



NSW GOVERNMENT
Department of Planning

TRANSPORT CORRIDOR OUTDOOR ADVERTISING AND SIGNAGE GUIDELINES ASSESSING DEVELOPMENT APPLICATIONS UNDER SEPP 64

JULY 2007



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1. Introduction

The *Transport Corridor Outdoor Advertising and Signage Guidelines* outline best practice for the planning and design of outdoor advertisements in transport corridors such as along or adjacent to classified roads, freeways, tollways, transitways, railway corridors or on bridges or road and rail overpasses.

The Guidelines complement the provisions of *State Environmental Planning Policy No. 64 – Advertising and Signage* (SEPP 64) under the *Environmental Planning and Assessment Act 1979* (the Act).

SEPP 64 sets out certain rules in relation to outdoor advertising and signage including:

- (a) advertising which is prohibited in certain locations,
- (b) advertising which requires consent under Part 4 of the Act and lodgement of a development application.
- (c) advertising which is exempt development.

Note: There are also additional types of advertising that are exempt development in other environmental planning instruments (e.g. real estate signs).

This document outlines detailed information in relation to SEPP 64 advertising within transport corridors, including design criteria and road safety considerations.

In the event of any inconsistency between SEPP 64 and this document, SEPP 64 prevails to the extent of the inconsistency.

Summary of information in the Guidelines

Section 1 outlines the main provisions of SEPP 64 and how they relate to these Guidelines.

Section 2 outlines:

- (a) General assessment criteria for all advertisement proposals under SEPP 64, and
- (b) specific design criteria for advertising structures within transport corridors.

Section 3 outlines the Roads and Traffic Authority's (RTA) road safety guidelines in relation to all signage within road corridors.

Section 4 outlines Public Benefit Test requirements for advertisements within transport corridors.

Section 5 outlines the various roles of the RTA in approving or giving concurrence to certain types of advertising structures.

1.1 COMMON TYPES OF OUTDOOR ADVERTISING FORMATS

Freestanding and wall advertisements

Freestanding advertisements are mainly displayed on structures mounted on the ground by supports, while *wall advertisements* are generally painted on or fixed flat to the wall of a building.

The following freestanding and wall advertisement classifications are commonly used:

- **Spectacular:** Poster displays over 50 square metres in area (standard dimensions are 18.9 metres x 4.5 metres). These are often located on highways and generally illuminated.
- **Supersite:** Large displays around 42 square metres (often 12.66 metres x 3.35 metres) in size. Generally illuminated and located on major arterial roads and national highways.
- **Billboard – 24 Sheet Poster:** Measure 6 x 3 metres in size and tend to be located mainly on building walls in commercial and industrial areas, along roads and in railway corridors.
- **Small format – 6 Sheet Poster:** Posters 3 metres x 1.5 metre in size with the same proportions as a 24 sheet poster. Mounted mainly on walls and often located in suburban areas.

Roof or sky advertisements

Roof or sky advertisements are advertisements that are displayed on, or erected on or above the parapet or eaves of a building. They may be freestanding structures or wall advertisements and range from billboard size up to spectacular size (over 50 square metres). In addition to the requirements for freestanding and wall advertisements, special rules under SEPP 64 apply if the advertisements are considered to be roof or sky advertisements.

Building wrap and hoarding advertisements

Building wraps are materials such as vinyl mesh used to cover or wrap buildings or land that may be under construction, renovation or demolition. *Hoardings* are a type of building wrap generally made of wood that are often placed as temporary walls around construction sites. Building wrap advertisements use the wrap material (e.g. mesh or wood) as the mounting surface for the advertisements. Under SEPP 64, these types of advertisements are not considered to be *wall advertisements* and special rules apply to the use of the advertisements.

Special promotional advertisements

A special promotional advertisement is an advertisement for an activity or event of a civic or community nature (e.g. public exhibitions and festivals, sports or charity events etc). Events may be advertised on different media including walls, building wraps or bridges, and may vary in size from small posters to spectacular size. As with building wraps, specific rules apply to special promotional advertisements, including limits on how long the advertisements can be displayed for and also controls on signage content.

Advertisements on bridges

Advertising structures may be permitted on railway, road and pedestrian bridges or overpass structures where they meet the criteria in these Guidelines. Special rules apply to the type of advertisements allowed on bridges and overpasses to ensure that the architectural qualities of the bridge and safety along the transport corridor are not compromised.

Advertisements on bus shelters or street furniture

Bus shelter poster displays are often positioned as an integral part of a freestanding covered structure at a bus stop. Often the poster displays are internally illuminated.

Street furniture displays commonly are 1.8 metres x 1.2 metres or 1.5 metres x 1 metre in size and are often backlit. They are generally located within urban centres, entertainment areas and railway platforms.

Advertisements within navigable waters

Under SEPP 64, advertising is prohibited within navigable waters (waters capable of navigation and open to or used by the public for navigation) unless it is ancillary to the dominant purpose of the vessel.

1.2 PROVISIONS UNDER SEPP 64

The aims of SEPP 64 are:

- (a) to ensure that signage (including advertising):
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high quality design and finish, and
- (b) to regulate signage (but not content) under Part 4 of the Act, and
- (c) to provide time-limited consents for the display of certain advertisements and
- (d) to regulate the display of advertisements in transport corridors, and
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

SEPP 64 applies to all signage that can be seen from a public place or public reserve except signage that is exempt development. As a general rule, the consent authority must not grant development consent for an advertising structure that the consent authority does not consider is compatible with the desired amenity and visual character of the area, provides effective communication in suitable locations and is of a high quality design and finish. The consent authority also must be satisfied that all the relevant requirements of SEPP 64 are met.

1.2.1 Prohibited development

The display of advertisements other than business or building identification signs is prohibited under SEPP 64 in the following land use zones or descriptions (with the exception of the Mount Panorama Precinct):

- environmentally sensitive area
- heritage area (except railway stations)
- natural or other conservation area
- open space (except sponsorship advertising at sporting facilities)
- residential (but not a mixed residential and business zone, or similar zones).
- waterway
- scenic protection area
- national park or nature reserve

1.2.2 Sponsorship advertising in open space zones

Under SEPP 64, the display of an advertisement is prohibited on land zoned “open space” unless the signage is exempt development, a business identification sign, a building identification sign or signage on a vehicle. This prohibition does not apply however to sponsorship advertising at public sporting facilities in public recreation zones.

Sponsorship advertising is an advertisement that provides information about the sponsors of the teams or organisations using the public sporting facility or about the products of those sponsors.

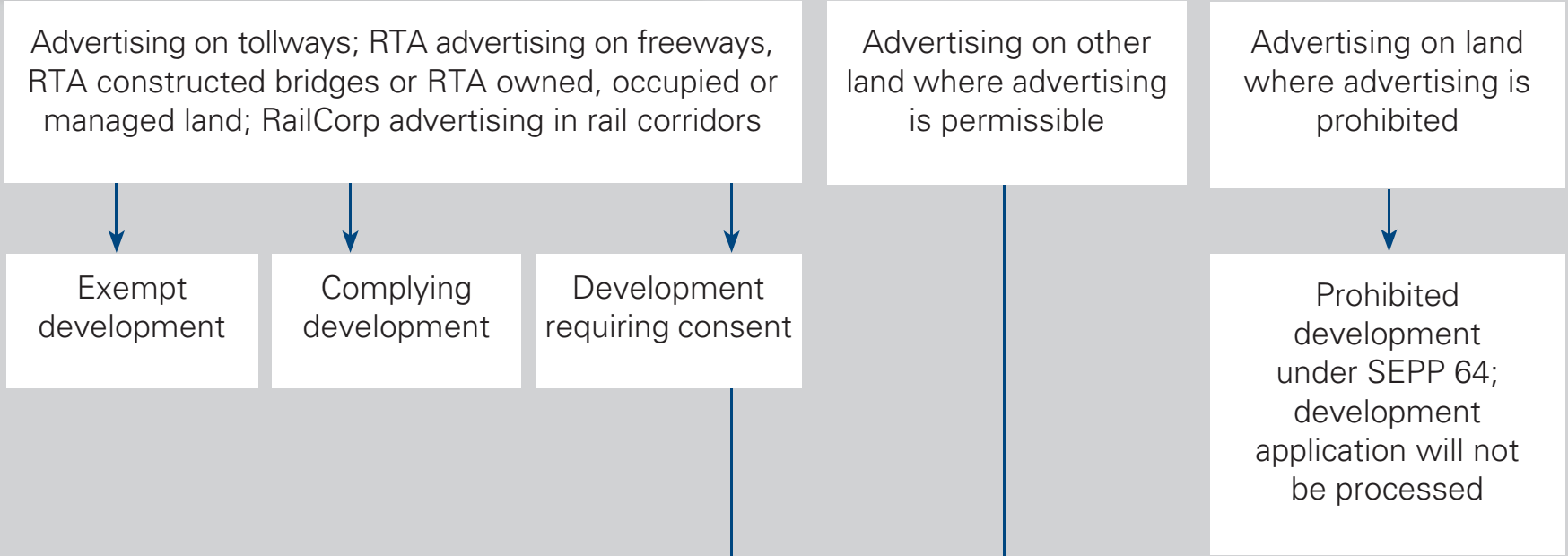
The permissibility and development controls for such sponsorship advertising are generally outlined under the relevant environmental planning instrument (LEP or DCP). The council may decide whether or not such advertising is prohibited or permissible and whether or not consent is required for the signage. If consent is required, a development application must be submitted to the council for the signage.

For local government areas where there are no development controls in place (e.g. in an LEP or DCP) for sponsorship advertising, the following interim guidelines are provided to regulate sponsorship advertising in public recreation zones:

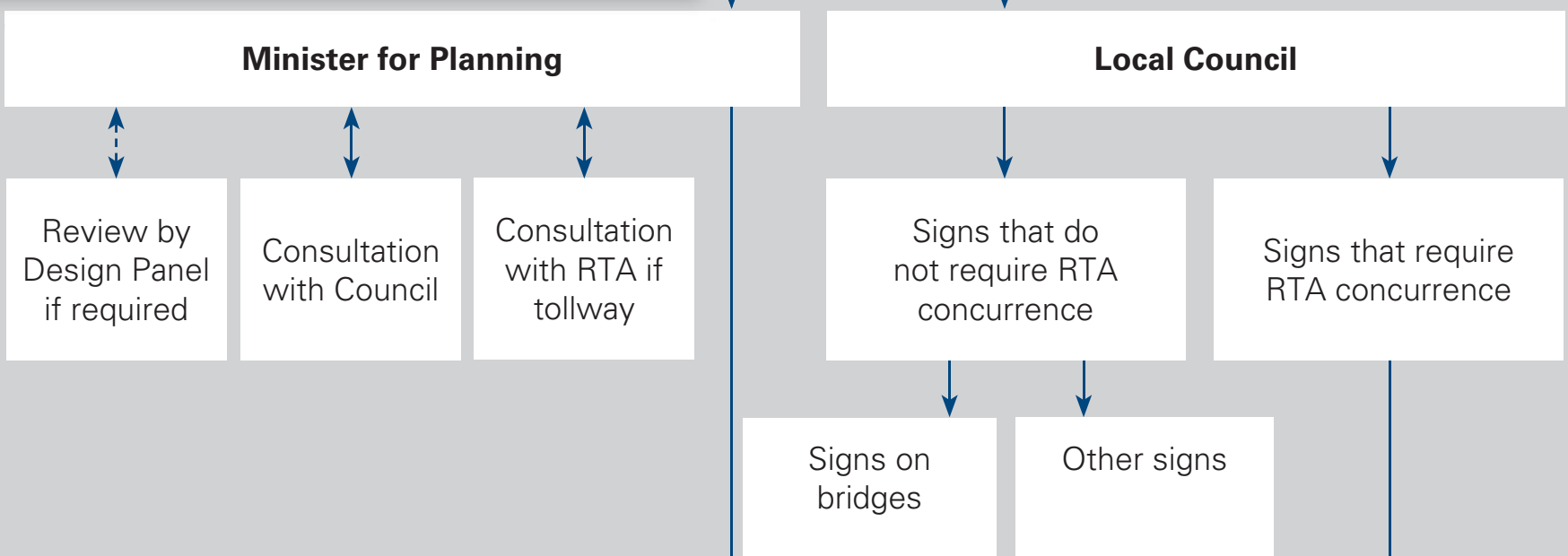
- Advertisements must be consistent with all relevant provisions of SEPP 64 including those relating to roof, wall and free-standing advertisements.
- Sponsorship advertising requires consent, unless it is identified as exempt development under a relevant environmental planning instrument.
- Third party advertising (other than the sponsor’s advertisement) is not permitted on a sponsorship advertising structure. Signage content is restricted to information about the sponsors of the teams or organisations using the sporting facility or about the products of those sponsors.
- Signage must be viewed primarily from the sporting facility and should not face outward from the facility.

FIGURE 1: OUTDOOR ADVERTISING AND SIGNAGE APPLICATIONS UNDER SEPP 64

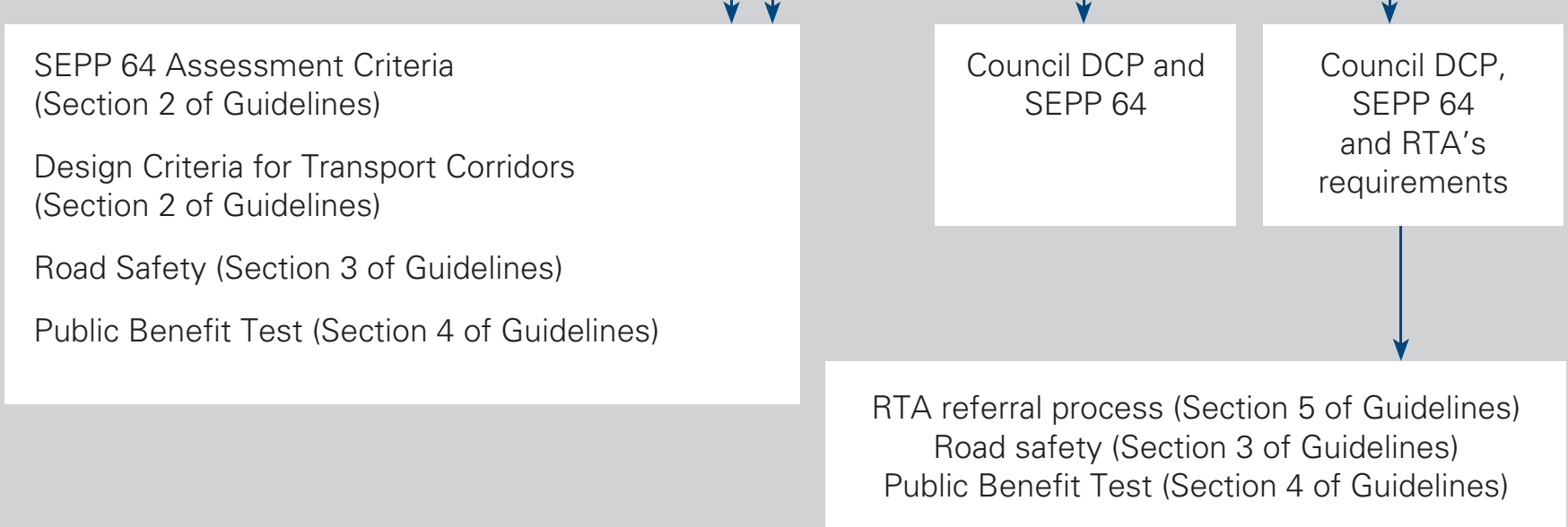
LOCATION OF SIGNAGE



CONSENT AUTHORITY AND CONSULTATION



DEVELOPMENT CONTROL AND GUIDELINES



1.2.3 Part 4 development applications – consent required

Consent is required to display an advertisement unless the advertisement is exempt development under an Environmental Planning Instrument such as a relevant LEP or SEPP.

The relevant local council is the consent authority except in the following cases:

- (a) the Maritime Authority of NSW in the case of an advertisement displayed on a vessel, or
- (b) the Minister for Planning in the case of an application to display an advertisement on railway corridor land made by or on behalf of RailCorp, or
- (c) the Minister for Planning in the case of an application to display an advertisement made by or on behalf of the RTA:
 - (i) on a freeway or tollway or associated road use land adjacent to a road, or
 - (ii) on bridges constructed by or on behalf of RTA in any road corridor, or
 - (iii) on RTA owned, occupied or managed land.
- (d) the Minister for Planning in the case of an application to display an advertisement on transport corridor land comprising a road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 Motorway, the M4 Motorway, the M5 Motorway, the M7 Motorway, the Cross City Tunnel or the Lane Cove Tunnel or associated road use land adjacent to the road.

Figure 1 illustrates the relationship between the consent authority and the process for assessing SEPP 64 development applications. As illustrated, most proposed advertisements in transport corridors are assessed in accordance with these Guidelines. In particular, advertisements on bridges and tollways, as well as advertisements by RailCorp and RTA in railway corridors and along freeways, must be consistent with the design, road safety and public benefit requirements of the Guidelines.

1.3 MATTERS FOR CONSIDERATION IN DETERMINING A SEPP 64 DEVELOPMENT APPLICATION

In determining whether to grant consent to a development application under SEPP 64 the consent authority must have regard to the following matters:

MATTERS FOR CONSIDERATION

The consent authority must address:

- The aims and objectives of SEPP 64 (as listed above in Section 1.2)
- SEPP 64 **Schedule 1** assessment criteria (see Section 2.1)
- Any other relevant requirements of SEPP 64.

In addition, for signs on bridges or signs within 250 metres from a classified road requiring concurrence of RTA, the consent authority must not grant consent unless arrangements that are consistent with the guidelines have been entered into for the provision of the public benefits to be provided in connection with the display of the advertisement.

If the Minister for Planning is the consent authority, all relevant design and road safety matters in these Guidelines must be addressed, in addition to public benefit testing and the objectives and requirements of SEPP 64.

1.3.1 Duration of consents

A consent for a SEPP 64 advertisement is limited to a maximum of 15 years. This is to be specified in the conditions of consent. The consent authority may specify a period of less than 15 years only if:

- (a) before the commencement of SEPP 64, the consent authority had adopted a policy of granting consents in relation to applications to display advertisements for a lesser period and the duration of the consent specified by the consent authority is consistent with that policy, or
- (b) the area in which the advertisement is to be displayed is undergoing change in accordance with an environmental planning instrument that aims to change the nature and character of development and, in the opinion of the consent authority, the proposed advertisement would be inconsistent with that change, or

- (c) the specification of a lesser period is required by another provision of SEPP 64.

Note: For roof or sky advertisements the duration of consent is a maximum of 10 years. For building wrap advertisements, the period of display is limited to a maximum of 12 months. For special promotional advertisements the period of display is limited to a maximum of 3 months in any 12 month period.

1.3.2 Exempt development

Under SEPP 64 the following development on transport corridor land is exempt development when carried out by or on behalf of RTA or RailCorp:

- (a) display of an advertisement in an underground railway station or railway tunnel,
- (b) display of an advertisement at a railway station or bus station if the advertisement is visible primarily from within the railway corridor or bus station,
- (c) removal of existing signage,
- (d) modifications to existing signage to meet occupational health and safety requirements and that do not increase the advertising display area of the signage.

Note: Modifications for OH&S compliance may include removal and replacement of signs, as well as minor modification to existing signs. In both cases, the surface area of the advertising display area must not be increased.

Under SEPP 64, the display of a poster depicting electoral matter is also exempt development, if such a poster is:

- (a) no larger than 8,000 square centimetres, and
- (b) displayed by or on behalf of a candidate at the election or the party (if any) of any such candidate, and
- (c) displayed in accordance with any requirements of the Act under which the election is held, and
- (d) displayed only during the period from 5 weeks immediately preceding the day on which the election is held, up to the election day and then up to 1 week immediately following the election day.

Note: The above provision applies to election posters relating only to elections in NSW held under the *Commonwealth Electoral Act 1918* of the *Commonwealth*, the *Parliamentary Electorates and Elections Act 1912* and the *Local Government Act 1993*.

1.4 PERMISSIBLE DEVELOPMENT IN TRANSPORT CORRIDORS

Under Clause 16 of SEPP 64, the display of an advertisement on transport corridor land is permissible with development consent in the following cases:

- (a) the display of an advertisement by or on behalf of RailCorp on a railway corridor,
- (b) the display of an advertisement by or on behalf of the RTA on:
 - (i) a road that is a freeway or tollway (under the *Roads Act 1993*) or associated road use land that is adjacent to such a road, or
 - (ii) a bridge constructed by or on behalf of the RTA on any road corridor, or
 - (iii) land that is owned, occupied or managed by the RTA and that is within 250 metres of a classified road,
- (c) the display of an advertisement on transport corridor land comprising a road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 Motorway, the M4 Motorway, the M5 Motorway, the M7 Motorway, the Cross City Tunnel or the Lane Cove Tunnel, or associated road use land that is adjacent to such a road.

An LEP made after the above permissibility provision was introduced, may prohibit the display of an advertisement on the land listed above with the agreement of the Minister for Planning.

The Minister may not accept a development application if he determines that the display of the advertisement is not compatible with surrounding land use, taking into consideration the relevant provisions of these Guidelines.

The landuse compatibility criteria in Table 1 will assist in determining whether proposed advertisements are incompatible with surrounding land uses.

1.5 SEPP 64 DEVELOPMENT APPLICATIONS IN TRANSPORT CORRIDORS

1.5.1 RTA, RailCorp and Tollway proposals

SEPP 64 development applications (DAs) for the following advertising proposals are to be lodged with the Department of Planning to be determined by the Minister for Planning:

- advertisements by or on behalf of RailCorp in railway corridors,
- advertisements by or on behalf of RTA on:
 - (a) freeways or tollways (or associated road use land adjacent to such a road), or

- (b) bridges constructed by or on behalf of RTA on any road corridor, or
- (c) land that is owned, occupied or managed by the RTA.
- advertisements displayed along tollways including the Sydney Harbour Tunnel, the Eastern Distributor, M2 Motorway, M4 Motorway, M5 Motorway, M7 Motorway, Cross City Tunnel or the Lane Cove Tunnel.

Please contact the Department of Planning to obtain a DA form or visit the website: www.planning.nsw.gov.au.

The DA must be referred to the relevant local council for comment, and the Minister for Planning must consider any comments received within 28 days from the council when making a determination.

For applications to display advertisements along tollways, the Minister for Planning must also consult with the RTA and consider any comments received within 28 days from the RTA when making a determination.

The Minister may also appoint a design review panel to provide advice concerning the design quality of any proposed advertisements along transport corridors. The panel may include representatives from the local community, the outdoor advertising industry, and independent consultants with expertise in urban design and/or road safety.

1.5.2 Other SEPP 64 development applications

For other advertising proposals, consent is required from local councils. Please contact the relevant local council to find out how to lodge a DA.

Where an advertising structure is within 250 metres of, and visible from, a classified road and is greater than 20 square metres or higher than 8m above the ground, the local council must obtain concurrence from the RTA prior to issuing consent. The referral process for DAs requiring RTA concurrence is outlined in Section 5 of these Guidelines.

In addition, for advertisements requiring RTA concurrence or for advertisements on bridges, public benefits are to be provided in connection with the display of the advertisement (see Section 4 for details).

TABLE 1: LAND USE COMPATIBILITY CRITERIA – TRANSPORT CORRIDOR ADVERTISING

- (i) The use of outdoor advertising in a given locality should not be inconsistent with the land use objectives for the area outlined in the relevant local environmental plan.
- (ii) Advertisements must not be placed on land where the signage is visible from the following areas if it is likely to significantly impact on the amenity of those areas:
 - environmentally sensitive area
 - heritage area (excluding railway stations)
 - natural or other conservation area
 - open space (excluding sponsorship advertising at sporting facilities in public recreation zones)
 - waterway
 - residential (but not including a mixed residential and business zone, or similar zones)
 - scenic protection area
 - national park or nature reserve
- (iii) Advertising structures should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant scenic views or views that add to the character of the area.
- (iv) Advertising structures should not be located so as to diminish the heritage values of items or areas of local, regional or state heritage significance.
- (vi) Where possible, advertising structures should be placed within the context of other built structures in preference to non-built areas. Where possible, signage should be used to enhance the visual landscape. For example, signs may be positioned adjacent to or screening unsightly aspects of a landscape, industrial sites or infrastructure such as railway lines or power lines.

1.5.3 Information to be included in SEPP 64 DAs

When submitting a SEPP 64 DA, the following information and requirements must be provided:

- completed Development Application Form from Council or Department of Planning;
- *Statement of Environmental Effects* detailing the proposal and its impacts;
- fees – DA fee plus additional fee if concurrence is required from the RTA;
- land owners consent if the applicant is not the land owner.

The **Statement of Environmental Effects** (SEE) should provide the consent authority with adequate detailed information to determine whether consent should be granted, including:

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

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

- *Assessment of the advertising proposal in or adjacent to a transport corridor – when the Minister for Planning is the consent authority* – The SEE must outline how the proposal meets the following:
 - (a) any relevant provisions in SEPP 64
 - (b) general land-use compatibility (Section 1.4)
 - (c) design criteria for transport corridors outlined in the Guidelines including an assessment of the context of advertising within the site identifying the character, quality and features of an area (Section 2)
 - (d) road safety considerations in the Guidelines (Section 3)
 - (e) a Public Benefit Test for advertising in the Guidelines (Section 4)
- *Assessment of other advertising proposals in or adjacent to a transport corridor – when the local council is the consent authority* – The SEE must outline how the proposal meets the following:
 - (a) any relevant provisions in SEPP 64
 - (b) any relevant development control plan that has been prepared in accordance with SEPP 64
 - (c) road safety considerations in the Guidelines (Section 3)
 - (d) a Public Benefit Test, if it is a proposal for an advertisement on a bridge or requires the concurrence of RTA (Section 4).
 - (e) the requirements of RTA, if RTA concurrence is required (Section 5).
- *Justification of the proposal* – The SEE must provide a justification for erecting the advertisement in the proposed location. The justification must take into consideration the assessment criteria in Schedule 1 of the SEPP and any mitigation or management measures to be employed by the proponent in minimising the potential impacts of the proposed advertisement. When the Minister for Planning is the consent authority or for signs on bridges or signs requiring the concurrence of RTA, the justification of the proposal should also consider public benefits.

2. Design issues

This section of the Guidelines provides information in relation to design and assessment criteria for development applications for outdoor advertising in transport corridors.

2.1 GENERAL ASSESSMENT CRITERIA UNDER SEPP 64

SEPP 64 sets out matters for consideration that must be addressed before a consent authority can approve any development application under SEPP 64. These matters include criteria in Schedule 1 of SEPP 64, and listed in Table 2 of these Guidelines.

2.2 SPECIFIC DESIGN CRITERIA FOR TRANSPORT CORRIDORS

The design of a sign and where it is placed affects the character of the environment. Advertising that is well designed, appropriate in scale and suitably located can add interest, character and vitality to the built environment. Poorly designed or placed advertisements or too many signs in one location can degrade streetscapes and rural environments, and detract from heritage buildings. The desired character of an area is a key criteria for the assessment of the appropriateness of an advertising sign.

This section of the Guidelines expands on the design criteria in Schedule 1 of SEPP 64 as they relate to advertising in transport corridors. Section 3 expands upon assessment criteria related to road safety issues while Section 4 expands on the public benefit test criteria.

WHO SHOULD APPLY THESE DESIGN CRITERIA?

Under SEPP 64, any development application to be approved by the Minister for Planning, or any proposal to display an advertisement on a bridge, must be consistent with the relevant design criteria in this section of the Guidelines, as well as the road safety criteria (Section 3) and public benefit test criteria (Section 4).

In addition, any advertisement requiring RTA concurrence will be assessed by the RTA with consideration for the design criteria in Section 2 and other matters outlined in Section 5.2.

Note: Other advertisements requiring consent from councils must still be consistent with the design requirements of SEPP 64 and the relevant development control plan for the local area.

There are three levels of design assessment criteria for advertising in transport corridors:

- (1) Macro-scale planning principles
- (2) Sign clutter controls
- (3) Site-specific and structural criteria

2.3 MACRO-SCALE PLANNING PRINCIPLES

Macro-scale planning principles take into consideration the regional or district context. Transport corridors by their very nature have a clearly defined regional purpose. However they may traverse all types of land uses zones with varying planning objectives and distinct local and scenic qualities. The installation of advertisements within these corridors must be strategically planned so that their placement is not unsympathetic to the character and land uses of the area.

Consideration must be given to the nature and quality of the landscape, streetscape or corridor including immediate views, vistas, adjacent infrastructure, buildings and whether surrounding land-use is compatible with the type (e.g. its form, scale etc) of advertising being proposed.

TABLE2: DESIGN ASSESSMENT CRITERIA – SCHEDULE 1 SEPP 64

(1) Character of the area

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

(2) Special areas

- Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?

(3) Views and vistas

- Does the proposal obscure or compromise important views?
- Does the proposal dominate the skyline and reduce the quality of vistas?
- Does the proposal respect the viewing rights of other advertisers?

(4) Streetscape, setting or landscape

- Is the scale, proportion and form 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?

(5) Site and building

- Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?
- Does the proposal respect important features of the site or building, or both?
- Does the proposal show innovation and imagination in its relationship to the site or building?

(6) Associated devices and logos with advertisements and advertising structures

- Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?

(7) Illumination

- Would illumination result in unacceptable glare?
- Would illumination affect safety for pedestrians, vehicles or aircraft?
- Would illumination detract from the amenity of any residence or other form of accommodation?
- Can the intensity of the illumination be adjusted, if necessary?
- Is the illumination subject to a curfew?

Note: Safety criteria under Schedule 1 – SEPP 64 are listed in Table 3.

2.3.1 Sign placement in non-urban areas

Proposals to display advertisements within a rural or non-urban zone must be consistent with the general assessment criteria in Table 2 as well as any relevant requirements of SEPP 64, including Clause 15.

Where council is the consent authority, any proposed sign in a non-urban area must:

- (a) be consistent with a DCP (prepared by the council following an advertising design analysis for the relevant area or precinct in consultation with representatives of local businesses and the advertising industry and in consultation with RTA if within 250 metres of a classified road); or
- (b) if no such DCP is in place, relate to the land on which the advertisement is to be displayed, or to premises situated on that land or adjacent land, and specifies one or more of the following particulars:
 - (i) the purpose for which the land or premises is or are used,
 - (ii) the identification of a person residing or carrying on an occupation or business on the land or premises,

- (iii) a description of an occupation or business referred to in sub-subparagraph (ii),
- (iv) particulars of the goods or services dealt with or provided on the land or premises,
- (v) a notice directing the travelling public to tourist facilities or activities or to places of scientific, historical or scenic interest.

Where the Minister is the consent authority, any proposed sign in a non-urban area must be:

- (a) not inconsistent with local planning objectives and
- (b) only be considered in the following locations:
 - (i) within 5km of a freeway exit, or
 - (ii) within 5km of a town or urban centre or within a greater distance (from a town) if nominated in the council's LEP, DCP or a relevant council policy or strategy, or
 - (iii) along enterprise corridors or within or adjacent to an industrial zone leading into a town or regional centre.



IF IN RURAL AREA, MAY BE ACCEPTABLE NEAR FREEWAY EXITS TO TOWNSHIPS; IF METROPOLITAN AREA, MUST BE IN STRATEGIC CORRIDORS.



DOES NOT DETRACT FROM THE RURAL LANDSCAPE OR VISTA. LOCATED ADJACENT TO, AND SCREENS BUILT ENVIRONMENT (E.G. RAILWAY INFRASTRUCTURE).



SIGNS SHOULD NOT BE PLACED IN LOCATIONS THAT BLOCK SCENIC VIEWS.



SIGNS IN RURAL AREAS SHOULD NOT BE TOO PROMINENT OR DETRACT FROM RURAL VIEWS.

2.3.2 Sign placement in transport corridors in urban areas

Advertising structures within urban areas must be consistent with the general assessment criteria in Table 2 as well as any relevant requirements of SEPP 64. In particular, consideration must be given to the compatibility of the advertising proposal with the character of the urban area. As a guideline, advertising in urban areas should be restricted to rail corridors, freeways, tollways or classified roads:

- (a) within or adjacent to strategic transport corridors passing through enterprise zones, business development zones, commercial core zones, mixed use zones or industrial zones, or
- (b) within or adjacent to strategic transport corridors passing through entertainment districts or other urban locations identified by the local council in a relevant strategy as being appropriate for such advertising.



IN KEEPING WITH ENTERPRISE CORRIDOR OR INDUSTRIAL ZONE; WHOLLY WITHIN BUILDING STRUCTURE.



IN KEEPING WITH ENTERPRISE CORRIDOR AREA; WHOLLY WITHIN BUILDING STRUCTURE.

Consideration must be given to the compatibility of advertising development with surrounding land uses and whether such advertising will impact on sensitive locations. For instance, placement of advertising along transport corridors should not result in increased visibility of signage in adjacent or surrounding residential areas.

2.4 SIGN CLUTTER CONTROLS

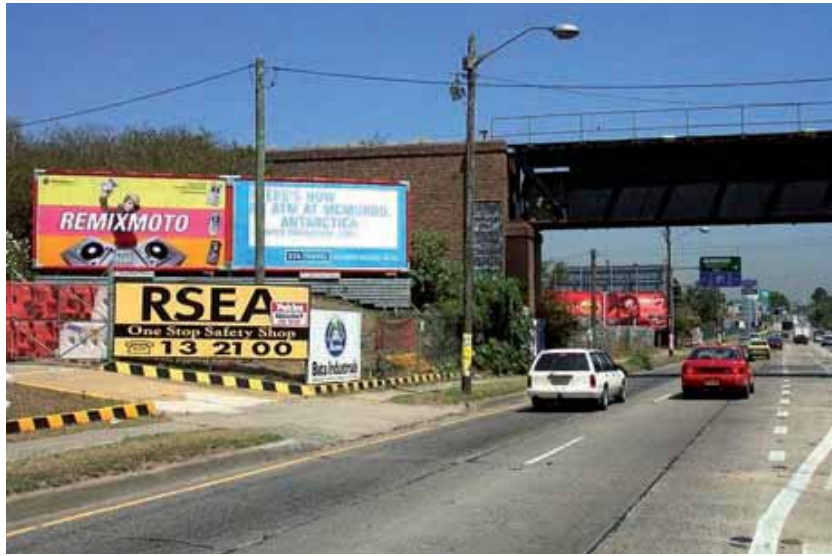
Advertising structures should not be placed in a location that will result in visual clutter. Clutter can be a distraction to drivers particularly where other signage such as directional or road safety signs are located. Clutter can make a streetscape or landscape visually unattractive. The viewing rights of adjacent advertisers must also be considered when placing advertisements near existing signage.

What constitutes “clutter” will differ depending on the location. For instance, in urban enterprise corridors and within entertainment districts, it is not uncommon to have multiple signs visible along a given sightline. When strategically placed, these signs can contribute to the urban fabric and promote city life in key areas. Clutter in this context may result however if there are too many signs or multiple messages placed on a single advertising site or location.

Multiple advertisement signs in rural or natural areas or along freeways or tollways adversely impacts on visual amenity and road safety. The overall number of signs placed along a transport corridor should be minimised preferably with only one advertising sign visible in a given view.

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

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



TOO MANY BILLBOARDS ON A SINGLE SITE. OPTION TO CONSOLIDATE SIGNS INTO SINGLE SUPERSITE



SINGLE SUPERSITE IS PREFERRED TO MULTIPLE SMALLER SIGNS ON A SITE.



CLUTTER – TOO MANY SIGNS IN A VISIBLE SEQUENCE ALONG A ROAD.



CLUTTER – TOO MANY SIGNS IN A VISIBLE SEQUENCE ALONG A ROAD.



IN RURAL AREAS NO MORE THAN ONE ADVERTISING STRUCTURE SHOULD BE VISIBLE ALONG A GIVEN SIGHTLINE.



EXAMPLE OF ADVERTISING CLUTTER SEEN OVERSEAS.

2.5 SITE-SPECIFIC AND STRUCTURAL CRITERIA

The broad macro-scale criteria and clutter controls outlined in Section 2.3 and 2.4 dictate where advertising may or may not be appropriate at the local and regional scale. The site-specific and structural criteria below guide the design and location of advertisement on specific sites to reduce unintended impacts from the signage.

In all circumstances, design innovation and excellence is to be encouraged. Advertising structures as well as their placement within the landscape context can contribute positively or adversely to the visual amenity of the area.

The general criteria as well as site specific criteria related to the particular type of site should be considered so that the sign will positively contribute to the qualities of associated buildings, bridges and other structures. Factors to consider include form (shape and size) of signs, lighting, as well as structural and placement considerations.

2.5.1 General criteria

Advertising structures should meet the following site-specific criteria:

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

- (g) Illumination of advertisements must not result in unacceptable glare or reduce safety for pedestrians, vehicles or aircraft.
- (h) Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.
- (i) Illumination of advertisements must be consistent with road safety criteria in Section 3.3.

2.5.2 Wall advertisements criteria

- (a) When the consent authority is the local council, consent must not be granted for a wall advertisement unless:
 - (i) The proposal meets all relevant criteria of Clause 22 in SEPP 64
 - (ii) For a wall advertisement greater than 45 square metres, a development control plan must be in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct (SEPP 64 Clause 19).
- (b) When the consent authority is the Minister for Planning, consent must not be granted for a wall advertisement unless the following criteria are met:
 - (i) Only one wall advertisement may be displayed per building elevation.



INTEGRATION WITH BUILDING; WITHIN THE BOUNDARIES OF THE BUILDING

- (ii) The architectural design quality of the building must not be diminished.
- (iii) The advertising structure must be contained completely within the solid boundaries of the building walls (i.e. the sign must not be wider or higher than the building itself).
- (iv) The advertising structure must not extend outward more than 300 millimetres from the building wall unless occupational health and safety standards require greater protrusion.
- (v) The advertisement must not extend over or block windows or other openings in the building.
- (vi) The advertisement must not be placed on heritage buildings or other heritage items, excluding railway stations.

Note: Proposals for advertising in transport corridors near railway buildings or other structures of heritage value must address RailCorp's heritage requirements and be prepared in accordance with RailCorp's heritage guidelines and plans.

2.5.3 Roof or sky advertisements

Roof or sky advertisements must comply with the requirements of SEPP 64 Clause 21 including:

- (a) The consent authority must be satisfied that:
 - (i) 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
 - (ii) that the advertisement improves the finish and appearance of the building and the streetscape, and
- (b) The advertisement must be:
 - (i) 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, aerials, masts and the like), and
 - (ii) no wider than any such part, and
- (c) A development control plan must be 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 must be consistent with the development control plan.

Consent for a roof or sky advertisement is limited to a maximum of 10 years.



APPROVAL DEPENDENT ON SPECIFIC LOCATION DETAILS, SITE HERITAGE VALUES AND WHETHER IT IS IN KEEPING WITH LOCAL DEVELOPMENT CONTROL RULES.



NOT LIKELY BE APPROVED UNLESS REPLACING AN EXISTING SIGN – DOMINATES SKYLINE; NOT IN KEEPING WITH DESIGN OR HERITAGE VALUES OF THE BUILDING.

2.5.4 Freestanding advertisements criteria

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

- (a) The advertising structure must not protrude above the dominant skyline, including any buildings, infrastructure or tree canopies, when viewed from ground level within a visual catchment of 1 kilometre. Note: This impact should be measured from the vehicle approach location and any other critical viewpoints.
- (b) For a freestanding advertisement greater than 45 square metres that requires consent from local council, a development control plan must be in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct.
- (c) Where the sign is in a transport corridor a landscape management plan may be required as part of the DA approval for a freestanding advertisement. This may include requirements to provide appropriate vegetation behind and adjacent to the advertising structure to minimise unintended visual impacts. Landscaping should include trees, shrubs and ground covers to provide adequate screening, softening, colour, soil stabilisation and weed reduction.



DOES NOT EXTEND ABOVE THE SKYLINE; SURROUNDING VEGETATION REDUCES UNINTENDED VISUAL IMPACTS.



SIGN DOMINATES SKYLINE.

2.5.5 Bridge signage criteria

Advertisements on bridges must be consistent with the requirements of SEPP 64 Clause 24 and:

- (a) The architecture of the bridge must not be diminished.

Note: Consideration should be given to whether the advertising structure is compatible with the form and scale of the bridge and sympathetic to the bridge style and design. Consideration should be given to whether the advertisement significantly detracts from the principle structural qualities of the bridge or any important decorative inclusions.

It is preferable that the sign be directly integrated into the structural design of the bridge. The sign should not compromise the architectural and visual quality of the bridge structure.

- (b) The advertisement must not extend laterally outside the structural boundaries of the bridge.

Note: The structural boundaries of the bridge include the solid part of the structure, road deck, handrail and safety guard fencing, but does not include additional devices attached to the structure such as lighting and power poles.

- (c) The advertisement must not extend below the base of the bridge structure, unless it:
 - i) is wholly incorporated into a pylon or abutment of the structure, or
 - ii) meets RTA's minimum road clearance requirements (see Note below).

Note: RTA requires that overhead structures along roads are constructed with at least 5.3 metres of clearance from the road surface to the base of the overhead structure (e.g. bridge, overpass, sign). For pedestrian bridges this clearance is extended to 5.5 metres. These clearance heights are to cater for the wind draft effect that high vehicles have on bridge structures. In addition, certain roads in NSW are strategic freight routes that require more than 5.5m overhead clearance to allow for the transport of oversized vehicles. Please check with the RTA to determine the suitable clearance for any overhead advertising structures along roads.

- (d) On a road or pedestrian bridge, the advertisement must:
 - (i) not protrude above the top of the structural boundaries of the bridge, and



DOES NOT DETRACT FROM ARCHITECTURAL ELEMENTS OF BRIDGE; DOES NOT BLOCK VIEWS; ADVERTISING FORM COMPATIBLE WITH BRIDGE FORM.



PROTRUDES ABOVE THE TOP OF THE ROAD BRIDGE; NOT IN KEEPING WITH BRIDGE ARCHITECTURE.



MEETS CRITERIA FOR RAIL BRIDGES; IN KEEPING WITH BRIDGE ARCHITECTURE.



ADVERTISEMENT WITHIN STRUCTURAL BOUNDARIES OF RAIL BRIDGE.

- (ii) not block significant views for pedestrians or other bridge users (e.g. cyclists), and
- (ii) not create a tunnel effect, impede passive surveillance, or in any other way reduce safety for drivers, pedestrians or other bridge users.

Note: Signs that extend above bridge handrail height (approx. 1 metre above the walking surface level) have the potential to block views, create a tunnel effect or impede passive surveillance by blocking clear sightlines to and from the bridge. These viewing and safety impacts may be avoided by:

- ensuring that signs are below handrail height, or
- for signs more than 1 metre above the walking surface level, ensuring that signs are:
 - not longer than half the length of the bridge, or
 - not longer than 14 metres (whichever length is shorter), or
- only having a sign on one side of the bridge.

- (e) Paragraphs (a) to (d) above do not apply to the continuation of the display of any existing advertising on pedestrian bridges approved prior to the gazettal of State Environmental Planning Policy No 64 (Advertising and Signage) (Amendment No 2) in 2007 for only one additional period under SEPP 64 Clause 14 if there is no increase in the advertising display area of the signage.
- (f) A development application to display an advertisement on a bridge must be accompanied by a statement demonstrating how the advertisement will contribute to a public benefit. Section 4 of these Guidelines outlines the public benefit test requirements.

2.5.6 Building wraps and hoardings criteria

Building wrap advertisements must be consistent with the requirements of SEPP 64 Clause 26 including:

- (a) A person may, with the consent of the consent authority, display a building wrap advertisement on land zoned for business, commercial or industrial purposes.
- (b) The display of any building wrap advertisement is limited in time to a maximum of 12 months.
- (c) A building wrap advertisement may cover the entire facade or hoarding of a building or site if it is consistent with the requirements of SEPP 64.
- (d) When the consent authority is the local council, consent must not be granted for a building wrap advertisement unless:
 - (i) A development control plan applies to the land on which the building wrap advertisement is to be displayed that has been made having regard to a public art policy of the consent authority and the display of the advertisement is consistent with the development control plan, and



EXAMPLE OF HOARDINGS WITHIN A PUBLIC SPACE UNDER CONSTRUCTION.



EXAMPLE OF OUTDOOR HOARDINGS AROUND A BUILDING CONSTRUCTION SITE.

- (ii) Any product image or corporate branding does not occupy more than 5% of the advertising display area and accords with the public art policy of the consent authority.
- (e) When the consent authority is the Minister for Planning, proposals for building wrap advertisements will be assessed on their merits, with consideration for:
 - (i) The quality of the design and finish of the proposed building wrap advertisement, and
 - (ii) The nature of the surrounding area, including the visual character and desired amenity, and
 - (iii) The compatibility between the building wrap design and the finish and visual character and desired amenity of the area.

2.5.7 Special promotional advertisements

Special promotional advertisements must comply with the following requirements of SEPP 64 Clause 25:

- (a) A person may, with the consent of the consent authority, display a special promotional advertisement on land zoned for business, commercial or industrial purposes.
- (b) The consent authority may grant consent only if:
 - (i) a development control plan applies to the land on which the special promotional advertisement is to be displayed that has been made having regard to a public art policy of the consent authority and the display of the advertisement is consistent with the development control plan, and
 - (ii) the display of the advertisement is limited in time to a total of 3 months in any 12-month period, and
 - (iii) any product image or corporate branding does not occupy more than 5% of the advertising display area and accords with the public art policy of the consent authority.
- (c) A special promotional advertisement may cover the entire facade or hoarding of a building or site, if it meets the above criteria.

3. Advertisements and road safety

3.1 ROAD SAFETY OBJECTIVES

Advertising displays within the visual catchments of roads are designed to attract driver's and passenger's attention. A reduction in driver attention away from the road however has the potential to create a road safety hazard. It is the aim of the RTA to minimise these hazards and improve road safety for all drivers where possible.

The purpose of this section is to outline the RTA advertisement policy in relation to road safety. The policy is designed to ensure that roadside advertising does not create a road safety hazard or confuse or distract drivers in any road environment, or compromise bicycle and pedestrian safety.

Schedule 1 of SEPP 64 outlines safety considerations that must be addressed for any advertisement proposal under SEPP 64. Advertisements have the potential to create a safety hazard if designed and placed contrary to the RTA's *Road Design Guide* and the principles and rules outlined below. The following traffic, bicycle, and pedestrian safety assessment criteria must be applied (as a minimum) in the design and assessment of all advertisement proposals on or within the vicinity of a classified road.

TABLE 3: ROAD SAFETY ASSESSMENT CRITERIA – SCHEDULE 1 SEPP 64

Safety

- (1) Would the proposal reduce the safety for any public road?
- (2) Would the proposal reduce the safety for pedestrians or bicyclists?
- (3) Would the proposal reduce the safety for pedestrians, by obscuring sightlines from public areas?

3.2 ROAD SAFETY ASSESSMENT CRITERIA

3.2.1 Sign location and design

- (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 placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver's view:
 - (i) to a road hazard,
 - (ii) to an intersection,
 - (iii) to a traffic control device (such as traffic signals, stop or give way signs or warning signs) or
 - (iv) to an emergency vehicle access point or Type 2 driveways (wider than 6–9 metres) or higher.
- (d) The advertisement must not distract a driver from or reduce the visibility and effectiveness of directional signs, traffic signals, other traffic control devices, regulatory signs or advisory signs or to obscure information about the road alignment.
- (e) 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 sign 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.
- (f) A sign should not be located:
 - (i) less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves.
 - (ii) less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment.
 - (iii) so that it is visible from the stem of a T-intersection.

Note: The minimum sight distance requirements for the design speed of the road must be met for road hazards (stopping sight distance), emergency vehicle access points and driveways (approach sight distance) and intersections (safe intersection sight distance). Refer to the *RTA Road Design Guide* for minimum stopping sight distances, minimum approach and safe intersection sight distances.

Design speed means a nominal speed fixed to determine the geometric features of a road. In the context of sight distances, the design speed is taken as the higher of the posted speed limit or the 85th percentile speed.

- (g) The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a traffic control device. For example:
- (i) Could the advertisement be construed as giving instructions to traffic such as 'Stop' or imitate a traffic control device?
 - (ii) If the sign is in the vicinity of traffic lights, does the advertisement use flashing lights?
- (h) The advertisement should not distract a driver's attention away from the road environment for an extended length of time. For example:
- (i) The sign should not be located in such a way that the driver's head is required to turn away from the road and the components of the traffic stream in order to view its display and/or message. All drivers should still be able to see the road when viewing the sign, as well as the main components of the traffic stream in peripheral view.
 - (ii) The sign should be oriented in a manner that does not create headlight reflections in the driver's line of sight. As a guideline, angling a sign five degrees away from right angles to the driver's line of sight can minimise headlight reflections. On a curved road alignment, this should be checked for the distance measured back from the sign that a car would travel in 2.5 seconds at the design speed.
- (i) The advertisement must not create a physical obstruction or hazard. For example:
- (i) Does the sign obstruct the movement of pedestrians or bicycle riders? (e.g. telephone kiosks and other street furniture along roads and footpath areas).

- (ii) Does the sign protrude below a bridge or other structure so it could be hit by trucks or other tall vehicles? Will the clearance between the road surface and the bottom of the sign meet appropriate road standards for that particular road?
- (iii) Does the sign protrude laterally into the transport corridor so it could be hit by trucks or wide vehicles?

Note: Where advertising structures hang over the road, the minimum vertical clearance should be the same as other structures in that road environment. Generally, the sign should have a vertical clearance equal or greater than the overpass, tunnel portal or pedestrian bridge. However in cases where these structures exceed the minimum vertical clearance specified for the particular type of road, the sign may protrude below the bridge or other structure.

If the minimum vertical clearance for other surrounding structures is not known then a minimum vertical clearance of 5.3 metres is to be used for the sign structure. However on high performance motorways, the minimum clearance may be 5.8m or more.

See also **Section 2.5.5 Bridge signage criteria** for minimum road clearance criteria.

- (j) Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone as defined in Section 3.7 of the RTA's *Road Design Guide* or behind an RTA-approved crash barrier.

Where a sign is proposed within the clear zone but behind an existing RTA-approved crash barrier, all its structures up to 5.3m in height (relative to the road level) are to comply with lateral clearances as specified by Section 6 of the RTA's *Road Design Guide* with respects to dynamic deflection and working width.

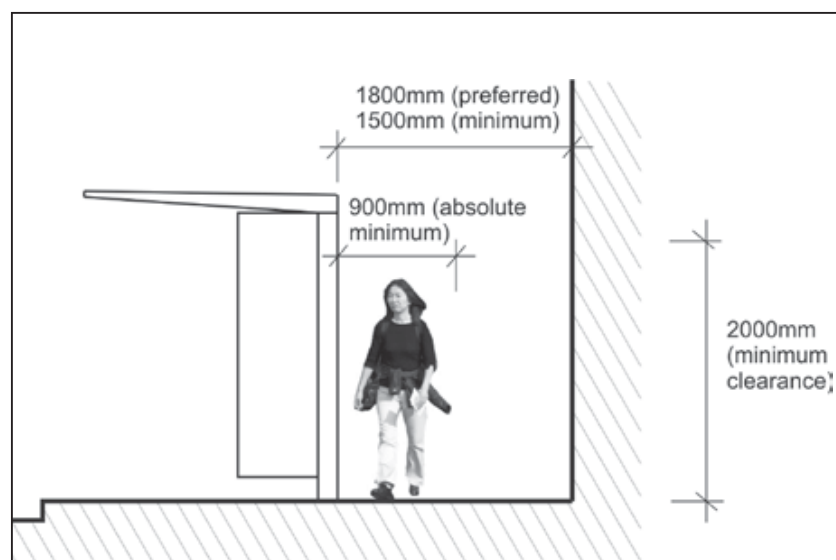
Note: Clear zone means the total roadside border area, starting at the edge of the travelled way, available for safe use by errant vehicles and the display of traffic control signs. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope and/or a clear run-out area. The minimum clear zone width is dependent upon the speed environment and roadside geometry.

- (k) All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS 1170.1 and AS1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.

- (l) The location of a sign on footpaths or nature strips must meet the following criteria to ensure adequate clearance for pedestrian and wheel chair access.

A sign must be positioned so that an absolute minimum envelope of 900 millimetres x 2000 millimetres of unobstructed clear path of travel is maintained for the entire length of the advertising structure (see figure below).

Further advice is also available from the RTA in relation to sign posting in certain locations such as hospitals, regional shopping centres and tourist areas.



MINIMUM UNOBSTRUCTED CLEAR PATH OF TRAVEL ON FOOTPATHS AND NATURE STRIPS.



SIGNS WILL BE ASSESSED AGAINST SAFETY CRITERIA TO ENSURE THAT THEY DO NOT OBSCURE OR OTHERWISE ALTER THE EFFECTIVENESS OF ANY ADJACENT TRAFFIC CONTROL DEVICE.

3.2.2 Variable messaging signs

Variable messaging signs will only be approved if they meet the following criteria, in addition to other criteria in this Policy:

- The speed limit of the road must not be greater than 70 kilometres per hour
- The time to change the display must not be greater than 1 second
- The display must be completely static from its first appearance to the commencement of a change to another display
- The level of illumination must adjust according to ambient light levels;
- The sign must not contain any scrolling messages (i.e. displayed text or graphics which moves up, down or across the screen so that a line of text or graphics appears at one edge of the screen for each line that moves off the opposite edge).

Further policy advice in relation to variable message signs is available in the RTA document *Guidelines for the location and placement of Variable Message Signs* (Ref TDT 2005/02).

3.2.3 Moving signs

Moving signs that face the road reserve and are visible to drivers will only be approved when they meet all of the following criteria, in addition to other criteria in this Policy:

- The speed limit of the road must be no greater than 70 kilometres per hour.
- The display must be completely static from its first appearance to the commencement of a change to another display.
- The driver should not expect to see more than one (1) message in the period of exposure, during normal driving conditions.

3.2.4 Video and animated electronic signs

Video and animated signs, including any signs which contain any portion of video and/or animated content, will not be approved if facing the road reserve and visible to drivers.

3.2.5 Illumination and reflectance

An illuminated sign refers to any sign illuminated by an artificial source. Illuminated signs include variable message signs, video and/or animated signs and any conventional billboard illuminated by fluorescent and/or incandescent bulbs.

In addition to design guidelines in relation to illumination and its effects (Section 2), the following assessment criteria are used to ensure that illumination and reflectance qualities of signs do not cause a road safety hazard.

- (a) Advertisements must comply with the following luminance rules shown below.
- (b) The maximum night-time luminance of the aforementioned signs in this section must be one-quarter of the above prescribed values.
- (c) For night time use, the sign (whether internally illuminated or lit from its exterior) must not cast a shadow on areas that were previously lit and that have a special lighting requirement, e.g. pedestrian crossings.

- (d) The light sources for illuminated signs must focus solely on the sign and:
 - (i) be shielded so that glare does not extend beyond the sign; and,
 - (ii) with the exception of back lit neon signs, have no light source visible to passing motorists with a light output greater than that of a 65W incandescent bulb.
- (e) The level of reflectance of an advertisement, and its content, is not to exceed the 'Minimum coefficients of Luminous intensity per unit area for Class 2A Material', as set out in Australian Standard AS/NZS 1906.1:2007. Flashing illuminated advertisements will not be approved.

Information in relation to Street Name Signs that are illuminated is also available in the RTA document *Management of Illuminated Street Name and Advertising Sign proposals – January 2000* (Ref TM P99/3).

TABLE 4: MAXIMUM ALLOWABLE DAYTIME LUMINANCE OF ILLUMINATED ADVERTISEMENTS

<i>Illuminated Area (sq m)</i>	<i>Zone 1</i>	<i>Zone 2 (cd/sq m)</i>	<i>Zone 3 (cd/sq m)</i>	<i>Zone 4 (cd/sq m)</i>	<i>Zone 5</i>
up to 0.5	no limit	2900	2000	1000	no limit
0.5 to 2.0		2300	1600	800	
2.0 to 5.0		2000	1200	600	
5.0 to 10.0		1500	1000	600	
over 10.0		1200	800	400	

Luminance means the objective brightness of a surface as measured by a photometer, expressed in candelas per square meter.

Zone 1 covers areas with generally very high off-street ambient lighting, e.g. display centres similar to Kings Cross, central city locations

Zone 2 covers areas with generally high off-street ambient lighting eg. some major shopping/commercial centres with a significant number of off-street illuminated advertising devices and lights.

Zone 3 covers areas with generally medium off-street ambient lighting e.g. small to medium shopping/commercial centres.

Zone 4 covers areas with generally low levels of off-street ambient lighting e.g. most rural areas, many residential areas.

Zone 5 covers areas within underground railway stations and areas fully contained within station buildings which are visible only from within the Rail Corridor.

3.3 REVIEW OF NEW SIGNS

The RTA may review the crash history of any new advertising sites after a 3 year period to determine whether the sign on the site has had an adverse effect on road safety. If the RTA is of the opinion that a sign on a new site is a traffic hazard, the RTA may direct the owner or occupier of the land on which the sign is situated or the person who erected the sign to screen, modify or remove the sign, regardless of whether or not the sign is the subject of a development consent under the Act or a consent under the *Roads Act 1993*.

Note: Traffic hazard is defined under the *Roads Act 1993* to mean a structure or thing that is likely:

- (a) to obscure or limit the view of the driver of a motor vehicle on a public road, or
- (b) to be mistaken for a traffic control device, or
- (c) to cause inconvenience or danger in the use of a public road, or
- (d) to be otherwise hazardous to traffic.

3.4 ROAD SAFETY GUIDELINES FOR SIGN CONTENT

SEPP 64 does not regulate the content of advertisements and signs and does not require consent for a change in content. It is however important that sign content does not compromise road safety. RTA may seek to regulate the content of signs by exercising its general powers under the *Roads Act 1993* and the imposition of conditions on the grant of consent or its concurrence under section 138 of the *Roads Act 1993*. If the proposed legend or sign content is considered to be a traffic hazard, the RTA may require the removal of the sign content.

It is recommended that advertisers have regard to the following advisory guidelines with respect to the content of advertisements to be displayed along road corridors.

TABLE 5: RTA ROAD SAFETY ADVISORY GUIDELINES FOR SIGN CONTENT

1. Advertisements must not imitate a traffic control device such as traffic lights;
2. Advertisements must not instruct drivers to perform an action such as 'Stop', 'Halt' or 'Give Way';
3. Advertisements must not invite traffic to move contrary to any traffic control device, or turn where there is fast moving traffic;
4. Advertisements must not contain reflectors, which at night could be mistaken for a traffic control device;
5. The permissible level of reflectance of an advertisement also applies to the content of the sign. That is, the level of reflectance is not to exceed the 'Minimum coefficients of Luminous intensity per unit area for Class 2A', as set out in Australian Standard AS/NZS 1906.1:2007;
6. Advertisements should not contain messages that are distractive or otherwise inconsistent with road safety;
7. Advertisements should be legible. A clear font at least 150 millimetres high is advisable;
8. Advertisements should not contain large areas of red display if it is to be illuminated. In wet night-time conditions it may cause confusion with traffic control signals or 'stop' or 'tail lights' of moving vehicles;
9. The amount of information supplied on a sign should be minimised so that the time required to read and understand the sign's message is minimised. As a guide, each sign should be restricted to 6 units of information. The summation of units is to be calculated as follows:
 - Words of up to 8 letters, inclusive = 1 unit
 - Numbers up to 4 digits, inclusive = 0.5 unit
 - Numbers of 5-8 digits = 1 unit
 - Symbol, picture, logo or abbreviation = 0.5 unit;
10. The proposed advertising message should not spread the message across more than one adjoining sign.

4. Public Benefit Test for advertisement proposals

This section 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.

4.1 WHAT IS THE PUBLIC BENEFIT TEST?

The public benefit test is an assessment of how the local community will benefit as a result of the display of the advertisement, and must be applied to an advertising proposal if:

- (a) the display of the advertisement is by or on behalf of RTA or RailCorp, or
- (b) the advertisement is to be displayed along a tollway, or
- (c) the advertisement is to be displayed on a bridge, or
- (d) the advertisement requires RTA concurrence under SEPP 64.

The proponent must outline in the Statement of Environmental Effects (SEE) accompanying the development application what arrangements they will make to provide an appropriate public benefit (see also section 1.5.3).

The consent authority (either the Minister for Planning or the council) will determine whether the applicant has sufficiently demonstrated that the proposed advertisement will contribute an appropriate public benefit. Public benefits, along with other matters identified in the SEPP (Clause 13), must be considered by a consent authority before approval can be given for the advertising development.

4.2 WHAT IS AN APPROPRIATE PUBLIC BENEFIT?

The level of public benefit for a given SEPP 64 advertisement is to be negotiated and agreed upon between the consent authority and the applicant. The public benefit can be provided as a monetary contribution or as an 'in-kind' contribution. Both monetary and in-kind contributions must be linked to improvements in local community services and facilities including benefits such as:

- improved traffic safety (road, rail, bicycle and pedestrian)
- improved public transport services
- improved public amenity within or adjacent to the transport corridor
- support school safety infrastructure and programs, or
- other appropriate community benefits.

4.2.1 RTA and RailCorp advertising

As proponents of outdoor advertising, RTA and RailCorp must demonstrate that revenue raised from outdoor advertising is directly linked to a public benefit.

RTA and RailCorp must record the total amount of outdoor advertising revenue received each year in their financial accounts and their Annual Reports. The Annual Reports must also outline the RTA or RailCorp investments made in the year on transport safety, amenity improvements or other public works listing specific works to which the funds have been or are to be applied.

RTA must consult with the relevant councils to identify and prioritise the public benefit works to be delivered through the program on a regional or subregional basis (in the Sydney Metropolitan area).

RTA should give priority to works in areas where the advertising signage is to be positioned. Improvements to traffic safety for drivers, pedestrians and cyclists should be the focus of the expenditure of advertising revenue. This may include works such as installation of flashing lights or other safety infrastructure in school zones, provision of cycleways, provision of pedestrian refuge areas, or installation of pedestrian bridges to improve safety and traffic flow.

For RailCorp, railway station upgrades (e.g. providing wheelchair access) and rail crossings (e.g. installation of lights or gates) or other rail safety measures may be considered priority works. Amenity improvements along rail corridors including landscaping, litter removal, or vandalism and graffiti management may also be considered appropriate public benefits.

4.2.2 Advertising along tollways

Under SEPP 64, proponents of advertising along tollways are required to provide for public benefits in association with any approved signage along tollways. Tollways include the Sydney Harbour Tunnel, the Eastern Distributor, the M2, M4, M5, M7, Cross City Tunnel and Lane Cove Tunnel.

The tollway operator must enter into satisfactory arrangements with the RTA to meet the public benefit requirements. The requirements may include payment of an annual or upfront fee negotiated with the RTA.

RTA is responsible for the collection, distribution and expenditure of public benefit monies from tollway operators. Public benefit monies received by RTA must be recorded in their financial accounts and Annual Reports as set out in Section 4.2.1

RTA must consult with the relevant council to identify and prioritise activities to be included in the public benefit works program to be delivered through the program.

4.2.3 Advertising approved by Councils

In instances where a local council is the consent authority, public benefit contributions may also be required as part of the approval to display an outdoor advertisement. This includes advertising on bridge structures and advertising that requires RTA concurrence (see Section 5.2).

The applicant should liaise with the Council prior to lodging a DA to determine what public benefit requirements are likely to be required.

Fees and Council revenue

In addition to the standard development application fees, the applicant may be required to provide an upfront fee or an annual fee (payable to the Council) for the duration of consent of the advertisement (generally 15 years). In this instance, no other additional fee is to be charged against the development under the Local Government Act.

The council may not require the proponent to pay a fee if it is satisfied that adequate public benefits will otherwise be provided for (see below under the heading In-kind contributions).

Council is responsible for the collection, distribution and expenditure of the revenue from the fees. The monies are to fund a public benefit works program developed in partnership with the RTA and/or Ministry for Transport in relation to public transport matters. Both council and RTA and/or Ministry for Transport will identify and prioritise projects in the LGA that require investment in transport safety, public transport or amenity improvements that are in addition to the core activities and services provided by the council.

When the Council is the advertising proponent, an annual fee need not be paid. However, as with RTA and RailCorp, the Council must set aside revenue raised from outdoor advertising to fund a public benefit works program.

The Council must record the total amount of outdoor advertising revenue received each year in their financial accounts and their Annual Reports. This includes fees collected from proponents as well as revenue raised directly from signage where Council is the proponent. The Annual Reports must also report on the amount of outdoor advertising revenue invested by the Council in transport safety, amenity improvements or other public works including a list of specific projects.

Improvements to traffic safety for drivers, pedestrians and cyclists are a priority for expenditure of advertising revenue. This may include works such as installation of flashing lights or other safety infrastructure in school zones, provision of cycleways, provision of pedestrian refuges or installation of pedestrian bridges to improve safety and traffic flow.

In-kind contributions

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

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

Advertising on pedestrian bridges are a special case and may not require any additional provision of public benefit (financial or in-kind). Public benefits associated with the bridge advertisement are usually linked to the cost of the bridge construction and its ongoing maintenance, particularly if the bridge is available for general public use and the bridge design and placement is considered suitable by both RTA and council.

Dispute resolution

If the council and the applicant cannot agree to an appropriate upfront or annual fee or in-kind contribution for the provision of public benefits, the matter should be referred by either party to the Director-General. The party who refers the application to the Director-General must notify the other party in writing that the application has been referred.

Following such a referral, the council must provide the Director-General with a copy of the development application, details of its proposed determination of the development application and details of the dispute in relation to public benefits associated with the proposed advertisement.

The Director-General may convene a meeting between the council and the applicant for the purpose of negotiating, as far as possible, an appropriate public benefit as an annual fee or in-kind contribution.

If agreement is reached between the consent authority and the applicant the Director-General must prepare a report of the agreement. If agreement is not reached, the Director-General may determine an appropriate fee or in-kind contribution on behalf of the parties and prepare a report of the agreement.

In either case, the Director-General must give a copy of the report to the consent authority and the applicant. After receiving the Director-General's report, the consent authority must proceed with the assessment and determination of the application and incorporate the Director-General's report recommendations into any conditions of consent relating to the provision of public benefits under SEPP 64.

5. RTA assessment of advertisement proposals

The RTA has several responsibilities for the control and management of advertisements:

- as the roads authority for freeways and as regulator of classified roads generally under the *Roads Act 1993*;
- as the owner of land on which tollways and freeways are located (Refer sections 52 and 52A respectively of the *Roads Act 1993*);
- in accordance with the administration of the provisions of the *Roads Act 1993*.
- in accordance with the RTA's functions relating to traffic management and safety under section 52A of the *Transport Administration Act 1988*.

5.1 RTA ROLES UNDER THE ROADS ACT 1993

The RTA may have an approval role or a concurrence role under section 138 of the *Roads Act 1993*.

An approval under section 138 of the *Roads Act* is required from RTA as the appropriate road authority for the erection of any advertising structure in, on or over a freeway. For other roads, where the local council is the appropriate road authority, RTA may need to concur with the council's approval under section 138.

If the applicant for the advertising proposal is a public authority and the application is for the erection of an advertising structure in, on or over a classified road, the RTA must consult with the public authority before deciding whether or not to grant concurrence. If however the applicant is Railcorp and the Minister for Planning is the consent authority, consultation only on safety issues is required.

If the advertising applicant is the RTA and the relevant roads authority is the local council, the council must consult with the RTA before deciding whether or not to grant consent.

Whether or not the erection and display of an advertisement has been approved under the EP&A Act or the *Roads Act 1993*, the RTA may direct:

- (a) the owner or occupier of land on which the advertisement is situated; or
- (b) the person who erected the advertisement,

to screen, modify or remove the advertisement if, in the opinion of the RTA, the advertisement is a traffic hazard.

5.2 RTA CONCURRENCE UNDER SEPP 64

Under clause 17 and 18 of *SEPP 64*, local councils must seek RTA **concurrence** for development applications for advertising structures that are within 250 metres of a classified road if:

- (a) the display area of the sign is:
 - (i) greater than 20 square metres, or
 - (ii) higher than 8 metres above the ground, and
- (b) any part of the sign is visible from a classified road.

This provision does not apply to signage that is *exempt development* under a relevant environmental planning instrument or where the Minister for Planning is the consent authority or approval authority under the EP&A Act.

Classified roads are defined in the *Roads Act 1993* as main roads, highways, freeways, controlled access roads, secondary roads, tourist roads, tollway, transitways, and State works. To determine if a particular road is a "classified road", the applicant should consult with the local council or the RTA.

In a development application for consent for an advertising structure, the applicant must demonstrate that the proposed sign will not result in a road hazard or create traffic safety problems and will not detract from the existing or intended environmental quality or character of the road corridor.

If the road is a classified road, the RTA should be consulted to determine if a corridor plan of management or corridor urban design strategy or equivalent exists for the particular road corridor. Such a plan or strategy (or their equivalent) should be taken into consideration when developing the proposal. In addition, the following guidelines issued by RTA should also be considered:

- *Beyond the Pavement: RTA Urban and Regional Design Practice Notes*, 1999 (and any subsequent revisions)
- *RTA Bridge Aesthetics Design Guidelines* (as updated)
- *RTA Road Design Guidelines* (as updated)

The development application should be lodged with council. The council must forward the development application to the RTA to provide concurrence along with a \$250 concurrence fee (payable to the RTA).

In deciding whether or not concurrence should be granted under SEPP 64, the RTA will take into consideration relevant factors including:

- the impact of the display of the advertisement on road safety (**Section 3** of these Guidelines); and
- any other relevant provisions of these Guidelines or other relevant RTA guidelines such as *Beyond the Pavement* or RTA road or bridge design guidelines.

Once the RTA has considered the development application, it will give written notice to the consent authority of its decision whether to concur. It will be assumed that the RTA has given its concurrence if the RTA has not advised the consent authority of its decision within 21 days after it receives the development application.

The RTA may request additional information if the detail provided in the development application is not adequate. The 21 day concurrence period will be suspended until the applicant has provided sufficient information for the RTA to assess the development application.

5.3 RTA CONSULTATION FOR LEPS AND DCPS

Under SEPP 64 it is also a requirement that the RTA be consulted in the preparation of the following policies and controls:

- LEPS for signage or advertising to which SEPP 64 applies and where the signage or advertisement is within 250 metres of classified roads (SEPP 64, Clause 31); and,
- DCPS for advertising in rural or non-urban zones on land within 250 metres of a classified road (SEPP 64, Clause 15(2)).

6. Terms and acronyms

Advertising and signage expressions used in these Guidelines have the same meaning as the definitions in SEPP 64.

The following references, terms and acronyms are used in these Guidelines.

AS 1170.1 – Australian Standard: Structural Design Actions: Permanent, Imposed & other Actions.

AS 1170.2 – Australian Standard: Structural Design Actions: Wind Actions.

AS/NZS 1906.1:2007 – Retroreflective Materials & Devices for Road Traffic Control Purposes.

associated road use land in relation to a road, means:

- (a) land on which road infrastructure associated with the road is located, or
- (b) land that is owned, occupied or managed by the roads authority for the road and that is used for road purposes or associated purposes (such as administration, workshop and maintenance facilities, bus interchanges and roadside landscaping).

classified road means any of the following: a main road, a highway, a freeway, a controlled access road, a secondary road, a tourist road, a tollway, a transitway or a State work.

DCP – Development Control Plan

EPI – Environmental Planning Instrument

enterprise corridor means an area with generally low amenity along a busy road (>40,000 vehicles per day) in existing built up areas in the Greater Metropolitan Region.

Guidelines means this publication titled *Transport Corridor Outdoor Advertising and Signage Guidelines* approved by the Minister for the purposes of SEPP 64, as in force and as published in the Gazette on the date of publication in the Gazette of *State Environmental Planning Policy No.64 (Advertising and Signage) (Amendment No.2)*.

LEP – Local Environmental Plan

the Act – *Environmental Planning and Assessment Act 1979*

the Director-General – the Director-General of the NSW Department of Planning

the Minister – the NSW Minister for Planning (unless otherwise stated)

railway corridor means the following land:

- (a) land on which railway track and associated railway infrastructure is located (including stations and platforms),
- (b) land that is adjacent to land referred to in paragraph (a) and that is owned, occupied or managed by RailCorp and used for railway purposes or associated purposes (such as administration, workshop and maintenance facilities and bus interchanges),
- (c) land zoned for railway (including railway corridor) purposes under an environmental planning instrument,
- (d) land identified as a railway corridor in an approval of a project by the Minister for Planning under Part 3A of the Act.

RailCorp – Rail Corporation New South Wales constituted under the *Transport Administration Act 1988*.

road corridor means the following land:

- (a) land comprising a classified road or a road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 Motorway, the M4 Motorway, the M5 Motorway, the M7 Motorway, the Cross City Tunnel or the Lane Cove Tunnel, and associated road use land that is adjacent to such a road,
- (b) land zoned for road purposes under an environmental planning instrument,
- (c) land identified as a road corridor in an approval of a project by the Minister for Planning under Part 3A of the Act.

RTA – the Roads and Traffic Authority constituted under the *Transport Administration Act 1988*.

SEPP 64 – *State Environmental Planning Policy No.64 – Advertising and Signage* and includes the amendment to the Policy as of the date of gazettal of *State Environmental Planning Policy No.64 (Advertising and Signage) (Amendment No.2)*.

transport corridor land means the following land:

- (a) land comprising a railway corridor,
- (b) land comprising a road corridor,
- (c) land zoned industrial under an environmental planning instrument and owned, occupied or managed by the RTA or RailCorp.

