



PLANNING PERMIT APPLICATION

PROJECT	Proposed Digital Billboard
LOCATION	156-158 Manning St, Tuncurry NSW 2428
DATE	December 10, 2024

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2. INTRODUCTION

2.1. Overview of Gawk

Gawk is a family run business that develops, owns and operates outdoor advertising billboards throughout VIC, SA & NSW – primarily in regional areas. The company was founded by James & Luke Course – who have extensive experience in Outdoor Advertising, Town Planning and Managing Projects. The business was founded to ensure that local and regional businesses have access to Outdoor Advertising to grow their businesses.

2.2. Outdoor Advertising Industry

While traditional forms of media (radio, television, print) have been in decline for the past decade, Outdoor has been flourishing is the only traditional media in growth. Our business has been established to emulate the ingrained relationships local communities have had with local Radio, TV & Print outlets. We have high ambitions to continue the regionally operated media businesses, in a media format that is continually growing.

2.3. Advertising Content

At Gawk we pride ourselves on helping local businesses grow using outdoor advertising. Companies within a small radius to our advertising signs will always take preference over large nationwide advertising campaigns. Typically, at least 50% of the advertising content is for businesses located within a 5km radius of the sign. Road safety messages are also very common across regional billboards.

Gawk operates over 20 digital billboards across Victoria and South Australia. We have a track record of prioritising local businesses as advertisers. Over 75% of the advertising content on electronic signs has historically been local businesses, and another 15% being government advertising.

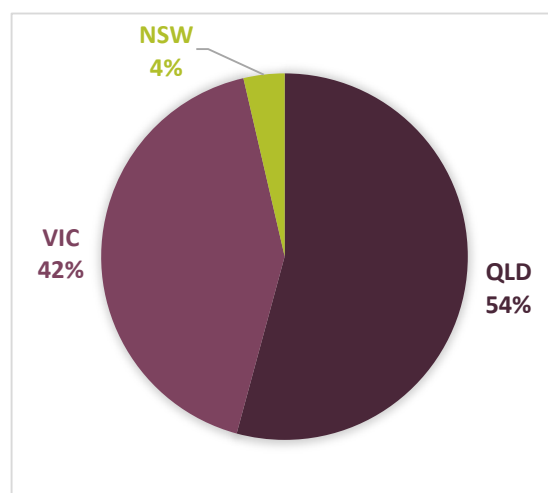
Advertising content is governed by the Australian Advertising Standards Bureau – which has a code of ethics in addition to industry specific controls for sensitive industries such as alcohol. The code of ethics is strictly obeyed and does not allow for religious, racist, sexually explicit or offensive advertising content.

2.4. Community Benefits

Our billboards help grow local businesses. Advertisements often prompt travellers to stop in that town which puts money in the local economy when motorists may have not otherwise stopped. In addition to the immense benefits for advertiser's Gawk provides value to our landlords from which it leases property. Our landlords receive fixed rent payments each year throughout our lease term which can provide stability and increase their property value. Additionally, wherever possible we use local contractors for construction and ongoing installation of billboard skins.

2.5. Digital Billboards

As technology has evolved, outdoor advertising has embraced LED technology. In regional areas of QLD and VIC, there has been significant development of digital signage to service the outdoor advertising needs of businesses. A key driver in the uptake of digital billboards is the accessibility and utilisation by all advertisers in the market. Historically, there have been print and installation costs for advertising on billboards in excess of \$2,000. The ability to remotely upload content removes a key barrier to entry, meaning it is economical to book advertising space for as little as a week. Digital billboards provide equal opportunity all scales of businesses to utilise the space. There are currently three digital billboards in regional NSW, comparatively to over 30 in both QLD & VIC. It is our ambition to equalise those quantities and provide opportunities to NSW businesses that previously haven't existed.



Digital Billboards (Eastern Seaboard)

2.6. Competition

In any industry, a competitive landscape drives accountability in pricing and service. In QLD & VIC there is a vibrant competitive landscape between local players in the outdoor market. NSW is the only regional market in Australia where a monopoly (over 98% market share) exists.

oOh! Media are the largest outdoor provider in Australia (\$592m revenue), which mainly focuses on capital city markets. As such, there service and investment in regional areas is sparse, which is reflected in the uptake of digital billboards in regional NSW. We aim to shake up the market in Regional NSW, providing more cost effective and flexible advertising space to local businesses.

In regional Victoria, we invest over \$2m a year into the regional markets we operate. This money goes to local landlords, regionally based employees, and regionally located suppliers. We have two regional offices and expanding local workforce of 15 full time staff.

Our goal is to develop a business in NSW of a similar scale to our current Victorian operation. The short-medium term goal includes a local NSW based workforce and offices, which will align to our network of sites.

OPERATOR	SITES	MARKET SHARE
QLD		
BISHOPP	1500	48%
PARADISE	1500	48%
TAYCO	50	2%
JAM	100	3%
Total	3150	100%

VIC		
GAWK	100	36%
TOM	30	11%
oOh!	150	54%
Total	280	100%

NSW		
oOh!	1500	98%
CVO	20	1%
GAWK	5	0%
Total	1525	100%

2.7. Digital Billboard Approvals

In response to the evolving advertising trends mentioned previously, the approval of more digital advertising signs in Regional NSW has gained momentum. This shift reflects the current demand we are seeing across the industry for digital advertising and the benefits that come with this formatting style. Below shows current digital advertising signs and permits in regional NSW.

Site	Location	Zoning	Size & Style	Council Policy
Coffs Harbour Supersite (Wall)	39 Grafton St	E2	12.66m x 3.35m Supersite Wall Mounted	<ul style="list-style-type: none"> Signage is to relate to the use of the building Signage is not to contain advertising promoting products or services not related to the approved use of the building or site
Singleton Super8 (Wall)	127 John St	MU1	8m x 2.08m Super8 Wall Mounted	<ul style="list-style-type: none"> Should not exceed 20m² Should not be more than 8m in height Should generally relate to an approved use of the site
Singleton Super8 (Wall)	159 John St	MU1	8m x 2.08m Super8 Wall Mounted	<ul style="list-style-type: none"> Should not exceed 20m² Should not be more than 8m in height Should generally relate to an approved use of the site
Lismore Super8 (Wall)	123 Woodlark St	E2	8m x 2.08m Super 8 Wall Mounted	<ul style="list-style-type: none"> Loose language about relating to the property they are on Advertising billboards should generally not be greater than 6m²,

				but definitely not exceed 18m ²
Armidale Portrait (Wall)	24 Dumaresq St	E2	7.2m x 6.4m Portrait Wall Mounted Removed some signage	<ul style="list-style-type: none"> • Signage must relate to the lawful use of the building • Electronic signs must be within the CBD (plus some other restrictions)
Port Macquarie 6m x 3m (Wall)	109 Gordon St	E2	6m x 3m Poster Wall Mounted Existing LED Screen	<ul style="list-style-type: none"> • Signs primarily identifying products or services are not acceptable.
East Maitland Portrait (Wall)	1 Molly Morgan Dr	E2	7.2m x 6.4m Portrait Wall Mounted	<ul style="list-style-type: none"> • Signs relate to the controls outlined in SEPP 64.
Beresfield (Thornton) Super 8 (Freestanding)	219 New England Hwy	E4	8m x 2.08m Double Sided Super 8	<ul style="list-style-type: none"> • Digital signage is typically not supported in Newcastle LGA unless it can be demonstrated to be appropriate for a particular site and circumstances. • Should not exceed 20m²
Rutherford Super 8 (Freestanding)	8/11 Kyle Street	E4	8m x 2.08m Super 8 Freestanding	<ul style="list-style-type: none"> • Signs relate to the controls outlined in SEPP 64.
Tamworth Super 8 (Freestanding)	432-434 Armidale Road	RU4	8m x 2.08m Super 8 Freestanding	<ul style="list-style-type: none"> • Signs relate to the controls outlined in SEPP 64. • Should not exceed building height.

3. SITE SELECTION

When seeking a site in an area there are numerous factors that are considered. Gawk seeks to work within the planning policies and frameworks within the council and avoids sites that have planning overlays which discourage major promotion signs. Properties in commercial and industrial areas along major highways and arterial roads are typically what Gawk looks for.

Properties owned by local property owners and small businesses are prioritised over large national investors. When choosing the exact location on the property we seek an area that is currently unused and will not impact the day-to-day use of the property. It is also important to ensure the location where the sign will be located does not inhibit any development or future plans for the property. This collaboration is important to us as having a positive relationship with our property owners is something we pride ourselves on.

During the site selection process, Gawk focuses on areas outside the realm of residentially utilised and zoned properties. Ensuring there is always an extended visual and spatial barrier between the proposal and any potentially effected residential properties. The major focus is to identify areas with a built form character where the size and scale of the proposed sign will be justified by the surrounding context of the proposed site.

4. SITE DESCRIPTION & EXISTING CONDITIONS

4.1. Site Description

The site at 156-158 Manning Street, Tuncurry is situated within a General Industrial Zone under the jurisdiction of the Mid Coast Council. The property, which is legally described as Lot 2 in Deposited Plan 21966, spans approximately 2,623.90 square meters. The site is predominantly industrial in nature, with a mixture of built structures and open yard space, making it an ideal location for the proposed freestanding billboard. The location along Manning Street provides excellent exposure to passing traffic, ensuring the billboard will be highly visible to motorists.

The existing structures on-site reach a height of approximately 8 meters, which is consistent with the character of the surrounding industrial properties. The site is bordered by other commercial and industrial properties, including Bears Tyrepower and Forster Cycles, which contribute to the business activity in the area. The property's industrial zoning allows for a wide range of uses, including the installation of advertising signage like the proposed billboard.





Figure 1 – Aerial Photograph of Subject Site

The site features a mostly open yard, with minimal landscaping and clear sightlines along Manning Street. There are no significant barriers or obstructions that would interfere with the placement of the billboard. The chosen location for the billboard is along the Manning Street frontage, positioned near the property's boundary to maximize visibility while ensuring compliance with statutory regulations. The open nature of the site provides ample space for the installation of the freestanding structure without impacting the operations or aesthetics of the surrounding businesses.

Manning Street is a major arterial road in Tuncurry, known for its high traffic volume. The surrounding area includes a mix of industrial and commercial properties, which ensures that the billboard will blend into the existing streetscape while providing valuable advertising space for local businesses.

The overall configuration of the site allows for the seamless integration of the proposed billboard. The freestanding structure, with a total height of 6.20 meters, will not exceed the height of existing buildings on-site, ensuring it fits within the established built form. The industrial character of the site and its surroundings is well-suited to the proposed digital billboard, which will enhance the commercial viability of the property without disrupting the operational activities or visual character of the area.

4.2 Surrounding Context



Figure 2 – Aerial Photograph of Surrounding Area

The Local Characteristics

Direction	Key Amenities/Businesses	Description
North	Bears Tyrepower, Forster Cycles, The Oasis Tuncurry	Tire service centre and bicycle shop contributing to commercial activity, complemented by a community centre offering recreational services.
East	GLAICA Ltd, Harry Elliott Oval, Sporties Tuncurry	Industrial facilities and recreational hubs, including sports fields attracting local families and sports enthusiasts.
South	Wilson Street, Bali Hi Motel	Connection to residential areas and commercial properties, with a 3-star motel serving tourists and transient visitors.
West	Forster Mini Diggers, Industrial businesses near Bodmay Street	Industrial businesses contributing to the flow of industrial traffic, including delivery trucks and commercial vehicles.

North – Bears Tyrepower, Forster Cycles, The Oasis Tuncurry

Bears Tyrepower and Forster Cycles, located 80-100 meters north, provide essential services to the local community and passing traffic, contributing to the steady commercial flow along Manning Street.

The Oasis Tuncurry, situated approximately 150 meters north, is a community centre offering recreational services. It serves as a key community hub, and its location across Grey Gum Road marks a natural boundary between commercial and recreational spaces.

East – GLAICA Ltd, Harry Elliott Oval, Sporties Tuncurry

GLAICA Ltd, approximately 200 meters east of the site on Cassandra Crescent, anchors the industrial nature of the area. It represents the dominant industrial activity in the zone, supporting local businesses and logistics operations.

The nearby recreational facilities, Harry Elliott Oval and Sporties Tuncurry, located 400-450 meters east, attract local families, sports enthusiasts, and community members for various events and activities

South – Wilson Street, Bali Hi Motel

Wilson Street, located about 150 meters south, connects the commercial zone to residential neighbourhoods. This street serves as a key link between local businesses and the community, creating a balanced flow of traffic through the area.

The Bali Hi Motel, approximately 300 meters south, offers 3-star accommodation for tourists and transient visitors. Its location near the site contributes to the diverse mix of commercial, hospitality, and residential properties in the area, ensuring a steady stream of both local and transient traffic.

West – Forster Mini Diggers, Industrial businesses near Bodmay Street

Forster Mini Diggers, situated near Bodmay Street, is approximately 250 meters west of the site. This industrial business, along with other nearby companies, contributes to the steady flow of industrial traffic, including delivery trucks and commercial vehicles, throughout the day.

The western side of Manning Street is predominantly industrial, ensuring that the proposed billboard will fit seamlessly into the existing landscape without causing visual disruption or clutter. The industrial activity in the area ensures that the billboard will be visible to a wide range of audiences, including both local workers and visiting businesses.

Overall, the area surrounding the site is predominantly industrial, with commercial activities that complement the proposed development of a freestanding digital billboard. The industrial and commercial nature of the surrounding properties, combined with the high volume of traffic, makes this site an ideal location for outdoor advertising, and minimal visual intrusion in the existing streetscape.

The absence of any heritage overlays or sensitive residential areas in the immediate context further supports the choice of this site for the billboard. The robust industrial and commercial environment, along with high traffic volumes on Manning Street, ensures that the billboard will have a substantial impact, reinforcing the area's identity as a commercial hub. This selection is also in line with

the Great Lakes Local Environmental Plan (LEP) 2014, which prioritizes such developments in industrial zones.

5. PROPOSED DEVELOPMENT

5.1. Description of Proposed Development

The proposal seeks approval for the creation and display of an electronic advertising sign on the property at 156-158 Manning Street, Tuncurry NSW 2428 including the display of third-party advertising within the proposed advertising area specified on the attached town planning documentation. The proposed electronic advertising sign (as detailed in the attached town planning package) proposes one 18.26m² display face.



Figure 3 – Northbound traffic on Manning Street

In addition to this display face, there will be a permanent 0.27m² 'Gawk' business identification sign on the skirting board to the left of the display face. Therefore, the total advertising area will be 18.53m². Refer to the town planning documentation for further details.

5.2. Design Response

The proposed digital billboard at 156-158 Manning Street, Tuncurry has been designed with great care to ensure it complements the local commercial and industrial area while adhering to relevant planning regulations. Its height of 6.20 meters has been chosen to ensure that it is visible to passing traffic without overwhelming the streetscape. According to State Environmental Planning Policy No. 64, freestanding advertisements must not protrude above the dominant skyline, including buildings and tree canopies, when viewed within a 1-kilometer visual catchment. The billboard stays well below the maximum height of 8.5 meters, ensuring it blends naturally into the local skyline without dominating the view.

The size of the billboard, measuring 8.3 meters by 2.3 meters (18.26m²), is proportionate to the area and provides an effective advertising space without exceeding the allowed size under planning guidelines. The policy allows for signage of up to 20 square meters, and our design remains within this limit. This ensures that the billboard is large enough to attract attention from passing motorists but does not disrupt the visual character of the surrounding area, which features large-scale industrial and commercial buildings.

The surrounding buildings, including nearby commercial and industrial properties, help frame the billboard's view. Most structures in the area are 1-2 storeys high, creating natural view corridors that direct attention to the billboard without overpowering the streetscape. Additionally, there are other large-scale signs and commercial facades in the area, making the billboard a natural fit within the local visual environment. The presence of these other large elements, including commercial signs and building facades, allows the billboard to integrate seamlessly into the surroundings.

Furthermore, the broader commercial and industrial nature of Manning Street means that most properties are designed to be prominent for passing traffic. The billboard aligns with this intent, enhancing the visibility of local businesses without causing visual clutter. The absence of any heritage overlays or environmentally sensitive areas nearby ensures that the development is appropriate for the site. The billboard is designed to contribute positively to the local streetscape by providing clear, effective advertising in a manner that respects the existing built environment.

All surrounding properties have a consideration for the robust commercial and retail precinct. Almost all properties are designed to be visible and prominent for passing traffic. This is reinforced by the frequency of signage in the area – a clear theme which can be viewed in Appendix 5.



6. STATUTORY PLANNING CONTROLS

6.1. Zoning

The subject site is situated within the E4 Zone: General Industrial under the relevant planning scheme. This zone is intended to support a range of industrial, warehouse, logistics, and related land uses. The objectives of the E4 Zone emphasize creating efficient, viable industrial activities, minimizing conflict between industrial uses and other land uses, and encouraging employment opportunities in the region. Specifically, the zoning supports:

- *A range of industrial, warehouse, and logistics activities that generate employment and economic benefits.*
- *The efficient use of land for industrial purposes, ensuring that the area remains focused on industrial viability.*
- *Minimizing any adverse effects of industry on nearby land uses, ensuring that industrial operations coexist with the surrounding environment.*
- *Limited non-industrial uses that provide essential services to businesses and workers in the area.*

The proposed digital billboard does not fall under the categories of development permitted without consent (such as home occupations). However, it is permissible with consent as it is categorized under the broader allowance for "any other development not specified in item 2 or 4," as outlined in the permitted land uses of the E4 Zone.

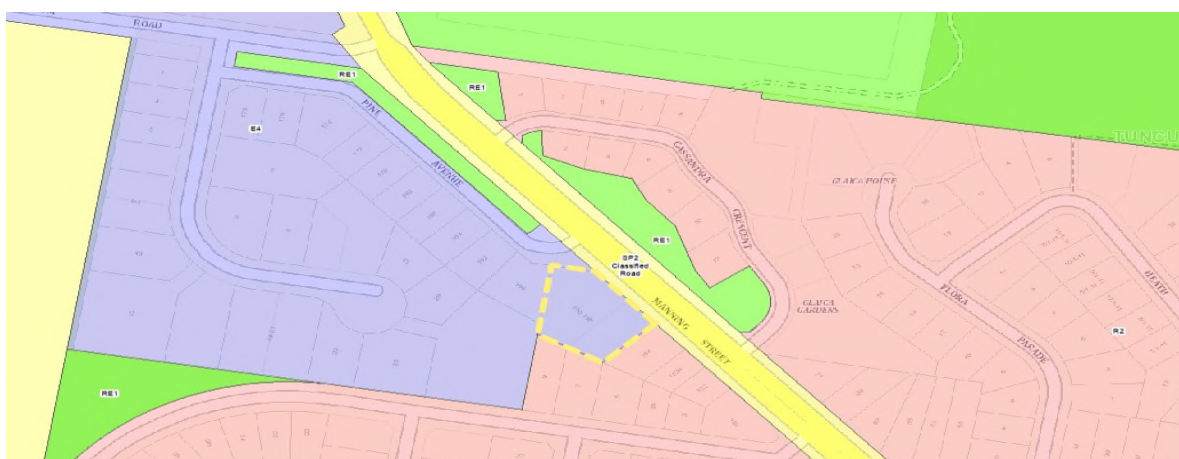


Figure 4 – Zone Controls of the Site & Surrounds

6.2. Overlays

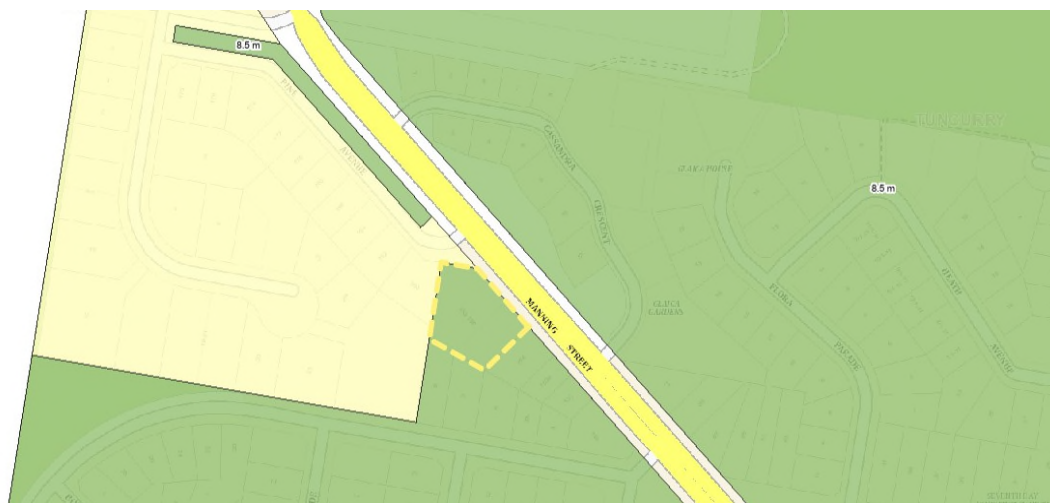


Figure 5 – Height Overlay Controls of the Site & Surrounds

The maximum permissible building height for the subject site at 156-158 Manning Street, Tuncurry, as outlined in the Great Lakes Local Environmental Plan 2014, is 8.5 meters. This height restriction applies under the provisions of Clause 4.3, which ensures that developments remain consistent with the overall character and scale of the surrounding area. The proposed digital billboard has an overall height of 5.15 meters, which is significantly below the allowable height limit, ensuring compliance with the building height controls set out in the zoning plan.

The proposed billboard's height of 5.15 meters is also lower than the height of the existing building on the site, which stands at 8 meters. This ensures that the billboard integrates seamlessly with the existing built environment without overwhelming surrounding structures or the streetscape. The height has been carefully chosen to maintain visibility for passing traffic while adhering to the planning requirements, thereby ensuring that the development does not create visual clutter or obstruct important view lines in the area.

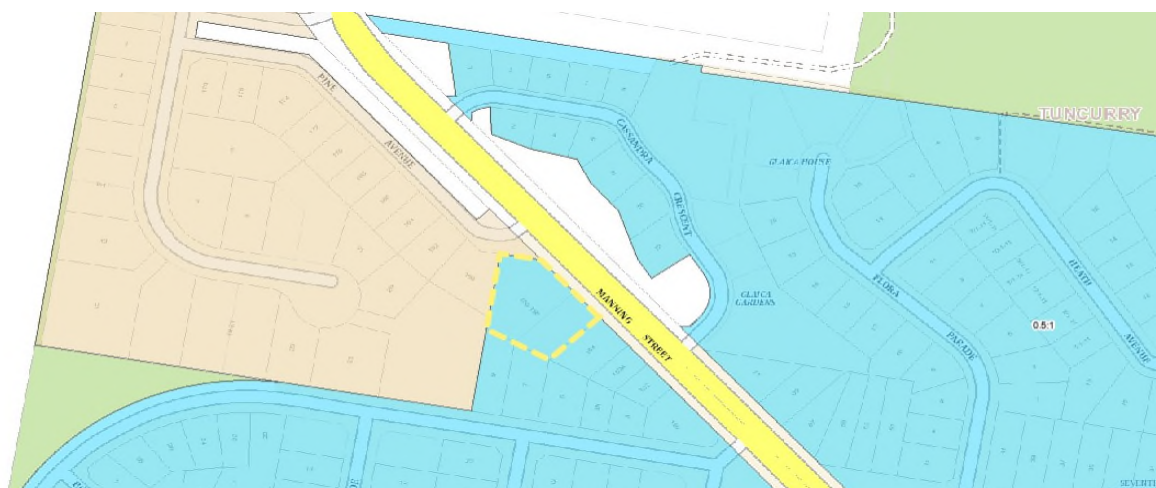


Figure 6 – Floorspace Ratio Overlay Controls of the Site & Surrounds

The Floor Space Ratio (FSR) for the subject site at 156-158 Manning Street, Tuncurry is set at 0.5:1 under the Great Lakes Local Environmental Plan 2014. This ratio

dictates the amount of building area that can be constructed relative to the size of the land. The site spans approximately 2,634 m², which allows for a certain amount of built-up space under this FSR guideline. The FSR regulates built forms which can be occupied, the policies are not relevant to a signage application.

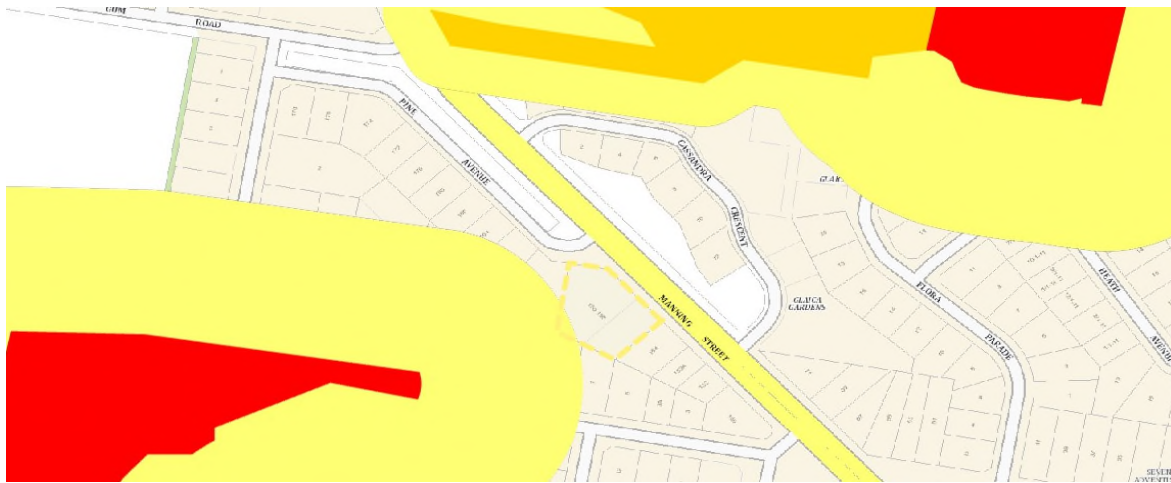


Figure 7 – Bushfire Overlay Controls of the Site & Surrounds

The subject site at 156-158 Manning Street, Tuncurry, is partially located within a Vegetation Buffer zone, as identified in the Bushfire Prone Land mapping. The site's location in this buffer zone indicates that it is near areas of vegetation that could be prone to bushfires. However, the proposed billboard is a non-habitable structure and does not present the same risks associated with residential or commercial buildings in bushfire-prone areas. The billboard's construction will comply with the v5b guidelines for bushfire safety, ensuring that the structure is resistant to the effects of fire and located at a sufficient distance from surrounding vegetation to minimize risk.

7. STATEWIDE PLANNING POLICIES

7.1 State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 Advertising and signage

Part 3.1 Preliminary

3.1 Aims, Objectives etc

(1) The 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.

The ambit of SEPP 64 has been considered in all factors of the proposed sign. We submit that the approval of the proposal, with the inclusion of the suggested permit conditions (see section 9 of this report) will ensure all provisions have been considered in the decision.

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

Waterways

Residential (but not including 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 team or organisations using the sporting facility or about the products of those sponsors*

The subject site falls within the E4 - General Industrial zone. Third party signage is not prohibited but will be performance assessed against the breadth of SEPP 64, and local DCP policies.

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) is 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 chapter.

We accept a 15-year permit expiry. This gives council the opportunity to review the surrounding environment after this set time.

3.18 Location of certain names and logos

- (1) The name or logo of the person who owns or leases an advertisement or advertising structure may appear only within the advertising display area.
- (2) If the advertising display area has no border or surrounds, any such name or logo is to be located –
- (a) within the advertisement, or
 - (b) within a strip below the advertisement that extends for the full width of the advertisement.
- (3) The area of any such name or logo must not be greater than .025 square metres.
- (4) The area of any such strip is to be included in calculating the size of the advertising display area.

Response:

A modest logo plate will be displayed identifying our company on the skirting board below the display face.

3.21 Freestanding advertisements

- (1) The consent authority may grant consent to the display of 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 meets the requirement of Section 21. The dominant skyline in relation to the sign is the built forms and vegetation in the surrounding context, which is the main feature of the visual space along Manning Street. The theme of the area means that businesses on either side of the road are a natural focal point that dominates the view lines of passing traffic.

The small stature of the sign (5.15m tall) compared to the large adjacent built forms (8m) create significant difference in height and will ensure that the sign will not become the key focal point of the property.

Schedule 5 Assessment criteria**Schedule 1 Assessment criteria****1. Character of the area**

- Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?
- Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

2. Special areas

- Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?
- 3. Views and vistas**
 - 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?
- 4. Streetscape, setting or landscape**
 - Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?
 - 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?
- 5. Site and building**
 - Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?
 - 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?
- 6. Associated devices and logos with advertisements and advertising structures**
 - Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?
- 7. Illumination**
 - 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?
- 8. Safety**
 - Would the proposal reduce the safety of 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?

Design Assessment Criteria – Schedule 1, SEPP 64

1. Character of the Area

The subject site at 156-158 Manning Street, Tuncurry is situated in a predominantly industrial and commercial area, consistent with the E4 General Industrial zoning. The surrounding properties consist of warehouses, logistics businesses, and light industries, all of which contribute to the area's industrial character. According to SEPP 64, signage within such a zone is appropriate, especially where it supports and complements the existing land uses.

The proposed digital billboard aligns with the existing commercial and industrial nature of the area, where visibility and prominent advertising are key. The outdoor advertising theme is consistent with other signage in the area, ensuring that the proposal fits seamlessly into the visual landscape along Manning Street.

2. Special Areas

The subject site is not located within any heritage areas, environmentally sensitive zones, or conservation areas. The surrounding landscape primarily consists of industrial and commercial properties, ensuring that the proposed digital billboard does not detract from the visual quality of any significant natural or heritage locations. The approval of the sign, with strict brightness controls (which meet the AS 4282:2019 standards) will ensure the sign won't have an unreasonable impact on any nearby sensitive areas.

3. Views and Vistas

The proposed billboard will be situated at a height of 5.15 metres, ensuring that it remains below the overall building height and does not obscure any important views or vistas in the area. There are no significant skyline views or key visual corridors that will be compromised by the billboard. The design ensures that the billboard will not dominate the skyline or reduce the quality of vistas along Manning Street. Additionally, the placement of the billboard has been carefully considered to ensure that the viewing rights of other advertisers in the area are respected, avoiding any visual conflicts with nearby signage.

4. Streetscape, Setting or Landscape

The proposed sign is proportionate to both its built form on the subject site, and the signage character of the area. SEPP 64 highlights the importance of the overall height comparatively to the built form. The sign sits well below the overall height of the building, with a total height above ground level of 6.20m. (Compared to the building height of 8m).

5. Site and Building

The existing site and building don't display any special characteristics which require consideration in design or siting for the proposal. The proposed sign relates to the surrounding signage character, where facades are typically covered with signage or corporate colouration. The proposed sign considers this context via its size and scale, then articulates its presence through innovation (LED).

6. Associated devices and logos with advertisements and advertising structures

A modest logo plate will be displayed identifying our company just below the display face.

7. Illumination

The proposed sign will be operated in accordance with AS 4282-2019: Control of the obtrusive effects of outdoor lighting. The operating system has the ability to be remotely adjusted and includes a brightness measurement device which automatically adjust the screen to suit the external environment. We have the ability to input the figures in Table 6: Luminance levels for digital advertisements, to ensure these brightness levels are met.

- The proposed operating hours for the sign are 4am – 11:59pm (20 Hours a day). These are the standard operating hours across the industry.

8. Road Safety

Section 2 and 3 are responded to below.

Statement of environmental Effects (SEE)

- *Summary Statement: An overview of the outdoor advertising proposal.*
- *Details of proposed sign location: Local Government Area (LGA); zone in the relevant Local Environmental Plan (LEP); permissibility and planning controls related to the specific site; location of existing buildings, structures and vegetation in proximity to the sign; surrounding land use including any trends in changing land uses.*
- *Description of the proposed sign: Information on the size of the sign, whether it is static, illuminated or non-illuminated, a variable message sign, contains moving parts or other details including:*
 - a) *Site details: Plans showing site location; setbacks from affected boundaries; proximity to easements, powerlines or mains; proposed modifications to existing structures, buildings or vegetation. (nb: Detailed drawings and surveys, with elevations showing height above ground level, will be required before obtaining a construction certificate).*
 - b) *Colour photographs and photo-montages – current panoramic colour photographs of the location of the proposed site are required including when viewed from ground level within a visual catchment of 1 kilometre of the site and all critical viewpoints. Photographs should show any traffic control devices located within 100m of approaches to the proposed site, and any traffic control devices that would be visible beyond the proposed site. Accurate perspective photomontages of the proposed sign, at human eye level from the driver's perspective, taken from critical*

viewing points in advance of the sign in each approach direction are required. Where view corridors or vistas are impacted by the proposed sign a photomontage should be included clearly demonstrating the sign's impact.

c) Proposed management and maintenance regime – including regime for on-going access to the sign to change the display, graffiti management and landscape management. Where landscaping is proposed, a landscape management plan should include plant species selection including finished height relative to the sign, any proposed lopping or removal of existing trees, ongoing vegetation maintenance and any other landscaping components

□ Assessment of the advertising proposal in or adjacent to a transport corridor – when the Minister for Planning is the consent authority – The SEE must outline how the proposal meets the following:

a) any relevant provisions in SEPP 64]

b) general land-use compatibility (Section 1.4)

c) design criteria for transport corridors outlined in the Guidelines including an assessment of the context of advertising within the site identifying the character, quality and features of an area (Section 2)

d) road safety considerations in the Guidelines (Section 3)

e) Public Benefit Test for advertising in the Guidelines (Section 4)

Statement of environmental Effects (SEE)

- Justification of the proposal – The SEE must provide a justification for erecting the advertisement in the proposed location. The justification must take into consideration the assessment criteria in Schedule 1 of the SEPP and any mitigation or management measures to be employed by the proponent in minimising the potential impacts of the proposed advertisement. When the Minister for Planning is the consent authority or for signs on bridges or signs requiring the concurrence of RTA, the justification of the proposal should also consider public benefits.

Summary Statement: The proposal seeks approval for the construction of a freestanding, Super 8 digital billboard at 156-158 Manning Street, Tuncurry NSW 2428 (Lot 2 in Deposited Plan 21966), located within the Mid Coast Council jurisdiction. The sign will feature a single-sided digital display face with an area of 18.26m² (8.3 meters by 2.2 meters), designed to show static images to traffic traveling along Manning Street, particularly southbound traffic. The digital display will provide clear, high-quality advertising content, for maximum visibility. (as detailed in the attached town planning package).

Details of proposed sign location: The subject site is located within Tuncurry, in the E4 General Industrial Zone under the Mid Coast Council. Development within this

industrial zoning and the specific area must consider the provisions of the Great Lakes Local Environmental Plan (LEP) and relevant Development Control Plans (DCP). The site, along with other industrial and commercial properties in the corridor, integrates well into the streetscape through built forms that are functional and visible.

Description of the proposed sign:

b) Site details: Find the attached town planning documentation, which includes:

- A01: cover page
- A02: site plan
- A03: floor plan & elevations
- A04: perspective views

c) Colour photographs and photomontages: The photomontages are provided for traffic travelling east. Traffic travelling west won't be exposed to any views to the proposed sign, as the proposal is contained within the existing built form.

d) Proposed management and maintenance regime – 24-hour access is granted with the property owner for ongoing maintenance. We have remote control, and monitoring to the screen, which enables a first check for issues. We then have a service agreement in place with a local electrician, who has agreed turnaround times for issues (generally no more than 48 hours). We have assessed the area as having no ongoing vegetation management, which gets reviewed annually.

Justification of the proposal: The proposed digital billboard is appropriately scaled to fit the surrounding industrial landscape and signage context. Standing at 5.15 meters tall with an 18.26m² display face, the sign complements the surrounding structures, which typically reach heights of 8 meters. The introduction of a digital, illuminated display brings innovation to the area, offering modern advertising solutions that aren't currently available in the local region. Unlike traditional static billboards, the digital sign allows more dynamic and flexible advertising opportunities for local businesses. (our pricing is always substantially cheaper than national operators).



Transport Corridor Advertising and Signage Guidelines 2017

Part 2 Design Issues

2.4 Sign Clutter Controls

In assessing advertising proposals, the consent authority is to have regard to clutter:

- a) Multiple advertisements on a single block of land, structure or building should be discouraged as they contribute to visual clutter.*
- b) Where there is advertising clutter, consideration should be given to reducing the overall number of individual advertisements on a site. Replacement of many small signs with a larger single sign is encouraged if the overall advertising display area is not increased.*
- c) In rural areas, and along freeways and tollways, no more than one advertising structure should be visible along a given sightline.*

The proposal meets the policies on sign clutter as outlined in SEPP 64. There is currently minimal signage on the site, ensuring that the addition of the proposed digital billboard will not create visual clutter. The billboard is strategically placed above the existing structures, creating a clear separation between the signage and the rest of the building. This separation ensures that the billboard remains distinct and does not interfere with the visibility of other advertisements or the building's ground floor.

2.5 Site-specific and structural criteria

Advertising structures should meet the following site- specific criteria:

- a) The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.*
- b) The advertising structure should be compatible with the scale, proportion and other characteristics of the site, building or structure on which the proposed signage is to be located.*
- c) The advertising structure should be in keeping with important features of the site, building or bridge structure.*
- d) The placement of the advertising structure should not require the removal of significant trees or other native vegetation.*
- e) The advertisement proposal should incorporate landscaping that complements the advertising structure and is in keeping with the landscape and character of the transport corridor.*
 - *The development of a landscape management plan may be required as a condition of consent.*
 - *Landscaping outlined within the plan should require minimal maintenance.*
- f) Any safety devices, platforms, lighting devices or logos should be designed as an integral part of the signage or structure on which it is to be displayed.*

We have highlighted the design and originality demonstrated by the proposed sign. Because the subject site and area lack specified landscaping buffers, it is determined that additional landscaping work is unnecessary.

The proposed development excludes any additional maintenance or platform provisions. This is owing to the signs' limited care, with any repair work conducted using ladders and temporary safety equipment.

2.5.4 Freestanding advertisements criteria

Freestanding advertisements must comply with the requirements of SEPP 64 Clause 23 and Clause 19 including:

- 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.*
- b. For 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.*
- 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 minimize unintended visual impacts. Landscaping should include trees, shrubs and ground covers to provide adequate screening, softening, colour, soil stabilization and weed reduction.*

The proposed digital billboard at 156-158 Manning Street complies with the SEPP 64 Clause 23 and Clause 19 requirements for freestanding advertisements. First, the billboard does not protrude above the dominant skyline, which includes nearby buildings, infrastructure, and tree canopies. Careful consideration has been given to the views from critical vantage points within a 1-kilometer visual catchment, including vehicle approaches. The billboard's height of 5.15 meters ensures that it remains visually integrated with the surrounding environment, without standing out excessively or obstructing important sightlines.

Additionally, while the proposed billboard is smaller than 45 square meters, and thus does not require a Development Control Plan (DCP) specific to advertising design, it remains compliant with local council requirements. The site is not located within a designated transport corridor, meaning no landscape management plan is required.

Clause 19:

The consent authority must not grant consent to the display of an advertisement with an advertising display area greater than 25 square meters unless 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.

The proposed 18.26m² sign falls below the 45m² toggle for an individual DCP to be prepared. Clause 23 is Clause 21 in the SEPP (Industry and Employment) 2021 Chapter 3, and has previously been responded too.

2.5.8 Digital Signs		
Table 3: Digital Sign Criteria		
Criteria	Applies to signs less than 20sqm	Applies to signs greater than or equal to 20sqm
a. Each advertisement must be displayed in a completely static manner, without any motion, for the approval dwell time as per criterion (d) below.	✓	✓
b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	✓	✓
c. The image must not be capable of being mistaken: i. for a prescribed traffic control device because it has, for example, red, amber or green circles, octagons, crosses or triangles of shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device. ii. as text providing driving instructions to drivers.	✓	✓
d. Dwell times for image display must not be less than: i. 10 seconds for areas where the speed limit is below 80 km/h ii. 25 seconds for areas where the speed limit is 80 km/h and over.	✓	✓
e. The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.	✓	✓
f. Luminance levels must comply with the requirements in Section 3 below.	✓	✓
g. The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.	✓	✓
h. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a shirt glance).	✓	✓
i. Any sign that is within 250m of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.	✓	✓
j. Each sign proposal must be assessed on a case-by-case basis including replacement of an existing fixed, scrolling on tri-vision sign with a digital sign, and in the instance of a sign being visible from each direction, both directions for each location must be assessed on their own merits.	✓	✓
k. At any time, including where the speed limit in the area of the sign is changed, if detrimental effect is identified on road safety post installation of a digital sign,	✓	✓

<i>RMS reserve the right to re-assess the site using an independent RMS-accredited road safety auditor. Any safety issues identified by the auditor and options for rectifying the issues are to be discussed between RMS and the sign owner and operator.</i>		
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**lines l, m, n, and o. only apply for signs greater than 20sqm.*

The digital sign criteria outlined in Table 3 have been fully addressed in the proposed permit conditions (part 9 of this report). Since the billboard is not located within 250 meters of a school zone, there are no requirements for fixed messages during school hours. The speed limit along Manning Street is 60 km/h, which means a minimum 10-second dwell time has been proposed for each advertisement, in compliance with the relevant regulations. The billboard will adhere to all required standards, including ensuring static images, no message sequencing, and quick transitions between ads, all designed to maintain road safety and avoid distractions.

Part 3 Advertisement and Road Safety

3.1 Road Safety Objectives

Table 4: Road Safety Assessment Criteria

1. *Would the proposal reduce the safety for any public road?*
2. *Would the proposal reduce the safety for pedestrians or bicyclists?*
3. *Would the proposal reduce the safety for pedestrians by obscuring sightlines from public area?*

The proposal does not reduce the safety of public roads, pedestrians, or cyclists. Proven studies (which are available on the OMA's website) indicates that when signage operates within state regulations regarding dwell time, transition time, luminance and content, it does not impact driver awareness or safety. Therefore, the safety of the drivers on the road remains uncompromised. By adhering to these standards, the proposal maintains a safe environment for all road users, including pedestrians and bicyclists.

3.2.1 Road Clearance

Ensuring advertising signage is located an appropriate distance from the road minimises the risk of collision between an errant vehicle and a sign.

The following road clearance criteria apply to all advertising signage:

a. The advertisement must not create a physical obstruction or hazard. For example:

- i. Does the sign obstruct the movement of pedestrians or bicycle riders? (e.g. telephone kiosks and other street furniture along roads and footpath areas)?*
- ii. Does the sign protrude below a bridge or other structure so it could be hit by trucks or other tall vehicles? Will the clearance between the road surface and the bottom of the sign meet the appropriate road standards for that particular road?*

- iii. Does the sign protrude laterally into the transport corridor so it could be hit by trucks or wide vehicles?*
- b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone in an acceptable location in accordance with Austroads Guide to Road Design (and RMS supplements) or behind an RMS-approved crash barrier.*
- c. Where the sign is proposed within the clear zone but behind an existing RMS-approved crash barrier, all its structures up to 5.8m in height (relative to the road level) are to comply with any applicable lateral clearance specified by Austroads Guide to Road Design (and RMS supplements) with respect to dynamic deflection and working width.*
- d. All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS 1170.1 and AS 1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.*

The sign does not create a physical obstruction or hazard, as it is located away from public roads and footpaths, with no nearby hazards as telephone boxes or street furniture. It does not protrude below a bridge or any other structure, and does not extend laterally into the transport corridor. Additionally, the sign is constructed with pre-welded metal framing that ensures it is not likely to be frangible, further enhancing its safety.

3.2.2 Line of sight

To maximise visibility of the road and minimise the time a driver's attention is directed away from the road, the following criteria apply to all advertising signage:

- a) An advertisement must not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings.*
- b) An advertisement must not obstruct a pedestrian or cyclist's view of the road.*
- c) The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road. In this context, the location and arrangement of signs' structures should not give visual clues to the driver suggesting that the road alignment is different to the actual alignment. An accurate photo-montage should be used to assess this issue.*
- d) The advertisement should not distract a driver's attention away from the road environment for an extended length of time. For example:*
 - i. The sign should not be located in such a way that the driver's head is required to turn away from the road and the components of the traffic stream in order to view its display and/or message. All drivers should still be able to see the road when viewing the sign, as well as the main components of the traffic stream in peripheral view.*
 - ii. The sign should be oriented in a manner that does not create headlight reflections in the driver's line of sight. As a guideline, angling a sign five degrees away from right angles to the driver's line of sight can minimise headlight reflections. On a curved road alignment, this should be checked for*

the distance measured back from the sign that a car would travel in 2.5 seconds at the design speed.

The proposed digital billboard at 156-158 Manning Street complies with the line-of-sight requirements to ensure it does not obstruct a driver's view of the road, pedestrians, or cyclists. The billboard has been positioned in a way that maintains clear visibility of all traffic elements, including other vehicles, pedestrians, and cyclists, especially at crossings. The placement ensures that the sign does not block any critical sightlines, preventing any confusion or safety risks for drivers or other road users.

Furthermore, the billboard has been oriented to avoid distracting drivers for extended periods. It is positioned at an angle that ensures drivers can view the sign without turning their heads away from the road, maintaining visibility of the traffic stream in their peripheral view. To minimize headlight reflections, the sign has been angled appropriately, reducing the potential for any glare or visual disruptions for drivers traveling along Manning Street. This thoughtful design and orientation help ensure that the billboard does not interfere with driver safety, adhering to all criteria outlined for advertising signage near roads.

3.2.3 Proximity to decision making points and conflict points

It is important that drivers are not distracted near decision making points or conflict points to allow concentration to be focused on the driving task where the driver's attention requirements are greater.

Decision making points include areas in which merging, diverging, turning and weaving traffic manoeuvres take place. Conflict points are locations such as intersections or pedestrian crossings where crash risk is greater.

To minimise distraction near decision making points and conflict points, and ensure there is sufficient distance for a driver to recognise, react and, if required, stop safely before reaching one of these points, the following criteria apply to all advertising signage:

a) The sign should not be located:

- i. less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves*
- ii. less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment*
- iii. so that it is visible from the stem of a T-intersection.*

b) The placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver's view:

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

The sign's placement and design fulfill the standards of sections a) and b). The location and design ensure that it will not distract or block the driver's view at a vital time.

3.2.4 Sign Spacing

A highly cluttered visual field makes it difficult to locate and prioritise driving-critical information, e.g. regulatory and advisory signs and traffic control devices.

The proposed site should be assessed to identify any road safety risk in relation to visual clutter and the proximity to other signs.

Additional criteria for digital signs:

a) Sign spacing should limit drivers view to a single sign at any given time with a distance of no less than 150m between signs in any one corridor. Exemptions for low speed, high pedestrian zones or CBD zones will be assessed by RMS as part of their concurrence role.

The proposed digital billboard has been carefully evaluated to ensure it meets the sign spacing requirements set out in SEPP 64. The billboard is located in an area where there are no other large-scale signs within a 150-meter radius, ensuring that drivers' view is not cluttered or obstructed by multiple signs. This spacing prevents visual overload, allowing drivers to prioritize important traffic signs and devices without being distracted by too many advertisements. The billboard's placement ensures it is the only visible sign within the driver's line of sight in this corridor, adhering to the required safety standards for digital signage.

3.3 Sign design and operation criteria

Signs that display information that is contrary to, or competing with, prescribed traffic control devices or make locating prescribed traffic control devices difficult, have the potential to distract and confuse motorists.

Therefore, the following criteria apply to all advertising signage:

a) The advertisement must not distract a driver from, obstruct or reduce the visibility and effectiveness of, directional signs, traffic signals, prescribed traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.

b) The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a prescribed traffic control device.

For example:

i. Could the advertisement be construed as giving instructions to traffic such as 'Stop', 'Halt' or 'Give Way'.

ii. Does the advertisement imitate a prescribed traffic control device?

iii. If the sign is in the vicinity of traffic lights, does the advertisement use red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal?

Additional criteria for digital signs and moving signs:

a) The image must not be capable of being mistaken:

- i. for a rail or traffic sign or signal because it has, e.g. red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal
- ii. as text providing driving instructions to drivers.
- b) The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).

The above policies have been included with our suggested permit conditions (part 9).

3.3.2 Dwell time and transition time

Signs which change advertising content are more likely to distract a driver than signs with content that is static. In locations where digital and moving signs are assessed to be appropriate, the minimum dwell time and maximum transition time set out in the criteria must be applied. Longer dwell times may be necessary in more complex locations.

Dwell time criteria for digital signs:

- a) Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.
- b) Dwell times for image display must not be less than:
 - i. 10 seconds for areas where the speed limit is below 80km/h.
 - ii. 25 seconds for areas where the speed limit is 80km/h and over.
- c) Any digital sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.
- d) Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts. The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.

As previously identified, the 10 second minimum dwell time is applicable to this application and is a suggested permit condition.

Table 6: Luminance Levels for Digital Advertising

Luminance means the objective brightness of a surface as measured by a photometer, expressed in candelas per square meter (cd/sqm). Levels differ as digital signs will appear brighter when light levels in the area are low. Unless provided below, luminance levels should otherwise comply with the recommended values of AS4282 Control of the Obtrusive Effects of Outdoor Lighting.

Lighting condition	Zone 1 (cd/sqm)	Zone 2 & 3 (cd/sqm)	Zone 4 (cd/sqm)
Full sun on face of signage	No limit	No limit	No limit
Daytime luminance		6000	6000

<i>Morning and evening twilight and inclement weather</i>	<i>700</i>	<i>700</i>	<i>500</i>
<i>Nighttime</i>	<i>350</i>	<i>350</i>	<i>200</i>

Our digital display operating system supports both on-the-ground feedback (measurement of ambient brightness) and remote modifications. The aforementioned maximum luminance calculations will be incorporated into the default brightness management, with the option to update and adjust these amounts over the sign's allotted lifespan.

3.6 Road safety guidelines for sign content

SEPP 64 does not regulate the content of advertisements and signs, and does not require consent for a change in content. It is recommended that advertisers follow RMS advisory guidelines with respect to sign content of advertisements to be displayed along road corridors

We argue that having stringent permission requirements relating to prohibited content, minimum dwell times, maximum brightness, and so on reduces any possible road safety hazards. RMS reserves the authority to examine permits based on new traffic circumstances or road safety research.

The approval of the proposed sign with the indicated criteria assures that the sign will operate in compliance with today's most recent safety rules.

4.2.3 Advertising approved by councils

Fees and council revenue In addition to the standard development application fees, the applicant may be required to provide an upfront fee or an annual fee (payable to the council) for the duration of consent of the advertisement (generally 15 years). In this instance, no other additional fee is to be charged against the development under the Local Government Act 1993. The council may not require the proponent to pay a fee if it is satisfied that adequate public benefits will otherwise be provided for (see below under the heading 'In-kind contributions')

In-kind contributions

In some instances, the proponent may negotiate with council to provide in-kind contributions rather than a fee. In-kind contributions may include on-ground works to improve local amenity such as pedestrian bridges, pedestrian refuges, landscaping, graffiti management, safety lighting or other works provided as part of the installation of the advertising structure.

Other types of in-kind contributions may also be negotiated with councils including the use from time to time of the advertising structure for promotion of community programs, events, public safety programs or other appropriate public purposes.

The community benefits of the proposed sign have already been highlighted. Summarized below:

- Local Content: Our prioritisation on local content for the advertising space. We are happy to incorporate conditional approval highlighting at least 50% of content must be from local businesses.
- Enhanced Competition: The current outdoor advertising landscape in Regional NSW is the least competitive in the whole of Australia. Allowing other player (us) into the market will help drive services, and price for local businesses in the region.
- Local Suppliers: Annual rent for the billboard to the property owners, ongoing sign maintenance and installers.
- Charity Content: We always source local charities to take any unsold space for the sign.
- Regional Media: Outdoor advertising is growing substantially, while all other traditional media is slowly losing revenue (Print, Radio & TV). These strong local media outlets are becoming less financially viable. Our business is attempting to replicate the style of these strong local businesses, in a growing media segment.

As the proposed application is so strong, our view is that additional measures are not required to ensure the approval of this application. We are always open to conversations around how councils see signs of this nature operating and working best for them. In Victoria, local councils are one of our biggest advertising segments. So, we are always open to suggestions.



8. LOCAL PLANNING POLICIES

Mid-Coast Council: Development Control Plan 2004 (Effective 04 Nov 2021)

Commercial Sign

Means an advertisement which contains only:

1. *A reference to:*
 - a. *The identification or description of the building or place.*
 - b. *The identification or description of any person living or carrying on a lawfully established occupation in the building or place.*
 - c. *Particulars of any lawfully established occupation carried on or in the building or place; or*
 - d. *Any affiliation with a trade, professional or other association relevant to the lawfully established business carried out in the business or place, on which the advertisement is displayed; or*
2. *Particulars relating to.*
 - a. *Any necessary or usual directions or cautions relating to the building or place, or any lawfully established occupation carried on.*
 - b. *Goods, commodities or services dealt with or provided; or*
 - c. *Any lawful activities held or to be held; at the building or place on which the advertisement is displayed; or information required or permitted to be displayed by or under State or Commonwealth Act*

The proposed digital billboard meets the requirements for commercial signage as defined in SEPP 64. The sign will focus on promoting lawful businesses and activities within the surrounding commercial and industrial area, aligning with the guidelines for commercial signs. By advertising relevant services and activities, the billboard supports local business visibility while adhering to all statutory regulations for signage in the zone.

15.3.3 Industrial Zones

Objectives

- *Controls are generally aimed at reducing the unattractive appearance resulting from too many signs or ill-placed advertising.*

Assessment Criteria:

1. *A maximum of four (4) signs are permissible per individual premises, which do not exceed a total 10m² in the area.*
2. *Directory boards should be provided at the entrance to self-contained industrial estates, identifying the name of the estate and various occupants.*
3. *The number of signs must be limited to be four (4) per property.*
4. *The advertisement area of each sign must not exceed 10m²*
5. *Signs in multiple occupancy should be of a uniform shape and size and should be located as close as possible to the occupancy to which they apply.*

6. *Where buildings are set back from the street frontage, pole signs or free-standing signs may be used close to the street frontage.*
7. *Off-site promotional signage on main roads should be limited to one sign which identifies and directs the travelling public to the industrial estate, rather than individual businesses.*
8. *'Free-Standing' signs shall only be permitted where it can be demonstrated that the sign will not be intrusive or contribute to sign clutter.*

The proposed digital billboard aligns with the industrial zone signage controls. It is classified as a free-standing sign, which is permitted as long as it does not create visual clutter or negatively impact the area's appearance. Furthermore, its location near the street frontage maximizes visibility for passing traffic while ensuring that the sign does not overwhelm or detract from the industrial setting.

The proposed freestanding sign falls well below the four thresholds and aligns with guidelines permitting freestanding signs near road frontages where large setbacks exist. The industrial zone supports off-site promotional signage, and billboards are not strictly classified in the same category. The size and location of the sign are generally consistent with industrial zone signage guidelines, though its area exceeds the 10m² threshold. This deviation is justified, as statewide policy supports this classification and size of signage, and the surrounding context accommodates a minor variation to the policy.

15.5.1. Development Assessment

In addition to the Environment Planning & Assessment Act 1979, Council is also required to consider the following matters when determining an application for advertising:

1. The need for appropriate and effective identification of businesses.
2. The need to reduce sign clutter in order to maximise the effectiveness of business identification signs.
3. The need to encourage signs that are effective and legible
4. The effect of the proposed sign on existing signs in the area.
5. The need to avoid visual disorder and sign clutter.
6. The effect of the proposed sign on the amenity and landscape character of the area.
7. The effect of the proposed sign on the architecture of the building on which it will be displayed and the surrounding streetscape.
8. The relationship of the area and height of the proposed sign to the scale of the building on which it will be displayed; the surrounding buildings; the space in which it will be location; the size of other signs in the area; and the surrounding townscape/streetscape.
9. Any advertising pattern or theme that has been developed for the area.
10. The effect of the proposed sign on the road traffic signs and signals, through the creation of background clutter.
11. The distraction that could be cause by the proposed sign in the area requiring high driver concentration.

12. The views of the Roads Traffic Authority if the sign is animated, floodlit, internally illuminated, panel, reflective or sky sign to be displayed within 60 metres of a main road that is a freeway, state highway or other road declared under the Roads Act 1993.
13. Whether the proposed sign complies with the guidelines that have been prepared for the zone in which it is to be located, and specifications for the particular type of sign.

The proposed digital billboard adheres to the development assessment criteria outlined in SEPP 64 and the Environmental Planning & Assessment Act 1979. The sign is designed to effectively identify local businesses while minimizing visual clutter. It encourages clear, legible advertising and is appropriately spaced to avoid overlapping with existing signage. The billboard's placement and size have been chosen to complement the surrounding streetscape and nearby buildings, ensuring it does not detract from the architectural integrity or landscape character of the area.

Additionally, the sign fits within the existing advertising theme of the industrial and commercial zone, avoiding unnecessary background clutter that could impact road safety. Care has been taken to prevent driver distraction by ensuring the billboard does not obstruct any critical views or road signs. The proposal meets all guidelines and specifications for its location and type, ensuring compliance with the development assessment criteria while enhancing local business visibility.



9. SUGGESTED PERMIT CONDITIONS

We suggest that following conditions be applied to the proposed sign.

1. The signage approved by this permit expires 15 years from the date of issue.
2. No advertisement must be displayed for less than 25 seconds.
3. The transition from one advertisement to another must be instantaneous.
4. The sign must not display content, images or text that could:
 - a. Create the illusions of continuous movement.
 - b. Be capable of being mistaken for traffic signals or traffic control devices, including red, amber or green circles, octagons, crosses or triangles, or shapes of patterns that may result in the advertisement being mistaken for a prescribed traffic device.
 - c. Be capable of being mistaken as an instruction to a road user, including the working stop, give way slow down, turn left or turn right.
 - d. Contain flashing background, flashing text, flashing images, blinking or fading elements that create the illusion of movement.
 - e. Contain any animation.
 - f. Be capable of being interpreted as projections beyond the face of the advertising screen such as through 3D technology.
 - g. Consist of present time or other contemporary update information relating to news, weather or time.
 - h. Contain video, movie, or television broadcasts.
5. Unless with the further written consent of the Responsible Authority, the electronic signage of the sign hereby approved must not operate between 12am and 4am.
6. The signage hereby permitted must not contain any flashing or intermittent flashing light.

We are open to additional permit conditions which seek to address:

- Additional landscaping measures
- Additional in-kind content

10.CONCLUSION

In conclusion, we submit that:

- The proposal seeks the approval for the development of an electronic promotion sign on the property at 156-158 Manning St, Tuncurry NSW 2428
- The Subject Site is the most suitable for the proposed sign in all of Tuncurry. It is located in the heart of the commercial and industrial precinct and is not in close proximity to any heritage overlays.
- The proposal is clearly supported by local policies in the Mid Coast Planning Scheme – whether evaluating the location or design of the sign.
- The proposed sign will primarily be used to advertise local businesses. This can have very positive impacts on the local economy.
- The proposal employs a high level of consideration to the provisions and policies set out about advertising signage in SEPP 64.
- The proposal is consistent with the built form on the subject site and surrounding properties. The design has carefully considered the height of nearby buildings and has ensured no important views or vistas will be impacted.

Overall, we conclude that the proposed development is consistent with the relevant state and local planning policies. The development also addresses the strategic directions and policy objectives of Mid-Coast Council.

11. APPENDIX 1 – COPY OF TITLE



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: AUTO CONSOL 6281-40

SEARCH DATE	TIME	EDITION NO	DATE
2/12/2024	10:47 AM	6	9/9/2018

LAND

LAND DESCRIBED IN SCHEDULE OF PARCELS
AT TUNCURRY
LOCAL GOVERNMENT AREA MID-COAST
PARISH OF TUNCURRY COUNTY OF GLOUCESTER
TITLE DIAGRAM DP21966

FIRST SCHEDULE

JUSTIN GLENN HUGHES
AMY LEE HUGHES
AS TENANTS IN COMMON IN EQUAL SHARES (T AK611774)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 AK611775 MORTGAGE TO NATIONAL AUSTRALIA BANK LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

SCHEDULE OF PARCELS

LOTS 1-2 IN DP21966.

*** END OF SEARCH ***

PRINTED ON 2/12/2024

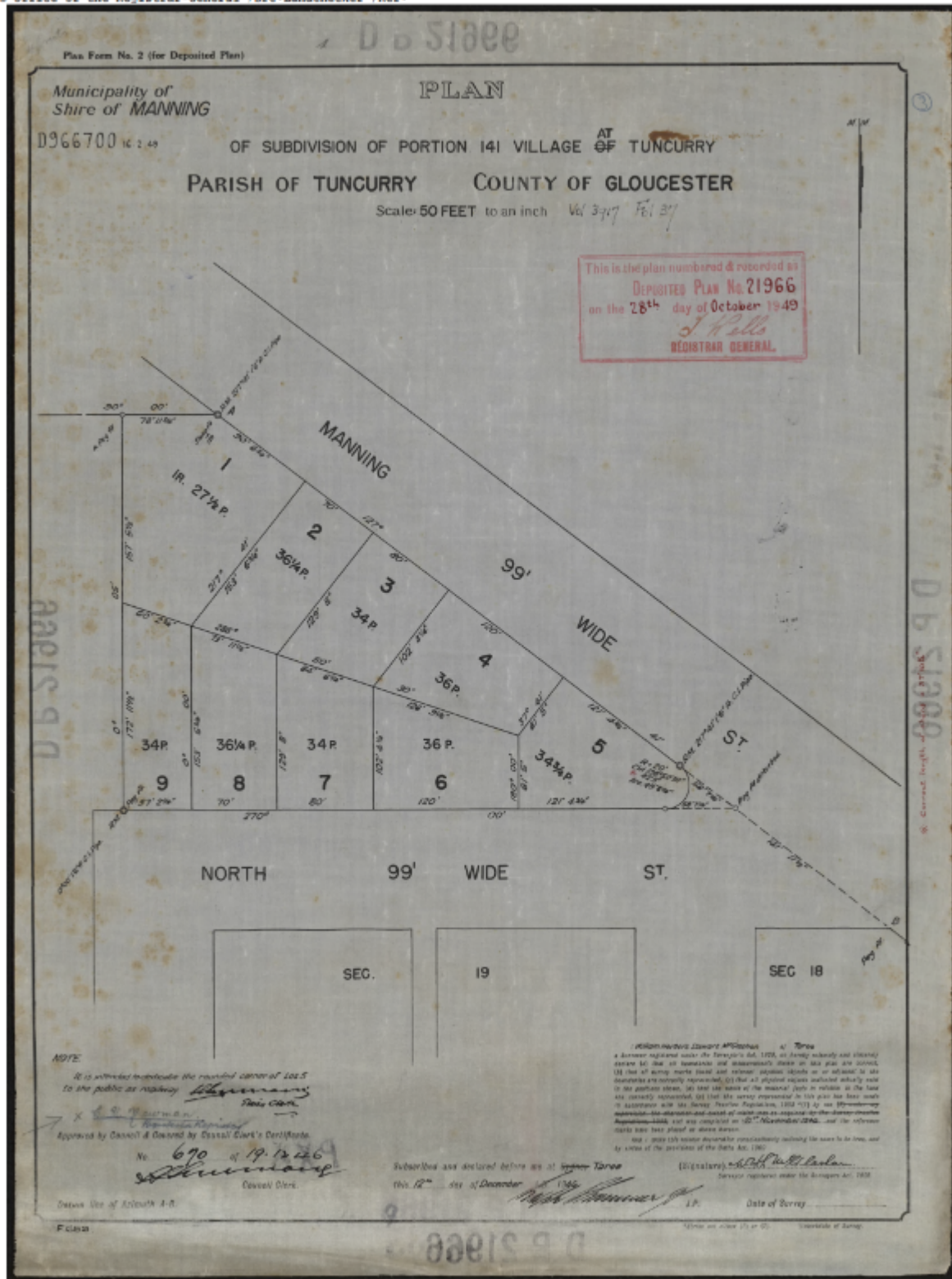
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Received: 02/12/2024 10:47:22

12. APPENDIX 2 – COPY OF PLAN

Req:R999582 /Doc:DP 0021966 P /Rev:19-Feb-2019 /NSW LRS /Prt:02-Sep-2024 10:26 /Seq:1 of 2
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13. APPENDIX 3 – PERSPECTIVE VIEWS WRITTEN STATEMENT

Prepared By:	James Course
Qualification:	Advanced Diploma of Building Design (Architectural) <i>Including: BUIL5922 – Undertake site survey and analysis to inform design process</i>
Software:	Adobe Photoshop Creative Cloud <i>Informed by: Site features and measurements plan prepared in Autodesk Revit 2018</i>
Methodology:	Relevant data obtained from site measure up performed by James Course in conjunction with topographical maps from various online sources: https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address & https://www.google.com.au/maps
Perspective View 01:	Camera: iPhone 15 Pro Type: Digital Lens Size: 27mm Angle: Landscape – Parallel to ground Date: 17/05/2024 Time: 12:37pm Height Above Ground: 1600mm Modified elements: Nil Assumptions: Height and Length are relative to the documented site features plan; however definitive accuracy cannot be guaranteed.

14.APPENDIX 4 – SURROUNDING SIGNAGE & BUILT FORM









15. APPENDIX 5 – BRIGHTNESS

Luminance Level

The sign will be installed with a two-way brightness sensor, which is programmed with the following settings:

LUMINANCE LEVELS FOR DIGITAL ADVERTISEMENTS		
Lighting Condition	Dimming Level to achieve compliance	Max Permissible Luminance (cd/m2)
Full Sun on face of Signage	100 %	No Limit
Day Time Luminance (typical sunny day)	85.7%	6000
Morning and Evening Twilight and Overcast Weather	10 %	700
Nighttime	5%	350

The dimming % is based on a maximum calibrated screen brightness of 7000 cd/m2. The above adjustments have been calculated to comply with the maximum allowable veiling luminance of 0.25 cd/m2.

Maintenance & Display Issues

We have several systems in place to help mitigate any potential issues, as well as rectification measures in place. As follows:

- Operating System: Is set up with remote access, which can be shot off via our online portal.
- Switchboard: It set up (through a different system), where we can turn the power supply on/off to the whole billboard at any stage.
- Screen: The individual LED panels have background sensors which report any malfunctions or content issues.
- Camera: We also install a camera, which is a secondary failsafe. This is reviewed against scheduled content to ensure it aligns.

These measures ensure we catch any potential issues early and can rectify them through a few different solutions.