



STATEMENT OF ENVIRONMENTAL EFFECTS (BUS SHELTER ADVERTISING)

Digital Advertising Signage

DA7 (Signs J1-J3 +J7)

Former Warringah Council

Prepared for: oOh! Media Street Furniture Pty Ltd

REF: M240481

DATE: 16 July 2025



BUS
SHELTER
ADVERTISING

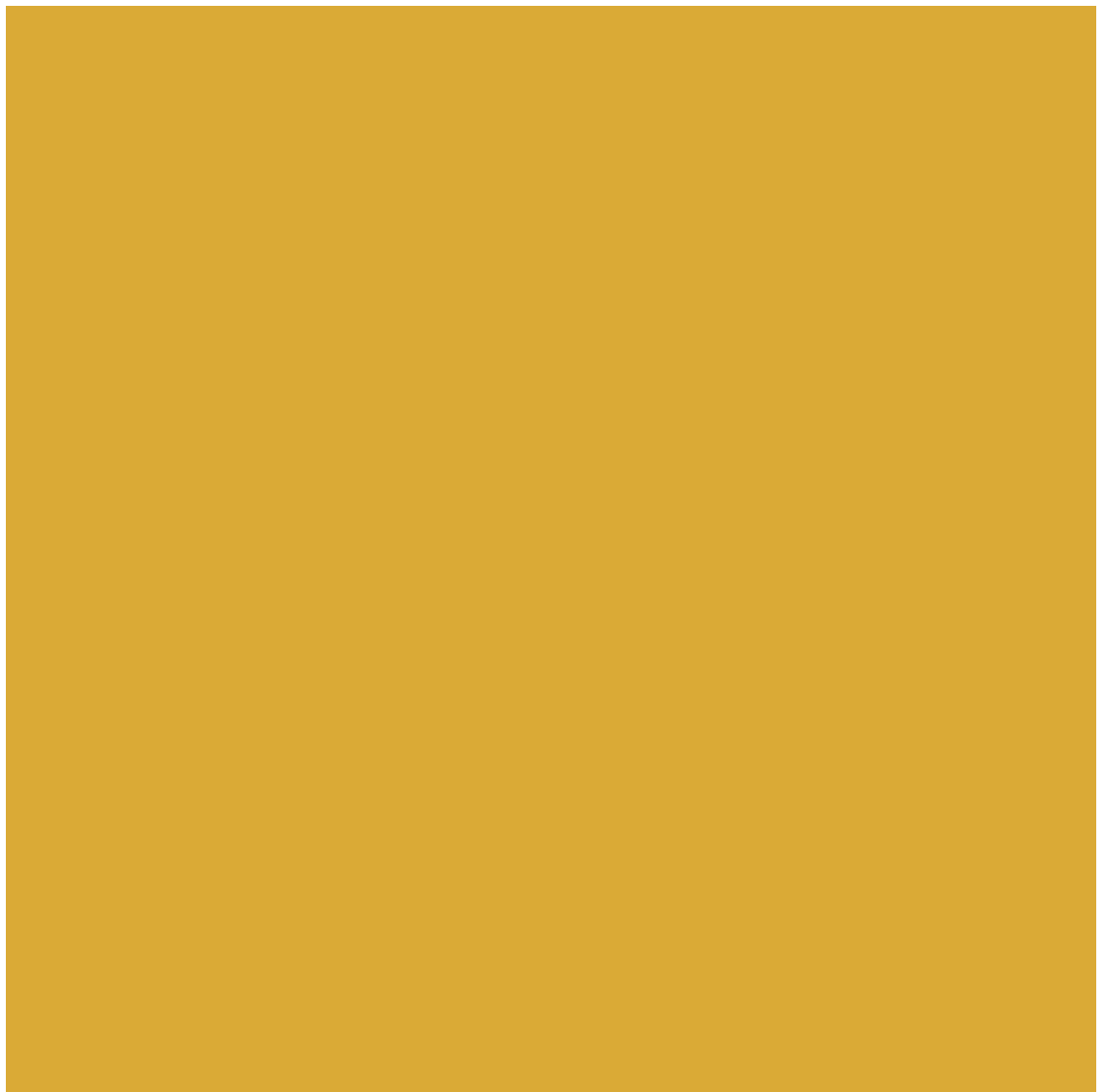


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1. Introduction

This Statement of Environmental Effects has been prepared by Planning Ingenuity Pty Ltd for oOh! Media Street Furniture Pty Ltd as part of a development application for the proposed replacement of bus shelter advertising panels across four (4) select public bus stop shelters within the suburbs of Dee Why and Brookvale, in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This application seeks to upgrade the existing advertising signs on the bus shelters to a newer digital and/or static format signs which will be determined by the Northern Beaches Local Planning Panel as Council is the landowner in this instance. The proposed development does not seek to alter the bus shelters with the exception of the new advertising signage.

The existing advertisements on the bus shelter sites enjoy existing use rights pursuant to Section 4.65(b) of the *Environmental Planning & Assessment Act, 1979*. The proposal relies on Clauses 163 and 164 of the *Environmental Planning & Assessment Regulation 2021* to expand and intensify the existing use. This will be discussed in the body of the Statement.

This application includes an assessment of the signage in accordance with *State Environmental Planning Policy (Industry and Employment) 2021* and the *Transport Corridor Outdoor Advertising and Signage Guidelines* prepared by the Department of Planning, Industry and Environment (2017). Detailed assessment of each sign against the relevant planning provisions occur within **Annexures A-D**.

The purpose of this Statement is to address the planning issues associated with the development proposal and specifically to assess the likely impact of the development on the environment in accordance with the requirements of S.4.15 of the *Environmental Planning & Assessment (EP&A) Act, 1979*.

This Statement is divided into six sections. The remaining sections include a background, locality and site analysis; a description of the proposal; an environmental planning assessment; and a conclusion.

2. Background

2.1 CONSULTATION AND PRE-DA MEETING DISCUSSIONS WITH COUNCIL

On 5 December 2024, a Pre-DA meeting (PLM2024/0141) was held with Northern Beaches Council. The purpose of the meeting was to clarify and confirm the most appropriate planning pathway for the proposed development, given there are a multitude of existing bus shelters across the former Manly, Warringah and Pittwater LEP areas within the Northern Beaches Council. The scheme presented to Council officers was described as follows:

“Alterations to selected use of bus stop shelter panels (87) of electronic advertising screens – “signage”, “advertising” an “advertising structure”.

The feedback from the Pre-DA meeting is summarised in **Table 1** below

Table 1 Pre DA- meeting discussions

Issue/Comments	How the application has responded
<u>Traffic Engineering</u> The shelters are owned by Council but provided and maintained by the contractor in exchange for advertising rights. The type of advertising permitted to be displayed would be detailed in the contract arrangements in place with Council. In terms of the level of illumination of the signage and the frequency of image changes the TfNSW document Transport Corridor Outdoor Advertising Signage Guidelines should be consulted and any signage made compliant with those guidelines. Given the small size of the signs it won't be necessary to refer the applications to TfNSW for their consent. It is noted that the guidelines advise that images should be static and not change any more frequently than every 10 seconds on roads with a speed limit less than 80km/h. Luminance levels of the signage should be less than or equal to those for the existing backlit screens and the luminance also within limits outlined in section 3, table 6 of the TfNSW guide.	 Noted. The content displayed in the digital and/or static advertising panels will be in accordance with the contract arrangements. Refer to Section 4.1.4 of this Statement for details on signage content. The proposed digital and/or static advertising signage, including illumination has been designed in accordance with the relevant requirements of the TfNSW Transport Corridor Outdoor Advertising Signage Guidelines. Refer to Section 4.1.3 of this Statement for details on illumination. The digital signage for J1-J3 & J7 will have a dwell time of 10 seconds.
<u>Heritage Advisor</u> None of the bus stops identified in the list are themselves heritage items, we are flagging that some sit within heritage listed parks. Flagging it now so the applicant can properly address that in any future DA. ITS05098 – Merrit Reserve I174 in MLEP	 Bus Stop J2 is located adjacent to Heritage Landscape Conservation Area C5 <i>Dee Why Lagoon and Reserve</i> . Refer to Section 5.3.3.1 of this Statement. None of the remaining bus stops part of this application are identified as heritage items, located within a heritage conservation area or in proximity to a heritage item.

Table 1 Pre DA- meeting discussions

- ITS05088, ITS05089, ITS05091 – Park I251 in MLEP

Additionally, some will sit within road reserves that are heritage listed for their street trees – ie Balgowlah Road, Condamine Street (ITS05072, ITS05097)

I would not require a heritage impact statement for these works, but the applicant should confirm their requirements depending on what approval pathway they require and what they are required to do (ie if they go under the Infrastructure SEPP)

Applicant should also check all bus stops identified to confirm if others are sitting within heritage reserve.

Documentation to accompany the development application

- | | |
|---|---|
| <ul style="list-style-type: none"> • Owners consent. TfNSW / Council – Transport assets. (Note: may be suitable to allocate the 3 DA's to the council buildings at 1 Belgrave St Manly , 725 Pittwater Road Dee Why and 1 Park Street Mona Vale because the various road reserves (bus shelters) have no collective lot / DP identifier or specific address reference. | <p>Noted. The relevant Owners Consent will be obtained and submitted with the Development Application.</p> |
| <ul style="list-style-type: none"> • Statement of Environmental Effects | <p>This document.</p> |
| <ul style="list-style-type: none"> • Details addressing SEPP (Industry and Employment) 2021 – Chapter 3 | <p>Refer to Section 5.3.1 of this Statement and Annexures A to D.</p> |
| <ul style="list-style-type: none"> • Details addressing Planning Circular PS 21-008 (including existing use rights as applicable/as relevant to the existing shelter locations and use for advertising signage.) | <p>The current advertisements on the shelter sites enjoy existing use rights. Existing use rights and Planning Circular PS21-008 is addressed in Section 5.3.3 and 5.3.6 of this Statement. Site cards have been prepared by <i>oOh! Media</i> and are included in Annexure E of this Statement.</p> |
| <ul style="list-style-type: none"> • Scaled and dimensioned plans: <ul style="list-style-type: none"> ○ Site Plan/s – area and specific; ○ Elevations; and ○ Signage details (generic) ○ Details of LUX and rotation time / scrolling interval of advertisements | <p>A cost of works estimate has been prepared and is submitted with the application.</p> |
| <ul style="list-style-type: none"> • Cost of works estimate | <p>Noted.</p> |
| <ul style="list-style-type: none"> • Site location plan for each bus stop | <p>Noted.</p> |
| <ul style="list-style-type: none"> • Closest property address included for each shelter | <p>Noted</p> |
| <ul style="list-style-type: none"> • Waste Management Plan (minimal if disposal of old sign boards only) | <p>See Annexures A-D.</p> |
| <ul style="list-style-type: none"> • See also the provisions of the publication titled 'Transport Corridor Outdoor Advertising and Signage Guidelines approved by the Minister for the | |

Table 1 Pre DA- meeting discussions

purposes of the State Environmental Planning Policy	
<u>Concluding Comments</u>	
Schedule 5 of SEPPEI contains the principal assessment criteria however the LEP and DCP provisions are required to be addressed.	An assessment of each sign against the relevant planning provisions are provided at Annexures A to D of this statement.
The SEE will need to address permissibility between the zones with reference to previous or original adverting consent granted. It should be noted that the SEPP limits advertising signage to 15 years or less. This has relevance if 'existing use rights' apply for prohibited development along SP2 land or residential land for advertising.	Noted. Refer to Section 2.2 on previous advertising consent. Section 5.1 of this Statement addresses existing use rights for each bus shelter.
The DAs will be referred to Transport for NSW where the shelters are on classified road	Noted. Bus shelters J1-J3 are located on State Classified Pittwater Road (No.0000159). Refer to Section 5.3.2 of this Statement.

It was resolved that sixteen (16) development applications appropriately grouped across the former Warringah, Manly and Pittwater LEP areas would be accepted by Council for notification and assessment of the works.

This application specifically relates to four (4) advertising structures at various existing bus shelters within the suburbs of Dee Why and Brookvale, known as J1, J2, J3 and J7. Each of these sites are described in Section 3 of this Statement.

2.2 PREVIOUS APPROVALS

The current advertisements on the shelter sites enjoy existing use rights pursuant to Section 4.65(b) of the EP&A Act, whereby the current advertising shelters at the sites have been in operation for a number of years, as evidenced by the longstanding commercial agreement between oOh! Media and Northern Beaches Council (including former Warringah Council).

The previous approvals granted to each site for the construction of a bus shelter, including advertising signage consent for sign J2 is detailed below. Signs J1, J3 and J7 relies upon consent for the construction of a bus shelter with the location of signage consistent with the other approvals. Refer to Section 5.1 of this Statement for detailed discussion on existing use rights and permissibility for all signs.

2.2.1 Bus Shelter J1 on Pittwater Road, in front of 11 Hawkesbury Avenue, Dee Why

On 20 February 2001, former Warringah Council granted Development Consent to Development Application 5051DA for *construction of a bus shelter at Site No.20579 on Pittwater Road, near Hawkesbury Avenue, Dee Why*.

This development application did not specifically include consent for advertising signage, however as demonstrated throughout this Statement, the design of the bus shelter clearly contemplated advertising signage to be provided. In any event, the provision of signage for the bus shelter would be considered as ancillary development when considering Planning Circular PS21-008 (refer to Part 5.3.6 below) and therefore the replacement of the existing signage will rely on the intensification of existing use rights and Development Application and Construction Certificate Documentation.

2.2.2 Bus Shelter J2 on Pittwater Road, in front of 738 Pittwater Road, Dee Why

On 19 July 2011, former Warringah Council granted Development Consent to Development Application DA2011/0381 for *construction of a bus shelter with signage* at Bus Stop No.2099015 on the Road reserve near the corner of Lismore Avenue and Pittwater Road, Dee Why

This consent included a 15-year limitation on development consent for signage, which is reproduced as follows:

3. Limitation of Development Consent for Signage

Pursuant to the provisions of State Environmental Planning Policy No 64-Advertising and Signage this development consent will expire 15 years after the date on which this Development Consent becomes effective and operates

Reason: *Statutory requirement under State Environmental Planning Policy No 64-Advertising and Signage. (DACPLB08)*

As detailed in the Notice of Determination, the date of which the consent operated from was 19 July 2011. In accordance with Condition 3 above, the consent expires on 19 July 2026. At the date of this Statement, 16 July 2025, the consent for advertising signage at the site remains valid.

2.2.3 Bus Shelter J3 on Pittwater Road in front of 778 Pittwater Road, Brookvale

On 2 February 2001, former Warringah Council granted Development Consent to Development Application 3081DA for *construction of a bus shelter at Site No.20556 on Pittwater Road, Brookvale*.

This development application did not specifically include consent for advertising signage, however as demonstrated throughout this Statement, the design of the bus shelter clearly contemplated advertising signage to be provided. In any event, the provision of signage for the bus shelter would be considered as ancillary development when considering Planning Circular PS21-008 (refer to Part 5.3.6 below) and therefore the replacement of the existing signage will rely on the intensification of existing use rights and Development Application and Construction Certificate Documentation.

2.2.4 Bus Shelter J7 on Howard Avenue, in front of 894 Pittwater Road, Dee Why

On 5 February 2001, former Warringah Council granted Development Consent to Development Application 5046DA for *construction of two bus shelters at Sites 20587 & 20588, Howard Avenue, near Pittwater Road, Dee Why*.

This development application did not specifically include consent for advertising signage, however as demonstrated throughout this Statement, the design of the bus shelter clearly contemplated advertising signage to be provided. In any event, the provision of signage for the bus shelter would be considered as ancillary development when considering Planning Circular PS21-008 (refer to Part 5.3.6 below) and therefore the replacement of the existing signage will rely on the intensification of existing use rights and Development Application and Construction Certificate Documentation.

Copies of the Development Consents and Construction Certificate approvals (where available) for each sign are included within **Annexure F** of this Statement.

3. Site Analysis and Context

3.1 THE SITES

This application relates to the upgrade of four (4) existing bus shelter advertisements to include new digital / static signage in various locations within the suburbs Dee Why and Brookvale. The signage is proposed at the following locations:

- Bus Stop J1 on Pittwater Road, in front of 11 Hawkesbury Avenue, Dee Why
- Bus Stop J2 on Pittwater Road, in front of 738 Pittwater Road, Dee Why
- Bus Stop J3 on Pittwater Road, in front of 778 Pittwater Road, Brookvale
- Bus Stop J7 on Howard Avenue, in front of 894 Pittwater Road, Dee Why

A context plan, depicting the location of the proposed sites is provided in **Figure 1** below.

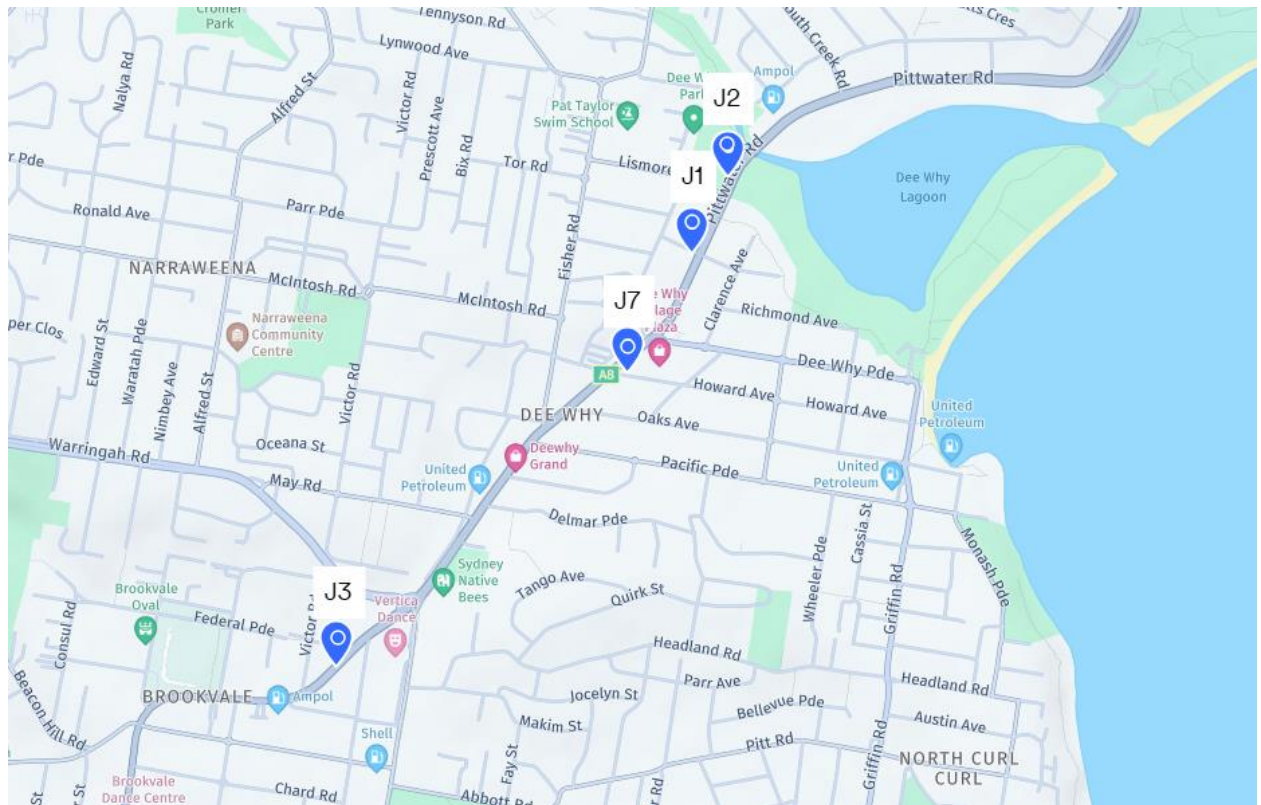


Figure 1 Site context plan (Source: Nearmap)

Images of the existing bus shelters are provided in **Figures 2 to 5** below.



Figure 2 Existing J1 Bus Stop and Shelter on Pittwater Road, in front of 11 Hawkesbury Avenue, Dee Why



Figure 3 Existing J2 Bus Stop and Shelter on Pittwater Road, in front of 738 Pittwater Road, Dee Why



Figure 4 Existing J3 Bus Stop and Shelter on Pittwater Road in front of 778 Pittwater Road, Brookvale



Figure 5 Existing J7 Bus Stop on Howard Avenue, in front of 894 Pittwater Road, Dee Why

4. Description of the proposal

4.1.1 Proposed Signage

It is proposed to replace the current static (paper) advertising panels, with new digital/ static advertising panels that will be affixed to the existing bus shelters. There are no changes proposed to the existing bus shelters, which are to be retained as part of this application. The new signage will provide for Digital/Static (DS) advertising panels at each shelter site (J1-J3 and J7). Specifically, the signage at each shelter site will be double sided, with one side containing a Digital Panel, and the other side containing a Static Panel.

A breakdown of the proposed signage and details of each stop is provided in **Table 2** below.

Table 2 Detailed Site and Signage Data							
Council Asset #	Reference	Location	Suburb	Commercial Agreement	Previous Consent	Proposed Signage Format	Zone
ITS00295	J1	Pittwater Road, in front of 11 Hawkesbury Avenue, Dee Why	Dee Why	Warringah Council	5051DA	D/S	SP2
ITS00264	J2	Pittwater Road, in front of 738 Pittwater Road, Dee Why	Dee Why	Warringah Council	DA2011/0381	D/S	SP2
ITS00291	J3	Pittwater Road, in front of 778 Pittwater Road, Brookvale	Brookvale	Warringah Council	3081DA	D/S	SP2
ITS00131	J7	Howard Avenue, in front of 894 Pittwater Road, Dee Why	Dee Why	Warringah Council	5046DA	D/S	MU1

4.1.2 Type of Signage

As detailed above, the proposal involves the replacement of existing advertising panels with digital and static panels.

Digital Signage

Digital signage uses digital technology to display electronic images, a key feature of this signage type is that it uses Light Emitting Diode (LED) technology to control luminance automatically. This form of signage can rotate multiple advertisements in a specific dwell time. Digital signage is a form of Digital Out of Home Advertising (DOOH).

Static Illuminated Signage

Static signage incorporates fixed images, symbols or text that is printed on paper or other materials such as acrylic fibre or vinyl. This signage display does not comprise changing content with multiple advertising messages, compared to digital signage. This type of signage is not intended to be updated often and can be illuminated or backlit internally.

The specifications of each signage type proposed are outlined in **Table 3** below.

Table 3 Signage Specifications						
Advertising structure type	Display format	Display area	Brightness	Power	Consumption	Communications
Digital /Static						
E-Box DS75DS	(A Panel) 75" Portrait, LED digital display	(A Panel) 1650mm x 945mm	(A Panel) 300 nits (night) to 3500 nits (full sunlight)	240 VAC, 6A (max)	800W (max), 300W (ave)	Managed by on-board 4G Broadband router

Table 3 Signage Specifications

(B Panel) Rear illuminated poster	(B Panel) 1750mm x 1150mm	(B Panel) 300 nits (night only)
-----------------------------------	---------------------------	---------------------------------

Site cards for each bus stop have been prepared by *oOh! Media* and are submitted with this development application. Refer **Annexure E**.

The existing J1 and J3 shelters are in the style *Pitched Roof Metro*. **Figure 6** below illustrates the standard design details and elevations of the new digital advertising panels.

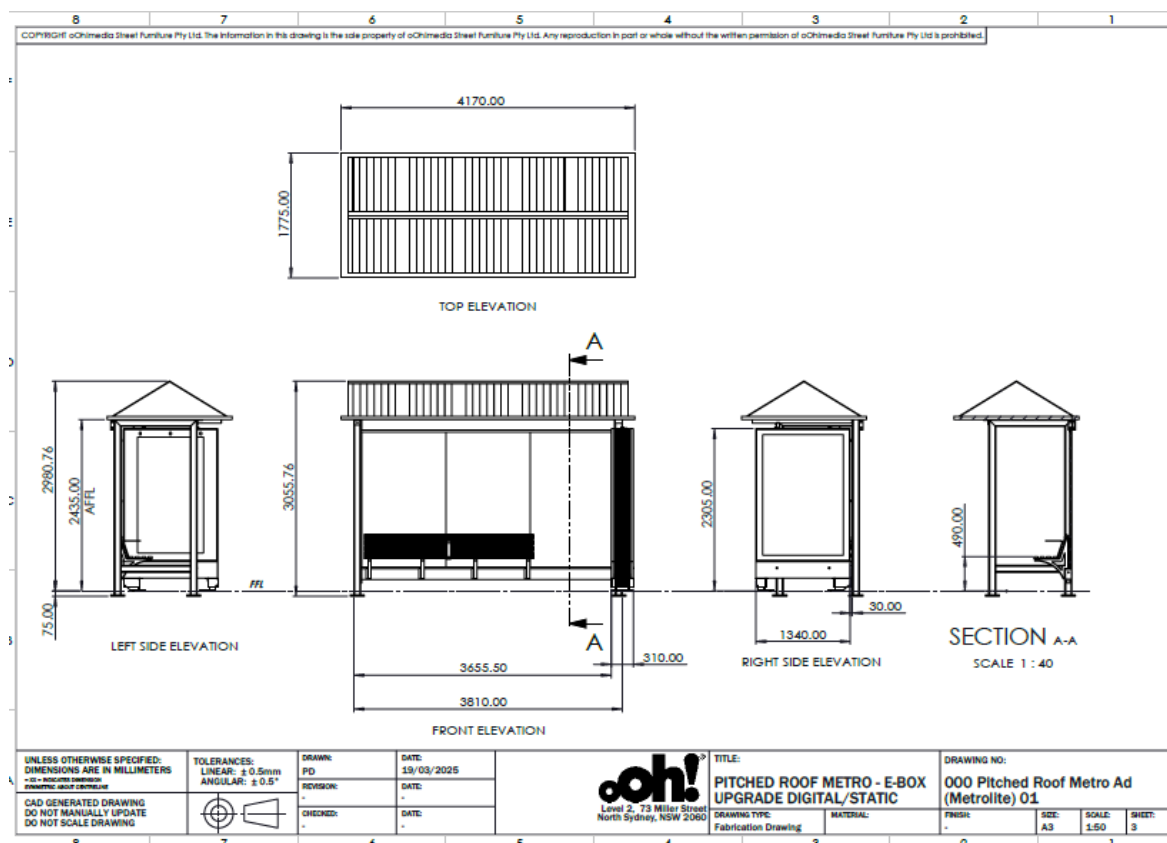


Figure 6 Proposed Digital/Static Signage Elevation – Pitched Roof Metro

The existing J2 shelter is in the style *Rationalised Federation*. **Figure 7** below illustrates the standard design details and elevations of the new digital advertising panel.

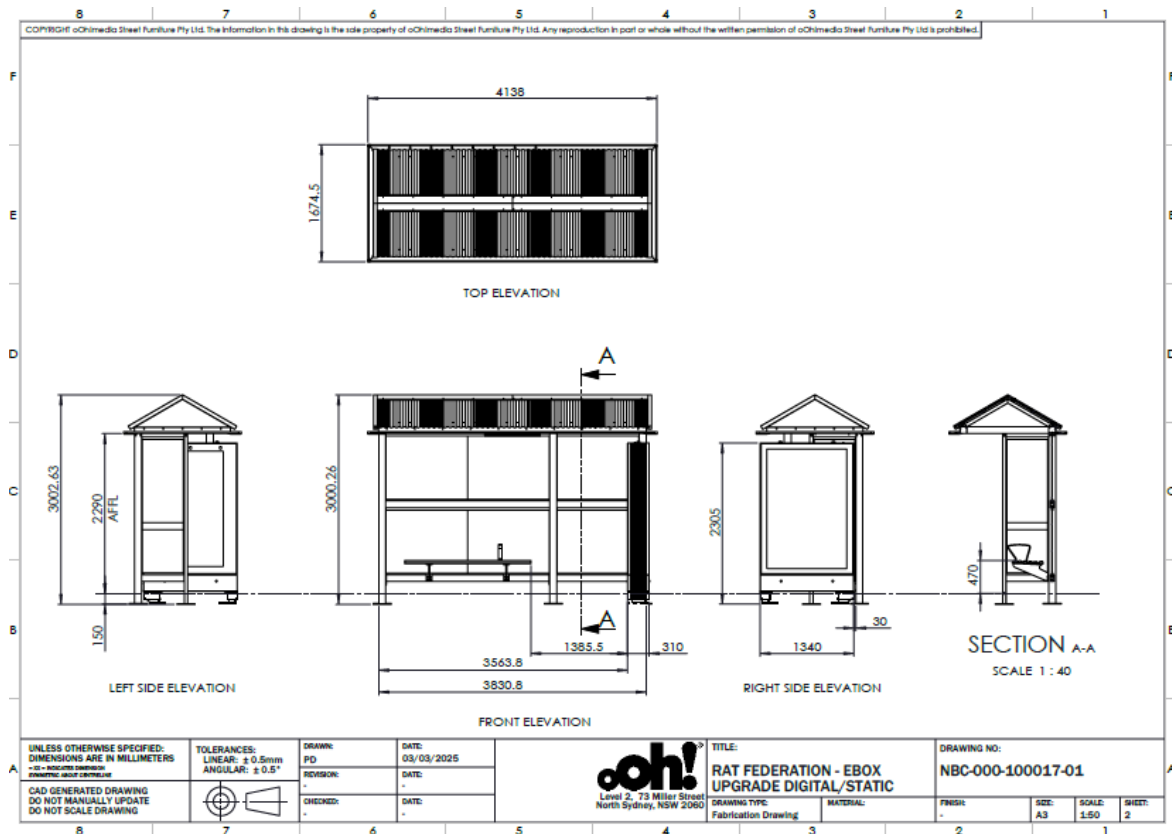


Figure 7 Proposed Digital/Static Signage Elevation – Rationalised Federation

The existing J7 shelter is in the style *Evo Mk2 6 Bay*. **Figure 8** below illustrates the standard design details and elevations of the new digital advertising panels.

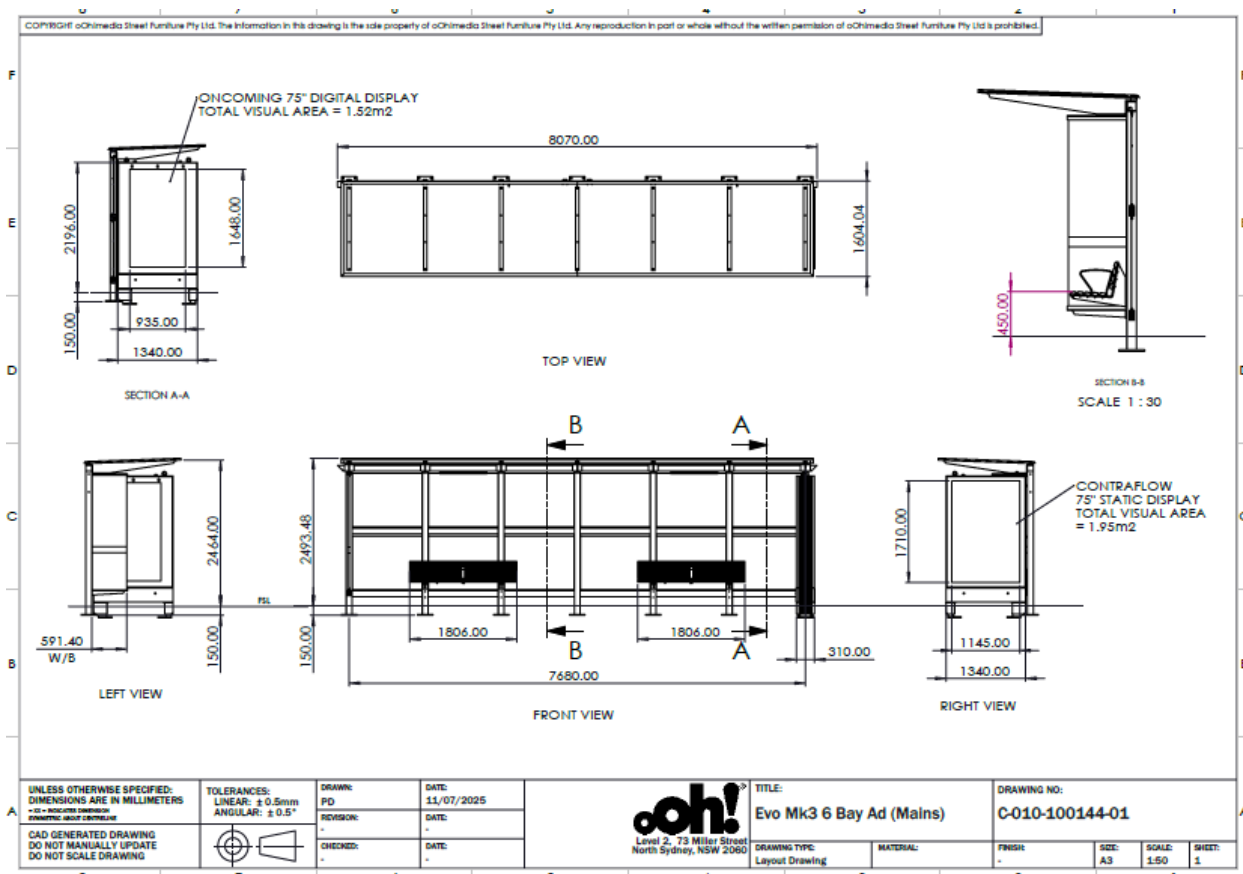


Figure 8 Proposed Digital/Static Signage Elevation – Evo Mk2 6 Bay

4.1.3 Illumination

The proposed bus shelter advertising will be illuminated. The proposed illumination has been designed to comply with the *Transport Corridor Outdoor Advertising and Signage Guidelines 2017*. Each digital sign will be equipped with sensors to ensure luminance is only as bright as necessary to be clearly legible and would not result in unacceptable glare. It is noted that illumination at bus shelters is not subject to an existing curfew.

In accordance with the *Transport Corridor Outdoor Advertising and Signage Guidelines 2017*, the proposed signage will have maximum luminance levels as follows:

Table 4 Illumination details				
Lighting Condition	Zone 1	Zone 2	Zone 3	Zone 4
Full sun on face of signage	Maximum Output	Maximum Output	Maximum Output	Maximum Output
Daytime	6000 -7000 cd/m ²	6000 -7000 cd/m ²	6000 -7000 cd/m ²	600 cd/m ²
Dawn/Dusk and inclement weather	1000 cd/m ²	700 cd/m ²	600 cd/m ²	500cd/m ²
Night	500 cd/m ²	350 cd/m ²	300 cd/m ²	200cd/m ²
Zone 1	Covers areas with generally very high off-street ambient lighting, e.g. display centres similar to Kings Cross, central city locations.			

Table 4 Illumination details

Zone 2	Covers areas with generally high off-street ambient lighting e.g. some major shopping/commercial centres with a significant number of off-street illuminated 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, or areas that have residential properties nearby.

An assessment of the proposed illumination for each sign against the criteria contained in Schedule 5 of the State Environmental Planning Policy (Industry and Employment) 2021 and Transport Corridor Outdoor Advertising and Signage Guidelines 2017 is provided in **Annexures A to D**.

4.1.4 Content Management

The digital advertising signage proposed is a form of Out of Home (OOH) advertising. OOH advertising is regulated by the Australian Association of National Advertisers (AANA) Code of Ethics. The signage to be displayed by *oOh! Media* at the subject sites will adhere to the AANA Code of Ethics, and will refrain from displaying advertisements that:

- *“Discriminate against or vilify a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness, or political belief.*
- *Employ sexual appeal:*
 - *in a manner which is exploitative or degrading of any individual or group; or*
 - *where images of Minors, or people who appear to be Minors, are used.*
- *Present or portray violence that is not justifiable in the context of the product or service being advertised, or that is inappropriate for a broad audience.*
- *Fail to treat sex, sexuality, and nudity with sensitivity to a broad audience.*
- *Use language that is strong, obscene, or inappropriate for a broad audience.*
- *Depict material contrary to prevailing community standards on health and safety.*
- *Are not clearly distinguishable as advertisements to the relevant audience.”*

Additionally, content will not include images or displays that dazzle, flash or represent traffic control devices.

4.1.5 Maintenance

A Maintenance Plan has been prepared *oOh! Media* in relation to the servicing and maintenance of *oOh! Media* assets within the Northern Beaches Local Government Area (LGA). *oOh! Media* will be responsible for the ongoing maintenance and servicing of all shelters.

Standard operational and preventative maintenance activities include:

- Visual Inspection and Standard Cleaning - Weekly
- Quick Cleaning and Roof/Gutter Clean – As required
- Illumination Inspections – Monthly
- RCD Inspection & Filter Clean – Bi-Annual
- Filter Change – Annually
- Electrical Inspection – Annually
- Structural & Condition Inspection – Annually
- Line of site Tree Trimming – As required
- Digital Inspection, Monitoring & Measurement – Real time monitoring by *oOh! Media* Team

Reactive and fault response activities include:

- Emergency Danger/Safety – 3 Hours from Notification and Traffic Permitting
- Damaged Component – 3 Hours from Notification

- 
- 
- Graffiti Obscene – 24 Hours from Notification
 - Graffiti Standard – Next Scheduled Site Visit
 - Bill-posting – Urgent – 24 Hours from Notification
 - Bill-posting Standard – Next Scheduled Site Visit
 - Removal of Contentious Digital Copy / Breach of Standards – 1 Hour from Notification
 - Electrical / Illumination Fault – Inspection, Diagnosis & Triage – 24 Hours from Notification.
 - Electrical / Illumination Fault – Repair – 24 Hours from Notification.
 - Broken Glass – Clean-up – 3 Hours from Notification
 - Broken Glass – Replacement - 24 Hours from Notification.

5. Environmental Planning Assessment

5.1 EXISTING USE RIGHTS

Division 11 of the EP&A Act provides for consideration of 'existing uses'. Section 4.65 specifically defines existing uses as:

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

Furthermore, Section 4.66 (3) stipulates that the use must have been continuous and not abandoned for more than 12 months. The signage has existed at these locations in accordance with agreements between *oOh! Media* and Northern Beaches Council (former Warringah Council) for a number of years and have not been abandoned. In this regard, the applicant has an on-going commercial agreement with Council.

The locations where it is proposed to replace existing advertising panels with new digital/static panels, the Warringah Local Environmental Plan (WLEP 2011) prohibits advertising in the land use zones. An inspection of the Northern Beaches Council (and former Warringah Council) Development Application tracker has found DA consents for the existing bus shelter sites. Refer to Section 2.2 of this Statement.

Under the Warringah Local Environmental Plan 2011 (WLEP 2011), 'signage' is not specified in item 2 or 3 and are now prohibited in SP2 and MU1 Zoned Land. Notwithstanding the WLEP 2011 provisions, the bus shelter advertising enjoys the benefits of existing use rights for the reasons discussed below.

Section 163 (1) of the Environmental Planning and Assessment Regulation 2021 further states that:

- (1) An existing use may, subject to this Part—*
 - (a) be enlarged, expanded or intensified, or*
 - (b) be altered or extended, or*
 - (c) be rebuilt, or*

The proposed digital/static signage advertisements are permitted under Clause 163 (a) as it seeks to intensify the use (by providing for new and illuminated signage associated with the bus shelter).

Section 4.67 of the EPA Act states that the provisions of any environmental planning instrument that derogate (detract) from the existing use rights provisions have no force or effect whilst existing rights remain. The case law on the effect of development controls is not settled. Established case law has held that the provisions of environmental planning instruments do not apply to the assessment of applications on sites with existing use rights. The Land and Environment Court judgment in *Stromness P/L v Woollahra Municipal Council* handed down in October 2006 underscores this.

However, an alternative view was formed in *Saffioti v Kiama Municipal Council [2019] NSWLEC 57* where it was found that in assessing an application, based on existing use rights, local environmental plans and development control plans need to be considered. Therefore, in the abundance of caution, a full assessment against the development controls is provided in this report. Refer to **Annexures A-D**.

Existing use rights apply to these shelter sites as follows:

Table 5 Existing Use Rights (Shelter J1-J3 +J7)				
Shelter No.	Address	Zone	DA No.	Type of Approval
J1	Pittwater Road, in front of 11 Hawkesbury Avenue, Dee Why	SP2	5051DA	Bus shelter
J2	Pittwater Road, in front of 738 Pittwater Road, Dee Why	SP2	DA2011/0381	Bus shelter with signage
J3	Pittwater Road, in front of 778 Pittwater Road, Brookvale	SP2	3081DA	Bus shelter
J7	Howard Avenue, in front of 894 Pittwater Road, Dee Why	MU1	5046DA	Bus shelter

A merits-based assessment in line with the established existing use rights planning principle has been undertaken for each shelter site as follows.

5.1.1 Bus Shelter J1 on Pittwater Road, in front of 11 Hawkesbury Avenue, Dee Why

On 20 February 2001, DA5051 was approved the construction of a bus shelter, and whilst this consent did not specifically include the provision of advertising signage, its provision was contemplated in the associated approval documentation. **Figures 9 and 10** below depicts the stamped plans for DA5051, the advertising panel (outlined red), demonstrates the provision of signage was contemplated at this shelter site, as a use ancillary to the operation of the bus stop and shelter. This is discussed in Part 5.3.6 of this Statement.

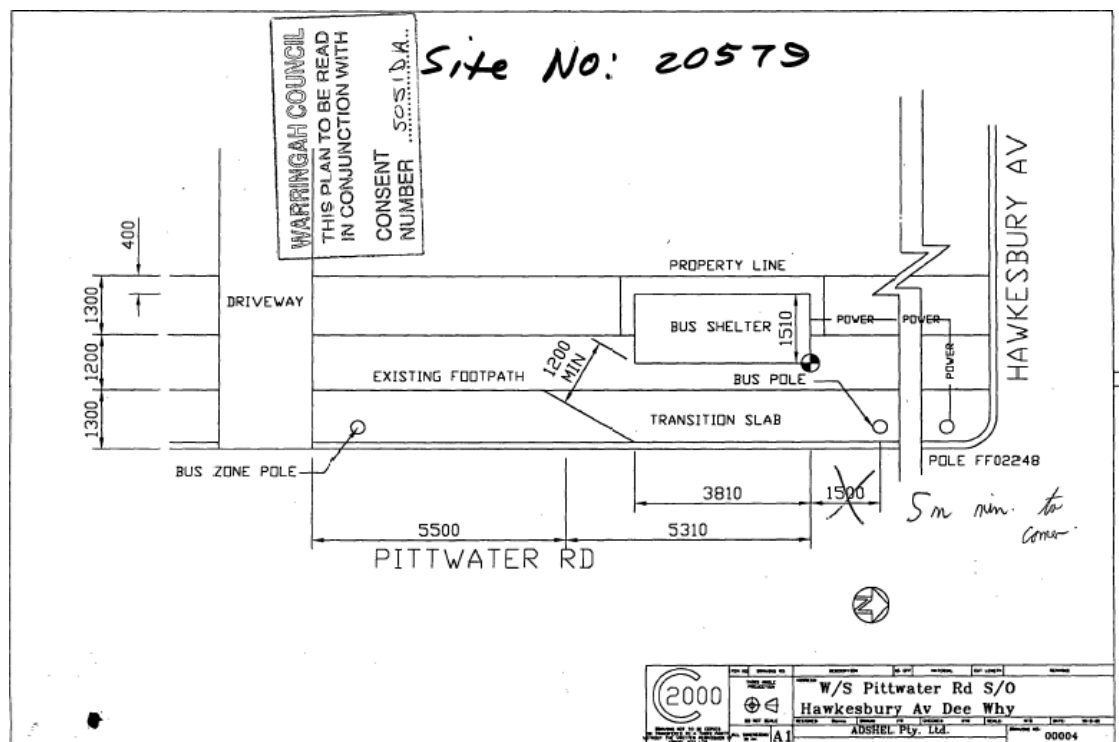


Figure 9 Shelter J1 Stamped site plan – DA5051

SCHEDULE 1 : METROLITE @ HALL IV + FOOTPATHS

WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
CONSENT
NUMBER ...SAS2/M...

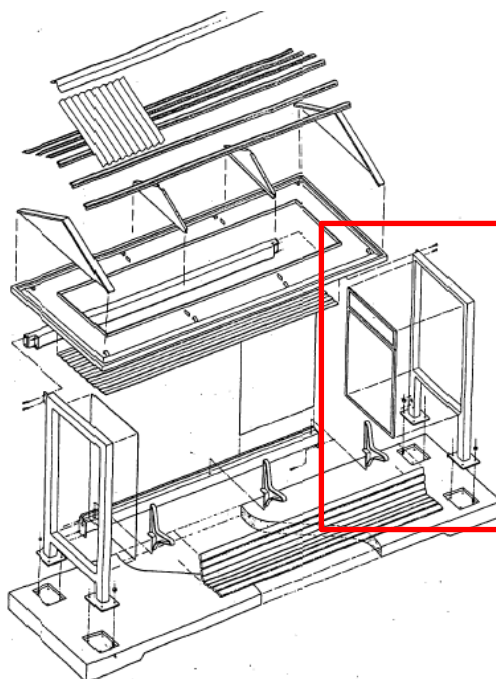


Figure 10 Shelter J1 DA5051 Stamped Plan indicating advertising panel (outlined red)

As depicted in **Figure 10** above, the Stamped DA plan contains the description *Metrolite*. It is assumed that this description refers to the widely known specification of street furniture advertising, specifically at bus shelters. This description marked on the stamped DA plans therefore contemplates the future provision of signage at the site. It is therefore demonstrated that whilst the consent did not explicitly approve the provision of signage, it was an anticipated and accepted use at the shelter site.

A related Construction Certificate (CC) 3050CC1 was issued by Warringah Council for Bus Shelter J1 on 20 February 2000. The issued CC further confirms the application of EUR at the site. Copies of the relevant CC Documentation and Plans are included within **Annexure F** of this statement.

The bus shelter site including signage enjoys EUR, which were established at the time advertising signage became prohibited. The use has been continuous since that time. This is evidenced in part by Google Street view history as illustrated in **Figure 11** below. The compilation of street view images confirms the likely continuous use of the signs.

Google streetview did not operate prior to 2007.	Image not available for 2007	January 2008 
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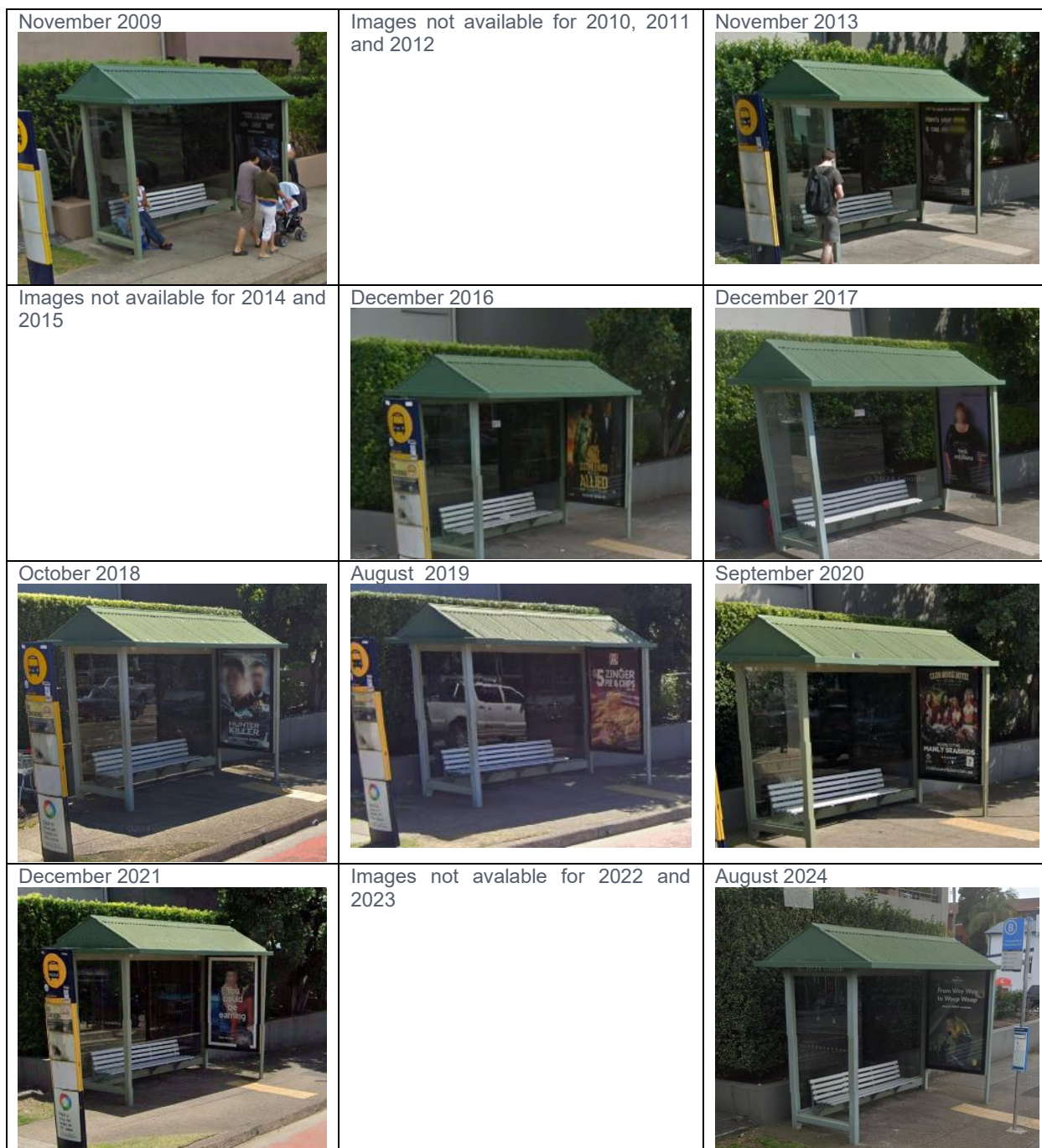


Figure 11 Shelter J1 Streetview

As detailed above, this application seeks to intensify the existing use rights on the shelter site by replacing the existing paper advertisements, with illuminated digital/ static signage. The proposal does not physically expand the existing use as it is to be inset into the existing panel opening. It is therefore evident that the use has not been abandoned.

Accordingly, EUR can be applied to this shelter site.

5.1.2 Bus Shelter J2 on Pittwater Road, in front of 738 Pittwater Road, Dee Why

At the time DA2011/0381 was approved (19 July 2011), advertising signage was permissible with development consent under the *Warringah Local Environmental Plan 2000*. **Figure 12** and **13** below depicts the submitted DA plans for DA2011/0381, with the advertising panel outlined red.



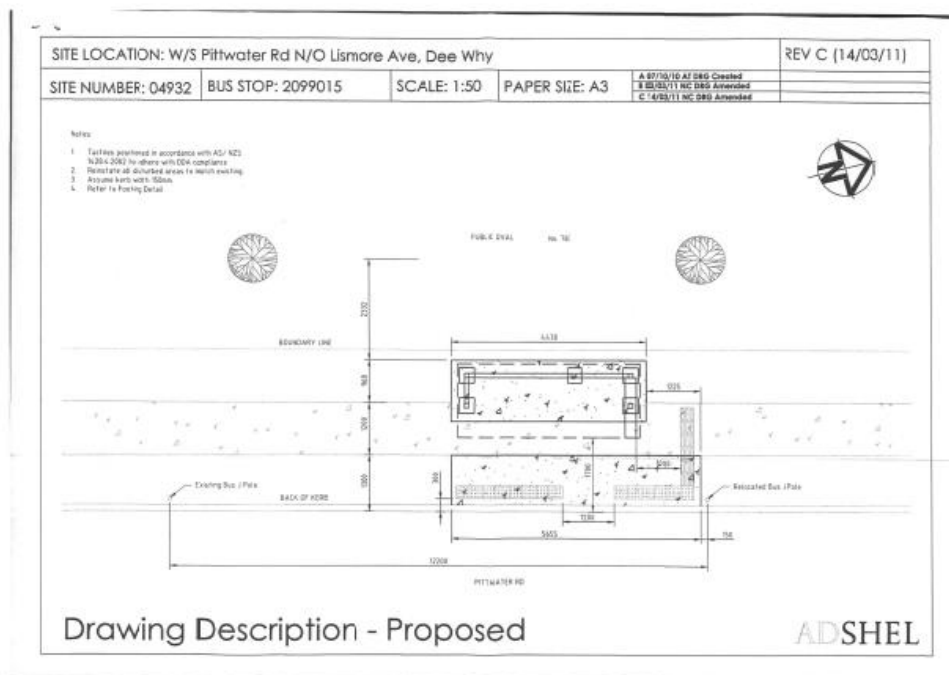


Figure 12 Shelter J2 DA2011/0381 Submitted Site Plan (Extracted from DA2011/0381 Assessment Report)

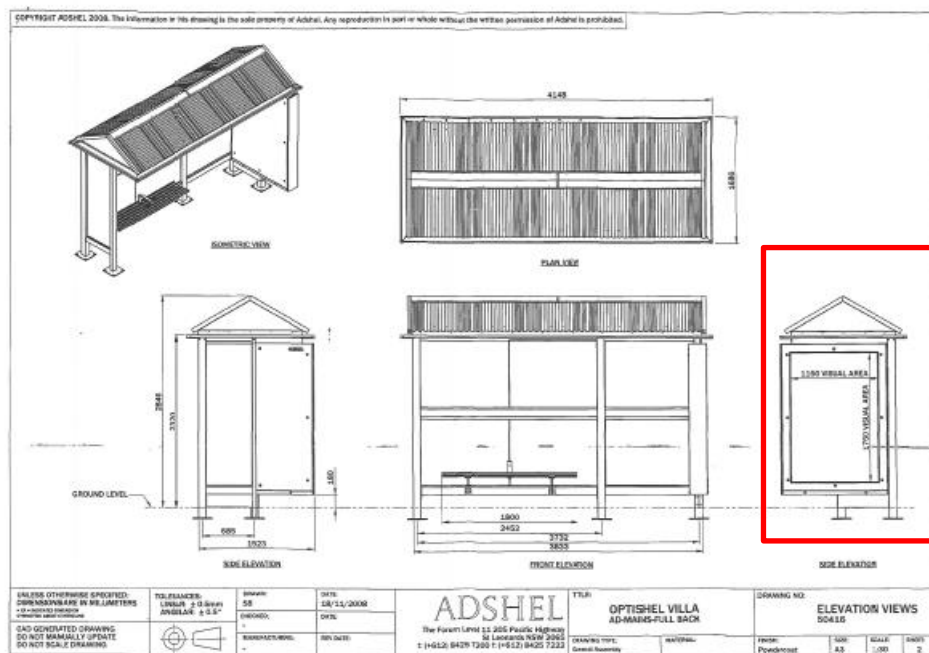


Figure 13 Shelter J2 DA2011/0381 Submitted Elevations (Extracted from DA2011/0381 Assessment Report)

The site is identified as falling within the Land Use Category 2 in Locality E1 Dee Why North, as illustrated in the zoning map and as per the land use table reproduced below:

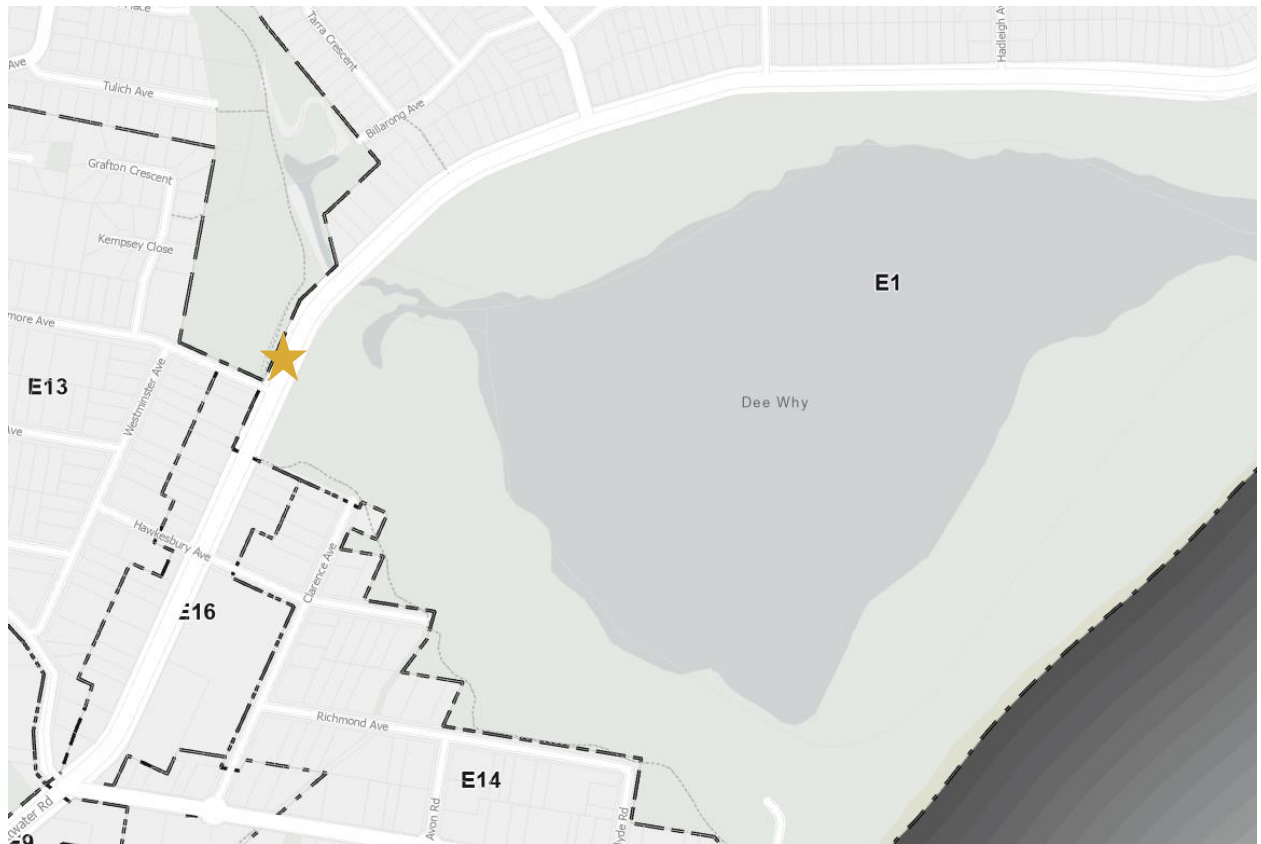


Figure 14 Extract from the WLEP E1 Locality Map 2000 with the site indicated by a yellow star (Source: *Northern Beaches Planning Maps*)

The LEP 2000, had the following aims and objectives for the E1 Locality (our underline)

DESIRED FUTURE CHARACTER

The Dee Why North locality will remain characterised by detached style housing in landscaped settings interspersed by a range of complementary and compatible uses.

Future development will relate to the established pattern and predominant scale of detached style housing in the locality and the streets will be characterised by landscaped front gardens and buildings which create a sense of address to those streets. The spread of indigenous tree canopy will be enhanced where possible and natural landscape features, such as rock outcrops and remnant bushland will be preserved and development on prominent hillsides or hill tops must be designed to integrate with the landscape and topography and minimise its visual impact when viewed from afar. Unless exemptions are made to the housing density standard in this locality statement, any subdivision of land is to be consistent with the predominant pattern, size and configuration of existing allotments in the locality.

The locality will continue to be served by the existing local retail centres in the areas shown on the map. Future development in these centres will be in accordance with the general principles of development control provided in clause 39.

LAND USE

Category Two

Development for the purpose of the following:

- *child care centres*
- *community facilities*
- *further education*
- *health consulting rooms*
- *hospitals*
- *housing for older people or people with disabilities*
- *places of worship*
- *primary schools*
- *veterinary hospitals*
- *other buildings, works, places or land uses that are not prohibited or in Category 1 or 3.*

Development for the purposes of advertising signage was not prohibited in Category 1 or 3, as such is an innominate permissible use within Land Use Category Two. It is noted the bus shelter structure was categorised as a “Community Facility” in the approval, which is also permissible in Category Two.

Schedule 4 of the LEP 2000, contained provisions for signage within the Warringah LEP area and is reproduced as follows (our underline):

The following signs are prohibited by clause 10:

- *signs above the awning level of a building which project more than 0.3 metre out from the wall of that building,*
- *flashing or moving signs on land other than the carriageway of a public road,*
- *pole or pylon signs, unless there is no building on the site or the building is not visible from the street, other than identification, interpretive, directional and advance warning signs included in Schedule 1 (Exempt development) or a sign erected by the Council for the display of community information,*
- *signs on or above the roof or parapet of a building,*
- *signs which do not directly relate to the predominant land use, business or activity carried on, or proposed to be carried on, within the site or building on which the sign is to be placed, **except signs on public amenities such as street furniture, bus shelters and the like,***
- *A-frame and temporary signs located on public land including roads (but not including the carriageway of a public road),*
- *signs on motor vehicles which are not able to be driven with the sign displayed,*
- *balloons used for the purpose of advertising which are placed on or above roof level.*

The approved signage for Bus Shelter site J2 was consistent with the provisions of schedule 4, as the signage was to be placed on a public amenity, or ‘bus shelter’. This was affirmed in the Assessment Report for DA2011/0381, which made the following comment

“...the proposed signage element being located on the bus shelter is not a prohibited sign and is acceptable.”

Therefore, the bus shelter site, including advertising signage enjoys EUR, which were established at the time the development became prohibited. The use has been continuous since that time. This is evidenced in part by google

street view history as illustrated in **Figure 15** below. The compilation of street view images confirms continuous use between 2016 and 2021.



Figure 15 Shelter J2 Street View

As detailed above, this application seeks to intensify the existing use rights on the shelter site by replacing the existing paper advertisements, with illuminated signage panels. The proposal does not physically expand the existing use as it is to be inset into the existing panel opening. It is therefore evident that the use has not been abandoned.

Accordingly, EUR can be applied to this shelter site.

5.1.3 Bus Shelter J3 on Pittwater Road, in front of 778 Pittwater Road, Brookvale

On 2 February 2001, DA3081 approved the construction of a bus shelter, and whilst this consent did not specifically include the provision of advertising signage, its provision was contemplated in the associated approval documentation. **Figures 16 to 18** below depicts the stamped plans for DA3081, the advertising panel (outlined red). A location plan was submitted with DA3081, which depicts a perspective of the shelter, including advertising panel. This demonstrates the provision of signage was contemplated at this shelter site, as a use ancillary to the operation of the bus stop and shelter. This is discussed in Part 5.3.6 of this Statement.

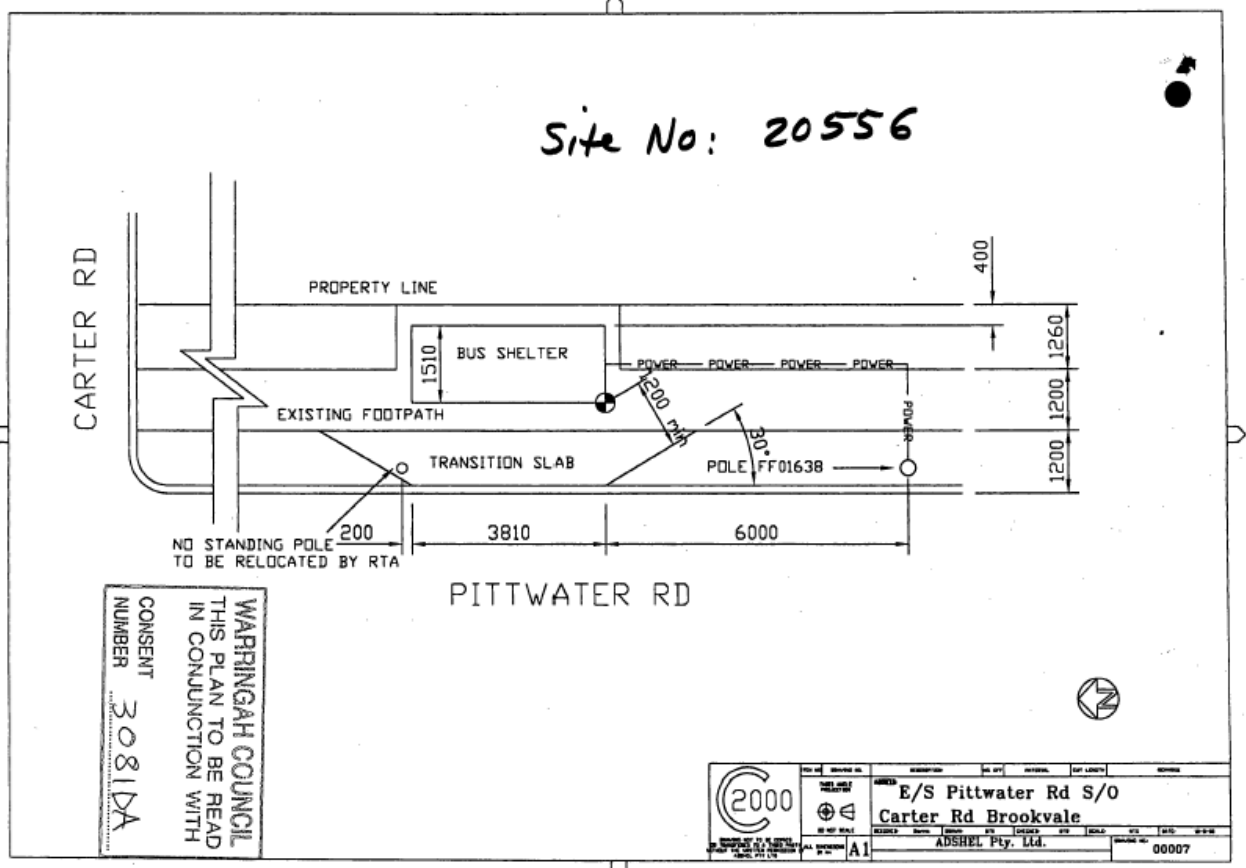


Figure 16 Shelter J3 Stamped site plan – DA3081

SCHEDULE 1 : METROLINE & MACK IV + FOOTINGS

WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
CONSENT
NUMBER 3081DA

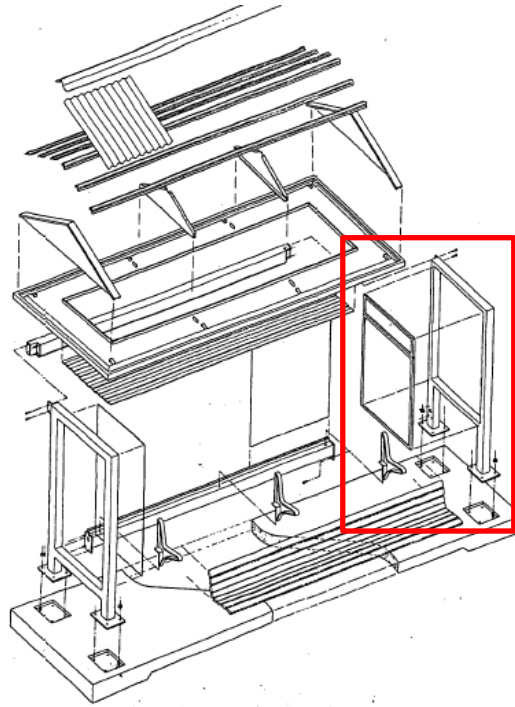


Figure 17 Shelter J3 DA3081 Stamped Plan indicating advertising panel (outlined red)

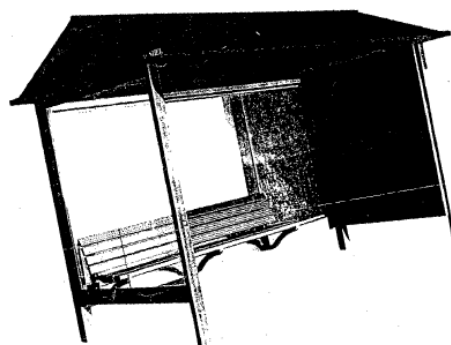
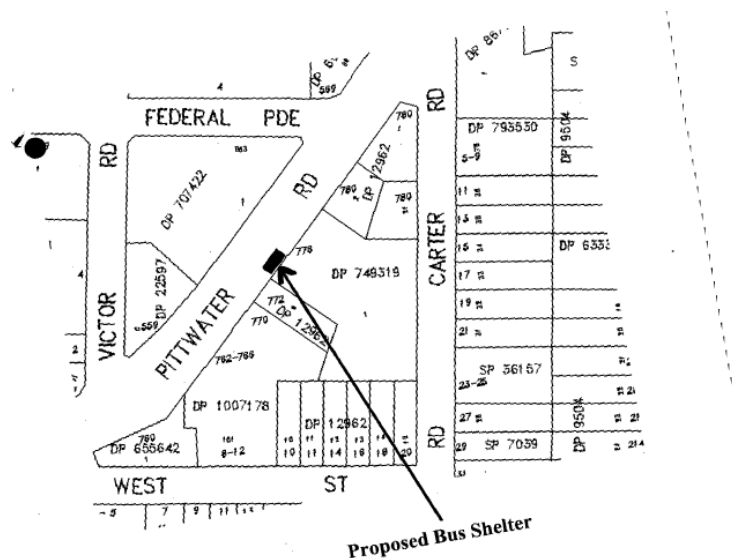


Figure 18 Shelter J3 DA3081 Location Plan

As depicted in **Figure 17** above, the Stamped DA plan contains the description *Metrolite*. It is assumed that this description refers to the widely known specification of street furniture advertising, specifically at bus shelters. This description marked on the stamped DA plans therefore contemplates the future provision of signage at the site. It is therefore demonstrated that whilst the consent did not explicitly approve the provision of signage, it was an anticipated and accepted use at the shelter site.

A related Construction Certificate (CC) 3081CC1 was issued by Warringah Council for Bus Shelter J3 on 2 February 2001. The issued CC further confirms the application of EUR at the site. Copies of the relevant CC Documentation and Plans are included within **Annexure F** of this statement.

The bus shelter site including signage enjoys EUR, which were established at the time advertising signage became prohibited. The use has been continuous since that time. This is evidenced in part by Google Street view history as illustrated in **Figure 19** below. The compilation of street view images confirms the likely continuous use of the signs.

Google streetview did not operate prior to 2007.	Images not available for 2007 and 2008	November 2009 
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Figure 19 Shelter J3 Street view

As detailed above, this application seeks to intensify the existing use rights on the shelter site by replacing the existing paper advertisements, with illuminated digital/ static signage. The proposal does not physically expand the existing use as it is to be inset into the existing panel opening. It is therefore evident that the use has not been abandoned.

Accordingly, EUR can be applied to this shelter site.

5.1.4 Bus Shelter J7 on Howard Avenue, in front of 894 Pittwater Road, Dee Why

On 5 February 2001, DA5046 was approved for the construction of a bus shelter, and whilst this consent did not specifically include the provision of advertising signage, its provision was contemplated in the associated approval documentation **Figures 20 to 22** below depicts the stamped plans for DA3081, the advertising panel (outlined red). A location plan was submitted with DA3081, which depicts a perspective of the shelter, including advertising panel. This demonstrates the provision of signage was contemplated at this shelter site, as a use ancillary to the operation of the bus stop and shelter. This is discussed in Part 5.3.6 of this Statement.



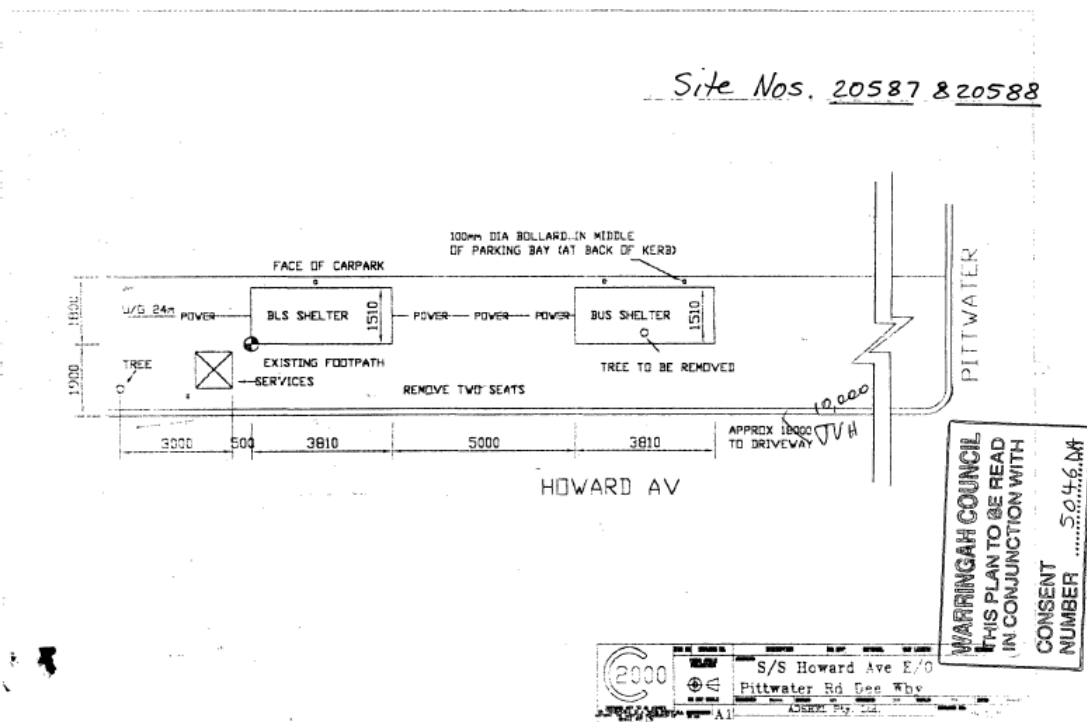


Figure 20 Shelter J7 Stamped site plan – DA5046

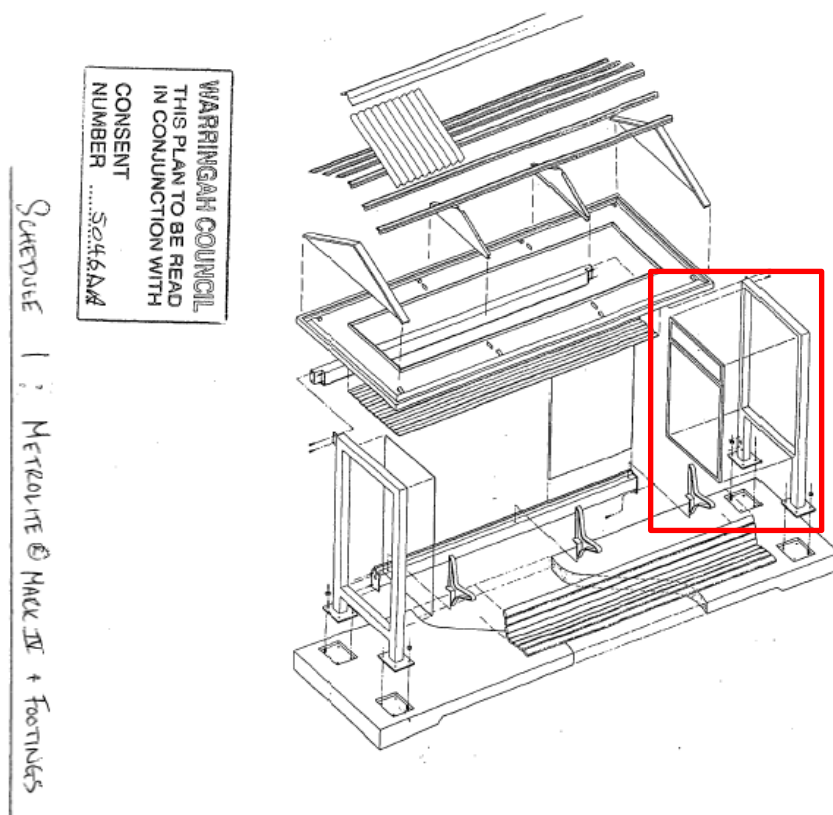
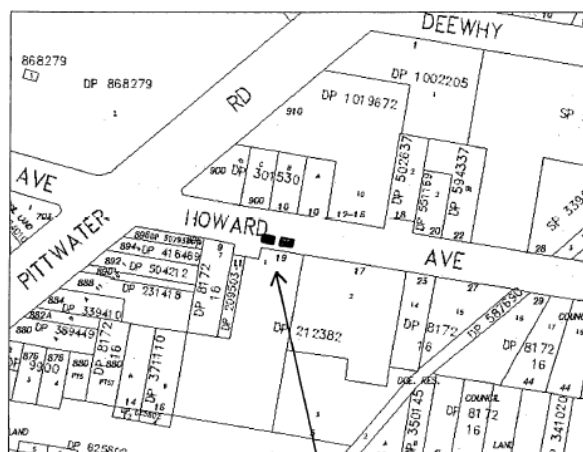


Figure 21 Shelter J7 DA5046 Stamped Plan indicating advertising panel (outlined red)



Proposed Shelters

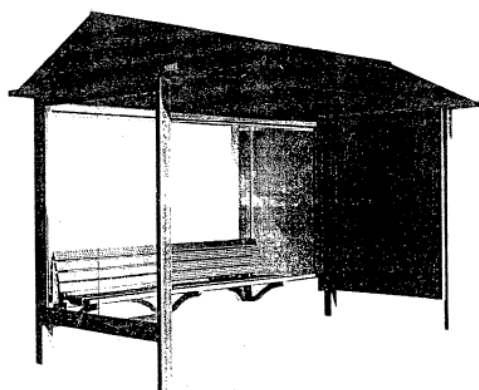


Figure 22 Shelter J7 DA5046 Location Plan

As depicted in **Figure 21** above, the Stamped DA plan contains the description *Metrolite*. It is assumed that this description refers to the widely known specification of street furniture advertising, specifically at bus shelters. This description marked on the stamped DA plans therefore contemplates the future provision of signage at the site. It is therefore demonstrated that whilst the consent did not explicitly approve the provision of signage, it was an anticipated and accepted use at the shelter site.

The above bus shelters were demolished as part of the redevelopment of No. 888 Pittwater Road as part of DA2016/0705 for a mixed use development. Specifically, Conditions 43, 47 and 72 required public domain and streetscape improvements to occur under the Roads Act. This included the reconstruction of the bus shelter at Howard Avenue which is known as sign J7. A search of Council's DA tracker does not indicate if any consideration was given to the existing use rights for the bus shelter/advertising approved under DA5046. The shelters were removed between 2014 and 2017 but rebuilt in September 2019. There was never any intention to abandon the use of the bus shelter and/or advertising.

The bus shelter site including signage enjoys EUR, which were established at the time advertising signage became prohibited. The use has been continuous since that time. This is evidenced in part by Google Street view history as illustrated in **Figure 23** below. The compilation of street view images confirms the likely continuous use of the signs.



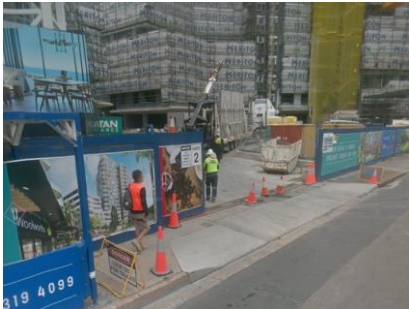
Google streetview did not operate prior to 2007.	Images not available for 2007	January 2008 
November 2009 	Images not available for 2010, 2011 and 2012	November 2013 
Images not available for 2014, 2015 and 2016	December 2017 	October 2018
September 2019 	September 2020 	December 2021 
Images not available for 2022 and 2023	August 2024 	

Figure 23 Shelter J7 Street view

As detailed above, this application seeks to intensify the existing use rights on the shelter site by replacing the existing paper advertisements, with illuminated digital/ static signage. The proposal does not physically expand the existing use as it is to be inset into the existing panel opening. It is therefore evident that the use has not been abandoned.

Accordingly, EUR can be applied to this shelter site.



5.2 PREAMBLE

This section of the Statement provides a planning assessment of the proposed development covering all relevant heads of consideration under Section 4.15 of the EP&A Act, 1979.

5.3 STATUTORY AND POLICY COMPLIANCE

The relevant matters for consideration under Section 4.15 (1) (a) of the EP&A Act, 1979, are identified in **Table 6**

Table 6 Section 4.15 Matters for Consideration				
EP & A Act, 1979.	Matters for Consideration	OK	See Comments	N/A
S.4.15(1)(a)(i)	State Environmental Planning Policy (Industry and Employment) 2021	✓	✓	
"	State Environmental Planning Policy (Transport and Infrastructure) 2021	✓	✓	
"	Warringah Local Environmental Plan 2011	✓	✓	
S.4.15(1)(a)(ii)	Draft Northern Beaches Local Environmental Plan	✓	✓	
S.4.15(1)(a)(iii)	Warringah Development Control Plan 2011	✓	✓	
	Any other prescribed matter: -			
S.4.15(1)(a)(iv)	- Planning Circular PS 21-008 - TFNSW Transport Corridor Outdoor Advertising Signage Guidelines	✓	✓	

The matters identified in **Table 6** as requiring specific comment are discussed below. The primary statutory documents that relate to the subject site and the proposed development are the State Environmental Planning Policy (Industry and Employment) 2021 and the *Warringah Local Environmental Plan 2011*. The primary non-statutory plan relating to the subject site and proposed development is the *Warringah Development Control Plan 2011*. The relevant provisions of these documents and other relevant planning controls are summarised below and the proposal's compliance with each assessed.

An individual assessment of each bus stop against the applicable planning controls is provided at Annexure **A** to **D** of this statement.

5.3.1 State Environmental Planning Policy (Industry and Employment) 2021

The *State Environmental Planning Policy (Industry and Employment) 2021* was gazetted on 1 March 2022, repealing, and replacing two former SEPPs related to employment in Western Sydney and advertising and signage. The SEPP applies to the whole state and Chapter 3 Advertising and Signage applies to the subject development.

Chapter 3 Advertising and Signage

The objectives of the SEPP are to encourage signage that is compatible with the desired amenity and visual character of an area, provide effective communication, and is of high-quality design and finish. Schedule 5 of the SEPP contains assessment criteria for signage in relation to the character of the area, views and vistas, the streetscape and the building to which it relates.

The proposed digital advertising structures fall within the definition of 'Signage', which is defined by the SEPP as follows (our underline):

"signage means all signs, notices, devices, representations and advertisements that advertise or promote 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—

(a) *building identification signs, and*

(b) *business identification signs, and*

(c) *advertisements to which Part 3.3 applies,*

but does not include traffic signs or traffic control facilities.”

The subject application includes the provision of four (4) advertising structures. Specifically, proposal seeks to provide four (4) digital/static signs, one side digital, one side static, to replace the existing static signage to each bus shelter. It is to be noted that specific content for advertising signage is to be decided at a later stage.

Part 3.3 to the SEPP applies to Advertisements. Advertisements are defined in Section 3.2 of the SEPP as follows:

“advertisement means signage to which Part 3.3 applies and includes any advertising structure for the advertisement.”

Part 3.3 applies to advertisements except:

“(a) *business identification signs,*

(b) *building identification signs,*

(c) *signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,*

(d) *signage on vehicles.”*

This development application relates a digital/static advertising sign fixed and integrated with the bus shelter sites. Therefore, the relevant provisions of Part 3.3 have been considered below.

Section 3.8 lists signs that are prohibited and these criteria do not apply to this application, as the proposal relies on existing use rights.

Section 3.11 lists the matters for consideration in which advertising signage is to be assessed. Refer to **Annexures A and D** of this statement which provides detailed consideration of the requirements.

Section 3.12 allows for time limitations on consent and allows the consent authority to specify a period beyond which the consent will lapse if it was issued under the provisions of the SEPP. We accept that Council will likely impose a condition stipulating a duration of the consent being for 15 years. There are no circumstances that would warrant a reduction from the 15 year consent required by s3.12 of the SEPP.

Division 3 contains provisions for ‘Particular advertisements’.

Section 3.14 of the SEPP specifies provisions on “Transport Corridor Land”. The proposed signage is not “by or on behalf” of Railcorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW nor is it located on or adjacent 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. As such, whilst signs I1-I7 are located on a classified roads the provisions of Section 3.14 are not relevant in this instance.

Section 3.18 of the SEPP specifies the provisions relating to the location of certain names and logos. The proposed sign is consistent with the provisions of this clause, the *oOh! Media* logo is located within the strip below the sign that extends the full length of the sign, and is smaller than 0.25m² identified as the maximum size under this clause.

Section 3.20 of the SEPP applies to the granting of consent to a wall advertisement. Under the SEPP a *Wall Advertisement* is given the following definition:

wall advertisement means an advertisement that is painted on or fixed flat to the wall of a building, but does not include a special promotional advertisement or building wrap advertisement.

The proposed sign will not be painted on or fixed flat to the wall of the building but rather is to be integrated into the bus shelter structure. **Figures 24** and **25** below provide a comparison between a typical wall sign and typical bus shelter signage.



Figure 24 Typical wall sign as per the *Transport Corridor Outdoor Advertising and Signage Guidelines*



Figure 25 Typical bus shelter sign as per the *Bus Stop Urban Design Guideline*

As depicted above, a wall sign and signage on a bus shelter are materially and functionally different. Therefore, the SEPP definition of a *wall sign* does not account for *signage* on bus shelter structures, nor are the provisions intended to apply to bus shelters.

This statement is reiterated by a recent Land and Environment Court judgement in May of 2025 in *BARR Property and Planning Pty Ltd v Tamworth Regional Council [2025] NSWLEC 113*, which was also for digital signage, the Commissioner said (at [25-27]) that:

“25 In support of its position, Barr Property notes the total area of the Proposed Sign is below the area to which ss 3.15, 3.16 and 3.17 of the Industry SEPP are directed, and that as the Proposed Sign is not displayed on or above the parapet of the Shopping Centre, it does not answer the description of a roof or sky sign to which s 3.19 of the Industry SEPP is directed. Such a conclusion is supported by examples of roof or sky advertisements found within the Transport Corridor Outdoor Advertising and Signage Guidelines published by the Department of Planning and Environment (Advertising Guide) (Exhibit 1, folio 254).

26 Next, as the Proposed Sign is not painted on, or fixed flat to the wall of the Shopping Centre, it cannot be described as a wall advertisement to which s 3.20 is directed.

27 Instead, the Proposed Sign is advertising, and is not signage of a kind excluded from the Chapter by s 3.7 of the Industry SEPP, nor is it proposed in a location prohibited by 3.8 of the Industry SEPP.”

It can therefore be concluded that the proposed signage is **not** a wall sign but rather it is signage generally and captured by s3.7 of the SEPP.

Accordingly, it is considered that the proposal is best characterised as ‘advertising signage’ in a general sense, and not more specifically under Division 3 “Particular advertisements” as it does not fit the specific definitions. This is consistent with Transport Corridor Outdoor Advertising and Signage Guidelines where Part 1.2(f) of the Guideline considers bus shelter advertising differently to other “Particular advertisements”.

The applicable assessment criteria specified in Section 3.11 – Matters for Consideration include Schedule 5 of the SEPP has been assessed against each sign proposed. This is contained within **Annexures A to D** of this Statement.

5.3.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021 commenced on 1 March 2022, repealing several SEPPs including SEPP (Infrastructure) 2007. Of relevance to the proposed development is the following chapter:

Chapter 2 Infrastructure

This chapter enables certain infrastructure types as well as requires potential impacts on existing infrastructure to be taken into consideration. There are no specific provisions under Division 17, Subdivision 2 – Development in or adjacent to road corridors and road reservations that apply to the proposed bus shelter advertising in this instance. Specifically, the bus shelter advertising is not on unzoned land, is a service centre, on a proposed classified road or has frontage to a classified road, rather the bus shelter advertising is within a classified road where no specific provisions apply.

5.3.3 Warringah Local Environmental Plan 2011

The *Warringah Local Environmental Plan (WLEP2011)* applies to the Four (4) bus shelter sites. Under the LEP, the subject sites are located within the following zones:

- Bus Stop J1 – SP2 Infrastructure
- Bus Stop J2 – SP2 Infrastructure
- Bus Stop J3 – SP2 Infrastructure
- Bus Stop J7 – MU1 Mixed Use

As detailed in Section 5.1, the sites rely on existing use rights, despite advertising signage being prohibited within the zones. The proposed application seeks to replace the existing bus shelter advertisements with digital/static screens. Therefore, there will be no increase to the scale or height of the bus shelters.

A Compliance Table which considers each of the proposed signs against the provisions of WLEP 2011 is provided at **Annexure A to D** of this statement. The proposed development satisfies all relevant provision of WLEP 2011.

5.3.3.1 Heritage

The subject sites are not located within a heritage item, or a heritage conservation area. However, sign J2 is located adjacent to Heritage Landscape Conservation Area *C5 Dee Why Lagoon and Reserve*. Given the separation distance, minor scale of the proposed signage (which replaces existing signage) and its design to be integrated into the panel of the existing bus shelter, it is not considered that the proposed digital signage at Sign J2 will significantly impact the heritage value of the adjoining conservation area. Council has confirmed that a Heritage Impact Statement is not required and the proposal satisfies the requirements of Clause 5.10 of WLEP 2011.

5.3.4 Planning Proposal - Northern Beaches Local Environmental Plan

On 17 June 2024, Council resolved to proceed with a planning proposal for the Northern Beaches Local Environmental Plan. The planning proposal seeks to consolidate the current Manly, Warringah and Pittwater LEPs into a singular '*Northern Beaches Local Environmental Plan*'. The planning proposal is currently in the post Gateway Determination Stage and has yet to proceed to public exhibition and assessment. Therefore, the planning proposal is given minimal weight against this application and no further consideration is required at this stage.

5.3.5 Warringah Development Control Plan 2011

The *Warringah Development Control Plan 2011 (WDCP 2011)* applies to all land to which the Warringah Local Environmental Plan 2011 applies, including the subject sites. The proposal relates to the replacement of existing advertising signage with digital/static panels. Part D23 of the WDCP outlines controls for signage and advertisements. An assessment of each sign against the core signage controls under the WDCP are provided in **Annexures A to D**.

As concluded in Section 5.3.1 above, the proposed signage is not a wall sign and the definition in D23 of WDCP contains similar wording. As such, an assessment of the proposal against the WDCP controls for wall signs have not

been provided. Even if we are wrong on the definition of a wall sign under WDCP, s4.15(3A) of the EPA Act compels Council to apply the provisions of a DCP flexibly.

The proposal has demonstrated that it meets the planning controls within the DCP for signage, noting that the provisions under Chapter 3 of the Industry and Employment SEPP prevail in the event of any inconsistency.

5.3.6 Planning Circular 21-008: How to characterise development

Planning Circular 21-008 was issued on 2 December 2021 and provides guidance on characterising development for the purpose of determining permissibility. The Planning Circular refers to three kinds for which development can be characterised: for a purpose, as an ancillary use, or for a principal purpose.

With regards to the above characterisation, as discussed above, the proposed advertising signage is best characterised as an *ancillary use* where no specific consent can be found for signage. The proposed advertising signage is clearly ancillary to the existing bus shelters located on each site, as the signage, which is integrated into the wall of the shelter cannot be severed or exist without the shelter. Furthermore, the proposed advertising signs are not capable of generating any additional impacts to the bus shelter or creating any new or additional impacts over and above the current situation.

In any event, PS21-008 detailed a number of considerations which are considered below with our response:

- *Is the component going to serve the dominant purpose of the development or is it independent?*

No, the dominant purpose of the bus shelter remains.

- *What is the amount of land to be used for a certain component, relative to the amount of land proposed to be used for other purposes? If the amount of land is relatively small, it is more likely to be ancillary.*

As noted in the Site Cards (Annexure E) the proposed signage is integrated within one small part of the bus shelter.

- *Evidence of a purpose that is inconsistent with the dominant purpose is likely to undermine a claim that a component is ancillary.*

The proposed signage is integrated and cannot be served from the bus shelter. It cannot become the dominant purpose and there is no evidence to support signage will become dominant.

- *If the component is temporary, it is more likely to be ancillary; if it is regular (that is, will constitute an ongoing use for a long period of time), it is likely to be an independent use.*

The proposed signage has a life span of 15 years in accordance with SEPP T&I.

- *If the component goes beyond what is reasonably required in the circumstances for the development to implement the dominant purpose, it is likely to be an independent use (regardless of whether it has ancillary qualities).*

The proposed signage is integrated within the bus shelter and cannot be severed. Whilst separately defined, it is not an independent use.

- *Related components of a development are likely to have an ancillary relationship, although this is not necessarily determinative of such a relationship.*

The proposed signage is integrated into the bus shelter wall and is symbiotic with the bus shelter.

- *Physical proximity of the component to the rest of the development is likely to be evidence of an ancillary relationship, although again not necessarily determinative.*

As above, the proposed signage is integrated into the bus shelter wall and is symbiotic with the bus shelter.

As such, the proposed bus shelter advertising signage is considered to be ancillary to the dominant use of the bus shelter and is appropriately characterised in this instance.

5.3.7 Transport Corridor Outdoor Advertising and Signage Guidelines 2017

The NSW Department of Planning's *Transport Corridor Outdoor Advertising and Signage Guidelines* were published in November 2017 and provides guidelines for the assessment of outdoor advertising in conjunction with the assessment criteria specified in Schedule 5 of the TI SEPP. The guidelines seek to advance road safety and reduce driver distraction where advertising signage is proposed within transport corridors.

For completeness, an assessment of each sign against the relevant criteria of the Transport Corridor Outdoor Advertising and Signage Guidelines is provided in **Annexures A to D**.

5.4 IMPACTS ON NATURAL & BUILT ENVIRONMENT

5.4.1 External Appearance & Design

The proposed advertising signage has been designed to relate to the scale and form of the existing signage fixed to each bus shelter. As stated throughout this statement the paper advertisements are approved and existing and therefore will not result in any new scenic impacts, other than the new digital advertising panels, which are not considered to substantially alter the external appearance of the bus shelters when views from the public domain.

A perspective of the typical instillation for each shelter type is provided in **Figure 26** below.



Figure 26 Typical Digital/Static shelter installation

5.4.2 Traffic

There are no changes to the location or placement of the advertising panels proposed as part of this application. As such, considerations relating to road clearance, line of sight, safe sight distances from an intersection and placement of the sign will not change and therefore there are no new issues to evaluate in this regard. The proposed digital advertising panels introduce the element of illumination. As detailed in Section 4.1.3 of this Statement, the proposed levels of illumination are consistent with those standards contained within the *Transport Corridor Outdoor Advertising and Signage Guidelines*. Luminance levels will be adjusted in accordance with lighting conditions, this will ensure illumination will not negatively affect vehicles.

5.5 ECONOMIC & SOCIAL IMPACTS

The social impacts of the proposed development including those related to traffic, safety and visual amenity have been assessed and are considered to be acceptable. There are no adverse social impacts expected from the proposed development and the provision of additional illumination in the area will provide for improved public safety around public infrastructure.

The proposed development will maintain the orderly and economic use and development of land for the purpose of the display of third party advertising. This will continue to provide commercial and economic opportunities for businesses wishing to advertise their content and will provide effective communication along a key public transport corridor. The benefit of upgrading the existing approved signage will provide economic benefits to Northern Beaches Council through the commercial agreements to facilitate economic growth in the Northern Beaches LGA.

Accordingly, it is considered that the proposed development is likely to have only positive economic and social impacts.

5.6 THE SUITABILITY OF THE SITES

The proposed advertising structures will maintain the current use of the existing bus shelters, including the current signage panels. It has been demonstrated in this Statement that each of the proposed advertising structures benefits from existing use rights and can be rebuilt, extended or intensified under the EPA Act and Regulations. The replacement of the existing signs with new digital and/or static signs will improve the appearance of the bus shelters without having any adverse impacts on the amenity of the public domain or surrounding properties

The proposed advertising structures will further satisfy the current contract between *oOh! Media* and Northern Beaches Council for the provision and maintenance of bus shelters in the Northern Beaches LGA.

5.7 THE PUBLIC INTEREST

The development is considered in the public interest as it is consistent with the desired future character of the Warringah LEP Area, as evidenced by the existing bus shelter advertisements. The proposed digital/static advertising panels will not result in adverse environmental impacts and will contribute to economic activity and new employment growth opportunities.



6. Conclusion

This Statement has assessed the development against the requirements of Clause 4.15 of the EP&A Act and found that the development is consistent with the applicable policies and plans and is permissible with consent. The proposal maintains the existing sign in terms of size, location, mounting height and orientation and the only change is converting the sign to a digital /static format with illumination.

Signage is a key characteristic of the Northern Beaches LGA, as evidenced by the abundance of existing bus shelter advertisements. The removal of the existing and replacement with a new digital/static signage will improve the quality and appearance of each bus shelter site as well as the experience for passing motorists and public transport patrons.

Based on our assessment, it is concluded that the proposed advertising signage will be consistent with similar digital/static signs in similar locations and should be supported.

ANNEXURE A

Planning Assessment – Compliance Tables – Sign J1



SEPP (Industry and Employment) Assessment – SIGN J1

Criteria	Requirement	Discussion
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?	The proposed signage is compatible with the existing and desired future character of the Dee Why locality. The proposal is consistent with the existing character of the area as the advertising signage, subject to this application currently exists on the subject site and enjoys existing use rights. Therefore, replacement of existing signage with new signage is compatible with the existing and desired future character of this area within the Northern Beaches LGA.
	• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The design of the proposed panel is consistent with the general size and shape of bus shelter advertisements existing across the Northern Beaches LGA.
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?	The subject site is not situated within an environmentally sensitive area, heritage conservation area, open space area, or the like. Notwithstanding, the proposed signage is modest, is not overbearing with regards to size, scale and materials and within the confines of an existing bus shelter.
3 Views and vistas	• Does the proposal obscure or compromise important views?	The advertising sign is to be installed into the signage panel within the existing bus shelter. There are no significant views obtained from or through the bus shelter site and therefore the signage, which is positioned below the maximum height of the building in any case, will not obscure views.
	• Does the proposal dominate the skyline and reduce the quality of vistas?	As noted above, the signage proposed will be situated below the maximum height of the bus shelter and will not impact the skyline in any significant way.
	• Does the proposal respect the viewing rights of other advertisers?	The proposed signage will not compromise the viewing rights of other advertisers as it has been designed in a sympathetic manner which is non-obtrusive and does not unreasonably obscure lines of sight from the adjoining roads and footpaths to any signs on neighbouring properties. As detailed, the proposal includes the replacement of existing signage with digital signage, which will not change the scale or location of signage with respect to viewing rights.
4 Streetscape, setting or landscape	• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposal is appropriate for the streetscape as it is to be installed within an existing bus shelter. The proposal will not result in the removal of any landscaping.
	• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed advertising signage will enhance the visual interest of the streetscape at the shelter site in much the same way as the existing signage to be replaced..

SEPP (Industry and Employment) Assessment – SIGN J1

	Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal involves replacement of existing signage, as such will not increase visual clutter.
	Does the proposal screen unsightliness?	The signage affixed to the bus shelter is situated below the maximum building height and will not extend above any buildings, structures or trees in the locality. It does not, nor is it required, to screen unsightliness.
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signage does not extend above the height of surrounding buildings, structures or tree canopies.
	Does the proposal require ongoing vegetation management?	The proposed signage will not require any 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?	The signage proposed is compatible with surrounding building in terms of its scale and proportion. The signage is designed to integrate with the existing bus shelter on site, as such will not overwhelm the surrounding buildings.
	Does the proposal respect important features of the site or building, or both?	The digital signage scheme will enhance the aesthetic qualities of the bus shelter site. There are no important site features that are required to be preserved.
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signage scheme is of a contemporary design and will provide for an upgrade to the existing static (paper) signage on site.
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?	Lighting has been designed as an integral part of the signage, being illuminated internally. Safety devices in the sense of scaffolding and rails are not required for the proposed signage
7 Illumination	Would illumination result in unacceptable glare?	The illumination level of the proposed signage complies with the Outdoor Media Association's OMA Model Advertising Code in regard to industry accepted performance criteria. The new digital signage will be equipped with a sensor to ensure luminance levels are only bright enough to be clearly legible and would not result in unacceptable glare.

SEPP (Industry and Employment) Assessment – SIGN J1

	• Would illumination affect safety for pedestrians, vehicles or aircraft?	Luminance for signs and courtesy lights provide visibility and safety for pedestrians and transport users. As detailed above, oOh! Media follows the best practice illumination levels as set out by the Outdoor Media Association. These illumination levels would not negatively affect the pedestrians, vehicles or aircraft.
	• Would illumination detract from the amenity of any residence or other form of accommodation?	The sign is less than 2m ² and is to be integrated within the existing bus shelter on the site. The site is sufficiently separated from residential properties, as to not interfere with residences.
	• Can the intensity of the illumination be adjusted, if necessary?	The brightness of digital sign can be adjusted in response to changes in surrounding light levels. This will ensure the sign is not unreasonably bright.
	• Is the illumination subject to a curfew?	As above. The lighting is not proposed to be extinguished overnight however will have a moderate luminosity. If considered necessary, the consent authority may choose to impose a condition of consent requiring that illumination is extinguished during certain hours but the applicant would prefer to maintain illumination of the signs given the lack of amenity impacts..
8 Safety	• Would the proposal reduce the safety for any public road?	The proposed signage is modest in terms of scale, design and illumination will not comprise the safety of the adjacent public roads.
	• Would the proposal reduce the safety for pedestrians or bicyclists?	As above, the proposed signage scheme is not likely to compromise safety of pedestrians or cyclists either through causing a distraction or a physical obstruction.
	• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will have no impact to the sightlines for pedestrians (including children) or vehicles.



Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J1

Part 2 Design

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

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. 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.

An assessment of the proposed signage against the provisions of the Industry and Employment SEPP (formerly SEPP 64) are provided within each of the **Annexures**.

The sign, as existing is considered to be compatible with the character of the area and has existed for many years.

Sign J1 is within the reserve of a classified state road, Pittwater Road.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J1

2.4 Sign clutter controls

a. Multiple advertisements on a single block of land, structure or building should be discouraged as they contribute to visual clutter	Not proposed. The location of the existing signage panels do not change as part of this application. The proposed replacement will not 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.	As above.
c. In rural areas, and along freeways and tollways, no more than one advertising structure should be visible along a given sightline.	The sign is not located in any of the mentioned areas.

2.5.1 General criteria

a. The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.	The advertising structure, the bus shelter is retained as part of this application. As such no further consideration is required.
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	As above.
c. The advertising structure should be in keeping with important features of the site, building or bridge structure	As above.
d. The placement of the advertising structure should not require the removal of significant trees or other native vegetation.	The proposed development will involve the replacement of the existing advertising panel as such will not require the removal of trees or vegetation at the site.
e. The advertisement proposal should incorporate landscaping that complements the advertising structure and	Not applicable.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J1

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.

Lighting has been designed as an integral part of the signage, being illuminated internally. Safety devices in the sense of scaffolding and rails are not required for the proposed signage.

g. Illumination of advertisements must comply with the requirements in Section 3.3.3.

Noted. Refer to Section 4.1.3 of this statement for compliance with illumination levels.

h. Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.

The proposed illumination will not result in light spillage.

2.5.8 Digital Signs

a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.

Conditions can be imposed by the consent authority to ensure that the sign is completely static for the specified dwell time.

b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.

Conditions can be imposed by the consent authority to ensure there is no message sequencing that creates driver anticipation for the next message on the proposed sign or with any other signs.

c. The image must not be capable of being mistaken:
i. for a prescribed traffic control device because it has, for example, red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device.

Conditions can be imposed by the consent authority to ensure that sign content, design, imagery and messages neither replicate nor can be mistaken for a prescribed traffic control device or instruction to drivers. For example, advertisements must not instruct drivers to perform an action such as 'Stop'. Refer to Section 4.1.4 of this statement for content management.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J1

ii. as text providing driving instructions to drivers.

- d.** Dwell times for image display must not be less than:
- i. 10 seconds for areas where the speed limit is below 80km/h
 - ii. 25 seconds for areas where the speed limit is 80km/h and over.

The minimum allowed dwell time is 10 seconds based on the posted speed limit of 60km/h along Pittwater Road for Sign J1. Conditions can be imposed by the consent authority to ensure this minimum dwell time.

- e.** The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.

Conditions can be imposed by the consent authority to ensure that the sign has a transition time of no more than 0.1 seconds and a black screen in the event of image failure.

- f.** Luminance levels must comply with the requirements in Section 3 below:

This area is Zone 4 as categorised in Section 3.3 of the *Signage Guidelines*. Acceptable luminance levels for this zone as specified in Table 6 of the *Signage Guidelines* are: no limit (full sun on face of signage), 6000cd/m² (daytime), 500cd/m² (twilight and inclement weather) and 200cd/m² (night-time). Conditions can be imposed by the consent authority specifying maximum allowable luminance levels. Refer to Section 4.1.3 for detail on illumination.

- g.** The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.

Advertising content will not include images or displays that dazzle, flash or represent traffic control devices. Conditions can be imposed by the consent authority to ensure that the sign's images comply with requirements to not contain flickering or flashing content.

- h.** The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).

Conditions can be imposed by the consent authority to ensure that minimal text and information is supplied on a sign no more than a driver can read at a short glance.

- i.** Any sign that is within 250m of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.

The sign is not located within a school zone.

- j.** Each sign proposal must be assessed on a case-by case basis including replacement of an existing fixed, scrolling or tri-vision sign with a digital sign, and in the instance of a sign being visible from each direction, both directions for each location must be assessed on their own merits.

All relevant traffic directions have been assessed on their own merits

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J1

k. At any time, including where the speed limit in the area of the sign is changed, if detrimental effect is identified on road safety post installation of a digital sign, RMS reserves the right to re-assess the site using an independent RMS-accredited road safety auditor. Any safety issues identified by the auditor and options for rectifying the issues are to be discussed between RMS and the sign owner and operator.

Noted.

2.5.10 Residential amenity

Where it can be demonstrated that there will be a negative impact on residential amenity from a proposed digital sign, a consent authority may specify a higher dwell time, or restrict the dwell time hours (i.e. its operation) as a condition of consent to minimise the impacts. Dwell times must not be less than those in d) i) and ii) in Section 2.5.8 above.

Sign J1 is located within Zone SP2 Infrastructure, there are residential uses within proximity of the site. The proposed digital sign is not considered to have an adverse impact on the amenity of residential dwellings. Dwell times are proposed in accordance with those specified above. A condition of consent may be imposed.

2.5.11 Video and animated electronic signs

Video and animated electronic signs containing animated or video/movie style advertising, or messages including; live television, satellite, internet or similar broadcast; either permanent or portable; that face the road reserve and are visible to drivers are prohibited

Not proposed.

Part 3 Advertisements and Road Safety

3.2 Sign location criteria

3.2.1 Road clearance

- a. The advertisement must not create a physical obstruction or hazard. For example:
- i. Does the sign obstruct the movement of pedestrians or bicycle riders? (e.g. telephone

The location of the signage panel, inset within the bus shelter remains the same as part of this application. As such will not change road clearances.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J1

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?

b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone in an acceptable location in accordance with Austroads Guide to Road Design (and RMS supplements) or behind an RMS approved crash barrier.

No change to location of sign supports.

c. Where a sign is proposed within the clear zone but behind an existing RMS-approved crash barrier, all its structures up to 5.8m in height (relative to the road level) are to comply with any applicable lateral clearances specified by Austroads Guide to Road Design (and RMS supplements) with respect to dynamic deflection and working width.

Not proposed.

d. 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.

Not proposed. Signs will be inset into the bus shelter panel, as existing.

Digital signs greater or equal to 20sqm must ensure the following clearances:

Sign J1 is less than 2sqm.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J1

a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone

b. 5.5m from lowest point of the sign above the road surface if located within the clear zone or the deflection zone of a safety barrier, if installed

As above.

3.2.2 Line of sight

a. An advertisement must not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings.

The location of the signage will not change. Located within the panel of the existing bus shelter, the sign is not considered to obstruct driver views.

b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.

The sign will not obstruct pedestrian or cyclist view.

c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road. In this context, the location and arrangement of signs' structures should not give visual clues to the driver suggesting that the road alignment is different to the actual alignment. An accurate photo-montage should be used to assess this issue.

The sign is well separated from the road and road verge. There is no element of the proposed signage that could result in driver confusion in the road alignment.

d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time.

The proposed sign will not result in driver distraction.

3.2.3 Proximity to decision making points and conflict points

a. The sign should not be located:

The location of the sign does not change.

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

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crossing, cycleway facility or hazard within the road environment

iii. so that it is visible from the stem of a T-intersection.

b. The placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver's view: i. of a road hazard ii. to an intersection iii. to a prescribed traffic control device (such as traffic signals, stop or give way signs or warning signs) iv. to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher

As above.

3.2.4 Sign spacing

A highly cluttered visual field makes it difficult to locate and prioritise driving-critical information, e.g. regulatory and advisory signs and traffic control devices. The proposed site should be assessed to identify any road safety risk in relation to visual clutter and the proximity to other signs.

Noted.

Additional criteria for digital signs:

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

Noted.

3.3 Sign design and operation criteria

3.3.1 Advertising signage and traffic control devices

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

The location of the sign remains unchanged, as such no new traffic impacts arise.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J1

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

Additional criteria for digital signs and moving signs:

Sign J1 is a digital/static sign, one side digital one side static. Refer to Section 4.1.4 of this statement for details on content management. Conditions of consent can be imposed in this regard.

- a. The image must not be capable of being mistaken:
- i. for a rail or traffic sign or signal because it has, e.g. red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal
 - ii. as text providing driving instructions to drivers.

- b. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).

3.3.2 Dwell time and transition time

Dwell time criteria for digital signs:

Sign J1 is a digital/static sign. The proposed dwell time is 10 seconds. A condition of consent can be imposed to ensure appropriate dwell times.

- a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.

- b. Dwell times for image display must not be less than:

- i. 10 seconds for areas where the speed limit is below 80km/h.
- ii. 25 seconds for areas where the speed limit is 80km/h and over.

- c. Any digital sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.

Noted.

d. Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts.

Not proposed.

e. The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.

A condition of consent may be imposed.

3.3.3 Illumination and reflectance

Illumination and reflectance criteria for non-digital signs: The following criteria apply to non-digital illuminated signs, including conventional billboards illuminated by fluorescent and/or incandescent bulbs whether internally illuminated or lit from the exterior:

Refer to Section 4.1.3 for compliance with illumination guidelines.

- a. Advertisements must comply with the luminance requirements in Table 5 below.
- b. 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.
- c. 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
 - 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 15W fluorescent/LED bulb.
- d. 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.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J1

3.3.4 Interaction and sequencing

- | | |
|--|--|
| a. The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users. | Not proposed. A condition can be imposed in this regard. |
| b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs | As above. |

3.4 Road safety review of new or modified signs

- | | |
|--|--------|
| RMS may review the crash history of any new or modified advertising signs after a three-year period to determine whether the sign has had an adverse effect on road safety. If RMS is of the opinion that a sign is a traffic hazard, RMS 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. | Noted. |
|--|--------|

3.6 Road safety guidelines for sign content

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

Warringah Local Environmental Plan 2011 Assessment – SIGN J1			
Clause/ Control	Requirement	Proposal	Complies?
Part 2 Permitted or Prohibited development			
2.2 Zone objectives and Land Use Table	<u>SP2 Infrastructure</u> - To provide for infrastructure and related uses. - To prevent development that is not compatible with or that may detract from the provision of infrastructure.	The proposed advertising signage does not affect the provision of infrastructure or related uses. The proposal is compatible with the form of existing bus shelter infrastructure at the site. The panels are to be integrated within the existing signage opening, as such will not detract from the operation of the bus shelter. The proposal is not antipathetic to the objectives of the zone.	Yes
Part 4 Principal development standards			
4.3 Height of buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	No HOB control prescribed for the site. There will be no increase to the height of the bus shelter.	Yes
4.4 Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	No FSR control prescribed for the site.	N/A
Part 6 Additional Local Provisions			
6.4 Development on sloping land	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and (c) the development will not impact on or affect the existing subsurface flow conditions.	The site is identified as Area A Slope <5°. The proposed development involves the replacement of existing advertising signage, no earthworks are proposed. Therefore, the proposal will not increase landslide risk or affect existing subsurface flow conditions.	Yes.

Warringah Development Control Plan 2011 Assessment – SIGN J1			
Clause/ Control	Requirement	Proposal	Complies?
Part D Design			
D23 Signs	1. Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality. In particular, signs are not to dominate or obscure other signs or result in visual clutter.	The signage has been designed as to integrate with the existing shelter on site. The proposal will not introduce any additional visual clutter and is compatible with the Dee Why locality, which includes advertising at multiple shelter sites.	Yes
	2. Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed.	As above. The proposed signage is compatible with the existing scale and design of the shelter.	Yes
	3. Signs on heritage items or on buildings in conservation areas should not by their size, design or colour, detract from the character or significant qualities of individual buildings, the immediate context or the wider streetscape context of the area.	The site is not located on a heritage item, within a heritage conservation area or in proximity to a heritage item.	N/A
	4. Signs are not to obscure views of vehicles, pedestrians or potentially hazardous road features or reduce the safety of all users of any public road (including pedestrians and cyclists).	The signage forms part of the shelter wall and as such will not of itself obscure any vehicle or pedestrian views, nor will it compromise the safety of road users.	Yes
	5. Signs should not be capable of being confused with, or reduce the effectiveness of, traffic control devices.	The proposed signage does not include images or displays that dazzle, flash or represent traffic control devices.	Yes
	6. Signs are not to emit excessive glare or cause excessive reflection.	Noted. Refer to Section 4.1.3 of this Statement illumination will be controlled accordingly.	Yes
	7. Signs should not obscure or compromise important views.	There are no important views obtained through or from the shelter site.	N/A

Warringah Development Control Plan 2011 Assessment – SIGN J1

	8. Signs displayed on dwellings are to be attached to the ground floor façade of the dwelling, unless the land is located on a main road or the dwelling is not visible from the street, in which case the sign may be attached to a front fence. 9. For Land in the RU4 zone with frontage to both Mona Vale Road and Myoora Road: Only small, non-obtrusive and non-illuminated signs that identify the use of a site are to be visible from Mona Vale Road. Signs that are designed of such size, height or visual appearance so as to attract passing trade are not considered appropriate and are discouraged. All signs are to be in keeping with the colour and textures of the natural landscape. 10. No more than one sign is to be located above the awning level for business uses. 11. Tenancy boards and the like are encouraged to be in the form of consolidated signs. 14. The following signs are not considered appropriate and are discouraged: • Flashing or moving signs on all land other than the carriageway of a public road • Pole or pylon signs, unless there is no building on the site, or the building is not visible from the street or public domain; this does not include identification, interpretive, directional and advance warning signs described as Exempt Development, or a sign erected by the Council for the display of community information; • Signs on or above the roof or parapet of a building. • A-frame and temporary signs located on public land, including: ○ Signs on motor vehicles which are not able to be driven with the sign displayed ○ Balloons or other inflatable objects used for the purpose of advertising which are placed on or above roof level ○ Illuminated signs in residential zones	Not applicable. Not applicable. The signage is located on Pittwater Road in Zone SP2 Not applicable. The proposed signage is for advertising purposes. Not Proposed. The proposed signage: ○ Is located in the carriageway of Pittwater Road. It does not comprise flashing elements. Digital signage will be rotated periodically. ○ Does not comprise pole or pylon signage. ○ Does not project above the roof of the shelter. ○ Does not comprise an A-frame or temporary sign. ○ Not located in a residential zone.	N/A N/A N/A N/A Yes
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ANNEXURE B

Planning Assessment – Compliance Tables – Sign J2



SEPP (Industry and Employment) Assessment – SIGN J2

Criteria	Requirement	Discussion
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?	The proposed signage is compatible with the existing and desired future character of the Dee Why locality. The proposal is consistent with the existing character of the area as the advertising signage, subject to this application currently exists on the subject site and enjoys existing use rights. Therefore, replacement of existing signage with new signage is compatible with the existing and desired future character of this area within the Northern Beaches LGA.
	• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The design of the proposed panel is consistent with the general size and shape of bus shelter advertisements existing across the Northern Beaches LGA.
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?	The subject site is not situated within an environmentally sensitive area, heritage conservation area, open space area, or the like. Notwithstanding, the proposed signage is modest, is not overbearing with regards to size, scale and materials and within the confines of an existing bus shelter.
3 Views and vistas	• Does the proposal obscure or compromise important views?	The advertising sign is to be installed into the signage panel within the existing bus shelter. There are no significant views obtained from or through the bus shelter site and therefore the signage, which is positioned below the maximum height of the building in any case, will not obscure views.
	• Does the proposal dominate the skyline and reduce the quality of vistas?	As noted above, the signage proposed will be situated below the maximum height of the bus shelter and will not impact the skyline in any significant way.
	• Does the proposal respect the viewing rights of other advertisers?	The proposed signage will not compromise the viewing rights of other advertisers as it has been designed in a sympathetic manner which is non-obtrusive and does not unreasonably obscure lines of sight from the adjoining roads and footpaths to any signs on neighbouring properties. As detailed, the proposal includes the replacement of existing signage with digital signage, which will not change the scale or location of signage with respect to viewing rights.
4 Streetscape, setting or landscape	• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposal is appropriate for the streetscape as it is to be installed within an existing bus shelter. The proposal will not result in the removal of any landscaping.
	• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed advertising signage will enhance the visual interest of the streetscape at the shelter site in much the same way as the existing signage to be replaced.

SEPP (Industry and Employment) Assessment – SIGN J2

	Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal involves replacement of existing signage, as such will not increase visual clutter.
	Does the proposal screen unsightliness?	The signage affixed to the bus shelter is situated below the maximum building height and will not extend above any buildings, structures or trees in the locality. It does not, nor is it required, to screen unsightliness.
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signage does not extend above the height of surrounding buildings, structures or tree canopies.
	Does the proposal require ongoing vegetation management?	The proposed signage will not require any 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?	The signage proposed is compatible with surrounding building in terms of its scale and proportion. The signage is designed to integrate with the existing bus shelter on site, as such will not overwhelm the surrounding buildings.
	Does the proposal respect important features of the site or building, or both?	The signage scheme will enhance the aesthetic qualities of the bus shelter site. There are no important site features that are required to be preserved.
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The digital signage scheme is of a contemporary design and will provide for an upgrade to the existing static (paper) signage on site.
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?	Lighting has been designed as an integral part of the signage, being illuminated internally. Safety devices in the sense of scaffolding and rails are not required for the proposed signage
7 Illumination	Would illumination result in unacceptable glare?	The illumination level of the proposed signage complies with the Outdoor Media Association's OMA Model Advertising Code in regard to industry accepted performance criteria. The new digital signage will be equip with a sensor to ensure luminance levels are only bright enough to be clearly legible and would not result in unacceptable glare.

SEPP (Industry and Employment) Assessment – SIGN J2

	• Would illumination affect safety for pedestrians, vehicles or aircraft?	Luminance for signs and courtesy lights provide visibility and safety for pedestrians and transport users. As detailed above, oOh! Media follows the best practice illumination levels as set out by the Outdoor Media Association. These illumination levels would not negatively affect the pedestrians, vehicles or aircraft.
	• Would illumination detract from the amenity of any residence or other form of accommodation?	The sign is less than 2m ² and is to be integrated within the existing bus shelter on the site. The site is sufficiently separated from residential properties, as to not interfere with residences.
	• Can the intensity of the illumination be adjusted, if necessary?	The brightness of digital sign can be adjusted in response to changes in surrounding light levels. This will ensure the sign is not unreasonably bright.
	• Is the illumination subject to a curfew?	As above. The lighting is not proposed to be extinguished overnight however will have a moderate luminosity. If considered necessary, the consent authority may choose to impose a condition of consent requiring that illumination is extinguished during certain hours but the applicant would prefer to maintain illumination of the signs given the lack of amenity impacts.
8 Safety	• Would the proposal reduce the safety for any public road?	The proposed signage is modest in terms of scale, design and illumination will not comprise the safety of the adjacent public roads.
	• Would the proposal reduce the safety for pedestrians or bicyclists?	As above, the proposed signage scheme is not likely to compromise safety of pedestrians or cyclists either through causing a distraction or a physical obstruction.
	• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will have no impact to the sightlines for pedestrians (including children) or vehicles.



Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J2

Part 2 Design

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

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. 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.

An assessment of the proposed signage against the provisions of the Industry and Employment SEPP (formerly SEPP 64) are provided within each of the **Annexures**.

The sign, as existing is considered to be compatible with the character of the area and has existed for many years.

Sign J2 is within the reserve of a classified state road, Pittwater Road.

2.4 Sign clutter controls

a. Multiple advertisements on a single block of land, structure or building should be discouraged as they contribute to visual clutter	Not proposed. The location of the existing signage panels do not change as part of this application. The proposed replacement will not 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.	As above.
c. In rural areas, and along freeways and tollways, no more than one advertising structure should be visible along a given sightline.	The sign is not located in any of the mentioned areas.

2.5.1 General criteria

a. The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.	The advertising structure, the bus shelter, is retained as part of this application. As such no further consideration is required.
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	As above.
c. The advertising structure should be in keeping with important features of the site, building or bridge structure	As above.
d. The placement of the advertising structure should not require the removal of significant trees or other native vegetation.	The proposed development will involve the replacement of the existing advertising panel as such will not require the removal of trees or vegetation at the site.
e. The advertisement proposal should incorporate landscaping that complements the advertising structure and	Not applicable.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J2

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.

Lighting has been designed as an integral part of the signage, being illuminated internally. Safety devices in the sense of scaffolding and rails are not required for the proposed signage.

g. Illumination of advertisements must comply with the requirements in Section 3.3.3.

Noted. Refer to Section 4.1.3 of this statement for compliance with illumination levels.

h. Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.

The proposed illumination will not result in light spillage.

2.5.8 Digital Signs

a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.

Conditions can be imposed by the consent authority to ensure that the sign is completely static for the specified dwell time.

b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.

Conditions can be imposed by the consent authority to ensure there is no message sequencing that creates driver anticipation for the next message on the proposed sign or with any other signs.

c. The image must not be capable of being mistaken:
i. for a prescribed traffic control device because it has, for example, red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device.

Conditions can be imposed by the consent authority to ensure that sign content, design, imagery and messages neither replicate nor can be mistaken for a prescribed traffic control device or instruction to drivers. For example, advertisements must not instruct drivers to perform an action such as 'Stop'. Refer to Section 4.1.4 of this statement for content management.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J2

ii. as text providing driving instructions to drivers.

- d.** Dwell times for image display must not be less than:
- i. 10 seconds for areas where the speed limit is below 80km/h
 - ii. 25 seconds for areas where the speed limit is 80km/h and over.

The minimum allowed dwell time is 10 seconds based on the posted speed limit of 60km/h along Pittwater Road for Sign J2. Conditions can be imposed by the consent authority to ensure this minimum dwell time.

- e.** The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.

Conditions can be imposed by the consent authority to ensure that the sign has a transition time of no more than 0.1 seconds and a black screen in the event of image failure.

- f.** Luminance levels must comply with the requirements in Section 3 below:

This area is Zone 4 as categorised in Section 3.3 of the *Signage Guidelines*. Acceptable luminance levels for this zone as specified in Table 6 of the *Signage Guidelines* are: no limit (full sun on face of signage), 6000cd/m² (daytime), 500cd/m² (twilight and inclement weather) and 200cd/m² (night-time). Conditions can be imposed by the consent authority specifying maximum allowable luminance levels. Refer to Section 4.1.3 for detail on illumination.

- g.** The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.

Advertising content will not include images or displays that dazzle, flash or represent traffic control devices. Conditions can be imposed by the consent authority to ensure that the sign's images comply with requirements to not contain flickering or flashing content.

- h.** The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).

Conditions can be imposed by the consent authority to ensure that minimal text and information is supplied on a sign no more than a driver can read at a short glance.

- i.** Any sign that is within 250m of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.

N/A – The sign is not visible from a school zone.

- j.** Each sign proposal must be assessed on a case-by case basis including replacement of an existing fixed, scrolling or tri-vision sign with a digital sign, and in the instance of a sign being visible from each direction, both directions for each location must be assessed on their own merits.

All relevant traffic directions have been assessed on their own merits

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k. At any time, including where the speed limit in the area of the sign is changed, if detrimental effect is identified on road safety post installation of a digital sign, RMS reserves the right to re-assess the site using an independent RMS-accredited road safety auditor. Any safety issues identified by the auditor and options for rectifying the issues are to be discussed between RMS and the sign owner and operator.

Noted.

2.5.10 Residential amenity

Where it can be demonstrated that there will be a negative impact on residential amenity from a proposed digital sign, a consent authority may specify a higher dwell time, or restrict the dwell time hours (i.e. its operation) as a condition of consent to minimise the impacts. Dwell times must not be less than those in d) i) and ii) in Section 2.5.8 above.

Sign J2 is located within Zone SP2 Infrastructure, there are no residential uses within the immediate proximity of the site. Dwell times are proposed in accordance with those specified above. A condition of consent may be imposed.

2.5.11 Video and animated electronic signs

Video and animated electronic signs containing animated or video/movie style advertising, or messages including; live television, satellite, internet or similar broadcast; either permanent or portable; that face the road reserve and are visible to drivers are prohibited

Not proposed.

Part 3 Advertisements and Road Safety

3.2 Sign location criteria

3.2.1 Road clearance

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

- i. Does the sign obstruct the movement of pedestrians or bicycle riders? (e.g. telephone

The location of the signage panel, inset within the bus shelter remains the same as part of this application. As such will not change road clearances.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J2

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?

b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone in an acceptable location in accordance with Austroads Guide to Road Design (and RMS supplements) or behind an RMS approved crash barrier.

No change to location of sign supports.

c. Where a sign is proposed within the clear zone but behind an existing RMS-approved crash barrier, all its structures up to 5.8m in height (relative to the road level) are to comply with any applicable lateral clearances specified by Austroads Guide to Road Design (and RMS supplements) with respect to dynamic deflection and working width.

Not proposed.

d. 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.

Not proposed. Signs will be inset into the bus shelter panel, as existing.

Digital signs greater or equal to 20sqm must ensure the following clearances:

Sign J2 is less than 2sqm.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J2

a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone

b. 5.5m from lowest point of the sign above the road surface if located within the clear zone or the deflection zone of a safety barrier, if installed

As above.

3.2.2 Line of sight

a. An advertisement must not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings.

The location of the signage will not change. Located within the panel of the existing bus shelter, the sign is not considered to obstruct driver views.

b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.

The sign will not obstruct pedestrian or cyclist view.

c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road. In this context, the location and arrangement of signs' structures should not give visual clues to the driver suggesting that the road alignment is different to the actual alignment. An accurate photo-montage should be used to assess this issue.

The sign is well separated from the road and road verge. There is no element of the proposed signage that could result in driver confusion in the road alignment.

d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time.

The proposed sign will not result in driver distraction.

3.2.3 Proximity to decision making points and conflict points

a. The sign should not be located:

The location of the sign does not change.

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

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J2

crossing, cycleway facility or hazard within the road environment

iii. so that it is visible from the stem of a T-intersection.

b. The placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver's view: i. of a road hazard ii. to an intersection iii. to a prescribed traffic control device (such as traffic signals, stop or give way signs or warning signs) iv. to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher

As above.

3.2.4 Sign spacing

A highly cluttered visual field makes it difficult to locate and prioritise driving-critical information, e.g. regulatory and advisory signs and traffic control devices. The proposed site should be assessed to identify any road safety risk in relation to visual clutter and the proximity to other signs.

Noted.

Additional criteria for digital signs:

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

Noted.

3.3 Sign design and operation criteria

3.3.1 Advertising signage and traffic control devices

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

The location of the sign remains unchanged, as such no new traffic impacts arise.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J2

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

Additional criteria for digital signs and moving signs:

Sign J2 is a digital/static sign, one side digital one side static. Refer to Section 4.1.4 of this statement for details on content management. Conditions of consent can be imposed in this regard.

- a. The image must not be capable of being mistaken:
- i. for a rail or traffic sign or signal because it has, e.g. red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal
 - ii. as text providing driving instructions to drivers.

- b. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).

3.3.2 Dwell time and transition time

Dwell time criteria for digital signs:

Sign J2 is a digital/static sign. The proposed dwell time is 10 seconds. A condition of consent can be imposed to ensure appropriate dwell times.

- a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.

- b. Dwell times for image display must not be less than:

- i. 10 seconds for areas where the speed limit is below 80km/h.
- ii. 25 seconds for areas where the speed limit is 80km/h and over.

- c. Any digital sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.

Noted.

d. Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts.

Not proposed.

e. The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.

A condition of consent may be imposed.

3.3.3 Illumination and reflectance

Illumination and reflectance criteria for non-digital signs: The following criteria apply to non-digital illuminated signs, including conventional billboards illuminated by fluorescent and/or incandescent bulbs whether internally illuminated or lit from the exterior:

Refer to Section 4.1.3 for compliance with illumination guidelines.

- a. Advertisements must comply with the luminance requirements in Table 5 below.
- b. 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.
- c. 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 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 15W fluorescent/LED bulb.
- d. 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

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J2

Standard AS/NZS 1906.1:2007. Flashing illuminated advertisements will not be approved.

3.3.4 Interaction and sequencing

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| a. The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users. | Not proposed. A condition can be imposed in this regard. |
| b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs | As above. |

3.4 Road safety review of new or modified signs

RMS may review the crash history of any new or modified advertising signs after a three-year period to determine whether the sign has had an adverse effect on road safety. If RMS is of the opinion that a sign is a traffic hazard, RMS 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.	Noted.
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3.6 Road safety guidelines for sign content

SEPP 64 does not regulate the content of advertisements and signs, and does not require consent for a change in content. It is recommended that advertisers follow RMS advisory guidelines with respect to sign content of advertisements to be displayed along road corridors.	Noted.
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Warringah Local Environmental Plan 2011 Assessment – SIGN J2

Clause/ Control	Requirement	Proposal	Complies?
Part 2 Permitted or Prohibited development			
2.2 Zone objectives and Land Use Table	<u>SP2 Infrastructure</u> - To provide for infrastructure and related uses. - To prevent development that is not compatible with or that may detract from the provision of infrastructure.	The proposed advertising signage does not affect the provision of infrastructure or related uses. The proposal is compatible with the form of existing bus shelter infrastructure at the site. The panels are to be integrated within the existing signage opening, as such will not detract from the operation of the bus shelter. The proposal is not antipathetic to the objectives of the zone.	Yes
Part 4 Principal development standards			
4.3 Height of buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	No HOB control prescribed for the site. There will be no increase to the height of the bus shelter.	Yes
4.4 Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	No FSR control prescribed for the site.	N/A
Part 5 Miscellaneous Provisions			
5.10 Heritage Conservation	(5) Heritage assessment The consent authority may, before granting consent to any development— (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	Bus Stop J2 is located adjacent to Heritage Landscape Conservation Area C5 <i>Dee Why Lagoon and Reserve</i> . Given The minor scale of the proposed signage, and its design to be integrated into the panel at the existing shelter, it is not considered the proposed development will significantly impact the heritage value of the adjoining item.	Yes

Warringah Local Environmental Plan 2011 Assessment – SIGN J2

Part 6 Additional Local Provisions

6.4 Development on sloping land	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and (c) the development will not impact on or affect the existing subsurface flow conditions.	The site is identified as Area A Slope <5°. The proposed development involves the replacement of existing advertising signage, no earthworks are proposed. Therefore the proposal will not increase landslide risk or affect existing subsurface flow conditions.	Yes
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Warringah Development Control Plan Assessment – SIGN J2			
Clause/ Control	Requirement	Proposal	Complies?
Part D Design			
D23 Signs	1. Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality. In particular, signs are not to dominate or obscure other signs or result in visual clutter.	The signage has been designed as to integrate with the existing shelter on site. The proposal will not introduce any additional visual clutter and is compatible with the Dee Why locality, which includes advertising at multiple shelter sites.	Yes
	2. Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed.	As above. The proposed signage is compatible with the existing scale and design of the shelter.	Yes
	3. Signs on heritage items or on buildings in conservation areas should not by their size, design or colour, detract from the character or significant qualities of individual buildings, the immediate context or the wider streetscape context of the area.	The site is not located on a heritage item, within a heritage conservation area and whilst in proximity to a conservation area will not detract from the significance of the area. Refer to Part 5.3.3.1 above.	N/A
	4. Signs are not to obscure views of vehicles, pedestrians or potentially hazardous road features or reduce the safety of all users of any public road (including pedestrians and cyclists).	The signage forms part of the shelter wall and as such will not of itself obscure any vehicle or pedestrian views, nor will lit compromise the safety of road users.	Yes
	5. Signs should not be capable of being confused with, or reduce the effectiveness of, traffic control devices.	The proposed signage does not include images or displays that dazzle, flash or represent traffic control devices.	Yes
	6. Signs are not to emit excessive glare or cause excessive reflection.	Noted. Refer to Section 4.1.3 of this Statement illumination will be controlled accordingly.	Yes
	7. Signs should not obscure or compromise important views.	There are no important views obtained through or from the shelter site.	N/A

Warringah Development Control Plan Assessment – SIGN J2

	8. Signs displayed on dwellings are to be attached to the ground floor façade of the dwelling, unless the land is located on a main road or the dwelling is not visible from the street, in which case the sign may be attached to a front fence. 9. For Land in the RU4 zone with frontage to both Mona Vale Road and Myoora Road: Only small, non-obtrusive and non-illuminated signs that identify the use of a site are to be visible from Mona Vale Road. Signs that are designed of such size, height or visual appearance so as to attract passing trade are not considered appropriate and are discouraged. All signs are to be in keeping with the colour and textures of the natural landscape. 10. No more than one sign is to be located above the awning level for business uses. 11. Tenancy boards and the like are encouraged to be in the form of consolidated signs. 14. The following signs are not considered appropriate and are discouraged: • Flashing or moving signs on all land other than the carriageway of a public road • Pole or pylon signs, unless there is no building on the site, or the building is not visible from the street or public domain; this does not include identification, interpretive, directional and advance warning signs described as Exempt Development, or a sign erected by the Council for the display of community information; • Signs on or above the roof or parapet of a building. • A-frame and temporary signs located on public land, including: ○ Signs on motor vehicles which are not able to be driven with the sign displayed ○ Balloons or other inflatable objects used for the purpose of advertising which are placed on or above roof level ○ Illuminated signs in residential zones	Not applicable. Not applicable. The signage is located on Pittwater Road in Zone SP2 Not applicable. The proposed signage is for advertising purposes. Not Proposed. The proposed signage: ○ Is located in the carriageway of Pittwater Road. It does not comprise flashing elements. Digital signage will be rotated periodically. ○ Does not comprise pole or pylon signage. ○ Does not project above the roof of the shelter. ○ Does not comprise an A-frame or temporary sign.	N/A N/A N/A N/A Yes
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ANNEXURE C

Planning Assessment – Compliance Tables – Sign J3



SEPP (Industry and Employment) Assessment – SIGN J3

Criteria	Requirement	Discussion
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?	The proposed signage is compatible with the existing and desired future character of the Brookvale locality. The proposal is consistent with the existing character of the area as the advertising signage, subject to this application currently exists on the subject site and enjoys existing use rights. Therefore, replacement of existing signage with new signage is compatible with the existing and desired future character of this area within the Northern Beaches LGA.
	• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The design of the proposed panel is consistent with the general size and shape of bus shelter advertisements existing across the Northern Beaches LGA.
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?	The subject site is not situated within an environmentally sensitive area, heritage conservation area, open space area, or the like. Notwithstanding, the proposed signage is modest, is not overbearing with regards to size, scale and materials and within the confines of an existing bus shelter.
3 Views and vistas	• Does the proposal obscure or compromise important views?	The advertising sign is to be installed into the signage panel within the existing bus shelter. There are no significant views obtained from or through the bus shelter site and therefore the signage, which is positioned below the maximum height of the building in any case, will not obscure views.
	• Does the proposal dominate the skyline and reduce the quality of vistas?	As noted above, the signage proposed will be situated below the maximum height of the bus shelter and will not impact the skyline in any significant way.
	• Does the proposal respect the viewing rights of other advertisers?	The proposed signage will not compromise the viewing rights of other advertisers as it has been designed in a sympathetic manner which is non-obtrusive and does not unreasonably obscure lines of sight from the adjoining roads and footpaths to any signs on neighbouring properties. As detailed, the proposal includes the replacement of existing signage with digital signage, which will not change the scale or location of signage with respect to viewing rights.
4 Streetscape, setting or landscape	• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposal is appropriate for the streetscape as it is to be installed within an existing bus shelter. The proposal will not result in the removal of any landscaping.
	• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed advertising signage will enhance the visual interest of the streetscape at the shelter site in much the same way as the existing signage to be replaced..
	• Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal involves replacement of existing signage, as such will not increase visual clutter.

SEPP (Industry and Employment) Assessment – SIGN J3

	Does the proposal screen unsightliness?	The signage affixed to the bus shelter is situated below the maximum building height and will not extend above any buildings, structures or trees in the locality. It does not, nor is it required, to screen unsightliness.
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signage does not extend above the height of surrounding buildings, structures or tree canopies.
	Does the proposal require ongoing vegetation management?	The proposed signage will not require any 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?	The signage proposed is compatible with surrounding building in terms of its scale and proportion. The signage is designed to integrate with the existing bus shelter on site, as such will not overwhelm the surrounding buildings.
	Does the proposal respect important features of the site or building, or both?	The signage scheme will enhance the aesthetic qualities of the bus shelter site. There are no important site features that are required to be preserved.
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signage scheme is of a contemporary design and will provide for an upgrade to the existing static (paper) signage on site.
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?	Lighting has been designed as an integral part of the signage, being illuminated internally. Safety devices in the sense of scaffolding and rails are not required for the proposed signage
7 Illumination	Would illumination result in unacceptable glare?	The illumination level of the proposed signage complies with the Outdoor Media Association's OMA Model Advertising Code in regard to industry accepted performance criteria. The new digital signage will be equipped with a sensor to ensure luminance levels are only bright enough to be clearly legible and would not result in unacceptable glare.
	Would illumination affect safety for pedestrians, vehicles or aircraft?	Luminance for signs and courtesy lights provide visibility and safety for pedestrians and transport users. As detailed above, oOh! Media follows the best practice illumination levels as set out by the Outdoor Media Association. These illumination levels would not negatively affect the pedestrians, vehicles or aircraft.

SEPP (Industry and Employment) Assessment – SIGN J3

	• Would illumination detract from the amenity of any residence or other form of accommodation?	The sign is less than 2m ² and is to be integrated within the existing bus shelter on the site. The site is sufficiently separated from residential properties, as to not interfere with residences.
	• Can the intensity of the illumination be adjusted, if necessary?	The brightness of digital sign can be adjusted in response to changes in surrounding light levels. This will ensure the sign is not unreasonably bright.
	• Is the illumination subject to a curfew?	As above. The lighting is not proposed to be extinguished overnight however will have a moderate luminosity. If considered necessary, the consent authority may choose to impose a condition of consent requiring that illumination is extinguished during certain hours but the applicant would prefer to maintain illumination of the signs given the lack of amenity impacts.
8 Safety	• Would the proposal reduce the safety for any public road?	The proposed signage is modest in terms of scale, design and illumination will not comprise the safety of the adjacent public roads.
	• Would the proposal reduce the safety for pedestrians or bicyclists?	As above, the proposed signage scheme is not likely to compromise safety of pedestrians or cyclists either through causing a distraction or a physical obstruction.
	• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will have no impact to the sightlines for pedestrians (including children) or vehicles.

Part 2 Design

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.

An assessment of the proposed signage against the provisions of the Industry and Employment SEPP (formerly SEPP 64) are provided within each of the **Annexures**.

In particular, consideration must be given to the compatibility of the advertising proposal with the character of the urban area.

The sign, as existing is considered to be compatible with the character of the area and has existed for many years.

As a guideline, advertising in urban areas should be restricted to rail corridors, freeways, tollways or classified roads:

Sign J3 is within the reserve of a classified state road, Pittwater Road.

a. within or adjacent to strategic transport corridors passing through enterprise zones, business development zones, commercial core zones, mixed use zones or industrial zones

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. 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

a. Multiple advertisements on a single block of land, structure or building should be discouraged as they contribute to visual clutter

Not proposed. The location of the existing signage panels do not change as part of this application. The proposed replacement will not contribute to visual clutter.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J3

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.

As above.

c. In rural areas, and along freeways and tollways, no more than one advertising structure should be visible along a given sightline.

The sign is not located in any of the mentioned areas.

2.5.1 General criteria

a. The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.

The advertising structure, the bus shelter, is retained as part of this application. As such no further consideration is required.

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

As above.

c. The advertising structure should be in keeping with important features of the site, building or bridge structure

As above.

d. The placement of the advertising structure should not require the removal of significant trees or other native vegetation.

The proposed development will involve the replacement of the existing advertising panel as such will not require the removal of trees or vegetation at the site.

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.

Not applicable.

- The development of a landscape management plan may be required as a condition of consent.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J3

- 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.	Lighting has been designed as an integral part of the signage, being illuminated internally. Safety devices in the sense of scaffolding and rails are not required for the proposed signage.
g. Illumination of advertisements must comply with the requirements in Section 3.3.3.	Noted. Refer to Section 4.1.3 of this statement for compliance with illumination levels.
h. Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.	The proposed illumination will not result in light spillage.

2.5.8 Digital Signs

a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.	Conditions can be imposed by the consent authority to ensure that the sign is completely static for the specified dwell time.
b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	Conditions can be imposed by the consent authority to ensure there is no message sequencing that creates driver anticipation for the next message on the proposed sign or with any other signs.
c. The image must not be capable of being mistaken: i. for a prescribed traffic control device because it has, for example, red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device. ii. as text providing driving instructions to drivers.	Conditions can be imposed by the consent authority to ensure that sign content, design, imagery and messages neither replicate nor can be mistaken for a prescribed traffic control device or instruction to drivers. For example, advertisements must not instruct drivers to perform an action such as 'Stop'. Refer to Section 4.1.4 of this statement for content management.
d. Dwell times for image display must not be less than: i. 10 seconds for areas where the speed limit is below 80km/h ii. 25 seconds for areas where the speed limit is 80km/h and over.	The minimum allowed dwell time is 10 seconds based on the posted speed limit of 60km/h along Pittwater Road for Sign J3. Conditions can be imposed by the consent authority to ensure this minimum dwell time.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J3

e. The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.	Conditions can be imposed by the consent authority to ensure that the sign has a transition time of no more than 0.1 seconds and a black screen in the event of image failure.
f. Luminance levels must comply with the requirements in Section 3 below:	This area is Zone 4 as categorised in Section 3.3 of the <i>Signage Guidelines</i> . Acceptable luminance levels for this zone as specified in Table 6 of the <i>Signage Guidelines</i> are: no limit (full sun on face of signage), 6000cd/m ² (daytime), 500cd/m ² (twilight and inclement weather) and 200cd/m ² (night-time). Conditions can be imposed by the consent authority specifying maximum allowable luminance levels. Refer to Section 4.1.3 for detail on illumination.
g. The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.	Advertising content will not include images or displays that dazzle, flash or represent traffic control devices. Conditions can be imposed by the consent authority to ensure that the sign's images comply with requirements to not contain flickering or flashing content.
h. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).	Conditions can be imposed by the consent authority to ensure that minimal text and information is supplied on a sign no more than a driver can read at a short glance.
i. Any sign that is within 250m of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.	N/A – The sign is not visible from a school zone.
j. Each sign proposal must be assessed on a case-by case basis including replacement of an existing fixed, scrolling or tri-vision sign with a digital sign, and in the instance of a sign being visible from each direction, both directions for each location must be assessed on their own merits.	All relevant traffic directions have been assessed on their own merits
k. At any time, including where the speed limit in the area of the sign is changed, if detrimental effect is identified on road safety post installation of a digital sign, RMS reserves the right to re-assess the site using an independent RMS-accredited road safety auditor. Any safety issues identified by the auditor and options for rectifying the issues are to be discussed between RMS and the sign owner and operator.	Noted.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J3

2.5.10 Residential amenity

Where it can be demonstrated that there will be a negative impact on residential amenity from a proposed digital sign, a consent authority may specify a higher dwell time, or restrict the dwell time hours (i.e. its operation) as a condition of consent to minimise the impacts. Dwell times must not be less than those in d) i) and ii) in Section 2.5.8 above.

Sign J3 is located within Zone SP2 Infrastructure, there are no residential uses within the immediate proximity of the site. Dwell times are proposed in accordance with those specified above. A condition of consent may be imposed.

2.5.11 Video and animated electronic signs

Video and animated electronic signs containing animated or video/movie style advertising, or messages including; live television, satellite, internet or similar broadcast; either permanent or portable; that face the road reserve and are visible to drivers are prohibited

Not proposed.

Part 3 Advertisements and Road Safety

3.2 Sign location criteria

3.2.1 Road clearance

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

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

The location of the signage panel, inset within the bus shelter remains the same as part of this application. As such will not change road clearances.

- iii. Does the sign protrude laterally into the

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J3

transport corridor so it could be hit by trucks or wide vehicles?

b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone in an acceptable location in accordance with Austroads Guide to Road Design (and RMS supplements) or behind an RMS approved crash barrier.

No change to location of sign supports.

c. Where a sign is proposed within the clear zone but behind an existing RMS-approved crash barrier, all its structures up to 5.8m in height (relative to the road level) are to comply with any applicable lateral clearances specified by Austroads Guide to Road Design (and RMS supplements) with respect to dynamic deflection and working width.

Not proposed.

d. 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.

Not proposed. Signs will be inset into the bus shelter panel, as existing.

Digital signs greater or equal to 20sqm must ensure the following clearances:

Sign J3 is less than 2sqm.

a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone

b. 5.5m from lowest point of the sign above the road surface if located within the clear zone or the deflection zone of a safety barrier, if installed

As above.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J3

3.2.2 Line of sight

a. An advertisement must not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings.	The location of the signage will not change. Located within the panel of the existing bus shelter, the sign is not considered to obstruct driver views.
b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The sign will not obstruct pedestrian or cyclist view.
c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road. In this context, the location and arrangement of signs' structures should not give visual clues to the driver suggesting that the road alignment is different to the actual alignment. An accurate photo-montage should be used to assess this issue.	The sign is well separated from the road and road verge. There is no element of the proposed signage that could result in driver confusion in the road alignment.
d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time.	The proposed sign will not result in driver distraction.

3.2.3 Proximity to decision making points and conflict points

a. The sign should not be located: i. less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves ii. less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment iii. so that it is visible from the stem of a T-intersection.	The location of the sign does not change.
b. The placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver's view: i. of a road hazard ii. to an intersection iii. to a prescribed	As above.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J3

traffic control device (such as traffic signals, stop or give way signs or warning signs) iv. to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher

3.2.4 Sign spacing

A highly cluttered visual field makes it difficult to locate and prioritise driving-critical information, e.g. regulatory and advisory signs and traffic control devices. The proposed site should be assessed to identify any road safety risk in relation to visual clutter and the proximity to other signs.

Noted.

Additional criteria for digital signs:

Noted.

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

3.3 Sign design and operation criteria

3.3.1 Advertising signage and traffic control devices

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

The location of the sign remains unchanged, as such no new traffic impacts arise.

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

As above.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J3

Additional criteria for digital signs and moving signs:

Sign J3 is a digital/static sign, one side digital one side static. Refer to Section 4.1.4 of this statement for details on content management. Conditions of consent can be imposed in this regard.

- a. The image must not be capable of being mistaken:
 - i. for a rail or traffic sign or signal because it has, e.g. red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal
 - ii. as text providing driving instructions to drivers.
- b. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).

3.3.2 Dwell time and transition time

Dwell time criteria for digital signs:

Sign J3 is a digital/static sign. The proposed dwell time is 10 seconds. A condition of consent can be imposed to ensure appropriate dwell times.

- a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.
- b. Dwell times for image display must not be less than:
 - i. 10 seconds for areas where the speed limit is below 80km/h.
 - ii. 25 seconds for areas where the speed limit is 80km/h and over.
- c. Any digital sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.
- d. Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts.

Noted.

Not proposed.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J3

- e. The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.
- A condition of consent can be imposed

3.3.3 Illumination and reflectance

Illumination and reflectance criteria for non-digital signs: The following criteria apply to non-digital illuminated signs, including conventional billboards illuminated by fluorescent and/or incandescent bulbs whether internally illuminated or lit from the exterior:

- a. Advertisements must comply with the luminance requirements in Table 5 below.
- b. 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.
- c. 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
 - 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 15W fluorescent/LED bulb.
- d. 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.

Refer to Section 4.1.3 for compliance with illumination guidelines.

3.3.4 Interaction and sequencing

- a. The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users.
- Not proposed. A condition can be imposed in this regard.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J3

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|---|-----------|
| b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs | As above. |
|---|-----------|

3.4 Road safety review of new or modified signs

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|--|--------|
| RMS may review the crash history of any new or modified advertising signs after a three-year period to determine whether the sign has had an adverse effect on road safety. If RMS is of the opinion that a sign is a traffic hazard, RMS 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. | Noted. |
|--|--------|

3.6 Road safety guidelines for sign content

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

Warringah Local Environmental Plan 2014 Assessment – SIGN J3

Clause/ Control	Requirement	Proposal	Complies?
Part 2 Permitted or Prohibited development			
2.2 Zone objectives and Land Use Table	<u>SP2 Infrastructure</u> - To provide for infrastructure and related uses. - To prevent development that is not compatible with or that may detract from the provision of infrastructure.	The proposed advertising signage does not affect the provision of infrastructure or related uses. The proposal is compatible with the form of existing bus shelter infrastructure at the site. The panels are to be integrated within the existing signage opening, as such will not detract from the operation of the bus shelter. The proposal is not antipathetic to the objectives of the zone.	Yes
Part 4 Principal development standards			
4.3 Height of buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	No HOB control prescribed for the site. There will be no increase to the height of the bus shelters.	N/A
4.4 Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	No FSR control prescribed for the site.	N/A
Part 6 Additional Local Provisions			
6.4 Development on sloping land	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and (c) the development will not impact on or affect the existing subsurface flow conditions.	The site is identified as Area A Slope <5°. The proposed development involves the replacement of existing advertising signage, no earthworks are proposed. Therefore the proposal will not increase landslide risk or affect existing subsurface flow conditions.	Yes.

Warringah Development Control Plan Assessment – SIGN J3

Clause/ Control	Requirement	Proposal	Complies?
Part D Design			
D23 Signs	1. Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality. In particular, signs are not to dominate or obscure other signs or result in visual clutter.	The signage has been designed as to integrate with the existing shelter on site. The proposal will not introduce any additional visual clutter and is compatible with the Brookvale locality, which includes advertising at multiple shelter sites.	Yes
	2. Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed.	As above. The proposed signage is compatible with the existing scale and design of the shelter.	Yes
	3. Signs on heritage items or on buildings in conservation areas should not by their size, design or colour, detract from the character or significant qualities of individual buildings, the immediate context or the wider streetscape context of the area.	The site is not located on a heritage item, within a heritage conservation area or in proximity to a heritage item.	N/A
	4. Signs are not to obscure views of vehicles, pedestrians or potentially hazardous road features or reduce the safety of all users of any public road (including pedestrians and cyclists).	The signage forms part of the shelter wall and as such will not of itself obscure any vehicle or pedestrian views, nor will lit compromise the safety of road users.	Yes
	5. Signs should not be capable of being confused with, or reduce the effectiveness of, traffic control devices.	The proposed signage does not include images or displays that dazzle, flash or represent traffic control devices.	Yes
	6. Signs are not to emit excessive glare or cause excessive reflection.	Noted. Refer to Section 4.1.3 of this Statement illumination will be controlled accordingly.	Yes
	7. Signs should not obscure or compromise important views.	There are no important views obtained through or from the shelter site.	N/A

Warringah Development Control Plan Assessment – SIGN J3

	8. Signs displayed on dwellings are to be attached to the ground floor façade of the dwelling, unless the land is located on a main road or the dwelling is not visible from the street, in which case the sign may be attached to a front fence. 9. For Land in the RU4 zone with frontage to both Mona Vale Road and Myoora Road: Only small, non-obtrusive and non-illuminated signs that identify the use of a site are to be visible from Mona Vale Road. Signs that are designed of such size, height or visual appearance so as to attract passing trade are not considered appropriate and are discouraged. All signs are to be in keeping with the colour and textures of the natural landscape. 10. No more than one sign is to be located above the awning level for business uses. 11. Tenancy boards and the like are encouraged to be in the form of consolidated signs. 14. The following signs are not considered appropriate and are discouraged: • Flashing or moving signs on all land other than the carriageway of a public road • Pole or pylon signs, unless there is no building on the site, or the building is not visible from the street or public domain; this does not include identification, interpretive, directional and advance warning signs described as Exempt Development, or a sign erected by the Council for the display of community information; • Signs on or above the roof or parapet of a building. • A-frame and temporary signs located on public land, including: ○ Signs on motor vehicles which are not able to be driven with the sign displayed ○ Balloons or other inflatable objects used for the purpose of advertising which are placed on or above roof level ○ Illuminated signs in residential zones	Not applicable. Not applicable. The signage is located on Pittwater Road in Zone SP2 Not applicable. The proposed signage is for advertising purposes. Not Proposed. The proposed signage: ○ Is located in the carriageway of Pittwater Road. It does not comprise flashing elements. Digital signage will be rotated periodically. ○ Does not comprise pole or pylon signage. ○ Does not project above the roof of the shelter. ○ Does not comprise an A-frame or temporary sign. ○ Not located in a residential zone.	N/A N/A N/A N/A Yes
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ANNEXURE D

Planning Assessment – Compliance Tables – Sign J7



SEPP (Industry and Employment) Assessment – SIGN J7

Criteria	Requirement	Discussion
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?	The proposed signage is compatible with the existing and desired future character of the Dee Why locality. The proposal is consistent with the existing character of the area as the advertising signage, subject to this application currently exists on the subject site and enjoys existing use rights. Therefore, replacement of existing signage with new signage is compatible with the existing and desired future character of this area within the Northern Beaches LGA.
	• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The design of the proposed panel is consistent with the general size and shape of bus shelter advertisements existing across the Northern Beaches LGA.
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?	The subject site is not situated within an environmentally sensitive area, heritage conservation area, open space area, or the like. Notwithstanding, the proposed signage is modest, is not overbearing with regards to size, scale and materials and within the confines of an existing bus shelter.
3 Views and vistas	• Does the proposal obscure or compromise important views?	The advertising sign is to be installed into the signage panel within the existing bus shelter. There are no significant views obtained from or through the bus shelter site and therefore the signage, which is positioned below the maximum height of the building in any case, will not obscure views.
	• Does the proposal dominate the skyline and reduce the quality of vistas?	As noted above, the signage proposed will be situated below the maximum height of the bus shelter and will not impact the skyline in any significant way..
	• Does the proposal respect the viewing rights of other advertisers?	The proposed signage will not compromise the viewing rights of other advertisers as it has been designed in a sympathetic manner which is non-obtrusive and does not unreasonably obscure lines of sight from the adjoining roads and footpaths to any signs on neighbouring properties. As detailed, the proposal includes the replacement of existing signage with digital signage, which will not change the scale or location of signage with respect to viewing rights.
4 Streetscape, setting or landscape	• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposal is appropriate for the streetscape as it is to be installed within an existing bus shelter. The proposal will not result in the removal of any landscaping.
	• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed advertising signage will enhance the visual interest of the streetscape at the shelter site in much the same way as the existing signage to be replaced.

SEPP (Industry and Employment) Assessment – SIGN J7

	• Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal involves replacement of existing signage, as such will not increase visual clutter.
	• Does the proposal screen unsightliness?	The signage affixed to the bus shelter is situated below the maximum building height and will not extend above any buildings, structures or trees in the locality. It does not, nor is it required, to screen unsightliness.
	• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signage does not extend above the height of surrounding buildings, structures or tree canopies.
	• Does the proposal require ongoing vegetation management?	The proposed signage will not require any 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?	The signage proposed is compatible with surrounding building in terms of its scale and proportion. The signage is designed to integrate with the existing bus shelter on site, as such will not overwhelm the surrounding buildings.
	• Does the proposal respect important features of the site or building, or both?	The signage scheme will enhance the aesthetic qualities of the bus shelter site. There are no important site features that are required to be preserved.
	• Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signage scheme is of a contemporary design and will provide for an upgrade to the existing static (paper) signage on site.
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?	Lighting has been designed as an integral part of the signage, being illuminated internally. Safety devices in the sense of scaffolding and rails are not required for the proposed signage.
7 Illumination	• Would illumination result in unacceptable glare?	The illumination level of the proposed signage complies with the Outdoor Media Association's OMA Model Advertising Code in regard to industry accepted performance criteria. The new digital signage will be equipped with a sensor to ensure luminance levels are only bright enough to be clearly legible and would not result in unacceptable glare.

SEPP (Industry and Employment) Assessment – SIGN J7

	• Would illumination affect safety for pedestrians, vehicles or aircraft?	Luminance for signs and courtesy lights provide visibility and safety for pedestrians and transport users. As detailed above, oOh! Media follows the best practice illumination levels as set out by the Outdoor Media Association. These illumination levels would not negatively affect the pedestrians, vehicles or aircraft.
	• Would illumination detract from the amenity of any residence or other form of accommodation?	The sign is less than 2m ² and is to be integrated within the existing bus shelter on the site. The site is sufficiently separated from residential properties, as to not interfere with residences.
	• Can the intensity of the illumination be adjusted, if necessary?	The brightness of digital sign can be adjusted in response to changes in surrounding light levels. This will ensure the sign is not unreasonably bright.
	• Is the illumination subject to a curfew?	As above. The lighting is not proposed to be extinguished overnight however will have a moderate luminosity. If considered necessary, the consent authority may choose to impose a condition of consent requiring that illumination is extinguished during certain hours but the applicant would prefer to maintain illumination of the signs given the lack of amenity impacts.
8 Safety	• Would the proposal reduce the safety for any public road?	The proposed signage is modest in terms of scale, design and illumination will not comprise the safety of the adjacent public roads.
	• Would the proposal reduce the safety for pedestrians or bicyclists?	As above, the proposed signage scheme is not likely to compromise safety of pedestrians or cyclists either through causing a distraction or a physical obstruction.
	• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will have no impact to the sightlines for pedestrians (including children) or vehicles.

Part 2 Design

2.4 Sign clutter controls

a. Multiple advertisements on a single block of land, structure or building should be discouraged as they contribute to visual clutter	Not proposed. The location of the existing signage panels do not change as part of this application. The proposed replacement will not 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.	As above.
c. In rural areas, and along freeways and tollways, no more than one advertising structure should be visible along a given sightline.	The sign is not located in any of the mentioned areas.

2.5.1 General criteria

a. The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.	The advertising structure, the bus shelter is retained as part of this application. As such no further consideration is required.
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	As above.
c. The advertising structure should be in keeping with important features of the site, building or bridge structure	As above.
d. The placement of the advertising structure should not require the removal of significant trees or other native vegetation.	The proposed development will involve the replacement of the existing advertising panel as such will not require the removal of trees or vegetation at the site.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J7

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.	Not applicable.
• 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.	Lighting has been designed as an integral part of the signage, being illuminated internally. Safety devices in the sense of scaffolding and rails are not required for the proposed signage.
g. Illumination of advertisements must comply with the requirements in Section 3.3.3.	Noted. Refer to Section 4.1.3 of this statement for compliance with illumination levels.
h. Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.	The proposed illumination will not result in light spillage.

2.5.8 Digital Signs

a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.	Conditions can be imposed by the consent authority to ensure that the sign is completely static for the specified dwell time.
b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	Conditions can be imposed by the consent authority to ensure there is no message sequencing that creates driver anticipation for the next message on the proposed sign or with any other signs.
c. The image must not be capable of being mistaken: i. for a prescribed traffic control device because it has, for example, red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may	Conditions can be imposed by the consent authority to ensure that sign content, design, imagery and messages neither replicate nor can be mistaken for a prescribed traffic control device or instruction to drivers. For example, advertisements must not instruct drivers to perform an action such as 'Stop'. Refer to Section 4.1.4 of this statement for content management.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J7

result in the advertisement being mistaken for a prescribed traffic control device.

ii. as text providing driving instructions to drivers.

d. Dwell times for image display must not be less than: i. 10 seconds for areas where the speed limit is below 80km/h ii. 25 seconds for areas where the speed limit is 80km/h and over.	The minimum allowed dwell time is 10 seconds based on the posted speed limit of 40km/h along Howard Avenue for Sign J7. Conditions can be imposed by the consent authority to ensure this minimum dwell time.
e. The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.	Conditions can be imposed by the consent authority to ensure that the sign has a transition time of no more than 0.1 seconds and a black screen in the event of image failure.
f. Luminance levels must comply with the requirements in Section 3 below:	This area is Zone 3 as categorised in Section 3.3 of the <i>Signage Guidelines</i>. Acceptable luminance levels for this zone as specified in Table 6 of the <i>Signage Guidelines</i> are: no limit (full sun on face of signage), 6000-7000cd/m² (daytime), 600cd/m² (twilight and inclement weather) and 300cd/m² (night-time). Conditions can be imposed by the consent authority specifying maximum allowable luminance levels. Refer to Section 4.1.3 for detail on illumination.
g. The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.	Advertising content will not include images or displays that dazzle, flash or represent traffic control devices. Conditions can be imposed by the consent authority to ensure that the sign's images comply with requirements to not contain flickering or flashing content.
h. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).	Conditions can be imposed by the consent authority to ensure that minimal text and information is supplied on a sign no more than a driver can read at a short glance.
i. Any sign that is within 250m of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.	N/A – The sign is not visible from a school zone.
j. Each sign proposal must be assessed on a case-by case basis including replacement of an existing fixed, scrolling or tri-vision sign with a digital sign, and in the instance of a sign being visible from each direction, both directions for each location must be assessed on	All relevant traffic directions have been assessed on their own merits

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J7

their own merits.

k. At any time, including where the speed limit in the area of the sign is changed, if detrimental effect is identified on road safety post installation of a digital sign, RMS reserves the right to re-assess the site using an independent RMS-accredited road safety auditor. Any safety issues identified by the auditor and options for rectifying the issues are to be discussed between RMS and the sign owner and operator.

Noted.

2.5.10 Residential amenity

Where it can be demonstrated that there will be a negative impact on residential amenity from a proposed digital sign, a consent authority may specify a higher dwell time, or restrict the dwell time hours (i.e. its operation) as a condition of consent to minimise the impacts. Dwell times must not be less than those in d) i) and ii) in Section 2.5.8 above.

Sign J7 is located within Zone MU1 Mixed Use. There are residential uses within proximity of the site, above the commercial centre at No.888 Pittwater Road. The proposed signage is not considered to have significant impact on these dwellings. Dwell times are proposed in accordance with those specified above. A condition of consent may be imposed.

2.5.11 Video and animated electronic signs

Video and animated electronic signs containing animated or video/movie style advertising, or messages including; live television, satellite, internet or similar broadcast; either permanent or portable; that face the road reserve and are visible to drivers are prohibited

Not proposed.

Part 3 Advertisements and Road Safety

3.2 Sign location criteria

3.2.1 Road clearance

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

- i. Does the sign obstruct the movement of pedestrians or bicycle riders? (e.g. telephone

The location of the signage panel, inset within the bus shelter remains the same as part of this application. As such will not change road clearances.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J7

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?

b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone in an acceptable location in accordance with Austroads Guide to Road Design (and RMS supplements) or behind an RMS approved crash barrier.

No change to location of sign supports.

c. Where a sign is proposed within the clear zone but behind an existing RMS-approved crash barrier, all its structures up to 5.8m in height (relative to the road level) are to comply with any applicable lateral clearances specified by Austroads Guide to Road Design (and RMS supplements) with respect to dynamic deflection and working width.

Not proposed.

d. 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.

Not proposed. Signs will be inset into the bus shelter panel, as existing.

Digital signs greater or equal to 20sqm must ensure the following clearances:

Sign J7 is less than 2sqm.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J7

a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone

b. 5.5m from lowest point of the sign above the road surface if located within the clear zone or the deflection zone of a safety barrier, if installed

As above.

3.2.2 Line of sight

a. An advertisement must not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings.

The location of the signage will not change. Located within the panel of the existing bus shelter, the sign is not considered to obstruct driver views.

b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.

The sign will not obstruct pedestrian or cyclist view.

c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road. In this context, the location and arrangement of signs' structures should not give visual clues to the driver suggesting that the road alignment is different to the actual alignment. An accurate photo-montage should be used to assess this issue.

The sign is well separated from the road and road verge. There is no element of the proposed signage that could result in driver confusion in the road alignment.

d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time.

The proposed sign will not result in driver distraction.

3.2.3 Proximity to decision making points and conflict points

a. The sign should not be located:

The location of the sign does not change.

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

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J7

crossing, cycleway facility or hazard within the road environment

iii. so that it is visible from the stem of a T-intersection.

b. The placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver's view: i. of a road hazard ii. to an intersection iii. to a prescribed traffic control device (such as traffic signals, stop or give way signs or warning signs) iv. to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher

As above.

3.2.4 Sign spacing

A highly cluttered visual field makes it difficult to locate and prioritise driving-critical information, e.g. regulatory and advisory signs and traffic control devices. The proposed site should be assessed to identify any road safety risk in relation to visual clutter and the proximity to other signs.

Noted.

Additional criteria for digital signs:

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

Noted.

3.3 Sign design and operation criteria

3.3.1 Advertising signage and traffic control devices

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

The location of the sign remains unchanged, as such no new traffic impacts arise.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J7

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

Additional criteria for digital signs and moving signs:

Sign J7 is a digital/static sign, one side digital one side static. Refer to Section 4.1.4 of this statement for details on content management. Conditions of consent can be imposed in this regard.

- a. The image must not be capable of being mistaken:
- i. for a rail or traffic sign or signal because it has, e.g. red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal
 - ii. as text providing driving instructions to drivers.

- b. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).

3.3.2 Dwell time and transition time

Dwell time criteria for digital signs:

Sign J7 is a digital/static sign. The proposed dwell time is 10 seconds. A condition of consent can be imposed to ensure appropriate dwell times.

- a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.
- b. Dwell times for image display must not be less than:
- i. 10 seconds for areas where the speed limit is below 80km/h.
 - ii. 25 seconds for areas where the speed limit is 80km/h and over.
- c. Any digital sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.

Noted.

d. Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts.

Not proposed.

e. The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.

A condition of consent may be imposed.

3.3.3 Illumination and reflectance

Illumination and reflectance criteria for non-digital signs: The following criteria apply to non-digital illuminated signs, including conventional billboards illuminated by fluorescent and/or incandescent bulbs whether internally illuminated or lit from the exterior:

Refer to Section 4.1.3 for compliance with illumination guidelines.

- a. Advertisements must comply with the luminance requirements in Table 5 below.
- b. 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.
- c. 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 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 15W fluorescent/LED bulb.
- d. 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

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN J7

Standard AS/NZS 1906.1:2007. Flashing illuminated advertisements will not be approved.

3.3.4 Interaction and sequencing

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| a. The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users. | Not proposed. A condition can be imposed in this regard. |
| b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs | As above. |

3.4 Road safety review of new or modified signs

RMS may review the crash history of any new or modified advertising signs after a three-year period to determine whether the sign has had an adverse effect on road safety. If RMS is of the opinion that a sign is a traffic hazard, RMS 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.	Noted.
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3.6 Road safety guidelines for sign content

SEPP 64 does not regulate the content of advertisements and signs, and does not require consent for a change in content. It is recommended that advertisers follow RMS advisory guidelines with respect to sign content of advertisements to be displayed along road corridors.	Noted.
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Warringah Local Environmental Plan 2011 Assessment – SIGN J7			
Clause/ Control	Requirement	Proposal	Complies?
Part 2 Permitted or Prohibited development			
2.2 Zone objectives and Land Use Table	<u>MU1 Mixed Use</u> • To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities. • To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To encourage business, retail, community and other non-residential land uses on the ground floor of buildings. • To provide an active day and evening economy encouraging, where appropriate, weekend and night-time economy functions. • To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces	The proposed advertising signage does not affect the use and intensity of development on the bus shelter site, or surrounding areas. The replacement of existing signage with digital advertising panels will continue to the vibrancy of the public domain. The proposal is not antipathetic to the objectives of the zone.	Yes
Part 4 Principal development standards			
4.3 Height of buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. <i>Maximum building height – 27m</i>	The proposed application seeks to replace the existing bus shelter advertisement with a digital screen. Therefore, there will be no increase to the height of the bus shelter, which remain below 27m.	Yes

Warringah Local Environmental Plan 2011 Assessment – SIGN J7			
4.4 Floor Space Ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	No FSR control prescribed for the site.	N/A
Part 6 Additional Local Provisions			
6.4 Development on sloping land	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that— (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and (c) the development will not impact on or affect the existing subsurface flow conditions.	The site is identified as Area A Slope <5°. The proposed development involves the replacement of existing advertising signage, no earthworks are proposed. Therefore, the proposal will not increase landslide risk or affect existing subsurface flow conditions.	Yes.

Warringah Development Control Plan Assessment – SIGN J7			
Clause/ Control	Requirement	Proposal	Complies?
Part D Design			
D23 Signs	1. Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality. In particular, signs are not to dominate or obscure other signs or result in visual clutter.	The signage has been designed as to integrate with the existing shelter on site. The proposal will not introduce any additional visual clutter and is compatible with the Dee Why locality, which includes advertising at multiple shelter sites.	Yes
	2. Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed.	As above. The proposed signage is compatible with the existing scale and design of the shelter.	Yes
	3. Signs on heritage items or on buildings in conservation areas should not by their size, design or colour, detract from the character or significant qualities of individual buildings, the immediate context or the wider streetscape context of the area.	The site is not located on a heritage item, within a heritage conservation area or in proximity to a heritage item.	N/A
	4. Signs are not to obscure views of vehicles, pedestrians or potentially hazardous road features or reduce the safety of all users of any public road (including pedestrians and cyclists).	The signage forms part of the shelter wall and as such will not of itself obscure any vehicle or pedestrian views, nor will lit compromise the safety of road users.	Yes
	5. Signs should not be capable of being confused with, or reduce the effectiveness of, traffic control devices.	The proposed signage does not include images or displays that dazzle, flash or represent traffic control devices.	Yes
	6. Signs are not to emit excessive glare or cause excessive reflection.	Noted. Refer to Section 4.1.3 of this Statement illumination will be controlled accordingly.	Yes
	7. Signs should not obscure or compromise important views.	There are no important views obtained through or from the shelter site.	

Warringah Development Control Plan Assessment – SIGN J7

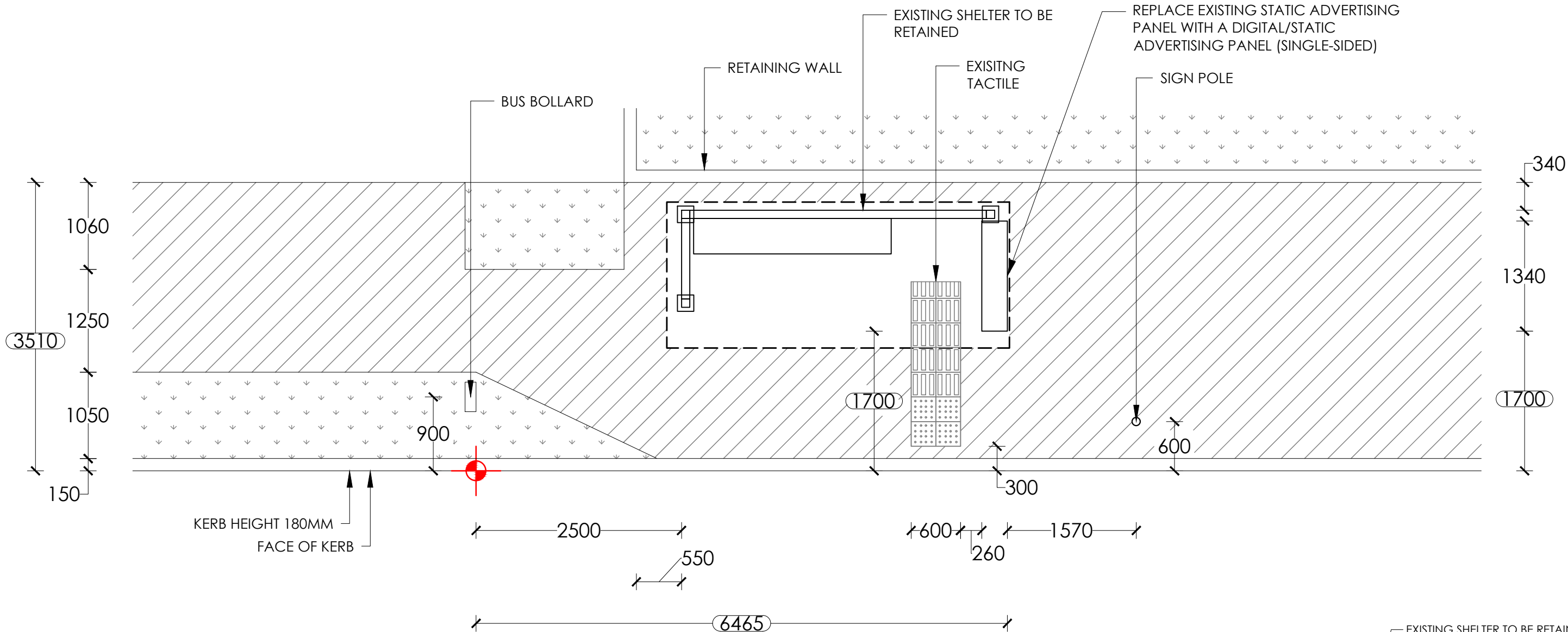
	8. Signs displayed on dwellings are to be attached to the ground floor façade of the dwelling, unless the land is located on a main road or the dwelling is not visible from the street, in which case the sign may be attached to a front fence. 9. For Land in the RU4 zone with frontage to both Mona Vale Road and Myoora Road: Only small, non-obtrusive and non-illuminated signs that identify the use of a site are to be visible from Mona Vale Road. Signs that are designed of such size, height or visual appearance so as to attract passing trade are not considered appropriate and are discouraged. All signs are to be in keeping with the colour and textures of the natural landscape. 10. No more than one sign is to be located above the awning level for business uses. 11. Tenancy boards and the like are encouraged to be in the form of consolidated signs. 14. The following signs are not considered appropriate and are discouraged: • Flashing or moving signs on all land other than the carriageway of a public road • Pole or pylon signs, unless there is no building on the site, or the building is not visible from the street or public domain; this does not include identification, interpretive, directional and advance warning signs described as Exempt Development, or a sign erected by the Council for the display of community information; • Signs on or above the roof or parapet of a building. • A-frame and temporary signs located on public land, including: ○ Signs on motor vehicles which are not able to be driven with the sign displayed ○ Balloons or other inflatable objects used for the purpose of advertising which are placed on or above roof level ○ Illuminated signs in residential zones	Not applicable. Not applicable. The signage is located on Howard Avenue in zone MU1 Not applicable. The proposed signage is for advertising purposes. Not Proposed. The proposed signage: ○ Is located in the carriageway of Howard Avenue. It does not comprise flashing elements. Digital signage will be rotated periodically. ○ Does not comprise pole or pylon signage. ○ Does not project above the roof of the shelter. ○ Does not comprise an A-frame or temporary sign. ○ Not located in a residential zone.	N/A N/A N/A N/A N/A Yes
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ANNEXURE E

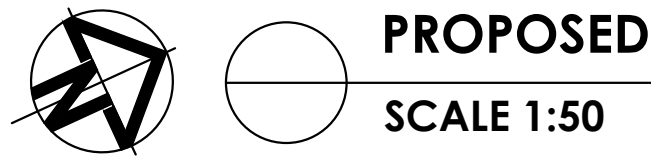
Site Cards –
Bus Stops J1, J2, J3 & J7



NO. 11 HAWKESBURY AVENUE, DEE WHY



PITTWATER ROAD



NOTES:

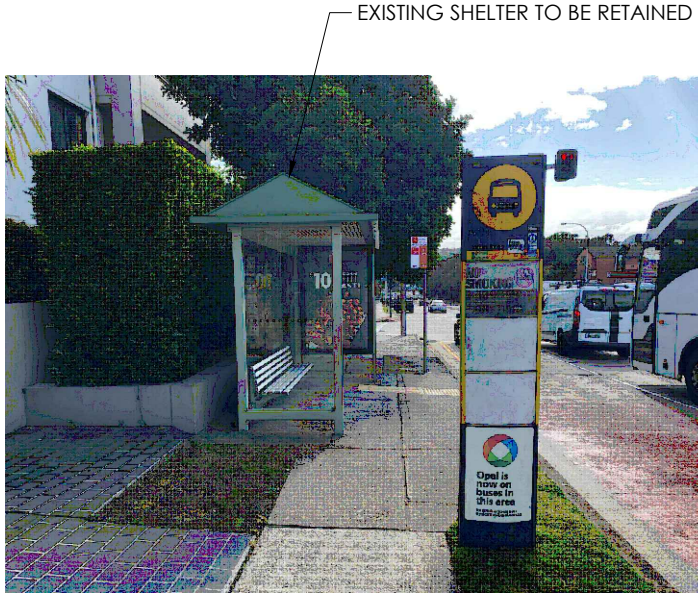
1. Retrofit digital screen
2. Existing shelter to remain.
3. Reinstate all disturbed areas to match existing, refer hatch legend.

NOTE:
PROPOSED CONFIG - DIGITAL/STATIC

SURVEY		TRANSITION TABLE	
1	6.3		
2	6.6		
3	2.6		

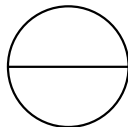
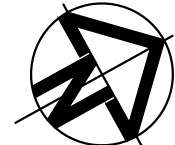
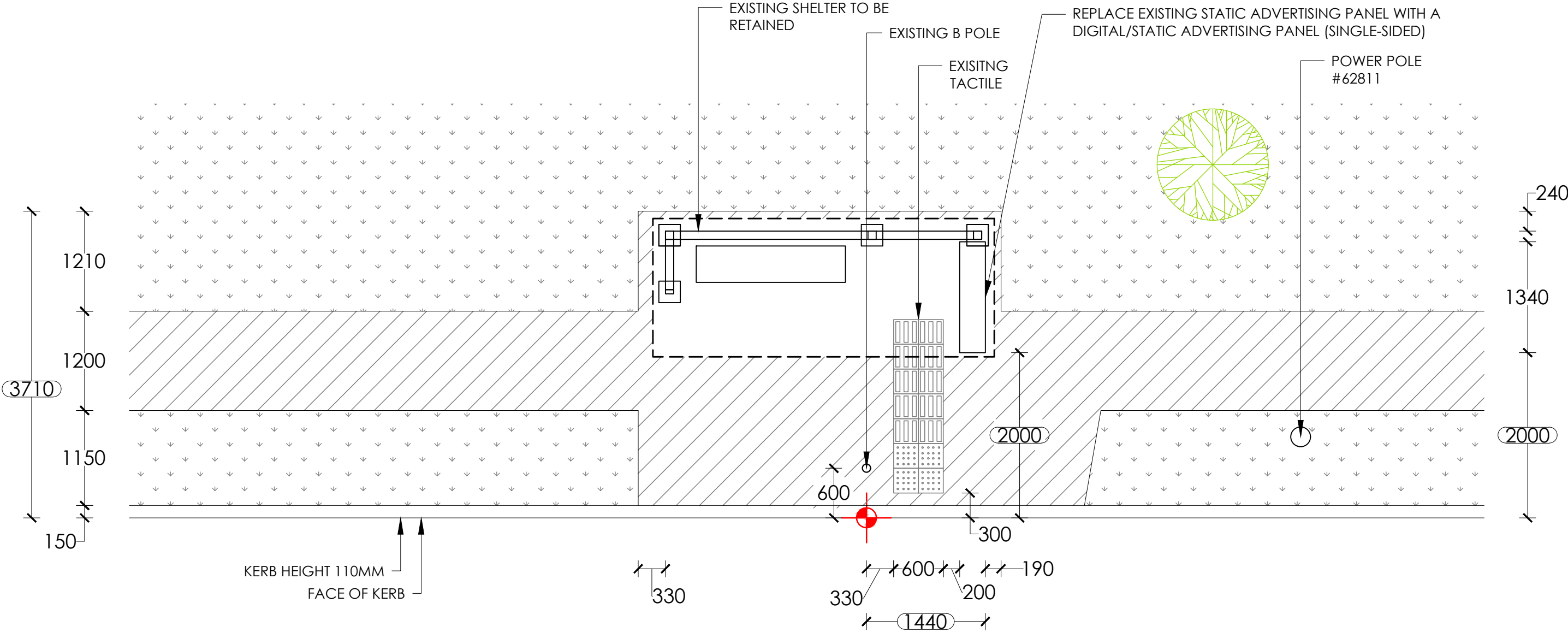
LEGEND:

	EXISTING PAVERS/CONCRETE
	GRASS
	NEW PAVERS/CONCRETE
	SET OUT POINT



SITE ADDRESS : IN FRONT OF NO. 11 HAWKESBURY AVENUE, DEE WHY				PAPER SIZE: A3				SCALE	DRAWING NO.
SITE # : 20579	BUS STOP: J1 (209914)				B	28/03/25	SYN	1:50	101
					A	27/07/17	NK	REV NO.	DATE
					REV.	DATE	INT.	B	28/03/25

NO. 783 PITTWATER ROAD, DEE WHY



PROPOSED
SCALE 1:50

NOTES:

1. Retrofit digital screen
2. Existing shelter to remain.
3. Reinstall all disturbed areas to match existing, refer hatch legend.

NOTE:

PROPOSED CONFIG - DIGITAL/STATIC

SURVEY

1	1.2
2	1.4
3	0.9

TRANSITION TABLE

LEGEND:

- EXISTING PAVERS/CONCRETE
- GRASS
- NEW PAVERS/CONCRETE
- SET OUT POINT



SITE ADDRESS : IN FRONT OF NO. 783 PITTWATER ROAD, DEE WHY

SITE # : 4932

BUS STOP: J2 (209915)

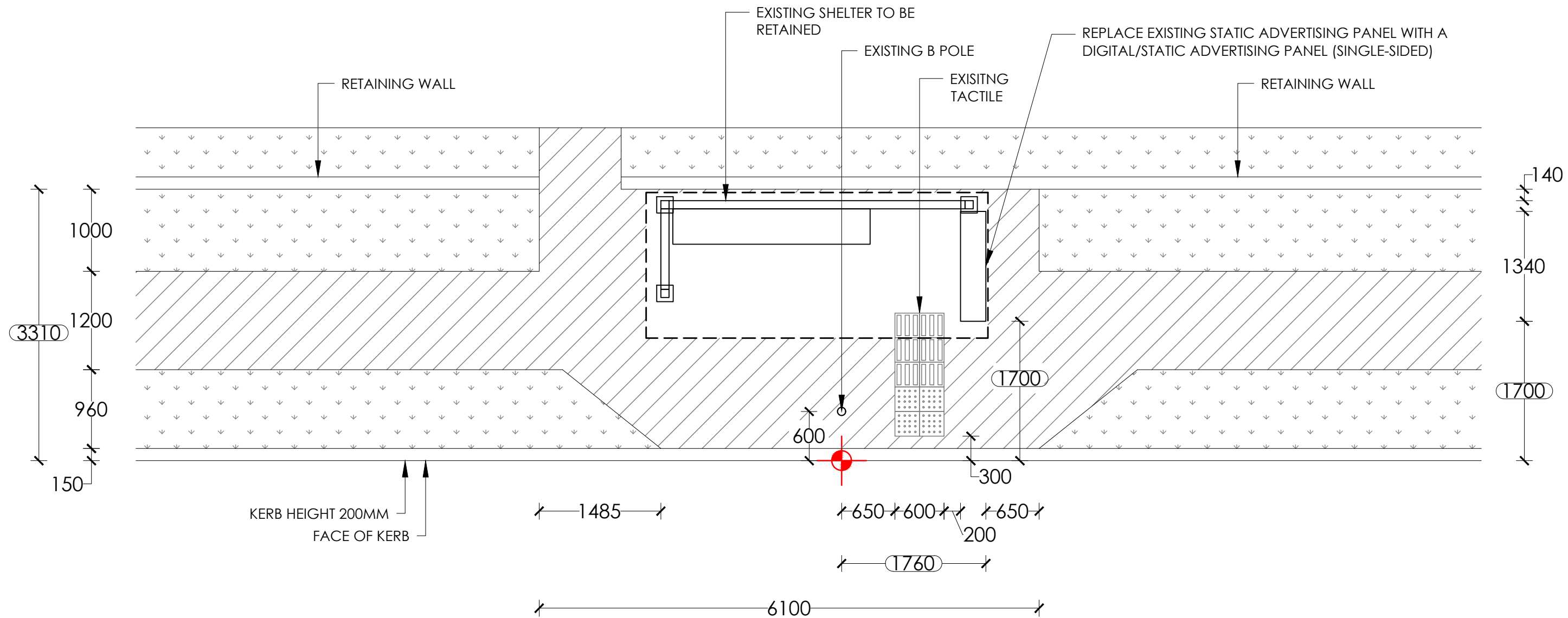


PAPER SIZE: A3

B	25/03/25	SYN
A	27/07/17	NK
REV.	DATE	INT.

SCALE	DRAWING NO.
1:50	101
REV NO.	DATE
B	25/03/25

NO. 778 PITTWATER ROAD, BROOKVALE



PITTWATER ROAD

NOTES:

1. Retrofit digital screen
2. Existing shelter to remain.
3. Reinststate all disturbed areas to match existing, refer hatch legend.

NOTE:

PROPOSED CONFIG - DIGITAL/STATIC

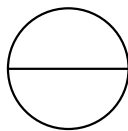
SURVEY

1	2.2
2	2.2
3	2.1

TRANSITION TABLE

LEGEND:

- EXISTING PAVERS/CONCRETE
- GRASS
- NEW PAVERS/CONCRETE
- SET OUT POINT



PROPOSED
SCALE 1:50

SITE ADDRESS : IN FRONT OF NO. 778 PITTWATER ROAD, BROOKVALE

SITE # : 20556

BUS STOP: J3 (210022)

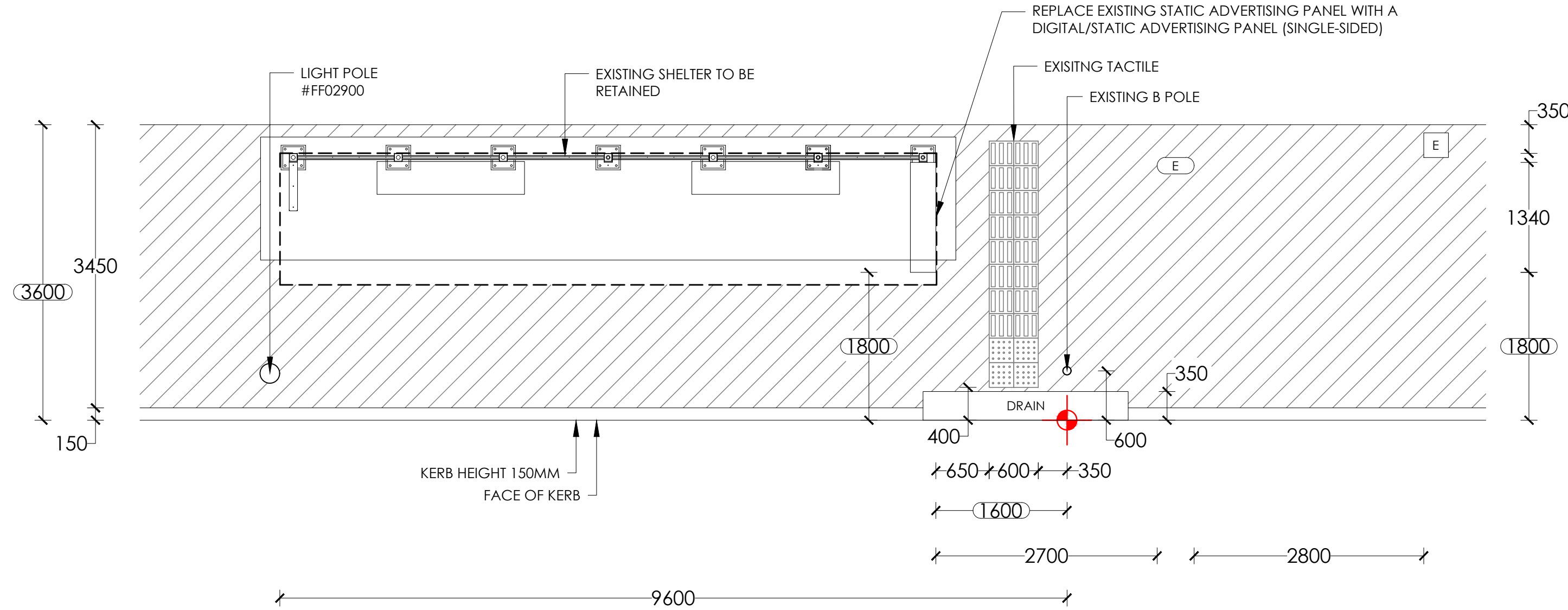


PAPER SIZE: A3

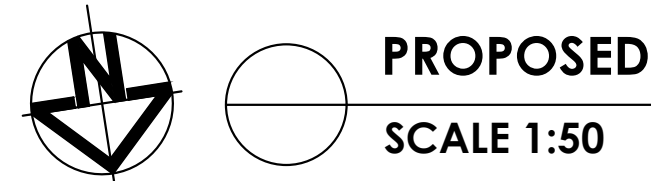
B	25/03/25	SYN
A	04/08/17	NK
REV.	DATE	INT.

SCALE	DRAWING NO.
1:50	101
REV NO.	DATE
B	25/03/25

NO. 894 PITTWATER ROAD, DEE WHY



HOWARD AVENUE



- NOTES:**
1. Retrofit digital screen
 2. Existing shelter to remain.
 3. Reinstate all disturbed areas to match existing, refer hatch legend.

NOTE:
PROPOSED CONFIG - DIGITAL/STATIC

SURVEY		TRANSITION TABLE	
1	3.1		
2	2.8		
3	1.0		

LEGEND:

	EXISTING PAVERS/CONCRETE
	GRASS
	NEW PAVERS/CONCRETE
	SET OUT POINT



SITE ADDRESS : IN FRONT OF NO. 894 PITTWATER ROAD, DEE WHY

SITE # : 16030

BUS STOP: J7 (209948)



PAPER SIZE: A3

			SCALE	DRAWING NO.
			1:50	101
A	07/04/25	SYN	REV NO.	DATE
REV.	DATE	INT.	A	07/04/25

ANNEXURE F

Existing Use Rights – Documentation





J1 – Pittwater Rd S/O Hawkesbury Ave W/S



CE

7



**Warringah
Council™**

PF3883/725/BS-C

Stephen Pinn, Local Approvals Service Unit

ph: (02) 9942 2593 mob: 018 296 173

20 February 2001

Adshel Street Furniture Pty Ltd

3/3 Warrah Street

CHATSWOOD 2067

Construction Certificate

Certificate

I certify that the work if completed in accordance with the attached plans and specifications will comply with the requirements of Section 81A (5) of the *Environmental Planning and Assessment Act 1979* for the following premises:

Address of Property: Site No. 20579 - Pittwater Road, near Hawkesbury Avenue, Dee Why

Construction Certificate No: 5051CC1

Description of Work: Bus Shelter

**Date of Endorsement of
Construction Certificate:** 20 February 2001

Name of

Authorised Officer: Stephen Pinn

Signature:

NOTE: Prior to commencement of work Sections 81A (2) (b) and (c), and/or 81A (4) (b) and (c) of the *Environmental Planning and Assessment Act 1979* must be satisfied.

This means that a Notice of Commencement of Building or Subdivision work and Appointment of Principal Certifying Authority must be submitted to Council, giving Council at least 2 days' notice of intention to commence erection of the building. (See form 7).

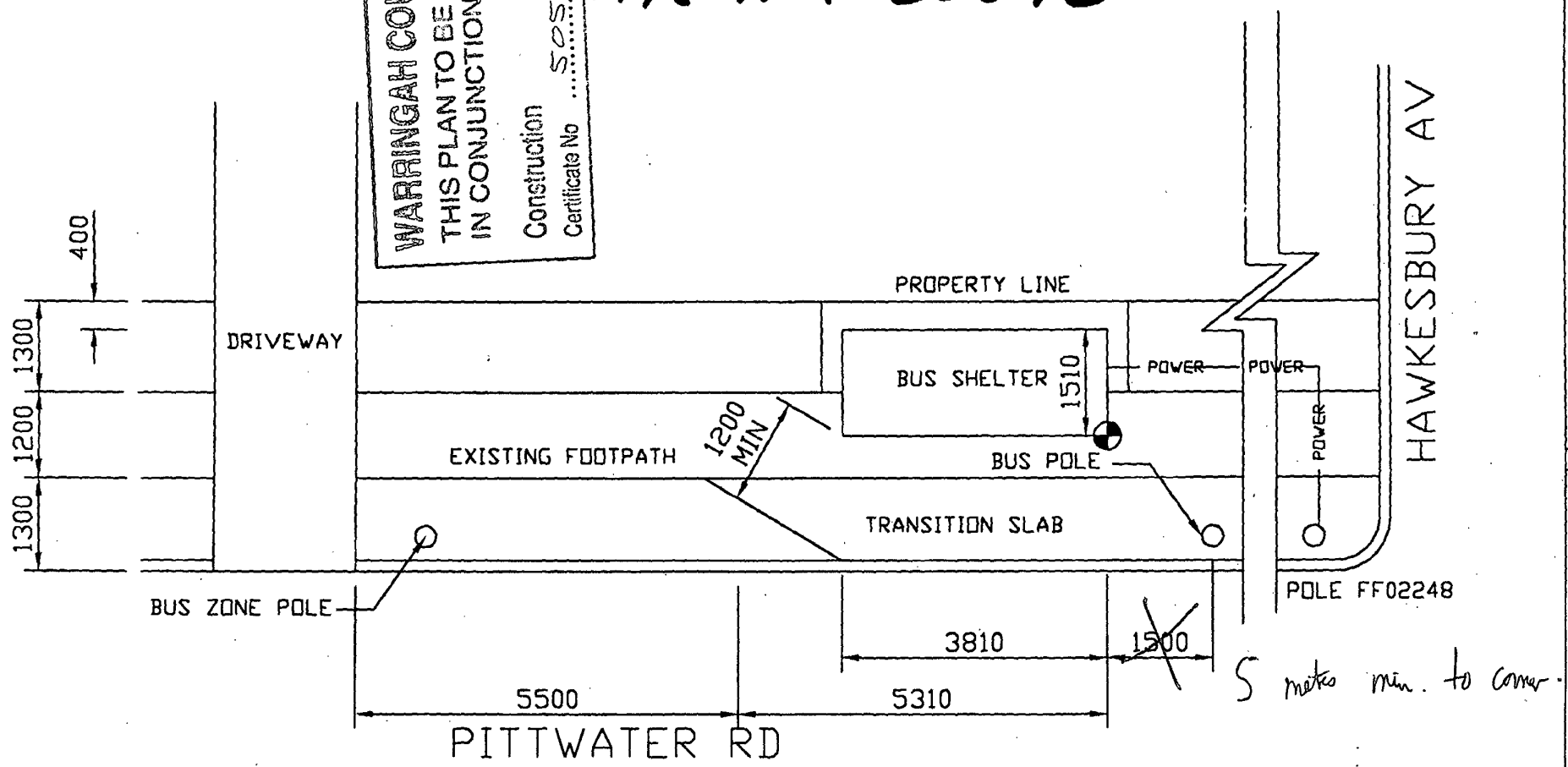
Development Consent

Consent No: 5051DA

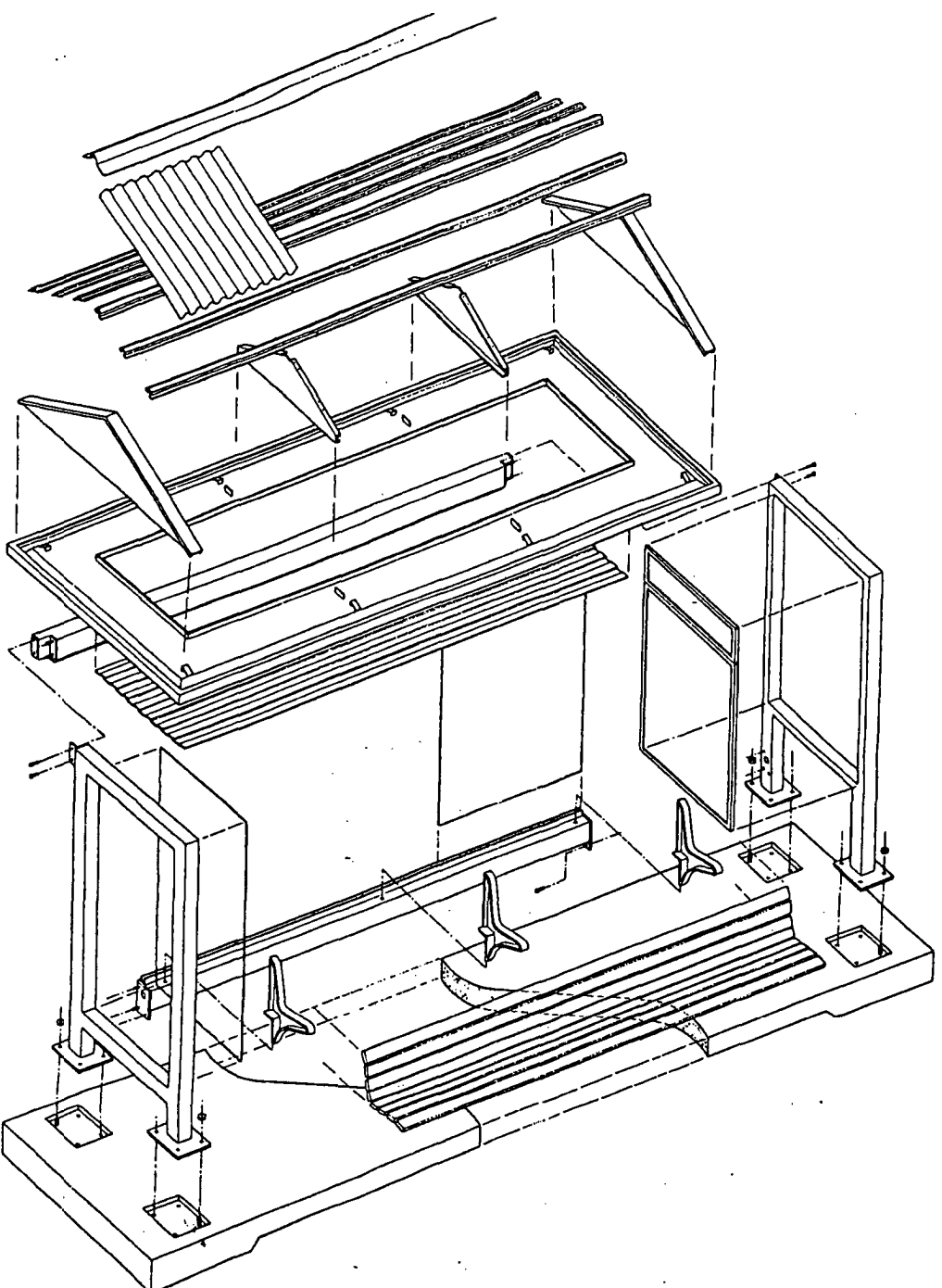
Date of Determination: 20 February 2001

WARRINGAH COUNCIL
 THIS PLAN TO BE READ
 IN CONJUNCTION WITH
 Construction
 Certificate No *5051cel*

Site No: 20579



	DRAWING NO. THREE ANGLE PROJECTION 	ADDRESS W/S Pittwater Rd S/O Hawkesbury Av Dee Why	NO. OF MATERIAL ON LENGTH REVISIONS
	DO NOT SCALE APPROVED 	DRAWING DATE CHECKED DATE SCALE DATE DRAWING NO.	00004
	A1	ADSHEL Pty. Ltd.	
	DRAWING NOT TO BE COPIED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF ADSHEL PTY LTD		



WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
Construction
Certificate No 5051001.

SCHEDULE 1 : METROLINE @ MARK IV + FOOTINGS

Development Application Determination

DEVELOPMENT APPLICATION DETERMINATION

No: 5051DA
Lodged: 19 October 2000

Development Proposal

Bus Shelter.

Site Description

Site No. 20579 - Pittwater Road, near Hawkesbury Avenue, Dee Why

Applicant's Name and Address

Adshel Street Furniture Pty Ltd
3/3 Warrah Street
CHATSWOOD 2067

Owner's Name and Address

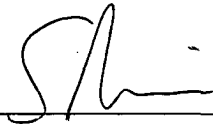
Warringah Council
Civic Centre
725 Pittwater Road
DEE WHY 2099

Recommendation (Consent)

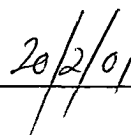
That the application for Bus Shelter at Site No. 20579 - Pittwater Road, near Hawkesbury Avenue, Dee Why, be approved subject to conditions as contained in the attached draft consent notice.

Instrument of Exercise of Delegated Authority

The within application is DETERMINED in accordance with the recommendations set out above, including any additional conditions, pursuant to delegated authority granted by the General Manager on 10 April 2000.



(Signed)



(Date)

ITEM

**Warringah
Council****Notice of Determination of Development Application****Development Application No:** 5051DA**Development Application Details:**

Applicant Name: Adshel Street Furniture Pty Ltd
Applicant Address: 3/3 Warrah Street
CHATSWOOD 2067

Land to be developed (Address): Site No. 20579 - Pittwater Road, near
Hawkesbury Avenue, Dee Why

Proposed Development: Bus Shelter

Determination:

Made on (Date): 20 February 2001 *See note 1*

Determination: **Consent 5051DA** granted subject to
conditions described below

Consent to operate from (Date): 20 February 2001

Consent to lapse on (Date): 20 February 2006

Details of Conditions *See note 2*

(including Section 94 conditions):

The conditions which have been applied to the consent aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.

NOTE:

If the works are to be certified by a private certifying authority, then it is the certifiers responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.

1. Development being generally in accordance with plans numbered Site No. 20579, submitted 19 October 2000, as modified by any conditions of this consent/approval. (C1)
2. At least 2 days prior to work commencing on site Council must be informed, by the submission of Form 7 of the Environmental Planning and Assessment Regulation 1998, of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence. (C168)
3. Compliance with Building Code of Australia
 - a. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
 - b. This clause does not apply to the extent to which an exemption is in force under Clause 80H or 80I, subject to the terms of any condition or requirement referred to in Clause 80H (6) or 80I (4). (C375)

4. Protection of Public Places

- a. If the work involved in the erection or demolition of a building:
 - (i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (ii) building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.
- b. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- c. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- d. Any such hoarding, fence or awning is to be removed when the work has been completed. (C381)

Right to Review by the Council

You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 28 days after the date of determination shown on this notice. A fee of \$500.00 will apply.

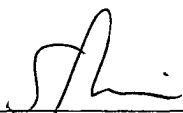
Right of Appeal

If you are dissatisfied with this decision Section 97* of the Environmental Planning & Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

* Section 97 of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.

Signed on behalf of the consent authority

Signature



Name

Stephen Pinn

Date

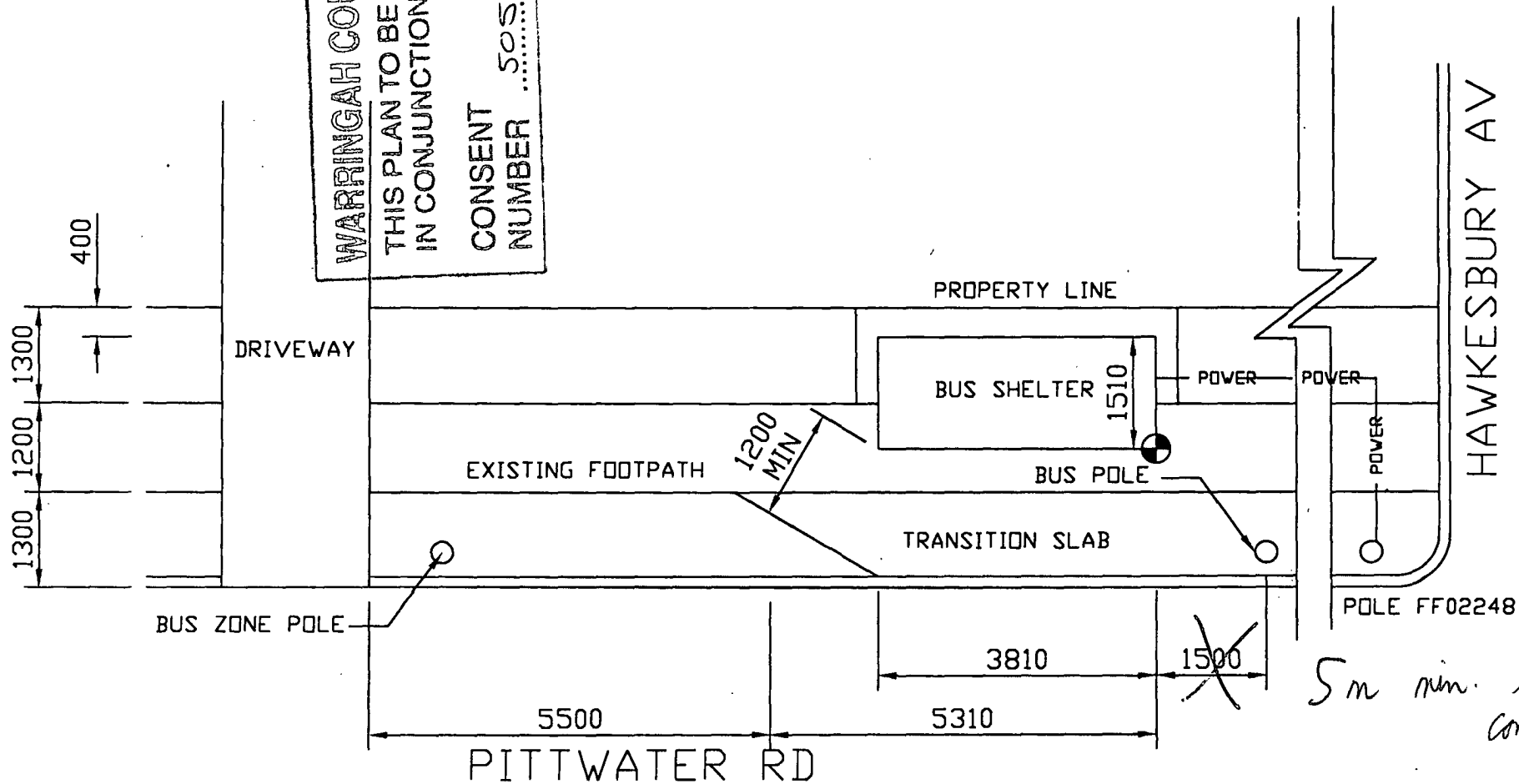
20 February 2001

Note 1 *Where the consent is subject to a condition that the consent is not to operate until the applicant satisfies a particular condition the date should not be endorsed until that condition has been satisfied.*

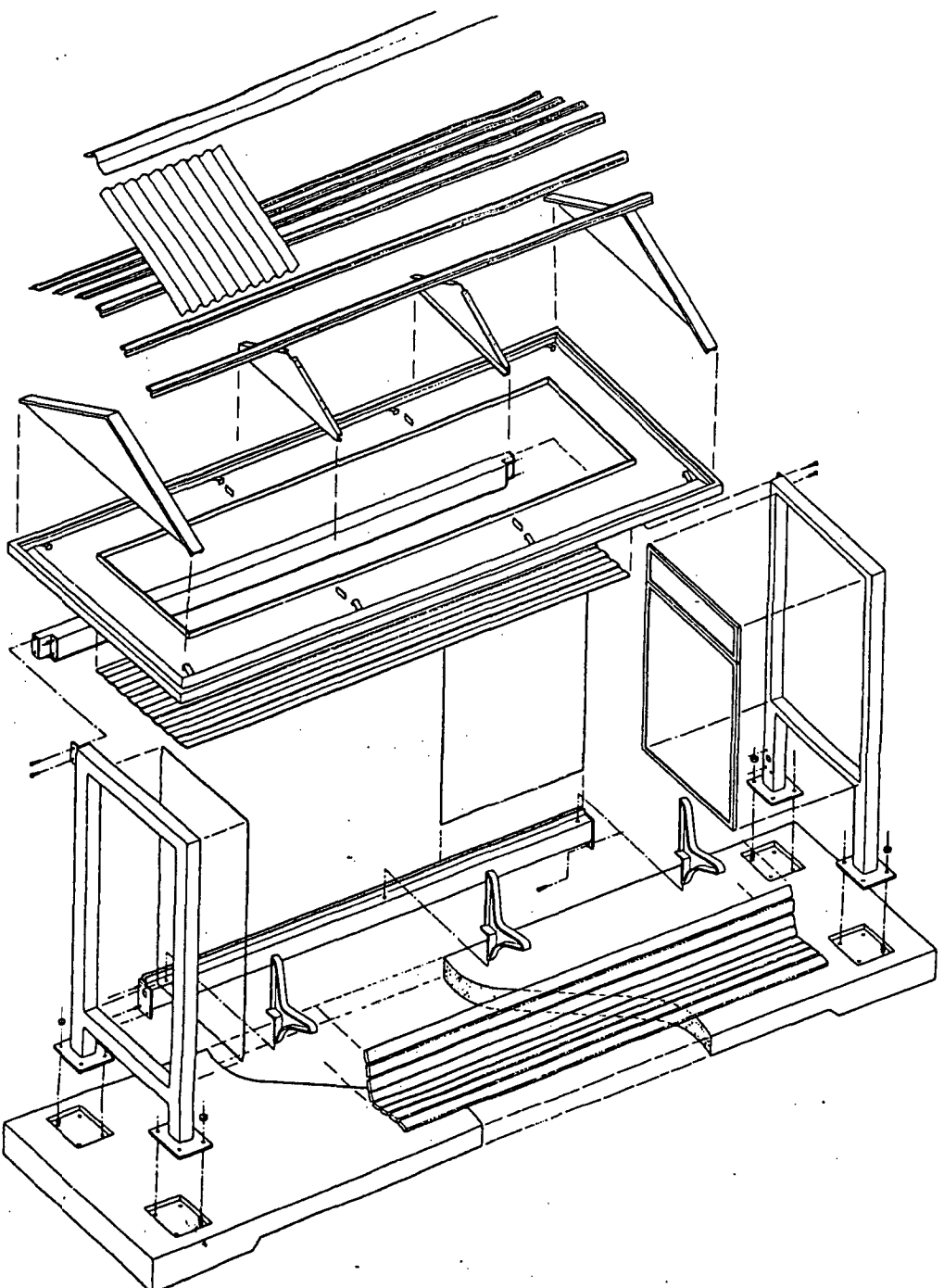
Note 2 *Clause 69A of the Regulation contains additional particulars to be included in a notice of determination where a condition under Section 94 of the Environmental Planning and Assessment Act 1979 has been imposed.*

WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
CONSENT
NUMBER 5051 D.A...

Site No: 20579



	TYPED NO. DRAWING NO. DESCRIPTION W/S Pittwater Rd S/O Hawkesbury Av Dee Why	NO. OF PAGES MATERIAL CUT LENGTH REMARKS	
	DESIGNER NAME DATE CHECKED DATE SCALE DATE	DESIGNED NAME DATE CHECKED DATE SCALE DATE	DRAWING NO. 00004
	ALL DIMENSIONS IN M		
	A1		



WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
CONSENT
NUMBER ...50572A...

SCHEDULE 1 : METROLINE @ MARK IV + FOOTINGS



J2 – Pittwater Rd N/O Lismore Ave W/S



3.2	Lismore Ave and Pittwater Road Dee Why – Construction of Bus Shelter with Signage on Road Reserve - Bus Stop Number 2099015
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DEVELOPMENT ASSESSMENT REPORT

Assessment Officer:	Renee Ezzy
Address / Property Description:	Construction of Bus Shelter with signage – on road reserve near corner of Lismore Avenue and Pittwater Road, Dee Why - Bus stop number 2099015
Development Application No:	DA2011/0381
Application Lodged:	24/03/2011
Plans Reference:	Site Location – Rev C (14/3/11) Sheet 2 - Elevation Views Sheet 3 - Footing Detail Sheet 4 – Exploded Assembly Sheet 5 – Wiring Detail
Amended Plans:	N/A
Applicant:	Adshel Street Furniture Pty Ltd
Owner:	Warringah Council
Locality:	E1 Dee Why North
Category:	Category 2 (cl17 (4) WLEP 2000)
Draft WLEP 2009 Permissible or Prohibited Land use:	(RE1 Public Recreation) “Community Facility” - Permissible with consent
Variations to Controls (Cl.20/Cl.18(3)):	SEPP 1 Objection (Clause 20 variation under WLEP 2000) to Clause 22 of SEPP 64.
Referred to ADP:	YES
Referred to WDAP:	NO
Land and Environment Court Action:	NO
SUMMARY	
Submissions:	Nil
Submission Issues:	N/A
Assessment Issues:	Nil
Recommendation:	Approval, subject to conditions
Attachments:	Site Plan and Drawings

LOCALITY PLAN (not to scale)



Subject Site: The proposed site is the road reserve near the corner of Lismore Avenue and Pittwater Road, Dee Why - Bus stop number 2099015.

Public Exhibition: The subject application has been publicly exhibited in accordance with the EPA Regulation 2000, Warringah Local Environment Plan 2000 and Warringah Development Control Plan. As a result, the application was notified to 14 adjoining land owners and occupiers for a period of 14 calendar days commencing on 17 May 2011 and being finalised on 1 June 2011.



SITE DESCRIPTION

The site is on the nature strip on the western side of Pittwater Road adjoining Dee Why Park and on the opposite side of the road to Dee Why Lagoon Reserve. The site does not currently provide a shelter or any seating and contains only a Bus J Pole within the identified bus zone.



SITE HISTORY

The application was lodged with Council on 24 March 2011.

PROPOSED DEVELOPMENT

The application proposes to provide a new bus seat with shelter measuring 2.8 metres high, 3.8 metres long and 1.5 metres wide. The structure will be constructed of light green aluminium with a pitched roof and glass panels to the back and western side. An advertising panel measuring 1.15 metres x 1.75 metres will be provided at the eastern end of the structure.

AMENDMENTS TO THE SUBJECT APPLICATION

No amendments have been made to the current application.

STATUTORY CONTROLS

- (a) Environmental Planning and Assessment Act 1979 (EPA Act 1979); and
- (b) Environmental Planning and Assessment Regulations 2000.
- (c) Roads Act 1993
- (d) SEPP No. 55 – Remediation of Land

- (e) SEPP (Infrastructure) 2007
- (f) SEPP No. 64 – Advertising and Signage
- (g) Warringah Local Environmental Plan 2000
- (h) Draft Warringah Local Environmental Plan 2009.
- (i) S94 Developer Contributions Plan

PUBLIC EXHIBITION

The subject application has been publicly exhibited in accordance with the EPA Regulation 2000, Warringah Local Environment Plan 2000 and Warringah Development Control Plan. As a result, the application was notified to 14 adjoining land owners and occupiers for a period of 14 calendar days commencing on 17 May 2001 and being finalised on 1 June 2011.

As a result of the public exhibition process no submissions were received.

MEDIATION

Has mediation been requested by the objectors?	No
Has the applicant agreed to mediation?	NA
Has mediation been conducted?	No

REFERRALS

External Referrals

Roads and Traffic Authority (RTA)

The application was referred to RTA as location of the proposed bus shelter is located within the road reserve that is vested in Council, however any works/improvements etc within the road reserve are subject to RTA concurrence in relation to any classified road.

The RTA in their letter dated 28 April 2011, raised no objections in providing their concurrence to Council as the consent authority subject to a number of conditions. These conditions are included within any notice of determination for these works.

Ausgrid

The application was referred to Ausgrid (formerly Energy Australia) in accordance with the requirements under Clause 45(2) of *State Environmental Planning Policy (Infrastructure) 2007*.

Where Council's assessment is satisfactory for the proposed works, Ausgrid raise no objections to the proposal subject to a number of relevant conditions of consent being applied. These conditions will be included with any notice of determination.

Internal Referrals

Development Engineers

Council's Development Engineers raised no objection to the proposed works subject to the imposition of specific conditions of consent.

Traffic Engineer

Council's Traffic Engineer raised no objection to the proposed works.

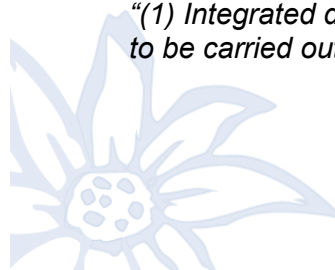
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, are:

Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	See discussion on “Draft Warringah Local Environmental Plan 2009” in this report.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 79C (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the regulations	The EPA Regulations 2000 requires the consent authority to consider the provisions of the Building Code of Australia. This matter has been address via a condition of consent. Clause 92 of the EPA Regulations 2000 requires the consent authority to consider AS 2601 - 1991: <i>The Demolition of Structures</i>. This matter has been address via a condition of consent.
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the General Principles of Development Control in this report. (ii) The proposed development will not have a detrimental social impact in the locality considering the character of the proposal. (iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.
Section 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Public Exhibition” in this report. No submissions were received in relation to this application.
Section 79C (1) (e) – the public interest	No matters have arisen that would justify the refusal of the application in the public interest.

Part 4 Division 5 Section 91 of the EP&A Act 1979, states the following:

“(1) Integrated development is development (not being complying development) that, in order for it to be carried out, requires development consent and one or more of the following approvals:



Roads Act 1993

s 138

consent to:

- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road

Accordingly, the application was referred to the Roads and Traffic Authority for concurrence.

ROADS ACT, 1993

As required by Part 4 Division 5 Section 91 of the Environmental Planning and Assessment Act, 1979, concurrence by the Roads and Traffic Authority (RTA) is required for the proposed works in accordance with the requirements under section 138 of the Roads Act.

Concurrence to Council was provided, subject to conditions for the works described in this assessment report.

DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS:

Draft Warringah Local Environmental Plan 2009 (Draft WLEP 2009)

Definition: *Community Facility*

Land Use Zone: RE1 Public Recreation

Permissible or Prohibited: *Permissible with consent*

Additional Permitted used for particular land – Refer to Schedule 1:

Principal Development Standards:

Development Standard	Required	Proposed	Complies	Clause 4.6 Exception to Development Standard
Minimum Subdivision Lot Size:	600sqm	NA	NA	NA
Rural Subdivision:	NA	NA	NA	NA
No Strata Plan or Community Title Subdivisions in certain rural and environmental zones:	NA	NA	NA	NA
Height of Buildings:	NA	NA	NA	NA

The proposed development is consistent with the aims and objectives of the Draft WLEP 2009.



ENVIRONMENTAL PLANNING INSTRUMENTS (EPI's)

State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy No. 1 – Development Standards

A SEPP 1 objection was lodged with regards to the maximum advertising area required by SEPP 64 Advertising and Signage and is dealt with under the Schedule One – Assessment Criteria of SEPP 64.

Accordingly it is considered the requirements of this SEPP are fulfilled with regards to this application.

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7(1)(a) of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) and Clause 48 of WLEP 2000 state that a consent authority must not consent to the carrying out of any development on land unless;

- It has considered whether the land is contaminated, and
- If the land is contaminated, it is satisfied that the land is suitable in its contaminated state for the purpose for which the development is proposed to be carried out, and
- If the land requires remediation to be made suitable for the development proposed to be carried out, it is satisfied that the land will be remediated before the development is carried out.

The site has historically been a road reserve, it is therefore considered that the site poses no risk of contamination and as such no further consideration is required under Clause 7(1)(b) and (c) of SEPP 55.

State Environmental Planning Policy - Infrastructure

Clause 45 of SEPP Infrastructure requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out as a result the application was referred to Ausgrid (formerly Energy Australia) who raised no objections subject to the imposition of relevant conditions of consent to be included in any notice of determination for consent.

SEPP No. 64 – Advertising and Signage

Clauses 8 and 13 of SEPP 64 require Council to determine consistency with the objectives stipulated under Clause 3(1)(a) of the aforementioned SEPP and to assess the proposal against the assessment criteria of Schedule 1.

The objectives of the policy aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes.

In accordance with the provisions stipulated under Schedule 1 of SEPP 64, the following assessment is provided:

Matters for Consideration	Comment	Complies
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?	The following is an assessment of the proposals consistency with the Desired Future Character for the E1 Dee Why North Locality:	YES

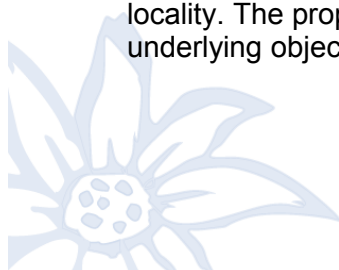
Matters for Consideration	Comment	Complies
	<u>Requirement 1</u> <i>The Dee Why North locality will remain characterised by detached style housing in landscaped settings interspersed by a range of complimentary and compatible uses.</i> <u>Comment:</u> The proposed shelter is located within the Pittwater Road, road reserve opposite Dee Why Lagoon Reserve. The proposed shelter provides an upgrade to the existing situation which offers no seating or protection and is identified by the presence of a Bus J Pole. Its appearance is simple and its design incorporates a pitched aluminium roof form providing a more sensitive response to the residential developments in the vicinity. The proposed signage at the western end of the structure is commensurate in this context and is consistent with other existing signage along this road and will not directly impact the surrounding residential properties. The proposed bus shelter is considered to provide an appropriate element within the road corridor. <u>Requirement 2</u> <i>Future development will relate to the established pattern and predominant scale of detached style housing in the locality and the streets will be characterised by landscaped front gardens and buildings which create a sense of address to those streets. The spread of indigenous tree canopy will be enhanced where possible and natural landscape features, such as rock outcrops and remnant bushland will be preserved and development on prominent hillsides or hill tops must be designed to integrate with the landscape and topography and minimise its visual impact when viewed from afar. Unless exemptions are made to the housing density standard in this locality statement, any subdivision of land is to be consistent with the predominant pattern, size and configuration of existing allotments in the locality.</i> <u>Comment:</u> The proposed shelter provides an overall height of 2.846 metres which is considered an appropriate height in its context within the road reserve <u>Requirement 3</u> <i>The locality will continue to be served by the existing local retail centres in the areas shown on the map. Future development in these centres will be in accordance with the general principles of development control provided in Clause 39.</i> <u>Comment:</u> The proposed shelter is not located within any of the existing retail centres in this locality and will not impact on them.	

Matters for Consideration	Comment	Complies
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed advertising signage panel allows for discreet commercial advertising opportunities along this carriageway. Accordingly, the extent of signage proposed is considered acceptable in relation to the advertising theme for the type of land use prevalent in this locality.	YES
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?	The proposed bus shelter location is within close proximity of Dee Why Lagoon Reserve and Dee Why Park, the proposed signage will not detract from the visual quality of these areas. Further, there are no environmentally sensitive areas, heritage items, waterways or rural landscapes in the immediate vicinity which would be adversely impacted by these works.	YES
3. Views and vistas Does the proposal obscure or compromise important views?	The signage forms part of the bus shelter structure which is below 2.846 metres in height and therefore does not obscure or compromise any important views.	YES
Does the proposal dominate the skyline and reduce the quality of vistas?	Due to the compact nature of the advertising panel forming part of the shelter structure, there is no reduction in the quality of the vistas in this vicinity and is not at a scale which will dominate within the skyline.	YES
Does the proposal respect the viewing rights of other advertisers?	The proposed signage location is not considered to impact on the viewing rights of other advertisers.	YES
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed location is adjoined by a number of six foot high boundary fences. Accordingly, the scale and form of the shelter is appropriate within this streetscape setting.	YES
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage is not considered to detract from the character of this location being the boundary of two adjoining localities, both predominantly for residential uses.	YES
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage, while introducing an additional advertising sign into this location is not considered to create visual clutter.	YES
Does the proposal screen unsightliness?	The proposed signage area forms part of a new bus shelter structure. There is no obvious unsightliness being obscured in this instance.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed advertising panel sits below the pitching point of the proposed structure and does not protrude above the structure, any tree canopies or buildings in the locality.	YES

Matters for Consideration	Comment	Complies
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?	The advertising panel forms one end of the proposed bus shelter structure and is considered commensurate in its context with the structure and adjoining built form elements.	YES
Does the proposal respect important features of the site or building, or both?	The proposal advertising panel being part of the overall structure will not compromise any important features of the site.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is an effective use of the proposed public infrastructure and is appropriate in this instance.	YES
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?	The proposed signage will include illumination within the advertising panel. A condition of consent is recommended to limit the form and content of the advertising material in accordance with community standards.	YES subject to condition of consent.
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	The level of illumination is not considered likely to result in any unacceptable levels of glare affecting safety or amenity of pedestrians, vehicles, aircraft, or other forms of accommodation.	YES
Can the intensity of the illumination be adjusted, if necessary?	According to the technical data provided, the number and wattage of the lamps used within the display unit can be varied as required.	YES
Is the illumination subject to a curfew?	The proposed illumination is not subject to a curfew.	YES
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	The illumination is part of the signage panel and is fixed to the bus shelter structure ensuring that further safety issues are not created for the public road, pedestrians or bicyclists.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed advertising structure is considered to improve the safety of pedestrians including children as it provides a more obvious structure offering protection to any persons waiting at the bus shelter increasing visual exposure to traffic. Further, the structure provides clear glass to the rear and western sides offering visibility behind the shelter.	YES

Clause 14 of SEPP 64 stipulates that consent for signage is to expire 15 years after the date of consent. This matter is addressed via condition.

Accordingly, the proposed signage is considered to be of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent with the provision of the SEPP and its underlying objectives.



SEPP 64 Division 3 - Particular Advertisements, regulates the nature of advertisements. The proposed advertising panel is considered to be a "Wall Advertisement" which is defined as:

"wall advertisement means an advertisement that is painted on or fixed flat to the wall of a building, but does not include a special promotional advertisement or building wrap advertisement."

Clause 22 of the SEPP restricts wall advertisements as:

- (1) Only one wall advertisement may be displayed per building elevation.
- (2) The consent authority may grant consent to a wall advertisement only if:
 - (a) the consent authority is satisfied that the advertisement is integrated with the design of the building on which it is to be displayed, and
 - (b) for a building having:
 - (i) an above ground elevation of 200 square metres or more—the advertisement does not exceed 10% of the above ground elevation, and
 - (ii) an above ground elevation of more than 100 square metres but less than 200 square metres—the advertisement does not exceed 20 square metres, and
 - (iii) an above ground elevation of 100 square metres or less—the advertisement does not exceed 20% of the above ground elevation, and
 - (c) the advertisement does not protrude more than 300 millimetres from the wall, unless occupational health and safety standards require a greater protrusion, and
 - (d) the advertisement does not protrude above the parapet or eaves, and
 - (e) the advertisement does not extend over a window or other opening, and
 - (f) the advertisement does not obscure significant architectural elements of the building, and
 - (g) a building identification sign or business identification sign is not displayed on the building elevation.
- (3) In this clause, building elevation means an elevation of a building as commonly shown on building plans.

The proposed advertising panel by being affixed to one facade of the bus shelter structure and having an area of 3.25m², will exceed 20% of the relevant above ground building elevation of the proposed bus shelter. The proposed signage panel will occupy 61.8% of the relevant elevation, which displays an area of 2.01m².

As such, the proposal will not comply with the maximum advertising area of Clause 22 (2)(b)(iii), which is considered to be a development standard within the provisions of SEPP 64.

The applicant has provided a SEPP 1 Objection (Clause 20 variation under WLEP 2000) to support the proposal. The SEPP 1 submission (Clause 20 variation under WLEP 2000) addresses the objectives of SEPP 64 and the Schedule One – Assessment Criteria.

The submission contends that the provisions of Clause 22 were not intended to apply to street furniture such as the proposed bus shelter. Given the restrictive nature of the 20% maximum area control for the building elevation as it will apply in this instance to a bus shelter, that area limitation is considered to be inappropriate in terms of this proposal and a variation to numerical compliance acceptable.

The non-compliance with the maximum signage area controls of Clause 22(2)(b)(iii) is not considered so significant to warrant refusal or modification of the proposal.

Accordingly, subject to conditions of consent requiring the form and content of the advertising material to be in accordance with community standards, the proposal is considered to be consistent with the provision of the SEPP and its underlying objectives.

State Environmental Planning Policy No. 1 – Development Standards Objection

Clause 22 of SEPP 64 restricts wall advertisements to a maximum of 20% of the relevant above ground building elevation. The proposal fails this requirement as the proposed advertising panel will occupy an area of 2.01m² or 61.8% of the elevation. A SEPP 1 objection is required and has been prepared by the applicant.

The following assessment of the SEPP 1 Objection applies the principles arising from *Hooker Corporation Pty Limited v Hornsby Shire Council* (NSWLEC, 2 June 1986, unreported) by using the questions established in *Winten Property Group Limited v North Sydney Council* (2001) NSW LEC 46 (6 April 2001).

The SEPP 1 Objection submitted is assessed as follows:-

1. Is the planning control in question a development standard?

The maximum advertising area is a development standard under Clause 22 of SEPP 64.

2. What is the underlying purpose of the standard?

Clause 22 does not provide any clearly defined or articulated objectives or purposes for the maximum advertising area development standard.

Although not specifically referenced within SEPP 64, the *Transport Corridor Outdoor Advertising and Signage Guidelines 2007* outlines safety objectives. These objectives are incorporated in the Assessment criteria and it is therefore assumed that an underlying purpose of the development standard is to ensure that advertising displays do not create a road safety hazard or confuse or distract drivers or compromise bicycle or pedestrian safety.

3. Is non-compliance with the development standard consistent with the aims of the Policy, and in particular, would strict compliance with the development standard tend to hinder the attainment of the objectives specified in s.5(a)(i) and (ii) of the EPA Act?

Under the EPA Act, 1979, Section 5(a)(i) & (ii) the following is required :

- (i) *The proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) *The promotion and co-ordination of the orderly and economic use and development of land,*

It is considered that the proposed land use of the subject land is consistent with the intent of the objects of the Act under S.5(a)(i) & (ii) above. This is as the proposal is for the provision of a bus shelter with associated advertising which is considered to be in the social and economic welfare of the community. Further, the proposed structure is considered compatible with the character of the locality and will provide for development that promotes the creation of a better environment.

4. Is compliance with the standard unreasonable or unnecessary in the circumstances of the case?

The proposal satisfies the Assessment Criteria set out within Schedule 1 of SEPP 64 and compliance with the development standard in this instance is considered unreasonable and unnecessary in this application on a bus shelter structure.

5. Is the objection well founded?

The objection advanced by the applicant that compliance with the development standard is unreasonable and unnecessary is considered to be well founded and that the granting of development consent would be consistent with the aims and objectives set out in Clause 3 of SEPP 1.

State Environmental Planning Policy – BASIX

A BASIX certificate is not required to be submitted with the subject application.

Local Environment Plans (LEPs)

Warringah Local Environment Plan 2000 (WLEP 2000)

Desired Future Character (DFC)

The subject site is located in the E1 Dee Why North Locality under Warringah Local Environmental Plan 2000.

The Desired Future Character Statement for this locality is as follows:

“The Dee Why North locality will remain characterised by detached style housing in landscaped settings interspersed by a range of complimentary and compatible uses.

Future development will relate to the established pattern and predominant scale of detached style housing in the locality and the streets will be characterised by landscaped front gardens and buildings which create a sense of address to those streets. The spread of indigenous tree canopy will be enhanced where possible and natural landscape features, such as rock outcrops and remnant bushland will be preserved and development on prominent hillsides or hill tops must be designed to integrate with the landscape and topography and minimise its visual impact when viewed from afar. Unless exemptions are made to the housing density standard in this locality statement, any subdivision of land is to be consistent with the predominant pattern, size and configuration of existing allotments in the locality.

The locality will continue to be served by the existing local retail centres in the areas shown on the map. Future development in these centres will be in accordance with the general principles of development control provided in Clause 39.”

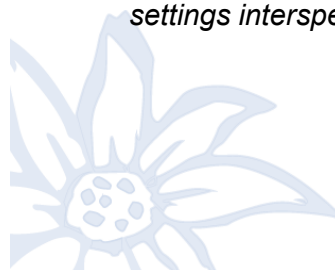
The proposed development is defined as “community facility” under the WLEP 2000 dictionary. “Community facility” is identified as Category 2 development in this locality.

Clause 12(3)(a) of WLEP 2000 requires the consent authority to be satisfied that the proposed development is consistent with the Locality’s DFC statement.

Accordingly, an assessment of consistency of the proposed development against the locality’s DFC is provided hereunder:

Requirement 1

The Dee Why North locality will remain characterised by detached style housing in landscaped settings interspersed by a range of complimentary and compatible uses.



Comment:

The proposed shelter is located within the road reserve on the western side of Pittwater Road, opposite Dee Why Lagoon Reserve and adjacent to Dee Why Park.

The proposed shelter provides an upgrade to the existing environment which provides no facilities for seating or shelter. Its appearance is simple and its design incorporates a pitched aluminium roof form providing a more sensitive response to the residential developments in the near vicinity.

The proposed signage at the northern end of the structure is commensurate in this context and is consistent with other existing signage along this road and will not directly impact the surrounding residential properties.

The proposed bus shelter is considered to provide an appropriate element within the road corridor.

Requirement 2

Future development will relate to the established pattern and predominant scale of detached style housing in the locality and the streets will be characterised by landscaped front gardens and buildings which create a sense of address to those streets. The spread of indigenous tree canopy will be enhanced where possible and natural landscape features, such as rock outcrops and remnant bushland will be preserved and development on prominent hillsides or hill tops must be designed to integrate with the landscape and topography and minimise its visual impact when viewed from afar. Unless exemptions are made to the housing density standard in this locality statement, any subdivision of land is to be consistent with the predominant pattern, size and configuration of existing allotments in the locality.

Comment:

The proposed shelter provides an overall height of 2.846 metres which is considered an appropriate height transitioning between the nearby residential scales and the road reserve. The works do not impact on any natural landscape features and will not be visually dominant in this location.

Requirement 3

The locality will continue to be served by the existing local retail centres in the areas shown on the map. Future development in these centres will be in accordance with the general principles of development control provided in Clause 39."

Comment:

The proposed shelter is located within the road reserve on the between Dee Why Park and Dee Why Lagoon Reserve. The location of this structure does not impact on any local retail areas in either locality and is therefore acceptable in terms of this requirement.

As detailed above the proposed development is considered to be consistent with the Locality's DFC statement.

Built Form Controls (Development Standards) E1 Dee Why North

The following table outlines compliance with the Built form Control of the above locality statement:

Built Form Standard	Required	Compliance Comment	Compliance
Housing Density	Maximum 1 dwelling per 600sqm	The proposal is not within a standard allotment but is located within the road reserve. Accordingly, this built form control is not relevant to this particular form of development.	N/A

Built Form Standard	Required	Compliance Comment	Compliance
Building Height	Maximum 8.5m	The proposal is not within a standard allotment but is located within the road reserve. Accordingly, this built form control is not relevant to this particular form of development. Notwithstanding, the maximum height of the proposed bus shelter is 2.846m.	YES
Front Building Setback	Minimum setback 6.5m	The proposal is not within a standard allotment with a setback from the road, but is within the road reserve. Accordingly, this built form control is not relevant to this particular form of development.	N/A
Rear Building Setback	Minimum setback 6m	The proposal is not within a standard allotment where a rear setback would be applicable, but is within the road reserve. Accordingly, this built form control is not relevant to this particular form of development.	N/A
Side Boundary Envelope and Side Setback	Envelope 4m projecting at 45 degrees. Setback 0.9m	The proposal is not within a standard allotment but is located within the road reserve. Accordingly, this built form control is not relevant to this particular form of development.	N/A
Landscaped Open Space	40% site	The proposal is not within a standard allotment, but is within the road reserve. Accordingly, this built form control is not relevant to this particular form of development.	N/A

The proposed development is considered to satisfy the Locality's Built Form Controls, accordingly, no further assessment will be provided in this regard.

General Principles of Development Control

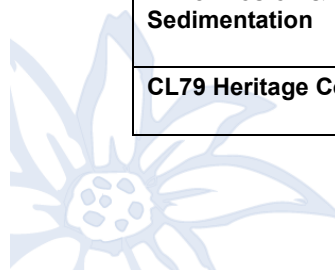
The following General Principles of Development Control as contained in Part 4 of Warringah Local Environmental Plan 2000 are applicable to the proposed development:

General Principles	Applies	Comments	Complies
CL38 Glare & reflections	YES	The development provides for illumination for fixed advertisements. This lighting is considered appropriate and will not result in overspill or glare or reduce the amenity of the area.	YES
CL39 Local retail centres	NO	No comment	NA
CL40 Housing for Older People and People with Disabilities	NO	No comment	NA
CL41 Brothels	NO	No comment	NA
CL42 Construction Sites	YES	The proposed construction of a bus shelter will require some minor disruption to the immediate area. Appropriate conditions of consent are recommended requiring that adequate and safe access is maintained for the public and that appropriate construction management measures are implemented which are consistent with all external concurrence for the duration of the construction works.	YES by condition
CL43 Noise	YES	A condition of consent has been imposed requiring all noise emissions to be carried out in accordance with the Environment Protection Authority guidelines for noise emissions from construction/demolition works and these works must also comply with the provisions of the Protection of the Environment Operations Act 1997.	YES by condition

General Principles	Applies	Comments	Complies
CL44 Pollutants	YES	As the proposed development is for the erection of a bus shelter and associated advertising signage it is not considered to result in the emission of atmospheric, liquid or other pollutants, which would unreasonably diminish the amenity of adjacent properties, the locality or waterways and is therefore acceptable with regard to Clause 44.	YES
CL45 Hazardous Uses	YES	The extent of the proposed works are considered minor and not likely to pose a significant risk to human health, life or property	YES
CL46 Radiation Emission Levels	NO	No comment	NA
CL47 Flood Affected Land	NO	The site has not been identified as flood affected lands according to Council's records and databases.	YES
CL48 Potentially Contaminated Land	YES	The site has historically been used as road corridor. There is no evidence to suggest that the site is contaminated.	YES
CL49 Remediation of Contaminated Land	NO	No comment	NA
CL49a Acid Sulfate Soils	NO	No comment	NA
CL50 Safety & Security	YES	Crime prevention through environmental design (CPTED) is a strategy focusing on the planning, design and structure of areas. The concept identifies opportunities for reducing crime through design and place management principles which block opportunities for crime or by making crimes more difficult by creating obstacles or barriers to targets. CPTED employs four key strategies: 1. Access control is a design concept directed primarily at decreasing crime opportunity. It seeks to attract, channel or restrict the movement of people through landscaping, barriers and personnel. Access control can be organised (guards), mechanical (locks) or natural (spatial definition). <u>Response:</u> The proposed bus shelter provides for a natural form of access control with the use of paving and tactile markers to delineate and guide pedestrian movement around the shelter. 2. Territorial reinforcement occurs when physical design creates or extends a sphere of influence so that users develop a sense of proprietorship. Territorial reinforcement can be achieved through design that encourages people to gather in public space and to feel some responsibility for its use and condition; design with clear transitions and boundaries between public and private space; and clear design cues on who is to use the space and what it is used for. <u>Response:</u> The proposed bus shelter is a facility for a broad range of users. The intended use of this bus shelter is implicit. It retains the distinction between any private space and the public space it is located in. 3. Natural surveillance is a design concept directed primarily at keeping intruders / offender under observation. This can be achieved by maximising sightlines, improving lighting, and the removal of barriers and hiding spots.	YES

General Principles	Applies	Comments	Complies
		<u>Response:</u> The proposed bus shelter is in full sight of approaching traffic and is located opposite a large business park. The structure contains toughened safety glass to the back and one side. The remaining side contains the illuminated advertising panel maintaining sightlines through the shelter and creating ambient light around the solid end. 4. Space management is linked to the principle of territorial reinforcement. Space management ensures that space is appropriately utilised and well cared for. Examples include: activity coordination, site cleanliness, rapid repair, removal or refurbishment of decayed physical elements. From this perspective, the design of the built environment is critical for the prevention of crime. <u>Response:</u> The ongoing maintenance of the shelter is subject to a contract between Adshel and Warringah Council. <i>(Ref.CPTED Review for Warringah Council by Garner Clancey and Dr Murray Lee, Sydney Institute of Criminology and NSW Police)</i>	
CL51 Front Fences and Walls	NO	No comment	NA
CL52 Development Near Parks, Bushland Reserves & other public Open Spaces	NO	No comment	NA
CL53 Signs	YES	The advertising signage panel forming part of the proposed works is considered compatible with the form of signage becoming increasingly applied on bus shelter structures throughout the area. The form and size of the signage panel is satisfactory in this context and will not result in visual clutter. The signs will not endanger the public. The level of illumination will not result in excessive glare or reflection and will not result in a traffic hazard.	YES
CL54 Provision and Location of Utility Services	YES	The proposed works will not adversely impact on the existing level of amenity of utility services.	YES
CL55 Site Consolidation in 'Medium Density Areas'	NO	No comment	NA
CL56 Retaining Unique Environmental Features on Site	NO	No comment	NA
CL57 Development on Sloping Land	NO	No comment	NA
CL58 Protection of Existing Flora	NO	No comment	NA
CL59 Koala Habitat Protection	NO	No comment	NA
CL60 Watercourses & Aquatic Habitats	NO	No comment	NA

General Principles	Applies	Comments	Complies
CL61 Views	YES	Clause 61 stipulates 'Development is to allow for the reasonable sharing of views'. No views will be affected by the proposed works.	YES
CL62 Access to sunlight	YES	The proposal will not result in any overshadowing.	YES
CL63 Landscaped Open Space	NO	No comment	NA
CL63A Rear Building Setback	NO	No comment	NA
CL64 Private open space	NO	No comment	NA
CL65 Privacy	NO	No comment	NA
CL66 Building bulk	YES	The proposed bus shelter is considered to provide an appropriate bulk and scale for this type of public facility in this setting.	YES
CL67 Roofs	YES	The design of the bus shelter includes a pitched roof form providing a sympathetic styling to adjoining residential development.	YES
CL68 Conservation of Energy and Water	NO	No comment	NA
CL69 Accessibility – Public and Semi-Public Buildings	YES	The proposed structure has been designed to comply with the requirements of the Disability Discrimination Act 1992.	YES
CL70 Site facilities	NO	No comment	NA
CL71 Parking facilities (visual impact)	NO	No comment	NA
CL72 Traffic access & safety	YES	The proposed location and form of the bus shelter structure will not present any adverse issues with regard to traffic access or safety.	YES
CL73 On-site Loading and Unloading	NO	No comment	NA
CL74 Provision of Carparking	NO	No comment	NA
CL75 Design of Carparking Areas	NO	No comment	NA
CL76 Management of Stormwater	YES	The proposed footprint for the bus shelter structure is designed to ensure any stormwater runoff is directed toward the stormwater drain in the vicinity of the site.	YES
CL77 Landfill	NO	No comment	NA
CL78 Erosion & Sedimentation	YES	Appropriate conditions of consent are recommended for imposition in relation to erosion and sedimentation control measures during construction.	YES
CL79 Heritage Control	NO	No comment	NA



General Principles	Applies	Comments	Complies
CL80 Notice to Metropolitan Aboriginal Land Council and the National Parks and Wildlife Service	NO	No comment	NA
CL81 Notice to Heritage Council	NO	No comment	NA
CL82 Development in the Vicinity of Heritage Items	NO	No comment	NA
CL83 Development of Known or Potential Archaeological Sites	NO	No comment	NA

SCHEDULES

Schedule 4 - Prohibited Signs

Prohibited Signs	Point 5 in this schedule states the following: <i>signs which do not directly relate to the predominant land use, business or activity carried on, or proposed to be carried on, within the site or building on which the sign is to be placed, except signs on public amenities such as street furniture, bus shelters and the like,</i> Accordingly, the proposed signage element being located on the bus shelter is not a prohibited sign and is acceptable.
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Schedule 8 - Site analysis

Site Analysis	Considering the scale of development proposed, the site plan and the written analysis of the site in the Statement of Environmental Effects are considered sufficient for the purposes of a Site Analysis.
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DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

Draft Warringah LEP 2009 has been considered with regard to the proposed works. The proposal is considered and no matters have arisen in this regard that justify the refusal of the application with regard to the draft EPI's.

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan (adopted 14 November 2006)

The proposal is subject to the application of Council's Section 94A Development Contributions Plan adopted by Council on 13 June 2006 and became effective on 17 July 2006.

As the estimated cost of works is less than \$100,000.00 the policy is not applicable to the assessment of this application.



CONCLUSION

The proposal has been considered against the relevant matters for consideration under Section 79C of the EP&A Act 1979. This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to any conditions contained within the Recommendation.

The site has been inspected and the application assessed having regard to the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979, the provisions relevant Environmental Planning Instruments including Warringah Local Environment Plan 2000, Draft Warringah Local Environmental Plan 2009 and the relevant codes and policies of Council.

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION - APPROVAL

THAT Council as the consent authority grant Development Consent to DA2011/0383 for construction of a bus shelter with signage on the road reserve near the corner of Lismore Avenue and Pittwater Road, Dee Why (bus stop No. 2099015) subject to the conditions printed below:

GENERAL CONDITIONS

CONDITIONS THAT IDENTIFY APPROVED PLANS

1. Approved Plans and Supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Site Location Plan – Rev C	14/03/2011	Adshel
Sheet 2 – Elevation Views	18/11/2008	Adshel
Sheet 3 – Footing Detail	18/11/2008	Adshel
Sheet 4 – Exploded Assembly	18/11/2008	Adshel
Sheet 5 – Wiring Detail	18/11/2008	Adshel

No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

The development is to be undertaken generally in accordance with the following:

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)



2. Compliance with External Department, Authority or Service Requirements

The development must be carried out in compliance with the following:

External Department, Authority or Service	E-Services Reference	Dated
Ausgrid	Response Ausgrid referral	12 April 2011
Roads & Traffic Authority	DA2011/0381	28 April 2011

(NOTE: For a copy of the above referenced document/s, please see Council's 'E-Services' system at www.warringah.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of External Department, Authority or Bodies. (DACPLB02)

3. Limitation of Development Consent for Signage

Pursuant to the provisions of State Environmental Planning Policy No 64-Advertising and Signage this development consent will expire 15 years after the date on which this Development Consent becomes effective and operates

Reason: Statutory requirement under State Environmental Planning Policy No 64-Advertising and Signage. (DACPLB08)

4. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and



- B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
- (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement. (DACPLB09)

5. General Requirements

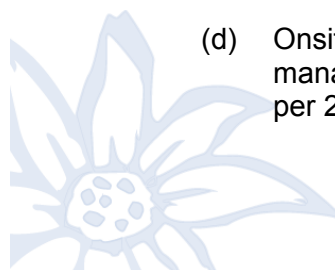
- (a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:
7.00 am to 5.00 pm inclusive Monday to Friday
8.00 am to 1.00 pm inclusive on Saturday,
No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:
8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.



- (e) Prior to the release of the Construction Certificate payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (f) Smoke alarms are to be installed throughout all new and existing portions of any Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy.)
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

6. Compliance with Standards

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

Advice to Applicants: At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

- (a) AS2601.2001 - Demolition of Structures**
- (b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings**
- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting**
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) **
- (e) AS 4970 - 2009 'Protection of trees on development sites'***
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking**
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities**
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities**
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking**



- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities**
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set**
- (l) AS 1428.1 - 2009* Design for access and mobility - General requirements for access - New building work**
- (m) AS 1428.2 - 1992*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities**

***Note:** The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website http://www.humanrights.gov.au/disability_rights/buildings/good.htm

****Note:** the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to.

7. Sewer / Water Quickcheck

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water. (DACPLC12)

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

8. Public Liability Insurance - Works on Public Land

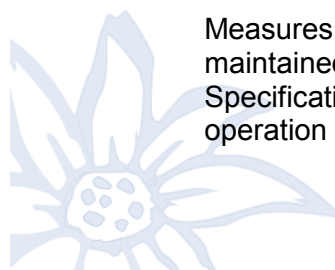
Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Warringah Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land. (DACEND01)

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

9. Installation and Maintenance of Sediment Control

Measures used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with Warringah Council Specifications for Erosion and Sediment Control. All measures shall remain in proper operation until all development activities have been completed and the site fully stabilised.



Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites. (DACPLE02)

10. Maintenance of Road Reserve

The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.

Reason: Public Safety. (DACENE09)

11. Traffic Control During Road Works

Lighting, fencing, traffic control and advanced warning signs shall be provided for the protection of the works and for the safety and convenience of the public and others in accordance with Council's Minor Works Policy and to the satisfaction of the Principal Certifying Authority. Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works.

Reason: Public Safety. (DACENE11)

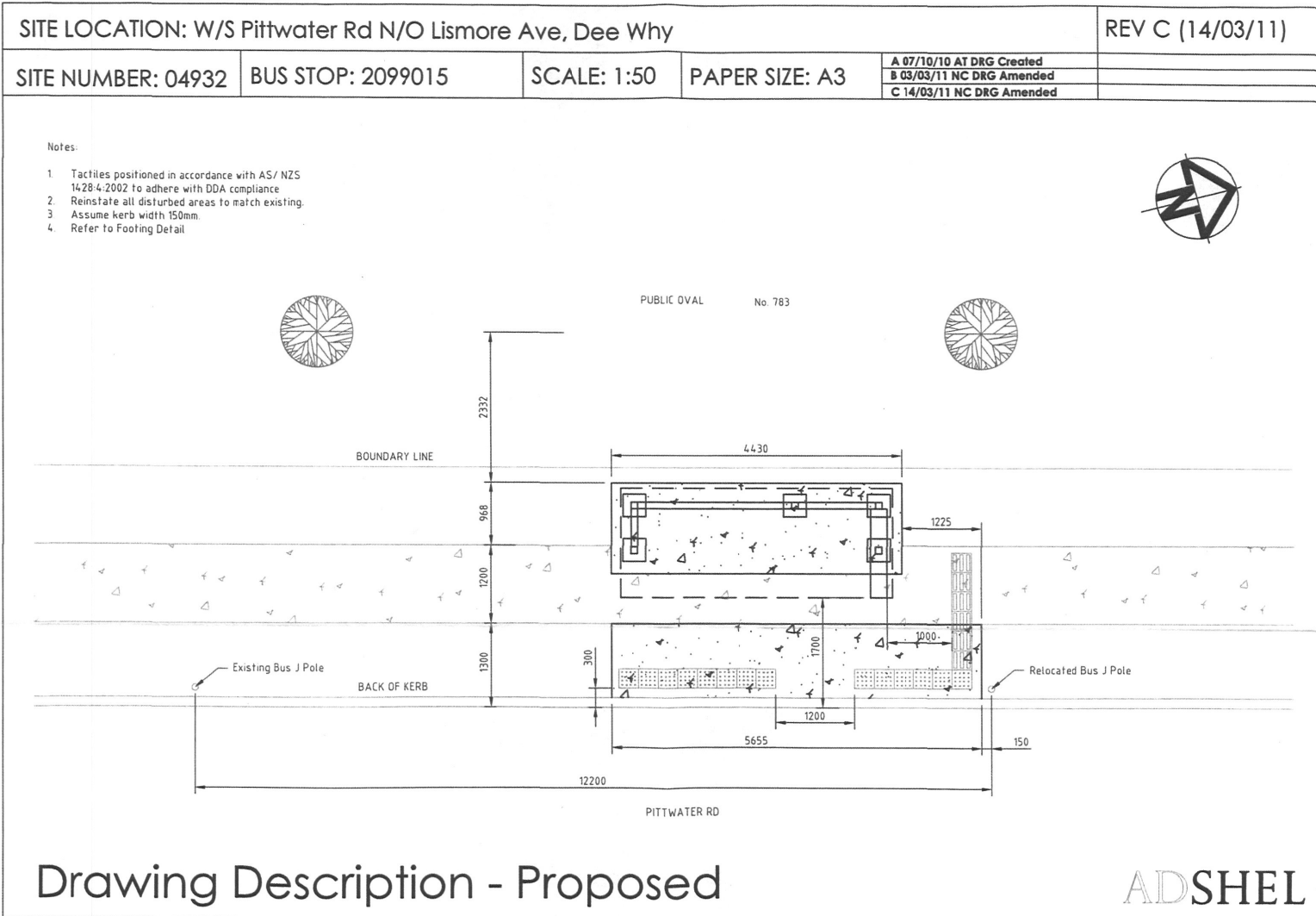
ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

12. Illumination Intensity and design

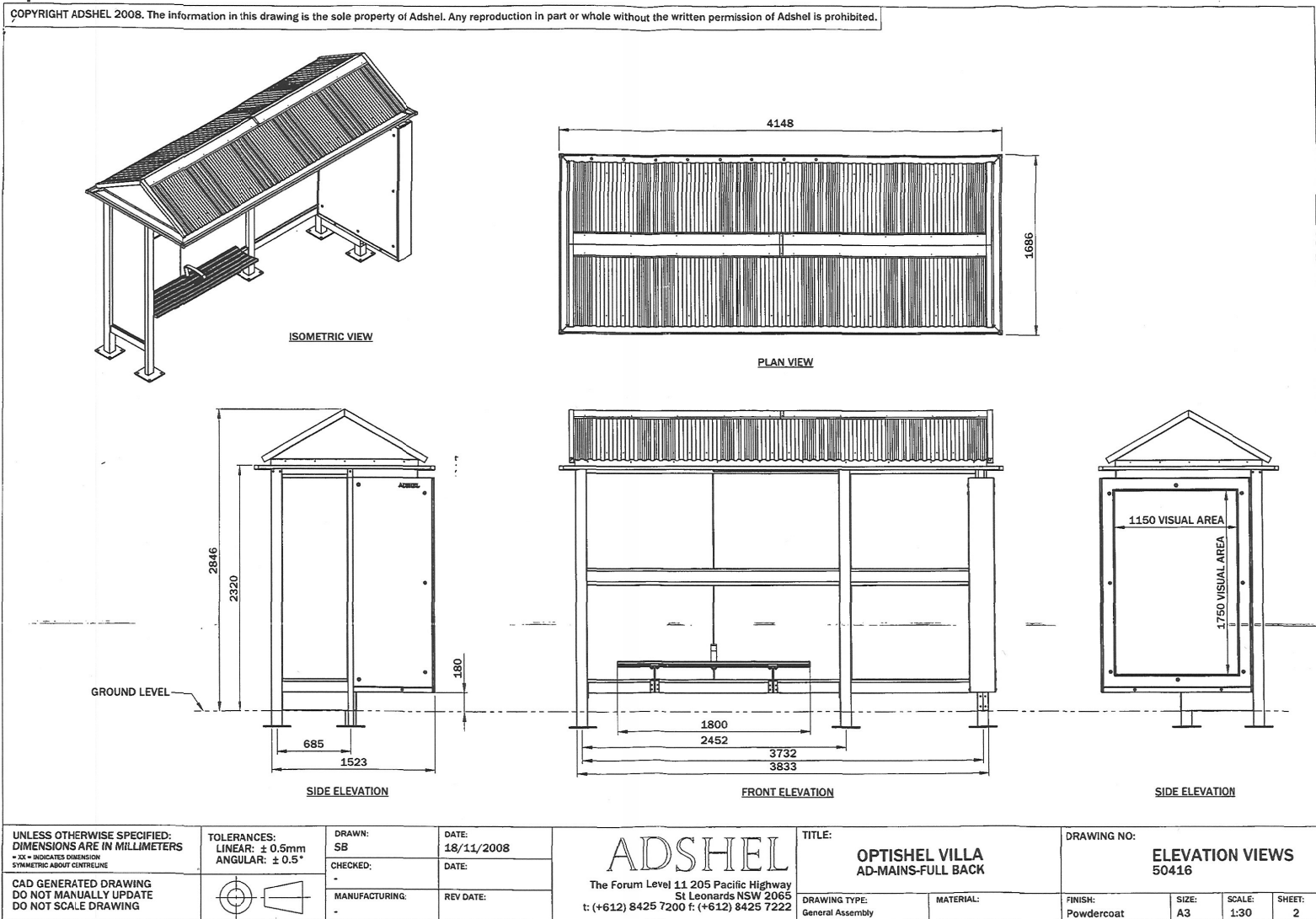
The level of illumination and/or lighting intensity used to illuminate the signage is to be minimised and the design is to be such to ensure that excessive light spill or nuisance is not caused to any nearby premises.

Reason: To ensure appropriate forms of signage that are consistent with Council's controls and those that are desired for the locality, and do not interfere with amenity of nearby properties. (DACPLG12)

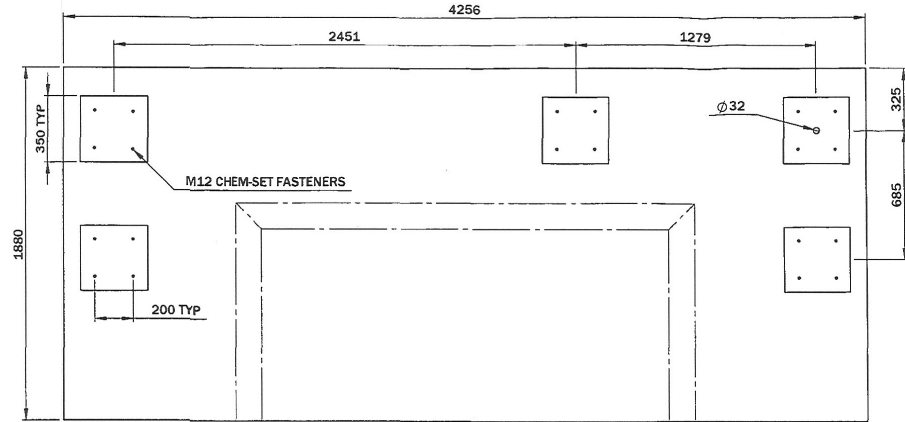




Site Plan and Drawings



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CONDUIT LOCATIONS ARE CRITICAL

CONCRETE REQUIREMENTS:

- MPA25
- SLUMP 80mm
- MAXIMUM AGGREGATE = 20mm
- MINIMUM DENSITY = 2400kg/mm³

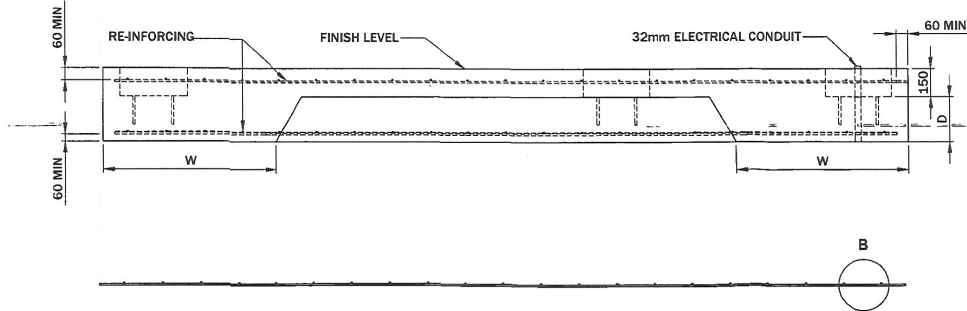
RE-INFORCEMENT:

- MINIMUM COVER OF RE-INFORCEMENT = 60mm

FASTENERS:

- 4 off M12 CHEM-SET FASTENERS PER UPRIGHT, MINIMUM EMBEDMENT = 150mm

DIMENSIONS BASED ON METRO MKII CERTIFIED FOOTING



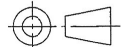
REGION	DESCRIPTION	ULTIMATE WIND SPEED (m/s)	W (mm)	D (mm)	RE-INFORCEMENT TOP & BOTTOM
A	NORMAL	50	910	240	RF92 MESH
B	INTERMEDIATE	60	1250	240	RF92 MESH

DETAIL B
MESH SIZE 200 x 200 x 9mm

UNLESS OTHERWISE SPECIFIED:
DIMENSIONS ARE IN MILLIMETERS
= XL = INDICATES DIMENSION
SYMMETRIC ABOUT CENTRELINE

CAD GENERATED DRAWING
DO NOT MANUALLY UPDATE
DO NOT SCALE DRAWING

TOLERANCES:
LINEAR: $\pm 0.5\text{mm}$
ANGULAR: $\pm 0.5^\circ$



DRAWN:

SB

CHECKED:

MANUFACTURING:

DATE:

18/11/2008

DATE:

REV DATE:

ADSHL

The Forum, Level 11, 205 Pacific Highway
St Leonards NSW 2065
t: (+612) 8425 7200 f: (+612) 8425 7222

TITLE:

**OPTISHEL VILLA
AD-MAINS-FULL BACK**

DRAWING TYPE:
General Assembly

MATERIAL:

DRAWING NO:

**FOOTING DETAIL
50416**

FINISH:

SIZE:
A3

SCALE:
1:20

SHEET:
3

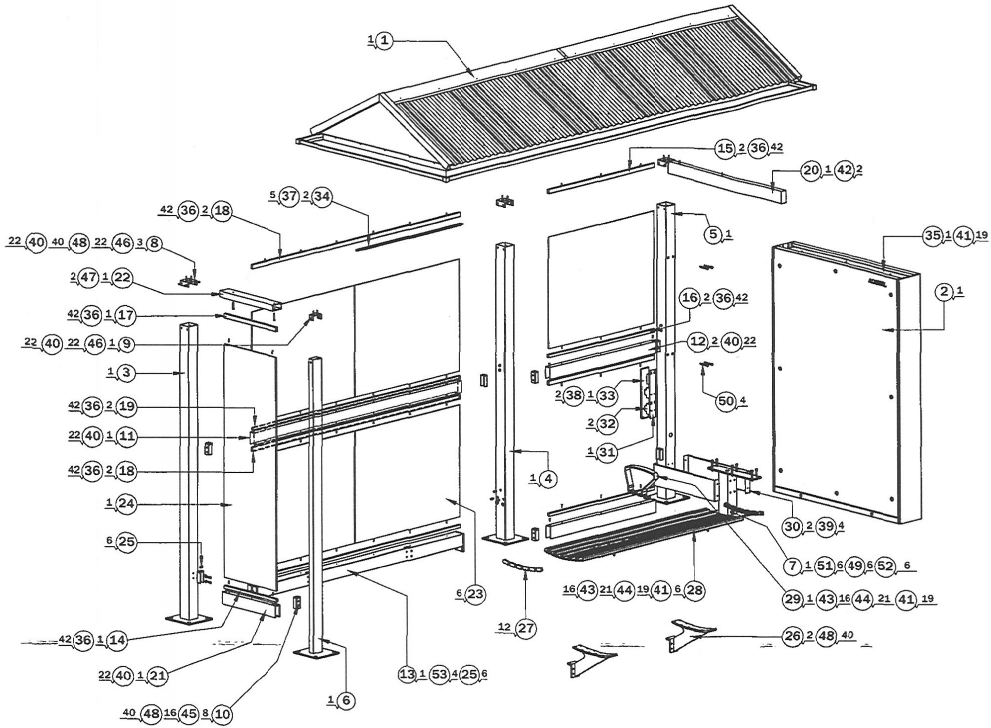


ITEM 3.2

Report to Application Determination Panel on 12 July 2011

Page 61

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BOM Table			
ITEM NO.	QTY.	DESCRIPTION	MATERIAL
1	1	VILLA ROOF ASSEMBLY - MAINS SUPPLY	ALUMINIUM
2	1	UNIVERSAL SUPERLITE DSFS	VARIOUS
3	1	UPRIGHT A	ALUMINIUM
4	1	UPRIGHT G	ALUMINIUM
5	1	UPRIGHT C	ALUMINIUM
6	1	UPRIGHT D	ALUMINIUM
7	1	UPRIGHT E	ALUMINIUM
8	3	REAR UPRIGHT BRACKET	SS
9	1	FRONT UPRIGHT BRACKET	SS
10	8	MID&BOTTOM RAIL BRACKET	SS
11	1	MID RAIL LONG	ALUMINIUM
12	2	MID RAIL	ALUMINIUM
13	1	SEAT RAIL	ALUMINIUM
14	1	U GLASS HOLDER 1	ALUMINIUM
15	2	U GLASS HOLDER 2	ALUMINIUM
16	2	U GLASS HOLDER 3	ALUMINIUM
17	1	U GLASS HOLDER 5	ALUMINIUM
18	2	UPPER LONG U GLASS HOLDER	ALUMINIUM
19	2	LOWER LONG U GLASS HOLDER	ALUMINIUM
20	1	UPPER PANEL SUPPORT	ALUMINIUM
21	1	LOWER WINDBREAK SUPPORT	ALUMINIUM
22	1	UPPER WINDBREAK SUPPORT	ALUMINIUM
23	6	BACK GLASS	TOUGHENED SAFETY GLASS
24	1	WINDBREAK GLASS	TOUGHENED SAFETY GLASS
25	6	DOWEL SCREW	SS
26	2	SEAT SUPPORT RATIONALISED	ALUMINIUM CAST
27	12	SEAT END CAP	PP WITH UV PLASTIC
28	6	SEAT SLAT	ALUMINIUM EXTRUSION
29	1	ARM REST	ALUMINIUM
30	2	BASE CLADDING	ALUMINIUM
31	1	ELECTRICAL PLATE	ALUMINIUM
32	2	RCD_MCB	ALUMINIUM
33	1	COVER PLATE 2	ALUMINIUM
34	1	LED LIGHT SYSTEM	ALUMINIUM
35	1	LIGHTBOX TOP CHANNEL	ALUMINIUM
36	42	#10 x 1" PHILLIPS SELF DRILLING SCREW	
37	5	#8 X 1/2" PHILLIPS SELF DRILLING SCREW	
38	2	M6 X 16 "SNK SOCKET HD SCREW	
39	4	M6 X 16 BUTTON SOCKET HD SCREW	
40	22	M6 X 20 "SNK SOCKET HD SCREW	
41	19	M6 X 25 HEX HD SCREW	
42	2	M6 X 25 SHCS	
43	16	M6 NYLOCK NUT	
44	21	M6 PLAIN WASHER	
45	16	M8 X 25 HEX HD SCREW	
46	22	M8 X 35 SHCS	
47	2	M8 X 60 SHCS	
48	40	M8 PLAIN WASHER	
49	6	M10 X 60 HEX HD SCREW	
50	4	M10 X 80 SHCS	
51	6	M10 PLAIN WASHER	
52	6	M10 FULL NUT	

UNLESS OTHERWISE SPECIFIED:
DIMENSIONS ARE IN MILLIMETERS
• XX • INDICATES DIMENSION
SYMMETRIC ABOUT CENTRELINE

CAD GENERATED DRAWING
DO NOT MANUALLY UPDATE
DO NOT SCALE DRAWING

TOLERANCES:
LINEAR: $\pm 0.5\text{mm}$
ANGULAR: $\pm 0.5^\circ$



DRAWN:
SB

CHECKED:
•

MANUFACTURING:
•

DATE:
18/11/2008

DATE:

REV DATE:

ADSHL

The Forum, Level 11, 205 Pacific Highway
St Leonards NSW 2065
t: (+612) 8425 7200 f: (+612) 8425 7222

TITLE:

OPTISHEL VILLA
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DRAWING TYPE:
General Assembly

MATERIAL:

DRAWING NO:

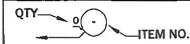
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50416

FINISH:

SIZE:
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SCALE:
1:30

SHEET:
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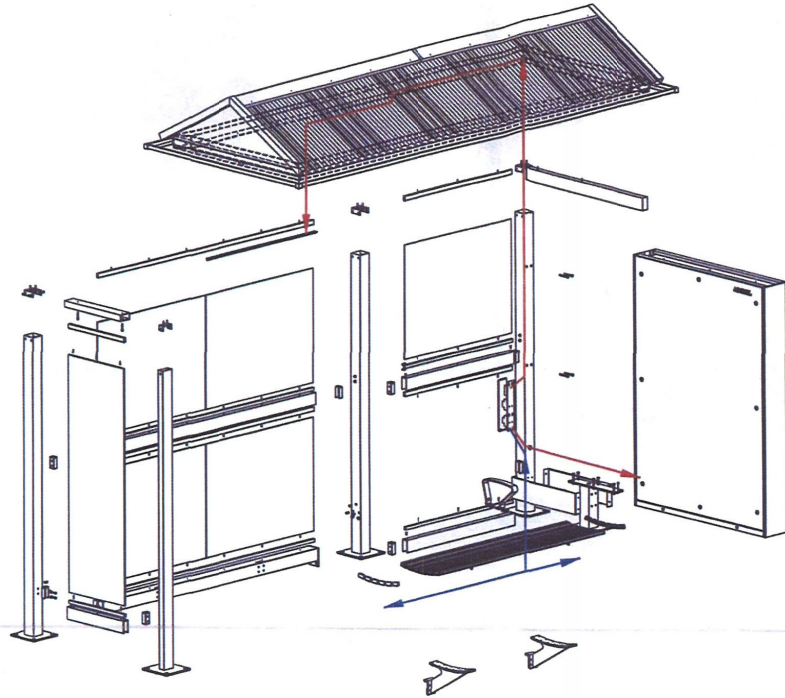


Site Plan and Drawings

ATTACHMENT

CA/PDS/9844
DA2011/0381

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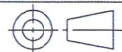


KEY:
 SUPPLY = 240V
 LOAD / LIGHTS = 12V

UNLESS OTHERWISE SPECIFIED:
DIMENSIONS ARE IN MILLIMETERS
 - XX - INDICATES DIMENSION
 SYMMETRIC ABOUT CENTRELINE

CAD GENERATED DRAWING
DO NOT MANUALLY UPDATE
DO NOT SCALE DRAWING

TOLERANCES:
 LINEAR: $\pm 0.5\text{mm}$
 ANGULAR: $\pm 0.5^\circ$



DRAWN:

SB

CHECKED:

-

MANUFACTURING:

-

DATE:

18/11/2008

DATE:

-

REV DATE:

-

ADSHEL

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 t: (+612) 8425 7200 f: (+612) 8425 7222

TITLE:

OPTISHEL VILLA
 AD-MAINS-FULL BACK

DRAWING TYPE:
 General Assembly

MATERIAL:

DRAWING NO:

WIRING DETAIL
 50416

FINISH:

SIZE:

A3

SCALE:

1:30

SHEET:

5

NOTICE OF DETERMINATION

Application Number: DA2011/0381

APPLICATION DETAILS

Applicant Name and Address: Adshel Street Furniture Pty Ltd
16 Pike St
RYDALMERE NSW 2116

Land to be developed (Address): Road reserve near the corner of Lismore Ave and
Pittwater Rd Dee Why - Bus stop number 2099015

Proposed Development: Construction of Bus Shelter with signage

DETERMINATION - APPROVED

Made on (Date): 12 July 2011

Consent to operate from (Date): 19 July 2011

Consent to lapse on (Date): 19 July 2016

Details of Conditions

The conditions, which have been applied to the consent, aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.

NOTE:

If the works are to be certified by a Private Certifying Authority, then it is the certifier's responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.

GENERAL CONDITIONS

CONDITIONS THAT IDENTIFY APPROVED PLANS

1. Approved Plans and Supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Site Location Plan – Rev C	14/03/2011	Adshel
Sheet 2 – Elevation Views	18/11/2008	Adshel
Sheet 3 – Footing Detail	18/11/2008	Adshel
Sheet 4 – Exploded Assembly	18/11/2008	Adshel
Sheet 5 – Wiring Detail	18/11/2008	Adshel

No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

The development is to be undertaken generally in accordance with the following:

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

2. Compliance with External Department, Authority or Service Requirements

The development must be carried out in compliance with the following:

External Department, Authority or Service	E-Services Reference	Dated
Ausgrid	Response Ausgrid referral	12 April 2011
Roads & Traffic Authority	DA2011/0381	28 April 2011

(NOTE: For a copy of the above referenced document/s, please see Council's 'E-Services' system at www.warringah.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of External Department, Authority or Bodies. (DACPLB02)

3. Limitation of Development Consent for Signage

Pursuant to the provisions of State Environmental Planning Policy No 64-Advertising and Signage this development consent will expire 15 years after the date on which this Development Consent becomes effective and operates

Reason: Statutory requirement under State Environmental Planning Policy No 64-Advertising and Signage. (DACPLB08)

4. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.



Warringah Council

- (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement. (DACPLB09)

5. General Requirements

- (a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:
7.00 am to 5.00 pm inclusive Monday to Friday
8.00 am to 1.00 pm inclusive on Saturday,
No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:
8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

- (b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (e) Prior to the release of the Construction Certificate payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.

- (f) Smoke alarms are to be installed throughout all new and existing portions of any Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
- (h) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy.)
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

6. Compliance with Standards

The development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

Advice to Applicants: At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

- (a) AS2601.2001 - Demolition of Structures**
- (b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings**
- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting**
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) **
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- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities**
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking**



Warringah Council

- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities**
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set**
- (l) AS 1428.1 - 2009* Design for access and mobility - General requirements for access - New building work**
- (m) AS 1428.2 - 1992*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities**

***Note:** The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website http://www.humanrights.gov.au/disability_rights/buildings/good.htm

****Note:** the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to.

7. Sewer / Water Quickcheck

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre prior to works commencing to determine whether the development will affect any Sydney Water asset's sewer and water mains, stormwater drains and/or easement, and if further requirements need to be met. Plans will be appropriately stamped.

Please refer to the website www.sydneywater.com.au for:

- Quick Check agents details - see Building Developing and Plumbing then Quick Check; and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building Developing and Plumbing then Building and Renovating.
- Or telephone 13 20 92.

Reason: To ensure compliance with the statutory requirements of Sydney Water. (DACPLC12)

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

8. Public Liability Insurance - Works on Public Land

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of, and approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note, and provide protection for Warringah Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land. (DACEND01)

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

9. Installation and Maintenance of Sediment Control

Measures used for erosion and sediment control on building sites are to be adequately maintained at all times and must be installed in accordance with Warringah Council Specifications for Erosion and Sediment Control. All measures shall remain in proper operation until all development activities have been completed and the site fully stabilised.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites. (DACPLE02)

10. Maintenance of Road Reserve

The public footways and roadways adjacent to the site shall be maintained in a safe condition at all times during the course of the work.

Reason: Public Safety. (DACENE09)

11. Traffic Control During Road Works

Lighting, fencing, traffic control and advanced warning signs shall be provided for the protection of the works and for the safety and convenience of the public and others in accordance with Council's Minor Works Policy and to the satisfaction of the Principal Certifying Authority. Traffic movement in both directions on public roads, and vehicular access to private properties is to be maintained at all times during the works.

Reason: Public Safety. (DACENE11)

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

12. Illumination Intensity and design

The level of illumination and/or lighting intensity used to illuminate the signage is to be minimised and the design is to be such to ensure that excessive light spill or nuisance is not caused to any nearby premises.

Reason: To ensure appropriate forms of signage that are consistent with Council's controls and those that are desired for the locality, and do not interfere with amenity of nearby properties. (DACPLG12)



Right to Review by the Council

You may request Council review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979 if it is NOT integrated or designated development. Any request to review the application must be made and determined within 6 months from the date of determination.

NOTE: A fee will apply for any request to review the determination.

Right of Appeal

If you are dissatisfied with this decision Section 97 of the Environmental Planning & Assessment Act 1979 may give you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice.

Signed _____ on behalf of the consent authority

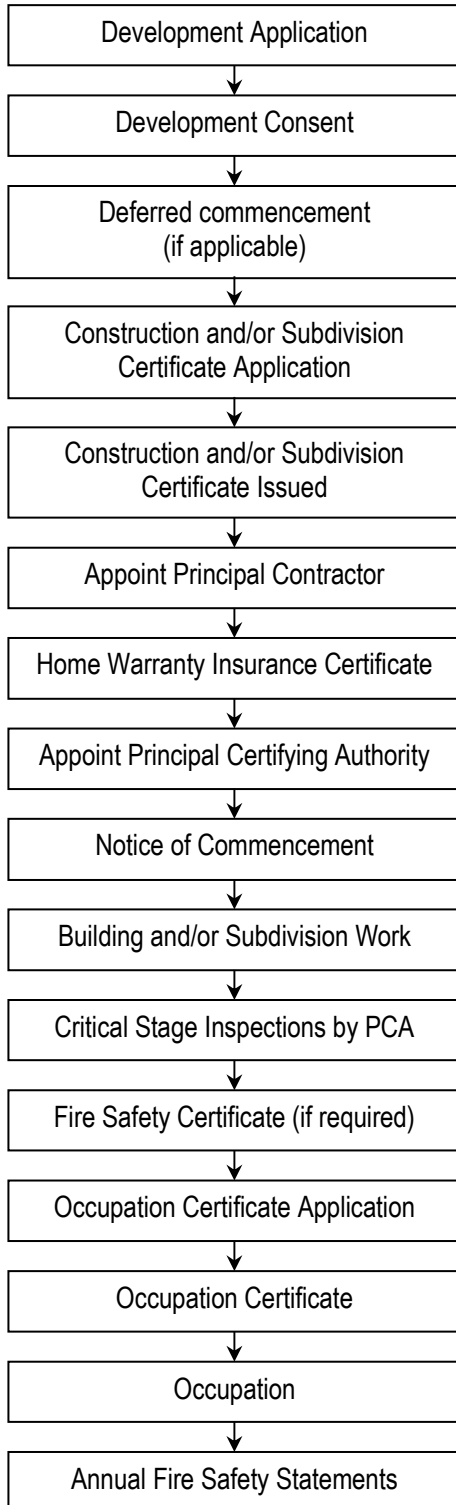
Signature _____
Name Phil Lane, Team Leader, Development Assessments

Date 19 July 2011

Notice of Determination

Advisory Notes (General)

Where are you in the development process?



You are here

Check consent conditions to see if you are affected by a deferred commencement condition. If applicable satisfy all requirements and submit to Council (allow 4 weeks (min.) for review).

Check the consent conditions to see if you need a construction certificate. Pay any applicable bonds / fees / s94A Development Contributions / Long Service Levy.

Make sure that you satisfy all conditions required to be satisfied prior to the issue of the Certificate

Sign a contract with a licensed builder and make sure that the builder has proper insurance in place.

Obtain a copy of the builder's home warranty insurance for your development. (if residential work) This must be given to the PCA

Sign a PCA service agreement with Council or an Accredited Certifier to conduct building inspections.

Complete the Notice of Commencement form and lodge with Council before work commences. A Failure to comply may result in Fines and Legal Action being taken by Council.

Comply with all Consent Conditions. A Failure to comply may result in Fines and Legal Action being taken by Council.

Make sure you give required notice to your PCA to allow for required building inspections to be done.

Complete a Fire Safety Certificate and attach certificates for all essential fire safety measures to it.

Make Application for the Occupation Certificate and attach to it the Fire Safety Certificate.

Do not occupy any new part of the building without at least an Interim Occupation Certificate - A Failure to comply may result in Fines and Legal Action being taken by Council.

Make sure you comply with development consent conditions relating to ongoing use.

The building owner(s) must make sure that they maintain essential fire safety measures and certify them annually to Council. A Failure to comply may result in Fines and Legal Action being taken by Council.

Note: The advice within this document is provided in good faith as a guide to assist applicants understand the broad process and will not detail every step or every requirement for demolition, building construction works or subdivision required or business operating requirements under New South Wales or Commonwealth Legislation. If you require clarification or have any questions, please contact your Certifier or Council's Planning and Development Enquiries Team..



Warringah Council

General Advice

The attached Notice of Determination includes conditions of consent which must be complied with.

(Note: A failure to comply is a serious breach of the Environmental Planning & Assessment Act 1979 which attracts penalties and may also result in legal action being taken, and orders for demolition.)

Building Certification

The Environmental Planning and Assessment Act 1979 provides that:

- Building work cannot occur unless a construction certificate has been issued;
- Occupation of building works cannot occur unless an occupation certificate has been issued
- Subdivision cannot be registered until a subdivision certificate has been issued
- Mandatory Inspection for building work must be completed

Please refer to process chart for more detail.

(Note: A failure to gain approval prior to the works being carried out is a serious breach of the Environmental Planning & Assessment Act 1979 which attracts penalties and may also result in legal action being taken, and orders for demolition.)

Certification Services

Construction Certificates / Occupation Certificate / Subdivision Certificates / Strata Certificate, can be issued by Council or an accredited private certifier (Note Council must be the Principal Certifying Authority (PCA) for subdivisions).

Council is well placed to provide Certification Services. Council can issue Construction Certificates and act as your Principle Certifying Authority at competitive rates. Please visit our web site www.warringah.nsw.gov.au or speak to our Customer Service Officers if you have any further questions about our Certification Services or if you wish to use Council as your certifier.

Charges Associated with the Development Consent

All bonds, fees, (s94A) Development Contributions, Long Service Levy detailed within the Notice of Determination are required to be paid prior to the issuing of any Construction Certificate.

Acceptable Form of Security Bonds

Council will accept bank guarantee (in a form acceptable to Council) in lieu of cash and is required prior to the issue of a construction certificate.

Modifications to the consent

If you seek to make any changes to the development (which may include internal / external configuration of the building, variation to facades, site layout or any changes to the proposed operation or use), the modifications *will* require the submission and approval of an application to modify the development consent prior to the issuing of a Construction Certificate and prior to the works being carried out.

(Note: A failure to gain approval prior to the works being carried out is a serious breach of the Environmental Planning & Assessment Act 1979 which attracts penalties and may also result in legal action being taken, and orders for demolition.)

Other Matters not detailed within the Notice of Determination

The Notice of Determination does not stipulate every requirement that must be completed to satisfy New South Wales and Commonwealth legislation.

You should check, as may be relevant, with other authorities including but not limited to:

- ☐ Workcover NSW for work safety and asbestos requirements
- ☐ Sydney Water – Quick Check Agent for the provision of water and sewer services
- ☐ Energy & Gas suppliers for utility services
- ☐ Department of Fair Trading for advice about builders and licensing
- ☐ Building Professionals Board for advice about private certifiers
- ☐ NSW Roads and Traffic Authority for works on state roads only
- ☐ Human Rights and Equal Opportunity Commission for access issues
- ☐ NSW Land and Property Information Service for Land Title matters

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Warringah Council

- ☐ **Australia Post** for the positioning and dimensions of mail boxes in new commercial and residential developments;

Model

If you submitted a model with the application it must be collected from the Council offices within fourteen (14) days of the date of this determination. Models not collected will be disposed of by Council.

Trade waste agreement

A Trade Waste Agreement must be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'.

Waste collection

Liquid and solid wastes generated on the site must be collected, transported and disposed of in accordance with the requirements of the *Protection of the Environment Operations Act 1997*. Records must be kept of all waste disposal from the site.

Material to be removed from the site must be source separated on site to maximise recycling, and the material disposed of to an appropriate disposal and recycling facility in accordance with the approved Waste Management Plan.

Aboriginal Heritage

If in undertaking excavation or works and any Aboriginal site or object is, or is thought to have been found, all works are to cease immediately and the applicant is to contact the Aboriginal Heritage Officer for Warringah Council, and the Cultural Heritage Division of the Department of Environment and Climate Change (DECC).

On-Site Sewage Management System

This approval does not authorise the installation or operation of a new or modification of an existing on-site wastewater management system. An On-Site Sewage Management System must not be installed or operated unless an 'Approval to Install an On Site Sewage Management System' is obtained from Warringah Council.

Cost of Works

The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

Relocation of stormwater drainage

Council is not responsible for the cost of relocating Council's stormwater drainage pipes through the subject property.

Tree preservation

Where tree work has not been approved by this Development Consent the developer is notified that a general Tree Preservation Order applies to all trees in the Warringah Local Government Area. This order prohibits the ringbarking, cutting down, topping, lopping, pruning, transplanting, injuring, or wilful destruction of such trees except without the prior written consent of Council.

Storage bins on footpath and roadway

Approval is required from Council prior to the placement of any storage bin on Council's footpath and/or roadway.

Protection of Public Places

- (1) If the work involved in the erection or demolition of a building:
 - (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
 - (b) building involves the enclosure of a public place,

a hoarding and site fencing must be erected between the work site and the public place.

- (2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- (4) Any such hoarding, fence or awning is to be removed when the work has been completed.

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Warringah Council

(5) No access across public reserves or parks is permitted.

Note: Prior to the erection of any temporary fence or hoarding over property owned or managed by Council, written approval must be obtained.

Road Opening Permit

The developer/applicant is to obtain a "Road Opening Permit" from Council and pay all appropriate charges prior to commencement of any work on Council property. The developer/applicant shall be responsible for all public utilities and services in the area of the work, and as such shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.

Special Permits

Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council. A minimum of forty-eight (48) hours notice is required for all permits except work zones, which may require additional assessment time.

- ☐ *Permit for on-street mobile plant*
Restrictions apply to the hours of operation and the area of operation for on street mobile plant equipment (for example cranes, concrete pumps, cherry pickers). Separate permits are required for each occasion and each piece of equipment. It is the responsibility of the applicant, owner and builder to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.
- ☐ *Hoarding Permit*
Permits are required to erect Class A, Class B and Class C hoardings. If an 'A' Class hoarding is to alienate a section of Council's property, that section will require a permit for the occupation of Council's property.
- ☐ *Storage of building materials and building waste containers (skips) on Council's property*
Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given.
- ☐ *Kerbside restrictions, work zones*
Existing kerbside restrictions apply. An application must be made to Council for the alteration of existing kerbside restrictions or the provision of a construction zone.

Other permits may include out of construction hours permits.

Licensing requirements for removal of bonded asbestos

Anyone who removes, repairs or disturbs bonded asbestos must hold a bonded or a friable asbestos licence, or a demolition licence in accordance with Workcover requirements and the Occupational Health and Safety Act 2000.

Pool Access

Access to pools are required to be restricted by a child resistant barrier in accordance with the regulations prescribed in all relevant Acts, Regulations and Australian Standards including:

- (i) Swimming Pools Act 1992;
- (ii) Swimming Pools Amendment Act 2009;
- (iii) Swimming Pools Regulation 2008
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools

It is your responsibility as a land owner to ensure any fencing is maintained.

Dewatering

Where dewatering works are required on the development site during construction, the developer/applicant must apply for and obtain a bore license from the NSW Department of Water and Energy. The bore license must be obtained prior to commencement of dewatering works.

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Warringham Council

Requirement to Notify about New Contamination Evidence

Any new information revealed during works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to Council and the Principal Certifying Authority.

Flood Evacuation Plan

If your site is on flood prone land you may wish to consider the preparation of a flood evacuation plan.

Generally a Flood Evacuation Plan would be prepared by suitably qualified Engineer (e.g. Hydraulic) with a number of years experience in flood management and who is eligible for Membership to the Australian Institute of Engineers.

Some matters that you may wish to consider (but not limited to) include:

- (i) a route of evacuation to higher ground and / or point of shelter
- (ii) depth of water for a Possible Maximum Flood event surrounding the building
- (iii) details of 'last chance' evacuation water levels / times for evacuation prior to floodwaters surrounding the building
- (iv) provide details of flood warning systems and protocols
- (v) details of how this information will be distributed and people educated for users of the site.

You may seek to discuss this with the State Emergency Service of NSW.

Utility Service Requirements

Where development requires the installation of, or the relocation of utility services being (but not limited to) gas, water, electricity and telecommunications, the installation of, or the relocation of utility services shall be conducted in accordance with the requirements of the relevant service provider / authority (unless stipulated by any other condition of the consent or will result in damage to threatened or endangered species defined under the Threatened Species Conservation Act).

Plant & Equipment Kept Within Site

All plant and equipment used in the erection of the building, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries. This does not prevent any requirement to comply with the Protection of the Environment Operations Act.

Lighting

Illumination of the site is to be arranged in accordance with the requirements of Australian Standard 4282 - 1997 Control of the obtrusive effects of outdoor lighting so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises.

OTHER MATTERS

Child Care Centres

A license to operate a child care centre must be obtained from the NSW Department of Community Services prior to the commencement of the use of the child care centre.

Disability Access

This decision does not ensure compliance with the Commonwealth Disability Discrimination Act 1992. Applicants are strongly advised to investigate their requirements under that Act

Food Premises

Food premises are required to comply with the requirements of the Food Act 2003, the Food Standards Code and Australian Standards.

The proprietor of a food business must notify the NSW Food Authority of the details of the business. Notification may be done either online at www.foodnotify.nsw.gov.au or by lodging a completed NSW Food Authority notification form to the NSW Food Authority or Council.

Wheel washing facility

All trucks leaving the site, having had access to unpaved or contaminated areas, shall depart via a wheel wash facility in order to prevent mud, dust or debris from being deposited on Council's roads. The wheel wash facility shall be constructed prior to any truck movements occurring. Water from the wheel wash facility must not cause pollution. Any direction of Council with regard to cleaning trucks or the clean up of road pavements adjoining the site shall be complied with immediately.

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Warringah Council

Monitoring State of Roadways

The applicant shall monitor the state of roadways leading to and from the site and shall take all necessary steps to clean up any adversely impacted road pavements as directed by Council.

Storage of Dangerous Goods

Prior to the storage of any "dangerous goods" on the premises, a copy of a license obtained from the Chemical Safety Branch of Work Cover Authority must be submitted to Council.

Storage of Flammable and Combustible Liquids

Flammable and combustible liquids must be stored in accordance with Australian Standard 1940 The Storage and Handling of Flammable and Combustible Liquids.

Noise and Vibration

The premises, including operation of vehicles, shall be conducted so as to avoid offensive noise or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

Hairdressing/Beauty Treatment/ Skin penetration Requirements

The premises must comply with the following requirements before the commencement of business:

- i. A hand wash basin with warm water delivered through a common spout must be provided in the treatment area. The hand wash basin must be provided with liquid soap and paper towel.
- ii. The wall behind the hand wash basin from the floor to a height of 450mm above the top of the washbasin and from the centre of the washbasin to a distance of 140mm beyond each side of the wash basin, must be finished with a material that is durable, smooth, impervious to moisture and capable of being easily cleaned (eg tiles).
- iii. The premises must be provided with washing, drainage, ventilation and lighting that are adequate for the carrying out of hairdressing/beauty treatment/skin penetration procedures.
- iv. The floor coverings must be smooth and impervious.
- v. All furniture, shelves and fittings must be constructed of, or covered with a material that is smooth, impervious to moisture and capable of being easily cleaned.
- vi. Adequate lockers must be provided for the storage of employees clothing and personal effects.
- vii. The premises must be provided with facilities that are adequate for the purpose of storing of hairdressing/beauty treatment/skin penetration appliance and utensils.
- viii. The premises must be provided with a sink sullied with hot and cold water for washing equipment.

Food Premises Construction Requirements

The food premises must comply with the following specific construction requirements:

- i. Solid walls must be provided in all food handling areas (solid includes brick, cement and foam filled preformed panels);
- ii. Walls in food preparation and wash up areas must be finished with a smooth and impervious surface to a height of at least 2 metres.
- iii. Hand wash basins must be provided with warm water delivered through a common spout with taps that are hands free operation;
- iv. Coving with a radius of 25mm must be provided between all floor and wall joints in food handling areas;
- v. The open space between the top of the coolroom and the ceiling must be fully enclosed and kept insect and pest proof;
- vi. The coolroom must be able to be opened from the inside with out a key and fitted with an alarm that can only be operated from within the coolroom;
- vii. The doors to the toilet air lock and toilet compartment must be tight fitting and self closing;
- viii. The rear external door must be self closing or be provided with a fly screen that is self closing;
- ix. Where cooking or extensive heating processes or such other processes as may be specified are carried out in food preparation areas, an approved mechanical ventilation system shall be installed and operated in accordance with AS 1668 part 1 & 2.

Legionella Control

Cooling towers, warm water systems, water cooling systems must be registered with the Council. Details of registration are to be provided to the Council prior to operation.

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Warringah Council

Application for an Occupation Certificate

Issued under the Environmental Planning and Assessment Act
1979 (Sections 109C (1) (c) and 109H)



Address the application to:

- ☐ The General Manager
Warringah Council
DX 9118 Dee Why
- Or**
- ☐ Customer Service Centre
Warringah Council
Civic Centre, 25 Pittwater Road
Dee Why NSW 2099

If you need help lodging your application:

- ☐ Phone our Customer
Service Centre on (02)
9942 2111

Or

- ☐ Come in and talk to us

Office Use Only

OC2011/0738

DA2011/0381

July 09

**For applicable fees and charges, please refer to Council's website: www.warringah.nsw.gov.au
or contact our Customer Service Centre.**

Privacy and Personal Information Protection Notice

The personal information requested in this form is required by or under the Environmental Planning and Assessment Act 1979 and will only be used by Warringah Council in connection with the requirements of that Act and any other relevantly applicable legislation relating to the subject-matter of this application. The information is being collected for the following purposes, namely, to enable us to (1) process and determine your application; (2) contact you in relation to your application should that be necessary; and (3) keep the public informed by making the application publicly accessible. If you do not provide the information, Council will not be able to process your application, and your application will be rejected.

Your application will be available to Councillors and Council Officers. Members of the public have certain rights of access to information and documents held by Council under the Freedom of Information Act 1989 (NSW), s.12 of the Local Government Act 1993 (NSW), and under the Privacy and Personal Information Protection Act 1998 (NSW) to the extent permitted by those Acts.

Warringah Council is to be regarded as the agency that holds the information, which will be stored on Council's records management system or in archives and may be displayed on DAs Online (except as regards to personal particulars). You have a right to access information within the meaning of the Privacy and Personal Information Protection Act 1998 (NSW) on application to Council, and to have that information updated or corrected as necessary. Please contact Warringah Council if the information you have provided is incorrect or changes or if access is otherwise sought to the information. In addition, a person may request that any material that is available (or is to be made available) for public inspection by or under the Local Government Act 1993 (NSW) be prepared or amended so as to omit or remove any matter that would disclose or discloses the person's place of living if the person considers that the disclosure would place or places the personal safety of the person or of members of the person's family at risk. Any such request must be made to Council's General Manager: see s.739 of the Local Government Act 1993 (NSW).

PART 1 Site Details

1.1 Subject land

We need this to correctly identify the land

Unit no.

House no.

Street

PITTWATER RD

N/OULSMORE RD

Suburb

DEE WHY

Legal property description

Lot:

Sect:

DP/SP:

This information must be supplied.

1.2 Building Details

The building classification must be the same as that specified in the development consent or complying development certificate.

Whole/part of building

NEW BUS SHELTER.

Use

BY PUBLIC.

BCA class

New

Existing

Gross floor area

m²

PART 2 Certificate Details

2.1. Type of certificate sought

Please tick appropriate boxes

Type

☐

Interim certificate

☒

Final certificate

2.2. Consent or certificate number

Before an occupation certificate may be issued, the certifying authority must be satisfied that:

- ☒ A development consent or a complying development certificate is in force with respect to the building, and
- ☒ A construction certificate has been issued with respect to the plans and specifications for the building.

Development application or complying development certificate number

DA2011/0381

Construction certificate number (if applicable)

CC2011/0586

PART 3 Checklist

Certificate Checklist

The following information is required for all occupation certificate applications.

Please tick appropriate box

Final fire safety certificate or interim fire safety certificate
(A certificate is not required for a class 1A or class 10 building)

Yes

No

☐☒

Other certificates relied on
Residential flat buildings - design verification from a qualified designer in which the development application was required under clause 50(1B) of the Environmental Planning and Assessment Act 1979

☐☒



Warringah Council

Principal Certifying Authority (PCA) Form

Notice of Commencement of Building or Subdivision Works and appointment of Principal Certifying Authority. Made under the Environmental Planning and Assessment Act 1979 (Sections 109E to 109Q)

Address the application to:

- ☐ The General Manager
Warringah Council
Civic Centre, 725 Pittwater Rd
Dee Why NSW 2099

Or

- ☐ Customer Service Centre
Warringah Council
DX 9118 Dee Why

If you need help lodging your application:

- ☐ Phone our Customer Service Centre on (02) 9942 2111

Or

- ☐ Come in and talk to us

Office Use Only

P C A 2 0 1 1 / 0 7 3 8

D A 2 0 1 1 / 0 3 8 1

June 09

PLEASE NOTE

This form can be used to notify Warringah Council that:

- ☐ You have appointed a Principal Certifying Authority (PCA)
- ☐ You intend to commence building or subdivision work
- ☐ Accredited persons can use any form provided it includes information required by the Environmental Planning and Assessment Act and Regulations.
- ☐ All sections must be completed (N/A if not applicable)

NOTE: Works cannot start until a form is received by Warringah Council.

Privacy and Personal Information Protection Notice

The information requested in this form is required by or under the Environmental Planning and Assessment Act 1979 if you are going to erect a building or carry out subdivision work. The information will only be used by Warringah Council in connection with the requirements of that Act and any other relevantly applicable legislation relating to the subject-matter of this form. The information is being collected for the following purposes, namely, to enable us to (1) process and determine your application; (2) contact you in relation to your application should that be necessary; and (3) keep the public informed by making the application publicly accessible. If you do not provide the information, Council will not be able to process your application, and your application will be rejected. If you do not provide the information to Council, you cannot begin the work.

Your application will be available to Councillors and Council Officers. Members of the public have certain rights of access to information and documents held by Council under the Freedom of Information Act 1989 (NSW), s.12 of the Local Government Act 1993 (NSW), and under the Privacy and Personal Information Protection Act 1998 (NSW) to the extent permitted by those Acts.

Warringah Council is to be regarded as the agency that holds the information, which will be stored on Council's records management system or in archives and may be displayed on DAs Online (except as regards to personal particulars). You have a right to access information within the meaning of the Privacy and Personal Information Protection Act 1998 (NSW) on application to Council, and to have that information updated or corrected as necessary. Please contact Warringah Council if the information you have provided is incorrect or changes or if access is otherwise sought to the information. In addition, a person may request that any material that is available (or is to be made available) for public inspection by or under the Local Government Act 1993 (NSW) be prepared or amended so as to omit or remove any matter that would disclose or discloses the person's place of living if the person considers that the disclosure would place or places the personal safety of the person or of members of the person's family at risk. Any such request must be made to Council's General Manager: see s.739 of the Local Government Act 1993 (NSW).

Part 1 Application and Site Details

1.1 Land to be developed

We need this to correctly identify the land.

Unit no.

House no.

Street

Pittwater Rd N/O
Lismore Ave W/S

Suburb

Dee Why

Lot no, DP etc.
Area of site (m²)

These details are shown on your rate notices, property deeds, etc

1.2 Work proposed

Please tick appropriate box
Please provide a brief description of the work to be carried out.

Type

Building ☒

Subdivision ☐

Installation of bus shelters as per
council agreement with Adshel

Part 2 Development Details

2.1 Development approvals granted

Provide specific application/approval numbers relevant to the subject development

Development application number

2011/0381

Date consent was granted

And

Construction certificate no.

Date certificate was issued

Or

Complying development certificate number

Date certificate was issued

2.2 Appointment of PCA

Please tick the appropriate box

I have met all the conditions in the development consent or the complying development certificate required to be satisfied before I can begin work. ☐

I have appointed a Principal Certifying Authority. ☐

Name of PCA

WARRINGAH COUNCIL - PCA

Where other than Council

Address of PCA

Phone (not mobile) of PCA ()

Mobile of PCA

Facsimile of PCA ()

Where the PCA is an accredited certifier

Accreditation body of the certifier

Accreditation no. of the certifier

Part 2 Development Details cont.

2.3 Residential building work

Please tick the appropriate box.

Please Note:

Where an owner/builder engages any sub-contractor for any work component exceeding \$12,000 in cost, a contract of insurance pursuant to Part 6 of the Home Building Act 1989 must be in force for each component.

Are you going to build a house or other dwelling or alter or add to a dwelling?

Yes ☐

No ☒ (Go to Part 2.4 Commencement date)

Are you an owner-builder? (The work must be carried out by a licensed builder)

Yes ☐

No ☒

If yes – What is your owner-builder permit no?
(A certified copy must be attached)
(go to Part 2.4 Commencement date)

If no, what is the name of the builder?

What is his/her phone no?

()

What is his/her contractor licence no?

Have you attached evidence (a certificate of a contract of insurance pursuant to Part 6 of the Home Building Act) that the licensed builder is insured to carry out this type of work?

Yes ☐

No ☐

(If no, you must attach a declaration (signed by each owner of the land) that the reasonable market cost of the labour and materials to be used is less than \$12,000).

2.4 Commencement date

Date the work will commence

Minimum notice of two full working days (48 hours) is required under the Environmental Planning and Assessment Act, 1979. Note: This notice period is to begin from the next working day and is not to include the day on which the form is submitted to Warringah Council.

Part 3 Checklist

Checklist

Please tick the appropriate box.

Have you met all relevant conditions?

Yes ☒

No ☐

Have you paid all relevant fees associated with your consent?

Yes ☒

No ☐

This includes long service levy, inspections, S34 contributions and bonds (if applicable)

One of the following must be attached

Current copy of owner builder permit?

Yes ☐

No ☒

Builders insurance for residential works > \$12,000?

Yes ☐

No ☒

Quote from builders for costs of works < \$12,000?

Yes ☐

No ☒



J3 – Pittwater Rd S/O Carter Rd E/S





**Warringah
Council™**

PF3880/Bus-C
Stephen Pinn, Local Approvals Service Unit
ph: (02) 9942 2593 mob: 018 296 173

2 February 2001

Adshel Street Furniture Pty Ltd
3/3 Warrah Street
CHATSWOOD 2067

Construction Certificate

Certificate

I certify that the work if completed in accordance with the attached plans and specifications will comply with the requirements of Section 81A (5) of the *Environmental Planning and Assessment Act 1979* for the following premises:

Address of Property: Site No. 20556 - Pittwater Road, Brookvale

Construction Certificate No: 3081CC1

Description of Work: Bus Shelter

**Date of Endorsement of
Construction Certificate:** 2 February 2001

Name of

Authorised Officer: Stephen Pinn

Signature:

NOTE: Prior to commencement of work Sections 81A (2) (b) and (c), and/or 81A (4) (b) and (c) of the *Environmental Planning and Assessment Act 1979* must be satisfied.

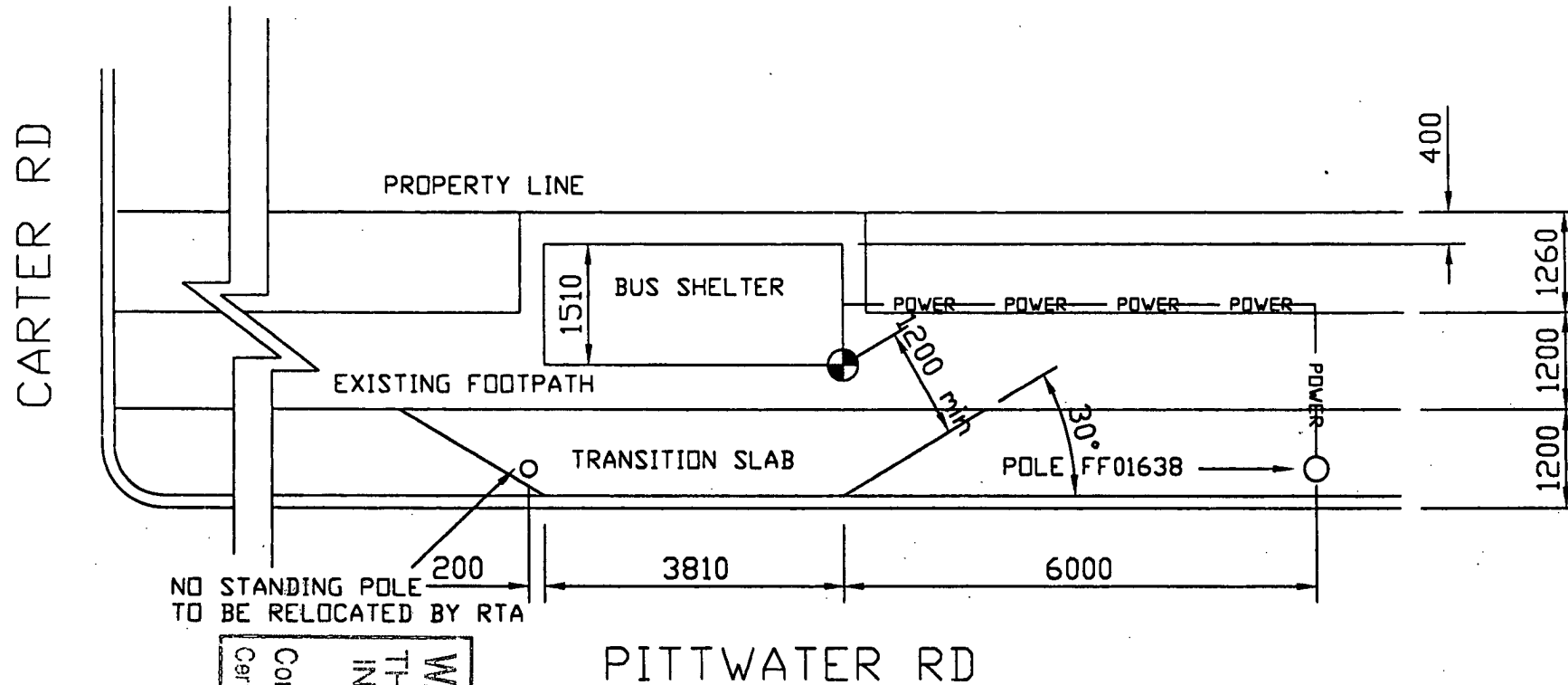
This means that a Notice of Commencement of Building or Subdivision work and Appointment of Principal Certifying Authority must be submitted to Council, giving Council at least 2 days' notice of intention to commence erection of the building. (See form 7).

Development Consent

Consent No: 3081DA

Date of Determination: 2 February 2001

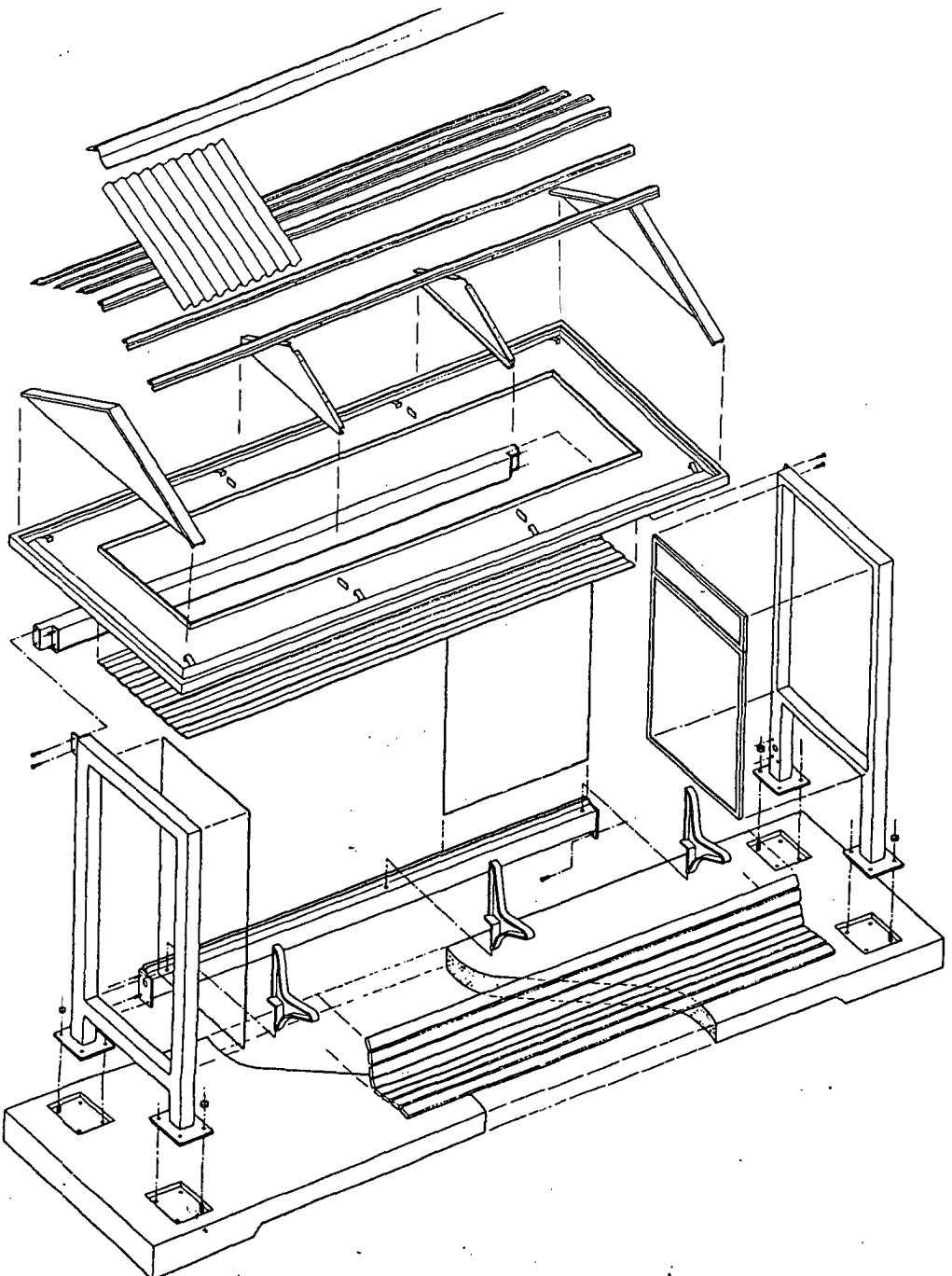
Site No: 20556



WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
Construction
Certificate No 3081CC1



	DESIGNED BY: [] CHECKED BY: [] SCALE: []		NO. OF: [] INTERVAL: [] CUT LENGTH: [] REMARKS: []	
	E/S Pittwater Rd S/O Carter Rd Brookvale		DATE: [] BY: []	
	ADSHEL Pty. Ltd.		DRAWING NO: 00007	



WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
Construction
Certificate No 3081CC1

SCHEDULE 1 : METROLINE @ MARK IV + FOOTINGS

Development Application Determination

DEVELOPMENT APPLICATION DETERMINATION**No:** 3081DA**Lodged:** 22 October 1999 (Amended site details lodged 27 November 2000)**Development Proposal**

Bus shelter.

Site Description

Site No. 20556 – Pittwater Road, Brookvale

Applicant's Name and AddressAdshel Street Furniture Pty Ltd
3/3 Warrah Street
CHATSWOOD 2067**Owner's Name and Address**Warringah Council
Civic Centre
725 Pittwater Road
DEE WHY 2099**Recommendation (Consent)**

That the application for Bus shelter at Site No. 20556 – Pittwater Road, Brookvale be approved subject to conditions as contained in the attached draft consent notice.

Instrument of Exercise of Delegated Authority

The within application is DETERMINED in accordance with the recommendations set out above, including any additional conditions, pursuant to delegated authority granted by the General Manager on 11 August 1998.

 (Signed) 2/2/01 (Date)



**Warringah
Council**

Notice of Determination of Development Application

Development Application No: 3081DA

Development Application Details:

Applicant Name: Adshel Street Furniture Pty Ltd

Applicant Address: 3/3 Warringah Street
CHATSWOOD 2067

Land to be developed (Address): Site No. 20556 – Pittwater Road, Brookvale

Proposed Development: Bus shelter

Determination:

Made on (Date): 2 February 2001 *See note 1*

Determination: Consent 3081DA granted subject to conditions described below

Consent to operate from (Date): 2 February 2001

Consent to lapse on (Date): 2 February 2006

Details of Conditions *See note 2*

(including Section 94 conditions):

The conditions which have been applied to the consent aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.

NOTE: If the works are to be certified by a private certifying authority, then it is the certifiers responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.

1. Development being generally in accordance with plans numbered Site No. 20556, submitted 22 October 1999 as modified by any conditions of this consent/approval. (C1)
2. At least 2 days prior to work commencing on site Council must be informed, by the submission of Form 7 of the Environmental Planning and Assessment Regulation 1998, of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence. (C168)
3. Compliance with Building Code of Australia
 - a. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
 - b. This clause does not apply to the extent to which an exemption is in force under Clause 80H or 80I, subject to the terms of any condition or requirement referred to in Clause 80H (6) or 80I (4). (C375)

4. Protection of Public Places

- a. If the work involved in the erection or demolition of a building:
 - (i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (ii) building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.
- b. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- c. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- d. Any such hoarding, fence or awning is to be removed when the work has been completed. (C381)

Right to Review by the Council

You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 28 days after the date of determination shown on this notice. A fee of \$500.00 will apply.

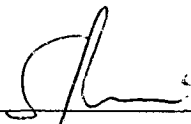
Right of Appeal

If you are dissatisfied with this decision Section 97* of the Environmental Planning & Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

* Section 97 of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.

Signed on behalf of the consent authority

Signature



Name

Stephen Pinn

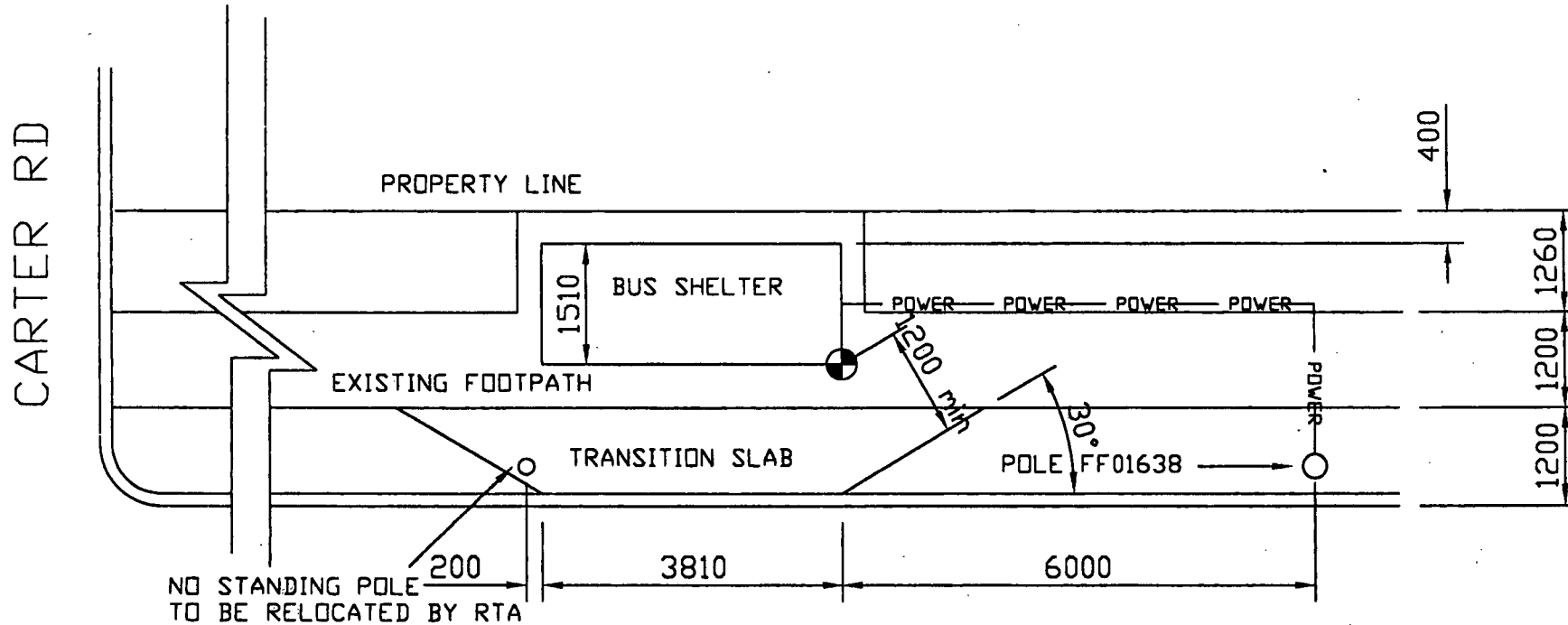
Date

30 January 2001

Note 1 *Where the consent is subject to a condition that the consent is not to operate until the applicant satisfies a particular condition the date should not be endorsed until that condition has been satisfied.*

Note 2 *Clause 69A of the Regulation contains additional particulars to be included in a notice of determination where a condition under Section 94 of the Environmental Planning and Assessment Act 1979 has been imposed.*

Site No: 20556

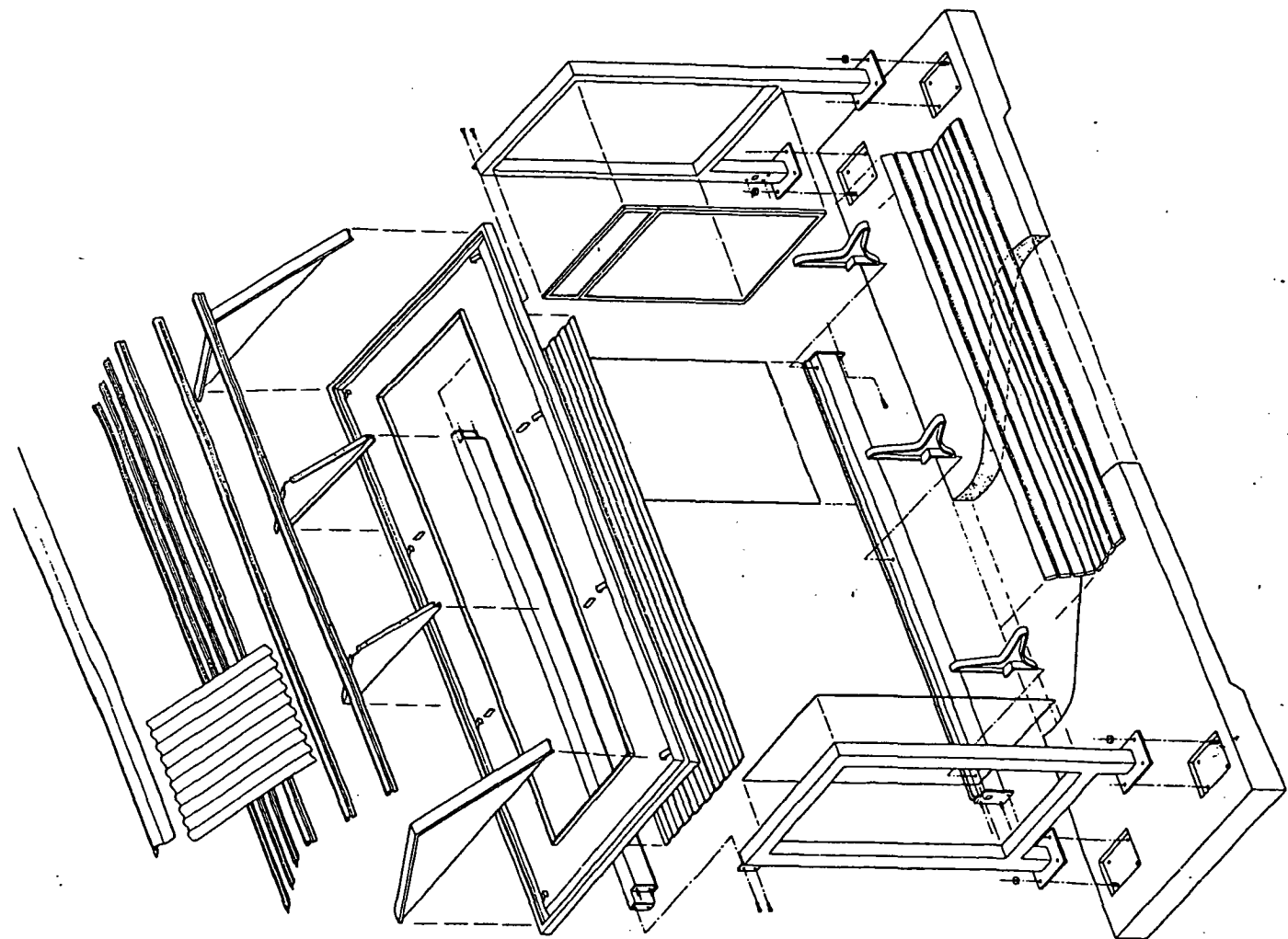


PITTWATER RD



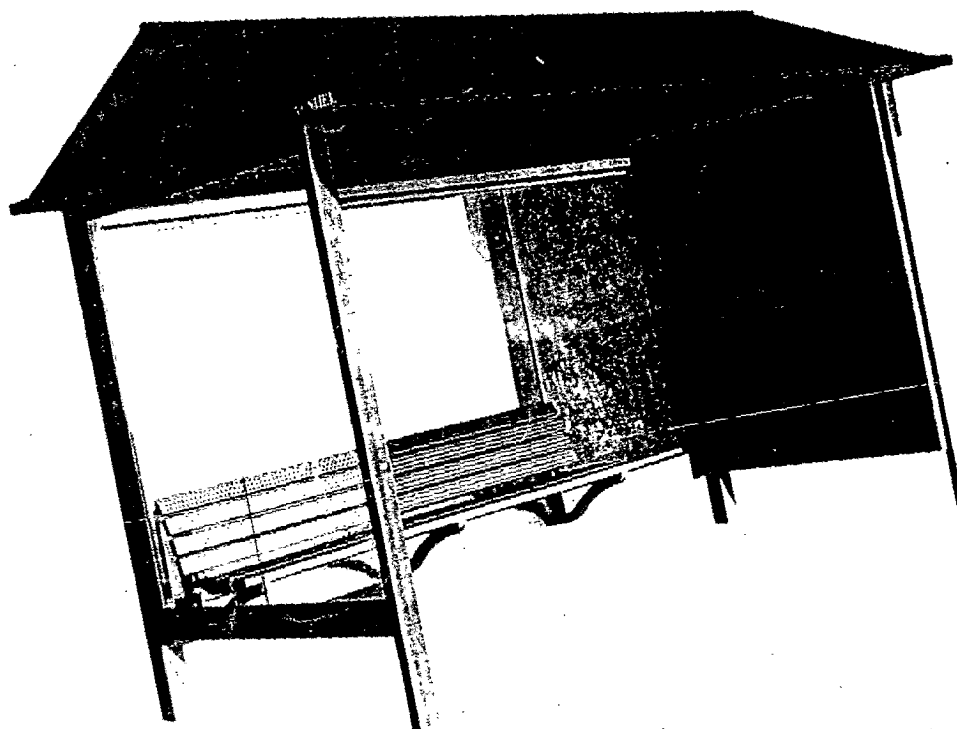
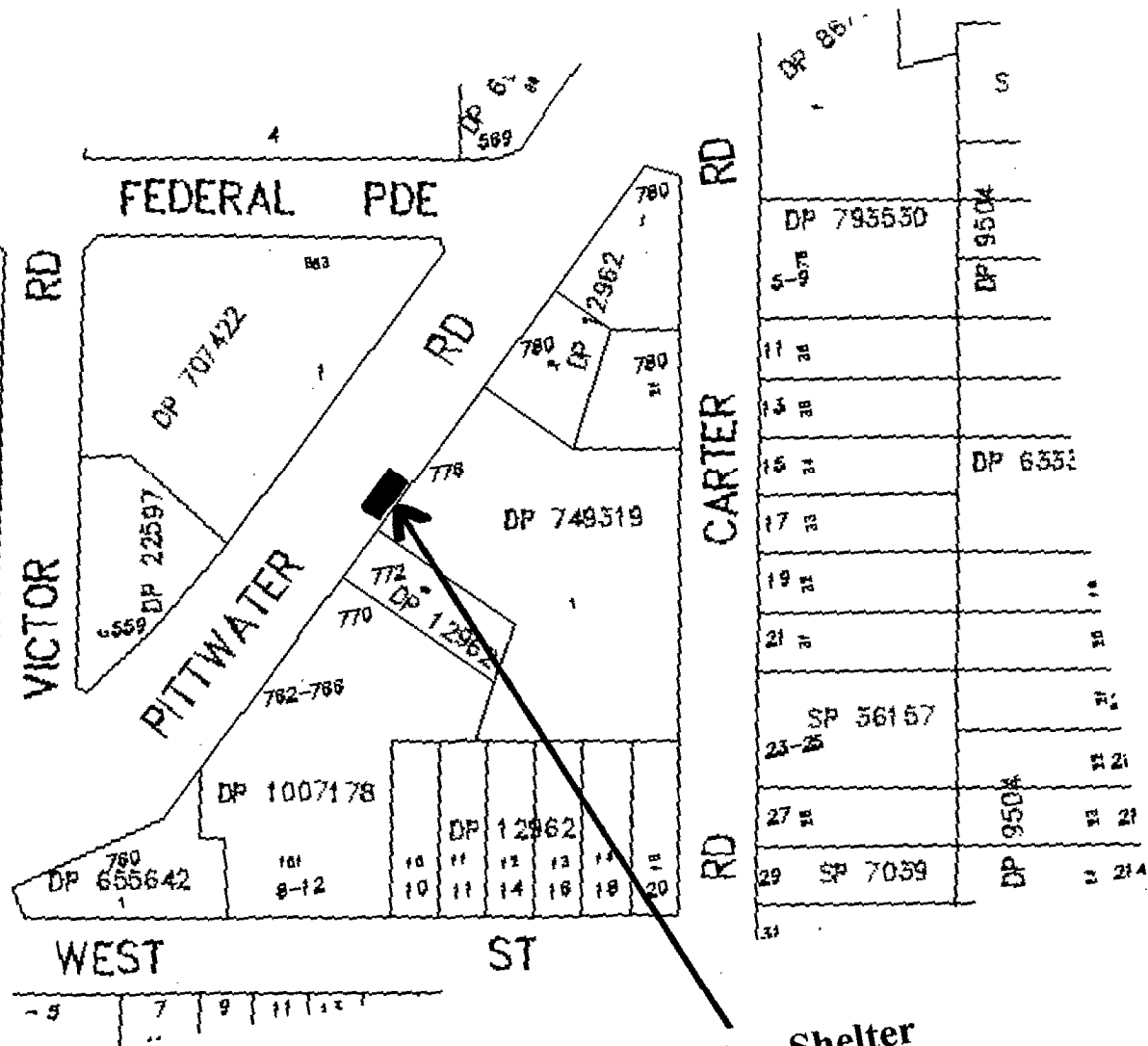
WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
CONSENT
NUMBER 3081DA

	PROJECT NO. DRAWING NO. THIS SHEET PROJECTION DO NOT SCALE	DESCRIPTION E/S Pittwater Rd S/O Carter Rd Brookvale	NO. OF INTERVAL CUT LENGTH REMARKS
	DESIGNED DRAWN SITE CHECKED SCALE DATE 10-0-00	ADSHEL Pty. Ltd.	
DRAWING NOT TO BE COPIED OR TRANSMITTED TO A THIRD PARTY WITHOUT THE WRITTEN PERMISSION OF ADSHEL PTY LTD		A1	00007



WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
CONSENT
NUMBER 3081DA

SCHEDULE 1 : METROLITE® MARK IV + FOOTINGS





J7 – Howard Ave E/O Pittwater Rd S/S





**Warringah
Council**

Notice of Determination of Development Application

Development Application No: 5046DA

Development Application Details:

Applicant Name: Adshel Street Furniture Pty Ltd
 Applicant Address: 3/3 Warrah Street
 CHATSWOOD 2067

Land to be developed (Address): Site Nos. 20587 & 20588, Howard Avenue,
 near Pittwater Road, Dee Why

Proposed Development: Two Shelters

Determination:

Made on (Date): 5 February 2001 *See note 1*

Determination: **Consent 5046DA** granted subject to
 conditions described below

Consent to operate from (Date): 5 February 2001

Consent to lapse on (Date): 5 February 2006

Details of Conditions *See note 2*

(including Section 94 conditions):

The conditions which have been applied to the consent aim to ensure that the Environmental Impacts of Development are minimised and the Health and Safety of the community is maintained in accordance with the relevant standards and the Building Code of Australia.

NOTE:

If the works are to be certified by a private certifying authority, then it is the certifiers responsibility to ensure all outstanding fees and bonds have been paid to Council prior to the issue of the Construction Certificate or as otherwise specified by Consent conditions.

1. Development being generally in accordance with plans numbered Site Nos. 20587 & 20588, submitted 8 January 2001 as modified by any conditions of this consent/approval. (C1)
2. At least 2 days prior to work commencing on site Council must be informed, by the submission of Form 7 of the Environmental Planning and Assessment Regulation 1998, of the name and details of the Principal Certifying Authority and the date construction work is proposed to commence. (C168)
3. Compliance with Building Code of Australia
 - a. All building work must be carried out in accordance with the provisions of the Building Code of Australia.
 - b. This clause does not apply to the extent to which an exemption is in force under Clause 80H or 80I, subject to the terms of any condition or requirement referred to in Clause 80H (6) or 80I (4). (C375)

4. Protection of Public Places

- a. If the work involved in the erection or demolition of a building:
 - (i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (ii) building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.
- b. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- c. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- d. Any such hoarding, fence or awning is to be removed when the work has been completed. (C381)

Right to Review by the Council

You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 28 days after the date of determination shown on this notice. A fee of \$500.00 will apply.

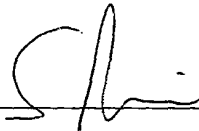
Right of Appeal

If you are dissatisfied with this decision Section 97* of the Environmental Planning & Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

* Section 97 of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.

Signed on behalf of the consent authority

Signature



Name

Stephen Pinn

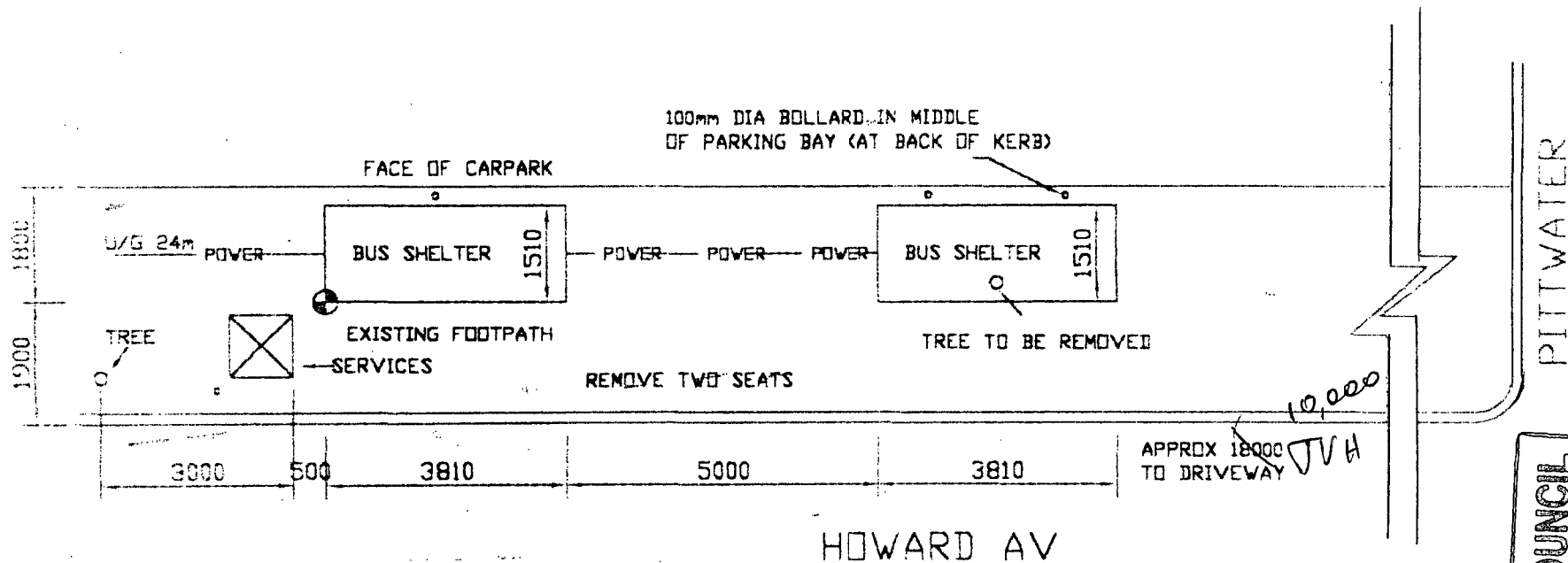
Date

5 February 2001

Note 1 *Where the consent is subject to a condition that the consent is not to operate until the applicant satisfies a particular condition the date should not be endorsed until that condition has been satisfied.*

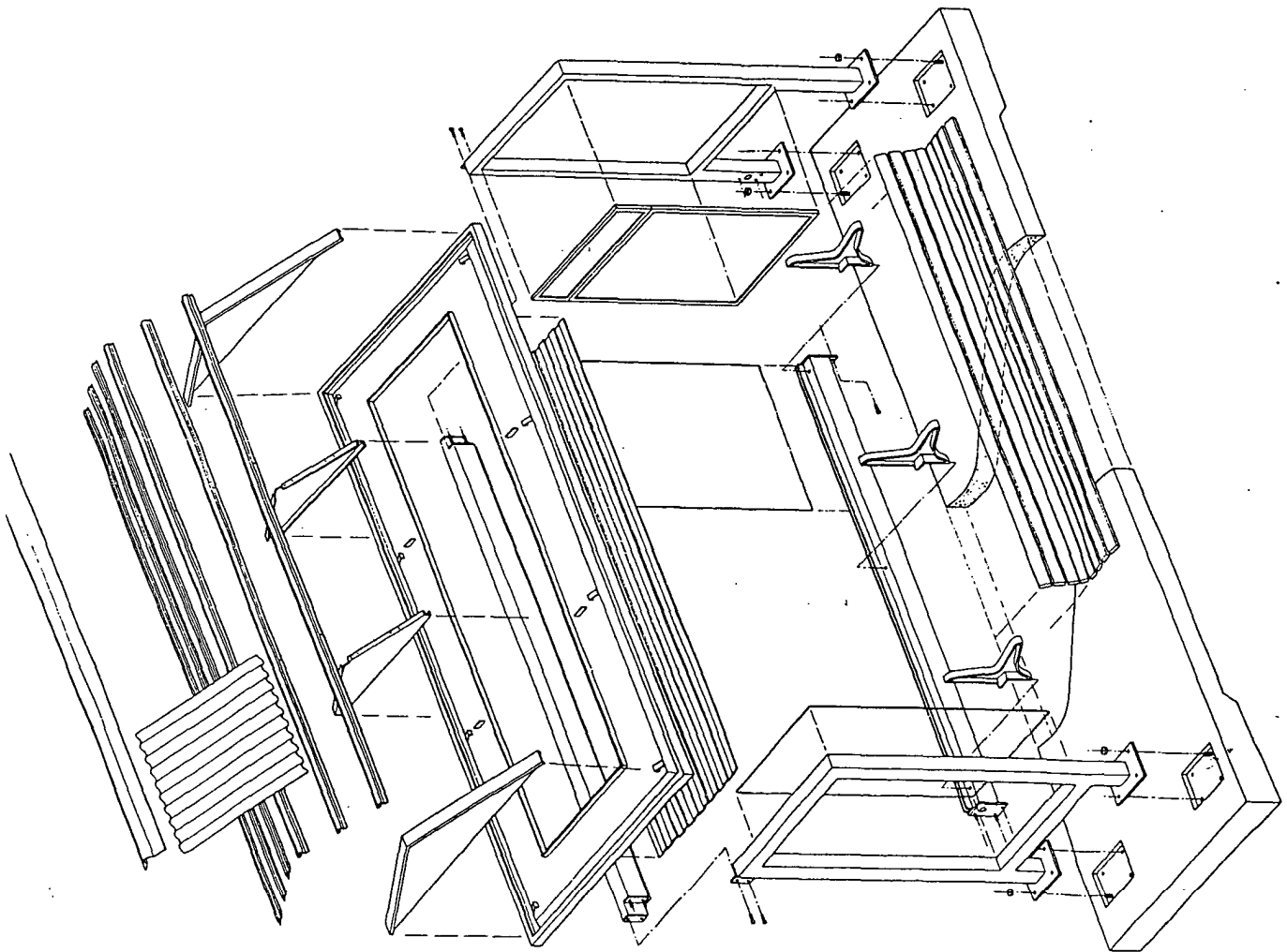
Note 2 *Clause 69A of the Regulation contains additional particulars to be included in a notice of determination where a condition under Section 94 of the Environmental Planning and Assessment Act 1979 has been imposed.*

Site Nos. 20587 & 20588



WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
CONSENT
NUMBER5046.AA

		S/S Howard Ave E/O Pittwater Rd Dee Whv ADSEW Pty. Ltd.
	AI	



WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
CONSENT
NUMBER5046.AA

SCHEDULE 1 : METROLITE® MARK IV + FOOTINGS

Development Application Determination

DEVELOPMENT APPLICATION DETERMINATION

No: 5046DA
Lodged: 19 October 2000

Development Proposal

Bus Shelter.

Site Description

Site Nos. 20587 & 20588, Howard Avenue, near Pittwater Road, Dee Why

Applicant's Name and Address

Adshel Street Furniture Pty Ltd
3/3 Warrah Street
CHATSWOOD 2067

Owner's Name and Address

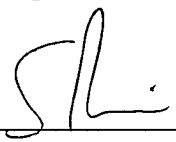
Warringah Council
Civic Centre
725 Pittwater Road
DEE WHY 2099

Recommendation (Consent)

That the application for two Shelters at Site Nos. 20587 & 20588, Howard Avenue, near Pittwater Road, Dee Why, be approved subject to conditions as contained in the attached draft consent notice.

Instrument of Exercise of Delegated Authority

The within application is DETERMINED in accordance with the recommendations set out above, including any additional conditions, pursuant to delegated authority granted by the General Manager on 10 April 2000.

 (Signed) 5/2/01 (Date)

ITEM

