

Development Application – Digital Advertising Sign

Statement of Environmental
Effects

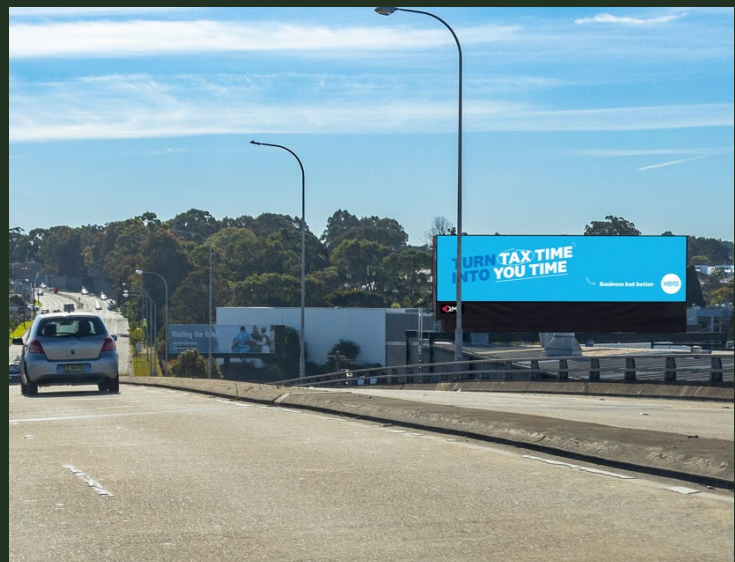
2-4 Warren Avenue, Bankstown

PREPARED FOR

QMS Media

June 2025

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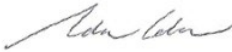
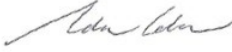
Mecone acknowledges the Traditional Custodians of the land on where this project is undertaken and across the Mecone offices that this report is prepared, paying respect to the Elders past and present. We recognise the ongoing connection of Aboriginal and Torres Strait Islander peoples to land, waters, and culture.

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REVISION	REVISION DATE	STATUS	AUTHORISED: NAME & SIGNATURE
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B	10 June 2025	Development Application	Adam Coburn 

* This document is for discussion purposes only unless signed and dated by the persons identified. This document has been reviewed by the Project Director.

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- Appendix 1** Architectural Plans
- Appendix 2** Lighting Impact Assessment
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- Appendix 4** Construction Waste Management Plan
- Appendix 5** Cost Summary Report
- Appendix 6** Copy of Development Consent no. DA-441/1997



1 General Information

This Statement of Environmental Effects (SEE) has been prepared on the behalf of QMS Media (the client) to support a Development Application (DA) pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposal is to be undertaken utilising existing use rights, based off a 1997 development consent that approved two rooftop signs. Of those two signs, one was constructed shortly after the granting of consent and following a separate approval in 2023, was upgraded in early 2024 to incorporate a static electronic display. The owner of the site has always intended to add the second sign board face (approved by an earlier 1997 development consent, on and as part of the approved structure for the two rooftop signs, and is seeking consent to convert the approved second (i.e. south-facing to a digital display instead of the illuminated static sign that was approved by the 1997 consent).

The digital sign proposed by this DA will be supported by a cantilevered structure that will utilise the structure supporting the existing digital display; except for modifications to the signage structure, this DA otherwise therefore does not propose any modifications to the building nor the existing digital advertising sign.

This SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Section 4.15 of the EP&A Act. The SEE is to therefore be read in conjunction with information annexed to this report as outlined in the table of contents.

Specifically, the SEE includes the following information:

- A description of the site in its local and regional context;
- Identification of the proposed works;
- An assessment of the project against relevant statutory planning considerations, including the EP&A Act, the *Environmental Planning and Assessment Regulation 2021* (the Regulations), Environmental Planning Instruments (EPIs) and Council's policies;
- An assessment of all environmental impacts associated with the project; and
- Identification of measures to mitigate and manage potential environmental impacts arising from the proposed development.

As demonstrated by this DA, the proposed development benefits from existing use rights, and the proposed conversion/upgrading of the second approved sign into to a digital display will not give rise to adverse visual nor safety impacts.



2 The site

2.1 Site location

The subject site comprises of a single allotment that is legally identified as Lot 50 in Deposited Plan 835269, and has an address of 2-4 Warren Avenue, Bankstown. The site is located within the Canterbury-Bankstown Local Government Area (LGA), and is approximately 16.5 kilometres southwest of the Sydney Central Business District (CBD) and 1.5 kilometres southeast of the Bankstown town centre. Refer to **Figure 1** for a map showing the location of the site in relation to the surrounding area.

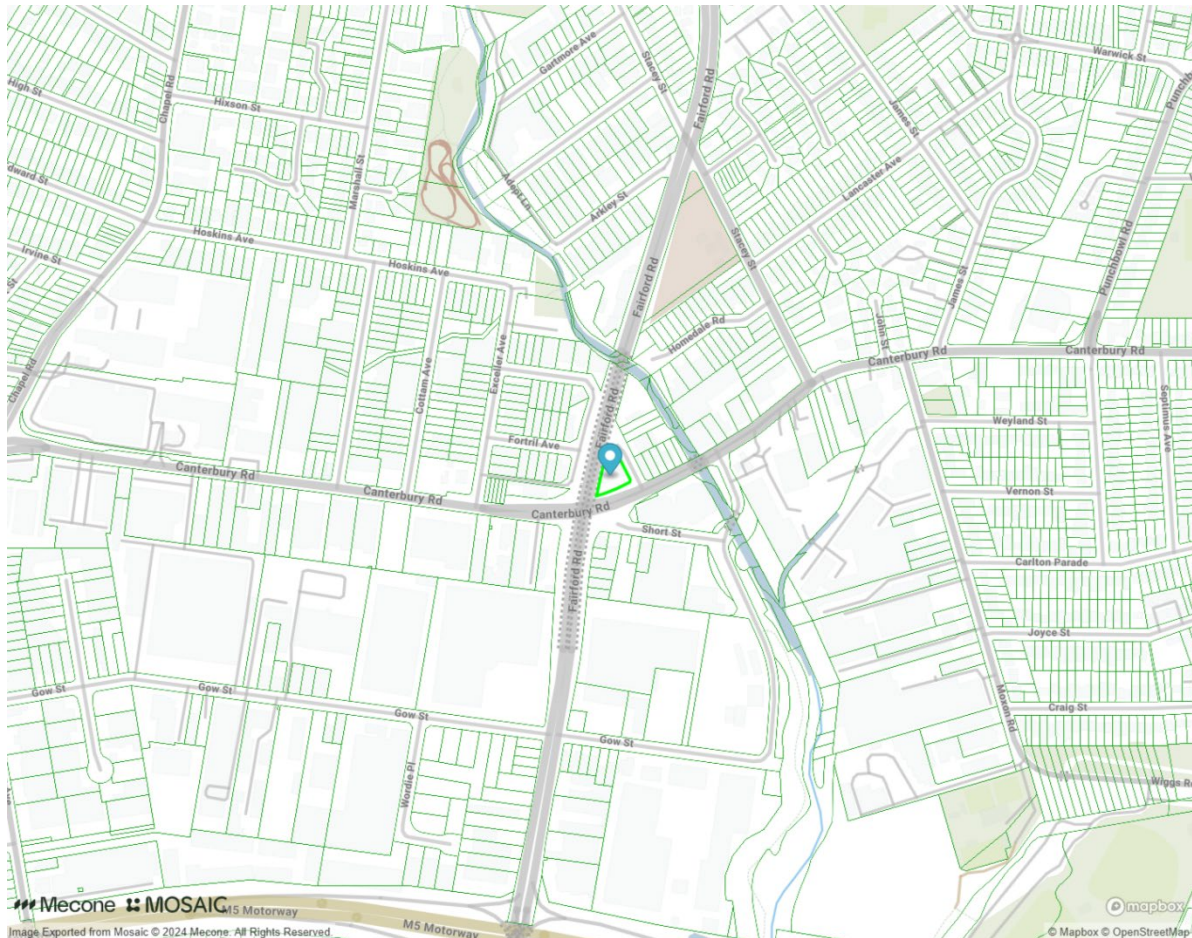


Figure 1: A map of the locality (the subject site is denoted by the light green border and blue pin).

Source: Mecone Mosaic, 2025



2.2 Site description

The site is roughly triangular in shape, with all boundaries adjoining road frontages as follows:

- The primary road frontage is oriented to the southeast and adjoins the Canterbury Road reserve,
- A secondary road frontage is oriented to the northeast and adjoins the Warren Avenue Road reserve,
 - Road access to the site is obtained via two driveway laybacks and crossovers from this frontage, and
- A third road frontage is oriented to the northwest and adjoins the Fairford Road reserve.
 - While the two other road frontages are located at ground level, the road corridor within this road reserve forms part of a flyover that is elevated both above the site and Canterbury Road.



Figure 2: An aerial photo of the subject site (denoted by the dark red border) and surrounding sites. The signage structure that is subject to this DA is visible toward the northern end of the site.

Source: Metromap, 13 March 2025

The site has an area of 1,897m² and is mostly level, with a small north-to-south slope across the site. Development on the site comprises of the following:

- A part two and three-storey industrial building (approved in 1995 by Development Consent no. DA-707/1995) that is located within the centre/northern parts of the site,
- An at-grade carpark at the southern end of the site (accessed via a driveway crossover from the Warren Avenue frontage) that services the site, and
- A static digital rooftop sign (originally approved in 1997 by Development Consent no. DA-441/1997, with the northern side of the sign recently upgraded to a digital display following the



approval of by Development Consent no. DA-658/2023). The structure that supports this sign is the subject of this DA and located on the northern end of the roof.

Remaining areas at the southern end of the site comprise of landscaped areas.



Figure 3: A streetscape photo of the subject site as viewed from the intersection of Canterbury Road and Warren Avenue to the southeast of the site.

Source: Google, December 2024

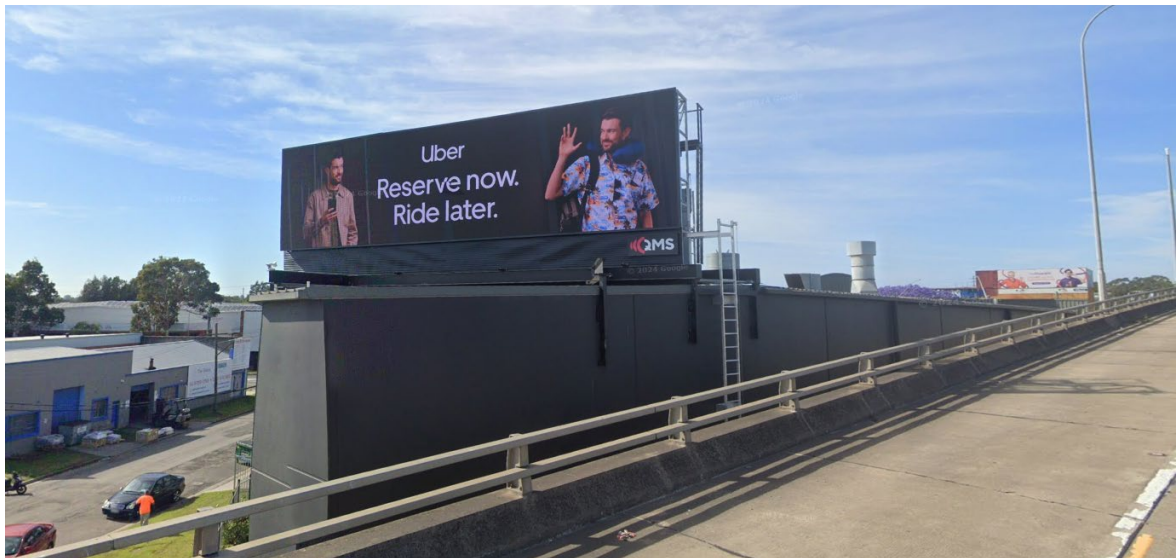


Figure 4: A streetscape photo of the subject site as viewed from southbound traffic lanes within Fairford Road to the northwest of the site. The upgraded digital advertising sign (approved in 2023) by is located to the centre-left of the image.

Source: Google, October 2024





Figure 5: A streetscape photo of the subject site as viewed from northbound traffic lanes within Fairford Road. The upgraded digital advertising sign is located to the left of the image.

Source: Google, December 2024

The subject site is zoned by the *Canterbury-Bankstown Local Environmental Plan 2023* (CBLEP 2023) as an E4 General Industrial zone. It is also identified by the LEP as being affected by class 4 acid sulphate soils, while Council also identifies the site as being flood prone. Further, while the site is not affected by biodiversity considerations, eastern parts of the site are located within coastal use and coastal environment areas due to the site's proximity to Salt Pan Creek. The site is not mapped as containing a heritage item, being in proximity to a heritage item nor being within a Heritage Conservation Area (HCA).

2.3 Surrounding sites and development

Surrounding development and land uses

Development within areas surrounding the sites is broadly outlined as follows:

- **Northeast:** A variety of industrial buildings and associated structures are located on the northeast (i.e. opposite) side of Warren Avenue; these are fronted by Warren Avenue to the southwest and Salt Pan Creek to the northeast. In addition to a hardware/timber supply premises, most of these sites contain businesses associated with stonemasonry and stone/tile supply.
- **South:** Sites on the southern (i.e. opposite site) of Canterbury Road contain mostly two and three-storey structures that include glass manufacturing and display businesses and a veterinary hospital.
- **West/north:** Areas to the west/northwest adjacent to the site are occupied by an elevated section of Fairford Road and associated infrastructure that passes over Salt Pan Creek and Canterbury Road. Areas further to the west and north contain predominantly industrial buildings and activities and reserve areas around Salt Pan Creek.



Surrounding advertising signage

Noting the context of this proposal, examples of advertising signs (including electronic advertising signs) that are located within the surrounding area are detailed below.

48 Stacey Street, Bankstown

This site is located approximately 440 metres north of the subject site, and contains a static electronic advertising sign (measuring approximately six x three metres) that is oriented to address southbound lanes within Fairford Road. The sign was originally approved on this site in 1996 by Development Consent no. DA-434/1996 (refer to **figure 6**).



Figure 6: A streetscape photo of 48 Stacey Street and the onsite digital advertising sign, as viewed from the intersection of Stacey Street and Fairford Road looking south.

Source: Google, October 2024

27 Homedale Road, Bankstown

This site is located approximately 165 metres north of the subject site, and contains a double-sided static illuminated advertising sign of similar dimensions to the subject sign. The sign was erected in 1997-1998 is located adjacent to the Fairford Road frontage, and is designed so that advertising displayed addresses both northbound and southbound traffic lanes within Fairford Road (see **figures 7 and 8**).





Figure 7: A streetscape photo of the advertising signage at 27 Homedale Road (left of image), as viewed from southbound lanes in Fairford Road looking south. Also note the existing signage at the subject site (right of image).
Source: Google, October 2024



Figure 8: A streetscape photo of the advertising signage at 27 Homedale Road, as viewed from northbound lanes in Fairford Road looking north.
Source: Google, December 2024

Other local examples

There are other examples of wall-mounted advertising signs elsewhere within the local area, examples of which include two illuminated advertising signs (featuring of similar dimensions to the subject sign),



which are located at the top of the northern and western elevations of a building at 2 Fairford Road, Padstow (located approximately 160 metres south of the subject site). The signs are oriented in such a way as to address both northbound and southbound northbound traffic within Fairford Road (see **figure 9**).



Figure 9: A streetscape photo of the advertising signage at 2 Fairford Road, as viewed from Fairford Road looking southeast.

Source: Google, October 2024

2.4 Site and consent history

Development Application no. 441/97 was approved on 12 June 1997 for the *erection of 1 wall sign for company identification and two (2) roof top signs for lease* (refer to Council Determination Notice 11611). Works on the approved signage physically commenced in late 1997, with Council endorsing the plans for rooftop signage structure on 29 October 1997. Such works related to the construction of the rooftop structure for the two signs, in addition to one of the two approved rooftop signs.

The signage structure has been used continuously since the undertaking of works at that time.

Noting that works were substantially commenced within six months of that determination and that the 'use' of the sign both commenced immediately after construction and never ceased, the requirements of condition 2 were satisfied. Regarding this point, it is important to note that:

- While only one of the two rooftop signs was erected, there was an intention by the owner of the site to eventually construct the second approved rooftop sign,
- Condition 2 did not require that all building works be completed to prevent the lapse of development consent no. 441/97.

On 25 August 2023, Development Application no. DA-658/2023 was approved for the *Upgrade and replacement of the existing north facing static, illuminated rooftop advertising sign with a digital advertising rooftop sign with an electronic display*. As per the description, that determination approved the replacement of the existing rooftop static advertising sign with a static digital rooftop advertising sign,



the dimensions of which were very similar to those of the signs approved in 1997. Works associated with the replacement digital display were subsequently completed in early 2024, and the sign has been operating since its completion.

While the 2023 approval utilised existing use rights to replace the already-constructed rooftop sign with a digital sign, it did not seek to utilise existing use rights to replace the second approved sign at that time. It should be noted when detailing the proposed upgrade works, the SEE submitted with Development Application no. DA-658/2023 provided that *“The owner reserves its rights in relation to the installation of the second approved static sign on the back of the same approved and built structure at some time in the future.”*



3 The proposal

3.1 Proposed development

Pursuant to Section 4.16 of the EP&A Act, consent is sought for installation of an upgraded digital advertising sign to replace an approved static sign.



Figure 10: An extract of the architectural plans, which shows the subject site (denoted by the dashed red border), the existing sign approved by Development Consent no. DA-658/2023 (denoted by the red line) and the proposed sign (denoted by the green line). **Note:** As the image has been turned, the north point is to the right of the image. Source: Outdoor Elements, 2024

The proposed upgraded digital sign will be supported by a cantilevered structure that will utilise the structure supporting the existing electronic sign approved by Development Consent no. DA-658/2023. As such, the proposed sign will not require any modifications to the existing building. Except for changes to structural elements, the proposal will also not modify the appearance of the approved sign.

The proposed upgraded digital sign is to be located and oriented to the southwest so that it addresses northbound traffic lanes within Fairford Road to the west of the site (see **figure 11**).

The face of the proposed upgraded digital sign will comprise of two main features, being:

- An electronic display created by modular LED panels, and
- Metal cladding beneath the electronic display.



The dimensions of the proposed upgraded digital sign (including a breakdown of individual components) are as follows:

- Screen:
 - Width: 12.48 metres
 - Height: 3.3 metres
 - **Note:** The above dimensions exclude a 50mm black perimeter frame on all sides
- Metal cladding:
 - Width: 12.58 metres
 - Height: 960mm

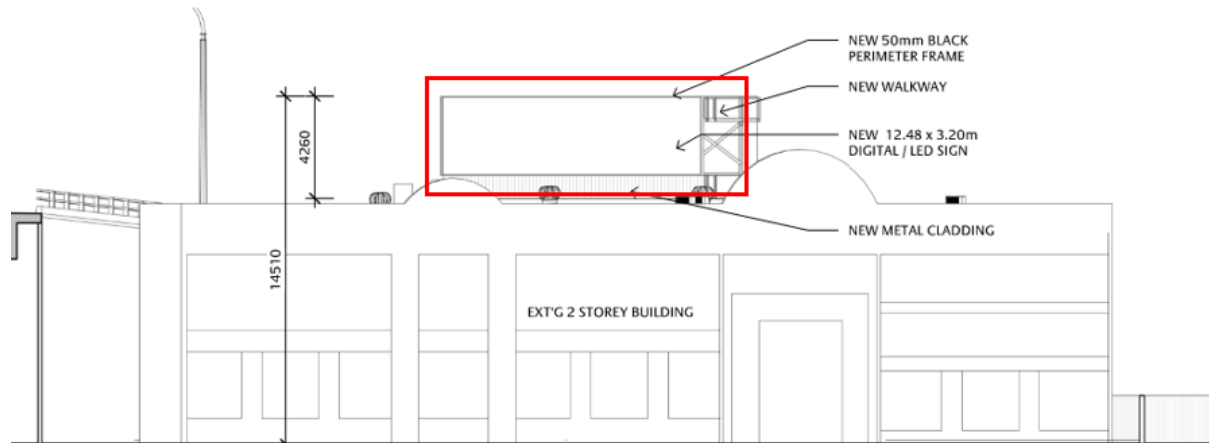


Figure 11 – An extract of the architectural plans, which shows the southern elevation of the existing building and the proposed development (denoted by the red border).

Source: Outdoor Elements, 2024 (modified by Mecone, 2024)

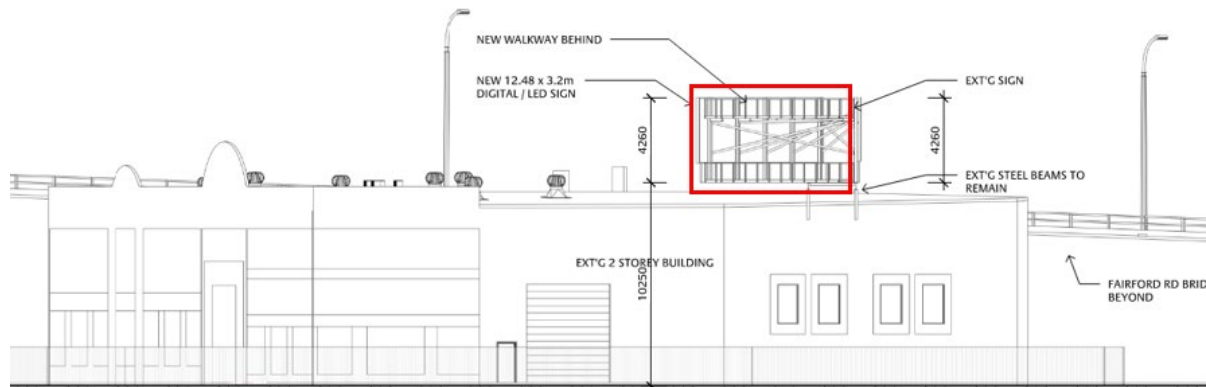


Figure 12 – An extract of the architectural plans, which shows the eastern elevation of the existing building and the proposed development (denoted by the red border).

Source: Outdoor Elements, 2024 (modified by Mecone, 2024)





Figure 13 – Comparative images showing existing site conditions (top) and a photomontage of the proposed development (bottom). Note: The perspective of the photomontage is taken from a lower point than the top image. Source: Google, December 2024 (top), QMS Media, November 2024 (bottom)

3.2 Proposed operation of sign

The proposed upgraded digital sign is to operate 24 hours a day, seven days a week. The information displayed by the sign is to comprise of 'dynamic content', which consists of static images that will cycle approximately every 10 seconds. Such content will not include any movement, flashing or animation, and changes between different content will also occur instantly, with no scrolling (or similar) between images. The brightness of the display will be automatically controlled according to ambient lighting conditions.



4 Planning and environmental assessment

This section of the SEE includes an assessment of the proposed development in terms of the matters for consideration as listed under Section 4.15(1) of the EP&A Act, which for reference is as follows:

- (1) *Matters for consideration—general. In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—*
- (a) *the provisions of—*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
 - (v) *(Repealed)**that apply to the land to which the development application relates,*
 - (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
 - (c) *the suitability of the site for the development,*
 - (d) *any submissions made in accordance with this Act or the regulations,*
 - (e) *the public interest.*

The key legislation, Environmental Planning Instruments (EPIs) and development control plans that are of relevance to the development are as considered within this Section of this SEE.

- *Environmental Planning and Assessment Act 1979 (EP&A Act)*
- *State Environmental Planning Policy (Industry and Employment) 2021 (IE SEPP)*
- *State Environmental Planning Policy (Resilience and Hazards) 2021 (RH SEPP)*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021 (TI SEPP)*
- *Canterbury-Bankstown Local Environmental Plan 2023 (CBLEP 2023)*
- *Canterbury-Bankstown Development Control Plan 2023 (CBDCP)*



4.1 Environmental Planning and Assessment Act 1979

4.1.1 Existing Use Rights

Division 4.11 within Part 4 of the EP&A Act makes provisions for an 'existing use', which is defined by Section 4.65 of the EP&A Act as follows:

- (a) *the use of a building, work or land for a lawful purpose immediately before the coming into force of an environmental planning instrument which would, but for this Division, have the effect of prohibiting that use, and*
- (b) *the use of a building, work or land—*
 - (i) *for which development consent was granted before the commencement of a provision of an environmental planning instrument having the effect of prohibiting the use, and*
 - (ii) *that has been carried out, within one year after the date on which that provision commenced, in accordance with the terms of the consent and to such an extent as to ensure (apart from that provision) that the development consent would not lapse.*

For a development or use to comprise an 'existing use', it is required to be the subject of a lawful approval immediately prior to the gazettal of a new EPI that, (except for existing use right provisions) had the purpose of prohibiting that use.

As also detailed within Section 2.4 of this SEE, the subject site benefits from a consent for the existing rooftop signs, being Development Application no. DA-441/1997¹, which approved the "*erection of 1 wall sign for company identification and 2 roof top signs for lease*" on 12 June 1997. A copy of the consent is attached to this SEE at **Appendix 5**.

Following that approval, construction of the approved rooftop signage commenced in late 1997, with Council endorsing construction plans for rooftop signage structure on 29 October 1997.

It is important to note at this point that condition 2 of Development Consent no. DA-441/1997 provided the following:

- 2. *This consent will lapse two years from the endorsed date of consent unless either the use has commenced, or any building works have physically commenced, or an extension of the consent has been granted by Council.*

There are no other conditions within Development Consent no. DA-441/1997 that required the completion of all approved works within a specified time period.

¹ Determination notice no. 11611, Council file no. P.48/993/2/50



Regarding the above, both:

- Physical commencement of the approved works, and
- Commencement of the 'use' of the approved rooftop signage,

occurred well within two years from the issue of Development Consent no. DA-441/1997, and the requirements of consent condition 2 were satisfied and as such Development Consent no. DA-441/1997 did not lapse. This subsequently provided the right for the owner to upgrade the second approved rooftop sign to a digital sign.

On 25 August 2023, Development Application no. DA-658/2023 was approved for the *Upgrade and replacement of the existing north facing static, illuminated rooftop advertising sign with a digital advertising rooftop sign with an electronic display*. Works approved by that consent related to the replacement of the north-facing rooftop sign with a static digital rooftop advertising sign, the dimensions of which were slightly smaller than previously constructed rooftop sign. Works associated with that approval were completed in early 2024.

While Development Application no. DA-658/2023 utilised existing use rights to obtain approval for the upgraded sign, it did not seek to:

- Utilise those existing use rights to construct the second approved sign at that time, which was reflected within the submitted SEE which provided that "*The owner reserves its rights in relation to the installation of the second approved static sign on the back of the same approved and built structure at some time in the future.*", and
- Extinguish the existing use rights afforded by the approval of Development Consent no. DA-441/1997, as DA-658/2023 only sought to modernise/upgrade the works that had been completed at that point; it did not seek to replace the development approved by DA-441/1997 by that proposed by DA-658/2023

Further, noting that Development Consent no. DA-441/1997 had not lapsed at that time, the conditions of consent that were issued as part of the approval of DA-658/2023 did not require the surrender of DA-441/1997.

Regarding the above and the timing of this DA, the approved 'use' of the rooftop sign first became prohibited under the *Bankstown Local Environmental Plan 2001*, which (except for business identification signs, direction signs and advertising at certain sportsgrounds) prohibited signage. The same provision² applied to the subsequent *Bankstown Local Environmental Plan 2015* and the current *Canterbury-Bankstown Local Environmental Plan 2023*.

As:

- The 1997 approval of the rooftop signs predated the prohibition which came into effect in 2001,
- The consent that approved the rooftop signage did not lapse, and
- The 'use' of the rooftop signage has been continuous since that time³,

existing use therefore rights apply to the rooftop signage on the subject site.

² Except for sportsground signage within the *Bankstown Local Environmental Plan 2015*.

³ The only period that rooftop signage was not being used was during brief period in late 2023/early 2024, when construction works to upgrade the north-facing sign were being undertaken.



With regard to Section 4.66(3) of the EP&A Act, the use approved by DA-441/1997 has not ceased and has therefore has not been abandoned.

Regarding the continuance and any limitations associated with an existing use, Section 4.66 of the EP&A Act provides the following:

- (1) *Except where expressly provided in this Act, nothing in this Act or an environmental planning instrument prevents the continuance of an existing use.*
- (2) *Nothing in subsection (1) authorises—*
 - (a) *any alteration or extension to or rebuilding of a building or work, or*
 - (b) *any increase in the area of the use made of a building, work or land from the area actually physically and lawfully used immediately before the coming into operation of the instrument therein mentioned, or*
 - (c) *without affecting paragraph (a) or (b), any enlargement or expansion or intensification of an existing use, or*
 - (d) *the continuance of the use therein mentioned in breach of any consent in force under this Act in relation to that use or any condition imposed or applicable to that consent or in breach of any condition referred to in section 4.17(1)(b), or*
 - (e) *the continuance of the use therein mentioned where that use is abandoned.*
- (3) *Without limiting the generality of subsection (2)(e), a use is to be presumed, unless the contrary is established, to be abandoned if it ceases to be actually so used for a continuous period of 12 months.*
- (4) *During the period commencing on 25 March 2020 and ending on 25 March 2022, the reference to 12 months in subsection (3) is taken to be a reference to 3 years.*

Regarding Sections 4.66(3) and (4), it has been established above that the ‘use’ of the rooftop signs has not ceased at any point (noting that signage was not displayed only for a short period while the existing sign was being upgraded), including during within the period specified by Section 4.66(4). As such, these sections will not be discussed further.

In accordance with the above and the planning principles established by *Stromness Pty Limited v Woollahra Municipal Council [2006] NSWLEC 587*, the application of controls and objectives within current EPIs and/or Development Control Plans (DCPs) that derogate or which have the effect of derogating from the existing use provisions of the EP&A Act do not directly or indirectly apply to the proposed development (noting that they were not intended to apply to the current development given that it is now prohibited within the zone).

To summarise, it is clear that the sign that is proposed to be upgraded benefits from existing use rights. Further, Council cannot implement planning requirements that have the ability to derogate from existing use provisions that apply to the sign. Noting that the form of the replacement sign will not significantly differ to that of the existing sign.

For completeness, this SEE contains an assessment against current planning provisions with regard to the current planning context of the proposal.



4.2 Environmental Planning Instruments

4.2.1 State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 (advertising and signage) within *State Environmental Planning Policy (Industry and Employment) 2021* (IE SEPP) replaced the provisions of *State Environmental Planning Policy No. 64—Advertising and Signage* (SEPP 64) and establishes the standards for advertising and signage within NSW.

The proposal has been assessed against the objectives of the SEPP with regard to advertising and signage. This assessment has established that the proposed digital sign is not inconsistent with these objectives and the proposal is compatible with the existing character of the area, which is characterised as a heavily trafficked road corridor with varied land uses and land zonings. The proposal does not detract from the amenity or visual quality of the catchment as it is replacing an approved sign of almost identical dimensions. Further, the scale, proportion and form of the sign is consistent with other nearby signs in the locality and LGA, as detailed within Section 2.4 of this SEE.

As discussed under Section 4.1 of this SEE, it has been demonstrated that the subject site and the proposal benefits from existing use rights. As such, and which has been outlined in *Stromness Pty Limited v Woollahra Municipal Council* [2006] NSWLEC 587, the application of controls and objectives within current EPIs and/or Development Control Plans (DCPs) that derogate or which have the effect of derogating from the existing use provisions of the EP&A Act do not directly or indirectly apply to the proposed development (noting that they were not intended to apply to the current development given that it is now prohibited within the E4 zone under subsequent Local Environmental Plans).

Notwithstanding the above and for the sake of completeness, an assessment of relevant sections within Chapter 3 of the SEPP are assessed within **Table 1** below.

Table 1 – Assessment of Chapter 3 of SEPP (Industry and Employment) 2021 – Chapter 3

PROVISION	ASSESSMENT
Part 3.2 Signage generally	
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 criteria specified in Schedule 5.	Complies Council as the consent authority can be satisfied that the proposed development: <ul style="list-style-type: none">• Is consistent with the objectives of Chapter 3 of the SEPP, and• Satisfies the assessment criteria within Schedule 5 of the SEPP (refer to table 2 below). Consent can therefore be granted to the proposal.
Part 3.3 Advertisements	



PROVISION	ASSESSMENT
Division 1 General	
3.7 Advertisements to which this Part applies	
(1) This Part applies to all signage to which this Chapter applies, other than the following— (a) business identification signs, (b) building identification signs, (c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it, (d) signage on vehicles.	Noted As the type of signage proposed is not one referenced by section 3.7(1) Part 3.3 of the IE SEPP applies to the proposal where relevant.
(2) Despite subsection (1)(d), section 3.26 applies to signage on a trailer (within the meaning of the <i>Road Transport Act 2013</i>).	Not applicable
3.8 Prohibited advertisements	
(1) Despite the provisions of any other environmental planning instrument, the display of an advertisement is prohibited on land that, under an environmental planning instrument, is within any of the following zones or descriptions— environmentally sensitive area heritage area (excluding railway stations) natural or other conservation area open space waterway residential (but not including a mixed residential and business zone, or similar zones) scenic protection area national park nature reserve	Complies The subject site is not located within any of the areas specified by section 3.8(1).
(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.	Not applicable
Division 3 Particular advertisements	



PROVISION	ASSESSMENT
3.15 Advertisements with display area greater than 20 square metres or higher than 8 metres above ground	
<ul style="list-style-type: none"> This section applies to an advertisement— <ul style="list-style-type: none"> (a) that has a display area greater than 20 square metres, or (b) that is higher than 8 metres above the ground. 	<p>Noted</p> <p>Division 3 applies, as the digital sign will have a display area of 39.936m²</p>
<p>(2) The consent authority must not grant consent to an application to display an advertisement to which this section applies unless—</p> <ul style="list-style-type: none"> (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. 	<p>Complies</p> <p>Refer to Table 2 below, which addresses the assessment criteria as detailed within Schedule 5 of the IE SEPP. Pursuant to section 3.15(2)(b), this application is one for which a referral to TfNSW is required to be made by Council.</p> <p>Also refer to the assessment of clause 3.16 below.</p>
3.16 Advertisements greater than 20 square metres and within 250 metres of, and visible from, a classified road	
<p>(1) 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.</p>	<p>Noted</p> <p>The sign is located and visible within 250 metres of a classified road (Fairford Road) and therefore section 3.15(1) applies to this application.</p>
<p>(2) The consent authority must not grant development consent to the display of an advertisement to which this section applies without the concurrence of TfNSW.</p>	<p>Noted</p> <p>This application is one for which a referral to TfNSW is required to be made by Council.</p>
<p>(3) In deciding whether or not concurrence should be granted, TfNSW must take into consideration—</p> <ul style="list-style-type: none"> (a) the impact of the display of the advertisement on traffic safety, and (b) the Guidelines. 	<p>Noted</p> <p>In demonstrating satisfaction of traffic safety matters, reference is made to Appendices 2 and 3 (the Lighting Impact and Traffic Safety Assessments respectively), which will need to be made available to TfNSW for review.</p>
<p>(4) If TfNSW has not informed the consent authority within 21 days after the copy of the application is given to it under section 3.15(2)(b) that it has granted, or has declined to grant, its</p>	<p>Noted</p>



PROVISION	ASSESSMENT
concurrence, TfNSW is taken to have granted its concurrence.	
(5) Nothing in this section affects section 3.14.	Noted While noted, section 3.15 does not apply to this DA.
(6) This section does not apply when the Minister for Planning is the consent authority.	Noted While noted, the Minister is not the consent authority for this DA.
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.	Noted Refer to section 3.18(2) below.
(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.	Complies The design of the sign (which is to incorporate a digital display section with a 960mm high decorative metal clad section beneath) will provide sufficient space to accommodate the logo of the sign's leaser.
(3) The area of any such name or logo must not be greater than 0.25 square metres.	Will comply This can also be the subject of a condition of consent if deemed necessary by the consent authority.
(4) The area of any such strip is to be included in calculating the size of the advertising display area.	Noted Applied to the proposal.
3.19 Roof or sky advertisements	
(1) The consent authority may grant consent to a roof or sky advertisement only if— (a) the consent authority is satisfied— (i) that the advertisement replaces one or more existing roof or sky advertisements and that the advertisement improves the visual amenity of the locality in which it is displayed, or	Complies As detailed by this SEE, the intention of the DA is to utilise existing use rights to replace a sign that has been approved. This DA seeks to upgrade the approved sign from a static illuminated sign to a static digital sign. The sign that is the subject of this DA will be a more modern and high-quality sign than the originally approved sign. In addition to modern and high-quality finishes, the design of the upgraded sign will utilise the existing sign



PROVISION	ASSESSMENT
<p>(ii) that the advertisement improves the finish and appearance of the building and the streetscape, and</p> <p>(b) the advertisement—</p> <p>(i) is no higher than the highest point of any part of the building that is above the building parapet (including that part of the building (if any) that houses any plant but excluding flag poles, aerals, masts and the like), and</p> <p>(ii) is no wider than any such part, and</p> <p>(c) 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 and the display of the advertisement is consistent with the development control plan.</p>	<p>support structure (albeit with modifications to the structure that will be situated between the existing and proposed digital displays). As such, the new sign not adversely affect streetscape appearance, as:</p> <ul style="list-style-type: none"> • By utilising the existing support structure, it will not give rise to increased visual clutter, and • Will provide a more simplified display than the already-approved scheme, through the removal of ancillary elements such as flood lights. <p>The new sign is to be the same size and height as north-facing sign (which was already smaller than the sign approved in 1997). It is therefore found that the proposal is consistent with the provisions of 3.19(1).</p> <p>The CBDCP 2023 does not provide an advertising design analysis for the local area.</p> <p>As such, application of clause 3.19(1)(c) is seen to have no force or effect while the incorporated provisions remain in force. Council can therefore consent to the proposed development despite the DCP lacking an advertising design analysis for this area.</p>
<p>(2) A consent granted under this section ceases to be in force—</p> <p>(a) on the expiration of 10 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act, or</p> <p>(b) if a lesser period is specified by the consent authority, on the expiration of the lesser period.</p>	<p>Noted</p>
<p>(3) The consent authority may specify a period of less than 10 years only if—</p> <p>(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</p> <p>(b) the area is undergoing change in accordance with an environmental planning instrument that aims to change the nature and character of development</p>	<p>Not applicable</p> <p>In accordance with <i>Stromness Pty Limited v Woollahra Municipal Council [2006] NSWLEC 587</i>, the application of controls and objectives within current EPIs and/or Development Control Plans (DCPs) that derogate or which have the effect of derogating from the existing use provisions of the EP&A Act do not directly or indirectly apply to the proposed development (noting that they were not intended to apply to the current development given that it is now prohibited within the zone). As such, the time limit as per subclause (3) does not apply in this case.</p>



PROVISION	ASSESSMENT
and, in the opinion of the consent authority, the proposed roof or sky advertisement would be inconsistent with that change.	

An assessment of Schedule 5 of the IE SEPP is contained within **Table 2** below.

TABLE 2 – Assessment of Schedule 5 (Assessment criteria) of SEPP (Industry and Employment) 2021

CRITERION	ASSESSMENT
(1) Character of the area <ul style="list-style-type: none"> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	Complies <p>The proposal is compatible with the existing character of the area, noting that:</p> <ul style="list-style-type: none"> The proposal is to upgrade an approved sign from external illumination to internal digital illumination. The size of the new sign will be consistent with the north-facing sign (which itself is smaller than the sign that it recently replaced). Some minor structural changes are required to comply with engineering and safety standards, however as such changes will be located between the faces of the existing and proposed sign, such changes will be imperceptible from surrounding areas, and As detailed within Section 2.4 of this SEE, there are numerous examples of similar such advertising structures within the surrounding area. <p>Further, the new digital sign will contribute to the public domain by providing an effective means of communication for public benefit where 5% of the advertising time will be available to Council for community messages.</p>
(2) Special areas <ul style="list-style-type: none"> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	Complies <p>There are no special environmental, heritage, open space or residential areas in close proximity to the site. The proposal will not therefore detract from any special areas.</p>
(3) Views and vistas <ul style="list-style-type: none"> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers? 	Complies <p>As the proposed digital sign will be installed to the rear (and utilise the support structure) of the north facing sign, it will not obscure any important views.</p> <p>The proposal is to upgrade the approved southern-facing sign to a digital display and will not increase the size and height of the sign</p>



CRITERION	ASSESSMENT
	<p>and/or the overall existing signage structure. On this basis the proposal will not compromise important views or vistas or have an effect on the skyline.</p> <p>Other advertisers viewing rights are respected with the proposed signage maintaining views to other existing advertising.</p>
<p>(4) Streetscape, setting or landscaping</p> <ul style="list-style-type: none"> • 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? • Does the proposal require ongoing vegetation management? 	<p>Complies</p> <p>The scale of the proposed replacement sign is consistent with, and will not substantially alter, the streetscape and local setting.</p> <p>As the proposed advertising sign will replace a previously approved sign, the proposed scale, proportion and form of the advertising panel is considered consistent with and appropriate to the streetscape.</p> <p>The proposed electronic advertising will result in cleaner, crisper images and overall, a more contemporary delivery of advertising than that which was originally approved in 1997.</p> <p>The proposal will not require ongoing vegetation management.</p>
<p>(5) Site and building</p> <ul style="list-style-type: none"> • Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>Complies</p> <p>The size, design and materials of proposed sign will be an enhancement to the existing sign. While the sign will not alter the building itself (noting that any changes relate to the sign support structure), it will improve the appearance of the building/sign structure overall as a result of the display panel screening the framing and support features on the rear (i.e. southern side) of the sign. The proposal is therefore considered to be compatible within the public domain and the broader locality.</p> <p>The proposal demonstrates innovation by enabling the replacement of the sign without substantial modification to the site nor impacting the surrounding area.</p>
<p>(6) Associated devices and logos</p> <ul style="list-style-type: none"> • Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	<p>Complies</p> <p>Support and safety structures (such as the walkway to the rear of the proposed sign) are to be integrated into the revised support elements of the signage structure.</p> <p>Control of illumination have been considered as part of the design and will comply with the appropriate lighting standard (refer to</p>



CRITERION	ASSESSMENT
	<p>Appendix 2). A logo will be included within the cladding beneath the display panel in accordance with section 3.18 of the IE SEPP.</p>
<p>(7) Illumination</p> <ul style="list-style-type: none"> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? 	<p>Complies</p> <p>The internally illuminated digital sign will upgrade an approved design that include external illumination.</p> <p>As specified in this SEE, in accordance with Australian Standard <i>‘Control of the Obtrusive Effects of Outdoor Lighting’</i> the screen brightness will be remotely regulated and monitored in response to ambient lighting levels and time of day. Lower brightness settings will be used during lower ambient light periods, and this will manage glare and prevent harm to local amenity. In this regard, further reference is made to Appendix 2.</p> <p>The illumination effects of the replacement sign will not generate an unacceptable level of glare to motorists and give rise to adverse road safety impacts (refer to Appendices 2 and 3).</p>
<p>(8) Safety</p> <ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>Complies</p> <p>The upgraded digital sign will have the same character, appearance, purpose and function as the approved sign, save for the ability to remotely change advertising material. Advertising signage has been judged to not have any impacts on road safety or reduce safety of pedestrians or cyclists.</p> <p>Several studies have been undertaken by the Outdoor Media Association (OMA) into the impacts of advertising, including digital advertising on driver behaviour and safety. No evidence has been identified of a clear link between the provision of digital advertisements and adverse impact on driver and road safety.</p> <p>There will be no change to sightlines for motorists as a result of the upgraded sign.</p> <p>The operation of the sign will be undertaken in accordance with relevant guidelines (refer to Table 3 within the SEE) to prevent being a road safety hazard.</p>



4.2.1.1 Transport Corridor Outdoor Advertising and Signage Guidelines

The *Transport Corridor Outdoor Advertising and Signage Guidelines* details best practice for the planning and design of outdoor advertisements in transport corridors. While no part of the proposed sign is situated within a transport corridor, its size and proximity to nearby classified roads (i.e. Canterbury and Fairford Roads) necessitates a referral to Transport for New South Wales (TfNSW) for concurrence; provisions within Sections 3 and 4 of the guidelines therefore apply.

Table 3 below provides an assessment of the proposed signage upgrade against relevant road safety considerations and the public benefit test within the Guidelines.

TABLE 3 – Assessment of relevant criteria within the *Transport Corridor Outdoor Advertising and Signage Guidelines*

CRITERION	COMMENT
3. Advertisements and road safety	
3.2 Sign location criteria	
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.	Complies The sign will be fully located outside of the adjoining classified road reserves.
Additional road clearance criteria for digital signs: Digital signs greater or equal to 20sqm must ensure the following clearances: a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone b. 5.5m from lowest point of the sign above the road surface if located within the clear zone or the deflection zone of a safety barrier, if installed.	Not applicable Not applicable; the sign is a rooftop structure that is located outside of adjoining road reserves.
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.	Complies As demonstrated by figures 4, 5, 7, 10, 11, 12 and 13 , the proposed sign and existing signage structure are located on top of a building roof outside of the road reserve for Fairford Road. As such, the sign does not block the sightlines of road users, noting that the sign will be located in a position that is both offset and above a section of road that is: <ul style="list-style-type: none"> • Straight, and • Which does not contain any road signs. Reference is made to the Traffic Safety Assessment attached as Appendix 3 to this SEE.



CRITERION	COMMENT
<p>d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time. For example:</p> <ul style="list-style-type: none"> 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. 	
3.2.3 Proximity to decision making points and conflict points	
<p>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:</p> <p>a. The sign should not be located:</p> <ul style="list-style-type: none"> 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. 	<p>Complies</p> <p>Refer to Section 4.3 of the Traffic Safety Assessment attached as Appendix 3 to this SEE.</p> <p>To summarise however that report provides that the proposed digital sign would be located 370 metres downstream from the diverge point of the off ramp from Fairford Road to Canterbury Road.</p> <p>Further, the sign would be located 500 metres upstream of the signalised intersection with Fairford Road and Stacey Street. Therefore, the SSD of the nearest decision-making point or conflict point would be well beyond the distance to the sign and the proposed location would thereby be compliant with the criteria.</p>
<p>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:</p> <ul style="list-style-type: none"> 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) 	<p>Complies</p> <p>As described in the Traffic Safety Assessment, in the Appendices there is minimal impact to road users as a result of the proposed sign as the only view that is unobstructed is the southbound view along Fairford Road in an area with low demand on driver attention.</p>



CRITERION	COMMENT
iv. to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher.	
3.2.4 Sign spacing	
<p>The proposed site should be assessed to identify any road safety risk in relation to visual clutter and the proximity to other signs.</p> <p>Additional criteria for digital signs:</p> <p>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.</p>	<p>Complies</p> <p>The proposal does not change the sign's proximity to other signs that address northbound traffic lanes within Fairford Road (the existing north-facing sign is oriented so that it is not visible to northbound traffic on Fairford Road).</p> <p>The nearest sign is located at 2-118 Fairford Road which is over 150 to the south.</p>
3.3 Sign design and operation criteria	
3.3.1 Advertising signage and traffic control devices	
<p>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:</p> <p>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.</p>	<p>Will Comply</p> <p>Refer to the Traffic Safety Assessment attached as Appendix 3 to this SEE</p> <p>To briefly summarise however, the advertising display will not contain messages 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.</p>
<p>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:</p> <p>i. Could the advertisement be construed as giving instructions to traffic such as 'Stop', 'Halt' or 'Give Way'?</p> <p>ii. Does the advertisement imitate a prescribed traffic control device?</p> <p>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?</p>	<p>Will Comply</p> <p>The proposed sign will operate in accordance with the <i>Transport Corridor Outdoor Advertising and Signage Guidelines</i> (November 2017) such that the proposed sign will result in very low risk to drivers.</p>



CRITERION	COMMENT
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.	Will comply
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).	Will comply
3.3.2 Dwell time and transition time	
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.	Will comply All content will be static (i.e. there will be no movement, animation or flashing content) for the dwell time prescribed 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 iii. 80km/h and over.	Will comply Dwell time for each image will be at least 10 seconds (noting that the section of Fairford Road that is to be addressed by the sign has a speed limit of 70kmh/h.
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.	Will Comply The site and affected section of Fairford Road are not in proximity to a school zone.
d. Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts.	Will comply This operational requirement will be complied with.
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.	Will comply This operational requirement will be complied with.
Dwell time criteria for moving signs: a. The image must be completely static from its first appearance to the commencement of a change to another display	Not applicable The sign (nor the content to be displayed) will not feature any moving elements.



CRITERION	COMMENT
b. Dwell times for image display are to be a minimum of 10 seconds which includes 3 seconds to scroll.	<p>Not applicable</p> <p>As above (noting that the sign will not provide for any 'scrolling' between images).</p>
3.3.3 Illumination and reflectance	
<p>Illumination criteria for digital signs:</p> <p>a. Luminance levels must comply with the requirements in Table 6 below</p>	<p>Complies</p> <p>Refer to the Lighting Impact Assessment that is appended as Appendix 2 to this SEE.</p>
b. 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.	<p>Will comply</p> <p>While reference is made to the submitted Lighting Impact Assessment, to briefly summarise luminance will be strictly controlled through operational procedures to ensure that lighting levels meet the Guidelines.</p>
3.3.4 Interaction and sequencing	
a. The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users.	<p>Will comply</p> <p>The sign will not interact with passing vehicles.</p>
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.	<p>Will comply</p> <p>This operational requirement will be complied with.</p>
4. Public benefit test for advertisement proposals	
<p>Part 4 of the Guidelines outlines how proposals for certain outdoor advertisements along railway corridors, classified roads and on bridges must meet a public benefit test to ensure that the advertising will result in a positive gain or benefit for the community. Part 4.1 outlines the following criteria for which a public benefit must be applied:</p> <ul style="list-style-type: none"> a. The display of the advertisement is by or on behalf of RMS or TfNSW, Sydney Trains and NSW Trains; b. The advertisement is to be displayed along a tollway; c. The advertisement is to be displayed on a bridge; or d. The advertisement requires TfNSW concurrence under to IE SEPP. <p>As indicated above, while the proposal is not being lodged on the behalf of a public authority, is not being displayed along a tollway and will not be displayed on a bridge, it does however require a referral to, and concurrence from, TfNSW due to the size of the sign and its proximity to classified roads. As such, Part 4 of the Guidelines apply to this proposal.</p>	



CRITERION	COMMENT
Public benefits arise through scope for up to five percent (5%) of the screen time of the sign to be used for material and content provided by Council. This can be used to advertise public information, community messages and promote events. In the event of an emergency, information can be displayed for emergency purposes.	
This Public Benefit is consistent with the principles outlined in section 4.2 of the Guidelines.	

4.2.2 State Environmental Planning Policy (Resilience and Hazards) 2021

4.2.2.1 Chapter 2 – Coastal management

Chapter 2 of SEPP (Resilience and Hazards) 2021 requires that the consent authority consider whether the development has the potential to adversely affect areas within coastal use and coastal environment areas. While the site is not located within a coastal area, its proximity to Salt Pan Creek (located approximately 90-115 metres north/northeast of the site) is such that sections of the sites eastern and north-eastern periphery are mapped as being within the coastal environment and coastal use areas. As a result, Divisions 3 (Coastal environment area) and 4 (Coastal use area) within, Chapter 2, Part 2.2 apply to the proposal. An assessment of Divisions 3 and 4 is therefore contained within **Table 4** below.

Table 4 – Assessment of Chapter 2, Part 2.2, Divisions 2 and 3 of the SEPP (Resilience and Hazards) 2021)

PROVISION	ASSESSMENT
Division 3 Coastal environment area	
2.10 Development on land within the coastal environment area	
(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following— (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment, (b) coastal environmental values and natural coastal processes, (c) the water quality of the marine estate (within the meaning of the <i>Marine Estate Management Act 2014</i>), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1, (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms, (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	Complies The proposed development is to be situated on the roof of the existing building. There will subsequently be no impact on coastal environments, existing public access and Indigenous heritage. Measures (i.e. sediment and erosion control) to protect local water quality during construction can be addressed by conditions where required in the event of approval.



PROVISION	ASSESSMENT
(f) Aboriginal cultural heritage, practices and places, (g) the use of the surf zone.	
(2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that— (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.	Complies As indicated above, the development will be designed, sited and managed in a manner that will avoid adverse impacts on the coastal use area.
(3) This section does not apply to land within the Foreshores and Waterways Area within the meaning of <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> , Chapter 6.	Not applicable The site is not affected by foreshore areas.
Division 4 Coastal use area	
2.11 Development on land within the coastal use area	
(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority— (a) has considered whether the proposed development is likely to cause an adverse impact on the following— (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability, (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores, (iii) the visual amenity and scenic qualities of the coast, including coastal headlands, (iv) Aboriginal cultural heritage, practices and places, (v) cultural and built environment heritage, and (b) is satisfied that— (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or	Complies The proposed development will have no impact on access to the coastal use area, solar access, wind funnelling, views and heritage (including built, cultural and Indigenous heritage). While the area is within the coastal use area, development within the surrounding locality is primarily industrial in nature, therefore is not found to have high levels of visual amenity, however as the sign is to replace an existing sign within the same location, the proposal will have no adverse impact on the existing amenity of the local coastal use area. As such, the development will be designed, sited and will be managed in a manner that will avoid adverse impacts on the coastal use area.



PROVISION	ASSESSMENT
<p>(iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and</p> <p>(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</p>	
<p>(2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—</p> <p>(a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>Complies</p> <p>As detailed above, the development is designed and sited in such a way that it will avoid impacts access to, and immediate impacts upon coastal use areas.</p>
<p>(3) This section does not apply to land within the Foreshores and Waterways Area within the meaning of State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6.</p>	<p>Not applicable</p> <p>The site is not affected by foreshore areas.</p>

4.2.2.2 Chapter 4 – Remediation of land

Chapter 4 of SEPP (Resilience and Hazards) 2021 requires that the consent authority consider whether the development site is contaminated and, if it is contaminated, be satisfied that the land is suitable or can be made suitable for the proposed use.

A desktop review of the subject site has concluded that the land has a low potential for contamination. Development of the site occurred relatively recently (i.e. 1997/1998), prior to which time the site was vacant except for a period during the mid-1980s when it was used as a staging area as part of the construction of the adjacent Fairford Road overpass. In considering site suitability when assessing DA-658/2023, Council also would have been satisfied at that time that the site was suitable for rooftop advertising signage from a contamination standpoint.

Further, the proposed works are to occur on the top of the existing building, therefore they will not cause any ground penetration/disturbance; the proposal will not uncover nor cause contamination of the site. The consent authority can therefore be satisfied that the site is suitable for the proposed development.



4.2.3 Canterbury Bankstown Local Environmental Plan 2023

Canterbury Bankstown Local Environmental Plan 2023 (CBLEP 2023) came into effect on 23 June 2023 and applies to the subject site. The CBLEP 2023 provides the aims, objectives, and standards for specific development types within the amalgamated Canterbury and Bankstown LGAs.

4.2.3.1 Permissibility and zone objectives

The subject site is zoned by the CLEP 2023 as an E4 General Industrial zone (refer to **figure 14**).



FIGURE 14 – An extract of the CBLEP 2023 land zoning map. The subject site is denoted by the light green border and blue pin.

Source: Mecone Mosaic, 2025

The proposed development is most appropriately defined by the CBLEP 2023 as ‘signage’, which for reference is as follows:

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

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



(c) a business identification sign,
but does not include a traffic sign or traffic control facilities.

The type of signage proposed is more specifically defined as an ‘advertising structure’; for such development, the CBLEP 2023 refers to the definition within the EP&A Act, which for reference is as follows:

advertising structure means a structure used or to be used principally for the display of an advertisement⁴.

Under the CBLEP 2023, ‘signage’ that does not comprise of business or building identification sign is prohibited within the E4 zone under BLEP 2015.

Despite the above, the site benefits from existing use rights, and reference is made to the assessment of Section 4.1 of this SEE for further assessment.

4.2.3.2 Zone objectives

The objectives of the E4 zone within the CBLEP 2023, and a response to each are contained within **Table 5** below.

TABLE 5: Assessment of E4 zone objectives

ZONE OBJECTIVE	ASSESSMENT
<i>To provide a range of industrial, warehouse, logistics and related land uses</i>	The proposal will not affect the ability of the subject site and surrounding sites to provide for a variety of warehouse and industrial land use activities.
<i>To ensure the efficient and viable use of land for industrial uses</i>	The proposal is an efficient use of the land, as it will utilise an existing and approved structure to facilitate the signage upgrade. Further, as the signage upgrade will utilise the existing rooftop structure and does not otherwise affect the building or its internal layout, the proposal will also have no impact on the efficiency and viability of existing and/or potential future uses of the site.
<i>To minimise any adverse effect of industry on other land uses.</i>	The proposal will have no impact upon existing or likely future land uses both on: <ul style="list-style-type: none"> • The subject site, and • Surrounding sites and the broader E4 zone.
<i>To encourage employment opportunities.</i>	The nature of the existing/approved use is not one that will generate employment opportunities (except during construction), however it will not affect the ability of surrounding sites to provide for future employment

⁴ The EP&A Act separately defines the term ‘advertisement’ as “...a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.



	opportunities. The proposal will therefore not offend this objective.
<i>To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.</i>	The existing/approved use (i.e. rooftop signs as approved and advertising signage as currently defined by the CBLEP 2023) is not industrial in nature, it will not affect the ability of the site or surrounding sites to accommodate non-industrial land uses that provide facilities and services for businesses and workers. The proposal will therefore not offend this objective.
<i>To support and protect industrial land for industrial uses.</i>	The proposal will utilise an existing and approved structure to facilitate the signage upgrade. The proposed signage upgrade will therefore support and protect the existing building on the site for current and future industrial uses. Further, the proposed signage upgrade will not affect surrounding sites, and as such will support and protect those surrounding sites for industrial uses.
<i>To promote a high standard of urban design and local amenity.</i>	The proposed signage upgrade will maintain local urban design outcomes (where applicable), in that the south-facing sign will screen the existing/approved supporting structure for the signs, thereby improving the appearance of the public domain within the few areas where the signage structure is currently visible. Further, and as assessed below, the proposal will have no impact on local amenity.

To summarise, the proposal is consistent with the objectives of the E4 zone.

4.2.3.3 Assessment of LEP provisions

An assessment of the proposal against relevant provisions within the CBLEP 2023 is contained within **Table 6** below.

TABLE 6 –Assessment of relevant provisions within Canterbury Bankstown Local Environmental Plan 2023

CLAUSE	PROVISION	ASSESSMENT	COMPLIES
2.7 Demolition requires development consent	The demolition of a building or work may be carried out only with development consent.	Demolition works are not proposed.	N/A
4.3 Height of buildings	(2) The height of a building on any land is not to exceed the maximum height	A mapped building height development standard does not apply to the site.	N/A



CLAUSE	PROVISION	ASSESSMENT	COMPLIES
	shown for the land on the Height of Buildings Map.		
4.4 Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	FSR requirement: 1:1 Works associated with the proposal will not result in additional GFA; the existing FSR of the site will therefore remain unchanged.	N/A
4.6 Exceptions to development standards	(2) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating— (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard.	A variation to applicable development standards is not proposed.	N/A
5.21 Flood Planning	(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development— (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and	The proposed development will upgrade the existing signage structure on the roof, and will not otherwise alter the form of the existing building. The proposal will subsequently have no impact on flood behaviour, the natural environment or site processes associated with onsite occupation and/or evacuation during a flood event.	Yes



CLAUSE	PROVISION	ASSESSMENT	COMPLIES
	(d) incorporates appropriate measures to manage risk to life in the event of a flood, and (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.		
6.1 Acid sulfate soils	(2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.	The site is affected by class 4 acid sulphate soils. Give that the proposed works relate to the roof of the building, no excavation is required, and the development will therefore not encounter acid sulphate soils.	N/A
6.9 Essential services	Development consent must not be granted to development unless the consent authority is satisfied that the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required— (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) waste management, (f) suitable vehicular access.	The proposed development will not affect the provision of required essential services to the site.	Yes

4.3 Draft Environmental Planning Instruments

4.3.1 Canterbury Bankstown Local Environmental Plan 2023

There are no current planning proposals that are relevant to this proposal, noting that the CBLEP 2023 was amended on 26 April 2025 to include zoning amendments, as made by the *Standard Instrument (Local Environmental Plans) Amendment (Land Use Zones) Order 2021*.



4.4 Canterbury-Bankstown Development Control Plan 2023

Section 4.15(1)(a)(ii) of the EP&A Act provides that the consent authority must consider provisions withing any relevant Development Control Plan (DCP).

The Canterbury-Bankstown Development Control Plan 2023 (CBDCP 2023) is the Development Control Plan that applies to the site.

As the proposed development is prohibited by the CBLEP 2023 (noting that the site benefits from existing use rights), the DCP does not anticipate new advertising signage proposals. Further, the replacement sign is to be located on the roof of building, therefore significant changes to the building are not required. The site is also not located within any strategic centres or corridors nor on any key sites as identified by the CBLEP 2023.

There are subsequently few development controls that are directly applicable to the proposal; it should be noted however as that the site benefits from existing use rights, current planning provisions that derogate or have the effect of derogating from incorporated provisions have no force or effect while the incorporated provisions remain in force.

The sections of the DCP that have therefore been considered in the preparation of this SEE are as follows:

- Chapter 3: General Requirements
 - Chapter 3.3 Waste Management
 - Chapter 3.6: Signs

A detailed assessment of relevant DCP provisions are contained within **Table 7** below

TABLE 7 –Assessment of relevant sections within Canterbury-Bankstown Development Control Plan 2023

Chapter 3.3 Waste Management

Demolition works are not proposed. Further, as the proposed development will be subject to specific technical and material requirements, most of the componentry required to facilitate the proposal will be designed and prepared prior to transportation to site. As such, any waste generated during works will be very limited. Any waste required to be removed from the site will be disposed of at a suitable waste disposal and/or recycling centre. Documentation requirements relating to any disposal can be addressed by conditions of consent in the event of approval.

In this regard, further reference is made to the Construction Waste Management Plan attached as **Appendix 4** to this SEE.

As the proposed sign will comprise of LED screens, no waste will be generated as a result of its ingoing operation. This compares favourably to the earlier approval, which would rely on vinyl-based signs are replaced at weekly or monthly intervals.

The above will therefore satisfy the provisions of Chapter 3.3 of the DCP where applicable.



Chapter 3.6 Signs

Noting that rooftop advertising structures are prohibited in the E4 zone by the CBLEP 2023, this section of the DCP does not contain controls that to signage like that being proposed.

Despite the above, Section 3 within the DCP provides the following for digital signs:

3.2 The following criteria apply to digital illuminated signs illuminated by fluorescent and/or incandescent bulbs whether internally illuminated or lit from the exterior:

- (a) Signs must comply with the luminance requirements in Table 3b.
- (b) 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.

Table 3b: Maximum allowable daytime luminance of illuminated digital signs

Lighting condition	Zone 1 (cd/sqm)	Zones 2 and 3 (cd/sqm)	Zone 4 (cd/sqm)
Full sun on face of signage	No limit	No limit	No limit
Daytime luminance		6000	6000
Morning and evening twilight and inclement weather	700	700	500
Nighttime	350	350	200

Source: Transport Corridor Outdoor Advertising and Signage Guidelines, DPHI

5

As demonstrated within the Lighting Impact Assessment (see **Appendix 2**), the luminance thresholds of the proposed sign are in accordance with the *Transport Corridor Outdoor Advertising and Design Guidelines* and the CBDP 2023.

In summary, where they apply, this proposal is consistent with relevant requirements within Chapter 3.6 of the DCP.

4.5 Planning agreements

Section 4.15(1)(a)(iii) of the EP&A Act provides that the consent authority must take into consideration any provisions relating to any planning agreements relating to the site and/or proposal.

There are no planning agreements in place that apply to this site.

⁵ Zone 1 covers areas with generally very high off-street ambient lighting.

Zone 2 covers areas with generally high off-street ambient lighting e.g. some major shopping/commercial centres with a significant number of off-street illuminated devices and lights. This includes land zoned B4 Mixed Use.

Zone 3 covers areas with generally medium off-street ambient lighting e.g. small to medium shopping/commercial centres. This includes land in business, industrial and special use zones.

Zone 4 covers areas with generally low levels of off-street ambient lighting. This includes land in rural, residential, recreation and waterway zones.



4.6 The Regulations

There are no prescribed matters in the *Environmental Planning and Assessment Regulation 2021* (the Regulations) that will apply to this application, beyond those relating to:

- The making, assessment and determination of Development Applications, and
- Existing Use Rights.

4.7 Relevant planning considerations

4.7.1 Context and setting

Advertising signage is a common feature in the catchment and wider locality, including many areas across Sydney and within major transport corridors such as the subject site. Many of the existing structures in the area were established through development consents (refer to Section 2.4 of this SEE for examples). As indicated elsewhere, this site is the subject of an active consent for two rooftop signs, and this proposal seeks to convert the second approved sign to a new digital advertising sign.

While it will be oriented in a different direction, the proposed upgraded digital signage will be positioned within the same part of the site and will be located directly behind the existing north-facing digital sign. Supporting structures will be located between the proposed and existing signs, and as such the visibility of this feature will be substantially reduced by the proposal.

Further, the unique placement of the subject site and the signage structure are such that the proposed upgrading of the already approved second static sign to a digital sign will only be visible from a small visual catchment, which will comprise of:

- The northbound lanes of Fairford Road, which will provide the most significant views of the sign (refer to **Figures 5 and 13**),
- Parts of Warren Avenue, and
- A very small part of Canterbury Road at its intersection with Warren Avenue (refer to **Figure 3**).
 - Note: Only the eastern end of the sign will be visible to pedestrians walking west along Canterbury Road at this location.

Such a small visual catchment is achieved by:

- The placement of the sign that:
 - Is above the building's northern end,
 - Is immediately to the south of the north-facing sign, and
- The site's unique location (which is adjoined to the west by the elevated Fairford Road overpass over Canterbury Road).

As such, the proposed upgrading of the sign will not detract from the site's immediate context, nor will it detract from the wider context and setting of an established industrial zone.



4.7.2 Visual appearance and impact

The proposal will, prior to its upgrading, enable the approved south-facing sign to be installed as an internally lit digital electronic display. As with the north-facing sign, there will be no moving or animated elements to the proposed sign.

In keeping with Transport Corridor Advertising and Signage Guidelines, the proposed upgrading of the sign (defined in the Guidelines as 'Static Electronic Displays') is specified and will be operated in order that the display does not use or contain:

- Flickering or flashing lights;
- Animated displays, video or simulated movements;
- Implied motion such as vertical or horizontal scrolling, fade, dissolve or animation within the message itself;
- Displays of a complexity that holds drivers' attentions beyond "glance appreciation";
- Sequencing designed to make a driver anticipate the next message across images presented on a single sign and across a series of signs;
- Any designs that resemble traffic signs or signals by the use of colour, shape or words that can be interpreted as giving instruction to traffic; and,
- Any image or illumination that distracts or dazzles.

Further:

- Each advertising image will have a minimum dwell time of 10 seconds per advertisement;
- The transition time between messages will be no longer than 0.1 seconds, with a default black image in the event of image or screen failure;
- The display, via an ambient light sensor, will adjust the screen brightness relative to daylight and twilight hour conditions;
- Luminosity and dwell times will be controlled or amended electronically;
- The visible light reflectivity from materials used on the structure will not exceed 20% and will be otherwise designed so as not to result in glare that causes discomfort or threatens safety of pedestrians or drivers.

As demonstrated by **figure 13**, the proposed upgrading of the south-facing sign will also improve the appearance of the sign structure for northbound traffic on Fairford Road, as both the LED display panels and metal cladding will obstruct the view of the framing and support structures currently supporting the rooftop sign, and will subsequently compliment and improve the appearance of the signage structure.

4.7.3 Road safety

Submitted as part of this DA is a Digital Signage Safety Assessment, prepared by TTPP Transport Planning (**Appendix 3**), which considers vehicular and pedestrian safety considerations and potential risks associated with the proposed sign signage. That report has found that the proposed upgrading of the sign will not:

- Be located within the safe stopping distance of any decision making



or conflict points,

- Obstruct or reduce visibility of any traffic control devices, signage, pedestrians or cyclists, and
- Give incorrect information on the alignment of Fairford Road.

While reference is made to **Appendix 3**, a summary of key issues is as follows:

Sign visibility

The report confirms that the sign will only be visible to northbound traffic on Fairford Road, and will not be visible to traffic using the northbound exit lanes to Canterbury Road. The sign and any advertised content will not be visible to traffic passing the site along Canterbury Road.

Sightline assessment

The report has found that there is a 660-metre sight distance of the sign for traffic moving north along Fairford Road, however due to obstructions caused by elevation changes, street lights and the like, the sign would only be visible for an approximate 100-metre-long section of the road. Within the area from which an unobscured view of the sign is attainable:

- There are no decision points that will be impacted by drivers being potentially distracted by the proposed digital sign,
- Fairford Road has a generally straight alignment with no intersecting roads or driveways,
- No significant road safety issues were identified within areas from which the sign will be visible, and
- There are no pedestrian pathways on the overpass adjacent to the subject site.

The area from which an unobstructed view of sign is attainable is therefore not one that requires high levels of driver attention.

Crash history

Research indicates that there has been a total of four (4) crashes (including two causing minor injury) during the most recent data period, being 1 January 2019 to 31 December 2023. Of those, two were within the visible distance of the sign, and the other two were within legible distance of the sign. All recorded crashes involved a motor vehicle accident. Given the high volumes of traffic using Fairford Road (an arterial road), the TTPP report considers that two casualty incidents within the identified area is not unusual in such a setting, and indicates there are no existing any crash clusters within areas that are visible from the proposed sign location.

Dwell times

The report advises that a dwell time of at least 10 seconds between advertisements will not adversely impact adjoining public roads.



The report by TTPP therefore concludes that proposed upgrading of the sign would satisfy the TfNSW Transport Corridor Advertising and Signage Guidelines and the broader requirements of SEPP (Industry and Employment) 2021.

4.7.4 Lighting impact

As demonstrated by the Lighting Impact Assessment (**Appendix 2**), the proposed digital sign is designed in accordance with Australian Standard AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting.

AS4282 provides limits for different obtrusive factors associated with dark hours (night time) operation of outdoor lighting systems. Two sets of limiting values for spill light are given based on whether the lighting is operating before a curfew (known as “pre-curfew” operation) or operating after a curfew (known as post-curfew or curfewed operation). Pre-curfew spill lighting limits are higher than post-curfew values, on the understanding that spill light is more obtrusive late at night when residents are trying to sleep. Under AS4282, the post-curfew period is taken to be between 11.00pm and 6.00am daily. As the signage operates 24 hours a day, the signage has been assessed against the more stringent post-curfew limits.

The AS4282 assessment considers potential impacts on residential development, and calculation of both:

- The amount of illuminance (measured in Lux) that the properties are likely to receive from the signage during night time operation, and
- Any light spill from the sign.

As there are no nearby residential dwellings in view of the signage, a Residential Exclusion Zone was calculated in order to demonstrate compliance with AS4282. As no residential dwellings fall within the exclusion zone, the proposed digital sign will comply with the maximum post-curfew vertical illuminance limits.

As such, the proposed upgrading of the sign:

- Will comply with all relevant requirements of AS4282, the TfNSW Guidelines, the CBLEP 2023 (noting that light spill controls are based upon requirements within the TfNSW Guidelines) and SEPP (Industry and Employment) 2021,
- Will not result in unacceptable glare nor shall it adversely impact the safety of pedestrians, residents or vehicular traffic, and
- Will not cause any unacceptable amenity impacts to the nearest residential or environmental receivers.

4.7.5 Waste and sustainability

As with the north-facing sign, the proposed upgrading of the south-facing sign will comprise of a digital display, and as such the use of the sign will not create any waste. This compares favourably to the signs that were approved in 1997, which involved vinyl-based signs, the content of which would require replacement at weekly or monthly intervals.



4.8 Development contributions

The Canterbury-Bankstown Local Infrastructure Contributions Plan 2022 is the contributions plan that applies to the subject site and proposed development.

As the proposal is for non-residential development, the provisions of the Section 7.12 Contributions rates apply. It is expected that such contributions will form a condition of consent in the event of approval.

4.9 Likely impacts of development

Section 4.15(1)(b) of the EP&A Act provides that the consent authority must take into consideration any provisions relating to any likely impacts of the development.

4.9.1 Natural environment

The proposed development will be of minimal environmental impact, as it will be incorporated into an existing rooftop signage structure on the site. The location of the proposed signage will not give rise to any adverse impacts on adjoining sites such as overshadowing. Being located within the footprint of an existing building, the proposal will not require any site modifications at ground level, therefore it have no impact on trees, provision of landscaped area, potential for waterway pollution nor influence on the local flooding hazards.

By enabling the operation of a digital sign (as opposed to a vinyl-faced sign (like that approved by the 1997 consent) that would require frequent replacement of advertising content), the operation of the sign will not create any waste, thereby improving the operational sustainability of the sign.

With regard to the above, the proposed development will not give rise to adverse and unreasonable impacts on the natural environment and the amenity of the surrounding area.

4.9.2 Built environment

As the proposed digital sign will be erected using the support structure for the existing sign, it will not alter the built form of the existing industrial building on the site. As the proposed upgrading of the sign will:

- Match that of the existing digital sign,
- Be oriented at a 30-degree angle to the existing sign, and
- Be finished in the same external materials and colours as the existing sign,

its visual appearance will not be highly discernible, particularly as it will be screened from most surrounding areas by the existing sign, the elevated section of Fairford Road and the building upon which the signage support structure is erected.



Further, by siting all structural support material between the two signs, the proposal will improve the existing visual conditions (particularly for northbound traffic lanes on Fairford Road), as the south-facing sign will screen the supporting elements that are currently located on the rear of the north-facing sign.

As demonstrated by this planning assessment, while current planning provisions are not applicable to development relying on existing use rights, the proposal is compliant with development standards development controls that would otherwise apply to such development. Further, the design of the sign will not give rise to undesirable or unreasonable outcomes (such as excessive overshadowing, overlooking and poor streetscape appearance). The built form of the sign will also be consistent with other advertising signs erected elsewhere within the site's vicinity.

As such, it is submitted that the proposal will not have any unacceptable impacts on the built environment and is therefore satisfactory in this regard.

4.9.3 Social and economic impacts

As demonstrated with information provided with this DA, the proposed sign will not give rise to light pollution, nor will it present a distraction for drivers passing the site on Fairford Road.

A public benefit will also be provided through enabling up to 5% of screen time being made available to Council to be used for public information, community messages and the promotion of events. If an emergency arises, public information or messaging can also be displayed.

The nature of the development is also such that it will not (except for the signage structure) require alterations to the existing building or site more broadly, therefore ensuring that the land is reserved for industrial land use activities and associated job creation.

In summary, the proposal will not give rise to adverse social and/or economic impacts.

4.10 Suitability of the site

Section 4.15(1)(c) of the EP&A Act provides that the consent authority must consider the suitability of the site for the proposed development.

The proposed digital sign is suitable in the context of the site's location and surrounding development (which includes other advertising structures), and is consistent with the objectives of the E4 zone.

As generally addressed throughout this SEE, the site is suitable for the development, and the proposal will not unreasonably nor adversely affect the appearance, function and amenity of the subject site and the surrounding area. The proposed development is therefore considered to be well designed, responds well to the constraints of the site and the locality, and is efficient and economic use of the land through the utilisation of existing structures on a site that is in proximity to a major transport corridor.

Given the above, it is submitted that the site is suitable for the proposed development.



4.11 Public submissions

Section 4.15(1)(d) of the EP&A Act provides that the consent authority must consider any submissions made in accordance with the EP&A Act and the Regulations.

It is therefore expected that Council will advertise the proposed development in accordance with the requirements of the EP&A Act, the Regulations and Council's Community Participation Plan (CPP).

It is also expected that Council will consider any submissions received in response to the advertising of this Development Application, as part of its planning assessment.

4.12 The public interest

Section 4.15(1)(e) of the EP&A Act provides that the consent authority must consider whether the development proposed by this Development Application is in the public interest.

While no longer permissible within the E4 zone, the proposal is however consistent with the objectives of the zone and:

- Will deliver improved built form outcomes,
- Provide a more modern and sustainable means of advertising products and services, and
- Is a more efficient use of the site.

The proposal will also not give rise to adverse impacts on the natural and built environments, and will not detract from the character of the surrounding area. Further, no adverse social impacts (such as reduced amenity or increased road safety risks) will arise from the approval of this DA.

Accordingly, the proposed development will result in positive development outcomes for the neighbourhood, the Canterbury-Bankstown LGA and southern Sydney more broadly.

It is therefore submitted that the proposed upgrading of the approved sign to a digital display is in the public interest.



5 Conclusion

This SEE has been prepared on behalf of QMS Media to support a development application to Canterbury-Bankstown Council for the upgrading of an approved outdoor advertising sign to a digital static display.

This SEE describes the proposed works in the context of relevant planning controls and policies applicable to the form of the development proposed. In addition, the statement provides an assessment of relevant heads of consideration pursuant to section 4.15 of the EP&A Act. Further, this SEE demonstrates that the site benefits from existing use rights that supports the proposed upgrading of the sign to a digital sign, noting that it acts upon an active consent that permitted the construction of two rooftop advertising signs on the site.

The proposed upgrading to a new digital static advertising sign will not have any significant nor adverse environmental impacts and will not alter existing site operations. The proposed digital sign is generally consistent with the size and orientation of the existing advertising structures both on the site and elsewhere within the surrounding area. Further, the design of the sign (in terms of placement, brightness, traffic safety, etc.) will ensure that no safety nor unreasonable amenity impacts will arise, noting that such impacts have been considered by information prepared to support this DA and that have found the proposal to be satisfactory.

A detailed environmental assessment has been undertaken within Section 4 of this SEE, and is supported by architectural plans and consultant reporting prepared meet the requirements of Council and relevant statutory requirements. This environmental assessment has found that the associated impacts of the proposal are minimal, manageable and reasonable. Hence, the outcomes of the proposal:

- Is a suitable development for the subject site,
- Suitably responds to the existing built form character of the area,
- Responds well to the unique and specific conditions and constraints of the site,
- Is well located in proximity to public transport and local services,
- Will not adversely affect the continued use of the site or poses an unreasonable impact on traffic safety,
- Provides a public benefit by replacing the existing sign with a contemporary and high-quality structure, and
- Enables community messaging for up to 5% of the total of the advertising time.

We therefore request that Council supports and approves this development application.



Appendices

6 Appendices

6.1 Appendix 1 – Architectural Plans



6.2 Appendix 2 – Lighting Impact Assessment



6.3 Appendix 3 – Traffic Safety Assessment



6.4 Appendix 4 – Construction Waste Management Plan



6.5 Appendix 5 – Cost Summary Report



6.6 Appendix 6 – Copy of Development Consent no. DA-441/1997



