes
4 Streetscape, setting or landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the existing advertising signs remains appropriate for the streetscape as they are located over a highly frequented arterial road corridor and do not protrude above or below the structure of the pedestrian overbridge. Further the existing signs would remain the same size and scale.	Yes
	Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The Department considers that the proposed development would not contribute to the visual interest of the streetscape, setting or landscape but is compatible with the existing streetscape.	Yes
	Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The current proposal seeks to continue the use of the existing signs. No additional works or signs are proposed as	Yes

Clause	Requirement	Comments	Compliance
		part of this proposal. The proposed development would neither reduce nor increase visual clutter. The Department considers this to be acceptable as the existing static signage does not unacceptably cause visual clutter.	
	Does the proposal screen unsightliness?	The proposal screens parts of the pedestrian overbridge on which it is located.	Yes
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No, the proposal is located within the confines of the existing pedestrian overbridge.	Yes
	Does the proposal require ongoing vegetation management?	No vegetation management is required.	Yes
5 Site and building	Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposal would not change the existing characteristics of the site, as the proposal seeks to continue the use of the existing signs.	Yes
	Does the proposal respect important features of the site or building, or both?	The proposed sign fits into the broader design of the existing pedestrian overbridge.	Yes
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposal is for the continued use of an existing sign. No works are proposed.	N/A

Clause	Requirement	Comments	Compliance
6 Associated devices and logos with advertisements and advertising structures	Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The site can be accessed from an existing access hatch located on the side of the safety screen, a platform between the safety screen and the box and a hatch on the top of the box.	Yes
7 Illumination	Would illumination result in unacceptable glare?	The proposed development would not result in unacceptable glare. The Lighting Impact Assessment indicates that the proposed development would comply with the requirements of AS/NZS 4282:2023.	Yes
	Would illumination affect safety for pedestrians, vehicles or aircraft?	The proposed development complies with AS/NZS 4282:2023 as such illumination is unlikely to affect safety for pedestrians, vehicles or aircraft.	Yes
	Would illumination detract from the amenity of any residence or other form of accommodation?	The Department considers that the proposed development would not result in adverse impacts to amenity, as the signs are only partially visible from a small number of residential properties located behind commercial premises on the southern side of Parramatta Road.	Yes
	Can the intensity of the illumination be adjusted, if necessary?	The dimming level of the floodlights cannot be adjusted; however, the luminance level emitted by the signs is 52cd/m ² which is less than the maximum permissible night time	No

Clause	Requirement	Comments	Compliance
		luminance allowance of 200cd/m ² under the Transport Guidelines and Australian standard.	
	Is the illumination subject to a curfew?	No curfew is proposed.	Yes
8 Safety	Would the proposal reduce the safety for any public road?	The Department has assessed road safety risks in Section 5.2 of the report and considers the proposed development would not reduce road safety.	Yes
	Would the proposal reduce the safety for pedestrians or bicyclists?	There are no specific safety issues for pedestrians or cyclist. The proposed development would not reduce the safety for pedestrians or cyclists.	Yes
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage is located on an existing pedestrian overbridge above a road and would not obscure sightlines to or from public areas.	Yes

Table 9 | Assessment against the Transport Corridor Outdoor Advertising and Signage Guidelines

Clause	Considerations	Comments	Compliance
TABLE 1: LAND USE COMPATIBILITY CRITERIA – TRANSPORT CORRIDOR ADVERTISING			
(i)	The use of outdoor advertising in a given locality should not be inconsistent with the land use objectives for the area outlined in the relevant LEP.	<p>The proposal is located on land zoned SP2 Infrastructure under the Cumberland LEP.</p> <p>The proposal is consistent with the SP2 zone objectives in the Cumberland LEP as it is compatible with the pedestrian overbridge and will not detract from the major road corridor.</p>	Yes
(ii)	<p>Advertisements must not be placed on land where the signage is visible from the following areas, if it is likely to significantly impact on the amenity of those areas:</p> <ul style="list-style-type: none"> - environmentally sensitive area - heritage area (excluding railway stations) - natural or other conservation area - open space (excluding sponsorship advertising at sporting facilities in public recreation zones) - waterway - residential area (but not including a mixed residential and business zone, or similar zones) - scenic protection area - national park or nature reserve. 	<p>The existing advertising signs are partially visible from the Auburn Public School, which is a local heritage item, and partially visible from a small number of residential properties located behind commercial premises on the southern side of Parramatta Road.</p> <p>As such it is considered the signs would not be likely to significantly impact on the amenity of the listed areas.</p>	Yes

Clause	Considerations	Comments	Compliance
(iii)	Advertising structures should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant scenic views or views that add to the character of the area.	<p>The proposed application is located on the eastern and western elevations of the existing pedestrian overbridge on Parramatta Road, Auburn.</p> <p>The signs do not protrude above the existing structural boundaries of the overbridge and therefore do not obscure any significant views.</p>	Yes
(iv)	Advertising structures should not be located so as to diminish the heritage values of items or areas of local, regional or state heritage significance.	<p>The existing advertising signs are partially visible from the Auburn North Public School which is a local heritage item.</p> <p>The heritage impact assessment concluded the continuation of use of the existing signs will not have an adverse heritage impact on the significance of the local heritage item.</p>	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 proposal seeks the continued use of an existing static sign on a pedestrian overbridge on a busy road corridor. It is considered that the existing signs are similar to and form part of the streetscape of the surrounding built environment and remains within the context of other built structures.	Yes

2.3.2: Sign placement in transport corridors in urban areas

Clause	Considerations	Comments	Compliance
(a)	Advertising in urban areas should be restricted to rail corridors, freeways, tollways or classified roads: within or adjacent to strategic transport corridors passing through enterprise zones, business development zones, commercial core zones, mixed use zones or industrial zones,	The proposed signs are appropriately located in a transport corridor zone, adjacent to an area of mixed uses comprising commercial and residential.	Yes
(b)	within or adjacent to strategic transport corridors passing through entertainment districts or other urban locations identified by the local council in a relevant strategy as being appropriate for such advertising.	The proposed signs are appropriately located in a transport corridor zone.	Yes
	Consideration must be given to the compatibility of advertising development with surrounding land uses and whether such advertising will impact on sensitive locations. For instance, placement of advertising along transport corridors should not result in increased visibility of signage in adjacent or surrounding residential areas.	<p>The proposed sign would be appropriately located in a transport corridor zone.</p> <p>The surrounding locality comprises a mixed-use character, consisting of:</p> <ul style="list-style-type: none"> • Auburn North Public School to the immediate north of the site • Auburn Uniting Church and commercial premises to the immediate south of the site • Commercial premises stores to the east • Commercial premises and car and truck rental yards to the west 	Yes

Clause	Considerations	Comments	Compliance
		<ul style="list-style-type: none"> A mix of low and medium density residential development are located behind the commercial development along the southern side of Parramatta Road A mix of low and medium density residential development in the broader surrounds. 	

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 proposed development has been designed to integrate with the existing pedestrian overbridge.	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 signs do not protrude above the existing structural boundaries of the overbridge and is considered compatible with the characteristics of the site.	Yes
(c)	The advertising structure should be in keeping with important features of the site, building or bridge structure.	The design of the existing signs is unchanged. The department considers that they do not have an adverse impact on the amenity of the surrounding area.	Yes
(d)	The placement of the advertising structure should not require the removal of significant trees or other native vegetation.	No trees or vegetation are required to be removed for the proposed development.	Yes

Clause	Considerations	Comments	Compliance
(e)	<p>The advertisement proposal should incorporate landscaping that complements the advertising structure and is in keeping with the landscape and character of the transport corridor.</p> <ul style="list-style-type: none"> - The development of a landscape management plan may be required as a condition of consent. - Landscaping outlined within the plan should require minimal maintenance. 	The proposed development does not require any landscaping to be undertaken.	N/A
(f)	Any safety devices, platforms, lighting devices or logos should be designed as an integral part of the signage or structure on which it is to be displayed.	The Applicant will be required to comply with clause 3.18 of the Industry and Employment SEPP in relation to the size and location of the logo via a recommended condition of consent.	Yes
(g)	Illumination of advertisements must comply with the requirements in Section 3.3.3.	Noted, the proposed development complies with the requirements of Section 3.3.3.	Yes
(h)	Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.	The existing signage would not result in unacceptable glare or adversely impact the safety of pedestrians, residents or vehicular traffic. Additionally, the signage would not cause any unacceptable amenity impacts to nearby residential dwellings or accommodation.	Yes
2.5.5: Bridge signage criteria			

Clause	Considerations	Comments	Compliance
(a)	The architecture of the bridge must not be diminished.	The proposal would not alter the existing signage and therefore would not detract from the architectural qualities of the pedestrian overbridge.	Yes
(b)	The advertisement must not extend laterally outside the structural boundaries of the bridge.	The existing signage is located wholly within the structural boundaries of the pedestrian overbridge.	Yes
(c)	The advertisement must not extend below the soffit of the superstructure of the bridge to which it is attached, unless the vertical clearance to the base of the advertisement from the roadway is at least 5.8 metres.	The advertisement would not extend below the soffit of the Parramatta Road pedestrian overbridge.	Yes
(d)	On a road or pedestrian bridge, the advertisement must: <ul style="list-style-type: none"> i. not protrude above the top of the structural boundaries of the bridge ii. not block significant views for pedestrians or other bridge users (e.g. cyclists) iii. not create a tunnel effect, impede passive surveillance, or in any other way reduce safety for drivers, pedestrians or other bridge users. 	The positioning of the sign on the Parramatta Road pedestrian overbridge: <ul style="list-style-type: none"> - would not protrude above the top of the existing structural boundaries of the overbridge - would not block significant views for pedestrians or other overbridge users including cyclists - would not create a tunnel effect, impede passive surveillance, or in any other way reduce safety for drivers, pedestrians or other overbridge users. 	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	Noted	N/A

Clause	Considerations	Comments	Compliance
	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.		
(f)	A DCP to display an advertisement on a bridge must be accompanied by a statement demonstrating how the advertisement will contribute to a public benefit. Section 4 outlines the public benefit test requirements.	This application does not require the preparation of a site-specific DCP.	N/A
(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 (now TfNSW) bridge engineers prior to construction to ensure all road safety requirements are met.	This proposal seeks to continue the use of existing signs. No construction is required. A structural feasibility statement provided by the Applicant confirms there are no structural issues associated with the existing signage.	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 fall arrest system has been implemented as part of the design to ensure the sign will not detach in the event of impact by an over height vehicle.	Yes

Clause	Considerations	Comments	Compliance
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3 Advertisements and Road Safety

3.1 Road safety objectives

TABLE 4: ROAD SAFETY ASSESSMENT CRITERIA – SCHEDULE 1 SEPP 64 1	Would the proposal reduce the safety for any public road?	The Department considers that the existing signs are not expected to reduce safety on the surrounding public roads. Although the safe stopping distances on the western approach to the Parramatta Road/Macquarie Road intersection is less than that recommended by the Austroads Guidelines, the non-compliance has been justified by the Applicant and accepted by the Department (refer Section 5 of this report) .	Yes
2	Would the proposal reduce the safety for pedestrians or bicyclists?	The existing signs are not expected to have any impacts on the safety of pedestrians or cyclists.	Yes
3	Would the proposal reduce the safety for pedestrians by obscuring sightlines from public areas?	The signs are located on an existing pedestrian overbridge above a road and would not obscure sightlines to or from public areas.	Yes

3.2.1: Road clearance

(a)	The advertisement must not create a physical obstruction or hazard. For example:	The existing signage does not physically obstruct any vehicle, pedestrian and cyclist movements as it is placed on both sides of the pedestrian overbridge above Parramatta Road.	Yes
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Clause	Considerations	Comments	Compliance
	<p>(i) Does the sign obstruct the movement of pedestrians or bicycle riders? (e.g. telephone kiosks and other street furniture along roads and footpath areas)?</p> <p>(ii) Does the sign protrude below a bridge or other structure so it could be hit by trucks or other tall vehicles? Will the clearance between the road surface and the bottom of the sign meet appropriate road standards for that particular road?</p> <p>(iii) Does the sign protrude laterally into the transport corridor so it could be hit by trucks or wide vehicles?</p>	The existing signage is contained wholly within the structure of the pedestrian overbridge and does not protrude below or laterally, affecting vehicles.	
(b)	Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone in an acceptable location in accordance with Austroads Guide to Road Design (and RMS supplements) or behind an RMS-approved crash barrier.	The signage is installed on both sides of the pedestrian overbridge, which is positioned above the carriageway and outside of the clear zone. Hence, it would not require a crash barrier.	Yes
(c)	Where a sign is proposed within the clear zone but behind an existing RMS-approved crash barrier, all its structures up to 5.8 m in height (relative to the road level) are to comply with any applicable lateral clearances specified by Austroads Guide to Road Design (and RMS supplements) with respect to dynamic deflection and working width.	The signage is not located within the clear zone. The available vertical clearance between the road surface and the underside of the pedestrian overbridge would be maintained.	N/A

Clause	Considerations	Comments	Compliance
(d)	All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS 1170.1 and AS1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.	<p>The Applicant has provided a structural feasibility statement which addresses the wind loading requirements.</p> <p>The existing signage is compliant with the requirements.</p>	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 positioned on the pedestrian overbridge above Parramatta Road completely within the structure of the overbridge. Therefore, the signage does not obstruct the drivers' view of the road or pedestrians and cyclists.	Yes
(b)	An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The signage is positioned on the pedestrian overbridge above Parramatta Road completely within the structure of the overbridge. Therefore, the signage does not obstruct the pedestrians and cyclists view of the road.	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. In this context, the location and arrangement of signs' structures should not give visual clues to the driver suggesting that the road alignment is different to the actual alignment. An	The position of the existing static adverting signage would not change. The proposed static advertising signage would remain at the same height as the existing overbridge which would not impede a driver's visibility on the alignment of the road. The signage does not indicate misleading information or information contrary to the existing roadway.	Yes

Clause	Considerations	Comments	Compliance
	accurate photo-montage should be used to assess this issue.		
(d)	<p>The advertisement should not distract a driver's attention away from the road environment for an extended length of time. For example:</p> <p>(i) The sign should not be located in such a way that the driver's head is required to turn away from the road and the components of the traffic stream in order to view its display and/or message. All drivers should still be able to see the road when viewing the sign, as well as the main components of the traffic stream in peripheral view.</p> <p>(ii) The sign should be oriented in a manner that does not create headlight reflections in the driver's line of sight. As a guideline, angling a sign five degrees away from right angles to the driver's line of sight can minimise headlight reflections. On a curved road alignment, this should be checked for the distance measured back from the sign that a car would travel in 2.5 seconds at the design speed.</p>	The signs are located within a driver's peripheral vision whilst travelling eastbound and westbound on Parramatta Road. Motorists are not required to turn their heads when observing the signage, and all motorists are able to see the road simultaneously when viewing the signage. The positioning and angle of the signage is not expected to result in headlight reflection or glare.	Yes

3.2.3: Proximity to decision making points and conflict points

Clause	Considerations	Comments	Compliance
(a)	<p>The sign should not be located:</p> <ul style="list-style-type: none"> (i) less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves (ii) less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment (iii) so that it is visible from the stem of a T-intersection. 	<p>According to the Austroads guide, the minimum safe stopping sight distance for a 60km/h speed zone is 64m.</p> <p>There is also an upwards slope towards the existing signage from both approaches as the signage is located on the crest of a hill. The average incline has been measured off Google Maps at approximate 5 percent for the westbound approach and 2 percent for the eastbound approach. Where there is a slope on the approach, the Guideline specifies a grade correction factor be applied. In this case, a correction of 5m is subtracted from the 64m minimum SSD for the westbound approach, and 2m is subtracted from the eastbound approach. Therefore, the SSD towards the intersection would be 59m for the westbound approach, and 62m for the eastbound approach.</p> <p>Since the approval of the original DA for these two back in 2008, the Parramatta Road and Macquarie Road intersection was upgraded from a priority-controlled intersection to a signalised intersection in 2013.</p> <p>The eastbound facing sign is located 50m beyond the stop line of the signalised intersection of Parramatta Road and Macquarie Road. The westbound facing sign is located 25m from the stop line of the signalised intersection of Parramatta Road and Macquarie Road.</p>	No

Clause	Considerations	Comments	Compliance
		<p>The Department accepts the deference from the guidelines as:</p> <ul style="list-style-type: none"> the existing sign has been operational for the entire time the traffic signals have been operational. an analysis of the crash data shows that there has been a decrease in the rate of crashes since the sign's installation in April 2010 there are several examples of advertising signs, including static and digital sign boards, located within the minimum safe stopping distance of signalised intersections. the signage is not expected to cause an unsafe level of distraction for motorists on approach to the respective traffic signals. 	
(b)	<p>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> <ul style="list-style-type: none"> (i) of a road hazard (ii) to an intersection (iii) to a prescribed traffic control device (such as traffic signals, stop or give way signs or warning signs) 	<p>The signage is fixed on the pedestrian overbridge and is completely within the structure of the overbridge, therefore, the signage would not obstruct a motorist's view of any traffic signals, signage, and other traffic hazards when travelling on Parramatta Road in the westbound or eastbound direction.</p>	Yes

Clause	Considerations	Comments	Compliance
	(iv) to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher.		

3.2.4: Sign spacing

	The proposed site should be assessed to identify any road safety risk in relation to visual clutter and the proximity to other signs.	The Department considers that the proposed signage would not cause any further visual clutter.	Yes
(a)	Sign spacing should limit drivers view to a single sign at any given time with a distance of no less than 150 m between signs in any one corridor. Exemptions for low speed, high pedestrian zones or CBD zones will be assessed by RMS as part of their concurrence role.	There are no other large format static or digital signs within 150m of the static sign facing traffic in the westbound or eastbound direction.	Yes

3.3: Sign design and operation criteria

3.3.1: Advertising signage and traffic control devices

(a)	The advertisement must not distract a driver from, obstruct or reduce the visibility and effectiveness of, directional signs, traffic signals, prescribed traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.	<p>Traffic signals are present on approach to the eastbound facing sign. All five signals are placed around the sign, as there is no backdrop issue for any of the signals on approach to the sign. There is no other signage facing eastbound motorists within the reading distance of the sign.</p> <p>Traffic signals and prescribed traffic control devices (no right turn signs) are present on approach to the westbound facing sign. Four signals are visible below the sign, which is</p>	Yes
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Clause	Considerations	Comments	Compliance
		located completely within the structural boundaries of the pedestrian overbridge. Therefore, the sign would not obstruct or reduce the visibility of the traffic signals or prescribed traffic control devices.	
(b)	<p>The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a prescribed traffic control device. For example:</p> <p>(i) Could the advertisement be construed as giving instructions to traffic such as 'Stop', 'Halt' or 'Give Way'?</p> <p>(ii) Does the advertisement imitate a prescribed traffic control device?</p> <p>(iii) If the sign is in the vicinity of traffic lights, does the advertisement use red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal?</p>	<p>The Signage Safety Assessment concluded that the existing signage is located in a suitable location.</p> <p>Details of the advertisement/s would remain consistent with the existing advertising.</p> <p>It is noted that the signage would not display colours and shapes which could be mistaken for traffic signals.</p>	Yes

3.3.3 Illumination and reflectance

Illumination and reflectance criteria for non-digital signs:

Clause	Considerations	Comments	Compliance
(a)	Advertisements must comply with the luminance requirements in Table 5 below of the guideline	The lighting assessment indicates the signs would comply.	Yes
(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 lighting assessment indicates the signs would comply.	Yes
(c)	<p>The light sources for illuminated signs must focus solely on the sign and:</p> <ul style="list-style-type: none"> 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 lighting assessment indicates the signs would comply.	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.	The lighting assessment indicates the signs would comply.	Yes

Clause	Considerations	Comments	Compliance
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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 are static signs and would not contain interactive technology or technology that enables opt-in direction communication with motorists.	Yes
(b)	Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	The signs are existing static signs and would not include message sequencing.	Yes
3.5.1 Road safety review of signs over 20 sqm	A road safety check which focuses on the effects of the placement and operation of all signs over 20 sqm must be carried out in accordance with Part 3 of the RMS Guidelines for Road Safety Audit Practices after a 12 month period of operation but within 18 months of the sign's installation. The road safety check must be carried out by an independent RMS-accredited road safety auditor who did not contribute to the original application documentation. A copy of the report is to be provided to RMS and any safety concerns identified by the auditor relating to the operation or installation of the sign must be rectified by the applicant. In cases where the applicant is the RMS the report is to be	The development application is for the continued use of an existing static sign. A road safety assessment was provided as part of the development application and indicates no safety concerns. As such, a road safety check is not considered necessary.	Yes

Clause	Considerations	Comments	Compliance
	provided to the Department of Planning and Environment (now Department of Planning Housing and Infrastructure) as well.		
3.6 Road safety guidelines for sign content	<p>SEPP 64 (superseded by the Industry and Employment SEPP) does not regulate the content of advertisements and signs and does not require consent for a change in content.</p> <p>It is recommended that advertisers follow RMS advisory guidelines with respect to sign content of advertisements to be displayed along road corridors.</p>	Noted.	Yes
4.1 Public Benefit Test	<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> <p>(a) the display of the advertisement is by or on behalf of RMS or TfNSW, Sydney Trains and NSW Trains</p> <p>(b) the advertisement is to be displayed along a tollway</p> <p>(c) the advertisement is to be displayed on a bridge</p> <p>(d) the advertisement requires RMS concurrence under SEPP 64.</p>	<p>The Applicant has provided a Public Benefit Statement as Appendix 7 of the Statement of Environmental Effects.</p> <p>The Department considers that the Applicant's Public Benefit Test, is sufficient to meet the intention of the guideline requirement.</p> <p>The Department has recommended a condition which requires the signage be made available for at least 28 days in every calendar year for the display of road safety messages.</p>	Yes

Clause	Considerations	Comments	Compliance
	<p>The proponent must outline in the SEE accompanying the DA what arrangements they will make to provide an appropriate public benefit (see Section 1.6.4).</p> <p>The consent authority (either the Minister for Planning or the council) will determine whether the applicant has sufficiently demonstrated that the proposed advertisement will contribute an appropriate public benefit. Public benefits, along with other matters identified in the SEPP (Clause 13), must be considered by a consent authority before approval can be given for the advertising development.</p>		
4.2 What is an appropriate public benefit?	<p>The level of public benefit for a given SEPP 64 advertisement is to be negotiated and agreed upon between the consent authority and the applicant.</p> <p>The public benefit can be provided as a monetary contribution or as an 'in-kind' contribution. Both monetary and in-kind contributions must be linked to improvements in local community services and facilities including benefits such as:</p> <ul style="list-style-type: none"> - improved traffic safety (road, rail, bicycle and pedestrian) - improved public transport services 	<p>The Applicant has advised that revenue generated from the sign would be allocated to contribute to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs across the whole of NSW.</p> <p>The Department has recommended a condition which requires the Applicant to ensure time is made available (at no cost) for the display of community information, road safety messages and transport information.</p>	

Clause	Considerations	Comments	Compliance
	<ul style="list-style-type: none"> - improved public amenity within, or adjacent to, the transport corridor - support school safety infrastructure and programs <p>other appropriate community benefits such as free advertising time to promote a service, tourism in the locality, community information, or emergency messages.</p>		
4.2.1 RMS and TfNSW, Sydney Trains and NSW Trains advertising	As proponents of outdoor advertising, RMS and TfNSW, Sydney Trains and NSW Trains must demonstrate that revenue raised from outdoor advertising is directly linked to a public benefit.	The Applicant has advised that revenue generated from the sign would be allocated to contribute to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs across the whole of NSW.	Partial
	RMS and TfNSW, Sydney Trains and NSW Trains must record the total amount of outdoor advertising revenue received each year in their financial accounts and their Annual Reports. The Annual Reports must also outline investments made in the year on transport safety, amenity improvements or other public works, listing specific works to which the funds have been or are to be applied.	The Department has recommended this as a condition of consent.	Yes

Clause	Considerations	Comments	Compliance
	For TfNSW, Sydney Trains and NSW Trains, railway station upgrades (e.g. providing wheelchair access) and rail crossings (e.g. installation of lights or gates) or other rail safety measures may be considered priority works. Amenity improvements along rail corridors including landscaping, litter removal, or vandalism and graffiti management may also be considered appropriate public benefits.	Noted.	Noted
	RMS and TfNSW, Sydney Trains and NSW Trains must consult with the relevant councils to identify and prioritise the public benefit works to be delivered through the program on a regional or subregional basis.	Noted.	Noted

Table 10 | State Environmental Planning Policy (Transport and Infrastructure) 2021

Clause	Considerations	Comments	Compliance
2.119 Development with a frontage to a classified road			
(1)	<p>The objectives of this section are –</p> <p>(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and</p> <p>(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.</p>	<p>The proposal comprises development with frontage to Parramatta Road which is classified as a State classified road (no.5).</p> <p>The assessment contained in the Statement of Environmental Effects and supporting reports concludes that the proposed application would not compromise safety for road users in the vicinity.</p>	Yes
(2)	<p>The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that –</p> <p>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</p> <p>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of –</p> <p>(i) the design of the vehicular access to the land, or</p> <p>(ii) the emission of smoke or dust from the development, or</p>	<p>A Signage Safety Assessment has been prepared as part of the application.</p> <p>The Signage Safety Assessment considers the ongoing operation and function of Parramatta Road in context to the development and concludes that the signage would be acceptable from a road safety perspective.</p> <p>Road safety is further discussed throughout the Departments assessment report.</p>	Yes

Clause	Considerations	Comments	Compliance
	<p>(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</p> <p>(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the</p>		

Table 11 | Development near rail corridors and busy roads – interim guideline

Clause	Considerations	Compliance
5.1 Essential early requirements	<p>The proposed development has been designed in consultation with TfNSW and has included safe design practices and surveying to inform the design.</p> <p>The Applicant is expected to have addressed any internal TfNSW design reviews.</p>	Yes
5.2 Electrolysis	The Department has recommended a condition requiring the proposed development to meet the relevant requirements of any applicable Australian Standards and the requirements of TfNSW.	Yes, subject to conditions
5.3 Cranes	The proposed development would not require the use of cranes.	N/A
5.4 Safe access for maintenance	The site can be accessed from an existing access hatch located on the side of the safety screen, a platform between the safety screen and the box and a hatch on the top of the box.	Yes, subject to conditions

Clause	Considerations	Compliance
	A condition has been recommend requiring the preparation of a maintenance plan, including environmental and safety risk assessment.	
5.5 Stormwater Management	The proposed development would not alter or increase the stormwater flow of the site.	Yes
5.6 Vandalism	It is not expected the proposed development would increase the opportunity for vandalism.	Yes
5.7 Graffiti	It is not expected the proposed development would increase the opportunity for graffiti. A condition has been recommended requiring the owner/manager of the site to remove all graffiti from the advertising structure.	Yes, subject to condition
5.8 Lighting, external finishes and design	The proposed development is above a classified road and this has been considered within the design, including compliance with AS/NZS 4282:2023.	Yes
5.9 – 5.13	Not applicable as the proposed development is not near a rail corridor.	N/A

Cumberland Local Environmental Plan 2021

The existing advertising signs are located on land zoned SP2 Infrastructure under the CLEP 2021. Signage is permissible with consent in the SP2 zone as it is ordinarily incidental or ancillary to the road corridor given it will generate revenue to maintain and improve TfNSW infrastructure.

The signage is also permissible with consent under Section 3.14(1)(b)(iii) of the Industry and Employment SEPP as the display of the advertisement is by or on behalf of TfNSW.

Cumberland Development Control Plan 2021

The proposal generally complies with the aims, objectives, and key provisions of the DCP. A detailed assessment of the proposal against the relevant provisions of the DCP is provided in Table 12 below:

Table 12 | Assessment of compliance with CDCP 2021 - Part G1 – Advertising and Signage

Provision	Comment	Compliance
2. Objectives and controls		
O1 Protect visual amenity and reduce visual clutter.	The development will continue to be located within an established road corridor. The sign designs are not proposed to change, and the structures will continue to promote a high quality design that does not have an adverse impact on the amenity of the surrounding area.	Yes
C1 Signs must not: <ul style="list-style-type: none">be attached to a vehicle, where the vehicle remains stationary primarily for the purpose of advertising. “Vehicle” means a registered or unregistered vehicle and includes a trailer;be a temporary poster and sticker affixed to the exterior of the building, power poles, fences, tree, construction hoardings or the like;be of a portable nature, such as a sandwich board (A-frame signs), placed in, on or over a public place, except in special circumstances specified in the Plan;include flashing lights, regardless of whether these are for	The proposal seeks to continue the operation of two existing approved static illuminated advertising signs on the pedestrian overbridge at Parramatta Road, Auburn, for a further 15-year period	Yes

Provision	Comment	Compliance
<p>illumination of a fixed sign, to attract attention to an otherwise illuminated sign or as part of an illuminated sign;</p> <ul style="list-style-type: none"> be painted on or applied on the roof; or include inflatable signs or structures, other than temporary signs 		
C2. Advertising signs which do not relate to a use, business or activity carried out on the site or building on which the sign is to be placed are discouraged.	<p>Signage is permissible in the SP2 zone under the Cumberland LEP.</p> <p>Further, the proposal is on behalf of TfNSW and is located within an established road corridor.</p>	Yes
C3. Advertising and signage shall be displayed in English but may include a translation in another language.	The existing advertising signs will continue to display messages in English	Yes
C4. Content of signage shall not be offensive in nature.	<p>The Applicant has advised that JCDecaux (signage operator) will implement content controls for the proposal, including:</p> <ul style="list-style-type: none"> no tobacco products no overtly religious advertising no advertising that contains overt and sexually graphic images no pornography and illegal drugs. 	Yes

Appendix E – Recommended instrument of consent

The instrument of consent can be viewed at:

[advertising signs on the pedestrian overbridge at Parramatta Road, Auburn | Department of Planning Housing and Infrastructure \(nsw.gov.au\)](#)

Appendix F – Additional information

The Department's requests for information and Applicant's responses can be found at:

[advertising signs on the pedestrian overbridge at Parramatta Road, Auburn | Department of Planning Housing and Infrastructure \(nsw.gov.au\)](#)