

Industry and Employment SEPP & Transport Corridor Advertising and Signage Guidelines Assessment

1 Industry and Employment SEPP Assessment

Industry and Employment SEPP	Comment	Compliance
Provision		
3.1 Aims, objectives etc.		
 (1) This Chapter aims: (a) To ensure that signage (including advertising): (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and (b) to regulate signage (but not content) under part 4 of the Act, and (c) to provide time-limited consents for the display of certain advertisements, and (d) to regulate the display of advertisements in transport corridors, and (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors. (2) This Chapter does not regulate the content of signage and does not require consent for a change in the content of signage. 	 (a) The sign has a high design quality and enhances the visual interest of Homebush Bay Drive. It is compatible with the land use character of the location, being a busy, urban transport corridor. (b) The proposal will be assessed and regulated under Part 4 of the EP&A Act and will be appropriately managed by the Minister of Planning and Public Spaces (minister) and the conditions of consent. (c) Duration of consent for the proposal will be controlled by section 3.12 of the SEPP and will be consistent with the Minister's conditions of consent. (d) The proposal does not present any significant road safety issues and is not expected to compromise road safety in its vicinity. The proposal is also regulated against the Guidelines. (e) The proposal doeates to contribute to funding to support road infrastructure 	Yes



Industry and Employment SEPP	Comment	Compliance
Provision	compliance activities and road safety programs across the whole of New South Wales.	
3.2 Definitions		
	The proposal constitutes an advertisement to which Chapter 3 of the SEPP applies. Homebush Bay Drive is a State classified road (No. 200)	Yes
	under the Roads Act 1993.	
3.3 Area of Application		
 This Chapter applies to the whole of the State. Without limiting subsection (1), this Chapter applies to all land and structures within the State and all vessels on navigable waters. Despite subsection (1), this Chapter does not apply to the following land— Land to which State Environmental Planning Policy (Precincts—Regional) 2021, Chapter 4 applies Land to which State Environmental 	The site is not within the State Environmental Planning Policies Identified within subsection (3). Therefore, Section 3.3 applies as the site is within New South Wales.	Yes
Planning Policy (Western Sydney Parklands) 2009 applies		
3.4 Signage to which this Chapter applies		
 (1) This Chapter applies to all signage that— a) can be displayed with or without development consent under another environmental planning instrument that applies to the signage, and b) is visible from any public place or public reserve, except as provided by this Chapter. Note— Public place and public reserve are defined in section 4(1) of the Act to have the same meanings as in the Local Government Act 1993. (2) This Chapter does not apply to signage that, or the display of which, is exempt development under an environmental 	The proposal is located on land zoned SP2 Infrastructure under the <i>Strathfield Local Environmental Plan 2012</i> (SLEP 2012). The sign is permissible with consent in the SP2 Zone as it is ordinarily incidental or ancillary to the road corridor under the SLEP 2012. Despite this, the provisions of the Industry and Employment SEPP prevail over the LEP.	Yes
planning instrument that applies to it, or that is exempt development under this Chapter.		



Industry and Employment SEPP Provision	Comment	Compliance	
3.5 Relationship with other environmenta	planning instruments		
In the event of an inconsistency between this Chapter and another environmental planning instrument, whether made before or after this Chapter, this Chapter prevails to the extent of the inconsistency. Note— This Chapter will have the effect of modifying, and having paramountcy over, the provisions of some other environmental planing instruments that permit the display of signage with or without development consent. This is particularly so in the case of large advertisements, being advertisements of the kind referred to in Part 3.3. This Chapter (other than section 3.14) will not override a prohibition on the display of signage that is contained in another environmental planning instrument. Because of some provisions, such as sections 3.8 and 3.19, it may add prohibitions on advertising if the advertising is proposed to be displayed in certain circumstances, such as on environmentally sensitive or environmentally significant land or in the form of a roof or sky advertisement.	Noted.	N/A	
3.6. Granting of consent to signage		\ <u>\</u>	
A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied: (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1 (1) (a), and (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.	An assessment against section 3.1(1)(a) is provided above. The Statement of Environmental Effects (SEE) undertook a detailed assessment demonstrating that the proposal is consistent with the objectives of the Chapter and the Assessment Criteria specified in Schedule 5.	Yes	
3.7. Advertisements to which this Part applies			
 (1) This Part applies to all signage to which this Chapter applies, other than the following: (a) business identification signs, (b) building identification signs, (c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it, 	The proposal constitutes an advertisement under the provisions of Part 3.3.	Yes	



Industry and Employment SEPP Provision	Comment	Compliance
(d) signage on vehicles.(2) Despite subsection (1) (d), section 3.26 applies to signage on a trailer (within the meaning of the Road Transport Act 2013).		
3.8. Prohibited advertisements		
 (1) Despite the provisions of any other environmental planning instrument, the display of an advertisement is prohibited on land that, under an environmental planning instrument, is within any of the following zones or descriptions: environmentally sensitive area heritage area (excluding railway stations) natural or other conservation area open space waterway residential (but not including a mixed residential and business zone, or similar zones) scenic protection area nature reserve (2) This section does not apply to the following: (a) the Mount Panorama Precinct, (b) the display of an advertisement at a public sporting facility situated on land zoned public recreation under an environmental planning instrument, being an advertisement that provides information about the sponsors of the teams or organisations using the sporting facility or about the products of those sponsors. 	The land upon which the sign is erected is not described as being within any of the zones or descriptions identified and therefore it is not a prohibited advertisement. It is noted that as the proposal is on behalf of TfNSW and is located on land owned, occupied or managed by TfNSW and that is within 250m of a classified road, it is permissible with consent under chapter 3, section 3.14 of the Industry and Employment SEPP.	Yes
3.9 Requirement for consent		
A person must not display an advertisement, except with the consent of the consent authority or except as otherwise provided by this Chapter.	This SEE seeks consent to operate the existing signage structure on site for 15 years.	Yes
3.10. Consent authority		
For the purposes of this Chapter, the consent authority is: (a) the council of a local government area in the case of an advertisement	In accordance with Section 3.10(d)(iii), the Minister is the consent authority for the proposal as it is for an	Yes



Industry and Employment SEPP	Comment	Compliance
displayed in the local government area (unless paragraph (c), (d) or (e) applies), or (b) TfNSW in the case of an advertisement displayed on a vessel, or (c) the Minister for Planning in the case of an advertisement displayed by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW on a railway corridor, or (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 RMS on any road corridor, or iii) land that is owned, occupied or managed by TfNSW, or (e) the Minister for Planning in the case of an advertisement displayed on transport corridor land comprising a road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 Motorway, the M4 Motorway, the M5 Motorway, the M7 Motorway, the Cross City Tunnel or the Lane Cove Tunnel, or associated road use land that is adjacent to such a road.	advertisement displayed on land managed by TfNSW.	
3.11 Matters for consideration		
 (1) A consent authority (other than in a case to which subsection (2) applies) must not grant consent to an application to display an advertisement to which this Chapter applies unless the advertisement or the advertising structure, as the case requires: (a) is consistent with the objectives of this Chapter as set out in subsection 3.1 (1) (a), and (b) has been assessed by the consent authority in accordance with the assessment criteria in Schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and 	The proposal satisfies the objectives detailed in Section 3.11(1). The SEE concludes that the proposal: • is consistent with the assessment criteria detailed in Schedule 5 and in the Signage Guidelines • will have no adverse traffic impacts or illumination impacts • design is acceptable as it remains the same size and location as the consent	Yes



Industry and Employment SEPP	Comment	Compliance
(c) satisfies any other relevant requirements of this Chapter. (2) If the Minister for Planning is the consent authority or section 3.16 or 3.22 applies to the case, the consent authority must not grant consent to an application to display an advertisement to which this Chapter applies unless the advertisement or the advertising structure, as the case requires: (a) is consistent with the objectives of this Chapter as set out in subsection 3.1(1)(a), and (b) has been assessed by the consent authority in accordance with the assessment criteria in Schedule 5 and in the Guidelines and the consent authority is satisfied that the proposal is acceptable in terms of (i) design, and (ii) road safety, and (iii) the public benefits to be provided in connection with the display of the advertisement, and (c) satisfies any other relevant requirements of this Chapter. (3) In addition, if section 3.16 or 3.22 applies to the case, the consent authority must not grant consent unless arrangements that are consistent with the Guidelines have been entered into for the provision of the public benefits to be provided in connection with the display of the advertisement.	commits to funding towards essential TfNSW services to benefit the local community including: road infrastructure maintenance network management road user compliance activities road safety programs	
3.12 Duration of consents		
 (1) A consent granted under this Part ceases to be in force: (a) on the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act, or (b) if a lesser period is specified by the consent authority, on the expiration 	It is acknowledged that any consent granted for the application would expire 15 years after the date on which the consent becomes effective.	Yes
consent authority, on the expiration of the lesser period. (2) The consent authority may specify a period of less than 15 years only if: (a) before the commencement of this Part, the consent authority had adopted a policy of granting		



Industry and Employment SEPP Provision	Comment	Compliance
consents in relation to applications to display advertisements for a lesser period and the duration of the consent specified by the consent authority is consistent with that policy, or (b) the area in which the advertisement is to be displayed is undergoing change in accordance with an environmental planning instrument that aims to change the nature and character of development and, in the opinion of the consent authority, the proposed advertisement would be inconsistent with that change, or (c) the specification of a lesser period is required by another provision of this Policy.		
3.13 Advertisements on rural on non-urba		
(1) This section applies to land that, under an environmental planning instrument, is within a rural or non-urban zone and on which an advertisement may be displayed with the consent of the consent authority	N/A – the site is zoned SP2 Infrastructure under the SLEP 2012.	N/A
3.14 Transport corridor land		
 (1) Despite section 3.8 (1) and the provisions of any other environmental planning instrument, the display of an advertisement on transport corridor land is permissible with development consent in the following cases - a. the display of an advertisement by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW on a railway corridor, b. the display of an advertisement by or on behalf of TfNSW 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 and that is within 250 metres of a classified road, 	 In accordance with section 3.14 (1)(b)(iii) the proposal is permissible with development consent as the Applicant is TfNSW and the site is on land that is managed by TfNSW and is within 250m of a classified road. In accordance with section 3.14(2), the Minister may appoint a design review panel to provide advice concerning the design quality of the proposal. With regard to section 3.14(3), it is considered the proposal is consistent with the Signage Guidelines. In accordance with subsection 3.14(4), an assessment against the Signage Guidelines has been provided in the SEE. 	Yes



Industry and Employment SEPP Provision	Comment	Compliance
c. the display of an advertisement on transport corridor land comprising a road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 Motorway, the M4 Motorway, the M5 Motorway, the M7 Motorway, the Cross City Tunnel or the Lane Cove Tunnel, or associated road use land that is adjacent to such a road. (2) Before determining an application for consent to the display of an advertisement in such a case, the Minister for Planning may appoint a design review panel to provide advice to the Minister concerning the design quality of the proposed advertisement. (3) The Minister must not grant consent to the display of an advertisement in such a case unless: (a) the advice of any design review panel appointed by the Minister has been considered by the Minister, and (b) the Minister is satisfied that the advertisement is consistent with the Guidelines. (4) This section does not apply to the display of an advertisement if the Minister determines that display of the advertisement is not compatible with surrounding land use, taking into consideration any relevant provisions of the Guidelines.		
3.15 Advertisements with display area gremetres above ground	ater than 20 square metres of h	igner man o
 (1) This section applies to an advertisement: (a) that has a display area greater than 20 square metres, or (b) that is higher than 8 metres above the ground. (2) 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 	Section 3.16 applies as the proposal has an advertising display area greater than 20m² (42.66m²) An assessment against the assessment criteria in Schedule 5 is provided within the SEE (Section 5.4.1)	Yes



Industry and Employment SEPP Provision	Comment	Compliance
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. 3.16 Advertisements greater than 20 squa	ro motros and within 250 motros	of and visible
from, a classified road	re menes and within 250 menes	oi, and visible
 This section applies to the display of an advertisement to which section 3.15 applies, that is within 250 metres of a classified road any part of which is visible from the classified road. The consent authority must not grant development consent to the display of an advertisement to which this section applies without the concurrence of TfNSW. In deciding whether or not concurrence should be granted, TfNSW must take into consideration: (a) the impact of the display of the advertisement on traffic safety, and (b) the Guidelines. If TfNSW has not informed the consent authority within 21 days after the copy of the application is given to it under section 3.15 (2)(b) that it has granted, or has declined to grant, its concurrence, TfNSW is taken to have granted its concurrence. Nothing in this section affects section 3.14. This section does not apply when the Minister for Planning is the consent authority. 	The proposal has an advertising display area greater than 20m² (42.66m²), is adjacent to and visible from a classified road (Homebush Bay Drive – No. 200). However, in accordance with sub-section (6) this section does not apply as the Minister for Planning is the consent authority.	Yes
3.17 Advertising display area greater than	•	V.
The consent authority must not grant consent to the display of an advertisement with an advertising display area greater than 45 square metres unless— (a) 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 (b) in the case of the display of an advertisement on transport corridor land, the consent authority is satisfied	Section 3.17 does not apply as the proposal has an advertising display area less than 45m ² (42.41m ²).	Yes



Industry and Employment SEPP Provision	Comment	Compliance	
that the advertisement is consistent with the Guidelines.			
3.18 Location of certain names and logos			
 The name or logo of the person who owns or leases an advertisement or advertising structure may appear only within the advertising display area. If the advertising display area has no border or surrounds, any such name or logo is to be located: (a) within the advertisement, or (b) within a strip below the advertisement that extends for the full width of the advertisement. The area of any such name or logo must not be greater than 0.25 square metres. The area of any such strip is to be included in calculating the size of the advertising display area. 	3.18(2) applies as the proposal has no border. The operator logo is located within a strip to the bottom left of the advertisement. It is noted the strip does not extend for the full width of the advertisement, however, it is considered acceptable given the logo is compliant with the size requirements under subsection (3) (not greater than 0.25m²). The advertising display area includes the logo size consistent with subsection (4).	Yes, on merit	
3.21 Freestanding advertisement			
 (1) 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. (2) This section does not prevent the consent authority, in the case of a freestanding advertisement on land within a rural or non-urban zone, from granting consent to the display of the advertisement under section 3.13. 	The proposal is a freestanding advertisement. The proposal does not protrude above the dominant skyline. It is significantly smaller than the adjacent overhead powerlines, trees and light poles. There is no built form in the immediate locality.	Yes	
3.27 Application of provision of the Division			
If more than one provision of this Division is capable of applying to the display of an advertisement, each such provision applies. Note— It may be, for example, that section 3.17 will apply to the display of an advertisement in addition to sections 3.15 and 3.16, or that section 3.21 will apply in addition to section 3.15, 3.16 or 3.17.	Noted.	Noted.	





2 Transport Corridor Advertising and Signage Guidelines Assessment

2.1 Land Use Compatibility Criteria – Transport Corridor Advertising

Land Use Compatibility Criteria	Response	Compliance
 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 SP2 Infrastructure under the <i>Strathfield Local Environmental Plan 2012</i> (SLEP 2012). The sign is permissible with consent in the SP2 Zone as it is ordinarily incidental or ancillary to the road corridor under the SLEP 2012. Despite this, the provisions of the Industry and Employment SEPP prevail over the LEP. As detailed in the SEE, the signage does not detract from the major road corridor or adversely impact the site and surrounding locality.	Yes
 ii. 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: 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. 	 environmentally sensitive areas heritage areas natural or other conservation areas open space scenic protection areas national parks or nature reserves There is a medium density zoned residential area beginning from approximately 170m southwest of the proposal. The sign will be visible from properties located on the eastern and northern interface of the residential area. However, it is anticipated that views of the advertisement will not significantly impact the amenity of this area for the following reasons: there is considerable distance between these properties and the subject site the surrounding location is highly urbanised, consisting of numerous existing traffic, wayfinding and business identification signage there is extensive mature vegetation and trees located between the proposal and the sign, restricting direct views of the advertising signage 	Yes



La	nd Use Compatibility Criteria	Response	Compliance
	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 Homebush Bay Drive. The advertising sign does not protrude above the skyline or compromise any significant scenic views as it is below the height of tree canopy, light poles and overhead powerlines adjacent to the site. The sign is also consistent with the height of nearby traffic and road signs along Homebush Bay Drive.	Yes
iv.	Advertising structures should not be located so as to diminish the heritage values of items or areas of local, regional or state heritage significance.	The site has no statutory heritage listings, however is within proximity to a three local items listed under Schedule 5 of the SLEP 2012 and one state heritage item listed on the Heritage Act 1977. The assessment within Sections 5.2 and 5.4.2 of the SEE conclude no adverse heritage impacts are anticipated as the sign cannot be viewed from the items of heritage significance given the: • significant distance from the sign to the sites • the highly urbanised environment comprising an established arterial road corridor, large directional signs, high density/warehouse uses and vegetation all screen the proposal from these items Therefore, it can be considered that there are no impacts on the heritage significance of surrounding heritage items and conservation areas.	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 as it is located in an established arterial road corridor, and will provide visual interest to motorists along Homebush Bay Drive.	Yes

Table 1: Land Use Compatibility Criteria – Signage Guidelines



2.2 Freestanding signage criteria

Fre	estanding Signage Criteria	Response	Compliance
a.	The advertising structure must not protrude above the dominant skyline, including any buildings, infrastructure or tree canopies, when viewed from ground level within a visual catchment of 1km. Note: This impact should be measured from the vehicle approach location and any other critical viewpoints.	The advertising structure does not protrude above the dominant skyline as it is significantly smaller than adjacent overhead powerlines, vegetation and signage.	Yes
b.	For a freestanding advertisement greater than 45sqm that requires consent from local council, a DCP must be in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct.	The existing sign has a display area less than 45m ² (42.41m ²).	Yes
C.	Where the sign is in a transport corridor a landscape management plan may be required as part of the DA approval for a freestanding advertisement. This may include requirements to provide appropriate vegetation behind and adjacent to the advertising structure to minimise unintended visual impacts. Landscaping should include trees, shrubs and ground covers to provide adequate screening, softening, colour, soil stabilisation and weed reduction.	Section 6.5 of the SEE considered the visual impacts of the proposal. In summary, the proposal is assessed as having a minor and acceptable visual impact on the surrounding area, on the basis that: • the proposal has negligible visual impacts on the nearest residential development and heritage items • the presence of mature trees, vegetation and the built form along the road corridor and the surrounding locality restricts views of the sign from surrounding land uses Given the minor impact and the presence of existing mature trees, a land management plan is not considered necessary.	Yes

Table 2: Freestanding Signage Criteria – Signage Guidelines