



WAVERLEY
COUNCIL



PLANNING PROPOSAL

Waverley Council Advertising
PP-2/2023

Planning proposal Information

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Council versions:

No.	Date	Version
1	14.08.2023	For the Waverley Local Planning Panel
2	22.11.2023	For the Strategic Planning and Development Committee
3.	07.12.2023	For submission to the Department of Planning and Environment

EXECUTIVE SUMMARY

At its 17 May 2022 Council Meeting, Council resolved to investigate opportunities for bus shelter upgrades, including advertising installations. The subsequent findings of the investigation included the need to prepare a planning proposal in order to facilitate further opportunities for the improved provision of public domain infrastructure, inclusive of upgraded bus shelters and communications panels with advertising. A report was presented to Council's Strategic Planning and Development Committee with the findings where on 4 April 2023, it was resolved:

That Council:

- 1. Prepares a planning proposal to insert exempt provisions for advertising into the Waverley Local Environmental Plan 2012, provided that the advertising:*
 - (a) Must either not extend beyond 10 m from the perimeter of a bus shelter or must be directly attached to freestanding communication panels.*
 - (b) Must not contain flashing or neon signage.*
 - (c) Must not be located on land that comprises a heritage item.*
 - (d) Must not be located in a heritage conservation area (excluding Birrell Street, Blair Street, Bondi Road, Bronte Road, Campbell Parade, Macpherson Street and Oxford Street).*
 - (e) Must be erected by, or on behalf of, Council.*
- 2. Refers the planning proposal to the Waverley Local Planning Panel for advice, with officers to prepare a report to Council on the advice prior to lodging the proposal with the NSW Department of Planning and Environment.*
- 3. Notes that Council will receive a further report with the proposed advertising locations for approval prior to inviting tenders on the open market.*

At the Strategic Planning and Development Committee on December 5 2023 Council resolved:

That Council:

- 1. Forwards the planning proposal attached to the report (Attachment 1) on Council advertising on public domain assets to the Department of Planning and Environment (DPE) for Gateway determination for the purposes of public exhibition, subject to the following amendment:*
 - (a) Part 2 – Signage – (Pg 27) Council communications panel advertising – Add new clause 8 'Must not include any political advertising'.*
- 2. Publicly exhibits the planning proposal in accordance with any conditions of the Gateway determination that may be issued by the DPE.*
- 3. Requests and accepts, if offered, the role of the planning proposal authority from the DPE to exercise the delegations issued by the Minister under section 3.36 of the Environmental Planning and Assessment Act 1979 to amend the Waverley Local Environmental Plan 2012.*
- 4. Notes that Council will determine the location of multi-functional communication panels as part of a separate process. Notes that the RFT documentation will detail specifications including location, size and content and this will come to council for approval prior to inviting tenders to the open market.*

The proposal has been updated in accordance with the abovementioned resolution.

INTRODUCTION

a. Background to this Planning proposal

Under the Waverley LEP 2012, advertising on bus shelters and communications panels would either be defined as ‘signage’ or ‘advertising structure’ where advertising structures are a type of signage. The definitions are 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.

advertising structure has the same meaning as in the Act.

Note: The term is defined as a structure used or to be used principally for the display of an advertisement. Accordingly, advertising structures are a type of signage.

These two land uses, signage and advertising structure, are not currently permissible in any of the land use zones. Waverley Council currently has 85 bus shelters. Of these, Council owns 44 non-advertising bus shelters of varied styles ranging from faux heritage style to brick and contemporary aluminium and glass. In addition, there are 41 steel and glass bus shelters with advertising displays. The advertising displays relate to development consent dating back to the early 2000s. This consent was provided on the basis that at the time, roads were not zoned and therefore permissibility around advertising in these locations was not a consideration. Since this time, roads now have now been zoned, typically given the adjacent land use zone, and advertising structures that accompany bus shelters would no longer be permissible in the relevant zone under the Waverley LEP. Any renewal or expansion of bus shelters with advertising is now only able to be considered under existing use rights – but shelters without existing advertising would not be able to be modified to include advertising.

In addition, the Industry and Employment State Environmental Planning Policy (SEPP) provides provisions for advertising and signage visible from a public place with or without development consent, the SEPP contains restrictions on the application of the SEPP in certain areas, as detailed in Clause 3.8 as follows:

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*

It is noted that under clause 3.4 of the SEPP that the above provisions do not apply to signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it. This means that an amendment to the WLEP would result in the desired outcomes Council is seeking.

The proposed approach outlined in this report is considered similar to those implemented in other Councils in Greater Sydney in recent years and would provide Council with greater flexibility than is available under the Industry and Employment SEPP. If the proposal is implemented, it will allow Council to install contemporary bus shelters that will be compliant with modern accessibility standards, replace dilapidated assets and provide sympathetic and consolidated advertising panels and providing community communication boards at key strategic locations. The primary side of the communication panel would be designed for Council's exclusive use and include features such as:

- Directory map of local area including 'you are here' and places of interest.
- Electronic bulletin panels for the promotion of local community services, special events and public posting of messages.
- Default display of alternating Council messages.
- Bus timetables or live transport messaging.

The secondary side would be dedicated to advertising activity consistent with the bus shelter advertising. Examples of some of the outcomes that the proposal could achieve are illustrated in *Figure 1* and *Figure 2* below.



Figure 1 – Digital bus shelter advertising in the City of Sydney



Figure 2 'LinkNYC' communications panel infrastructure in New York City (Source: New York Times).

b. Local Planning Panel

The Planning Proposal was reported to the Waverley Local Planning Panel on 23 August 2023.

The Minutes of this meeting are provided in Appendix 1 and reproduced below.

Resolution

The Panel advises:

1. *It is recommended that Council inform itself of the environmental, social and economic impacts the bus shelter advertising and communication panels have had on other LGAs such as City of Sydney. The Panel notes that Woollahra Council exempt provisions relate to bus shelter signage only.*
2. *Council to confirm that the prohibition of advertising signage across the relevant Zones does not preclude the carrying out of exempt development as contemplated by the Planning Proposal.*
3. *That the Planning Proposal include further details of public benefit.*
4. *That the following themes be further considered:*
 - *Size restrictions*
 - *Access requirements for outdoor dining, access for people with disabilities*
 - *Separation distance to avoid clustering and limit the number to avoid proliferation*
 - *Locations to avoid hindering sight lines*

The Panel is unable to address the site specific and strategic merit of the Planning Proposal given the lack of information regarding exactly where the stand alone communication panels will be located. The Panel considers signage on bus shelters to be acceptable but has concerns about identifying stand alone communication panels as exempt development.

Furthermore, the Panel advises Council to consider the following changes to the explanation of provisions in the Planning Proposal [in bold and italics]:

Signage—bus shelter advertising

1. *Must ~~either~~ not extend beyond **more than 5m 10m** from the perimeter of a bus shelter.*
2. *Must not contain flashing or neon signage.*
3. *Must not be located on land that comprises a heritage item.*
4. *Must not be located in a heritage conservation area excluding shelters with a frontage on the following -*
 - (a) Birrell Street*
 - (b) Blair Street*
 - (c) Bondi Road*
 - (d) Bronte Road*
 - (e) Campbell Parade*

(f) Macpherson Street

(g) Oxford Street.

5. Must be erected by, or on behalf of, Council.

A response to the issues raised are addresses in the Table x.

Table 1 Response to WLPP Feedback.

Matter	Response
1. Council be informed of the recent City of Sydney experience with advertising.	<ul style="list-style-type: none"> • Council officers are aware of the issues surrounding the rollout of advertising in the City of Sydney in recent times. In particular the issues were caused by large advertising panels not associated with bus stops being placed on footpaths where they ultimately obstructed the footpath and caused nuisance for footpath users. This was well publicised in the media. • Whilst the bus shelter advertising will be of a similar size as existing advertising panels, following feedback from the WLPP, provisions have been included in the updated Planning Proposal around the maximum size of structures which communications panel advertising can be present on. These size restrictions are narrower than what was implemented in the City of Sydney. • In addition, provisions around sizing and their relationship with pedestrians, cyclists, drivers and other uses on the footpath (such as outdoor dining) has been included in the updated Planning Proposal.
2. Council to confirm that exempt provisions can be used if the use is prohibited in the zone.	<ul style="list-style-type: none"> • The proposal is not inconsistent with what exists in other Council's LEPs where in which the use is prohibited but permissible as exempt development within the relevant schedule. The SEPP provides general requirements for exempt development and none of these requirements relate to land use permissibility. The provisions in the LEP essentially serve as an extension of the Code SEPP and as long as the proposed exempt development aligns with the requirements of the SEPP it is deemed appropriate.
3. Include further details of the public benefit for the communications panel advertising.	<ul style="list-style-type: none"> • Further details in the updated Planning Proposal have been included.
4. For communications panel advertising, further consideration of: <ul style="list-style-type: none"> • size restrictions, • access requirements for 	<ul style="list-style-type: none"> • Provisions were already included around size restrictions. Furthermore, provisions have been included regarding access requirements and sight lines in the updated Planning Proposal.

<p>outdoor dining, access for people with disabilities,</p> <ul style="list-style-type: none"> • locations to avoid hindering sight lines, and • separation distance to avoid clustering and limit the number to avoid proliferation. 	
<p>5. The panel being unable to address site specific and strategic merit based on lack of information about locations for communications panels advertising.</p>	<ul style="list-style-type: none"> • This has been addressed and responded to further in Part 3 of the updated Planning Proposal, specifically by including prescribed zones in which the communications panel advertising can be present with. This includes commercial zones only (E1, E2 and MU1 zones).
<p>6. Consider proposed change for bus shelter advertising to be no further than 5m from the shelter structure as against the proposed 10m.</p>	<ul style="list-style-type: none"> • This change has been accepted.

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

This proposal intends to amend Schedule 2 of the WLEP to permit signage in the form of bus shelter advertising and on communications panels. The proposal aims to ensure that the signage is compatible with the desired visual character of the Waverley Local Government Area (LGA). Permitting bus shelter advertising as exempt development will overcome any limitations of the Industry and Employment SEPP which prohibits the display of advertisements in certain areas.

PART 2 – EXPLANATION OF PROVISIONS

The proposal seeks to amend Schedule 2 of the WLEP to permit as exempt development:

- Signage – Council bus shelter advertising
- Signage – Council communications panel advertising

The recommended draft provisions to be included in Schedule 2 of the WLEP are detailed as follows. The provisions are draft in nature and may be refined following public exhibition and in consultation with Parliamentary Counsel if deemed appropriate.

Signage—Council bus shelter advertising

1. *Must not extend beyond 5m from the perimeter of a bus shelter.*
2. *Must not contain flashing or neon signage.*
3. *Must not hinder sight lines for drivers, cyclists and pedestrians.*
4. *Must not be located on land that comprises a heritage item.*

5. *Must not be located in a heritage conservation area excluding shelters with a frontage on the following -*

- (h) Birrell Street*
- (i) Blair Street*
- (j) Bondi Road*
- (k) Bronte Road*
- (l) Campbell Parade*
- (m) Macpherson Street*
- (n) Oxford Street.*

6. *Must be erected by, or on behalf of, Council.*

Signage— Council communications panel advertising

1. *Must only be part of a structure erected by or on behalf of the Council.*
2. *If located outside of a pedestrianised mall, must not be part of a structure that exceeds the following specifications –*
 - (a) 2200mm in height*
 - (b) 1150mm in width*
 - (c) 500mm in depth*
3. *Must not contain flashing or neon signage.*
4. *Must not be part of a structure that:*
 - (a) hinders sight lines.*
 - (b) obstructs existing footpaths, approved outdoor dining or access for people with a disability.*
 - (c) is used solely for the purpose of advertising.*
5. *Must be part of a structure that is located only within the E1 Local Centre, E2 Commercial Centre or MU1 Mixed Use zones.*
6. *Must not be part of a structure on land that comprises a heritage item.*
7. *Must not be part of a structure on land within a heritage conservation area, excluding on structures with a frontage on the following—*
 - (a) Birrell Street*
 - (b) Blair Street*
 - (c) Bondi Road*
 - (d) Bronte Road*
 - (e) Campbell Parade*
 - (f) Macpherson Street*
 - (g) Oxford Street.*

8. *Must not include any political advertising.*

PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

Section A – Need for the planning proposal

This section establishes the need for a planning proposal in achieving the key outcomes and objectives. The set questions address the strategic origins of the proposal and whether amending the WLEP is the best mechanism to achieve the aims of the proposal.

The proposal is considered to have strategic merit when considered against the criteria detailed in the *Local Environmental Plan Making Guidelines* as detailed below.

1. Is the planning proposal a result of any strategic study or report?

No. The proposal is not the result of a specific strategic study. However, a review of the opportunities for advertising in the Waverley LGA informed Council's resolution to prepare this planning proposal. The proposal aligns with various actions of a number of Council's strategic documents as detailed further throughout this report.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. A planning proposal is the best means of achieving the intended outcome. An amendment to the Waverley LEP 2012 is required to permit advertising on bus shelters and communications panels beyond the limitations of the Industry and Employment SEPP.

Section B – Relationship to strategic planning framework

3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

The proposal aligns with the objectives and actions of the Region Plan *A Metropolis of Three Cities* and the *Eastern City District Plan*.

A Metropolis of Three Cities

The planning proposal is broadly consistent with the directions and objectives of Greater Sydney Region Plan: A Metropolis of Three Cities, particularly Objective 12 under the Direction: A city of great places:

Objective 12: Great places that bring people together

This objective seeks to maintain and build on the unique characteristics of places in a way that reflects shared community values and culture. The proposed amendment to the WLEP seeks to permit advertising on bus shelters and communications panels whilst including provisions that respects our community's commitment to heritage conservation and maintains the amenity of the LGA. Furthermore the amendment would facilitate the promotion of local community services, special events and public posting of messages, as well as promote places of interest.

Each location will be carefully selected to consider its local environment and situational context.

Eastern City District Plan

The planning proposal is generally consistent with the planning priorities and actions of the Eastern City District Plan, particularly Planning Priority E6 under the theme Liveability:

Planning Priority E6: Creating and renewing great places and local centres, and respecting the District's heritage

The planning proposal will contribute to the liveability of the Waverley LGA as it will introduce exempt development provisions for advertising on bus shelters and communications panels. This advertising can only be erected by or on behalf of Council, not permissible on heritage items and not be located in most heritage conservation areas. The advertising structures will be well designed and consistent with the desired visual character of the Waverley LGA.

9. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Waverley Local Environmental Plan 2012

The WLEP has 16 main aims that all planning proposals and development should be consistent with where applicable. This proposal is consistent with the following aims WLEP:

10. *to identify, conserve and enhance the cultural, environmental, natural, aesthetic, social and built heritage, and existing scenic and cultural landscapes of Waverley, including the curtilage of Centennial Park, for current and future generations*

11. *to achieve high quality public domain with significant tree canopy and accessible open space*

- (l) *to improve connectivity and accessibility in Waverley and prioritise development that enables walking, cycling and the use of public transport*

Waverley Local Strategic Planning Statement (March 2020)

An assessment of the proposal against the relevant Planning Priority and actions has been outlined in Table 1.

Table 1 – Assessment of the Proposal against the Local Strategic Planning Statement

Direction: A collaborative City	
Planning Priority 3: Digitally manage infrastructure to ensure it is efficient, fit for purpose, and well maintained	
5. Investigate and implement new funding streams to deliver infrastructure	This proposal will provide Council with an opportunity to tender for a new contract for modern, more accessible bus shelters and communications panels with integrated advertising.
7 Review the planning framework to find opportunities to enable and prepare for rapid changes in the urban environment created by changing technologies	This proposal will provide Council with opportunities for new advertising technologies to be integrated into public domain infrastructure.

Waverley Community Strategic Plan 2022-2032

This proposal aligns with the community vision which is:

“Waverley is a vibrant and resilient community. We take care of each other, our natural environment and local places. Our community is empowered to collaborate for a sustainable and connected Waverley for future generations.”

The proposal also aligns with the strategies presented in Table below:

Table 2 – Assessment of Proposal against Waverley Community Strategic Plan

2.6 Control and manage development to protect the intrinsic values of the community including aesthetics, size, heritage and population	
Strategies	Consistency
2.6.6. Celebrate the heritage and character of our centres and heritage sites, and protect and enhance their character	The proposal excluding advertising from most Heritage Conservation Areas and therefore ensures the character of these areas can remain.
2.9 Manage traffic, transport and parking in a balanced way	
Strategies	Consistency
2.9.1. Leverage technologies and regulations to provide better transport and parking outcomes	The updated advertising provisions will complement the procurement of new bus shelters and communications panels which provide better public transport outcomes for patrons.
2.10 Build, maintain and renew well-designed, accessible and sustainable assets and infrastructure, to improve the liveability of neighbourhoods	
Strategies	Consistency
2.10.1. Ensure Council's infrastructure assets are operated, maintained, renewed and upgraded to meet the levels of service set by the community	<p>The Proposal will facilitate the renewal of Waverley's bus shelter infrastructure and the permissibility of advertising on communications panels will assist in Council in developing integrated asset solutions to provide community benefits.</p> <p>In addition, new digital advertising structures will also allow for Council to advertise community events and services and important community messages, among other advertisements.</p>
3.2 Deliver the Waverley community excellent customer service, with services delivered efficiently, and with innovation	
Strategies	Consistency
3.3.2 Deliver long-term financial, environmental and economic programs that improve financial and environmental sustainability.	The proposal will allow Council with opportunities to increase its revenue stream and consequentially provide better services to the community with the increased revenue.

12. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

There are no other relevant State or regional studies or strategies.

13. Is the planning proposal consistent with applicable SEPPs?

This planning proposal is consistent with applicable State Environmental Planning Policies. **Table** assessed the planning proposal against the State Environmental Planning Policies (SEPPs).

Table 3 – Assessment of Proposal against the SEPPs

Title	Applicable	Consistent
Housing SEPP	N/A	Not inconsistent
Transport and Infrastructure SEPP	N/A	Not inconsistent
Primary Production SEPP	N/A	Not inconsistent
Biodiversity and Conservation SEPP	N/A	Not inconsistent
Resilience and Hazards SEPP	N/A	Not inconsistent
Industry and Employment SEPP	Yes	Consistent. The planning proposal seeks to permit bus shelter and communications panel advertising as exempt development. This will facilitate advertising on bus shelters and communications panels in land use zones or descriptions that are prohibited under the SEPP.
Resources and Energy SEPP	N/A	Not inconsistent
Planning Systems SEPP	N/A	Not inconsistent
Precincts SEPPs: Eastern Harbour City SEPP, Western Parkland City SEPP, Central River City SEPP and Regional SEPP	N/A	Not inconsistent
Codes SEPP	N/A	Consistent, the provisions seek to update Schedule 2 of the WLEP as it relates to the Code SEPP.

14. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

The proposal is consistent with all applicable Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979, as outlined in the below table.

Table 3 – Consistency with relevant Section 9.1 Ministerial Directions.

Section 9.1 Ministerial Direction		
Ministerial Direction	Relevance	Consistency
1.1 Implementation of Regional Plans	<p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary), that:</p> <p>(a) the extent of inconsistency with the Regional Plan is of minor significance, and</p> <p>(b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions</p>	<p>The proposal is consistent with the objectives of the Regional Plans as discussed earlier in this report.</p>

3.2 Heritage Conservation	<p>A planning proposal must contain provisions that facilitate the protection and conservation of heritage significance and indigenous heritage significance.</p> <ol style="list-style-type: none"> 1) A planning proposal must contain provisions that facilitate the conservation of: <ol style="list-style-type: none"> (a) Item, places, buildings, works, relics moveable objects or precinct of the environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area. (b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and <p>Aboriginal area, Aboriginal objects, Aboriginal places or landscape identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p>	<p>The proposal is consistent with this Direction as it includes a provision that states bus shelter and communications advertising must not be located on land that comprises a heritage item. This advertising will also be restricted in most heritage conservation areas.</p>
6.1 Residential Zones	<p>The directions are:</p> <ol style="list-style-type: none"> 1) A planning proposal must include provisions that encourage the provision of housing that will: <ol style="list-style-type: none"> (a) Broaden the choice of building types and locations available in the housing market, and (b) Make more efficient use of existing infrastructure and services, and (c) Reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) Be of good design. 2) A planning proposal must, in relation to land to which this direction applies: <ol style="list-style-type: none"> (a) Contain a requirement that residential development is not permitted until land is adequately serviced (b) No contain provisions which will reduce the permissible residential density of land. 	<p>The proposal is consistent with this requirement and only seeks to permit advertising on bus shelters and communications panels as exempt development and will not reduce the permissible residential density of land. The proposal does not contain a provision which is contrary to this direction.</p>

3.2 Site Specific Merit

The proposal is considered to have site-specific merit when considered against the criteria detailed in the *Local Environmental Plan Making Guidelines* as detailed below.

Section C – Environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

This Planning proposal would not have any adverse impacts on threatened species, populations or ecological communities.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

Yes. There are potential impacts as advertising on bus shelters and communications panels may be distracting to vehicular traffic on main roads. These potential impacts will be managed in accordance with the Transport Corridor Outdoor Advertising Signage Guidelines.

Furthermore, in response to feedback provide by the WLPP, draft provisions have been included to ensure council communications panel advertising.

- only occurs in appropriate zones as specified,
- does not conflict with other uses in the public domain, including pedestrians, outdoor dining and accessibility requirements,
- does not hinder sightlines.

10. Has the planning proposal adequately addressed any social and economic effects?

No adverse economic or social impact is anticipated.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

This consideration is not applicable to the Planning proposal.

Section E – State and Commonwealth Interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Not applicable at this stage. This section will be completed following consultation with public authorities identified in the gateway determination.

PART 4 – MAPPING

No mapping is required for this change to the WLEP.

PART 5 – COMMUNITY CONSULTATION

Public exhibition is likely to include a display on Council's Have Your Say website. The Gateway Determination will specify the level of public consultation that must be undertaken in relation to the planning proposal. Pursuant to Division 3.4 of the Act, a planning proposal must be placed on public exhibition for a minimum of 28 days, or as specified in the Gateway Determination for the proposal. The Planning Proposal Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing (if required).

PART 6 – PROJECT TIMELINE

The following indicative project timeline will assist with tracking the progress of the planning proposal through its various stages of consultation and approval. It is estimated that this amendment to the WLEP will be completed by May 2024.

The detail around the project timeline is expected to be prepared following the referral to DPE for a Gateway Determination.

Table 4 – Indicative Project Timeline

Tasks	Timeframe and/or date
Report to WLPP	August 2023
Consideration by Council	December 2023.
Gateway Determination	December 2023 - February 2024.
Pre-exhibition	February 2024.
Public Exhibition	February 2024
Consideration of submissions	March 2024
Post-exhibition Review	March 2024
Submission to the Department for finalisation (where applicable)	April 2024
Gazettal of LEP amendment	May 2024

APPENDIX A – Minutes of the Local Planning Panel

The Panel advises:

1. It is recommended that Council inform itself of the environmental, social and economic impacts the bus shelter advertising and communication panels have had on other LGAs such as City of Sydney. The Panel notes that Woollahra Council exempt provisions relate to bus shelter signage only.
2. Council to confirm that the prohibition of advertising signage across the relevant Zones does not preclude the carrying out of exempt development as contemplated by the Planning Proposal.
3. That the Planning Proposal include further details of public benefit.
4. That the following themes be further considered:
 - o Size restrictions
 - o Access requirements for outdoor dining, access for people with disabilities
 - o Separation distance to avoid clustering and limit the number to avoid proliferation
 - o Locations to avoid hindering sight lines

The Panel is unable to address the site specific and strategic merit of the Planning Proposal given the lack of information regarding exactly where the stand alone communication panels will be located. The Panel considers signage on bus shelters to be acceptable but has concerns about identifying stand alone communication panels as exempt development.

Furthermore, the Panel advises Council to consider the following changes to the explanation of provisions in the Planning Proposal [in bold and italics]:

Signage—bus shelter advertising

1. Must ~~either~~ not extend ~~beyond~~ **more than 5m 10-m** from the perimeter of a bus shelter.
2. Must not contain flashing or neon signage.
3. Must not be located on land that comprises a heritage item.
4. Must not be located in a heritage conservation area excluding shelters with a frontage on the following -
 - (a) Birrell Street
 - (b) Blair Street
 - (c) Bondi Road
 - (d) Bronte Road
 - (e) Campbell Parade
 - (f) Macpherson Street
 - (g) Oxford Street.
5. Must be erected by, or on behalf of, Council.