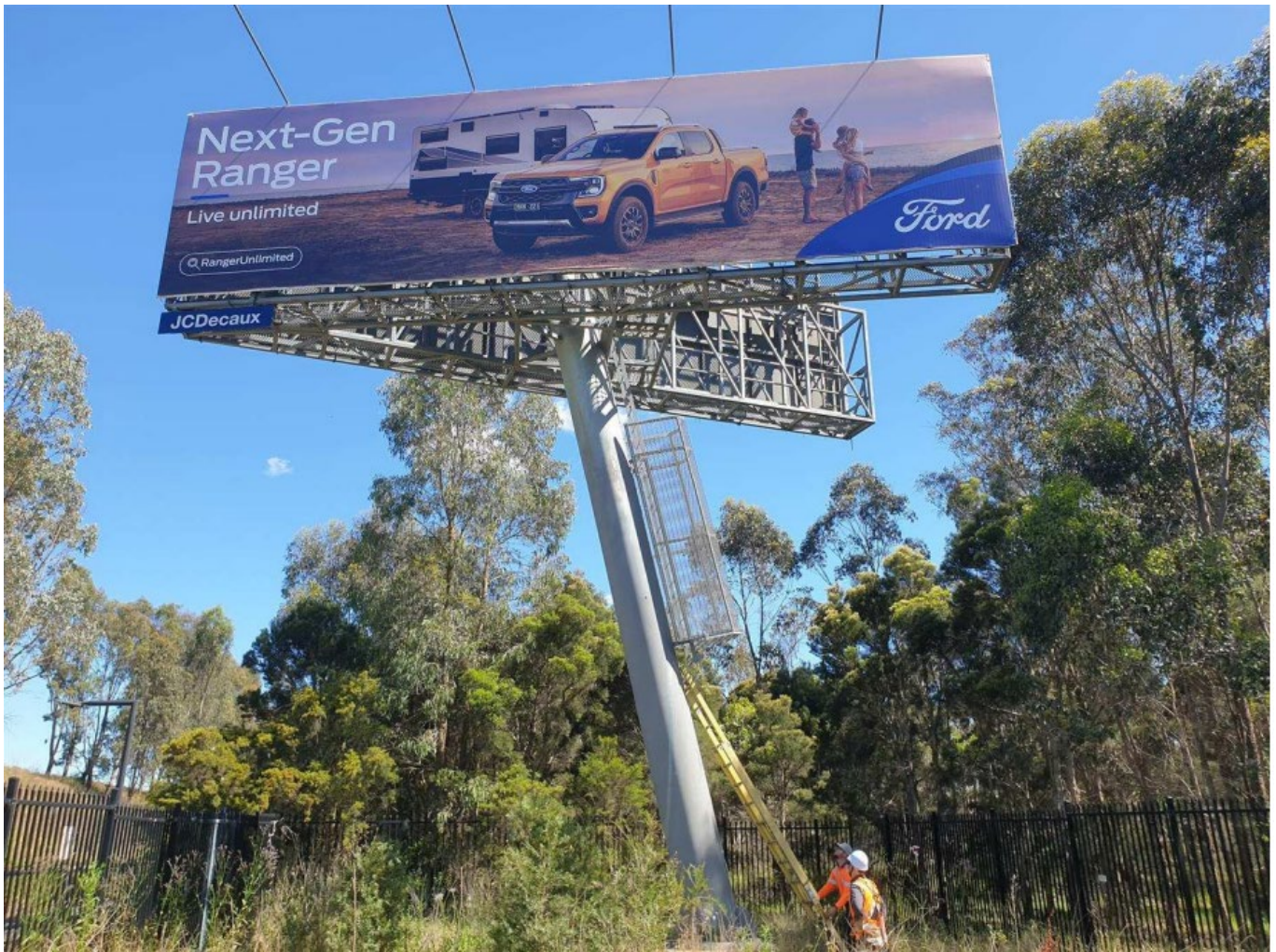


# Continued Use of Existing Advertising Signage, M7 Motorway, Prestons

Development Application Assessment Report (DA 23/16892)

October 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.

---

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

Continued Use of Existing Advertising Signage, M7 Motorway, Prestons  
(DA 23/16892) Assessment Report

Published: October 2024

Cover photo – south-facing sign at Prestons (SEE)

## Copyright and disclaimer

© State of New South Wales through Department of Planning, Housing and Infrastructure 2024. Information contained in this publication is based on knowledge and understanding at the time of writing, October 2024, and is subject to change. For more information, please visit [nsw.gov.au/copyright](http://nsw.gov.au/copyright).

# Preface

This assessment report provides a record of the Department of Planning, Housing and Infrastructure's (the Department) assessment and evaluation of the Development Application for the continued use of the existing south-facing advertising signage, located on the M7 Motorway, Prestons, lodged by Transport for NSW (the Applicant). The report includes:

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

# Contents

<b>Preface</b>	<b>i</b>
<b>1 Introduction</b>	<b>1</b>
1.1 The proposal	1
1.2 Proposal location	1
1.3 Proposal background	3
1.4 Surrounding Context	4
<b>2 Proposal</b>	<b>5</b>
2.1 Proposal overview	5
<b>3 Statutory context</b>	<b>9</b>
3.1 Permissibility and assessment pathway	9
3.2 Other approvals and authorisations	10
3.3 Mandatory matters for consideration	10
<b>4 Engagement</b>	<b>13</b>
4.1 Exhibition of the Development Application	13
4.2 Request for further information	13
<b>5 Assessment</b>	<b>14</b>
5.1 Design and Suitability of the Site	14
5.2 Traffic Safety	15
5.3 Amenity and Visual Impact	16
5.4 Other issues	17
<b>6 Evaluation</b>	<b>21</b>
<b>7 Recommendation</b>	<b>22</b>
<b>8 Determination</b>	<b>23</b>
<b>Glossary</b>	<b>24</b>
<b>Appendices</b>	<b>25</b>
Appendix A – Summary of key amendments to the proposal	25

Appendix B – List of referenced documents.....	25
Appendix C – Statutory considerations.....	26
Appendix D – Recommended instrument of consent.....	55

# 1 Introduction

## 1.1 The proposal

Transport for NSW (the Applicant) proposes to continue the operation of the existing northbound (i.e. south-facing) illuminated static advertisement sign (supported by a monopole structure) on the eastern side of the M7 Shared Path at Prestons for a further 15 years. No physical works (other than fitting baffles to the existing floodlights) are proposed and the Applicant is not seeking consent to continue the use of the existing southbound (north-facing) signage.

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

## 1.2 Proposal location

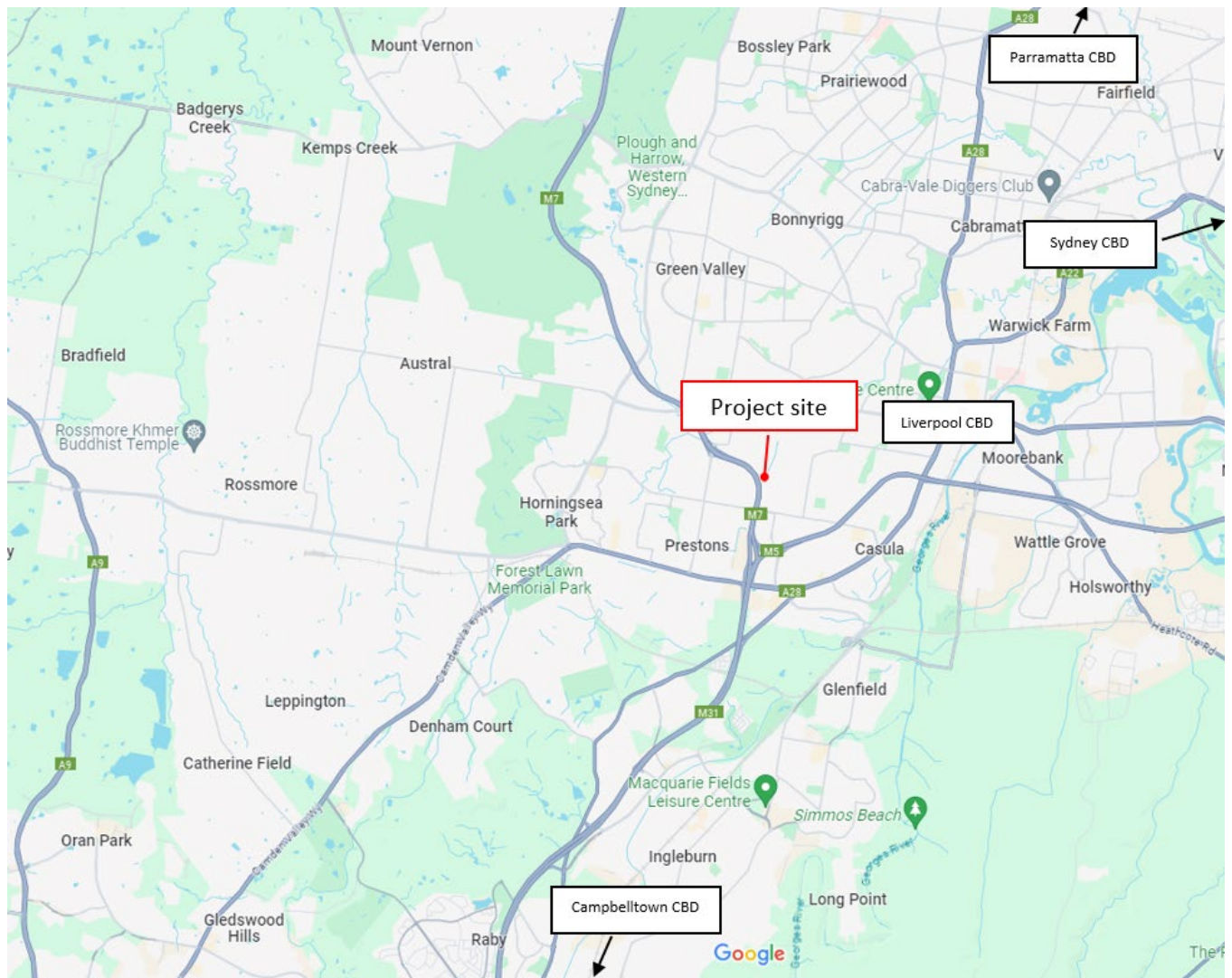
The subject site is located on the eastern side of the M7 Motorway at Prestons in the Liverpool local government area (LGA) and within Western Sydney region (see **Figure 1** and **Figure 2**).

The site is legally described as Lot 41 DP 1164508 and has no street address.

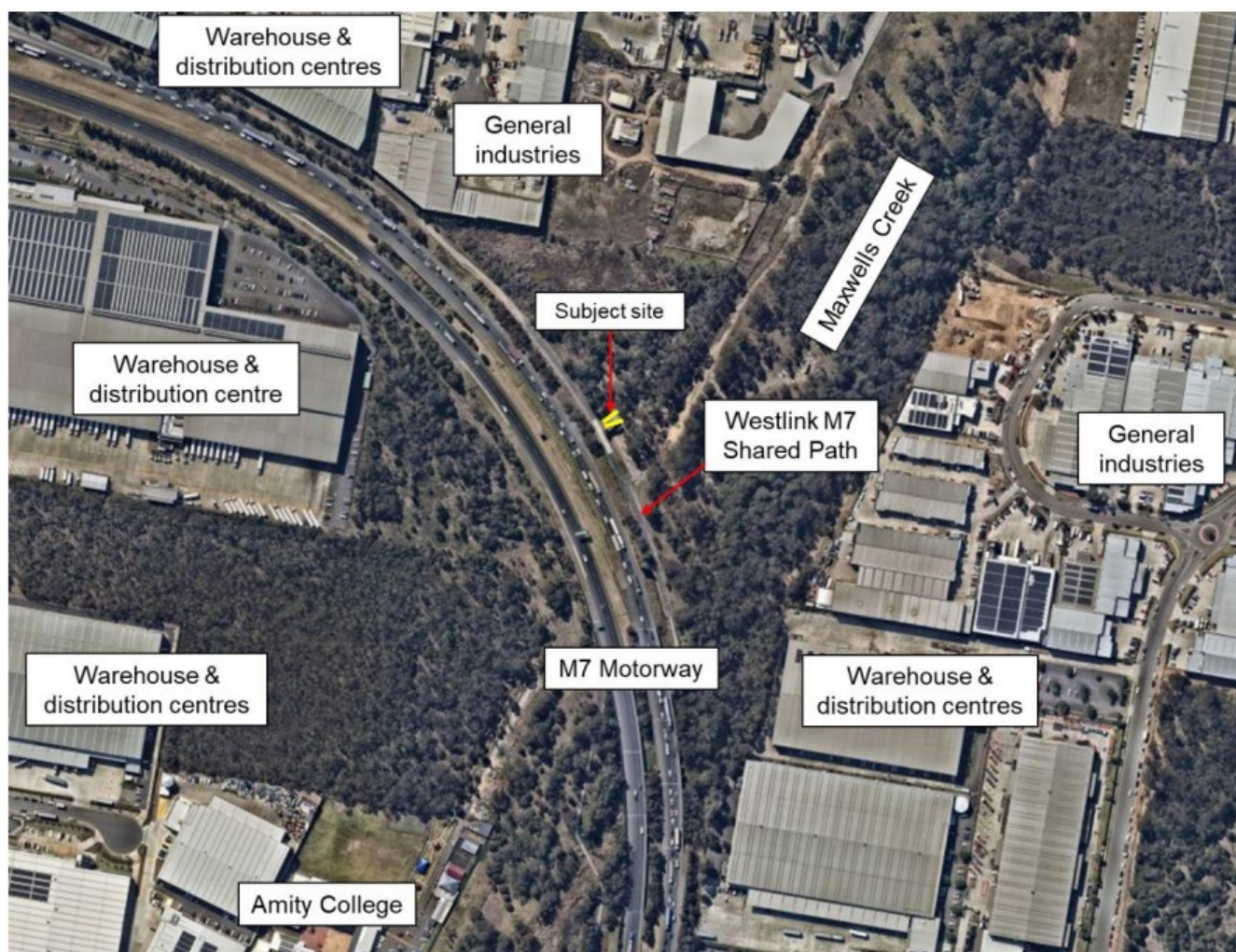
The development site is located on the eastern side of the M7 Motorway, and to the east of the M7 Shared Path and contains:

- one monopole containing two existing advertising signs arranged in a V formation in order to address both directions of traffic flow
- 2 metres (m) high fencing around the perimeter of the monopole structure

The subject site is adjoined by existing mature vegetation to the north and east, with the surrounding locality primarily characterised by industrial land uses. The sign is located adjacent to the shared path which runs parallel to the M7 Motorway.



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



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

### 1.3 Proposal background

On 1 December 2008, the then Minister for Planning granted consent to DA65/7/2008 (original application) for the installation of advertising signage structures at sites in Prestons, Glendenning and Dean Park. This Development Application (DA) only applies to the advertising structure in Prestons.

The consent was granted for a period of 15 years from the date of commencement of consent and lapsed on 1 December 2023.

The existing sign was constructed generally in accordance with the previous consent and approved plans and has been on the subject site since early 2010 (approximately 14 years). The subject sign is operated under a formal advertising concession agreement between the Applicant and JCDecaux.

The use of advertising signs in transport corridors generate 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. Advertising signs provide affordable

advertising space for road safety messages in prime locations and play an important role in helping to address key road safety problems across NSW.

## 1.4 Surrounding Context

As shown in **Figure 2**, the locality comprises a mix of land uses and features including, industrial and education uses, dense vegetation and infrastructure (roads and drainage). An overview of the surrounding locality is described below:

- **north:** the surrounding locality to the immediate north of the proposal consists of existing mature vegetation. Industrial land uses, largely comprising warehouse and distribution centres, are located approximately 150 m and 200 m to the north.
- **south:** to the immediate south is the M7 Shared Path and M7 Motorway. Further south is dense vegetation on either side of the motorway road corridor.
- **east:** dense vegetation and Maxwells Creek (drainage) to the immediate east. Approximately 220 m further east are warehouse and distribution centres located on Progress Circuit and Lyn Parade.
- **west:** M7 Motorway, dense vegetation, industrial uses such as warehousing and educational (Amity College an independent primary-secondary school) approximately 340 m southwest of the site.

The site is accessible from an unformed road located east of the site extending, approximately 300 m from the site to Ash Road. West of the site is the M7 Motorway which is a state classified road (No. 6009) with two lanes travelling in north and south directions. On approach to the site, a speed limit of 100 km/hr applies to both directions of traffic. On road cycling is usually permitted on the road shoulders, however no formal cycling facilities are provided, apart from the grade separated M7 Shared Path.

The surrounding locality has no immediate residential receivers. The nearest residential uses are located approximately 730 m to the southwest and are not visible from the proposal site.

The M7 Widening Project (SSI-663 Mod 6) is currently under construction and will include an additional lane in either direction in the median of the existing motorway. The M7 Widening Project may necessitate the removal of some vegetation from the median and the relocation of traffic signs. During construction, on road cycling is prohibited due to reduced shoulder widths, however there is alternate access along the M7 Shared Path. The additional lanes will open to traffic in 2026.

## 2 Proposal

### 2.1 Proposal overview

The original proposal sought to continue the operation of two illuminated static advertising signs on the eastern side of the M7 Motorway and M7 Shared Path for a further 15 years. On 17 July 2024 the Applicant amended the proposal to only seek consent for the continued operation of the northbound (south-facing) sign. No physical works (other than fitting baffles to the existing floodlights) are proposed. Continued use of the southbound (north-facing) signage is not proposed, although it will remain in place as part of the existing monopole structure.

The key aspects of the proposal (as amended) are provided in detail in Chapter 4 of the Statement of Environmental Effects (SEE) and are outlined in **Table 1**. The proposed sign is shown in **Figure 3** and **Figure 4**.

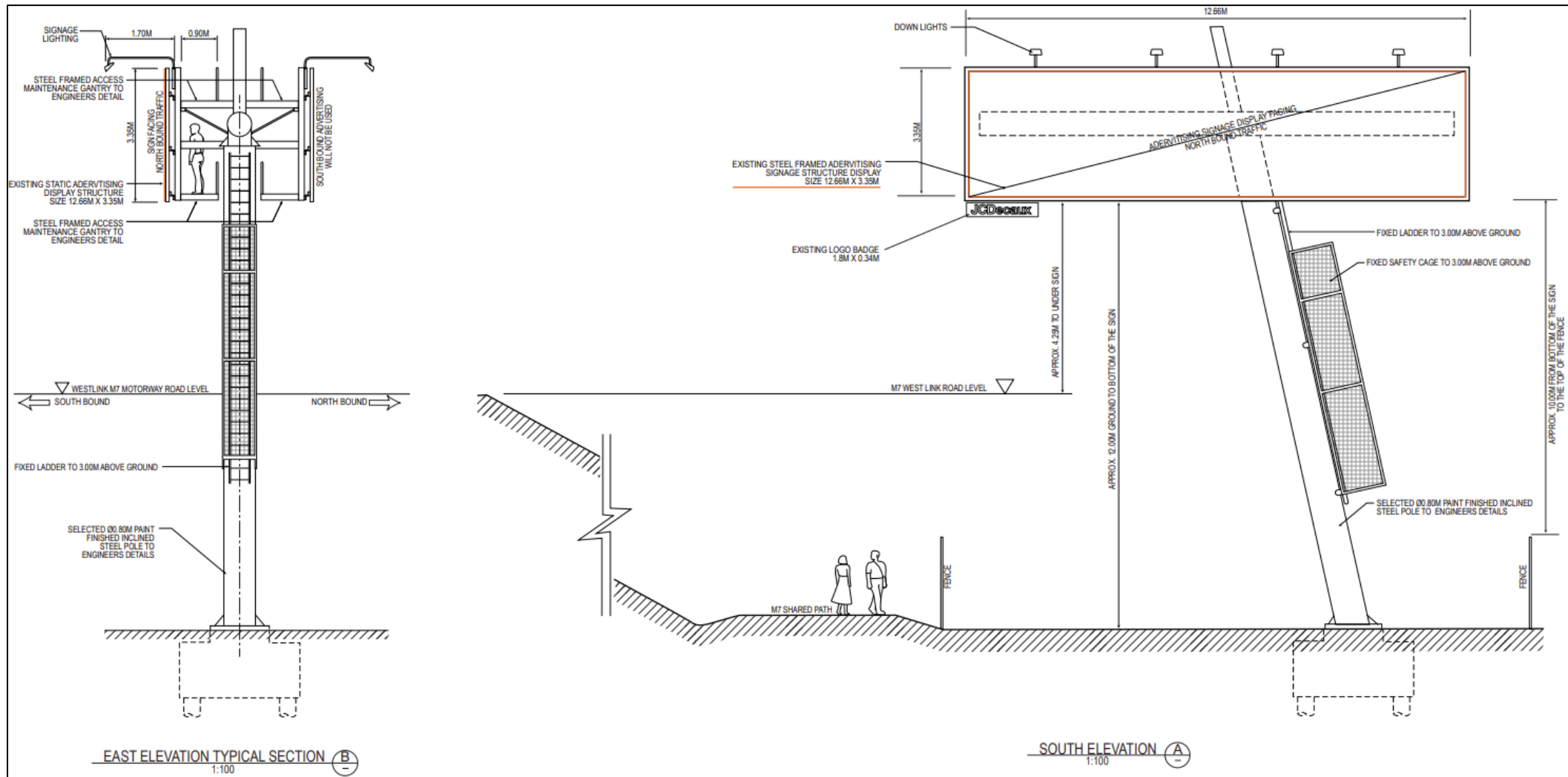
**Table 1 | Key aspects of the proposal**

Aspect	Description
<b>Development summary</b>	<ul style="list-style-type: none"><li>• Previously approved 1 December 2008 by the then Minister for Planning</li><li>• The proposal seeks to continue the operation of the existing northbound (south-facing) advertising signage for a further 15-year period</li><li>• The existing southbound (north-facing) sign will remain blank and will not be used</li><li>• No physical works (other than fitting baffles to the existing floodlights) to the signage structure are proposed</li></ul>
<b>Signage location</b>	<ul style="list-style-type: none"><li>• Lot 41, DP 1164508</li><li>• Located on the eastern side of the shared path adjacent to the M7 Motorway</li><li>• The sign is oriented to face northbound traffic (i.e. south-facing signage) on the M7 Motorway</li></ul>
<b>Advertising display area (Per sign)</b>	<ul style="list-style-type: none"><li>• 42.41 m<sup>2</sup> (12.66 m x 3.35 m)</li><li>• 43.02 m<sup>2</sup> (including 0.61 m<sup>2</sup> logo)</li></ul>

Aspect	Description
<b>Clearance to the bottom of the sign</b>	<ul style="list-style-type: none"> <li>• Approximately 12 m from ground level</li> <li>• Approximately 10 m from top of the fence</li> <li>• Approximately 4.25 m from M7 road level (however, no part of the sign is located above the closest lane which is about 25 m to the west)</li> </ul>
<b>Signage exposure</b>	<ul style="list-style-type: none"> <li>• Visible from 380 m of Lane 1 and 400 m of Lane 2 (north-bound)</li> <li>• Readable from 110 m from all travel lanes (north-bound)</li> </ul>
<b>Consent time period</b>	<ul style="list-style-type: none"> <li>• 15 years</li> </ul>
<b>Operation and Management</b>	<ul style="list-style-type: none"> <li>• The Applicant (and contracted operator) will implement content controls, including: <ul style="list-style-type: none"> <li>– no tobacco products</li> <li>– no overtly religious advertising</li> <li>– no advertising that contains overt and sexually graphic images</li> <li>– no pornography and illegal drugs.</li> </ul> </li> <li>• All advertising copy material will comply with the following: <ul style="list-style-type: none"> <li>– Australian Advertising Industry Code of Conduct</li> <li>– The Outdoor Media Association (OMA) Code of Conduct.</li> </ul> </li> </ul>
<b>Sign access and Maintenance</b>	<ul style="list-style-type: none"> <li>• The site is accessible from the unformed road via Ash Lane. Access to the back of the sign is via a ladder on the rear of the sloping monopole structure.</li> <li>• JCDecaux will be responsible for the maintenance of the signage structure.</li> <li>• There will be no traffic flow impacts as a result of sign maintenance as access to the sign occurs via an unfrequented and unformed road described above.</li> </ul>



**Figure 3** | Proposed site plan (Source SEE)



**Figure 4 |** Proposed south elevation and north-south typical section (Source SEE)

## 3 Statutory context

### 3.1 Permissibility and assessment pathway

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

**Table 2** | Permissibility and assessment pathway

Consideration	Description
<b>Assessment pathway</b>	The application is a Crown DA pursuant to Part 4, Division 4.6 of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) and Part 15 clause 294 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) as the Applicant is a public authority. The application will therefore be assessed under Part 4 of the EP&A Act.
<b>Consent authority</b>	The Minister for Planning and Public Spaces (the Minister) is the consent authority for the proposal, as prescribed under clause 3.10(d)(i) of State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP).
<b>Decision-maker</b>	<p>In accordance with the Minister’s delegation dated 9 March 2022, the Director, Transport and Water Assessments may determine the application as:</p> <ul style="list-style-type: none"><li>• the application has not been made by a person who has disclosed a reportable political donation;</li><li>• there are less than 15 public submissions in the nature of objections; and</li><li>• the council has not made a submission by way of objection.</li></ul>
<b>Permissibility</b>	<p>The site is zoned E5 Heavy Industrial under the Liverpool Local Environmental Plan 2008 (Liverpool LEP).</p> <p>“Advertising signage” is prohibited in the E5 zone under the Liverpool LEP.</p> <p>However, clause 3.14 of the Industry and Employment SEPP states that despite the provisions of any environmental planning instrument (EPI), the display of an advertisement by or on behalf of TfNSW and within 250 m of a classified road corridor (being the M7 Motorway) is permissible with development consent.</p> <p>As the proposal is for the display of an advertisement on behalf of TfNSW within 250 m of a classified road, it is permissible with consent.</p>

## 3.2 Other approvals and authorisations

The proposal will not require an environment protection licence issued by the NSW Environment Protection Authority under section 42 of the *Protection of the Environment Operations Act 1997*.

Under section 4.44 of the EP&A Act, other integrated development approvals are not required to be obtained for Crown developments, other than development that requires a heritage approval. The proposed sign does not require a heritage approval.

Section 4.33 of the EP&A Act does not allow a consent authority other than the Minister to refuse its consent except with the approval of the Minister, or to impose a condition of consent except with the approval of the applicant or the Minister.

The Department has consulted with and considered the advice of TfNSW in its assessment of the proposal (see **Section 4** and **Section 5** of this report ). Suitable conditions have been included in the recommended conditions of consent (see **Appendix D**).

Under clause 23 of the EP&A Regulation a development application may be made by another person with the written consent of the owner of the land. However, the consent of a landowner is not required for a development application made by a public authority if the applicant complies with clause 23(3) which requires the public authority to give notice to the landowner before the application is made.

The development application has been lodged by TfNSW (a public authority) and it is also the landowner. TfNSW has provided landowner consent, even though this is not required.

## 3.3 Mandatory matters for consideration

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

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

**Table 3** | Matters for consideration

Matter for consideration	Department's assessment
<b>Environmental planning instruments, proposed instruments, development control plans &amp; planning agreements</b>	<p>The relevant EPIs and development control plans are:</p> <ul style="list-style-type: none"> <li>• Industry and Employment SEPP</li> <li>• State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>• Liverpool LEP</li> <li>• Liverpool Development Control Plan 2008</li> </ul> <p>Detailed consideration of the provisions of the EPIs is provided in <b>Appendix C</b>. The Department is satisfied that the development generally complies with the relevant provisions of the EPIs.</p>
<b><i>Environmental Planning and Assessment Regulation 2021 (EP&amp;A Regulation)</i></b>	Appendix C
<b>Likely impacts</b>	Section 5 - Assessment
<b>Suitability of the site</b>	Section 1.3 - Proposal background and Section 5 - Assessment
<b>Public submissions</b>	Section 4 - Engagement & Section 5 - Assessment
<b>Public interest</b>	Section 4 - Engagement, Section 5 - Assessment & Section 6 - Evaluation

### 3.3.2 Objects of the EP&A Act

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

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

### 3.3.3 Biodiversity development assessment report

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

The proposal is an existing sign in a cleared area and no works (other than fitting baffles to the existing floodlights) are proposed. The Department considers that the continuing use of the sign would not have a significant impact on threatened species. Therefore, a BDAR was not required to be provided with the development application.

However, because the proposal is located on land that is identified on the Biodiversity Values Map, the Department requested additional information from the Applicant regarding vegetation maintenance. The Applicant advised that vegetation will be maintained using alternative approval pathways and that vegetation maintenance is not included as part of this development application.

## 4 Engagement

### 4.1 Exhibition of the Development Application

#### 4.1.1 Public exhibition of the SEE

After accepting the development application, the Department:

- publicly exhibited the proposal from Wednesday 24 July 2024 until Tuesday 6 August 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 Liverpool City Council.

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

The Department received advice from TfNSW (**Appendix B**). The advice did not object to the proposal and provided recommended conditions of consent regarding:

- the types of images to be displayed on the advertising display areas
- requirements for compliance with the *Transport Corridor Outdoor Advertising and Signage Guidelines 2017* (the Guidelines)
- requirements for a Road Occupancy Licence.

#### 4.1.3 Summary of council comments

The Department notified Liverpool City Council on 22 July 2024, inviting Council to provide comments on the proposal, however no comments were received.

#### 4.1.4 Summary of public submissions

No public submissions were received during the exhibition period.

### 4.2 Request for further information

The Department requested that the Applicant respond to the comments received from agencies (TfNSW) and address additional comments from the Department regarding landscaping, visual impact and the size of the logo. A request for further information (RFI) was forwarded to the Applicant on 08 August 2024.

## 5 Assessment

The Department has reviewed the Applicant's Statement of Environmental Effects, supporting information and additional information provided by the Applicant in response to the Department's assessment, and considered the potential impacts of the continued use of the advertising structure. The Department considers the key issues associated with the continued use of the existing sign are:

- design and suitability of the site
- traffic safety
- visual impact

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

### 5.1 Design and Suitability of the Site

The development application seeks to continue the operation of the existing south-facing illuminated static advertising display area on an existing advertising structure on the eastern side of the M7 Motorway at Prestons. The existing structure is double-sided with north-facing and south-facing display areas. Each advertising display area has an area of 42.41m<sup>2</sup>. The Applicant is only seeking consent for the northbound (south-facing) display area. The southbound (north-facing) display area will no longer be used, however it will remain in-situ as it is an integral part of the supporting advertising structure.

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

- it is generally consistent with the design criteria of the Industry and Employment SEPP, the Guidelines and *AS/NZS 4282:2023 – Control of the Obtrusive Effects of Outdoor Lighting*
- the existing advertising structure has been in place for 15 years. No construction is proposed as part of the development application, other than the installation of baffles for the floodlights
- the application is compatible with the form and character of the surrounding built landscape
- the advertising structure and advertising display areas would not adversely impact on the existing or future character of land uses surrounding the M7 Motorway (primarily being industrial land uses) as the advertising display area will only be used for static messaging and has a low impact on the character of the area
- the location of the advertising structure is on land owned by the Applicant, within 250 m of a classified road and is consistent with advertising on other major roads.

The Department is satisfied the design and location of the site remains suitable and continued use of the south-facing display area (and addition of lighting baffles) would not result in additional amenity impacts.

## 5.2 Traffic Safety

The Applicant assessed driver sightlines, nearby crash data and consistency with the Industry and Employment SEPP and the *Transport Corridor Outdoor Advertising and Signage Guidelines 2017* (the Guidelines). There have been three crashes recorded on the approach to the existing signage location within the sign's visible distance (i.e. 400 m away from the sign) for the most recent five years (for which TfNSW has aggregated data). Only one incident was recorded within the readable distance of the sign location (i.e. 110 m away from the sign).

The M7 motorway widening to six lanes (SSI-663 Mod 6) includes a new lane in each direction within the existing median of the M7 Motorway between the M5 Motorway and Richmond Road. It is not known how much vegetation will be removed from the median (if any), which may increase the visible distance to the sign. However, the sign is likely only to be recognised at 110 m which will remain consistent with its existing visibility and therefore there is not expected to cause change to driver behaviour or the road environment. Due to the alignment of the road, the additional lane within the existing median will have a very similar readable distance and visible distance to Lane 1 and Lane 2 (northbound). The road widening does not introduce new decision making or conflict points in vicinity to the sign and the changes are largely limited to an additional lane and the minor rearrangement of traffic control signs and other road infrastructure.

Overall, the Department accepts that the continued use of the south-facing sign and advertising structure does not pose a risk to road and pedestrian/cyclist safety because the signage:

- does not obstruct and/or reduce visibility of any traffic control devices and signage, and pedestrians or cyclists
- does not give incorrect information on the alignment of the road
- is located within the driver's peripheral vision and does not require motorists to turn their head away from the roadway ahead
- is not located within the safe stopping distance to any key decision points or conflict points
- does not compromise safety for road users in the vicinity
- would not increase safety risk during night-time illumination of the signage as there is no material change in how drivers glance at a lit sign at night vs. an unlit sign during the day, when considering other stimuli in their visual field

- is consistent with the Industry and Employment SEPP, Transport for NSW Advertising Sign Safety Assessment Matrix and the Guidelines.

To ensure that the signage continues to operate in a safe manner, the Department has recommended conditions of consent that seek to ensure illumination and images displayed on the sign minimise glare and do not distract drivers (noting that the signage is static).

## 5.3 Amenity and Visual Impact

### 5.3.1 Northbound (south-facing) advertising signage

The Applicant assessed the visual impacts of the proposal to confirm that the site was still a suitable location for the advertising structure. The Department considers that the advertising structure has a minor and acceptable visual impact on the surrounding area as it is located within an established major road corridor and the surrounding area has low visual sensitivity.

The wider surrounding locality is zoned heavy industrial, with warehouse style development and distribution centres the primary development types in the area. Whilst it is considered that these buildings possess a low visual sensitivity, the existing sign is also not visible from these areas for the following reasons:

- the substantial separation distance between these areas and the subject site
- extensive mature vegetation and trees along the M7 Motorway corridor
- screening from the nearby built form, including an acoustic wall on the western side of the M7 Motorway

The closest residential receivers are a pocket of low-density dwellings located approximately 730 m to the southwest of the proposal. Additionally, Amity College, an independent primary and secondary school, is located approximately 400 m southwest of the site. Given the distance of these receivers from the subject site, the orientation of the sign, the large warehouse developments and acoustic wall screening, no adverse visual impacts are anticipated to residential areas or the school.

The Department is satisfied that the continued use of the existing northbound (south-facing) advertising signage has a minor and acceptable visual impact, on the basis that:

- the sign will remain compatible with the existing and desired future character of the area
- no sightlines from residential dwellings to the southwest of the site are anticipated given the orientation of the sign, the separation distance and screening provided
- the proposal does not result in additional impacts upon scenic views or protrude above the dominant skyline

- there will be no impact on significant European or Aboriginal cultural heritage items or heritage conservation zones
- there will be minimal visual impacts on sensitive land uses as the signage is oriented towards the M7 Motorway corridor and suitably screened to ensure there are no tangible impacts

### 5.3.2 Southbound (north-facing) advertising signage

The Applicant originally proposed to continue operating the southbound (north-facing) advertising signage. However, the Applicant submitted an amended DA in July 2024, only seeking consent to continue the use of the northbound (south-facing) advertising signage. Following exhibition, the Department requested further information (RFI) from the Applicant regarding the southbound advertising signage, and how the Applicant proposes to reduce the visual impact of an unused advertising display area. The Applicant responded to the Department's RFI agreeing to the imposition of a condition that would require the Applicant to replace or paint the blank advertising skin panel with a glaucous (pale grey or bluish-green) colour to minimise visual impacts and blend with the surrounding vegetation.

The Department is satisfied that the visual impacts of the unused advertising display area can be minimised by this treatment and has recommended a condition to that effect.

## 5.4 Other issues

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

**Table 4 | Assessment of other issues**

Issue	Findings and conclusions	Recommended conditions
<b>Biodiversity</b>	<p>The SEE identified that the proposal is located on land that is identified on the Biodiversity Values (BV) Map prepared under Part 7 of the <i>Biodiversity Conservation Act 2016</i>. The BV Map identifies land with high biodiversity value, such as native vegetation, threatened species habitat and creek lines, that is particularly sensitive to impacts from development.</p> <p>The Department sought additional information from the Applicant on two occasions, requesting more information about vegetation maintenance (i.e. tree removal and pruning) and details on how impacts to</p>	<p>The Department has recommended a condition of consent that prohibits the Applicant from performing vegetation removal under this consent. Regular ground cover maintenance immediately beneath the advertising signage would still be permitted to meet WHS requirements for maintenance activities.</p>

Issue	Findings and conclusions	Recommended conditions
	<p>biodiversity values will be minimised/avoided. The Applicant has confirmed that no vegetation maintenance will be undertaken under this consent and vegetation maintenance will be managed under separate approvals and as part of regular roadside vegetation maintenance.</p> <p>As the development is unlikely to have a significant impact on biodiversity values and no vegetation clearing or maintenance is proposed under this consent, a Biodiversity Development Assessment Report (BDAR) was not required. The sign is also in a cleared lot that is fenced off from the surrounding vegetation.</p> <p>During the Department's assessment, the Applicant informed the Department that ground cover beneath the sign needs to be mowed several times a year for work health and safety (WHS) reasons. The ground cover beneath the sign is primarily asphalt, with some small patches of grass. The Department is satisfied that regular ground cover maintenance would not have an adverse impact on biodiversity values.</p> <p>The Department is satisfied that the proposed development would not have adverse impacts on biodiversity values, as no vegetation removal will take place.</p>	
<b>Structural Integrity</b>	<p>The development application was accompanied by a structural feasibility statement which concluded that the existing advertising display areas and advertising structure meet current construction standards and that the structural integrity is sound. The statement identified minor localised surface corrosion but noted that it is superficial and can be maintained. The statement noted that re-inspection is required in two years.</p> <p>Although consent is not being sought for the continued use of the north-facing (southbound) sign</p>	<p>To ensure the longevity of the structural integrity of the advertising structure, advertising and display areas, the Department recommends conditions relating to structural integrity, maintenance, and compliance with relevant Australian standards, including the preparation of a Maintenance Plan. The</p>

Issue	Findings and conclusions	Recommended conditions
	<p>the Applicant has indicated it will not be removed or demolished and will remain as part of the advertising structure.</p>	<p>Maintenance Plan would outline measures to treat surface corrosion, provide a schedule of structural inspections and audits, and include a checklist of the items to be maintained and the frequency of maintenance.</p>
<b>Illumination</b>	<p>Each advertising display area is illuminated by four floodlights bracket-mounted above and 1.7 metres out from the signage. The floodlights operate during the night (7 days per week) and are switched off during the day. The lighting is not dimmable.</p> <p>The Lighting Impact Assessment (LIA) recommends fitting floodlights with baffles to mitigate impacts of upward waste light and to meet the requirements of <i>Australian Standard 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting</i>. The Department proposes a condition to this effect.</p> <p>The Department accepts that illumination of the signs can meet luminance criteria and therefore would not result in unacceptable glare or detract from the amenity of nearby residences.</p>	<p>The proposed illumination would not result in unacceptable glare or reduce safety for pedestrians, vehicles or aircraft. The Department has recommended a condition requiring baffles be installed on all floodlights, in accordance with <i>AS/NZS 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting</i>. A condition has also been recommended that prohibits the Applicant using the floodlights on the southbound (north-facing) sign.</p>
<b>Signage Logo</b>	<p>Clause 3.18(1) of the Industry and Employment SEPP stipulates that the logo of the owner or lessee on an advertising structure may only appear within the advertising display area. Where the advertising display area has no borders or surrounds, clause 3.18(2) stipulates that the logo may also be located within a strip below the advertisement running for its full width.</p> <p>Clause 3.18(3) of the SEPP also stipulates that the logo must not be greater than 0.25 m<sup>2</sup> in size.</p> <p>The existing sign logo is located outside of, and below the advertising display area. The Department requested additional information from the</p>	<p>The Department has recommended a condition limiting the size of the logo to 0.25m<sup>2</sup>.</p>

Issue	Findings and conclusions	Recommended conditions
	<p>Applicant seeking confirmation that the logo would be relocated and reduced in size.</p> <p>The Applicant responded to the Department's request for information and has agreed to the Department's comments confirming that the logo will be replaced with a smaller logo to meet the 0.25m<sup>2</sup> requirement, however relocating the logo would not be possible due to the design of the advertising structure. The Department accepts that, putting aside the practicalities and the efficient use of public funds, while the location of the logo is not consistent with the current guidelines, it does not affect driver safety or have visual impacts that would warrant its relocation.</p>	
<b>Public Benefit</b>	<p>The Applicant provided a Public Benefit Statement (PBS) as part of the development application. The PBS advised that revenue generated would be re-invested into road infrastructure maintenance, network management, road user compliance activities and road safety programs across NSW.</p> <p>The PBS also noted that transport corridors provide affordable advertising space for road safety messages in prime locations, and that advertising campaigns have played an important role in addressing road safety problems across NSW.</p> <p>The Department has considered the PBS and is satisfied the proposed development would result in sufficient public benefits, as it would contribute to infrastructure maintenance, network management and road safety programs across NSW, and help address road safety problems. This is broadly consistent with the Guidelines.</p>	<p>The Department recommends a condition to record the revenue received by the Applicant in its annual reports and how the revenue has been applied to provide a public benefit.</p>

## 6 Evaluation

The Department has assessed the development application and supporting information in accordance with the matters for consideration under Part 4 of the EP&A Act, the Industry and Employment SEPP and other relevant environmental planning instruments. The Department's assessment has also considered the relevant matters and objects of the EP&A Act, including the principles of ecologically sustainable development (**Section 3** and **Appendix C**). It has also assessed the proposal against the *Transport Corridor Outdoor Advertising and Signage Guidelines* (Department of Planning and Environment 2017).

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

The Department has also considered advice from government agencies (TfNSW) in **Section 4** of this report. No public submissions or comments from the local council were received during the exhibition period.

The Department's assessment concludes the proposed development is acceptable as:

- it is permissible with development consent on transport corridor land under the Industry and Employment SEPP and consistent with the objectives of the SEPP and the Guidelines
- it would have minimal impacts on the character of the area and is consistent with the existing urban and transport corridor character of the locality
- it complies with the relevant road safety standards and requirements
- its luminance levels are consistent with the Guidelines and Australian Standards to protect the amenity of surrounding properties and safety of drivers particularly at night
- the visual impacts of the proposal on surrounding residential properties would be negligible
- the proposal is unlikely to significantly affect threatened species or ecological communities, or their habitats
- it would provide appropriate public benefit as all revenue generated would contribute to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs across NSW.

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

## 7 Recommendation

It is recommended that the **Director, 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 grant consent to the application
- **agrees** with the key reasons for approval listed in the Notice of Decision
- **signs** the attached development consent (**Appendix D**).

Recommended by:

A black ink signature, appearing to read 'SKelly', written on a white background.

**Sam Kelly**  
A/Senior Planning Officer  
Transport and Water Assessments

Recommended by:

A blue ink signature, appearing to read 'MYoung', written on a white background.

**Michael Young**  
Principal Planning Officer  
Transport and Water Assessments

## 8 Determination

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

A handwritten signature in blue ink that reads "Lisa Mitchell". The signature is written in a cursive style with a large initial "L".

**Lisa Mitchell**

Acting Director

Transport and Water Assessments

# Glossary

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

# Appendices

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

Since lodgement, some key aspects of the proposal have been amended. The Applicant originally proposed to continue operating the southbound (north-facing) advertising signage. However, the Applicant submitted an amended DA on 17 July 2024, only seeking consent to continue the use of the northbound (south-facing) advertising signage.

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

**Table 5 | Key amendments**

Aspect	Original proposal in SEE	Amended proposal
<b>Proposal Description</b>	<p>The proposal seeks to continue the operation of the existing approved advertising signs on the eastern side of the M7 Motorway, Prestons for a further 15-year period.</p> <p>No physical works are proposed to the signage structure</p>	<p>The proposal seeks to continue the operation of the existing approved south-facing (northbound) advertising sign on the eastern side of the M7 Motorway, Prestons for a further 15-year period.</p> <p>No physical works are proposed (except the installation of floodlight baffles) to the signage structure</p> <p>The amended proposal seeks to remove reference to the north-facing (southbound sign), as this side of the signage structure will remain blank/white and the ongoing use of this side for advertisements is no longer being sought.</p>

## Appendix B – List of referenced documents

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

- Amended Statement of Environmental Effects Advertising Signage, M7 Motorway Prestons, Keylan, July 2024.
- Agency advice, Transport for NSW, August 2024.

<https://pp.planningportal.nsw.gov.au/daex/under-consideration/continued-use-existing-advertising-signage-eastern-side-m7-motorway-prestons>

## Appendix C – Statutory considerations

### Objects of the EP&A Act

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

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

Object	Consideration
<p><b>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</b></p>	<ul style="list-style-type: none"> <li>• The development seeks to maximise use of the site and provides social and economic benefits to the community by generating revenue which contributes to road infrastructure maintenance, network management, road user compliance activities and road safety programs across the whole of NSW.</li> <li>• The development would not unreasonably impact on the State's natural or other resources.</li> </ul>
<p><b>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</b></p>	<ul style="list-style-type: none"> <li>• The development is not anticipated to have adverse impacts on flora or fauna, including threatened species, populations and ecological communities, and their habitats. The proposed development is unlikely to have any significant impacts to the social or economic environment but would provide funds for re-investment into the NSW road network.</li> <li>• The Department is satisfied that the development would not adversely impact on the biophysical or social environments, and that the principles of ESD have been appropriately considered.</li> </ul>
<p><b>(c) to promote the orderly and economic use and development of land,</b></p>	<ul style="list-style-type: none"> <li>• The development promotes the orderly and economic use of the land by continuing the operation of the existing, previously approved advertising signage. The sign is visible from an established road corridor and provide public benefits including the generation of revenue to improve and maintain the TfNSW road network and display of road safety campaigns/messages.</li> </ul>
<p><b>(d) to promote the delivery and maintenance of affordable housing,</b></p>	<ul style="list-style-type: none"> <li>• N/A - affordable housing does not form part of this application.</li> </ul>

Object	Consideration
<p><b>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</b></p>	<ul style="list-style-type: none"> <li>• The development is not anticipated to have adverse impacts on native flora or fauna, including threatened species, populations and ecological communities, and their habitats.</li> <li>• It is noted that the site is located on the Biodiversity Values Map, however, the proposal does not involve physical works (except the installation of floodlight baffles). The Department has recommended a condition prohibiting vegetation clearing.</li> </ul>
<p><b>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</b></p>	<ul style="list-style-type: none"> <li>• N/A - there are no built or cultural heritage items within the site or immediate locality.</li> </ul>
<p><b>(g) to promote good design and amenity of the built environment,</b></p>	<ul style="list-style-type: none"> <li>• The Department considers the proposal would not result in unacceptable built form impacts, as the proposed development is located on an existing road corridor, in an urban environment with neighbouring industrial uses.</li> <li>• The signage is generally consistent with the relevant signage design and illumination requirements (<b>Section 5</b> of this report).</li> </ul>
<p><b>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</b></p>	<ul style="list-style-type: none"> <li>• The development will continue to be maintained in accordance with the conditions of consent issued by the consent authority including requirements that relate to health and safety, construction and ongoing maintenance.</li> <li>• The Department recommends conditions of consent requiring ongoing maintenance and review of structural integrity/condition as well as health and safety requirements.</li> </ul>

Object	Consideration
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	<ul style="list-style-type: none"> <li>The Department sought advice from TfNSW and Liverpool City Council during the exhibition of the proposed development. The matters raised by TfNSW are addressed in <b>Section 4</b>, the assessment in <b>Section 5</b> and the recommended conditions. No comments were provided by the council.</li> </ul>
(j) to provide increased opportunity for community participation in environmental planning and assessment.	<ul style="list-style-type: none"> <li>The application and supporting documents were exhibited and comment from members of the public sought. No public submissions were made on the proposed development (see <b>Section 4</b> of this report).</li> </ul>

## Ecologically sustainable development

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

### Section 4.15 – Matters for Consideration

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

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

**Table 7 | Matters for Consideration**

Matters for Consideration	Consideration
(a) the provisions of —  (i) any environmental planning instrument, and	<ul style="list-style-type: none"> <li>The Department has considered the relevant environmental planning instruments in its assessment in <b>Appendix C</b>.</li> </ul>
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	<ul style="list-style-type: none"> <li>N/A: there are no applicable proposed instruments.</li> </ul>
(iii) any development control plan, and	<ul style="list-style-type: none"> <li>The relevant/applicable objectives of the Liverpool Development Control Plan 2008 are considered in <b>Table 13</b>.</li> </ul>
(iii)(a) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	<ul style="list-style-type: none"> <li>The Applicant has not entered into a planning agreement under Section 7.4 of the EP&amp;A Act.</li> </ul>
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,	<ul style="list-style-type: none"> <li>The Department has assessed the development in accordance with all relevant matters prescribed by the regulations, the findings of which are contained in this report</li> </ul>
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	<ul style="list-style-type: none"> <li>The Department has considered the likely impacts of the development in detail in <b>Section 5</b> of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.</li> </ul>

Matters for Consideration	Consideration
(c) the suitability of the site for the development,	<ul style="list-style-type: none"> <li>The proposal is located on land zoned E5 Heavy Industrial under the Liverpool LEP. The proposed application is prohibited within the E5 Heavy Industrial Zone under the Liverpool LEP; however, the provisions of the Industry and Employment SEPP prevail over the Liverpool LEP.</li> </ul>
(d) any submissions made in accordance with this Act or the regulations,	<ul style="list-style-type: none"> <li>No Submissions were received during exhibition of the development application.</li> </ul>
(e) the public interest.	<ul style="list-style-type: none"> <li>The Department considers the proposal to be in the public interest (refer to <b>Section 5</b> of this report).</li> </ul>

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

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

## EP&A Regulation

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

## Roads Act 1993

The proposed development is not integrated development in the meaning of Division 4.8 of the EP&A Act as TfNSW is the Applicant.

Section 138 of the *Roads Act 1993* also requires that a person must not carry out work on or over a public road without the concurrence of TfNSW (RMS). The M7 Motorway is a Controlled Road under Section 46 of the *Roads Act 1993*. Comment from TfNSW was sought to better understand impacts to traffic safety and the roads network. TfNSW recommended conditions requiring compliance with the Guidelines and the Industry and Employment SEPP. The Department has adopted these conditions.

## Environmental Planning Instruments (EPIs)

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

- State Environmental Planning Policy (Industry & Employment) 2021 (Industry and Employment SEPP)
- State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)
- Liverpool Local Environmental Plan 2008 (Liverpool LEP)
- Liverpool Development Control Plan 2008 (Liverpool DCP 2008)
- *Transport Corridor Outdoor Advertising and Signage Guidelines 2017* (Guidelines)

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

The Industry and Employment SEPP applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserve. The proposed signage has been assessed against the requirements of the Industry and Employment SEPP in **Table 9** and the specific assessment criteria of Schedule 5 of the Industry and Employment SEPP in **Table 10**.

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

Object	Criteria	Comments	Compliance
<b>Part 3.2 Signage Generally</b>			
3.6 Granting of consent to signage	The signage is to be consistent with the objectives of this policy	The signage is compatible with the desired amenity and visual character of the area, provides effective communication, is of high quality finish, and is therefore considered consistent with the objectives.	Yes
	The signage is to satisfy the assessment criteria in Schedule 5	See relevant assessment in <b>Table 10</b> .	Yes
<b>Part 3.3 Advertisements</b>			
3.10 Consent authority	The consent authority is the Minister for Planning and Public Spaces in the case of an advertisement displayed by or	The development application is for signage displayed by or on behalf of TfNSW on TfNSW owned land, therefore the Minister for Planning	Yes

Object	Criteria	Comments	Compliance
	on behalf of TfNSW on land that is owned, occupied or managed by TfNSW	and Public Spaces is the consent authority	
3.11 Matters for consideration	<p>The advertisement or advertising structure is to be:</p> <ul style="list-style-type: none"> <li>i. consistent with the objectives of this policy</li> <li>ii. assessed in accordance with the assessment criteria in schedule 5 and the Guidelines</li> <li>iii. satisfies any other relevant requirements of this policy</li> </ul>	<p>The objectives are considered above.</p> <p>The development application has been assessed in accordance with the assessment criteria in Schedule 5 in <b>Table 10</b> and the Guidelines in <b>Table 11</b>.</p> <p>All other relevant requirements are addressed in this table</p>	Yes
	Arrangements for the provision of the public benefits to be provided in connection with the display of the advertisement	The development application has adequately demonstrated it will provide for public benefit (refer to <b>Section 5</b> of this report)	Yes
3.12 Duration of consents	A consent granted under this part ceases to be in force on the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 4 (20) of the EP&A Act	The Department recommends a condition of consent to limit the approval to a maximum period of 15 years from the date of consent for the south-facing signage. The North-facing signage will no longer be used.	Yes
3.14 Transport corridor land	The display of an advertisement by or on behalf of TfNSW on land that is owned, occupied or managed by TfNSW and that is within 250 metres of a classified road	The development application is for signage on land owned by TfNSW and is within 250m of a classified road and is therefore permissible with consent.	Yes
	<p>The Minister must not grant consent to the display of an advertisement unless:</p> <ul style="list-style-type: none"> <li>i. the relevant local council has been notified of the</li> </ul>	Liverpool City Council was notified of the development application, however no comments on the application were provided (refer to <b>Section 4</b> of this report).	Yes

Object	Criteria	Comments	Compliance
	<p>development application in writing and any comments received by the Minister from the local council have been considered by the Minister, and</p> <p>ii. the advice of any design review panel has been considered by the Minister, and</p> <p>iii. the Minister is satisfied that the advertisement is consistent with the Guidelines.</p>	<p>There was no design review panel for this development application.</p> <p>An assessment of the development application against the Guidelines is provided in <b>Table 11</b>.</p>	
3.15 Advertisements with display area greater than 20 square metres or higher than 8 metres above the ground	<p>The consent authority must not grant consent to an application to display an advertisement to which this section applies unless,</p> <p>(a) the Applicant has provided the consent authority with an impact statement that addresses the assessment criteria in schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and</p> <p>(b) the consent authority gave a copy of the application to TfNSW before the application is exhibited if the application is an application for the display of an advertisement to which section 3.16 applies.</p>	<p>The signage has an area greater than 20 square metres and is located about 12m above the ground.</p> <p>The SEE addresses the assessment criteria in Schedule 5. The Department is satisfied that the impacts of the signage are acceptable as there is no change in impacts from the existing advertising signage.</p> <p>The development application was advertised in accordance with Schedule 1 of the EP&amp;A Act (<b>Section 4</b> of this report).</p> <p>While section 3.16 of the EP&amp;A Act does not apply, the Department provided a copy of the development application to TfNSW during the exhibition period.</p>	Yes

Object	Criteria	Comments	Compliance
3.16 Advertisements greater than 20 square metres and within 250 metres of, and visible from, a classified road	The consent authority must not grant development consent to the display of an advertisement to which this section applies without the concurrence of TfNSW.	This section does not apply when the Minister is the consent authority. Notwithstanding this, the Department referred the application to TfNSW for comment.	N/A
3.17 Advertising display area greater than 45 square metres	<p>The consent authority must not grant consent to the display of an advertisement with an advertising display area of greater than 45 square metres unless:</p> <ul style="list-style-type: none"> <li>i. a development control plan is in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct, or</li> <li>ii. in the case of the display of an advertisement on transport corridor land, the consent authority is satisfied that the advertisement is consistent with the Guidelines.</li> </ul>	<p>The proposed signage has an advertising display area of 43.02 square metres (including logo) and therefore this section does not apply.</p> <p>The development application is to display an advertisement on TfNSW owned land and the Department is satisfied that the advertisement is generally consistent with the Guidelines except for the size and location of the logo (see below).</p>	N/A
3.18 Location of certain names and logos	<p>The name or logo of the person who owns or leases an advertisement or advertising structure must:</p> <ul style="list-style-type: none"> <li>i. appear only within the advertising display area</li> <li>ii. not be greater than 0.25 square metres</li> <li>iii. be included in calculating the size of an advertising display area.</li> </ul>	<p>The signage includes a small company logo attached to the bottom corner of the sigs. The logo is approximately 0.61 square metres in size.</p> <p>The Department has recommended a condition requiring that the logo be replaced with a smaller logo that complies with the size requirements outlined in the Industry and Employment SEPP.</p>	No

Object	Criteria	Comments	Compliance
3.21 Freestanding advertisement	The consent authority may grant consent to the display of a freestanding advertisement only if the advertising structure on which the advertisement is displayed does not protrude above the dominant skyline, including any buildings, structures or tree canopies, when viewed from ground level within a visual catchment of 1 kilometre.	The proposal is a freestanding advertisement. The proposal does not protrude above the dominant skyline. The scale of the sign is significantly smaller than surrounding vegetation. There is no built form in the immediate locality.	Yes

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

Assessment Criteria	Consideration and Comments	Complies
<b>1 Character of the area</b>		
<b>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</b>	The signage is compatible with the adjacent road corridor.	Yes
<b>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</b>	The signage is consistent with the design and scale of other static externally illuminated signs located along major roads in the locality.	Yes
<b>2 Special Areas</b>		
<b>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open spaces areas, waterways, rural landscapes or residential areas?</b>	The existing structure is not visible from any of the special areas listed.	Yes
<b>3 Views and vistas</b>		

Assessment Criteria	Consideration and Comments Comments	Complies
<b>Does the proposal obscure or compromise important views?</b>	The signage does not obscure or compromise important views	Yes
<b>Does the proposal dominate the skyline and reduce the quality of vistas?</b>	The signage does not dominate the skyline or reduce the quality of vistas as it is located below the existing tree canopy.	Yes
<b>Does the proposal respect the viewing rights of other advertisers?</b>	The signage does not impact the viewing rights of other advertisers.	Yes
<b>4 Streetscape, setting or landscape</b>		
<b>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</b>	The scale, proportion and form of the signage is appropriate for the streetscape, setting and landscape.	Yes
<b>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</b>	The Applicant considers that the signage contributes positively to the visual interest along the M7 Motorway through the display of high-quality advertisements.	Yes
<b>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</b>	The signage does not contribute to additional visual clutter.	Yes
<b>Does the proposal screen unsightliness?</b>	The signage does not screen unsightliness as there is none in the immediate surrounds.	Yes
<b>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</b>	The signage does not protrude above any trees or structures within the nearby area.	Yes
<b>Does the proposal require ongoing vegetation management?</b>	No ongoing vegetation management (e.g. pruning of trees and shrubs) is required, other than mowing ground cover for WHS reasons. The Department has recommended a condition to prohibit vegetation clearing within and adjoining the site. Details of ground cover maintenance will be outlined in the Maintenance Plan.	Yes
<b>5 Site and building</b>		

Assessment Criteria	Consideration and Comments Comments	Complies
<b>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</b>	The scale of the signage is appropriate for the context of the site and supports the character of the area.	Yes
<b>Does the proposal respect important features of the site or building, or both?</b>	The signage is below the tree canopy and does not obscure site to any important features.	Yes.
<b>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</b>	The signage will add visual interest along the M7 Motorway.	Yes
<b>6 Associated devices and logos with advertisements and advertising structures</b>		
<b>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?</b>	<p>The proposal consists of an existing access ladder, safety platform, and company logo on the bottom left corner of the sign. The structure is lit by four overhead downward facing lights. These features do not detract from the sign itself or the main advertising panel.</p> <p>The advertising structure is located in a secure area which prevents members of the public from gaining access to the advertising structure and advertising display area.</p>	Yes
<b>7 Illumination</b>		
<b>Would illumination result in unacceptable glare?</b>	The signage would not result in unacceptable glare. The Department has recommended a condition of consent requiring all signage lighting be fitted with baffles, in accordance with <i>AS/NZS 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting</i> .	Yes
<b>Would illumination affect safety for pedestrians, vehicles or aircraft?</b>	The signage would not adversely affect safety for pedestrians, vehicles or aircraft. The Department has recommended a condition of consent requiring all signage floodlight to be fitted with baffles, in accordance with <i>AS/NZS 4282:2023</i>	Yes

Assessment Criteria	Consideration and Comments Comments	Complies
	<i>Control of the Obtrusive Effects of Outdoor Lighting.</i>	
<b>Would illumination detract from the amenity of any residence or other form of accommodation?</b>	The signage illumination would not detract from the amenity of any residence or other form of accommodation.	Yes
<b>Can the intensity of the illumination be adjusted, if necessary?</b>	<p>The Department has recommended a condition of consent requiring all signage floodlight to be fitted with baffles, in accordance with AS/NZS 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting.</p> <p>Further, all signage floodlight must meet luminance criteria for non-digital signs set out in Table 5 of the <i>Transport Corridor Outdoor Advertising and Signage Guidelines</i> (Department of Planning and Environment, 2017).</p>	Yes
<b>Is the illumination subject to a curfew?</b>	The signage illumination is not subject to a curfew.	Yes
<b>8 Safety</b>		
<b>Would the proposal reduce the safety for any public road?</b>	The signage would not reduce safety for any public road.	Yes
<b>Would the proposal reduce the safety for pedestrians or bicyclists?</b>	The signage would not reduce safety for pedestrians or bicyclists.	Yes
<b>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</b>	The signage would not obscure sightlines from public areas.	Yes

## *Transport Corridor Outdoor Advertising and Signage Guidelines 2017*

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

**Table 11 | Assessment against the Guidelines**

Assessment Criteria	Comments	Complies
<b>Land use compatibility criteria – Table 1</b>		
(i) The use of outdoor advertising in a given locality should not be inconsistent with the land use objectives for the area outlined in the relevant LEP.	The proposal is located on land zoned E5 Heavy Industrial under the Liverpool LEP. The proposal is prohibited within the E5 Heavy Industrial Zone under the Liverpool LEP; however, the provisions of the Industry and Employment SEPP prevail over the Liverpool LEP.	Yes
(ii) Advertisements must not be placed on land where signage is visible from the following areas if it is likely to create significant amenity impacts: <ul style="list-style-type: none"> <li>• Environmentally sensitive area</li> <li>• Heritage area</li> <li>• Natural or other conservation area</li> <li>• Open space</li> <li>• Waterway</li> <li>• Residential</li> <li>• Scenic protection area</li> <li>• National Park or nature reserve.</li> </ul>	The proposal is not visible from any: <ul style="list-style-type: none"> <li>• environmentally sensitive area</li> <li>• heritage areas</li> <li>• natural or other conservation areas</li> <li>• open space</li> <li>• residential areas</li> <li>• scenic protection areas</li> <li>• national parks or nature reserves</li> </ul>	Yes
(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.	The proposal is located on the eastern side of the M7 Motorway Shared Path. The signage does not protrude above the skyline given it is below the height of the surrounding tree canopy and is consistent with height of nearby traffic and road signs located along the M7 Motorway.	Yes

Assessment Criteria	Comments	Complies
(iv) Advertising signage should not be located to diminish the heritage values of items or areas of local, regional or state heritage significance.	There are no heritage items located in proximity to the proposal.	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 is considered to be consistent with the context of the existing setting, being an established arterial road corridor, and will provide visual interest to motorists along the M7 Motorway	Yes

## 2.5 Site specific and structural criteria

### 2.5.1 General criteria

(a) The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.	The signage is of a contemporary standard that is suitable for the transport corridor.	Yes
(b) The advertising structure should be compatible with the scale, proportion, and other characteristics of the site, building or structure on which the proposed signage is to be located.	The signage is compatible with adjacent road infrastructure.	Yes
(c) The advertising signage should be in keeping with important features of the site, building or bridge structure.	The signage is in keeping with the surrounding road corridor character.	Yes.
(d) The placement of the advertising signage should not require the removal of significant trees or other native vegetation.	The development application does not incorporate landscaping. No trees or vegetation are proposed to be removed as part of the development application. To ensure compliance, the Department has recommended a condition	Yes.

Assessment Criteria	Comments	Complies
	prohibiting the Applicant from undertaking vegetation maintenance under this consent.	
(e) The advertisement proposal should incorporate landscaping that complements the advertising signage and is keeping with the landscape and character of the transport corridor.	The development application does not incorporate landscaping and the signage would continue to be in character with the road corridor. To ensure compliance, the Department has recommended a condition prohibiting the Applicant from undertaking vegetation maintenance under this consent.	Yes.
(f) Any safety devices, platforms, lighting devices or logos should be designed as an integral part of the signage structure on which it is to be displayed.	The signage structure consists of an existing access ladder, safety platform, and small company logo to the bottom of the sign. The sign is lit by 4 overhead downward facing lights.	Yes.
(g) Illumination of advertisements must comply with the requirement in Section 3.3.3 of the Guidelines.	<p>The illumination of the signage would not result in unacceptable light spill (<b>Section 5.4</b> of this report).</p> <p>The Department has recommended a condition of consent requiring all signage floodlight to meet luminance criteria for non-digital signs set out in Table 5 of the Transport Corridor Outdoor Advertising and Signage Guidelines (Department of Planning and Environment, 2017).</p>	Yes.
(h) Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.	The signage would not result in unacceptable light spillage to nearby residential properties, national parks or nature reserves.	Yes.
<b>2.5.5 Freestanding Signage criteria</b>		
(a) The advertising structure must not protrude above the dominant skyline.	The signs and advertising structure is below the surrounding tree canopy and does not protrude above the dominant skyline.	Yes
(b) Freestanding advertisement greater than 45m <sup>2</sup> that requires consent from local council.	Council is not the consent authority for the subject development.	N/A

Assessment Criteria	Comments	Complies
(c) Where the sign is in a transport corridor a landscape management plan may be required.	The development application does not include or require any new planting. Vegetation maintenance will not be undertaken under this consent and separate approval pathways will be used.	Yes.
(d) The advertisement should not distract a driver away from the road environment for an extended length of time.	The sign and advertising structure is unlikely to distract a driver away from the road environment for an extended length of time.	Yes

### Road safety assessment criteria

#### 3.2.1 Road clearance

(a) The advertisement must not create a physical obstruction or hazard.	The proposal would not result in any physical obstruction or hazard.	Yes.
(b) Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone.	The signage is located outside the clear zone.	N/A
(c) Where a sign is proposed within the clear zone but behind an existing RTA-approved crash barrier, all its structures up to 5.3m in height (relative to the road level) are to comply with lateral clearances as specified by Section 6 of the RTA's Road Design Guide with respects to dynamic deflection and working width.	The signage is located outside the clear zone.	N/A
(d) All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS1170.1 and AS1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.	The sign meets the relevant standards. However, the Department has recommended a condition to ensure the proposal complies with AS 1170.1 and AS 1170.2.	Yes

#### 3.2.2 Line of sight

Assessment Criteria	Comments	Complies
(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 significantly offset from the carriageway and does not obstruct drivers' view of the road or pedestrians and cyclists.	Yes
(b) A advertisement must not obstruct a pedestrian or cyclist's view of the road.	The signage does not obstruct pedestrian and cyclist's view of the M7 Motorway as it is located adjacent to the M7 shared path.	Yes
(c) The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road.	The signage is offset from the carriageway in a manner that does not have the potential to give incorrect information about the road alignment.	Yes
(d) The advertisement should not distract a driver away from the road environment for an extended length of time.	The signage is unlikely to distract a driver away from the road environment for an extended length of time.	Yes.

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

(a) The sign should not be located: <ul style="list-style-type: none"> <li>i. less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves</li> <li>ii. less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment</li> <li>iii. so that it is visible from the stem of a T-intersection.</li> </ul>	The development would comply with the road safety requirements (refer to <b>Section 5</b> of this report).	Yes.
(b) The placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver's view: <ul style="list-style-type: none"> <li>i. of a road hazard</li> </ul>	The placement of the signage is unlikely to distract drivers at critical times (refer to <b>Section 5</b> of this report).	Yes

Assessment Criteria	Comments	Complies
ii. to an intersection  iii. to a prescribed traffic control device(such as traffic signals, stop or give way signs or warning signs)  iv. to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher.		

### 3.3.1 Advertising signage and traffic control devices

(a) The advertisement must not distract a driver from, obstruct or reduce the visibility and effectiveness of, directional signs, traffic signals, prescribed traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.	The signage would not distract drivers or reduce the visibility and effectiveness of directional signs, traffic signals, traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.	Yes.
(b) The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a traffic control device.	The signage would not interfere with stopping sight distance for the road's design speed and would not interfere with the effectiveness of existing traffic control devices.	Yes

### 3.3 Illumination and reflectance

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

(a) Advertisements must comply with the luminance requirements in Table 5 below	This is recommended as a condition of consent.	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 external illumination of the signage would not cause unacceptable glare or adverse impacts on the safety of pedestrians, residents or vehicular traffic.	Yes
(c) The light sources for illuminated signs must focus solely on the sign and:	The external illumination of the signage would not cause unacceptable glare.	Yes

Assessment Criteria	Comments	Complies
<p>i be shielded so that glare does not extend beyond the sign</p> <p>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</p>		
(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.	<p>A condition of consent is recommended requiring the level of reflectance of the materials used and advertisements to meet the requirements specified in AS/NZS 1906.1:2017 Retroreflective materials.</p> <p>No flashing illuminated advertisements are proposed.</p>	Yes

### 3.3.4 Interaction and sequencing

(a) The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users.	The signage does not incorporate technology that would interact with in-vehicle electronic devices or mobile devices.	Yes
(b) Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	No message sequencing is proposed.	Yes

### Public benefit

As proponents of outdoor advertising, TfNSW must demonstrate that revenue raised from outdoor advertising is directly linked to a public benefit.	The Department has recommended a condition requiring the advertising structure be made available for the display of road safety messages.	Yes
---	---	-----

Assessment Criteria	Comments	Complies
TfNSW must record the total amount of outdoor advertising revenue received each year in their financial accounts and their Annual Reports. The Annual Reports must also outline investments made in the year on transport safety, amenity improvements or other public works, listing specific works to which the funds have been or are to be applied.	This is recommended as a condition of consent.	Yes

## State Environmental Planning Policy (Transport and Infrastructure) 2021

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

Clause 2.119(2) of the Transport and Infrastructure SEPP requires the consent authority to be satisfied that development with a frontage to a classified road would not adversely affect the safety, efficiency and ongoing operation of the road. The existing static sign is similar to other non-digital signs which are typically found in or adjacent to road corridors, and the proposal would not compromise the operation and function of the road. An assessment of compliance with clause 2.119(2) of the Transport and Infrastructure SEPP is provided in **Table 12**.

**Table 12 | Compliance with clause 2.119(2) of Transport and Infrastructure SEPP**

Section	Comment	Complies
<b>Section 2.119(2)</b>		
(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and	<p>Direct access to and from the M7 Motorway is not required as the site will be accessed from the unformed road and access to the back of the sign is from a ladder on the back of the sloping monopole.</p> <p>JCDecaux will be responsible for the maintenance of the signage structure.</p> <p>There will be no traffic flow impacts as a result of sign maintenance as access to the</p>	Yes

Section	Comment	Complies
	structure occurs via an unfrequented and unformed road.	
<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> <ul style="list-style-type: none"> <li>i the design of the vehicular access to the land, or</li> <li>ii the emission of smoke or dust from the development, or</li> <li>iii the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</li> </ul>	<p>The safety, efficiency and ongoing operation of the M7 Motorway would not be adversely affected by the sign. No new vehicular access is proposed as the structure can be accessed via Ash Lane.</p> <p>No smoke or dust would be emitted from the development. The volume of vehicles using the classified road would not be impacted by the signage.</p>	Yes
<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 vehicles emissions within the site of the development arising from the adjacent classified road.</p>	<p>The signage is not sensitive to traffic noise or vehicle emissions and would not create any further noise emissions.</p>	Yes.

## Liverpool Local Environmental Plan 2008

The site is zoned E5 Heavy Industry under the Liverpool LEP . Advertising signage is prohibited in the E5 zone. Notwithstanding, the signage is permissible under clause 3.14 of the Industry and Employment SEPP as discussed in **Section 3.1** of this report.

Further, the development application proposes a use that is compatible and consistent with the surrounding industrial zones and buildings and would not have an adverse impact on the surrounding area. Further, the development is an existing structure that is unlikely to have a negative impact on road infrastructure or the safety of the road.

The Liverpool LEP establishes a building height of 30m for the site. No new structures are proposed. Notwithstanding, the height of the existing signage structure at 13.35m is in accordance with this control.

It is acknowledged the site is located in proximity to land identified on Council's environmentally sensitive land map. However, there are no anticipated impacts given the proposal is not located within the mapped area and is of sufficient distance from the environmentally sensitive areas. Furthermore, no physical works (other than fitting baffles to the existing floodlights) are proposed.

## Liverpool Development Control Plan (DCP) 2008

The proposal is generally in compliance with the aims, objectives and key provisions of the Liverpool DCP. A detailed assessment of the proposal against the relevant provisions of the Liverpool DCP is provided in the table below.

**Table 13 | Assessment against the Liverpool DCP**

DCP signage objective	Comment	Complies
<b>Part 1 – Section 5 Bush Fire Risk</b>		
<b>Objectives</b>		
(a) To reduce the possible loss of life or property in the event of a bushfire and provide a safer environment.	The proposal is not considered a threat to life or property as it relates to a non habitable structure.	N/A
(b) to ensure that development in bushfire prone areas is accessible by emergency services at all times.	The <i>document Planning for Bushfire Protection 2019</i> states that for non habitable structures, there are no bush fire protection requirements provided the proposal is not within 6m of a dwelling	
(c) to ensure that development in bushfire prone areas is designed to enhance the survivability of the building and is	As the proposal is not located within 6m of a dwelling and is a non habitable structure,	

DCP signage objective	Comment	Complies
prepared for its defence in the event of a bushfire.	the objectives of Part 1 – Section 5 of the Liverpool DCP are not applicable	
(d) implement an ongoing maintenance regime to manage surrounding vegetation and asset protection zones to reduce possible bushfire fronts and protect the development.		
(e) to ensure that Asset Protection Zones (APZ) do not have a significant impact upon biodiversity.		

## Part 1 – Section 26 Outdoor Advertising and Signage

### 5.1 General Controls

1. Signage design, materials, colours, and placement should be visually compatible with the building, nearby signage, and the surrounding locality.	The design of the signage, including its materials, colours and placement are visually compatible with the surrounding locality given its location adjacent to a major arterial road corridor.	Yes
2. The scale of signage must be consistent with the scale of the building or the property on which it is located.	No change to the scale of the sign is proposed and it will remain lower than the height of surrounding road signage and tree canopy There is no built form in the immediate locality with the nearest building approximately 155m northwest.	Yes
3. Signs must not display offensive content, be reflective, or result in glare.	JCDecaux will implement content controls for the proposed signage, including: <ul style="list-style-type: none"> <li>no tobacco products</li> <li>no overtly religious advertising</li> <li>no advertising that contains overt and sexually graphic images</li> <li>no pornography and illegal drugs.</li> </ul> The proposal will not result in unacceptable glare or have any adverse impacts on road safety.	Yes.
4. Signage should complement natural features and not result in the removal,	No tree removal, trimming or damage of trees and other vegetation is proposed.	Yes.

DCP signage objective	Comment	Complies
trimming or damage of trees and other vegetation.		
5. Signage is to be constructed and secured in accordance with the relevant Australian Standards.	The existing signage is constructed and secured in accordance with Australian Standards.	Yes.
6. New and replacement signage should be designed and located in a manner that avoids the intensification of visual clutter caused by the cumulative effect of signage within the streetscape.	No changes to the signage is proposed.	N/A
7. Signage displays must not contain/use: • <ul style="list-style-type: none"> <li>Flashing lights;</li> <li>Animated display, moving parts or simulated movement;</li> <li>Complex displays that hold a driver's attention beyond glance appreciation;</li> <li>Displays resembling traffic signs or signals, or giving instruction to traffic by using colours and shapes that imitate a prescribed traffic control device or words such as 'halt' or 'stop'; or</li> <li>A method of illumination that distracts or dazzles.</li> </ul>	The proposal relates to a static advertising sign that does not comprise any of the identified forms under this control	N/A
8. Signage shall not hinder driver sightlines to critical road infrastructure.	The signage does not hinder driver sightlines to critical road infrastructure.	Yes
9. Signage shall not distract a driver from or reduce the visibility and effectiveness of directional signs, traffic signals, other traffic control devices, regulatory signs or advisory signs, or to obscure information about the road alignment.	The signage and advertising structure do not obstruct the drivers' view of the road, distract the driver or obstruct a pedestrian or cyclists view of the road.	Yes
10. Advertising signage along transport corridors should meet location criteria set out in 'Section 3.2 Sign Location Criteria' of the Transport Corridor Outdoor Advertising and Signage Guidelines for	The signage has been assessed in accordance with Section 3.2 of the Guidelines.	Yes

DCP signage objective	Comment	Complies
assessing development applications under SEPP 64.		
11. Signage must not obstruct pedestrian/bicycle paths.	The signage and advertising structure do not obstruct pedestrian or cyclists paths.	Yes
12. Signage must not create trip hazards.	The signage is elevated 10 metres above ground level and will therefore not create a trip hazard	Yes

## 26.2 Signage controls by Type

<u>Pole or Pylon Signs</u>		
1. The height of pole or pylon signs from the ground level are to be in proportion with the scale of the subject and surrounding development.	The height of the signage from the ground level is consistent with the height of surrounding traffic and road signage as well as the tree canopy.	Yes.
2. A minimum clearance of 2.6m from ground level to the underside of the sign.	The signage has a ground clearance of 10m.	Yes.
<u>Industrial Zones</u>		
1. A maximum of one freestanding, pole or pylon sign per building or site applies (including directory board for multiple occupancies). The sign, not exceeding 5sqm in area and 5m in height, is to be located within an area of 5mx3m on either side of the ingress to the premises.	There is only one freestanding pole located on the site which the proposal seeks to continue to use.	Yes
2. For multiple occupancy development, one company identification sign with a maximum area of 2 x 0.6m is supported at the entrance to each occupied unit. Such signs are to be of a uniform shape, size and general presentation.	N/A	N/A.
3. For single user development, additional company identification signage is supported at the maximum rate of 1sqm of advertising area per 3m of street frontage or a maximum of 50sqm whichever is the less. (Corner lots will be assessed on the length of the main presentation frontage of the building only).	N/A	N/A.

DCP signage objective	Comment	Complies
4. Signs in excess of a total of 50sqm in area are generally unsupported and are to be considered on their merits.	N/A – The signage has an advertising display area less than 50m <sup>2</sup> .	N/A
<b>26.5 Third Party Advertising</b>		
Third party advertising signage is permissible only on land zoned B3 Commercial Core or B4 Mixed Use and may only be erected if approved by a Development Application.	The proposal is permissible with consent under clause 3.14(1)(d)(iii) of the Industry and Employment SEPP as it is located on land that is owned, occupied or managed by TfNSW and that is within 250m of a classified road.	Yes
<p>1. Third party advertising:</p> <p>a. is limited to a maximum of one third party advertising sign per land allotment frontage.</p> <p>b. is limited to a maximum advertising area of 50sqm. Proposals for signage larger than 50sqm are to be merit assessed and permitted in exceptional circumstances only where architectural excellence and public benefit is demonstrated.</p> <p>c. must not terminate the view down any street.</p> <p>d. must not obscure an existing sign.</p>	<p>The existing sign has an advertising display area of less than 50m<sup>2</sup>.</p> <p>The signage does not terminate the view down any street.</p> <p>The proposal does not obscure with the viewing rights of any nearby signage.</p>	Yes
2. Signage used for third party advertising must be included when calculating the overall signage allowance of a site, as detailed in Section 26.2 above.	The application relates to third party advertising only.	Yes
3. Third party advertising signage must respect pedestrian focused areas and must not dominate the views of surrounding buildings.	<p>The signage:</p> <ul style="list-style-type: none"> <li>is directed towards motorist on the M7 Motorway and is visible to pedestrians and cyclists along the M7 Shared Path</li> <li>it is considered that the surrounding locality is not classified as a pedestrian focused area given it is located adjacent to the M7 Motorway</li> <li>does not dominate the views of surrounding buildings given its distance</li> </ul>	Yes

DCP signage objective	Comment	Complies
	from surrounding warehouses and screening from vegetation and trees	
4. Third party advertising signage within Macquarie Street must respect the fine grained and retail focused character of the street by avoiding visually dominant and disruptive signage design.	N/A	N/A
5. Third party advertising on stand-alone structures is discouraged, and will only be permitted where it contributes to a demonstrated civic benefit to those who will view it	All revenue generated by the proposal will help fund essential TfNSW services to the benefit of the whole of NSW. the existing signage structure is of high quality design and finish, provides visual interest for motorists along the M7 Motorway.	Yes

## Appendix D – Recommended instrument of consent

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

<https://pp.planningportal.nsw.gov.au/daex/under-consideration/continued-use-existing-advertising-signage-eastern-side-m7-motorway-prestons>