

Advertising signage proposal on existing billboard structure

Corner of Princes Highway and
Wilsons Parade, Heathcote

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transport.nsw.gov.au

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On behalf of:



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1. INTRODUCTION

This revised Statement of Environmental Effects (SEE) has been requested by oOh!media on behalf of Transport for New South Wales (TfNSW) to accompany a development application (DA) to the Department of Planning, Housing, and Infrastructure (DPHI) proposing new advertising signage (replacement of advertising skins) on an existing billboard structure in situ.

The site is owned by TfNSW, and as such, pursuant to Clause 3.10(d)(iii) of State Environmental Planning Policy (Industry and Employment) 2021, the consent authority is the Minister for Planning and Public Spaces.

The DA relates to the existing billboard structure on the corner of Princes Highway and Wilson Parade, Heathcote (the site) and seeks approval for new advertising signage (replacement of advertising skins) on an existing billboard structure (the proposal), previously approved by the Minister of Planning under DA 7-1-2008 and DA 7-1-2008 MOD1 (Modification Application).

A full description of the development is provided in section 4 of this report.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 50 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Reg). The SEE considers the requirements of State Environmental Planning Policy (Industry and Employment) 2021 and the associated *Transport Corridor Outdoor Advertising and Signage Guidelines*. The purpose of this SEE is to:

- Describe the proposed development and its context,
- Assess the proposal against the applicable planning controls and guidelines, and
- Assess the potential environmental impacts and mitigation measures.

1.1. Application documents

The following plans and technical reports accompany the SEE.

Table 1: DA plans and reports

	DOCUMENT	PREPARED BY	REVISED DATE
1	DA 7-1-2008 Consent	Minister for Planning / Department of Planning	-
1a	DA 7-1-2008 Modification Consent	Minister for Planning / Department of Planning	-
2	Architectural drawings: Sign plans, elevations, sections, and details Location Plan	Arcadis Australia Pacific Pty Limited	-
3	Informal Pre-Development Application Advice Letter	Department of Planning and Environment	-

	DOCUMENT	PREPARED BY	REVISED DATE
4	Lighting Impact Assessment	Electrolight Australia Pty Ltd	18 February 2024
5	Landowners Consent	TfNSW	-
6	Public Benefit Statement	TfNSW	-
7	Site Card	oOh!media	-
8	Statement of Environmental Effects	Gyde Consulting	March 2024
9	Structural Statement of Feasibility	Arcadis Australia Pacific Pty Limited	-
9a	Structural Condition Report	Arcadis Australia Pacific Pty Limited	-
10	Existing Southbound Static Sign Traffic Safety Assessment	Bitzois Consulting	22 February 2024
10a	Existing Northbound Static Sign Traffic Safety Assessment	Bitzois Consulting	22 February 2024
11	Cost Breakdown	oOh!media	-
12	Survey Plan	Project Surveyors	-
13	Structural Assessment	JMP Consulting Engineers	01 March 2024
14	Structural Assessment Letter	JMP Consulting Engineers	05 March 2024
15	Visual Impact Assessment	Urbaine Design Group	February 2024

These documents have been uploaded under separate headings on the NSW Planning Portal.

1.2. Applicant background

The applicant for the DA is TfNSW. The proposed signage will be managed by oOh!media Limited. oOh!media is one of Australia's largest out of home media companies. Out of home media refers to advertisements that reach an audience when they are outside of their homes. Common forms of out of home advertisement include billboards (digital or traditional) and advertisements in places of public transit like at bus stops and train stations. oOh!media operates an advertising network including more than 30,000 locations across Australia and New Zealand which includes over 9,000 digital signs. Its network includes:

- Large format roadside billboards across all major capital cities.
- A range of classic and digital sites located in shopping centres.
- Classic and digital sites in airport terminals and airline lounges.
- Bus shelters sites in most cities.
- Sites in high dwell environments from CBD office buildings to universities.
- National coverage with a premium digital roadside network, static roadside network.
- Sites across major rail networks.

Statement of Environmental Effects

This site forms part of a contractual agreement between oOh!media and TfNSW, whereby oOh!media has the right to manage and develop outdoor advertising assets to support TfNSW's program to help fund essential road safety and maintenance projects.

2. THE SITE AND SURROUNDS

2.1. The site

The subject site is located on the corner of Princes Highway and Wilson Parade, Heathcote, approximately 120m south of the junction, see Figure 12 and Figure 2. The site is legally known as Lot 1 in DP 549778 Princes Highway refer to Figure 4.



Figure 12: Site location depicted by red marker (source: Nearmap, edited by Gyde Consulting)



Figure 3 Identification of signage (Source: SIX Maps, edited by Gyde Consulting)

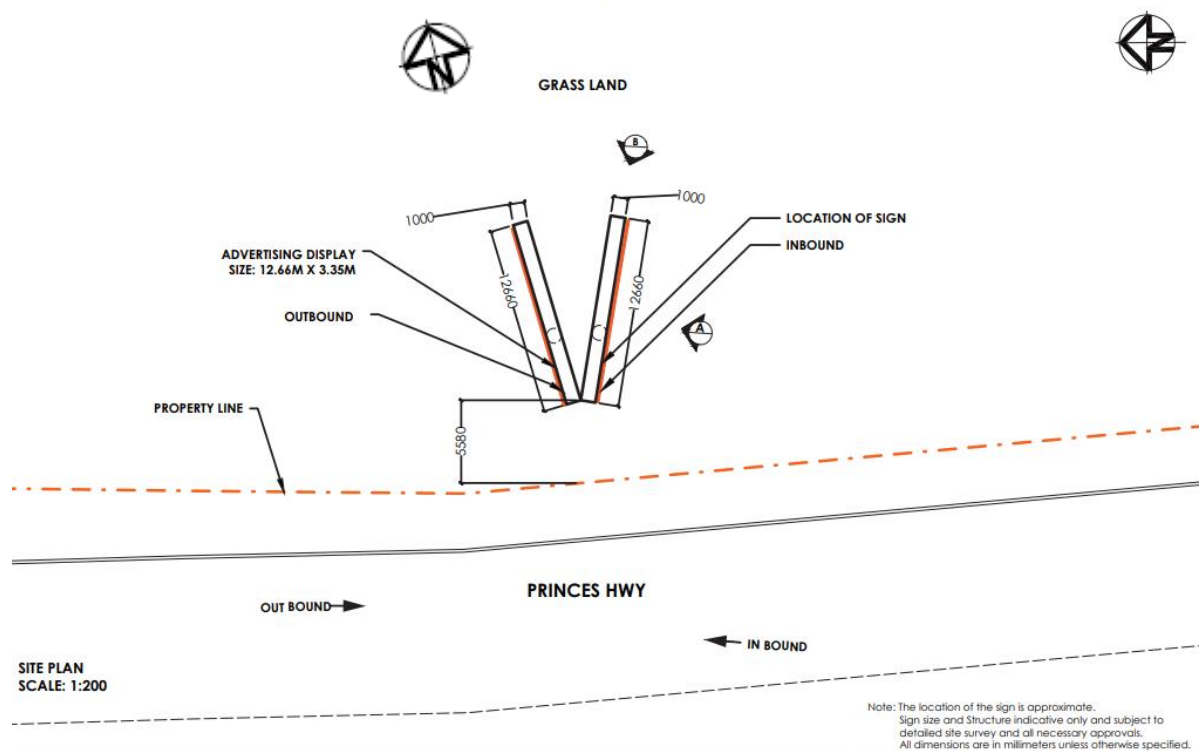


Figure 4: Site card (Source: oOh!media)

The site consists of an existing billboard sign, that faces both the southern and northern direction of the A1 Princes

Highway. The billboard is a freestanding advertising structure with one large metal pole in the centre of the structure that holds 2 billboard signs. The billboard structure has a width of 12.66m and a height of 3.35m. The advertising content is static, and does not contain any flashing or flickering motion, and is illuminated externally by 3 downward facing lights that extend from the top of the billboards.

Around the base of the signage structures are some low-lying shrubs and overgrown grass, with some existing trees located directly to the south. The structure itself is approximately 6m from the Princes Highway boundary to the west. Figure 4 below and Figure 6 overleaf shows the billboard structures in their current condition and form.



Figure 5: Billboard signage facing southwards on Princes Highway (Source: oOh!media)



Figure 6: Billboard signage facing northwards on Princes Highway (Source: oOh!media)

2.2. The surrounding locality

The site is located approximately 35m east of the most proximate residential dwelling boundary. The site is directly bounded by Princes Highway to the west, the T4 Illawarra railway line to the east, and an unused open storage area to the north with some scattered shrubs and trees planted around the base of the signage structure.

The surrounding area is predominantly residential in nature, with motorway services located to the north of the site through the Wilson Parade junction, and Heathcote High School, St. Vincent's Aged Care, and further residential dwellings to the east. The majority of residential dwellings are one or two storey detached properties.

Royal National Park is located east of the site, and Heathcote National Park is located west of the site, both designated conservation areas.

Details of the surrounding locality can be seen below in Figure 7.

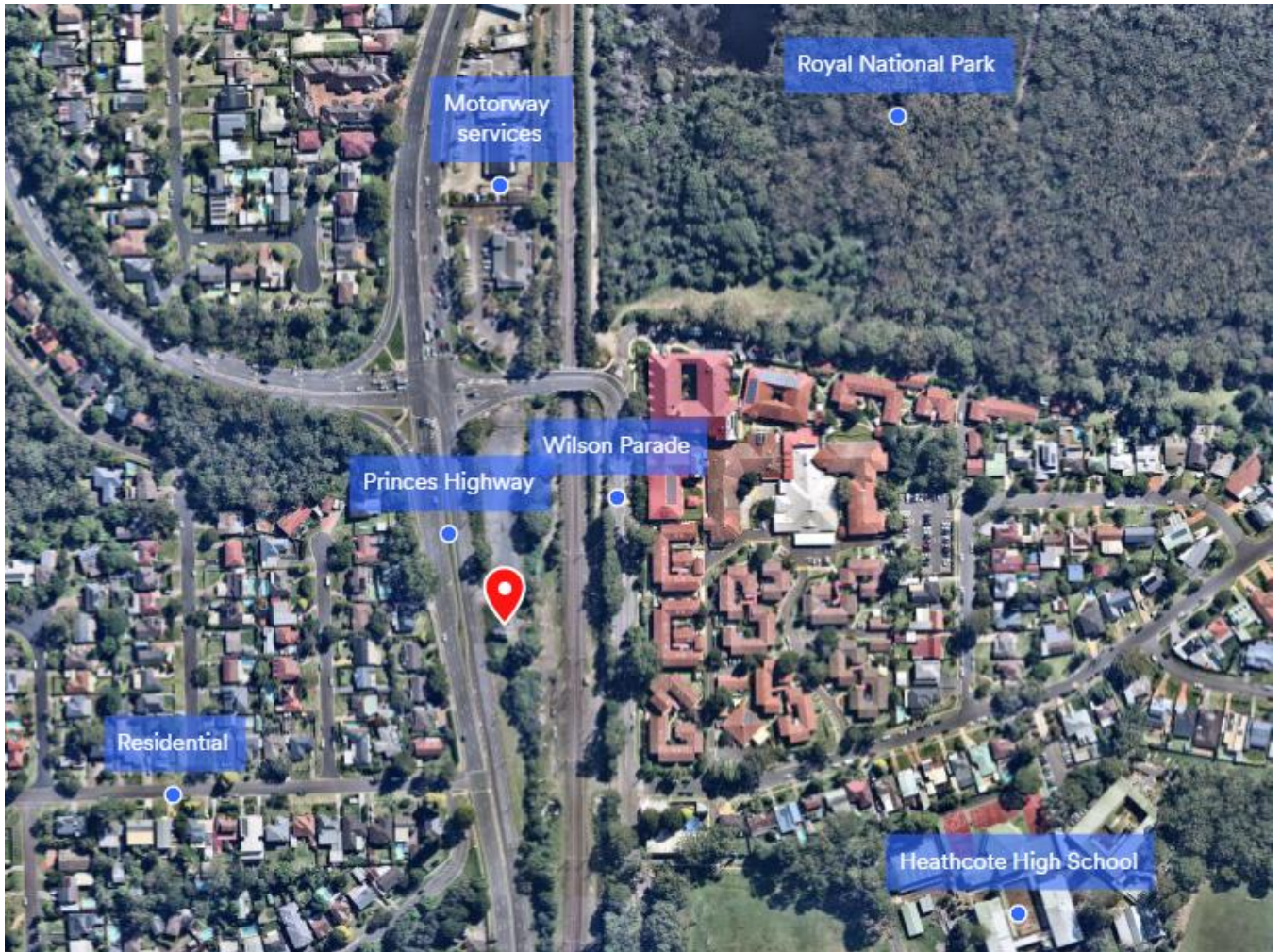


Figure 7: Site (red marker) context in surrounding locality (Source: Nearmap. Edited by Gyde Consulting)

3. RELEVANT BACKGROUND

Development consent is sought for new advertising signage (replacement of advertising skins) on an existing billboard structure in situ. This development as it currently stands was originally granted consent under DA 7-1-2008 by the Minister for Planning on 3 July 2008.

A modification application (DA 7-1-2008 MOD1) was approved on 11 November 2009 by the Minister for Planning in relation to advertising materials.

Relevant to this DA is Condition A4 of the original consent which states:

“This development application consent is issued for a limited period of 15 years. The consent will cease to be in force/expire after the determination date in Part A Schedule 1 of the consent. Note: A new development application must be submitted prior to that date for assessment and determination if it is intended to continue the use beyond the cessation date”.

As per the conditions of consent under DA 7-1-2008, for structure to remain on site, a new DA is required to continue to use the billboard structure for advertising purposes. The condition states that the consent is issued for 15 years, a period that ceased on 3 July 2023. The billboard and associated advertising signage has been in place since consent was granted, at least 15 years.

The consent for DA 7-1-2008 and DA 7-1-2008 MOD1 accompany this SEE as part of the supporting documentation.

4. DESCRIPTION OF DEVELOPMENT

4.1. Overview

This application is not proposing any modifications to the existing structure, the billboard structure and advertising signage will:

- Continue to have the same orientation, height and display size.
- Continue to display static imagery.
- Continue to be illuminated externally.
- Continue to be supported with the same structure, pole remaining in its current form and function.
- Be compliant with the Transport Corridor Outdoor Advertising and Signage Guidelines.

4.2. Development Statistics

The key statistics and elements of the project are shown in Table 2 below.

Table 2: Development Statistics

ELEMENT	PROPOSAL
Billboard signage	2 billboards with advertising signage, facing both south and north of the Princes Highway
Advertising type	<ul style="list-style-type: none">• Static advertising• Non digital
Screen size	12.66m width x 3.35m height
Display format	<ul style="list-style-type: none">• Externally illuminated with 3 overhead lights• 120 watt LEDs illuminated dusk until dawn
Height	8.5m
Weight of advertising skins	Approximately 14.8kg, and no heavier than 15kg

The proposed elevations of the billboard and signage structure is shown below.

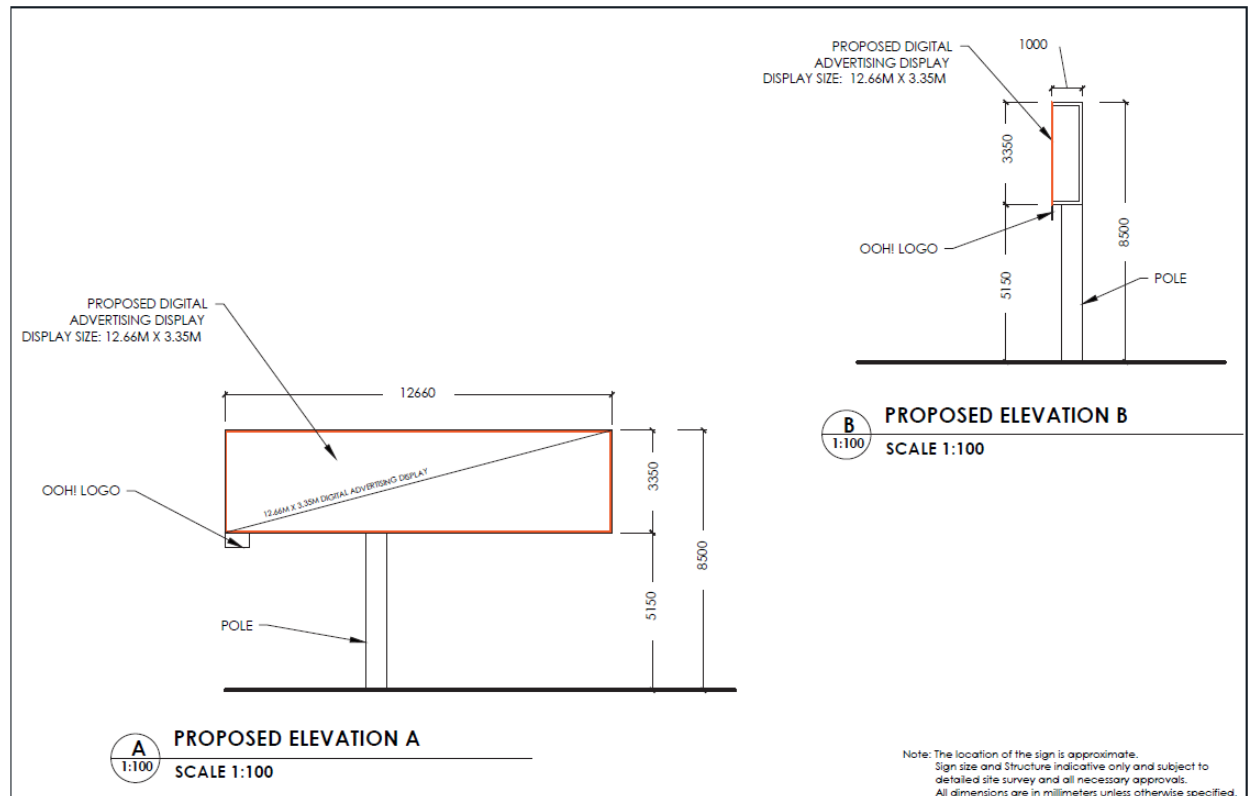


Figure 8: Proposed elevations of the billboard and advertising signage structure (Source: oOh!media)

Further details are outlined in the plans and Lighting Impact Assessment accompanying the application.

4.3. Capital Investment Value

The total cost of development is \$29,670.99. A cost breakdown was provided to the DPHI in a letter prepared by Gyde Consulting dated 30 January 2024.

5. STATUTORY PLANNING CONSIDERATIONS

5.1. Overview

The relevant statutory framework considered in the preparation of this report comprises:

- Environmental Planning and Assessment Act, 1979.
- Environmental Planning and Assessment Regulation 2021.
- Biodiversity Conservation Act 2016.
- State Environmental Planning Policy (Industry and Employment) 2021.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Transport and Infrastructure) 2021.
- Transport Corridor Outdoor Advertising and Signage Guidelines 2017.
- Sutherland Shire Local Environmental Plan 2015.
- Sutherland Shire Development Control Plan 2015.

Where relevant, these are addressed below.

5.2. Environmental Planning and Assessment Act 1979

5.2.1. Section 4.15 of EP&A Act 1979

Section 4.15(1) of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15 of the EP&A Act are addressed in Table 3 below.

Table 3: Section 4.15 of EP&A Act 1979.

SECTION	COMMENT
Section 4.15(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Section 5.
Section 4.15(1)(a)(ii) Any draft environmental planning instrument	Not relevant to this application.
Section 4.15(1)(a)(iii) Any development control plan	Consideration of relevant the development control plan is discussed in Section 5.5.
Section 4.15(1)(a)(iiia) Any planning agreement	No planning agreement has been or will need to be entered into for this scope of work.
Section 4.15(1)(a)(iv) Matters prescribed by the regulations	Refer to Section 5.3.
Section 4.15(1)(b) - (e)	Refer to Section 7 of this SEE for consideration of (b), (c) and (e). Matter (d) relates to submissions and is a matter for the consent authority following public exhibition of the development application.

The development is not identified as an integrated development under section 4.46 of the Act.

5.3. Environmental Planning and Assessment Regulations 2021

The proposal will be assessed in accordance with the relevant requirements of the EP&A Regs.

5.4. Biodiversity Conservation Act 2016

In accordance with section 1.7 of the EP&A Act, Part 7 of the Biodiversity Conservation Act 2016 (BC Act) applies to the assessment of development applications. Section 7.7 of the BC Act requires an application for development consent to be accompanied by a biodiversity development assessment report if the proposed development is likely to significantly affect threatened species. Section 7.3 of the BC Act sets out the test for determining whether a proposed development is likely to significantly affect threatened species or ecological communities, or their habitats.

The threatened species test of significance is used to determine if a development or activity is likely to significantly affect threatened species or ecological communities, or their habitats. The test of significance is applied as part of the Biodiversity Offsets Scheme entry requirements and for Part 5 activities under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. The test of significance is set out in section 7.3 of the BC Act.

Appendix B of this report outlines the Test of Significance carried out for the subject site to determine whether the proposed development is likely to significantly affect threatened species or ecological communities, or their habitats.

5.5. State Environmental Planning Policies

5.5.1. Transport and Infrastructure SEPP (T&I SEPP)

Chapter 2 Infrastructure

Chapter 2 of the T&I SEPP aims to facilitate the effective delivery of infrastructure across the State. Section 2.1(e) aims to identify matters to be considered in the assessment of development adjacent to particular types of infrastructure development. In this instance, the T&I SEPP applies to the proposal as it is located in the E3 Productivity Zone and is located adjacent to the A1 Princes Highway, south of the Wilson Parade junction.

Section 2.119 Development with a frontage to classified road

The site has frontage to A1 Princes Highway which is identified and recorded as a classified road by TfNSW under sections 47 and 163 of the *Roads Act 1993*. The objectives of section 2.119(1) are:

- *To ensure that new development does not compromise the effective and ongoing operation and function of classified roads.*
- *To prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

Under Section 2.119(2), the consent authority must not grant consent to development on land that has a frontage to a Classified road unless it is satisfied that the following matters have been addressed.

Table 4: Section 2.119(2) of TISEPP

SECTION	COMMENT
(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and	Vehicular access to the site and structure are infrequent, with the site accessed for installation by oOhmedia! on a monthly basis and inspected by engineers every 3 years unless otherwise advised per previous inspections. During these periods installers and engineers park directly below the billboard structure which is in a safe distance from the road and traffic.
(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of (i) the design of the vehicular access to the land, or (ii) the emission of smoke or dust from the development, or (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land.	The safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development. No new individual vehicular access is proposed as the structure is adjacent to the highway and accessible via existing access. No smoke or dust will be emitted from the development. The volume of vehicles using the classified road will not be and have not been impacted by the erection of the billboard structure. As the development is not changing in any way, this will not change.
(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.	The development is not sensitive to traffic noise or vehicle emissions and will also not itself create any further noise emissions due to the nature of use proposed.

As per the above table the proposal is considered acceptable in meeting the objectives set out in section 2.119(1).

5.5.2. Resilience and Hazards SEPP (R&H SEPP)

Chapter 4 Remediation of Land

The objective of Chapter 4 is to provide a Statewide planning approach for the remediation of contaminated land. Pursuant to section 4.6 of the R&H SEPP the consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

It is unlikely that the site is contaminated based on surrounding land uses, and a review of historical imagery of the site that shows no hazardous land uses were ever existing on the site. Therefore, it is considered suitable for the development on site.

5.5.3. Industry and Employment SEPP (I&E SEPP)

Chapter 3 Advertising and Signage

Chapter 3 of the I&E SEPP aims to ensure signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of a high-quality design and finish.

Section 3.6 of the I&E SEPP stipulates that a consent authority must not grant consent for an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.

An assessment of the proposed school signage to meet the aims and objectives of section 3.1(1)(a) and Schedule 5 assessment criteria is detailed in Table 5.

Table 5: Consistency with Chapter 3 and Schedule 5 of I&E SEPP

ASSESSMENT CRITERIA	COMMENT	COMPLIES
Section 3.1 Aims, objectives, etc		
(a) to ensure that signage (including advertising)— (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish,	(i) The use of an advertising billboard in this location is consistent with the overall visual character of the area as it is located on appropriately zoned lands and is an ancillary use to road infrastructure. The signs are static and not illuminated and therefore have a low impact on the visual character of the area. (ii) The signage will provide an opportunity for the installation of appropriate advertisements that are suitable to its roadside location. The location and orientation of the sign is in such a way that only glance appreciation is required, maintaining road safety and avoiding driver distraction. The content and imagery chosen seeks to avoid unnecessary text or images that may be interpreted as traffic instructions. (iii) The existing structure, will maintain its current design and finish, and is considered acceptable under the original consent approved by the Minister (DA 7-1-2008).	Yes
Schedule 5 assessment criteria		

ASSESSMENT CRITERIA	COMMENT	COMPLIES
<p>1 <i>Character of the area</i></p> <ul style="list-style-type: none"> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<p>The proposal is compatible with the desired future character of the overall area and the surrounding uses. The site is located on E3 zoned lands and is adjacent to largely SP2 zoned lands and the Princes Highway. The use of an advertising billboard in this location is compatible with the overall visual character of the area considering its proximity to the SP2 lands.</p> <p>The proposal is reflective of the design and scale of outdoor advertising structures along highways and roadsides. There are no other proximate billboard signage structures, so no identified theme for outdoor advertising in the area</p>	Yes
<p>2 <i>Special areas</i></p> <ul style="list-style-type: none"> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	<p>The existing signage will not have any discernible impact on the adjacent conservation areas, Heathcote National Park and Royal National Park, given:</p> <ul style="list-style-type: none"> The proximity of each from the development, That it is an existing use, and no amendments or alterations are proposed, and In its current form it does not currently detract from the visual amenity or visual quality of these areas. <p>There is low scenic quality or heritage value within the viewshed of the proposal. The signage itself is not located in an environmentally sensitive area, or a natural conservation area, and therefore it is not likely to cause any significant impacts. The signs are static and not illuminated and therefore not detracting from the visual quality of any of these areas.</p>	Yes
<p>3 <i>Views and vistas</i></p> <ul style="list-style-type: none"> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers? 	<p>The proposal does not obscure or compromise any important views. It does not dominate the skyline or reduce the quality of vistas. There are no other structures or advertising signs of similar size located within the vicinity of the site.</p>	Yes
<p>4 <i>Streetscape, setting or landscape</i></p> <ul style="list-style-type: none"> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? 	<p>The scale, proportion and form of the proposed advertisement is appropriate and compatible with the existing E3 zone and the wider SP2 landscape and built form. The proposal does contribute to the visual interest</p>	Yes

ASSESSMENT CRITERIA	COMMENT	COMPLIES
<ul style="list-style-type: none"> Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management? 	<p>of the streetscape in creating a positive visual amenity on the Princes Highway.</p> <p>Vegetation management</p> <ul style="list-style-type: none"> No removal of any vegetation of high biodiversity value is proposed. No new landscaping or planting is provided and therefore a landscape management plan is not required. <p>The proposal requires some ongoing vegetation management, and this will be carried out by the applicant on a regular basis. At present, TfNSW currently manage the site and any associated landscape and vegetation maintenance on the site.</p> <p>Appendix A outlines a detail of vegetation maintenance that is required to be carried out by TfNSW.</p> <p>As part of the repair and maintenance of the signage, oOh!media on behalf of the applicant carries out yearly repair and maintenance inspections.</p> <p>Furthermore, during the change of signage skins that occurs between 7-9 times per year, employees will assess whether any vegetation growth has occurred that needs further attention from the applicant. This will be sufficiently notified if additional vegetation management is required.</p> <p>Vegetation management is required to ensure consistent visibility of the signage to increase public safety, and to prevent overgrown and unsightly development.</p> <p>Ongoing management and maintenance will ensure no damage is caused to the sign and the general area, for example, graffiti management.</p> <p>No new landscaping or planting is provided and therefore a landscape management plan is not required. There is also no significant vegetation on site that is of high biodiversity value.</p>	

ASSESSMENT CRITERIA	COMMENT	COMPLIES
<p>5 <i>Site and building</i></p> <ul style="list-style-type: none"> 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? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>There are no other buildings or structures on the site itself as the sign is a standalone structure.</p>	Yes
<p>6 <i>Associated devices and logos with advertisements and advertising structures</i></p> <ul style="list-style-type: none"> 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? 	<p>The proposal consists of an existing access ladder, safety platform, and small company logo (0.25sqm) to the bottom left and right corners of each respective sign. The structure is lit by 3 overhead downward facing lights. These features are not detracting from the sign itself or the main advertising panel.</p> <p>The billboard structure is located in a secure area which prevents members of the public from gaining access to the billboard and advertising sign.</p>	Yes
<p>7 <i>Illumination</i></p> <ul style="list-style-type: none"> Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the amenity of any residence or other form of accommodation? Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew? 	<p>The advertising structure does not accommodate digital signage and therefore internal illumination is not relevant. The signs are externally illuminated with 3 overhead lights located above each sign. The lighting levels for the signs is extremely low and match the surrounding environment at the site.</p> <p>A Lighting Impact Assessment has been prepared to accompany this application and the proposal is fully compliant with all relevant requirements of AS/NZS 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting and does not exceed the maximum luminance's permitted.</p> <p>The existing signage complies with the Threshold Increment limits of AS4282, demonstrating that the illumination will not cause unacceptable glare. The floodlights are to be fitted with baffles which limit upward light that is viewable by aircraft.</p> <p>The signage will not cause unacceptable glare, adverse</p>	Yes

ASSESSMENT CRITERIA	COMMENT	COMPLIES
	<p>impacts on the safety of pedestrians, residents, or vehicular traffic and will not cause any unacceptable amenity impacts to nearby residents.</p> <p>Appropriate measures will be implemented to ensure the mitigation of upward light in the form of a light/baffle shield.</p>	
<p>8 Safety</p> <ul style="list-style-type: none"> Would the proposal reduce the safety for any public road? Would the proposal reduce the safety for pedestrians or bicyclists? Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>The proposed signs will not interfere with pedestrian or vehicular sightlines as they will comply with all relevant Australian Standards. The signs will not distract motorists as headlight reflections are not created in the drivers' line of sight given its raised location and will not resemble a traffic sign or contain a facsimile of a traffic sign.</p> <p>The sign does not obstruct the movement of pedestrians or cyclists or protrude laterally into the transport corridor. It is located within a driver's ordinary field of view on approach and a glance to the sign will still permit co-incident recognition of vehicle, pedestrian and cyclist movements in the forward view in a road environment with very few decision points. Its direction and orientation mean drivers would not need to turn away from the road or traffic stream in order to view its display and/or message.</p> <p>A review of available 5 years of crash data within 135m (southbound) and 200m (northbound) of the site showed a very low crash rate reported within the viewable area to it. As such, the data available does not identify an inherently high crash risk on approach to the sign that would deem it unsuitable despite the roads high traffic volumes and speed.</p> <p>Night time sightline assessments carried out by Bitzios confirm that <i>"Illumination does not increase safety risk as there is no material change in how drivers glance to a lit sign at night vs. an unlit sign during the day, when considering other stimuli in their visual field"</i>. Safety for road traffic is maintained between daylight hours and night time hours.</p>	Yes

ASSESSMENT CRITERIA	COMMENT	COMPLIES
	Traffic Safety Assessments for both the northbound and southbound direction have been prepared by Bitzios Consulting to confirm that the proposal is acceptable in terms of traffic safety.	

Section 3.10 of the I&E SEPP outlines the relevant consent authority and in the case of the proposal it is stated that, the consent authority is:

(d) *the Minister for Planning in the case of an advertisement displayed by or on behalf of RMS on—*

- (i) *a road that is a freeway or tollway (under the Roads Act 1993) or associated road use land that is adjacent to such a road, or*
- (ii) *a bridge constructed by or on behalf of TfNSW on any road corridor, or*
- (iii) **land that is owned, occupied or managed by TfNSW**

Section 3.15(1) of the I&E SEPP also applies as the application proposes a sign that has an area of 42.41 sqm and is 8.5m above the ground. Section 3.15(2) states that

“The consent authority must not grant consent to an application to display an advertisement to which this section applies unless—

- (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*
- (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”.*

Based on the above assessment, the proposal is considered to comply with the requirements of the I&E SEPP.

5.6. Transport Corridor Outdoor Advertising and Signage Guidelines 2017

The Transport Corridor Outdoor Advertising and Signage Guidelines (Guidelines) outline best practice for the planning and design of outdoor advertisements in transport corridors, such as along or adjacent to classified roads, freeways, tollways, transitways and railway corridors, or on bridges or road and rail overpasses.

The Guidelines complement the provisions of the former State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64). SEPP 64 has now been replaced by the Industry and Employment SEPP.

An assessment against the individual compatibility criteria tables set out within the Guidelines is outlined below.

- Land use (Table 6)
- Design
- Road safety (Table 7)

Table 6: Assessment of the Land Use Compatibility Criteria

LAND USE COMPATIBILITY CRITERIA	ASSESSMENT
<p>The use of outdoor advertising in a given locality should not be inconsistent with the land use objectives for the area outlined in the relevant LEP</p>	<p>The outdoor advertising is consistent with the land use objectives outlined in the Sutherland Shire Local Environmental Plan 2015, signage is prohibited in the E3 Productivity Support zone.</p> <p>However, as an existing land use, it is permissible under Division 4.11 of the EP&A Act, it is permissible as it consists of continuance of an existing use (refer to section 5.6.1. of this report for more details). Although the date of the existing DA has since lapsed, it has 'existing use rights' under Clause 4.66 of the EP&A Act.</p>
<p>Advertisements must not be placed on land where the signage is visible from the following areas, if it is likely to significantly impact on the amenity of those areas:</p> <ul style="list-style-type: none"> • environmentally sensitive area • heritage area (excluding railway stations) • natural or other conservation area • open space (excluding sponsorship advertising at sporting facilities in public recreation zones) • waterway • residential area (but not including a mixed residential and business zone, or similar zones) • scenic protection area • national park or nature reserve. 	<p>The proposed signage is not visible from any of the areas listed.</p> <p>The surrounding lands are mainly zoned SP1 Special Activities, SP2 Infrastructure, R2 Low Density Residential, and C4 Environmental Living. Residential properties in proximity to the proposal have adequate landscape buffers, and the sign itself is enveloped in low lying shrubs with some surrounding trees, minimising the visual impact and ensuring the amenity on those residential areas is minimised.</p> <p>The signage is not located in an environmentally sensitive area, or a natural conservation area and therefore it is not likely to cause any significant impacts. The proposal is an existing development that has no current impact on the amenity of sensitive areas and therefore it is considered acceptable.</p>
<p>Advertising structures should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant scenic views or views that add to the character of the area.</p>	<p>The signage does not dominate or protrude above the skyline. There are no significant scenic views along the Princes Highway compromised.</p>
<p>Advertising structures should not be located so as to diminish the heritage values of items or areas of local, regional or state heritage significance.</p>	<p>The advertising structure will not be located so as to diminish the heritage value of items or areas of local, regional or state heritage significance.</p>
<p>Where possible, advertising structures should be placed within the context of other built structures in</p>	<p>The signage is positioned adjacent to Princes Highway to the west and the Illawarra rail line to the east. The sign,</p>

LAND USE COMPATIBILITY CRITERIA	ASSESSMENT
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	alongside surrounding landscape buffers, acts as a positive enhancement to the visual landscape. There is an unused area of land to the north of the site and the signage also provides enhanced visual amenity to this area that is vacant and unsightly.

The design assessment criteria set out in the Guidelines are the same as the those in Schedule 5 of the I&E SEPP and have been assessed in section 5.4.3 of this report.

Table 7: Assessment of the Road Safety Assessment Criteria

ROAD SAFETY ASSESSMENT CRITERIA	ASSESSMENT
Would the proposal reduce the safety for any public road?	The proposed signs will not reduce the safety for the public road (Princes Highway). The signs will not distract motorists as will be located well away from the street verge and will not resemble a traffic sign or contain a facsimile of a traffic sign. Traffic Safety Assessments for both the northbound and southbound facing billboards were carried out by Bitzios Consulting. The overall conclusion of both assessments was that the <i>“static sign should continue to operate as it currently does”</i> .
Would the proposal reduce the safety for pedestrians or bicyclists?	The advertisement does not affect the safety for pedestrians or cyclists given its location on the roadside, and only applicable to vehicular traffic. The eastern side of the A1 Princes Highway, where the sign is located, is for vehicular traffic only and is without any pedestrian footpaths and cycle lanes. Where pedestrians use the Wilson Parade junction, the sign does not interfere with the view or restrict sight distances for pedestrians or cyclists to any traffic control devices or intersections.
Would the proposal reduce the safety for pedestrians by obscuring sightlines from public areas?	There is currently no pedestrian path along the eastern side of Princes Highway in this location. The potential impact of pedestrian safety is limited. A pedestrian footpath is provided on the western side of Princes Highway, and given the proximity to the proposal safety will not be impacted.

5.6.1. Justification and public benefit test

The public benefit test is an assessment of how the local community will benefit as a result of the display of the advertisement and is applied to this advertising proposal because the display of the advertisement is by or on behalf of RMS or **TfNSW**, Sydney Trains and NSW Trains.

Advertising on transport corridors generates revenue which TfNSW allocates to contribute to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs across the whole of NSW. The advertising signs provide affordable advertising space for road safety messages in prime locations. NSW road safety advertising campaigns have played an important role in helping to address key road safety problems across NSW and have contributed to the significant reductions achieved over recent decades in the number of deaths on NSW roads.

The public benefit of the proposed development is that oOh!media on behalf of TfNSW displays road safety messages during key times of the year.

Furthermore, a Public Benefit Statement has been prepared by TfNSW and also accompanies this application.

5.7. Sutherland Shire Local Environmental Plan 2015

5.7.1. Zoning and Permissibility

As shown in Figure 9 below, the site is zoned E3 Productivity Support under the provisions of the *Sutherland Shire Local Environmental Plan 2015* (the SSLEP).

The objectives of the E3 Zone are:

- *To provide a range of facilities and services, light industries, warehouses and offices.*
- *To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.*
- *To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.*
- *To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.*
- *To provide opportunities for new and emerging light industries.*
- *To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.*
- *To enhance the visual appearance of the area by ensuring new development achieves high architectural and landscape standards.*
- *To ensure that development does not have an adverse impact on the effective operation and safety of main roads.*
- *To prevent the fragmentation of large sites and to realise their economic strategic advantage.*
- *To provide opportunities for the erection of buildings requiring large floor areas and to discourage small-scale uses unless they are of an ancillary or service nature.*
- *To minimise the impact of development within the zone on areas of environmental or heritage significance.*

The proposal is consistent with the objectives of the zone as it:

- Is compatible with the adjacent road infrastructure;
- Will not distract drivers using the Princes Highway (A1);
- Proposes a use that is compatible and consistent with the surrounding industrial zones and buildings
- Will not have an adverse impact on the surrounding area;
- Is an existing structure that has had no negative impact on the road infrastructure or the safety of the road; and
- Does not propose any modifications to the existing structure and therefore it is acceptable to consider that the proposal will not create any increased adverse impacts.

The proposal is characterised as a 'advertising structure' according to the dictionary to the LEP, which falls as a type of 'signage' according to the dictionary of the LEP:

"Signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—

- (a) an advertising structure,*
- (b) a building identification sign,*
- (c) a business identification sign,*

but does not include a traffic sign or traffic control facilities".

Advertising signage is prohibited in the E3 zone. Under Division 4.11 Section 4.65 Existing uses of the EP&A Act, the billboard structure on site is defined as an existing use. The definition for existing structures is:

"(b) the use of a building, work or land –
(i) for which development consent was granted before the commencement of a provision of an environmental planning instrument having the effect of prohibiting the use".

The existing structure was granted prior to the provision of the SSLEP which had the effect of prohibiting advertising structures in E3 zones.

Continuance of an existing use is permitted under section 4.66 of the Act, in the case where there are no modifications, alterations, expansions or works proposed to an existing development. As the proposed development is to for a new advertising signage in place of an approved structure, it is considered acceptable that the proposed development is not prohibited.

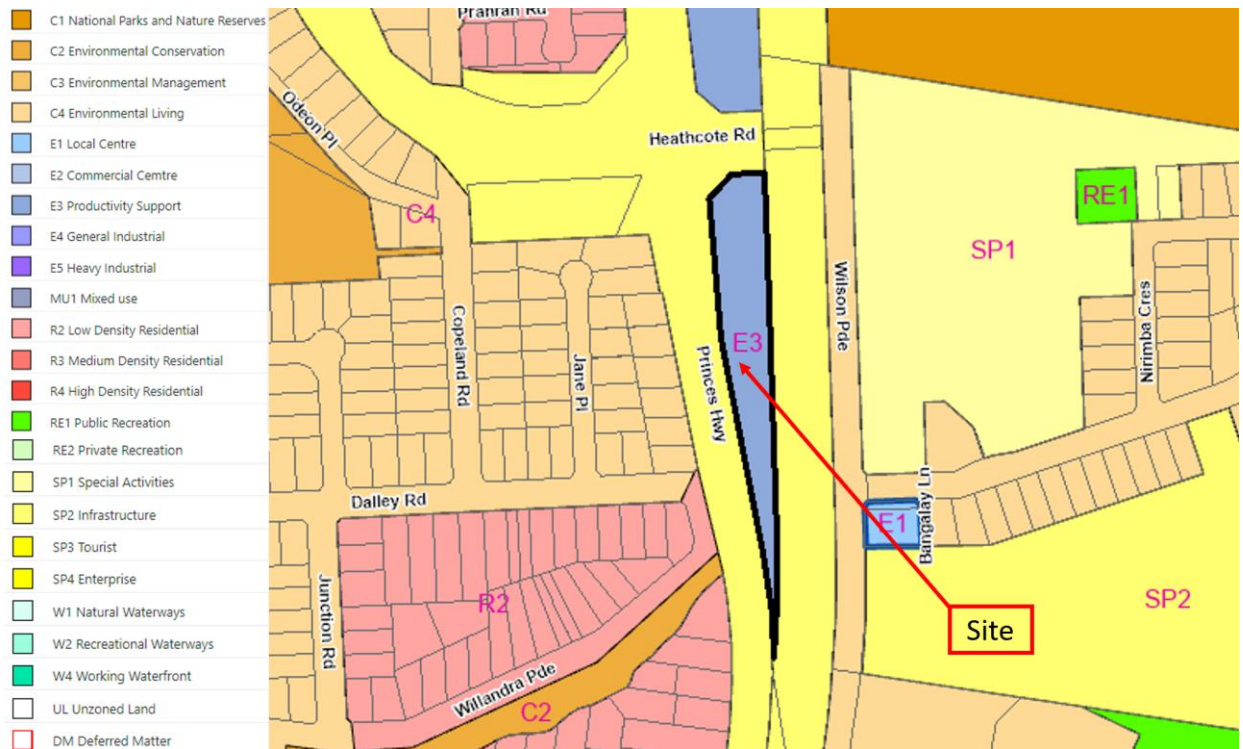


Figure 9: Land use zoning of the site as per the Sutherland Shire Local Environmental Plan 2015

5.8. Sutherland Shire Development Control Plan 2015

An assessment of the proposal against the relevant provisions of the Sutherland Shire Development Control Plan 2015 (SSDCP) is not applicable.

There are no specific sections of the SSDCP that relate to advertising signage in E3 Productivity Support zones. The only relevant section of the SSDCP that applies to general advertising signage (not within a specific zone) is Section 6 Signage of Chapter 35 – Other Uses. Refer to Table 8 below for further details and our assessment of the SSDCP.

The SSDCP states:

‘Where relevant, this Section of the DCP needs to be read in conjunction with the following:

- *SEPP No. 64 - Advertising and Signage (SEPP 64)*
- *Transport Corridor Outdoor Advertising and Signage Guidelines’.*

The Transport Corridor Outdoor Advertising and Signage Guidelines complement the provisions of the former State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64). SEPP 64 has now been replaced by the Industry and Employment SEPP.

The assessment of the proposed development has been assessed against the controls in the I&E SEPP (refer to section 5.5.3 of this SEE) as well as having regard to the Transport Corridor Outdoor Advertising and Signage

Statement of Environmental Effects

Guidelines (refer to section 5.4.3 of this SEE).

Table 8: SSDCP compliance

Section of Chapter 35 of the SSDCP	Applicable?	Comment
<p>6.1 Objectives</p> <p>Ensure that signage:</p> <p>a. is compatible with the desired amenity and visual character of an area.</p> <p>b. provides effective communication in suitable locations.</p> <p>c. is of a high quality design and finish.</p> <p>d. integrates with the design of the building and is in keeping with the scale and character of surrounding development.</p> <p>e. does not dominate or clutter the streetscape.</p> <p>f. Where it is located on community facilities, primarily promotes the sporting use rather than the sponsor.</p> <p>g. does not reduce the safety of any road, pedestrian path or waterway.</p>	Yes	<p>The proposed advertising signage is compliant with the objectives of the SSDCP as:</p> <ul style="list-style-type: none"> It is compatible with the desired amenity and visual character of the area, and consistent with similar billboard structures along primary road networks. It provides effective communication in a suitable location. It is of a high quality design and finish, and is confirmed to be structurally safe in the Structural Statement prepared by Arcadis. It is not proposed on or near a building therefore (d) is not applicable. It is in keeping with the scale and character of surrounding development, the road network, and roadside services to the north. It is not located on community facilities therefore (f) is not applicable. It does not reduce the safety of any road, or pedestrian path as confirmed in the Traffic Safety Assessments. It is not located near a waterway therefore this does not apply.
6.2 Controls for wall signs	No	The proposed advertising signage is not on or near a wall therefore section 6.2 is not applicable.
6.2 Controls for Freestanding Pole signs	No	<p>In the DCP freestanding pole signs are '<i>a type of business identification sign and must relate to the use of the adjacent premises</i>'.</p> <p>This section does not apply.</p>
6.4 Controls for Illuminated Signs	Yes	<p>The external illumination of the signs will not result in glare for pedestrians, vehicles or aircrafts. Refer to the Traffic Safety Assessments for further details.</p> <p>Additional detail of the lighting of the signage is set out in the Lighting Impact Assessment.</p>
6.5 Controls for signage on schools	No	The proposed advertising signage is not located on school grounds or near a school. Therefore section 6.5 is not applicable.

Section of Chapter 35 of the SSDCP	Applicable?	Comment
<p>6.6 Assessment principles</p> <p>1. Advertising will be assessed according to how compatible it is with the desired amenity and future character of a locality.</p> <p>2. The following types of advertising may dominate the streetscape, especially when advertising signs are already in place. As such they will generally not be considered suitable:</p> <p>a. Advertising that detracts from the appearance and character of a building and the surrounding area, for example, because it is not incorporated into the design of a building.</p> <p>b. Wall advertisements greater than 20m2.</p> <p>c. Advertising on and painting of entire facades in corporate colours or commercial sponsorship will not be permitted. Only the name of the adjacent business premises and the specific goods/services available is permitted.</p> <p>3. The following types of advertising may compromise traffic or pedestrian safety and as such will generally not be considered suitable:</p> <p>a. Advertising which flashes or moves.</p> <p>b. Any advertising which may detract from traffic or pedestrian movement</p>	Yes	<p>The proposed advertising is:</p> <ul style="list-style-type: none"> Compatible with the character of the locality and the desired amenity of the area. It is consistent with the surrounding infrastructure including the A1 Princes Highway and the T4 Illawarra railway line to the east. Subsection 2 is not applicable as: <ul style="list-style-type: none"> The advertising signage is not on or near a building and as a billboard signage is not incorporated into the design of a building. It is not a wall advertisement of greater than 20m2, and Does not propose advertising on and painting of entire facades in corporate colours or commercial sponsorship. The advertising signage will not flash or move, and will not detract from traffic or pedestrian movement, therefore subsection 3 is not applicable. Refer to the Traffic Safety Assessments for further details.

6. VISUAL IMPACT ASSESSMENT

The site is in an established neighbourhood consisting of predominantly low density residential toward the west and east. The signage is located on E3 Productivity Support land and is compatible with the objectives of the zone. The lands are located between two larger portions of land that are zoned SP2 that comprise Princes Highway and the T4 Illawarra rail line to the east.

The potential visual impact of the proposal has been assessed in relation to the surrounding development and use of the area. Consideration of whether the proposal will cause any visual change to the landscape or cause any adverse impact on the use of the area by the general public has been given. Based on its location, the signage is oriented to face road users of the Princes Highway and not surrounding properties and land uses.

The proposal is for new advertising signage (replacement of advertising skins) on an existing structure in situ and therefore the view remains the same to the existing.

6.1. Impact on Princes Highway

The Princes Highway, at this location, is a road network consisting of 6 lanes of traffic, with the proposal located on the eastern side of the highway. The proposed signage is considered well distanced from directional signage and therefore should not cause any adverse impacts on the decision making of road users.

The signage on the southbound approach can only be partially seen from approximately 130m away due to existing trees. This location is generally consistent in traffic flow and does not require any rapid decision making from drivers.

The overall visual impact of the signs from the perspective of road users is low. As no changes are proposed to the signage structure, including not being digitised, no additional impact is proposed. The signage is consistent with that located on highways of this size and scale, and it does not cause any adverse impact on the visual amenity of road users on Princes Highway,

As there are no cycle paths along the highway there is no potential for any adverse visual impact on any cyclists. Pedestrians using the footpath on the western side of Princes Highway have good separation distance between the footpath and the signage. The presence of landscaping and trees around and along Princes Highway allows the sign sit within the landscape and not cause any visual impact.

The Lighting Impact Assessment also concludes that the signage will not result in unacceptable glare, or cause any adverse impacts on the safety of pedestrians or vehicular traffic on Princes Highway.

6.2. Impact on residential

There is sufficient visual buffer between the existing billboard and associated signage and the residential dwellings on Princes Highway due to the physical distance between the 2 land uses, together with landscaping screening along the front of the residential properties adjacent to the Princes Highway. Landscaping screening between the site and the Illawarra railway line, and between the Illawarra railway line and Wilsons Parade results in low visibility of the signage to residents located toward the east. Refer to Figure 1.

These 2 buffers will ensure that the signage will have no impact on the visual amenity of nearby residents.

6.3. Visual clutter

The proposal seeks to provide new advertising signage to the existing billboard structure in the same location. There are no other billboard structures of similar use or size close to the existing structure. One smaller advertising sign is located approximately 100m away on the western side of Princes Highway, and due to this separation, the view along the highway northern side of the highway will not be cluttered.

The proposed sign structure does not cause any increased impact to the existing road network or urban fabric on the highway and is visually consistent with a metropolitan road corridor. The proposal does not contribute to additional visual clutter and will assist in retaining the inherent visual qualities along this section of the Princes Highway.

6.4. Visual analysis – moving views

6.4.1. Southbound approach



Figure 10: View travelling in a northbound direction along Princes Highway (Source: Google Streetview)

Travelling in a northbound direction, the visual experience along Princes Highway is defined by the landscaped footpath to the east and tree barriers aligning the eastern and western perimeter of the road reserve. The tree canopies provide a sense of enclosure and boundary to the carriageway. Minor views of residential roofscapes and tree canopies are available along the eastern component.

Entrance and egress to Dalley Road falls approximately 90m before the advertising signage and due to this distance

and the speed of travel using this junction, the advertising signage does not cause any visual impact on safety.

Safety barriers separate the north and southbound laneways.

6.4.2. Northbound approach



Figure 11: Views travelling in a southbound direction on Princes Highway (Source: Google Streetview)

On approach from the north in a southbound direction, the visual environment along Princes Highway is characterized by the tree canopies bordering the eastern and western perimeters, landscaped verge to the west and pedestrian footpath to the eastern perimeter. Acoustic barriers define the western perimeter between the footpath and residential area to the west. The arrangement provides a sense of enclosure at pedestrian level with sky views above.

Landscaped safety barriers define the separation of the north and southbound laneways.

6.4.3. The billboard signage

The billboard signage presents along the eastern side of the Princes Highway and is visible to vehicles moving in both directions along the road, as well as pedestrians using the footpath along the western side of the road. The signage does not alter or detract from the safety of road users and pedestrians. The presence of the signage is perceived as an integrated part of the visual framing effect characteristic of this location. The visual experience is created by the open view corridor and landscape aligned the road along the eastern and western perimeters.

The signage skins do not visually interfere with the presence of canopy trees nor do they obstruct or alter the visual landscape corridors occurring to the north and south. Based on the existing visual environment and relationship between the road and billboard signage, the skins are considered visually appropriate with no adverse impacts to the

character of existing moving views within this part of the Princes Highway corridor.

A detailed Visual Impact Assessment (VIA), prepared by Urbaine Design Group (dated February 2024) has been provided to fully assess the visual impact of the proposed development.

The VIA concludes that:

“In summary, the view impacts, that would be caused by the current signage are assessed as between negligible and minor-to-moderate from a number of primary living spaces at the neighbouring properties to the west of the subject site. These assessments have been made without the inclusion of the effect of existing, mitigating landscape within these properties.

I would recommend that the existing signage be approved for its continued use, in relation to its potential to cause unreasonable visual impact to neighbouring residential properties”.

No adverse visual impacts are proposed.

7. ASSESSMENT OF LIKELY IMPACTS

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15(1)(b)-(e) of the EP&A Act.

7.1. The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

7.1.1. Natural environment

The proposed development will not have any material adverse impact on flora and fauna on the site or surrounding the site. There is low scenic quality or heritage value within the viewshed of the proposal. The signage itself is not located in an environmentally sensitive area, or a natural conservation area and therefore it is not likely to cause any significant impacts. Given the proximity of the proposed development to Heathcote National Park and Royal National Park, and it being an existing development, no negative impact is proposed on the wider surrounding natural environment.

No management or maintenance of vegetation is proposed as part of this development application. No removal of any vegetation of high biodiversity value is proposed as part of this application. No new landscaping or planting is proposed as part of this application.

7.1.2. Built environment

The development will not impact any views of the existing built environment. The signage proposal is consistent with the surrounding built environment of A1 Princes Highway and exhibits the typical pattern and format of billboard advertising structures.

7.1.3. Traffic and public safety

Two traffic safety assessments have been prepared by Bitzois Consulting for the proposed development, facing southbound and northbound traffic. The safety assessments confirm that the static signs should continue to operate as they currently do on the basis that they will propose no negative impact to traffic, pedestrian, or cyclist safety. The proposal outlines that:

- It will not obstruct or interfere with the view of or restrict sightlines to traffic control devices or intersections due to its location on the roadside and within the driver's ordinary field of vision.
- Vehicle, pedestrian, or cyclist movements will not be impacted, and their safety will be maintained.
- Crash data within 135m/200m shows that a very low number of crashes were reported within the viewable area of the sign. Therefore, the data does not identify an unusually high or inherently high crash risk on approach to the existing static sign that would deem it unsuitable.
- The proposal is consistent with all relevant policy and guidelines in terms of traffic and public safety.

Nighttime assessments confirm that safety for road traffic is maintained between daylight hours and night time hours.

The Lighting Impact Assessment also concludes that the signage will not result in unacceptable glare, or cause any adverse impacts on the safety of pedestrians, residents or vehicular traffic. Mitigation measures in the form of baffles fitted to the floodlights are proposed to ensure that the illumination will not cause unacceptable glare. The baffles limit

upward light that is viewable by aircraft.

Additionally, the signage should not cause any unacceptable amenity impacts to nearby residents.

7.1.4. Social and economic impacts

The social impacts of the proposed development including those related to traffic and safety of pedestrians, cyclists, and vehicular traffic have been assessed and are acceptable. There are no further adverse social impacts expected from the proposed development.

The proposed development will promote the orderly and economic use and development of land for the purpose of third-party advertising. This will create commercial and economic opportunities for businesses wishing to advertise their content and will provide effective communication along a key road corridor.

7.2. The suitability of the site for the development

The site is suitable for the retention of the advertising structure as:

- Signage is prohibited under E3 Productivity Support zoned lands, however existing use rights under section 4.66 of the EP&A Act allows continuance of an existing use.
- The proposal is compatible with the form and character of the surrounding landscape.
- The impacts of the proposal including traffic, safety, and visual have been assessed and are acceptable considering the location, scale, and extent of the proposed development.
- The development has been previously approved under in DA 7-1-2008 and DA 7-1-2008 MOD1 by the Minister for Planning.
- No modifications or alterations are proposed and therefore the proposal for new advertising signage (replacement of advertising skins) on the existing structure as it stands on the site is suitable.

A Structural Statement and Structural Condition Report prepared by Arcadis confirmed the existing signage structure can safely operate for the next 15 year period. The Structural Statement concludes:

‘Our inspection review concluded that the advertising signage structure is in a satisfactory condition and should continue to perform as per the original design intent.

Arcadis would recommend that the signage structure be re-inspected every three (3) years from the date of this correspondence. This ongoing inspection regime, and regular maintenance requirements will ensure structural viability for the 15-year period of operation’.

7.3. Any submissions made in accordance with this Act or the Regulations

Section 4.1.5(d) of the Act relates to submissions and is a matter for the Consent Authority.

7.4. The public interest

The proposal is consistent with the objectives of the E3 Productivity Support zone and the EP&A Act. It promotes orderly development and a positive economic use of land. It does not pose any risks to the safety of the public, either pedestrians, cyclists, or vehicular traffic. It does not result in adverse social impacts. There are no likely environmental impacts for the proposal for new advertising signage to an existing billboard structure.

Advertising on transport corridors generates revenue which TfNSW allocates to contribute to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs across the whole of NSW. The advertising signs provide affordable advertising space for road safety messages in prime locations. NSW road safety advertising campaigns have played an important role in helping to address key road safety problems across NSW and have contributed to the significant reductions achieved over recent decades in the number of deaths on NSW roads.

A Public Benefit Statement has been prepared by TfNSW and accompanies this application.

It is considered to be in the public interest.

8. CONCLUSION

This SEE has undertaken an environmental assessment of the development proposal for new advertising signage (replacement of advertising skins) on an existing billboard structure at the northern and southern elevations of the on the corner of Princes Highway and Wilson Parade, Heathcote, approximately 120m south of the junction.

This assessment found that the proposal for new advertising signage is:

- Consistent with the objectives of the E3 Productivity support land use zone in the Sutherland Shire Local Environmental Plan 2015
- A prohibited land use under the LEP, however, it is made permissible under the provisions set out in section 4.65 of the EP&A Act, allowing continuance for existing uses of which the billboard structure and advertising signage complies
- Compliant with the planning controls set out in the Industry and Employment SEPP 2021
- Acceptable under an assessment of the Transport Corridor Outdoor Advertising and Signage Guidelines 2017.

The proposal is acceptable within the character of the locality and proposes no adverse environmental impacts on the surrounding area. Public amenity and views will not be impacted by the development and the public interest of increased safety and income generated is acceptable.

The structural integrity of the existing billboard structure has been confirmed as satisfactory and fit for purpose ensuring structural viability for the 15-year period of operation.

Traffic safety, pedestrian and cyclist safety will not be put at risk from the proposal, and following a full assessment, there is no potential for crashes or traffic incidents to occur due to the signage.

Given the findings of this assessment, we consider that the proposal is in the public interest and merits approval.

Appendix A

Vegetation maintenance

Prepared by Gyde Consulting

February 2024

GYDE

Management of Trees

It is our understanding that TfNSW have appointed a qualified arborist who carried out an assessment of the area of shrubs and small trees to the south of the billboard. This vegetation is found to comprise *Banksia spinulosa* (Hairpin Banksia), *Acacia fimbriata* (Fringed Wattle) and *Casuarina Glauca* (Swamp She-Oak). Much of this vegetation (being the Hairpin Banksia and Fringed Wattle) may be removed in accordance with Sutherland Shire Development Control Plan 2015 (SDCP 2015). However, to maintain the visual amenity of Heathcote Road, vegetation to the south of the billboard is retained and maintained.

As the Fringed Wattles and Hairpin Banksias are less than 100mm in diameter half a meter above the ground, they are exempt from controls in SSDCP 2015 and may be pruned without consent. These plants will be reduced in volume to enable clear viewing of the billboard, while also allowing them to contribute to the amenity of Heathcote Road.

Swamp She-Oaks to the south of the billboard will be pruned to previous lopping points. The canopy of Swamp She-Oaks will be reduced in volume by no more than 10 percent in any 12-month period. This is in accordance with Australian Standard AS4373-2007 which sets out the circumstances for which trees can be pruned or vegetation cleared.

The intention of AS 4373-2007 is to encourage pruning practices and procedures that reduce the risk of hazard development, branch failure, pathogen infection and premature tree death. Trees often require pruning to maintain clearance for utility services and buildings or to improve the safety, structure, and health of the tree. They are also often pruned to improve the amenity of sites in order to enable successful cohabitation between trees and people.

Furthermore, we wish to note that Council Tree Management Policies require that pruning is undertaken in accordance with AS4373-2007. Failure to do so is considered a breach of Council's Tree Management Policy.

Management of Vegetation

The arborist has assessed the condition of the vegetation beneath the billboard structure and immediately surrounding the structure. It is concluded that this vegetation comprises weed species. The weeds will be cleared on a regular basis to allow safe access for contractors attending site.

All vegetation management works on the site are undertaken by a suitably qualified and experienced Arborist (AQF Level 3 in Arboriculture, or above) to all applicable Australian standards (AS 4373-2007) and codes of conduct.

Appendix B

Test of Significance – Section 7.3 Biodiversity Conservation Act 2016

Prepared by Gyde Consulting

February 2024

GYDE

Statement of Environmental Effects

The threatened species test of significance is used to determine if a development or activity is likely to significantly affect threatened species or ecological communities, or their habitats.

The test of significance is applied as part of the Biodiversity Offsets Scheme entry requirements and for Part 5 activities under the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The test of significance is set out in section 7.3 of the *Biodiversity Conservation Act 2016 (BC Act)*.

The test of significance allows applicants and proponents to undertake a qualitative analysis of the likely impacts and determine whether further assessment is required. All factors must be considered, and an overall conclusion must be drawn from all factors in combination. This enables a decision to be made as to whether there is likely to be a significant impact on the species and if a Biodiversity Development Assessment Report (BDAR) or Species Impact Statement (SIS) is required.

Parts (a), (b) and (c) of the test are applied to species and ecological communities listed in Schedules 1 and 2 of the BC Act.

It is recommended that the applicant or proponent develop a list of threatened species and ecological communities which may be affected directly or indirectly by the proposed development or activity. The list of potential species should be provided to the consent authority or the determining authority along with the test of significance.

Part (d) of the test of significance concerns the effect on any areas declared to be of outstanding biodiversity value under Part 3 of the BC Act.

If a proposed development or activity is carried out on a declared area of outstanding biodiversity value (AOBV), it is automatically taken to be likely to significantly affect threatened species. The development or activity will be subject to the biodiversity offsets scheme regardless of the outcome of any test of significance.

Part (e) of the test of significance is to consider key threatening processes listed in Schedule 4 of the BC Act link. The applicant or proponent should develop a list of key threatening processes that the proposed development or activity may contribute towards. Reasons should be provided to show how the list was derived.

TfNSW have provided detail that there is currently a small area of shrubs and small trees south of the billboard. This vegetation is found to comprise:

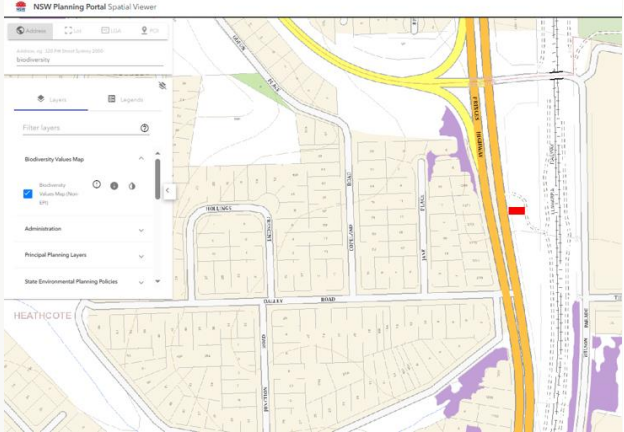
- Banksia spinulosa (Hairpin Banksia)
- Acacia fimbriata (Fringed Wattle)
- Casuarina Glauca (Swamp She-Oak)

It is our understanding that these are the only species identified on the site. A review of the BC Act 2016 confirms that these species or ecological community are **not** listed in Schedule 1 or Schedule 2, therefore, parts (a), (b), and (c) of the test do not apply.

Provision	Test of significance
1. The following is to be taken into account for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats:	
a. in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,	This part of the test does not apply.

Statement of Environmental Effects

Provision	Test of significance
b. in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:	No endangered ecological community or critically endangered ecological community has been identified on the site.
i. is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or	This part of the test does not apply.
ii. is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,	This part of the test does not apply.
c. in relation to the habitat of a threatened species or ecological community:	No habitats of a threatened species or ecological community is identified on the site.
i. the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and	This part of the test does not apply.
ii. whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and	This part of the test does not apply.
iii. the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,	This part of the test does not apply.
d. whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),	A review of the NSW Planning Portal Spatial Viewer was carried out on 20 February 2024. The site is not identified as an area of outstanding biodiversity value; therefore no direct adverse effects will occur.

Provision	Test of significance
	<div></div> <p>No indirect impacts are anticipated as the proposed development involves no excavation or construction works. As the proposed development comprises an existing billboard signage, other than routine vegetation maintenance checks and the changing of the advertising skins, the nature of the proposed development results in little outputs and activities that could cause an adverse effect to proximate areas of biodiversity value.</p>
e. whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.	The key threatening process, routine maintenance of vegetation, is associated with the proposed works. However, impacts resulting from these processes are considered to be minimal.
Conclusion	No. The proposed development is unlikely to have a significant impact.
Is there likely to be a significant impact?	

Appendix C

Standards – General

Prepared by Gyde Consulting

March 2024

GYDE

Statement of Environmental Effects

The proposed development fully complies with the Building Code Australia, and Australian Standards, including but not limited to the following:

- AS/NZS 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting
- AS4100:2020 Steel Structures
- S/NZS 1170.2:2021 Structural Design Actions – Part 2: Wind Loads

Where an assessment (e.g. lighting, structural) finds that the sign does not meet current BCA requirements and/or Australian Standards, additional information outlining what work will be undertaken to ensure that the sign meets the most recent standards must be provided.

The Lighting Impact Assessment prepared by Electrolight (dated 28 February 2024), has assessed the proposed development and associated lighting in accordance with the AS/NZS 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting.

To ensure full compliance with the Australian Standards, it is proposed that baffles are fitted to the floodlights, to prevent unacceptable glare from the lighting and to limit upward light that is viewable by aircraft. This mitigation measure maintains compliance with the relevant Australian Standard.

The recommendations nominated in the structural conditions report prepared by Arcadis should be implemented in the short term to prolong the longevity of the structure and be more serviceable. These recommendations will ensure the structural viability of the structure and ensure compliance with the BCA and relevant Australian Standards.

These recommendations of these reports ensure compliance with the relevant Australian Standards and the BCA.