

Appendix 1 Industry and Employment SEPP & Transport Corridor Advertising and Signage Guidelines Assessment

1 Industry and Employment SEPP Assessment

Industry and Employment SEPP Provision	Comment	Compliance
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 proposal is assessed to be compatible with the visual character and desired amenity of the locality as it is proposed to extend the duration of an existing approved signage structure. The signs have a high design quality and enhance the visual interest of the overbridge and are 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) conditions of consent. (c) Duration of consent for the proposal will be controlled by section 3.12 of the SEPP. (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 demonstrates public benefit by providing a revenue stream for which TfNSW allocates to contribute to funding to support road infrastructure maintenance, network management, road use 	Yes



Industry and Employment SEPP Provision	Comment	Compliance
Trovision	compliance activities and road safety programs across the whole of NSW.	
3.2 Definitions		
	The proposal constitutes an advertisement to which Part 3 of the SEPP applies.	Yes
	The Hume Highway is a State classified road (No.2) under the <i>Roads Act 1993</i> .	
	The proposal seeks to extend the duration of the existing approved advertising signs on either side of the pedestrian bridge on the Hume Highway.	
3.6. Granting of consent to signage		
A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied: (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1 (1) (a), and (b) that the signage the subject of the application satisfies the assessment	An assessment against section 3.1(1)(a) is provided above, which concludes the signage will remain consistent with the objectives of the Chapter. Further, the SEE undertakes a detailed assessment demonstrating that the	Yes
criteria specified in Schedule 5.	proposal is consistent with the Assessment Criteria specified in Schedule 5.	
3.7. Advertisements to which this Part applies	S	
 (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, (d) signage on vehicles. 	The proposal constitutes an advertisement under the provisions of Part 3.3 and therefore the provision of this Part applies.	Yes
(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	The existing signs are not located on land within any of the listed zones.	Yes



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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 national park 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.	Further, the existing signage is not visible from any: heritage areas environmentally sensitive areas natural or other conservation areas open space waterways scenic protection areas national park or nature reserves The existing signage is visible from residential areas. Despite this, any visual impacts on nearby residential properties are considered minimal for the following reasons: No physical changes are proposed to the existing signs, and they are proposed to remain attached to the existing pedestrian bridge. The signs have already been in place at the site for more than 15 years (the previous consent from 2009 extended the operation of the signage for 15 years, the signage structures were already approved at the site). The immediate surrounding environment is highly urbanised, consisting of an arterial road corridor. The proposal to extend the duration of the existing advertising signs will not change the current context in which the properties are located. The existing signage is only internally illuminated during the evening and is not a digital sign. The signage is compliant with the relevant Australian	



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	Standards and Signage Guidelines (if the maximum permissible luminance is complied with as confirmed in the supporting LIA). Properties with partial views towards the existing sign have limited windows and are mostly orientated towards the road (rather than the sign) and are often shield by mature vegetation. Notwithstanding the above, the signage is proposed is permissible with consent under Chapter 3, Section 3.14 of the Industry and Employment SEPP.	
 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 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 	In accordance with Section 3.10(d), the Minister is the consent authority as the advertisements are displayed on a bridge owned and managed by TfNSW.	Yes



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road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 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.		
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 (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 	 it is consistent with the objectives of this Chapter as set out in the response above under Section 3.1(1)(a) the SEE concludes that the proposal is consistent with the assessment criteria detailed in Schedule 5 and in the Signage Guidelines it continues to be acceptable from a road safety perspective as outlined in the SEE and SSA at Appendix 3 provides substantial public benefits as the proposed continuation of the signs will generate revenue that contributes to improving and maintaining the TfNSW road network Further, and in accordance with 3.11(3), the Applicant has committed to the provision of funding towards essential TfNSW services to the benefit of the local community. 	Yes



Industry and Employment SEPP Provision	Comment	Compliance
 (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. 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 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 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. 	The existing signage was approved at the site by the Department of Planning and Environment (DPE) (now DPHI) on 29 October 2009. As such, the proposed application seeks to continue the operation of the signs for an additional period of 15 years. It is acknowledged that any consent granted for the application would expire 15 years after the date on which the consent becomes effective.	Yes
3.14 Transport corridor land (1) Despite section 3.8 (1) and the	(1) In accordance with section	Yes
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	3.14(1)(b), the proposal is permissible with development consent as the application is on behalf of TfNSW.	



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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, 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 has been considered by the Minister determines that display of the advertisement if the Minister determines that display of the advertisement in soch and overtisement in s	 (2) 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. (3) A design review panel for this application has not been appointed as it is not warranted given the nature of the application (proposes the continuation of operation of existing signage). Notwithstanding, an assessment against the Signage Guidelines is provided in this appendix which confirms the proposal is consistent. (4) The existing signage remains compatible with the surrounding land uses given the site context has not changed since the original approval. Signage continues to be appropriate for the existing bridge and arterial road to which it is located. Impacts on surrounding sensitive receivers are acceptable as outlined in Section 6 of the SEE. 	



Industry and Employment SEPP Provision	Comment	Compliance
consideration any relevant provisions of the Guidelines.		
3.15 Advertisements with display area greate above ground	r than 20 square metres or higher	than 8 metres
 (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 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. 	Section 3.15 applies as the proposal has an advertising display area greater than 20m² (45.94m² per sign). Note, the sign is not higher than 8m above the ground (approx. 5.93m). An assessment against the assessment criteria in Schedule 5 is provided within the SEE.	Yes
3.16 Advertisements greater than 20 square a classified road	metres and within 250 metres of, a	and visible from,
 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. (c) (Repealed) If TfNSW has not informed the consent authority within 21 days after the copy of the application is given to it under 	The proposal has an advertising display area greater than 20m² (45.94m² per sign) and is within 250m of and is visible from a classified road. However, in accordance with sub-section (6) this section does not apply as the Minister for Planning is the consent authority.	N/A



Industry and Employment SEPP Provision	Comment	Compliance
section 3.15 (2)(b) that it has granted, or has declined to grant, its concurrence, TfNSW is taken to have granted its concurrence. (5) Nothing in this section affects section 3.14. (6) This section does not apply when the Minister for Planning is the consent authority.		
3.17 Advertising display area greater than 45	square metres	
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 that the advertisement is consistent with the Guidelines.	Section 3.17 applies as the signage has an advertising display area of 45.94m². Only (b) applies as the advertisement is on transport corridor land. A full and proper assessment of the application against the Signage Guidelines is provided as part of this application (refer Section 2 below). This assessment confirms the application is consistent with the Signage Guidelines. On this basis, the Minister may grant consent for the continued operation of the signage for further 15 years.	On merit
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. 	The operator logo is located within a strip to the bottom left of the advertisement and has an area of 0.61m² and has been incorporated into the overall advertising display area calculation (43m²). The logo provides a minor (0.36m²) exceedance. This insignificant exceedance is considered acceptable for the following reasons: • the proposal does not involve any physical works, and the existing signage will be maintained • the slim physical nature of the overpass makes it unsuitable for the logo to	On merit



Industry and Employment SEPP Provision	Comment	Compliance
	 be located below the advertisement the exceedance does not contribute to any additional perceived bulk or size of the signage the exceedance will not be visible to the passing human eye, especially given the nature of the environment, being a busy road corridor. relocation of the logo would require reinstallation of the signage 	
3.22. Advertisements on bridges		
 A person may, with the consent of the consent authority, display an advertisement on a bridge. The consent authority may grant consent only if the consent authority is satisfied that the advertisement is consistent with the Guidelines. 	An assessment against the relevant criteria in the Signage Guidelines is provided below in this Appendix. The proposal demonstrates consistency with the Guidelines.	Yes



2 Transport Corridor Advertising and Signage Guidelines Assessment

2.1 Section 1.5 - 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 SLEP 2012. The proposal is consistent with the SP2 zone objectives in the SLEP 2012 as it is compatible with the pedestrian overpass structure and will not detract from the major road corridor.	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. 	 heritage areas environmentally sensitive areas natural or other conservation areas open space waterways scenic protection areas national park or nature reserves The existing advertising signs are partially visible from a number of residential properties to the north/north-east. Despite this, minimal visual impacts are anticipated for the following reasons: No physical changes are proposed to the existing sign, and it is proposed to remain attached to the existing pedestrian bridge. The sign has already been in place at the site for 15 years. The immediate environment is highly urbanised and consists of a busy transport corridor; the proposal to extend the duration of the existing signs will not change the current context to which the property is located. The existing signage is only internally illuminated during the evening and is not a digital sign. The signage is compliant with the relevant Australian Standards and Signage Guidelines (if the maximum permissible luminance is complied with as confirmed in the supporting LIA). 	Yes



Land Use Compatibility Criteria	Response	Compliance
	Residential properties with views towards the existing sign have limited windows and are mostly orientated towards the road (rather than the sign) and are often shield by mature vegetation.	
iii. Advertising structures should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant scenic views or views that add to the character of the area.	The proposed application is located on the eastern and western elevations of the existing pedestrian bridge over the Hume Highway, Strathfield. As no proposed physical works are proposed, the signage will not protrude above the top of the existing structural boundaries of the bridge and therefore not obscure or compromise any significant views.	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 existing signs are in close proximity to two heritage items, however the signs not visible from these items. Further, the continued operation of the approved signage structure will not detract from the amenity or visual quality of these heritage items for the following reasons: The heritage items have no direct views of the existing signage as the items are:	Yes



Land Use Compatibility Criteria	Response	Compliance
	 The continued operation of the advertising signs will not have any tangible impacts to the heritage fabric of nearby heritage items. 	
v. Where possible, advertising structures should be placed within the context of other built structures in preference to non-built areas. Where possible, signage should be used to enhance the visual landscape. For example, signs may be positioned adjacent to, or screening, unsightly aspects of a landscape, industrial sites or infrastructure such as railway lines or power lines.	The proposal is considered to be consistent with the context of the existing setting, being an established arterial road corridor, and will provide visual interest to motorists travelling along the Hume Highway.	Yes

Table 1: Land Use Compatibility Criteria – Signage Guidelines

2.2 Section 2.5 - Site-specific and structural criteria

Section 2.5.5 Bridge signage criteria

De	sign Sign Criteria	Comment	Compliance
a.	The architecture of the bridge must not be diminished. Note: Consideration should be given to whether the advertising structure is compatible with the form and scale of the bridge, and sympathetic to the bridge style and design. Consideration should be given to whether the advertisement significantly detracts from the principle structural qualities of the bridge or any important decorative inclusions. It is preferable that the sign be directly integrated into the structural design of the bridge. The sign should not compromise the architectural and visual quality of the bridge structure.	The existing sign will continue to be compatible with the form and scale of the existing pedestrian overbridge to which it is currently located as no changes are proposed to either structure.	Yes
b.	The advertisement must not extend laterally outside the structural boundaries of the bridge. Note: The structural boundaries of the bridge include the solid part of the structure, road deck, handrail	The existing advertisement does not extend laterally outside the structural boundaries of the bridge.	Yes



Design Sign Criteria	Comment	Compliance
and safety guard fencing, but do not include additional devices attached to the structure such as lighting and power poles		
c. The advertisement must not extend below the soffit of the superstructure of the bridge to which it is attached, unless the vertical clearance to the base of the advertisement from the roadway is at least 5.8m.	The advertisement does not extend below the soffit of the pedestrian overbridge.	Yes
 d. On a road or pedestrian bridge, the advertisement must: i. not protrude above the top of the structural boundaries of the bridge ii. not block significant views for pedestrians or other bridge users (e.g. cyclists) iii. not create a tunnel effect, impede passive surveillance, or in any other way reduce safety for drivers, pedestrians or other bridge users. Note: Signs that extend above bridge handrail height (approximately 1m above the walking surface level) have the potential to block views, create a tunnel effect or impede passive surveillance by blocking clear sightlines to and from the bridge. These viewing and safety impacts may be avoided by: ensuring that signs are below handrail height for signs more than 1m above the walking surface level, ensuring that signs are: not longer than half the length of the bridge not longer than 14m (which ever length is shorter) only having a sign on one side of the bridge. 	 The positioning of the sign on the pedestrian overbridge: does not protrude above the top of the existing structural boundaries of the bridge does not block significant views for pedestrians or other bridge users including cyclists does not create a tunnel effect, impede passive surveillance, or in any other way reduce safety for drivers, pedestrians or other bridge users 	Yes
e. Paragraphs (a) to (d) above do not apply to the continuation of the display of any existing advertising on bridges approved prior to the gazettal of State	N/A	N/A



De	sign Sign Criteria	Comment	Compliance
	Environmental Planning Policy No 64 (Advertising and Signage) (Amendment No 2) in 2007 for only one additional period under SEPP 64 Clause 14 if there is no increase in the advertising display area of the signage.		
f.	A DCP to display an advertisement on a bridge must be accompanied by a statement demonstrating how the advertisement will contribute to a public benefit. Section 4 outlines the public benefit test requirements.	This application does not require the preparation of a site-specific DCP given the nature of the proposal (continuation of an existing signage structure) and adequate public benefits are provided as outlined throughout this application (refer Section 6 of SEE).	N/A
g.	Any advertising sign proposed for development on a bridge over a classified road requires that construction drawings be submitted for review and approval by RMS bridge engineers prior to construction to ensure all road safety requirements are met.	Construction drawings have been prepared and submitted as part of the original application. An updated set of plans is provided at Appendix 2; however, it is noted no physical works are proposed under this application.	N/A
h.	Any advertising sign proposed for development on a bridge over a road requires provision of a fall arrest system (sign and sign support structure to bridge) to ensure the sign will not detach in case of impact by an over high vehicle.	The existing advertising signage has fall arrest cables fixed to the rear of the box and the support structure; to prevent the sign structure falling on traffic should it be impacted by high vehicles. Further structural details are provided at Appendix 5.	Yes

Table 2: Bridge Signage Criteria – Signage Guidelines