



IRF25/1535

Gateway determination report – PP-2025-1262

Signage in Zone SP2 Infrastructure

July 25



Published by NSW Department of Planning, Housing and Infrastructure

dpie.nsw.gov.au

Title: Gateway determination report – PP-2025-1262

Subtitle: Signage in Zone SP2 Infrastructure

© State of New South Wales through Department of Planning, Housing and Infrastructure 2025. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Housing and Infrastructure as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (July 25) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Housing and Infrastructure), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Acknowledgment of Country

The Department of Planning, Housing and Infrastructure acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

Contents

1	Planning proposal.....	2
1.1	Overview	2
1.2	Objectives of planning proposal.....	2
1.3	Explanation of provisions.....	3
1.4	Site description and surrounding area	4
1.5	Mapping	5
1.6	Background	5
2	Need for the planning proposal	5
3	Strategic assessment	6
3.1	Regional Plan	6
3.2	District Plan	6
3.3	Local.....	7
3.4	Local planning panel (LPP) recommendation	8
3.5	Section 9.1 Ministerial Directions.....	8
3.6	State environmental planning policies (SEPPs)	9
4	Site-specific assessment	11
4.1	Environmental	11
4.2	Social and economic	11
4.3	Infrastructure	11
5	Consultation.....	11
5.1	Community	11
5.2	Agencies	11
6	Timeframe	12
7	Local plan-making authority	12
8	Assessment summary	12
9	Recommendation.....	12

1 Planning proposal

1.1 Overview

Table 1 Planning proposal details

LGA	Bayside local government area
PPA	Bayside Council
NAME	Signage in Zone SP2 Infrastructure
NUMBER	PP-2025-1262
LEP TO BE AMENDED	Bayside Local Environmental Plan 2021
ADDRESS / DESCRIPTION	All land zoned SP2 – Infrastructure under the Bayside LEP 2021
RECEIVED	4/7/2025
FILE NO.	IRF25/1535
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes to explain the intent of the proposal.

The objectives of the planning proposal are to permit ‘signage’ in the SP2 Infrastructure zone.

The intended outcomes are to:

- simplify and streamline the approval process for installing advertising on Council’s major transport corridors.
- ensure that advertising has overall low impact on road corridors in the Bayside LGA.
- manage future development through the DA process and require compliance with relevant policies and guidelines.

The objectives and intended outcomes of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the SP2 Infrastructure land use table in Part 2 of the Bayside LEP 2021 to make 'signage' permitted with consent.

'Signage' is defined in the Standard Instrument LEP and Direction 5 lists it as a development type that may be listed in land use table.

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.

For clarity during consultation, the planning proposal should be updated to ensure all references to development types, i.e. 'signage' and 'advertising structures', are in accordance with the relevant SILEP and SEPP terminology. A Gateway Condition is recommended to this effect.

The Department notes that under Clause 2.5 and Schedule 1 of the Bayside LEP 2021, 'signage' is permitted as an additional permitted uses (APUs) on the following sites zoned SP2, including:

- Clause 18 Use of certain land along Qantas Drive, Mascot
- Clause 45 Use of certain land at Wentworth Avenue, Eastlakes.

The planning proposal will make these APUs redundant. A Gateway condition is recommended to update the proposal to include repealing these clauses and removing the sites from the APU Map.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved, subject to the recommended Gateway conditions.

1.4 Site description and surrounding area

The proposed amendment applies to land zoned SP2 – Infrastructure under the Bayside LEP 2021 (Figure 1).



Figure 1: SP2 zoned land the proposal applies to (source: planning proposal, 2025)

1.5 Mapping

The planning proposal does not identify any map changes.

However, as identified in section 1.3 above, listing signage in the SP2 zone land use table will make a couple of existing APUs redundant. As part of repealing these APUs, the Additional Permitted Uses MAP of the Bayside LEP 2021 will need to be amended. A Gateway condition is recommended that the planning proposal is updated in this regard.

1.6 Background

On 27 March 2024, Bayside Council endorsed a recommendation of its Strategic Land & Property Working Group to take the required steps to accommodate advertising signs and structures on road corridors at 3 locations, including preparing a planning proposal to amend *the Bayside LEP 2021*.

Council's Land & Property Strategy 2022-2025 identified that advertising on bus shelters, footbridges, pedestrian crossings and billboards has strategic uplift potential for Councils portfolio.

Separate to this current planning proposal, the Bayside LEP 2021 was recently amended to permit advertising along road corridors as follows:

Table 2: Recent amendments to Bayside LEP 2021

LEP	Date notified	Amendment
Bayside LEP 2021 (Amendment No. 8)	28 March 2025	APU for 'signage' on a pedestrian bridge over Wentworth Avenue, Eastlakes (Schedule 1 Clause 45). See planning proposal PP-2023-1358 on the NSW Planning Portal for more information.
Bayside LEP 2021 (Amendment No. 11)	6 June 2025	Permits 'signage' as exempt development for purposes of advertising on bus shelters in the Bayside LGA (Schedule 2). See planning proposal PP-2024-1777 on the NSW Planning Portal for more information.

As a result of the Gateway assessment for planning proposal PP-2023-1358, the Department recommended in its letter dated 3 June 2024, that Council should consider reviewing the permissibility of 'signage' in the SP2 Infrastructure and other zones of the Bayside LEP 2021 more broadly. Whilst the Department acknowledged that this was outside the scope of the site-specific planning proposal and would require further review and analysis, permitting signage in appropriate zones would provide more certainty and orderly outcomes in the LEP.

On 25 June 2025, Council resolved to support a planning proposal to permit with consent 'signage' in the SP2 Infrastructure Zone. The planning proposal was informed by an analysis of alternative approaches to permit signage on Classified Roads, including land ownership patterns, undertaken by Council staff.

The planning proposal was lodged for Gateway assessment via the NSW Planning Portal on 4 July 2025.

2 Need for the planning proposal

The planning proposal is not the result of the LSPS or a Department approved strategy or study. As outlined above, Council's resolution of 4 June 2025 to permit 'signage' is the result of previous

decisions of Council related to the implementation of Council's Land & Property Strategy 2022-2025.

The intended outcome of the proposal is to simplify and streamline the approval process for installing advertising on certain land in the Bayside LGA, primarily along road corridors. To achieve this the planning proposal seeks to amend the SP2 Infrastructure Land Use Table of the Bayside LEP 2021 to list 'signage' as permitted with consent.

'Advertising structures' are a type of 'Signage' under the Standard Instrument LEP. Neither of these land uses are listed as permissible in the SP2 Infrastructure Land Use table of the Bayside LEP 2021.

Whilst certain 'signage' may be permitted with consent if incidental or ancillary to the use identified on the Land Zoning Map, it is uncommon for this to extend to 'advertising structures'. Advertising is also be permitted in certain circumstances under State Environmental Planning Policies (SEPPs). However, 'advertising structures' or 'signage' are not explicitly and broadly permissible in the SP2 Infrastructure zone in the Bayside LGA under the Bayside LEP 2021.

The intended outcomes of the proposal cannot be delivered under the current planning framework.

The planning proposal states that alternative approaches were considered, including allowing signage on certain sites as an Additional Permitted Use. The proposed amendment to the land use table is the simplest approach to achieve the intended outcomes.

A planning proposal to amend the SP2 Land Use land use table of the Bayside LEP 2021 is considered the best mechanism to achieve the objectives and intended outcomes.

3 Strategic assessment

3.1 Regional Plan

The Greater Sydney Region Plan – A Metropolis of Three Cities (the Region Plan) was released by the NSW Government in 2018. The Plan contains objectives, strategies and actions which seek to manage growth and change across Greater Sydney over the next 20 years.

Under section 3.8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) a planning proposal is to give effect to the relevant District Plan. By giving effect to the District Plan, the proposal is also consistent with the Regional Plan. Consistency with the District Plan is assessed in section 3.2 below.

3.2 District Plan

The site is within the Eastern District and the Greater Sydney Commission released the Eastern District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below.

The Department is satisfied the planning proposal gives to the District Plan in accordance with section 3.8 of the *Environmental Planning and Assessment Act 1979*. The following table includes an assessment of the planning proposal against relevant directions and actions.

Table 3 District Plan assessment

District Plan Priorities	Justification
E6 Creating and renewing great places and local centres, and respecting the districts heritage	The proposal seeks to permit 'signage' in the SP2 Infrastructure Zone across the Bayside LGA. Existing provisions in the LEP and development assessment processes will ensure that the zone objectives, amenity, heritage conservation, design quality and impacts are suitably addressed for any proposed signage development. The proposal is consistent with this planning priority.
E16 Protecting and enhancing scenic and cultural landscapes.	The proposal seeks to make signage a permitted land use in the SP2 zone throughout Bayside. Existing provisions in the LEP and development assessment processes will ensure that proposed signage considers and minimises impacts on vistas or views that contribute to scenic and cultural landscapes. The proposal is consistent with this planning priority.

3.3 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 4 Local strategic planning assessment

Local Strategies	Justification
Bayside Strategic Planning Statement – A land Use vision to 2036	Bayside Council's Local Strategic Planning Statement (LSPS) was adopted in March 2020. The planning proposal is consistent with the relevant priorities and actions of the LSPS, including; - planning priority 2 – align land use planning with the delivery and management of assets by Bayside Council to support our community. - planning priority 9 – manage and enhance the distinctive character of the LGA through good quality urban design, respect for existing character and enhancement of the public realm. The proposal seeks to permit 'signage' in the SP2 Infrastructure Zone across the Bayside LGA. This will allow Council to identify opportunities to generate advertising revenue on Council land. Existing provisions in the LEP and development assessment processes will ensure that the zone objectives, amenity, heritage conservation, design quality and impacts are suitably addressed for any proposed signage development. The planning proposal is consistent with the LSPS.

Bayside
Community
Strategic Plan
(CSP) 2018-2032

Bayside Council's CSP identifies the strategic direction for Council's Delivery program and operational plans.

This planning proposal is broadly consistent with the CSP, including:

- Community outcome 1.4 Bayside transport system works through improving the overall experience of the users.
- Community outcome 4.3 Council is financially sustainable and well governed, by allowing for signage as a permitted uses in the SP2 zone it allows for Council to generate revenue through the leasing of the advertising space.

The potential revenue from advertising on Council land will help Bayside Council to collect funds to reinvest back into the community.

The proposal is consistent with the outcomes in the CSP.

3.4 Local planning panel (LPP) recommendation

On the 22 April 2025 the Bayside LPP considered the proposal and provided the following advice to Council:

1. *The Bayside Local Planning Panel recommend to Council that pursuant to s3.33 of the Environmental Planning and Assessment Act 1979, the draft Planning Proposal for Signage in the SP2 Infrastructure zone be submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination; and*
2. *The Bayside Local Planning Panel recommend to Council that, if a Gateway Determination is received, public exhibition be undertaken and a post-exhibition report be presented to Council that responds to any submissions received throughout the public exhibition process.*

On 25 June 2025, Council considered the advice of the LPP and resolved to support the proposal and submit to the Department for Gateway Determination.

3.5 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 5 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
1.4 Site Specific Provision	Consistent	The objective of this Direction is to discourage unnecessarily restrictive site-specific planning controls. The proposal seeks to permit with signage, with consent, in the SP2 Infrastructure zone. This will provide Council with a simplified and streamlined approval process for signage on Council owned land. It will also result in the removal of unnecessary additional permitted uses (APUs) for individual signage structures. The planning proposal is consistent with the Direction.

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
3.2 Heritage Conservation	Consistent	The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. The planning proposal does not seek to alter or reduce the heritage provisions in the Bayside LEP 2021. Any proposed signage will need to give consideration to heritage conservation in accordance with existing heritage provisions. The planning proposal is consistent with the Direction.
5.2 Reserving Land for Public Purposes	Consistent	The Direction seeks to facilitate the provision of public services and facilities by reserving land for public purposes and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. The proposal relates to land affected by Land Reservation Acquisition (LRA) restrictions under the Bayside LEP 2021, mainly related to the F6 Transport Corridor. <i>Clause 5.1A Development on land intended to be acquired for public purposes</i> prohibits development on this land for purposes other than those related to the specified public purposed. The proposal does not alter the existing provisions related to LRA. Existing provisions and development assessment processes will ensure that signage development does not adversely impact land reserved for public purposes. The planning proposal is consistent with the direction.

3.6 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 6 Assessment of planning proposal against relevant SEPPs

SEPPs	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP Industry and Employment 2021	Consistent	Chapter 3 of the SEPP seeks to ensure that signage is a compatible land use within the desired amenity and visual character of the area and regulates the display of advertisements in transport corridors. It sets out planning controls for advertising and signage. Under Section 3.4(1)(a) the SEPP applies to signage development except for exempt development. The NSW Transport Corridor Advertising Signage Guidelines outline best practice for planning and design guidelines for outdoor signage along transport corridors. The proposal seeks to include signage as a permitted land use in the SP2 Infrastructure zone throughout Bayside LGA. The SEPP will apply to any future signage development made permissible by the proposal. The planning proposal will not hinder the operation of the SEPP.
SEPP Transport and Infrastructure 2021	Consistent	The SEPP aims to facilitate the effective delivery of infrastructure across the state and establish requirements for development that is likely to increase demand for infrastructure, services and facilities. Part 2 Division 17 sets out requirements for development in or adjacent to road corridors and road reservations. Any future development applications for signage will be subject to existing development processes to ensure the safe, efficient and ongoing operation of classified roads will not be adversely affected. Development applications should be supported by relevant technical studies such as Traffic and Road Safety Assessment and Lighting Impact Assessment. The proposal will not hinder the operation of the SEPP. Notwithstanding the above, a Gateway condition is recommended to require consultation with TfNSW.
SEPP Exempt and Complying Development Codes	Consistent	The SEPP permits certain types of low impact signage development as exempt development or complying development such as building or business identification signs, community notice and public information signs, temporary event signs, real estate signs, and election signs. The proposal seeks to include signage as a permitted land use in the SP2 Infrastructure zone throughout Bayside LGA, for the intended outcome of allowing advertising on Council land. The planning proposal will not hinder the operation of the SEPP.

4 Site-specific assessment

4.1 Environmental

The proposal has no identified critical habitats areas, threatened species, populations or ecological communities or their habitats.

There is the potential for amenity, lighting, and road safety impacts from signage development. The Department is satisfied that existing provisions in the relevant SEPPs and in Council's LEP and DCP will ensure that environmental impacts are adequately considered at the development assessment stage.

4.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 7 Social and economic impact assessment

Social and Economic Impact	Assessment
Economic	The proposal has the potential to create positive economic impacts by providing a source of revenue for Council from signage which can be reinvested in local infrastructure and the local community in accordance with the relevant Council policies and decisions.
Social	The proposal seeks to permit signage in the SP2 Infrastructure Zone. The Department is satisfied that social impacts can be addressed by existing planning controls, guidelines and Council policies. Additionally, the planning proposal will be subject to community consultation.

4.3 Infrastructure

There is no significant infrastructure demand that will result from the proposal.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate, and forms part of the conditions of the Gateway determination.

5.2 Agencies

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- Transport for NSW
- Sydney Airport Corporation Limited.

6 Timeframe

Council proposes a 12 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a standard

The Department recommends an LEP completion date of 6 May 2026 in line with its commitment to reducing processing times and with regard to the benchmark timeframes.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a local plan-making authority.

As the planning proposal is of local significance the Department recommends that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposal is consistent with the relevant overarching state and local strategic plans and policies and ministerial directions.
- An amendment to the Bayside LEP 2021 is the best means of achieving the objectives and intended outcomes of the proposal.
- The proposal will not result adverse environmental, social or economic impacts.

9 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. The planning proposal is to be updated prior to consultation to:
 - Include in the explanation of provisions and mapping proposed amendments to repeal the additional permitted uses provisions which will be made redundant by the planning proposal
 - ensure 'signage' and 'advertising structures' are referenced consistently and in accordance with the SILEP terminology.
2. Consultation is required with the following public authorities:
 - Transport for NSW
 - Sydney Airport Corporation Limited.
3. The planning proposal should be made available for community consultation for a minimum of 20 working days

Given the nature of the planning proposal, it is recommended that the Gateway authorise council to be the local plan-making authority and that an LEP completion date of 6 May 2026 be included on the Gateway.



Kelly McKellar

Manager, Local Planning and Council Support (North East and Central Coast)



17 July 2025

Jazmin van Veen

Director Local Planning (North East and Central Coast)

Assessment officer

Kai Jakobsson

Student Planner, Local Planning and Council Support (North East and Central Coast)