PLANNING INGENUITY

STATEMENT OF ENVIRONMENTAL EFFECTS

(BUS SHELTER ADVERTISING)

Digital Advertising Signage

DA2 (Signs E1-E6)

Former Warringah Council

Prepared for: oOh! Media Street Furniture Pty Ltd

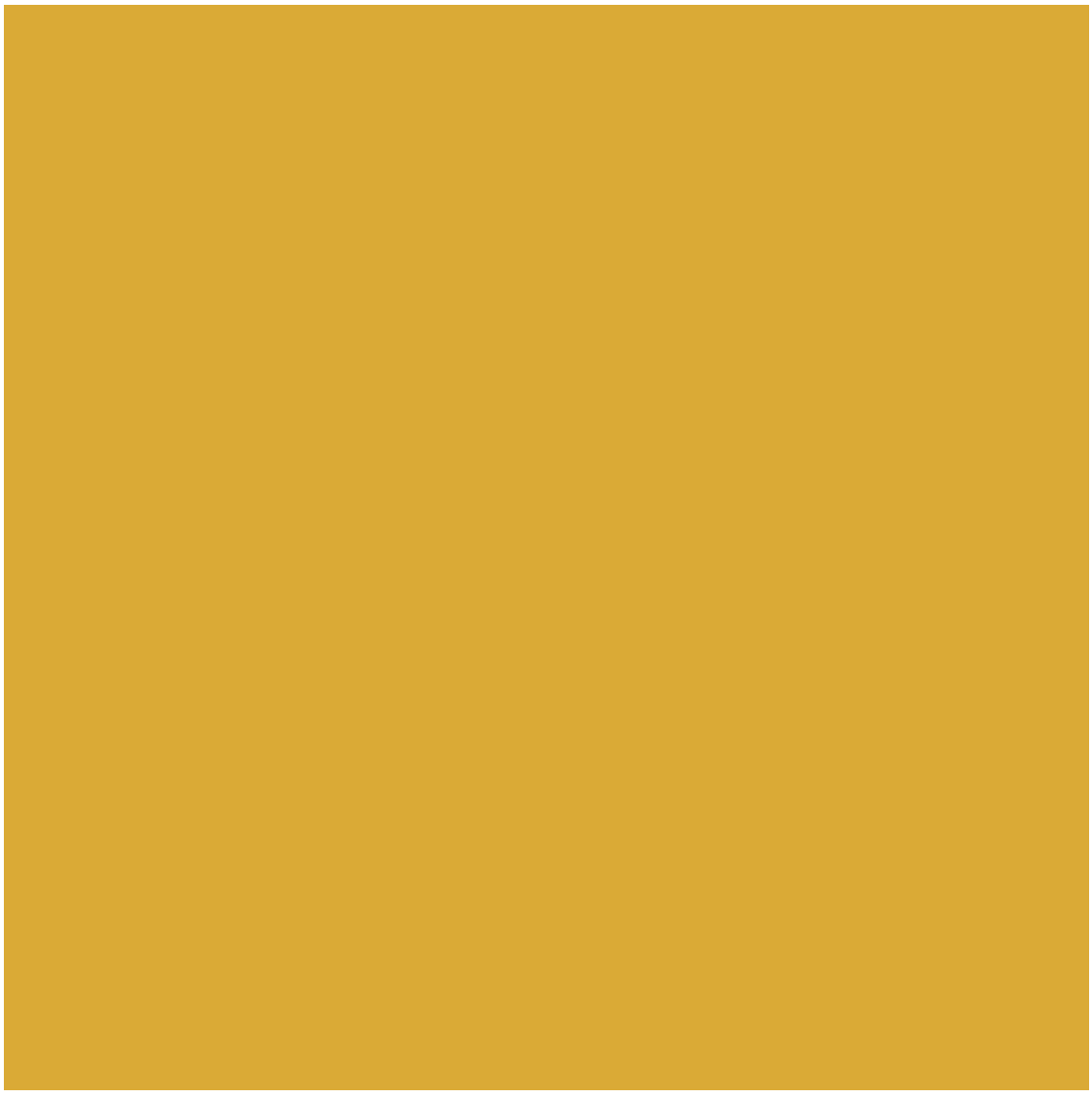
REF: M240481
DATE: 14 July 2025



PLANNING
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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 six (6) select public bus stop shelters within the Warringah LEP area, 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 Statement also 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-F**.

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, Pittwater and Warringah 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
Traffic Engineering	
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.	Noted. The content displayed in the digital advertising panels will be in accordance with the contract arrangements. Refer to Section 4.1.4 of this Statement for details on signage content.
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.	The proposed digital 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 E1-E2 and E6 will have a dwell time of 10 seconds. Signs E3-E5 are static signs.
Heritage Advisor	
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 E6 is located in proximity to local heritage item *I25 "House"*. This is addressed in Section 5.3.3 of this Statement. The signage is of a modest scale and is not considered to adversely impact the heritage significance of the item. The remaining bus stops are not 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.	
<u>Documentation to accompany the development application</u>	
• 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.	Noted. The relevant Owners Consent will be obtained and submitted with the Development Application.
• Statement of Environmental Effects	This document.
• Details addressing SEPP (Industry and Employment) 2021 – Chapter 3	Refer to Section 5.2.2 of this Statement and **Annexures A** to **F.**

• 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.)
• Scaled and dimensioned plans:
  ○ Site Plan/s – area and specific;
  ○ Elevations; and
  ○ Signage details (generic)
  ○ Details of LUX and rotation time / scrolling interval of advertisements
	The current advertisements on the shelter sites enjoy existing use rights. Existing use rights and Planning Circular PS21-008 is addressed in Section 5.1 and 5.2.6 of this Statement.
	Site cards have been prepared by *oOh! Media* and are included in **Annexure G** of this Statement.

• Cost of works estimate	A cost of works estimate has been prepared and is submitted with the application.
• Site location plan for each bus stop	Noted.
• Closest property address included for each shelter	Noted.
• Waste Management Plan (minimal if disposal of old sign boards only)	Noted.
• See also the provisions of the publication titled 'Transport Corridor Outdoor Advertising and Signage Guidelines approved by the Minister for the purposes of the State Environmental Planning Policy	Noted.

Table 1 Pre DA- meeting discussions

Concluding Comments	
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 **F** 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 E1, E2, E4, E5 and E6 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 six (6) advertising structures at various existing bus shelters within the Warringah LEP area, known as E1, E2, E3, E4, E5 and E6. Each of these sites are described in Section 3 of this Statement.

2.2 PREVIOUS APPOVALS

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 signs E2 and E3 are detailed below. Signs E1 and E4 rely upon existing use rights being consent for construction of a bus shelter with the location of signage consistent with the other approval. Signs E5 and E6 rely upon existing use rights in the form of a commercial lease agreement for advertising signage. Refer to Section 5.1 of this Statement for detailed discussion on existing use rights, including that within lease agreements and permissibility.

2.2.1 Bus Shelter E1 on Pittwater Road, in front of 1017 Pittwater Road, Collaroy

On 1 March 2000, former Warringah Council granted Development Consent to Development Application 305DA for *construction of a bus shelter* at Site No.20543 outside 1017 Pittwater Road, Collaroy.

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 Construction Certificate Documentation.

2.2.2 Bus Shelter E2 on Pittwater Road, in front of 1195 Pittwater Road, Collaroy

On 11 October 2011, former Warringah Council granted Development Consent to Development Application DA2011/0565 for *construction of a bus shelter with signage* at Bus Stop No.2097019 on the Road reserve on the Western Side of Pittwater Road, South of Ramsay Street, Collaroy.

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 11 October 2011. In accordance with Condition 3 above, the consent expires on 10 October 2026. At the date of this Statement, 14 July 2025, the consent for advertising signage at the site remains valid.

2.2.3 Bus Shelter E3 on Veterans Parade, in front of 52 Veterans Parade, Collaroy Plateau

On 11 October 2011, former Warringah Council granted Development Consent to Development Application DA2011/0638 for *construction of Bus Shelter with signage on road reserve in front of 52 Veterans Parade, Collaroy Plateau.*

Similar to Bus Shelter E2 above, this included a 15-year limitation on development consent for signage.

As detailed in the Notice of Determination, the date of which the consent operated from was 11 October 2011. In accordance with Condition 3 above, the consent expires on 10 October 2026. At the date of this Statement, 14 July 2025, the consent for advertising signage at the site remains valid.

2.2.4 Bus Shelter E4 on Pittwater Road, in front of 993 Pittwater Road, Collaroy

On 21 December 1999, former Warringah Council Development Consent to Development Application 3071DA for *construction of a bus shelter* at Site No.20542 at Pittwater Road, Collaroy.

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 Construction Certificate Documentation.

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

No previous consent could be found for signs E5 – E6, despite repeated GIPA applications and discussions with Council staff. The commercial lease agreement with the then Warringah Council providing evidence of the existence of the signs is provided in **Annexure H**.

3. Site Analysis and Context

3.1 THE SITES

This application relates to the upgrade of six (6) existing bus shelter advertisements to include new digital and static signage in various locations throughout the Northern Beaches LGA. The signage is proposed at the following locations:

- Bus Stop E1 on Pittwater Road, in front of 1017 Pittwater Road, Collaroy
- Bus Stop E2 on Pittwater Road, in front of 1195 Pittwater Road, Collaroy
- Bus Stop E3 on Veterans Parade, in front of 52 Veterans Parade, Collaroy Plateau
- Bus Stop E4 on Pittwater Road, in front of 993 Pittwater Road, Collaroy
- Bus Stop E5 on Pittwater Road, in front of 1126 Pittwater Road, Collaroy
- Bus Stop E6 on Pittwater Road, in front of 1251 Pittwater Road, Narrabeen

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

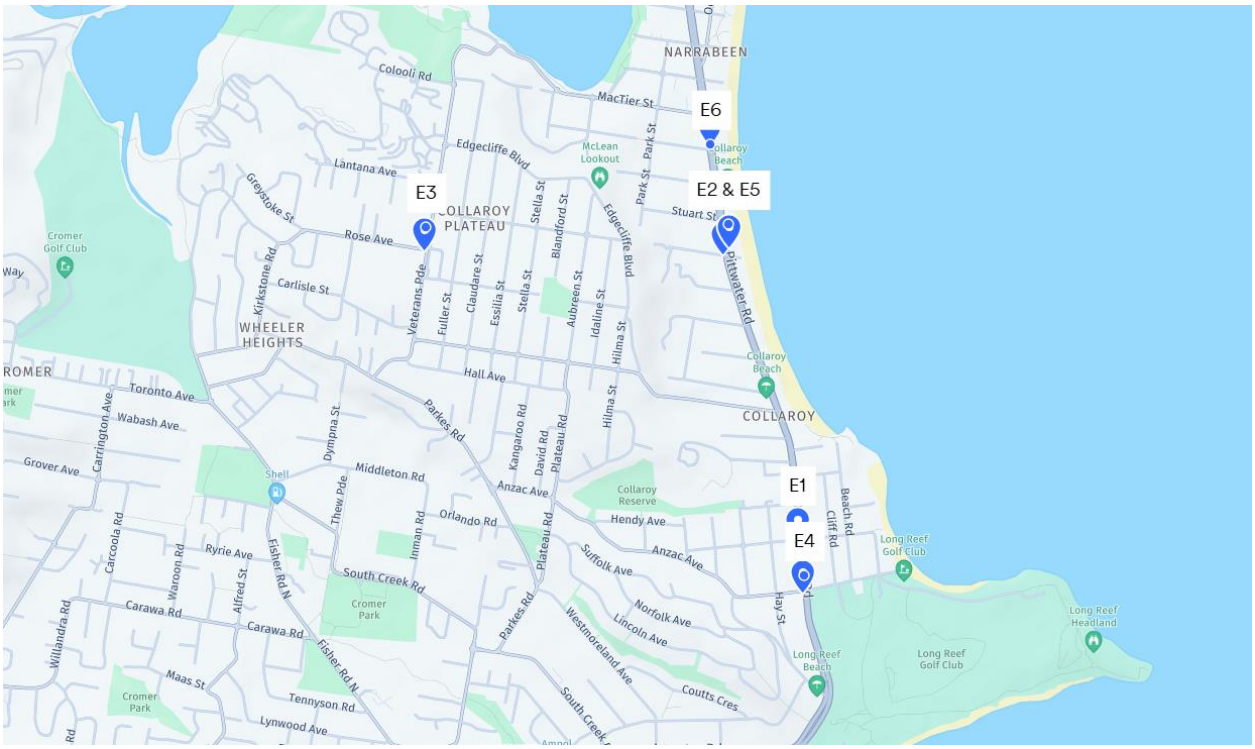


Figure 1 Site context plan (Source: *Nearmap*)

Images of the existing bus shelters are provided in **Figures 2** to **7** below.



Figure 2 Existing E1 Bus Stop and Shelter on Pittwater Road, in front of 1017 Pittwater Road



Figure 3 Existing E2 Bus Stop and Shelter on Pittwater Road, in front of 1195 Pittwater Road



Figure 4 Existing E3 Bus Stop and Shelter on Veterans Parade, in front of 52 Veterans Parade



Figure 5 Existing E4 Bus Stop on Pittwater Road, in front of 993 Pittwater Road



Figure 6 Existing E5 Bus Stop on Pittwater Road, in front of 1126 Pittwater Road



Figure 7 Existing E6 Bus Stop on Pittwater Road, 1251 Pittwater Road

4. Description of the proposal

4.1.1 Proposed Signage

It is proposed to replace the current static (paper) advertising panels, with new digital 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 new advertising panels. Of these new panels:

- Three (3) will contain Double Sided Static (DSS) signage (E3-E5);
- One (1) will contain Digital/Static (D/S) (E1) and;
- Two (2) will contain Double Sided Digital (DSD) signage (E2 and E6).

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
ITS00292	E1	Pittwater Road, in front of 1017 Pittwater Road, Collaroy	Collaroy	Warringah Council	3053DA	D/S	SP2
ITS00279	E2	Pittwater Road in front of 1195 Pittwater Road, Collaroy	Collaroy	Warringah Council	DA2011/0565	DSD	SP2
ITS00011	E3	Veterans Parade, in front of 52 Veterans Parade, Collaroy Plateau	Collaroy Plateau	Warringah Council	DA2011/0638	DSS	R2
ITS00144	E4	Pittwater Road, in front of 993 Pittwater Road, Collaroy	Collaroy	Warringah Council	3071DA	DSS	SP2
ITS00160	E5	Pittwater Road, opposite 1126 Pittwater Road, Collaroy	Collaroy	Warringah Council	Lease agreement	DSS	SP2
ITS00159	E6	Pittwater Road, opposite 1251 Pittwater Road	Narrabeen	Warringah Council	Lease agreement	DSD	SP2

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
Static/Static						
Universal MK3	Rear illuminated poster	1750 x 1150mm	300nits (illuminated night only)	240 VAC, 0.25A (max)	60W (max)	N/A
Digital /Digital						
E-Box DS75DD	75” Portrait, LED digital display	1650 x 945mm	300nits (night) 3500nits (day)	240 VAC, 6.25A (max)	1500W (max), 500W (ave)	Managed by on-board 4G Broadband router
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
	(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 G.**

The existing E1, E4, E5 and E6 shelters are in the style *Pitched Roof Metro*. **Figures 8** to **10** below illustrates the standard design details and elevations of each of the new digital advertising panels.

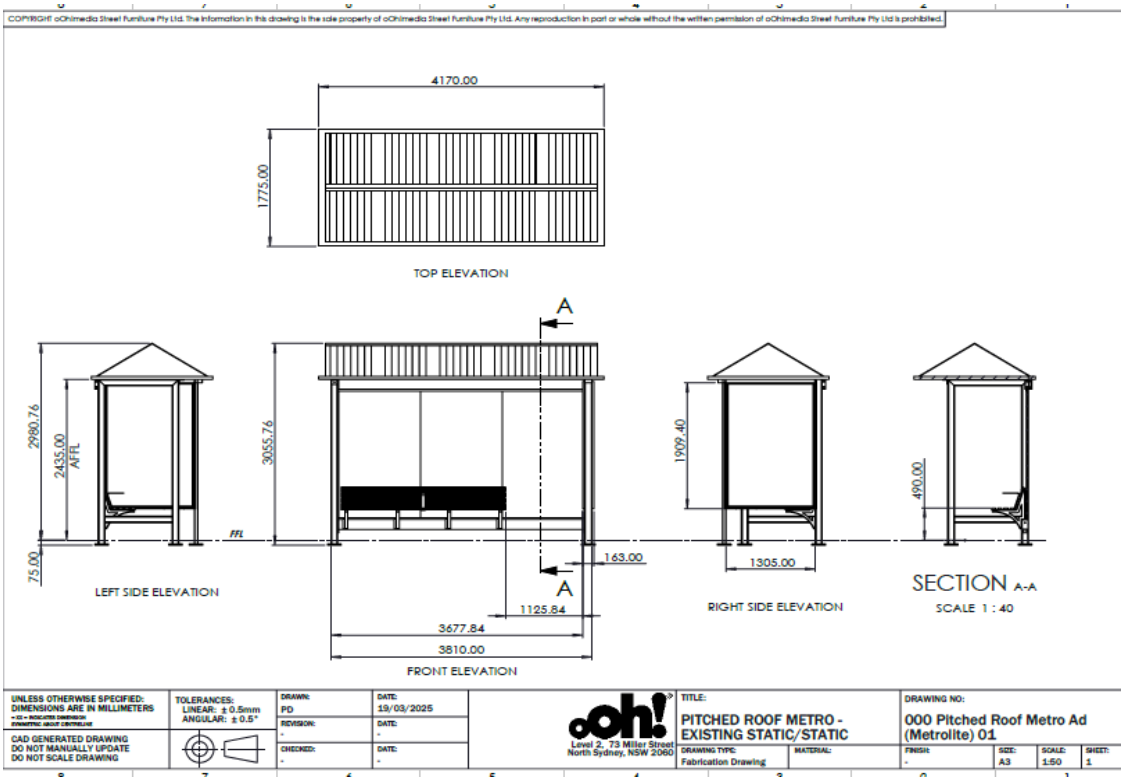


Figure 8 Proposed Static/Static Signage Elevation – Pitched Roof Metro

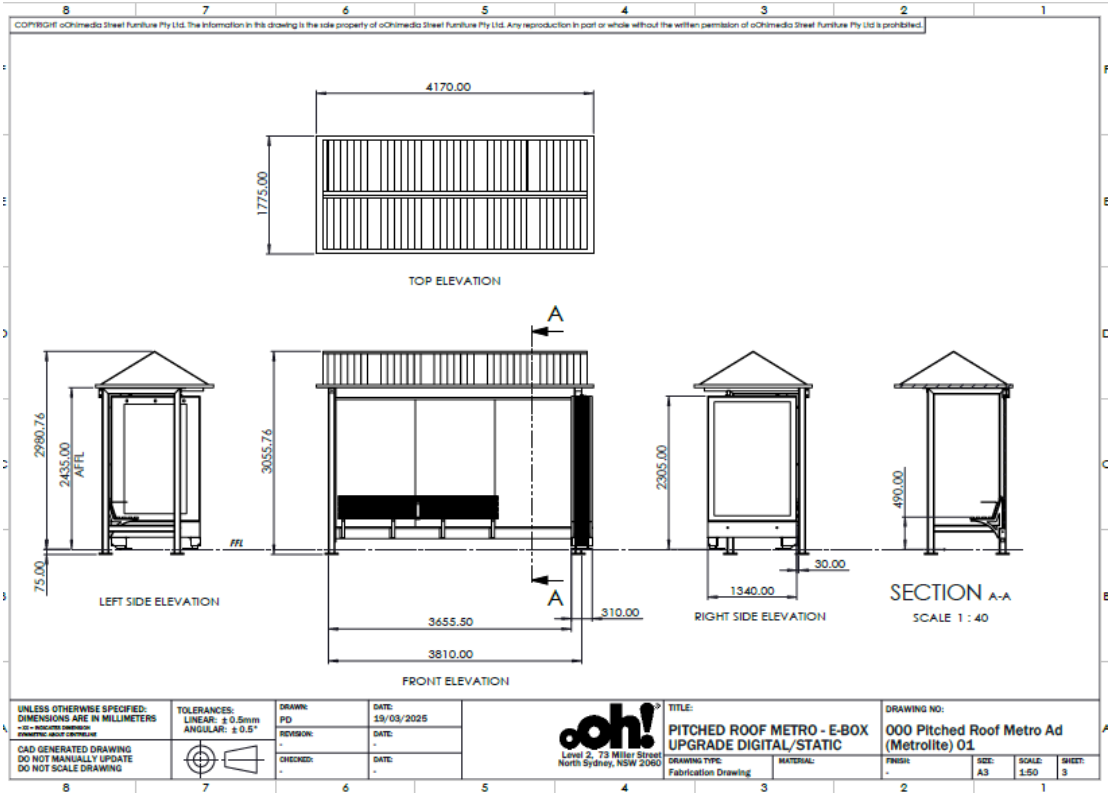


Figure 9 Proposed Digital/Static Signage Elevation – Pitched Roof Metro

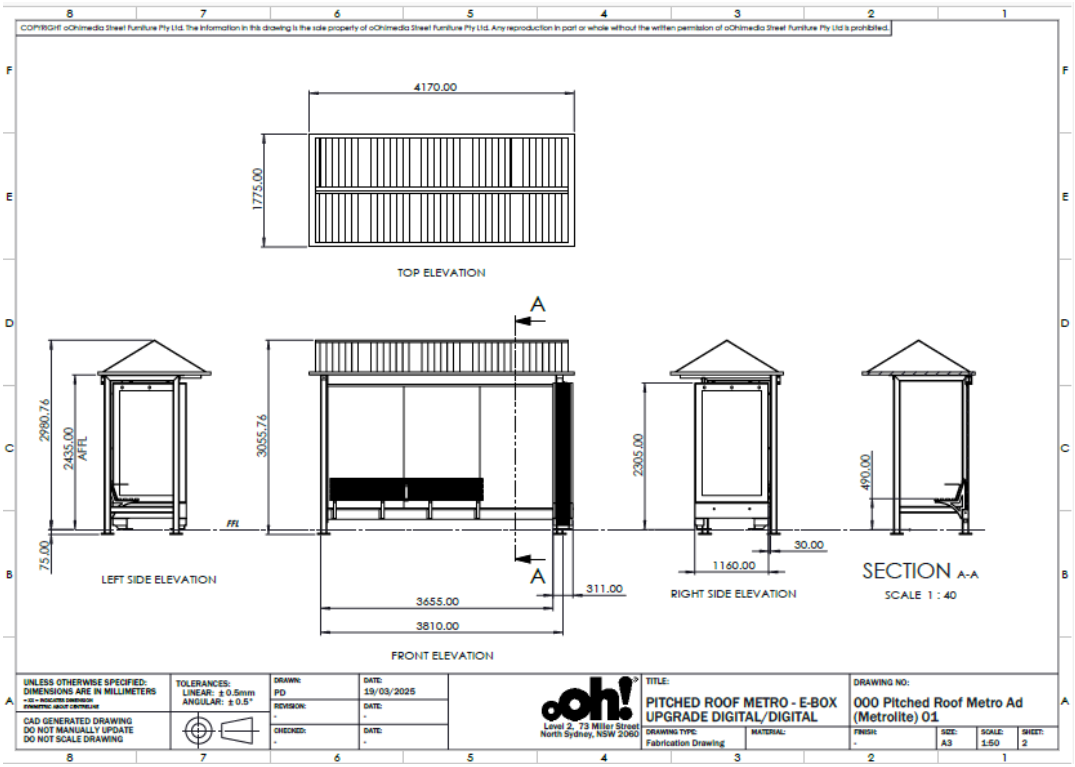


Figure 10 Proposed Digital/Digital Signage Elevation – Pitched Roof Metro

The existing E2 and E3 shelters are in the style *Rationalised Federation*. **Figures 11** and **12** below illustrates the standard design details and elevations of each of the new digital advertising panels.

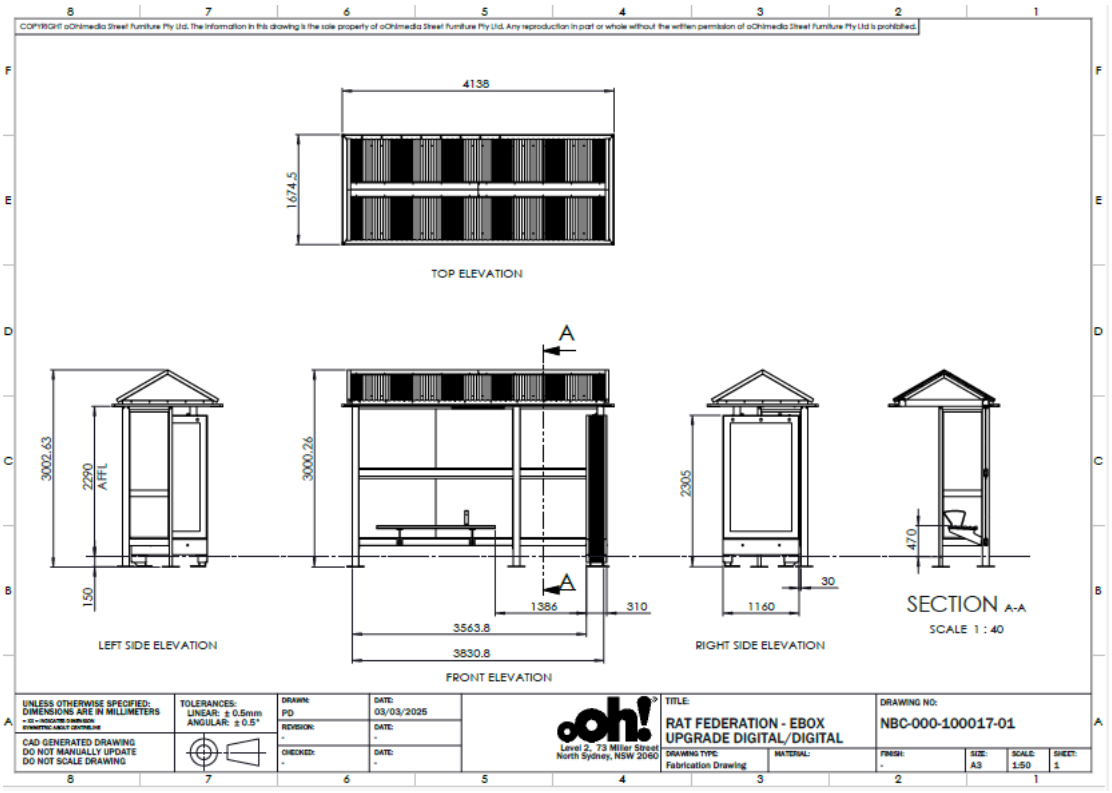


Figure 11 Proposed Digital/Digital Signage Elevation – Rationalised Federation

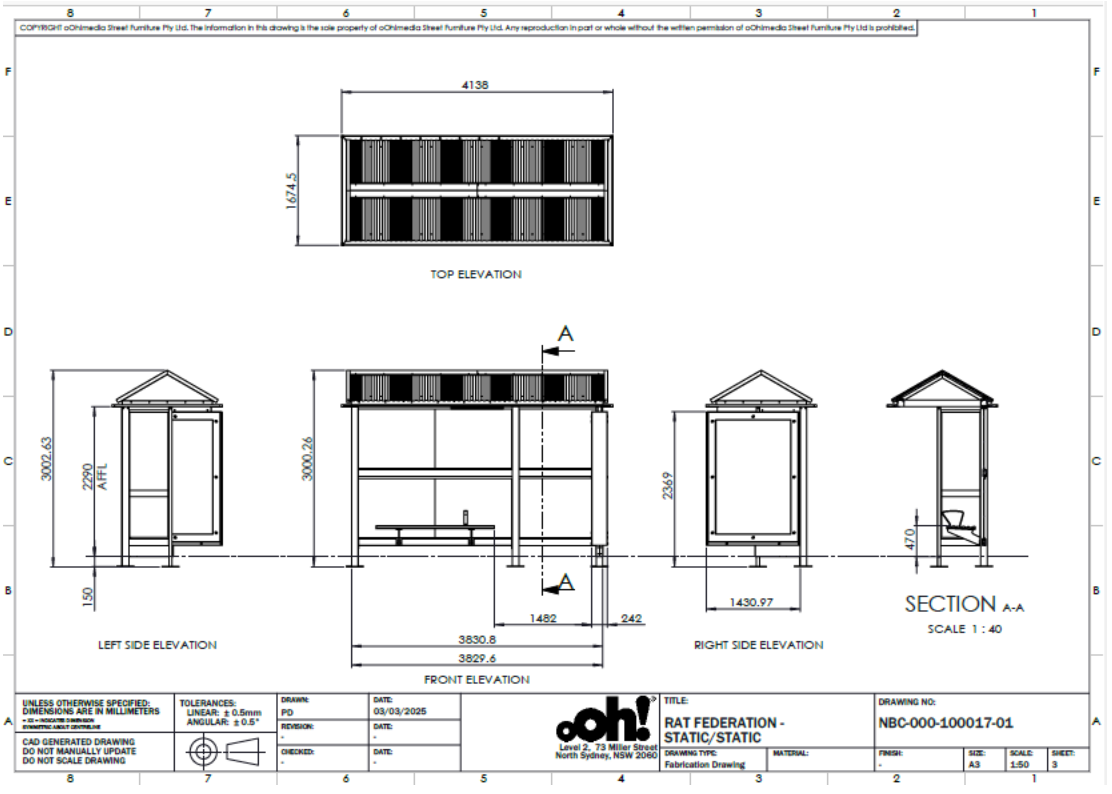


Figure 12 Proposed Static/Static Signage Elevation – Rationalised Federation

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.			
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 **F**.

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 advertisings 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 - Weekley
- 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 o*Oh! 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 and/or 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 previous approvals, for the existing E1 to E4 bus shelter sites, but not E5-E6. Refer to Section 2.2 of this Statement.

In regard to bus shelter sites E5 and E6, a review of historical Council Lease Agreements between former Warringah Council and *Australian Posters Pty Ltd* identifies these bus shelter sites as advertising shelters. It's noted the current owner of these bus shelter sites is *oOh! Media.* Refer to Section 5.1.5 and 5.1.6 of this Statement below.

Under the Warringah Local Environmental Plan 2011 (WLEP 2011), 'signage' is not specified in item 2 or 3 and are now prohibited on SP2 Zoned land for shelter sites E1, E2, E4, E5 and E6 and R2 Zoned land for shelter site E3. Notwithstanding the WLEP 2011 provisions, the bus shelter advertising enjoys the benefit 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 and/or 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-F**.

Existing use rights apply to these shelter sites as follows:

Table 5 Existing Use Rights (Shelter E1-E6)

Shelter No.	Address	Zone	DA No.	Type of Approval
E1	Pittwater Road, in front of 1017 Pittwater Road, Collaroy	SP2	3053DA	Bus shelter
E2	Pittwater Road, in front of 1195 Pittwater Road, Collaroy	SP2	DA2011/0565	Bus shelter with signage
E3	Veterans Parade, in front of 52 Veterans Parade, Collaroy Plateau	R2	DA2011/0638	Bus shelter with signage
E4	Pittwater Road, in front of 993 Pittwater Road, Collaroy	SP2	3071DA	Bus shelter
E5	Pittwater Road, opposite 1126 Pittwater Road, Collaroy	SP2	Lease agreement	Commercial Agreement
E6	Pittwater Road, opposite 1251 Pittwater Road	SP2	Lease agreement	Commercial Agreement

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 E1 on Pittwater Road, in front of 1017 Pittwater Road, Collaroy

On 1 March 2000, DA3053 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. **Figure 13** below depicts the stamped plans for DA3053, 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.

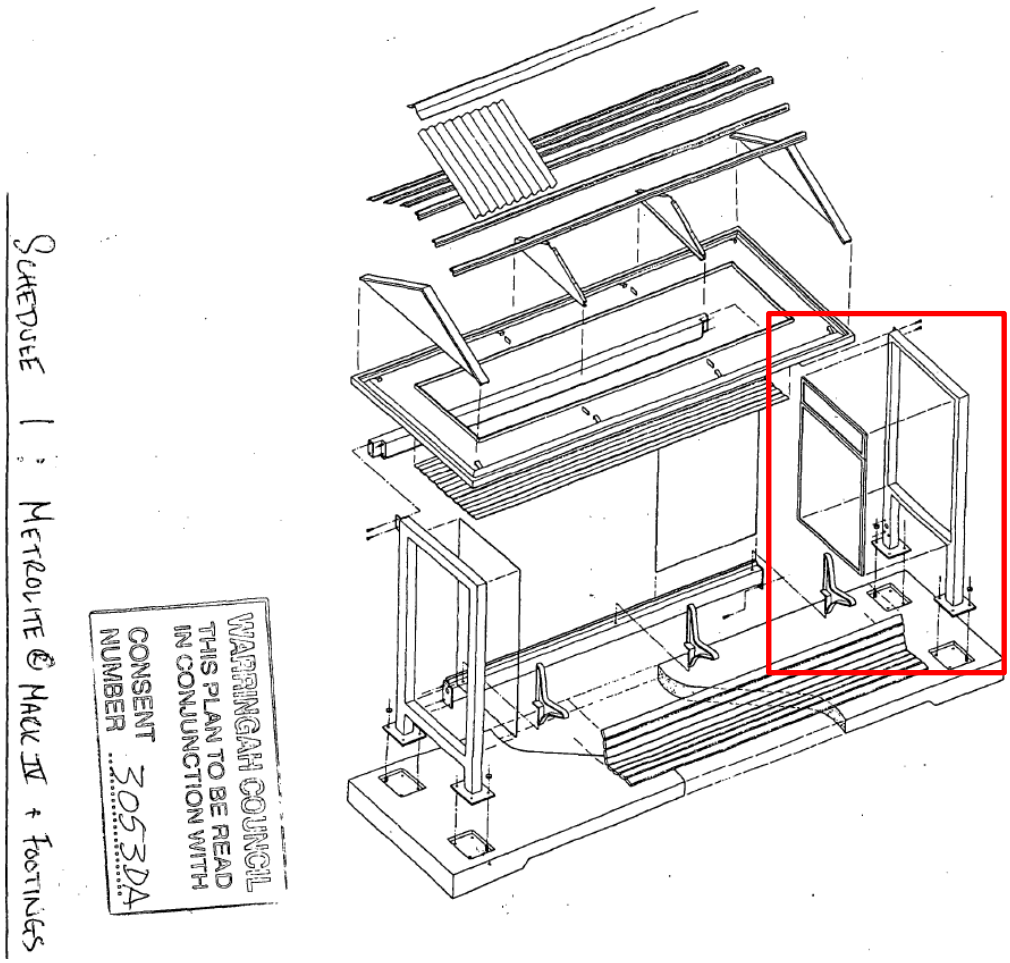


Figure 13 Shelter E1 DA3053 Stamped Plan indicating advertising panel (outlined red)

As depicted in **Figure 13** 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 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 14** below. The compilation of street view images confirms the likely continuous use of the signs.

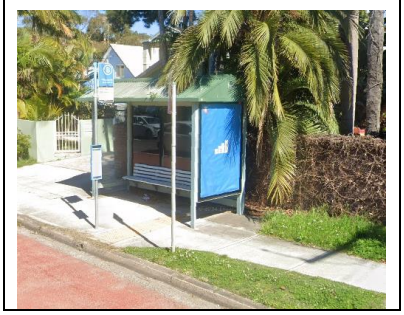
November 2013 	Images not available for 2014 and 2015	December 2016 
December 2017 	October 2018 	September 2019 
November 2020 	December 2021 	Images not available for 2022 and 2023
August 2024 		

Figure 14 Shelter E1 Google Street View

As detailed above, this application seeks to intensity the existing use rights on the shelter site by replacing the existing paper advertisements, with illuminated one side digital and one side 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 E2 on Pittwater Road, in front of 1195 Pittwater Road, Collaroy

At the time DA2011/0565 was approved (11 October 2011), advertising signage was permissible with development consent under the *Warringah Local Environmental Plan 2000*. **Figure 15** and **16** below depicts the submitted DA and stamped CC plans for DA2011/0565, with the advertising panel outlined red.

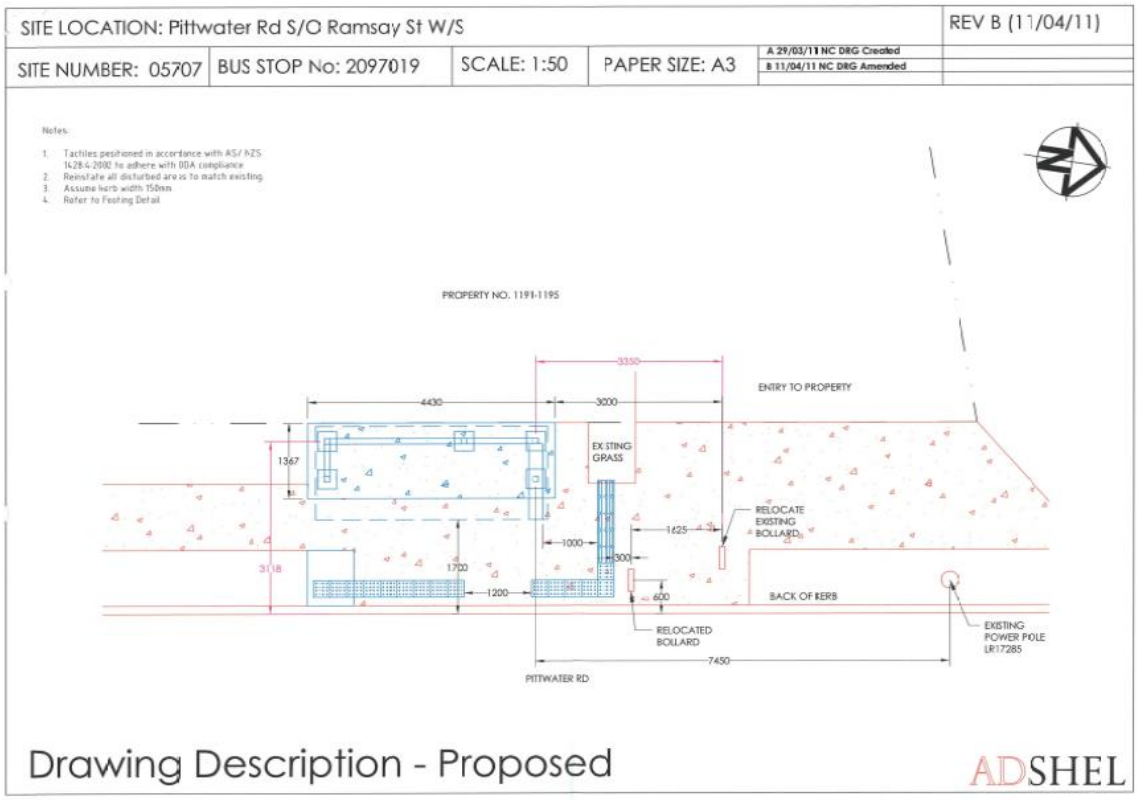


Figure 15 Shelter E2 DA2011/0565 Submitted Site Plan

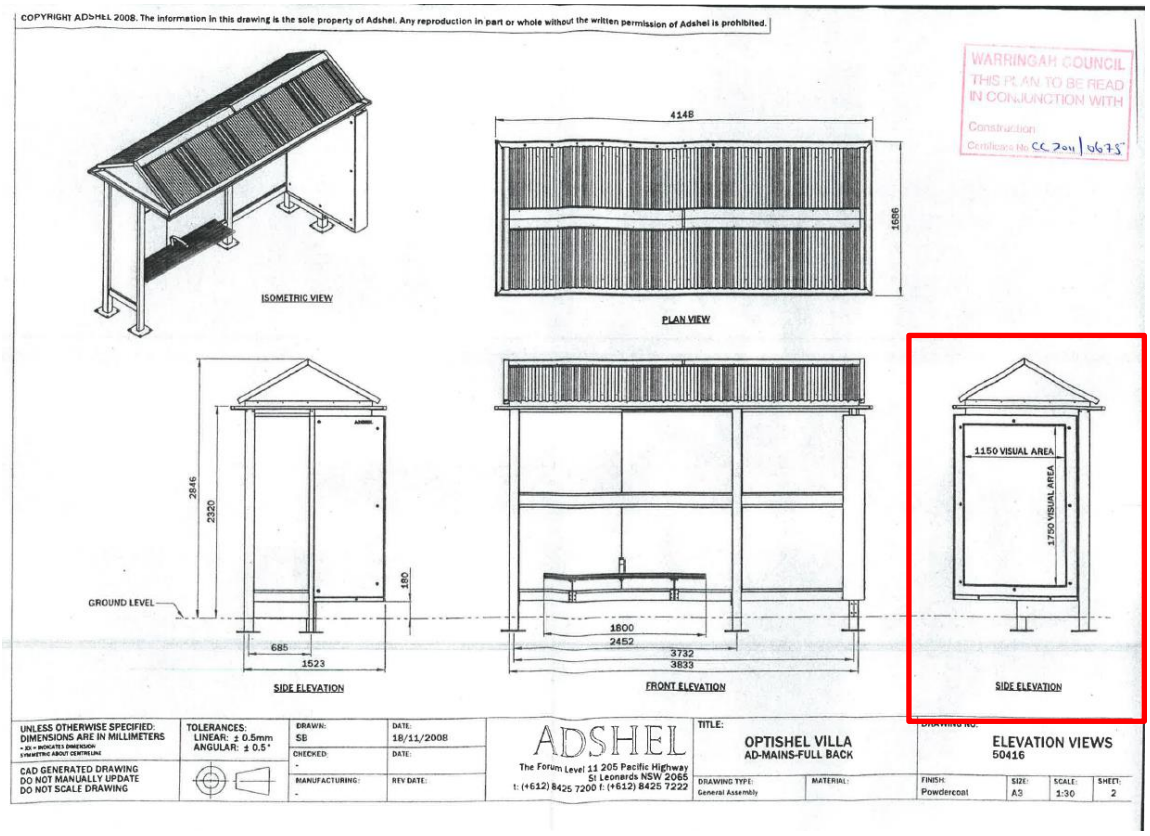


Figure 16 Shelter E2 DA2011/0565 Stamped CC Elevations

The site is identified as falling within the Land Use Category 2 in Locality D3 Collaroy Footslopes, as illustrated in the zoning map and as per the land use table reproduced below:



Figure 17 Extract from the WLEP D3 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 D3 Locality (our underline)

DESIRED FUTURE CHARACTER

The Collaroy Footslopes locality will remain characterised by apartment style housing and detached style houses in landscaped settings interspersed by a range of complementary and compatible uses. New apartment development will be confined to the "medium density areas" shown on the map.

Future apartment style housing will be designed to address public streets and spaces, create visual interest and enable the establishment of substantial landscaping in the spaces between buildings. 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.

Apartment style housing will be excluded from the immediate footslopes of the Collaroy Escarpment and future development in this area will be of a low density nature. Development in this part of the locality will be integrated with the natural landscape including rock outcrops and remnant bushland and topography. Building materials are to blend with the colours and textures of the natural landscape.

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 E2 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 DA2011/0638, 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 18** below. The compilation of street view images confirms the likely continuous use of the signs.

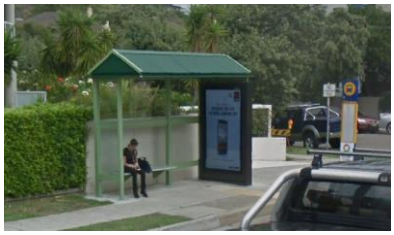
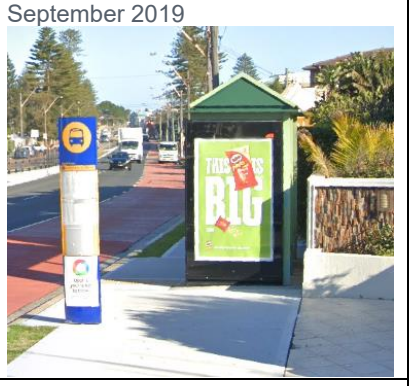
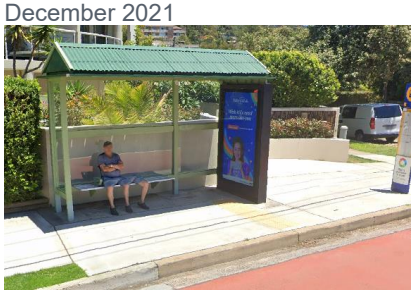
November 2013 	Images not available for 2014 and 2015	December 2016 
December 2017 	October 2018 	September 2019 
November 2020 	December 2021 	Images not available for 2022 and 2023
August 2024 		

Figure 18 Shelter E2 Google Street View

As detailed above, this application seeks to intensity the existing use rights on the shelter site by replacing the existing paper advertisements, with illuminated double sided digital 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.

5.1.3 Bus Shelter E3 Veterans Parade, in front of 52 Veterans Parade, Collaroy Plateau

At the time DA2011/0638 was approved (11 October 2011), advertising signage was permissible with development consent under the *Warringah Local Environmental Plan 2000*. **Figure 19** and **20** below depicts the stamped plans for DA2011/0638, with the advertising panel outlined red.

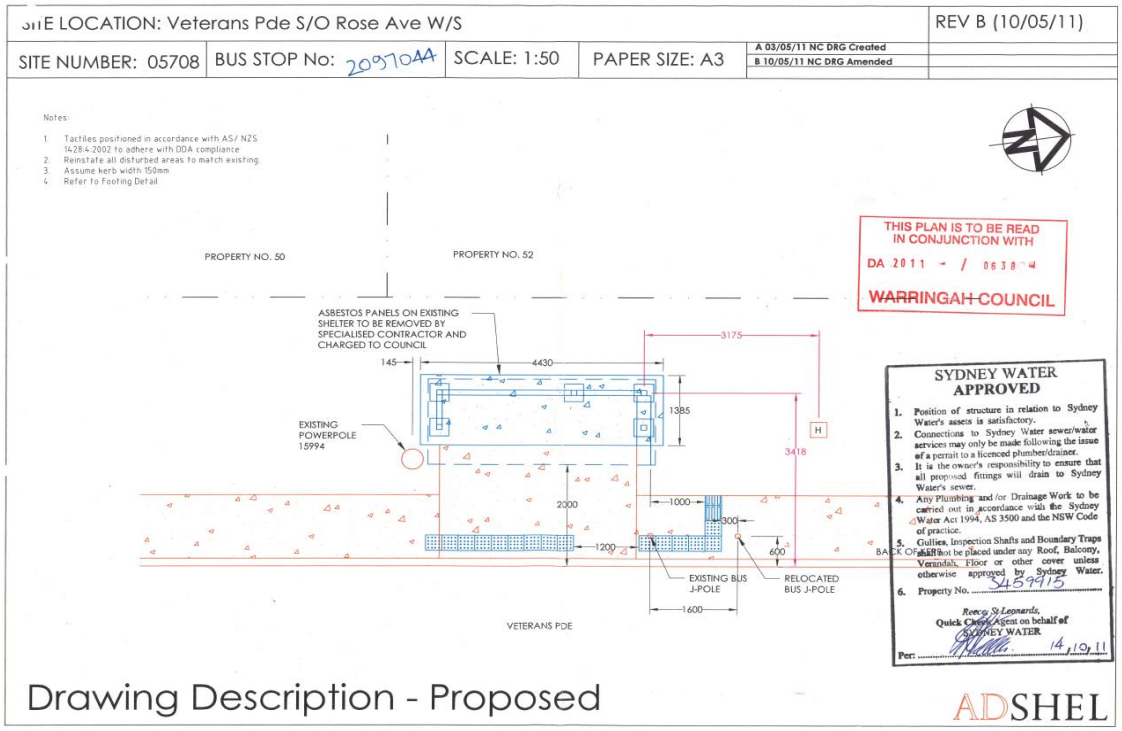


Figure 19 Shelter E3 DA2011/0638 Stamped Site Plan

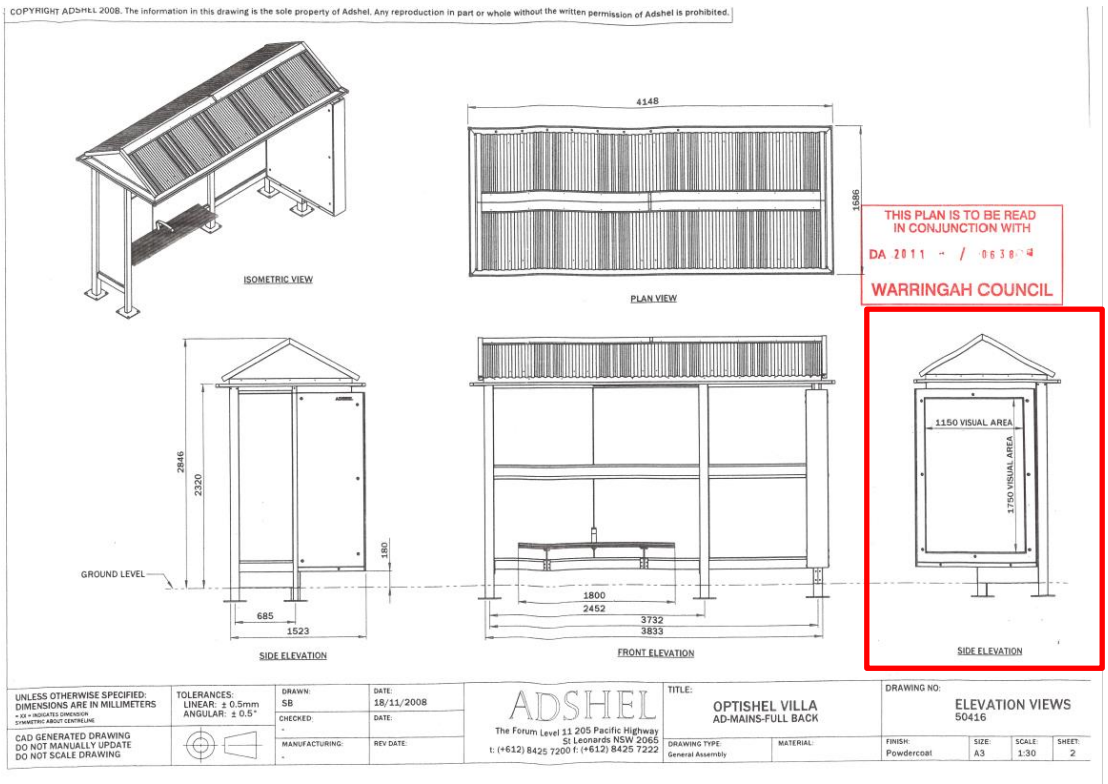


Figure 20 Shelter E3 DA2011/0638 Stamped Elevations indicating advertising panel (outlined red)

The site is identified as falling within the Land Use Category 2 in Locality D4 Collaroy Plateau, as illustrated in the zoning map and as per the land use table reproduced below:



Figure 21 Extract from the WLEP 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 D4 Locality (our underline)

DESIRED FUTURE CHARACTER

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

Future development will maintain the visual pattern and predominant scale of existing detached style housing in the locality. The streets will continue to be characterised by landscaped front gardens and consistent front building setbacks. 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 properties north and east of Edgecliff Boulevard form part of the crests and sideslopes of the Collaroy escarpment. Development in this part of the locality must integrate with the landscape and topography and minimise its visual impact on long distance views of the escarpment. Rock outcrops and indigenous tree canopy will be integrated with new development where possible. The use of materials that blend with the colours and textures of the natural landscape will be encouraged.

Buildings are not to be erected on areas shown cross-hatched on the map due to the land's steep slope, instability and visual sensitivity.

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 E3 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 DA2011/0638, 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 22** below. The compilation of street view images confirms the likely continuous use of the signs..

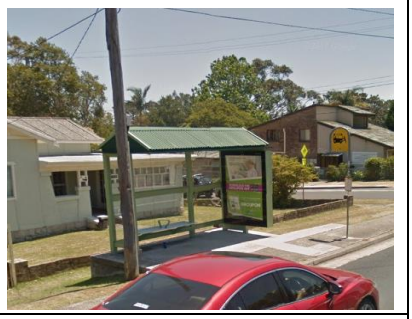
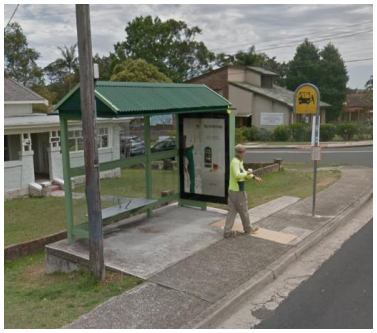
November 2013 	Images not available for 2014 or 2015	November 2016 
December 2017 	October 2018 	September 2019 
November 2020 	Images not available for 2021, 2022 or 2023	August 2024 

Figure 22 Shelter E3 Google Street View

As detailed above, this application seeks to intensity the existing use rights on the shelter site by replacing the existing paper advertisements, with illuminated double sided 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 E4 on Pittwater Road, in front of 993 Pittwater Road, Collaroy

On 21 December 1999, DA3071 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. **Figure 23** below depicts the stamped plans for DA3071, the advertising panel (outlined red), demonstrates the provision of signage was clearly contemplated at this shelter site, as a use ancillary to the operation of the bus stop and shelter.

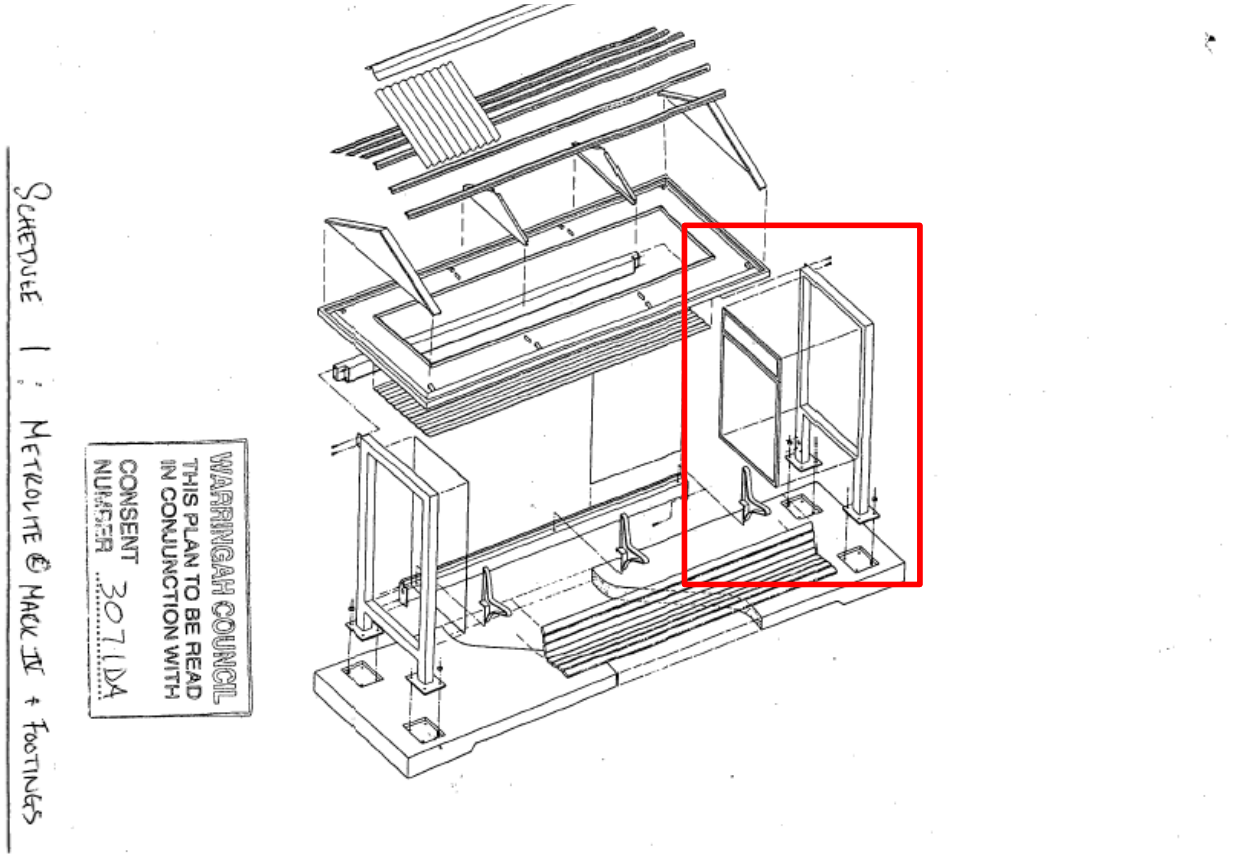


Figure 23 Shelter E4 DA3071 Stamped Plan indicating advertising panel (outlined red)

The Stamped DA plan description of *Metrolite* refers to a form of bus shelter advertising. 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 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 24** 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 and 2015	December 2016 	December 2017 
October 2018 	September 2019 	November 2020 
December 2021 	Images not available for 2022 and 2023	August 2024 

Figure 24 Shelter E4 Google Street View

As detailed above, this application seeks to intensity the existing use rights on the shelter site by replacing the existing paper advertisements, with illuminated double sided 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.

5.1.5 Bus Shelter E5 on Pittwater Road, in front of 1126 Pittwater Road, Collaroy

As detailed above, Bus Shelter E5 likely benefits from existing use rights due to the presence of a Commercial Agreement with Northern Beaches Council (formally Warringah Council). The agreement was made on 10 June 1997 between Former Warringah Council and *Australian Posters Pty Ltd*, the former owner of the shelter site *to carry out the work of provision of Bus Shelters incorporating Advertising for an agreed financial return to Council.*

An image of the typical *Metrolite* shelter included as part of the Commercial Agreement is provided in **Figure 25** below, with the advertising panel outlined red.

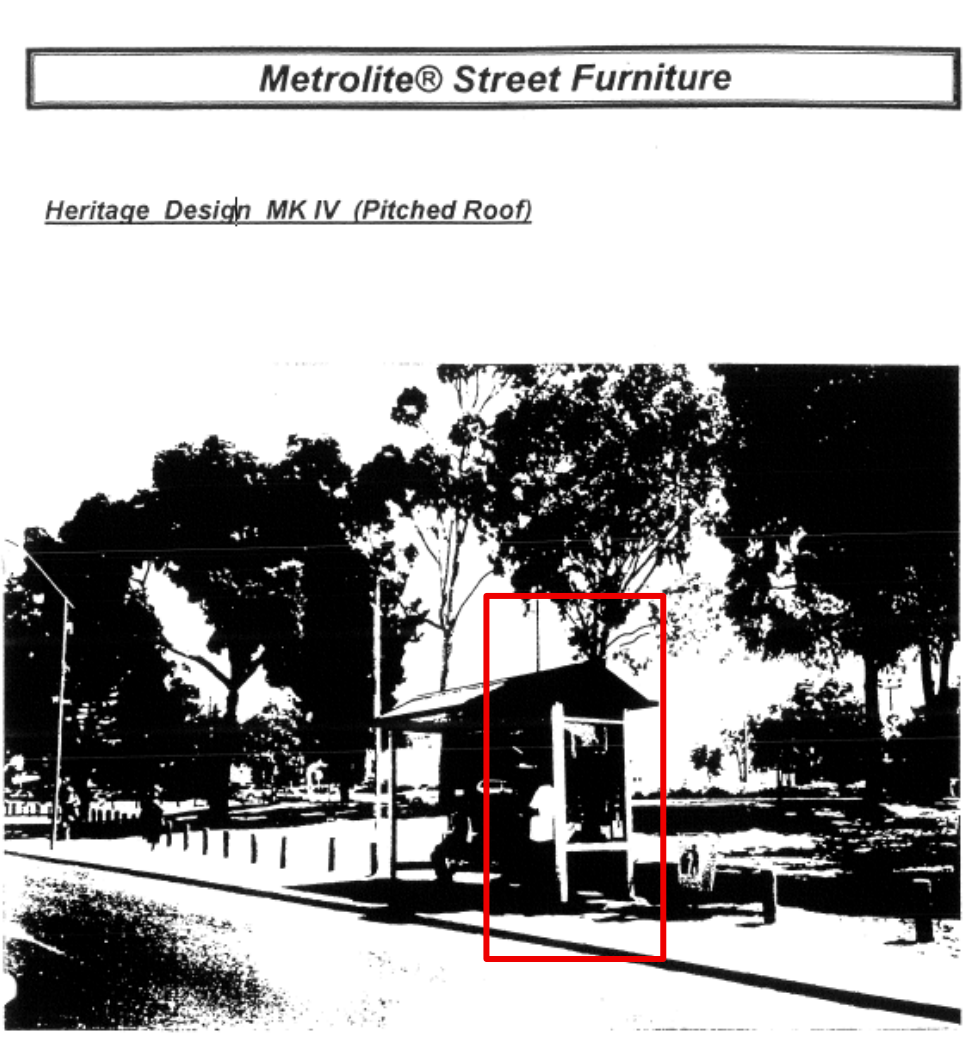


Figure 25 Typical shelter in *Metrolite* style extracted from Commercial Agreement which appears to contemplate advertising

The agreement included a list of Annexed documents, of relevance is *E. List of Advertising Shelter Sites* which includes Bus Shelter E5. As depicted in **Figure 26** below, shelter E5 is identified as "*Pittwater Road, east side, cnr Ramsay St".*

Shelter E5 is located on the east side of Pittwater Road, and adjacent to the corner of Ramsay Street and therefore matches the description in the agreement.

SUITABLE SITES FOR ADVERTISING BUS SHELTERS -NEW AND REPLACEMENT

WARD	SITE DETAILS	SUBURB	NEARBY DEVELOPMENT
1 Existing Advertising Shelters Requiring Replacement			
A	Pittwater Road,east side cnr Brissendan Ave	Collaroy	residential
A	Pittwater Road,east side near Dee Why RSL Club	Dee Why	commercial
A	Pittwater Road,east side north of Mactier St	Narrabeen	residential
B	Pittwater Road,west side adj Manly Leagues Club	Brookvale	commercial
B	Pittwater Road,west side cnr Kentwell Rd	North Manly	residential
B	Warringah Road,south side west of Willandra Rd	Beacon Hill	residential
2 Existing Council Shelters Requiring Replacement			
A	Pittwater Road,east side cnr Ramsay St	Collaroy	residential
A	Warringah Road,north side cnr Lascelles Rd	Narraweena	residential
B	Pittwater Road,east side cnr Sterland Ave	North Manly	residential
B	Pittwater Road,west side cnr Warringah Rd	Dee Why	commercial
B	Pittwater Road,west side opposite Brookvale Bus Depot	Brookvale	commercial
C	Warringah Road,north side opposite Emperor Pl	Forestville	residential
C	Warringah Road,south side cnr Maxwell Pde	Frenchs Forest	residential
C	Warringah Road,south side opposite Daines Pde	Beacon Hill	residential

Figure 26 Extract from Warringah Commercial Agreement for bus shelter advertisement, Shelter E5 outlined red.

The inclusion of shelter site E5 in the former Commercial Agreement for bus shelter advertising, demonstrates that advertising was anticipated to be provided at this bus shelter site, therefore contemplating the future provision of signage at the site. It is therefore demonstrated that whilst there is no available consent for provision of the bus shelter structure or signage, it was an anticipated and accepted use by Council at the time of the signed agreement. This is further evidenced by ongoing Commercial Agreements between Council and *oOh! Media* for the provision of bus shelters and advertising at this site.

As above, the advertising at the shelter site likely benefits from EUR due to the presence of a Commercial Agreement which was established before advertising signage became prohibited under the current planning controls (WLEP 2011). The Commercial Agreement was in place 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 27** 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	March 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 	November 2020 	December 2021 
Images not available for 2022, 2023 and 2024		

Figure 27 Shelter E5 Google Street View

As detailed above, this application seeks to intensity the existing use rights on the shelter site by replacing the existing paper advertisements, with illuminated double sided digital static. 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.

Copies of the 1997 Commercial Agreement and other Agreements where relevant are included within **Annexure H** of this statement.

Accordingly, EUR can be applied to this shelter site.

5.1.6 Bus Shelter E6 on Pittwater Road, in front of 1251 Pittwater Road, Narrabeen

As detailed above, Bus Shelter E6 likely benefits from existing use rights due to the presence of a Commercial Agreement with Northern Beaches Council (formally Warringah Council). The agreement was made on 10 June 1997 between Former Warringah Council and *Australian Posters Pty Ltd*, the former owner of the shelter site *to carry out the work of provision of Bus Shelters incorporating Advertising for an agreed financial return to Council.*

An image of the typical *Metrolite* shelter included as part of the Commercial Agreement is provided in **Figure 28** below, with the advertising panel outlined red.

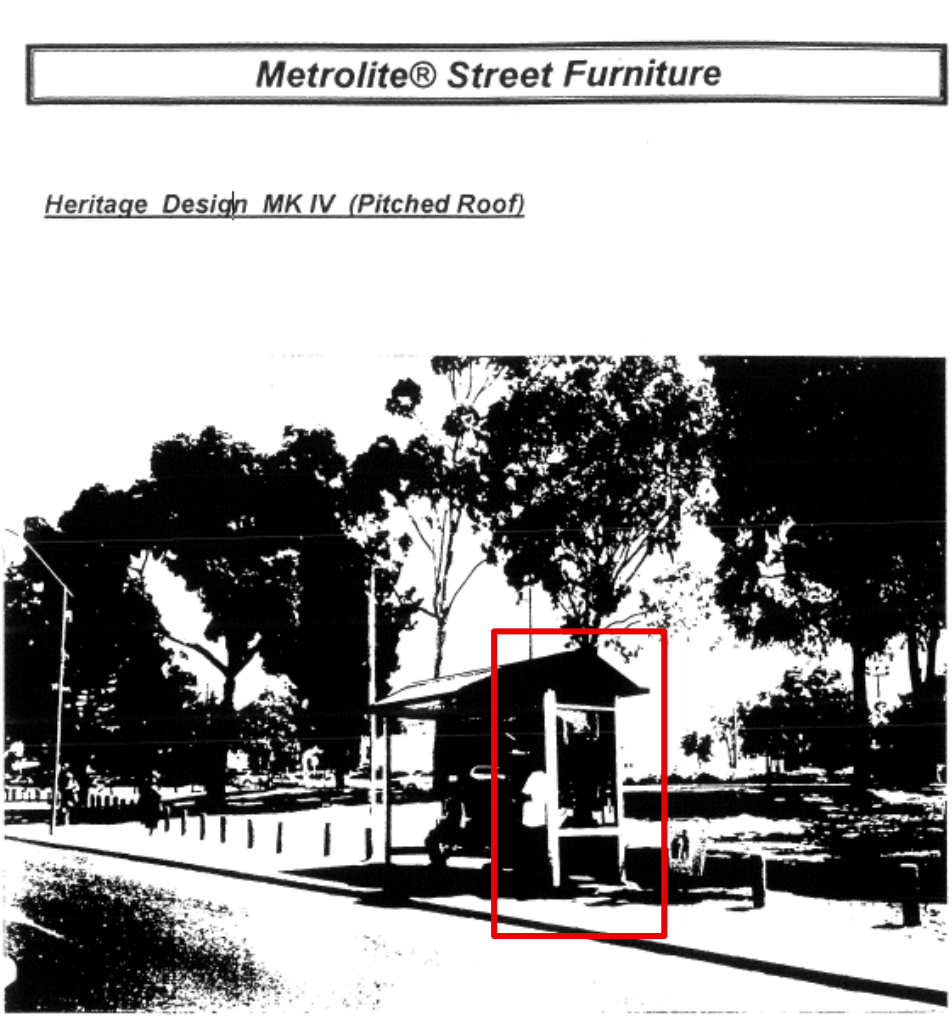


Figure 28 Typical shelter in *Metrolite* style extracted from Commercial Agreement which appears to contemplate advertising

The agreement included a list of Annexed documents, of relevance is *E. List of Advertising Shelter Sites* which includes Bus Shelter E6. As depicted in **Figure 29** below, shelter E6 is identified as "*Pittwater Road, west side, cnr Clarke St".*

Shelter E6 is located on the west side of Pittwater Road, and adjacent to the corner of Clarke Street and therefore matches the description in the agreement.

SUITABLE SITES FOR ADVERTISING BUS SHELTERS -NEW AND REPLACEMENT

WARD	SITE DETAILS	SUBURB	NEARBY DEVELOPMENT
1 Existing Advertising Shelters Requiring Replacement			
A	Pittwater Road,east side cnr Brissendan Ave	Collaroy	residential
A	Pittwater Road,east side near Dee Why RSL Club	Dee Why	commercial
A	Pittwater Road,east side north of Mactier St	Narrabeen	residential
B	Pittwater Road,west side adj Manly Leagues Club	Brookvale	commercial
B	Pittwater Road,west side cnr Kentwell Rd	North Manly	residential
B	Warringah Road,south side west of Willandra Rd	Beacon Hill	residential
2 Existing Council Shelters Requiring Replacement			
A	Pittwater Road,east side cnr Ramsay St	Collaroy	residential
A	Warringah Road,north side cnr Lascelles Rd	Narraweena	residential
B	Pittwater Road,east side cnr Sterland Ave	North Manly	residential
B	Pittwater Road,west side cnr Warringah Rd	Dee Why	commercial
B	Pittwater Road,west side opposite Brookvale Bus Depot	Brookvale	commercial
C	Warringah Road,north side opposite Emperor Pl	Forestville	residential
C	Warringah Road,south side cnr Maxwell Pde	Frenchs Forest	residential
C	Warringah Road,south side opposite Daines Pde	Beacon Hill	residential
3 Proposed New Sites for Advertising Shelters			
A	Carrington Avenue,west side cnr Toronto Ave	Cromer	residential
A	Pittwater Road,east side cnr Ocean Grove	Collaroy	commercial
A	Pittwater Road,west side cnr Clarke St	Narrabeen	residential
A	Pittwater Road,west side cnr Ramsay St	Collaroy	residential
A	Pittwater Road,west side adjacent Collaroy Post Office	Collaroy	commercial
A	Warringah Road,north side cnr McKillop Rd	Beacon Hill	residential

Figure 29 Extract from Warringah Commercial Agreement for bus shelter advertisement, Shelter E6 outlined red.

The inclusion of shelter site E6 in the former Commercial Agreement for bus shelter advertising, demonstrates that advertising was anticipated to be provided at this bus shelter site, therefore contemplating the future provision of signage at the site. It is therefore demonstrated that whilst there is no **available** consent for provision of the bus shelter structure or signage, it was an anticipated and accepted use by Council at the time of the signed agreement. This is further evidenced by ongoing Commercial Agreements between Council and *oOh! Media* for the provision of bus shelters and advertising at this site.

As above, the advertising at the shelter site likely benefits from EUR due to the presence of a Commercial Agreement which was established before advertising signage became prohibited under the current planning controls (WLEP 2011). The Commercial Agreement was in place 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 30** below. The compilation of street view images confirms the likely continuous use of the signs.

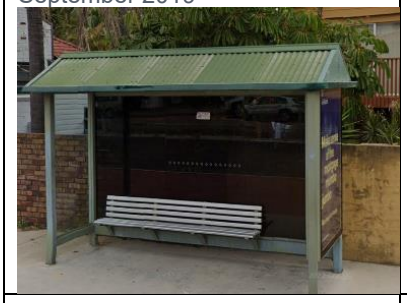
Google streetview did not operate prior to 2007	Image not available for 2007 and 2008	November 2009 
Images not available for 2010, 2011 and 2012	November 2013 	Images not available for 2014 and 2015
December 2016 	December 2017 	October 2018 
September 2019 	Image not available for 2020	December 2021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

Figure 30 Shelter E6 Google Street View

As detailed above, this application seeks to intensity the existing use rights on the shelter site by replacing the existing paper advertisements, with illuminated double sided digital 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.

Copies of the 1997 Commercial Agreement and other Agreements where relevant are included within **Annexure H** of this statement.

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	✓	✓	
S.4.15(1)(a)(iv)	Any other prescribed matter: - • *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 **Annexures A** to **F** 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 six (6) advertising structures. Specifically, proposal seeks to provide two (2) double sided digital signs, one (1) digital/static sign and three (3) double sided static signs, all of which replace the existing static 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 to digital and/or 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.

Section 3.11 lists the matters for consideration in which advertising signage is to be assessed. Refer to **Annexures A-F** 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 of 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 E1, E2 and E4-E6 are located on a classified road 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 *oOhMedia!* 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 31** and **32** below provide a comparison between a typical wall sign and typical bus shelter signage.



Figure 31 Typical wall sign as per the *Transport Corridor Outdoor Advertising and Signage Guidelines*



Figure 32 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 which has been assessed against each sign proposed. This is contained within **Annexure A** to **F** 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 six (6) bus shelter sites. Under the LEP, the subject sites are located within the following zones:

- Bus Stop E1 – SP2 Infrastructure
- Bus Stop E2 – SP2 Infrastructure
- Bus Stop E3 – R2 Low Density Residential
- Bus Stop E4 - SP2 Infrastructure
- Bus Stop E5 – SP2 Infrastructure
- Bus Stop E6 – SP2 Infrastructure

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 and/or static screens. Therefore, there will be no increase to the scale or height of the bus shelters.

A Compliance Table which considers the each of the proposed signs against the provisions of WLEP 2011 is provided at **Annexure A** to **F** of this statement. The proposed development satisfies all relevant provision 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 and/or static signs. 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 **F**. 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 PDCP, 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 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 G) 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 **F**.

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 **Figures 33** to **35** below.



Figure 33 Typical Digital/Digital shelter instillation



Figure 34 Typical Static/Static shelter instillation



Figure 35 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 and/or 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 new digital and/or 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 new digital and 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 and/or static signs in similar locations and should be supported.

ANNEXURE A

Planning Assessment –
Compliance Tables – Sign E1



SEPP (Industry and Employment) Assessment – **SIGN E1**		
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 Collaroy 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 E1**		
	• 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 bus shelter, let alone 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 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 E1**		
	• 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

2.3.2 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: 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.	Sign E1 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	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.

they contribute to visual clutter	
b. Where there is advertising clutter, consideration should be given to reducing the overall number of individual advertisements on a site. Replacement of many small signs with a larger single sign is encouraged if the overall advertising display area is not increased.	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 and the bus shelter are 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. • 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.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN E1	
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 E1. 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 *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/m^2 (daytime), 700cd/m^2 (twilight and inclement weather) and 350cd/m2 (night-time). Conditions can be imposed by the consent authority specifying maximum allowable luminance levels.
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.
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 E1 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.

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 E1 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.
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	The location of the sign does not change.

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

signs or advisory signs or obscure information about the road alignment.	
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: 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).	Sign E1 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.
3.3.2 Dwell time and transition time	
Dwell time criteria for digital signs: a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below. 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.	Sign E1 is a digital/static sign. The proposed dwell time is 10 seconds. A condition of consent can be imposed to ensure appropriate dwell times.

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 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	Refer to Section 4.1.3 for compliance with illumination guidelines.

Standard AS/NZS 1906.1:2007. Flashing illuminated advertisements will not be approved.	
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 implied 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	
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 E1**			
Clause/ Control	**Requirement**	**Proposal**	**Complies?**
Part 2 Permitted or Prohibited development			
2.2 Zone objectives and Land Use Table	SP2 Infrastructure • 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 E1**			
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 bus shelter on site. The proposal will not introduce any additional visual clutter and is compatible with the Collaroy 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 2011 Assessment **– SIGN E1**			
	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.	Not applicable.	N/A
	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.	Not applicable. The signage is located within the Road reserve of Pittwater Road in Zone SP2.	N/A
	10. No more than one sign is to be located above the awning level for business uses.	Not applicable.	N/A
	11. Tenancy boards and the like are encouraged to be in the form of consolidated signs.	Not Proposed.	N/A
	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	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.	Yes

ANNEXURE B

Planning Assessment –
Compliance Tables – Sign E2



SEPP (Industry and Employment) Assessment – **SIGN E2**		
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 Collaroy 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 E2**		
	• 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 the bus shelter, let alone 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 E2**		
	• 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 E2	
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. 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.	The sign, as existing is considered to be compatible with the character of the area and has existed for many years. Sign E2 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	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.

they contribute to visual clutter	
b. Where there is advertising clutter, consideration should be given to reducing the overall number of individual advertisements on a site. Replacement of many small signs with a larger single sign is encouraged if the overall advertising display area is not increased.	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. • 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.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN E2	
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 E2. 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.
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.
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 E2 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.

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 E2 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.
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	The location of the sign does not change.

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

signs or advisory signs or obscure information about the road alignment.	
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: 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).	Sign E2 is a digital sign. Refer to Section 4.1.4 of this statement for details on content management. Conditions of consent can be imposed in this regard.
3.3.2 Dwell time and transition time	

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN E2	
Dwell time criteria for digital signs: a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below. 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.	Sign E2 is a digital sign. The proposed dwell time is 10 seconds. A condition of consent can be imposed to ensure appropriate dwell times.
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 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	Refer to Section 4.1.3 for compliance with illumination guidelines.

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.	
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 implied 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	
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 E2**			
Clause/ Control	**Requirement**	**Proposal**	**Complies?**
Part 2 Permitted or Prohibited development			
2.2 Zone objectives and Land Use Table	SP2 Infrastructure • 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 Assessment **– SIGN E2**			
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 bus shelter on site. The proposal will not introduce any additional visual clutter and is compatible with the Collaroy 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 form the shelter site.	N/A
	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.	Not applicable.	N/A

Warringah Development Control Plan Assessment **– SIGN E2**			
	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.	Not applicable. The sign age is located within the Road reserve of Pittwater Road in Zone SP2.	N/A
	10. No more than one sign is to be located above the awning level for business uses.	Not applicable	N/A
	11. Tenancy boards and the like are encouraged to be in the form of consolidated signs.	Not proposed	N/A
	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	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. ○ Is not located in residential zone	Yes

ANNEXURE C

Planning Assessment –
Compliance Tables – Sign E3



SEPP (Industry and Employment) Assessment **– SIGN E3**		
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 Collaroy Plateau 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 E3**		
	• 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 the bus shelter, let alone 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 E3**		
	• 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 E3	
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 E3	
e. The advertisement proposal should incorporate landscaping that complements the advertising structure and is in keeping with the landscape and character of the transport corridor. • The development of a landscape management plan may be required as a condition of consent. • Landscaping outlined within the plan should require minimal maintenance.	Not applicable.
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.	Sign E3 is a static sign.
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.	Sign E3 is a static sign.
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 E3	
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.	Sign E3 is a static sign.
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.	Sign E3 is a static sign.
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.
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 located within a school zone, however, is located more than 250m from the nearest classified road.
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,	All relevant traffic directions have been assessed on their own merits

both directions for each location must be 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.
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 E3 is located within Zone R2 Low density Residential. The sign relies on existing use rights. The proposed digital sign is not considered to have an adverse impact on the amenity of residential dwellings, the signage has been existing at the site for a number of years without adverse impact or complaint. Sign E3 in the residential zone is a static sign and dwell time is irrelevant.
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:	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.

i. Does the sign obstruct the movement of pedestrians or bicycle riders? (e.g. telephone kiosks and other street furniture along roads and footpath areas)? ii. Does the sign protrude below a bridge or other structure so it could be hit by trucks or other tall vehicles? Will the clearance between the road surface and the bottom of the sign meet appropriate road standards for that particular road? iii. Does the sign protrude laterally into the transport corridor so it could be hit by trucks or wide vehicles?	
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 E3 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.
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	The location of the sign does not change.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN E3	
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.	
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	The location of the sign remains unchanged, as such no new traffic impacts arise.

signs or advisory signs or obscure information about the road alignment.	
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: 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).	Sign E3 is a static sign.
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.	Refer to Section 4.1.3 for compliance with illumination guidelines.

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.	
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 implied 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.

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN E3	
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.

Warringah Local Environmental Plan 2014 Assessment **– SIGN E3**			
Clause/ Control	**Requirement**	**Proposal**	**Complies?**
Part 2 Permitted or Prohibited development			
2.2 Zone objectives and Land Use Table	<u>R2 Low Density Residential Zone</u> • To provide for the housing needs of the community within a low density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.	The proposed advertising signage does not affect the provision of housing. The proposal will provide for advertising opportunities at appropriate locations, being within existing bus shelters, whilst ensuring minimal impact on the residential nature of the locality. The proposed advertising panels are clear of any trees or vegetation as such will continue to maintain the landscaped character and natural environment. 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. *Maximum building height – 8.5m*	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 8.5m	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	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 Local Environmental Plan 2014 Assessment **– SIGN E3**			
	(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.		

Warringah Development Control Plan 2011 Assessment **– SIGN E3**			
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 bus shelter on site. The proposal will not introduce any additional visual clutter and is compatible with the Collaroy Plateau 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 form the shelter site.	N/A
			N/A

Warringah Development Control Plan 2011 Assessment – **SIGN E3**			
	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 sign age is located within the Road reserve of Veterans Parade in Zone R2. Not applicable. 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. ○ The signage is located within a residential zone, however relies on existing use rights.	N/A N/A N/A Yes

ANNEXURE D

Planning Assessment –
Compliance Tables – Sign E4



SEPP (Industry and Employment) Assessment – **SIGN E4**		
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 Collaroy 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 E4**		
	• 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 the bus shelter, let alone 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 E4**		
	• 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

2.3.2 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. As a guideline, advertising in urban areas should be restricted to rail corridors, freeways, tollways or classified roads:	The sign, as existing is considered to be compatible with the character of the area and has existed for many years.
a. within or adjacent to strategic transport corridors passing through enterprise zones, business development zones, commercial core zones, mixed use zones or industrial zones	Sign E4 is within the reserve of a classified state road, Pittwater Road.
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.	

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN E4	
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.

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.	Sign E4 is a static sign.
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.	Sign E4 is a static sign.
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.

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.	Sign E4 is a static sign.
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.	Sign E4 is a static sign.
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/m^2 (daytime), 500cd/m^2 (twilight and inclement weather) and 200cd/m2 (night-time). Conditions can be imposed by the consent authority specifying maximum allowable luminance levels.
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 located within a school zone, however, is located more than 250m from the nearest classified road.
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.
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 E4 is located within Zone SP2 Infrastructure, there are residential uses within proximity of the site. The proposed static sign is not considered to have an adverse impact on the amenity of residential dwellings greater than the existing situation.
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)?	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.

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: a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone	Sign E4 is less than 2sqm.

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: 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 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.
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: 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)	Sign E4 is a static sign.
3.3.2 Dwell time and transition time	
Dwell time criteria for digital signs: a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below. 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.	Sign E4 is a static sign.
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.	N/A.
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.	N/A.
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 implied 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	
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 E4**			
Clause/ Control	**Requirement**	**Proposal**	**Complies?**
Part 2 Permitted or Prohibited development			
2.2 Zone objectives and Land Use Table	SP2 Infrastructure • 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 E4**			
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 bus shelter on site. The proposal will not introduce any additional visual clutter and is compatible with the Collaroy 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 form the shelter site.	N/A

Warringah Development Control Plan 2011 Assessment **– SIGN E4**			
	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.	Not applicable.	N/A
	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.	Not applicable. The sign age is located within the Road reserve of Pittwater Road in Zone SP2.	N/A
	10. No more than one sign is to be located above the awning level for business uses.	Not applicable.	N/A
	11. Tenancy boards and the like are encouraged to be in the form of consolidated signs.	Not Proposed.	N/A
	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	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.	Yes

ANNEXURE E

Planning Assessment –
Compliance Tables – Sign E5



SEPP (Industry and Employment) Assessment – **SIGN E5**		
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 Collaroy 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.

	• 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 the bus shelter, let alone 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.
	• 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.

SEPP (Industry and Employment) Assessment – **SIGN E5**		
	• 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 E5 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.

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. • The development of a landscape management plan may be required as a condition of consent. • Landscaping outlined within the plan should require minimal maintenance.	Not applicable.

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.	Sign E5 is a static sign.
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.	Sign E5 is a static sign.
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.	Sign E5 is a static sign.
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.	Sign E5 is a static sign.

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/m^2 (daytime), 500cd/m^2 (twilight and inclement weather) and 200cd/m2 (night-time). Conditions can be imposed by the consent authority specifying maximum allowable luminance levels.
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 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
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	Sign E5 is located within Zone SP2 Infrastructure, there are residential uses within proximity of the site. The proposed static sign is not considered to have an adverse impact on the amenity of residential dwellings greater than the existing situation.

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.	
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? iii. Does the sign protrude laterally into the transport corridor so it could be hit by trucks or wide vehicles?	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.
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	No change to location of sign supports.

(and RMS supplements) or behind an RMS approved crash barrier.	
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: a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone	Sign E5 is less than 2sqm.
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	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.

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.	
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 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.
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: 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.	Sign E5 is a static sign.
3.3.2 Dwell time and transition time	

Dwell time criteria for digital signs: a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below. 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.	Sign E5 is a static sign.
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.	N/A.
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.	N/A.
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.	Refer to Section 4.1.3 for compliance with illumination guidelines.

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.	
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 implied 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	

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 E5**			
Clause/ Control	**Requirement**	**Proposal**	**Complies?**
Part 2 Permitted or Prohibited development			
2.2 Zone objectives and Land Use Table	SP2 Infrastructure • 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.	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 Local Environmental Plan 2011 Assessment **– SIGN E5**			
6.5 Coastline hazards	2) This clause applies to the land shown on the ***Coastline Hazard Map*** as— (a) Area of Wave Impact and Slope Adjustment, and (b) Area of Reduced Foundation Capacity.	Given the scale of the mapped land, it is unclear if the mapped reduced foundation capacity and wave impact and slope adjustment areas extend to the SP2 zoned land for Pittwater Road. To remove any doubt, we have considered this clause as if the bus shelter site is identified as within an area of Wave Impact and Slope Adjustment, and area of Reduced Foundation Capacity.	Yes
	(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development— (a) will not significantly adversely affect coastal hazards, and (b) will not result in significant detrimental increases in coastal risks to other development or properties, and (c) will not significantly alter coastal hazards to the detriment of the environment, and (d) incorporates appropriate measures to manage risk to life from coastal risks, and (e) avoids or minimises exposure to coastal hazards, and (f) makes provision for relocation, modification or removal of the development to adapt to coastal hazards and NSW sea level rise planning benchmarks.	The proposed development is for the replacement of existing advertising panels at the bus shelter site. The proposed works are limited to the instillation of digital signage panels. These works are not considered to have any adverse or significant impact upon the coastal environment, nor are they likely to increase coastal hazards.	Yes
	(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the foundations of the development have been designed to be constructed having regard to coastal risk.	As above. The development will have limited impact upon coastal risk and does not provide any additional foundations.	

Warringah Development Control Plan 2011 Assessment **– SIGN E5**			
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 bus shelter on site. The proposal will not introduce any additional visual clutter and is compatible with the Collaroy 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 form the shelter site.	N/A

	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.	Not applicable.	N/A
	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.	Not applicable. The sign age is located within the Road reserve of Pittwater Road in Zone SP2.	N/A
	10. No more than one sign is to be located above the awning level for business uses.	Not applicable.	N/A
	11. Tenancy boards and the like are encouraged to be in the form of consolidated signs.	Not Proposed.	N/A
	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	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.	Yes

ANNEXURE F

Planning Assessment –
Compliance Tables – Sign E6



SEPP (Industry and Employment) Assessment **– SIGN E6**		
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 Narrabeen 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 E6**		
	• 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 the bus shelter, let alone 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 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 E6**		
	• 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

2.3.2 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: 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.	Sign E6 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	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.

they contribute to visual clutter	
b. Where there is advertising clutter, consideration should be given to reducing the overall number of individual advertisements on a site. Replacement of many small signs with a larger single sign is encouraged if the overall advertising display area is not increased.	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. • 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.

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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 E6. 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.
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 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

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 E6 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.

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 E6 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.
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	The location of the sign does not change.

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.

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: 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).	Sign E6 is a digital sign. Refer to Section 4.1.4 of this statement for details on content management. Conditions of consent can be imposed in this regard.
3.3.2 Dwell time and transition time	

Transport Corridor Outdoor Advertising and Signage Guidelines Assessment – SIGN E6	
Dwell time criteria for digital signs: a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below. 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.	Sign E6 is a digital sign. The proposed dwell time is 10 seconds. A condition of consent can be imposed to ensure appropriate dwell times.
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.	Noted.
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	Refer to Section 4.1.3 for compliance with illumination guidelines.

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.	
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 implied 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	
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 E6**			
Clause/ Control	**Requirement**	**Proposal**	**Complies?**
Part 2 Permitted or Prohibited development			
2.2 Zone objectives and Land Use Table	SP2 Infrastructure • 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 E6 is located opposite Heritage Item No. I25 *House.* 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 E6**			
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 E6**			
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 bus shelter on site. The proposal will not introduce any additional visual clutter and is compatible with the Narrabeen 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 form the shelter site.	N/A

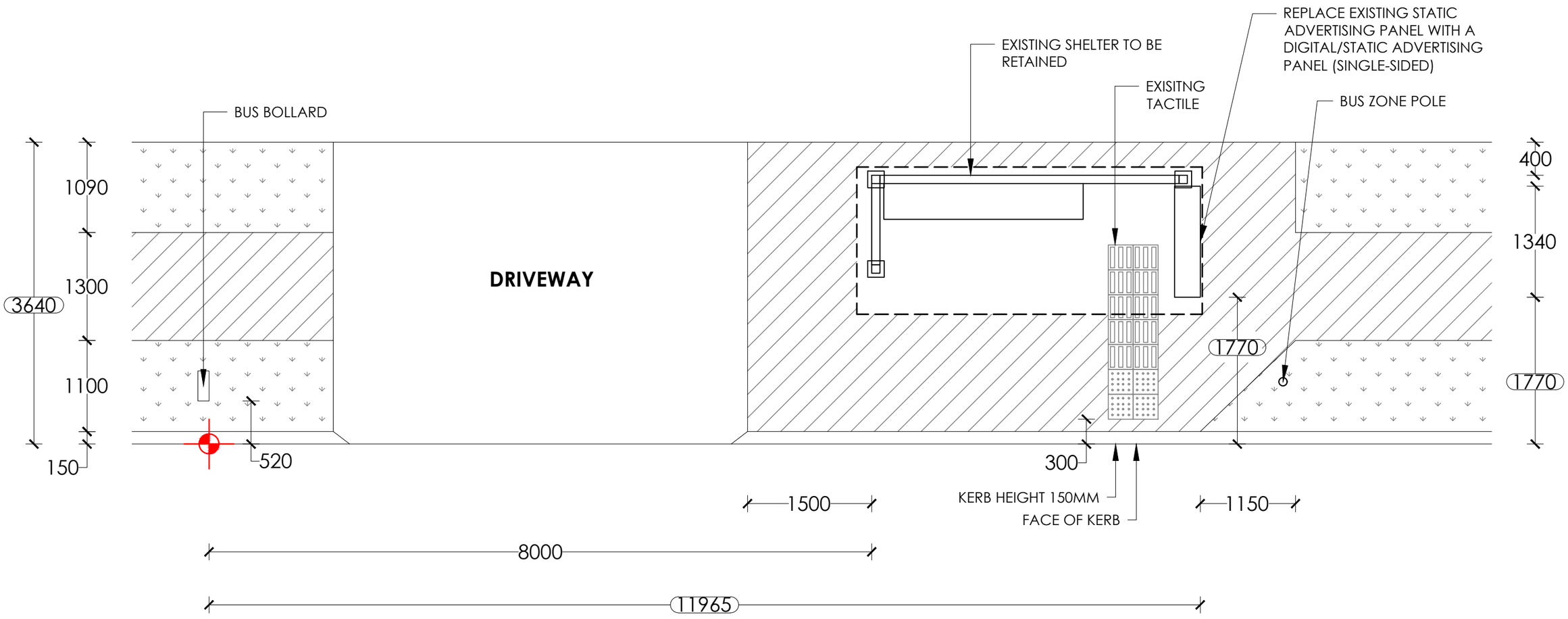
Warringah Development Control Plan 2011 Assessment **– SIGN E6**			
	8. Signs displayed on dwellings are to be attached to the ground floor façade of the dwelling, unless the land is located on a main road or the dwelling is not visible from the street, in which case the sign may be attached to a front fence.	Not applicable.	N/A
	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.	Not applicable. The sign age is located within the Road reserve of Pittwater Road in Zone SP2.	N/A
	10. No more than one sign is to be located above the awning level for business uses.	Not applicable.	N/A
	11. Tenancy boards and the like are encouraged to be in the form of consolidated signs.	Not Proposed.	N/A
	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	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.	Yes

ANNEXURE G

Site Cards –
Bus Stops E1, E2, E3 , E4, E5 & E6



NO. 1017 PITTWATER ROAD, COLLAROY





NOTES:
1. Retrofit digital screen
2. Existing shelter to remain.
3. Reinstate all disturbed areas to match existing, refer hatch legend.
4. Power Pole #LR81914 10.7m to the right of the shelter.

NOTE:
PROPOSED CONFIG - DIGITAL/STATIC

SURVEY	
1	↓ 3.8
2	2.1
3	0.7

TRANSITION TABLE	

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

PROPOSED

SCALE 1:50

SITE ADDRESS : IN FRONT OF NO. 1017 PITTWATER ROAD, COLLAROY

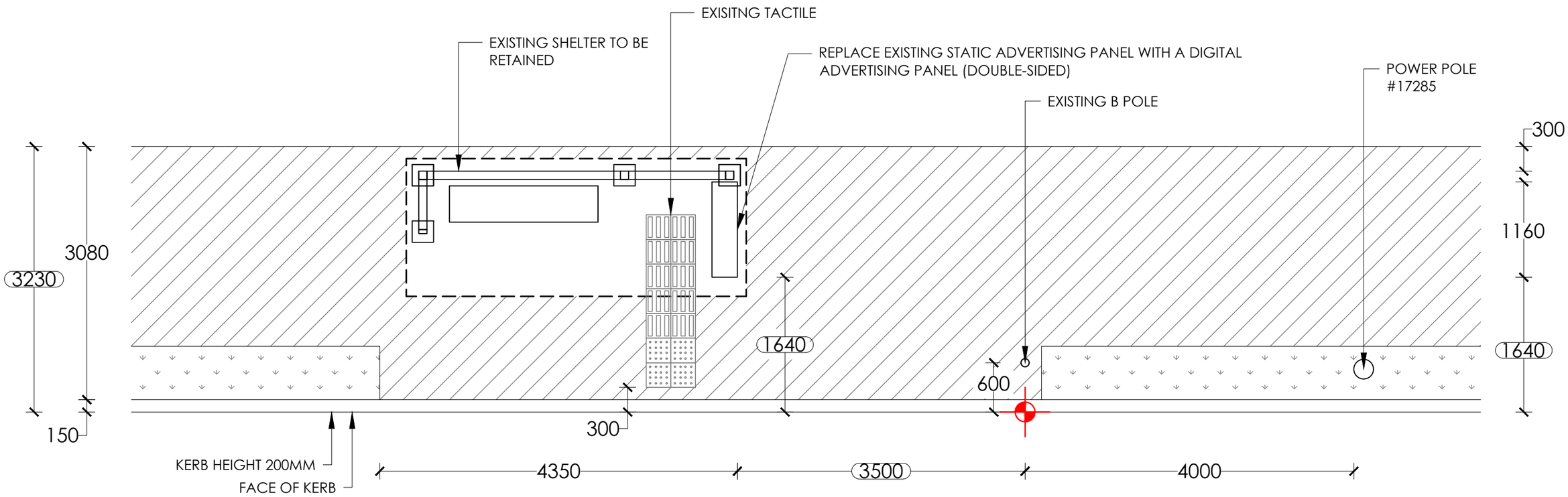
SITE # : 20543 | **BUS STOP: E1 (209715)**

PAPER SIZE: A3

REV.	DATE	INT.
B	20/03/25	SYN
A	27/07/17	NK

SCALE	DRAWING NO.
1:50	101
REV NO.	DATE
B	20/03/25

NO. 1195 PITTWATER ROAD, COLLAROY



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/DIGITAL

SURVEY	
1	0.7
2	1.7
3	1.2

TRANSITION TABLE	

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

PROPOSED

SCALE 1:50

SITE ADDRESS : IN FRONT OF NO. 1195 PITTWATER ROAD, COLLAROY

SITE # : 5707

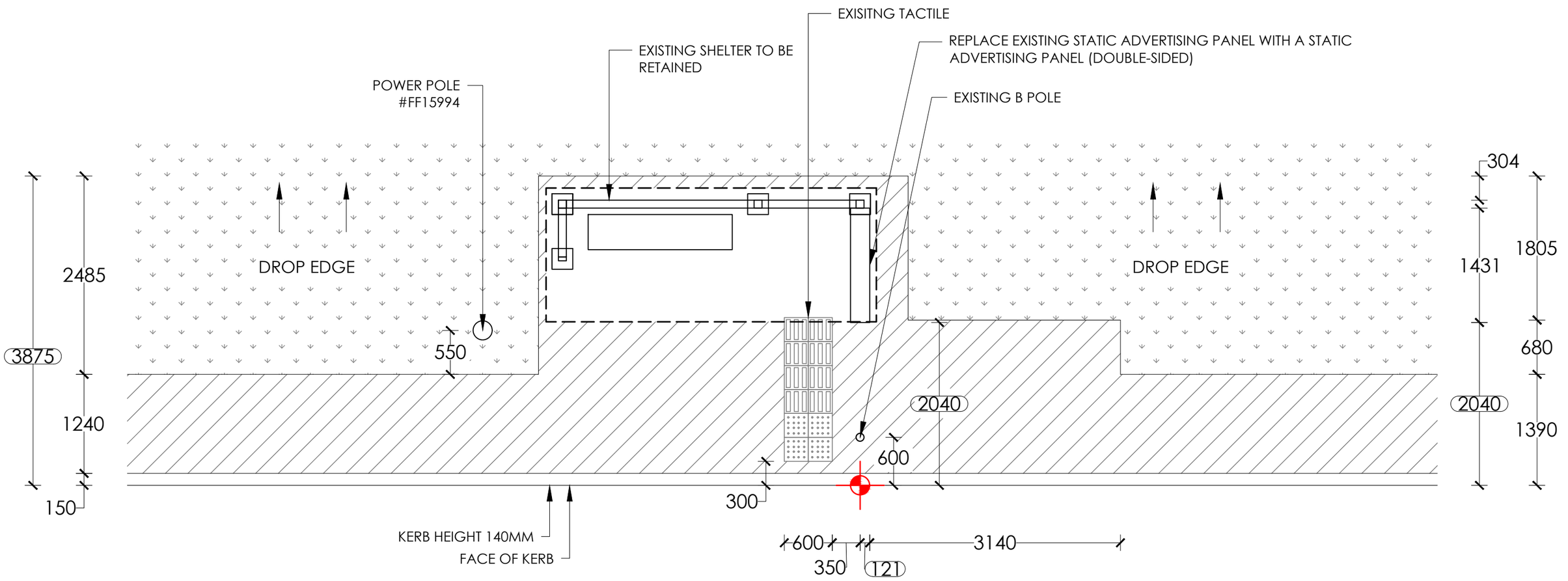
BUS STOP: E2 (209719)

PAPER SIZE: A3

REV.	DATE	INT.
B	20/03/25	SYN
A	26/07/17	NK

SCALE	DRAWING NO.
1:50	101
REV NO.	DATE
B	20/03/25

NO. 52 VETERANS PARADE, COLLAROY PLATEAU



VETERANS PARADE



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

NOTE:
PROPOSED CONFIG - STATIC/STATIC

SURVEY	
1	↓ 6.5
2	↓ 2.8
3	→ 2.6

TRANSITION TABLE	

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

PROPOSED

SCALE 1:50

SITE ADDRESS : IN FRONT OF NO. 52 VETERANS PARADE, COLLAROY PLATEAU

SITE # : 5708

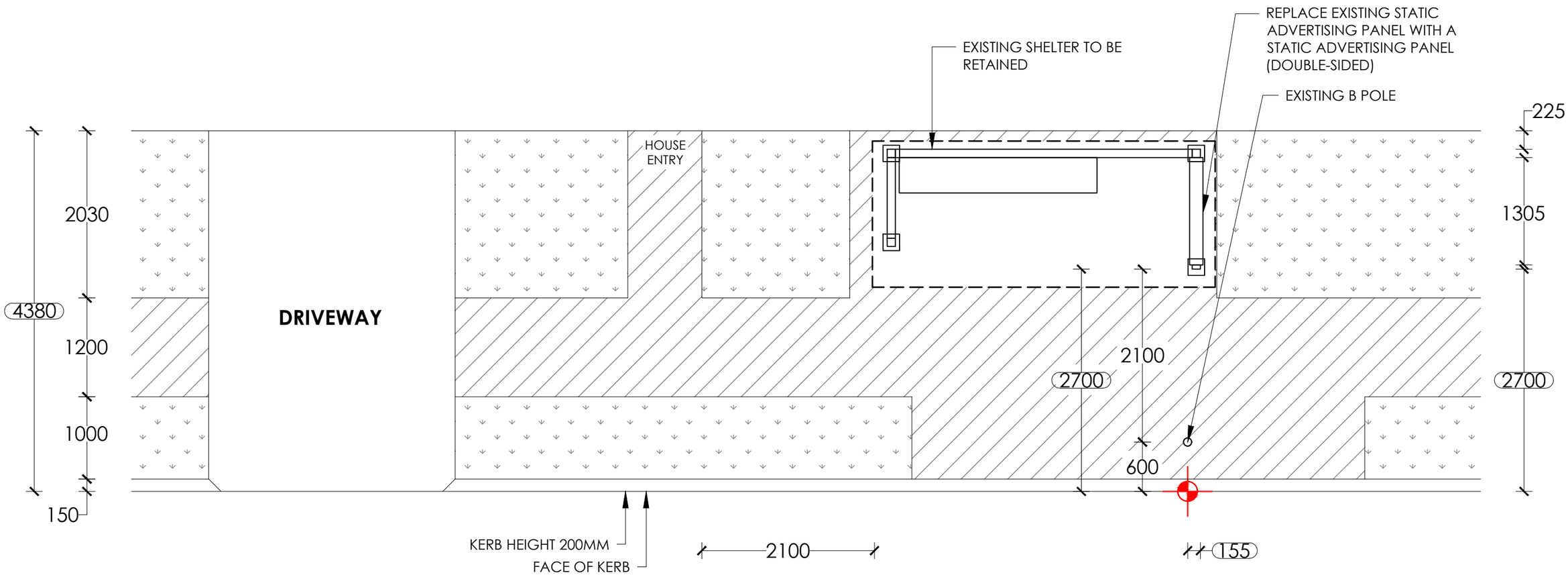
BUS STOP: E3 (209744)

PAPER SIZE: A3

REV.	DATE	INT.
B	20/03/25	SYN
A	25/07/17	NK

SCALE	DRAWING NO.
1:50	101
REV NO.	DATE
B	20/03/25

NO. 993 PITTWATER ROAD, COLLAROY



PITTWATER ROAD

EXISTING SHELTER TO BE RETAINED



NOTES:

1. Retrofit static screen
2. Existing shelter to remain.
3. Reinstate all disturbed areas to match existing, refer hatch legend.
4. Power Pole #LR81908 located 12.7m to the left of the shelter.

NOTE:
PROPOSED CONFIG - STATIC/STATIC

SURVEY	
1	↓ 6.6
2	↓ 5.2
3	1.6

TRANSITION TABLE	

LEGEND:

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

PROPOSED

SCALE 1:50

SITE ADDRESS : IN FRONT OF NO. 993 PITTWATER ROAD, COLLAROY

SITE # : 20542

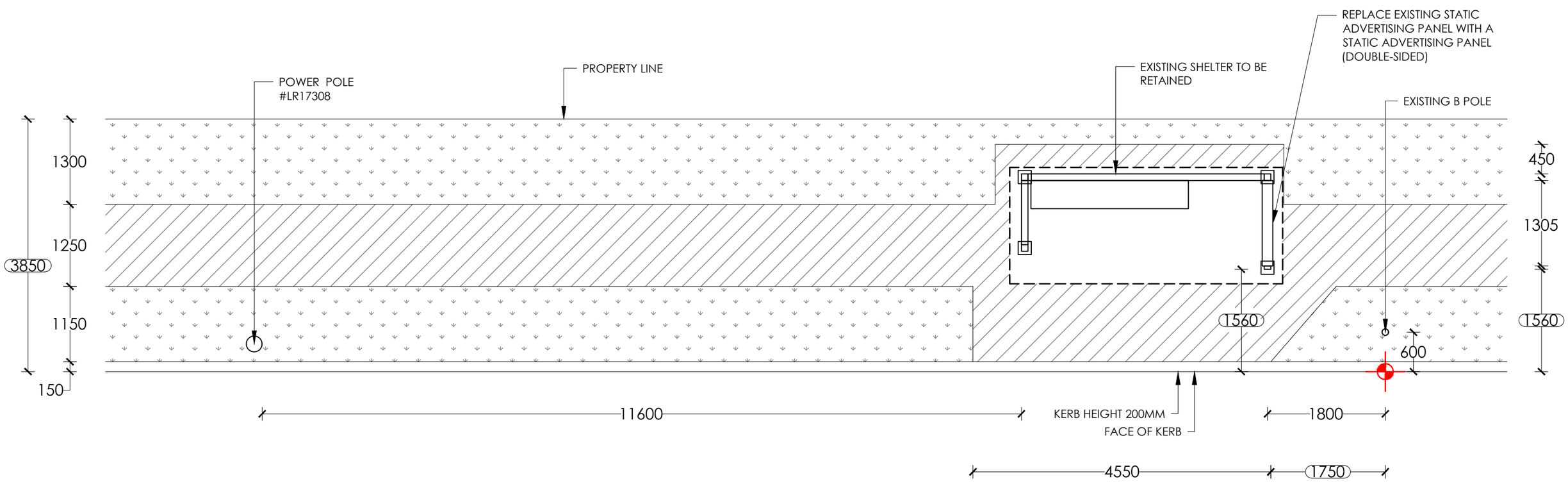
BUS STOP: E4 (209714)

PAPER SIZE: A3

REV.	DATE	INT.
B	21/03/25	SYN
A	27/07/17	NK

SCALE	DRAWING NO.
1:50	101
REV NO.	DATE
B	21/03/25

NO. 1126 PITTWATER ROAD, COLLAROY



PITTWATER ROAD

EXISTING SHELTER TO BE RETAINED



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

NOTE:
PROPOSED CONFIG - STATIC/STATIC

SURVEY	
1	3.0
2	3.3
3	2.1

TRANSITION TABLE	

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

PROPOSED

SCALE 1:60

SITE ADDRESS : IN FRONT OF NO. 1126 PITTWATER ROAD, COLLAROY

SITE # : 20508

BUS STOP: E5 (209720)

PAPER SIZE: A3

REV.	DATE	INT.
B	26/03/25	SYN
A	21/07/17	NK

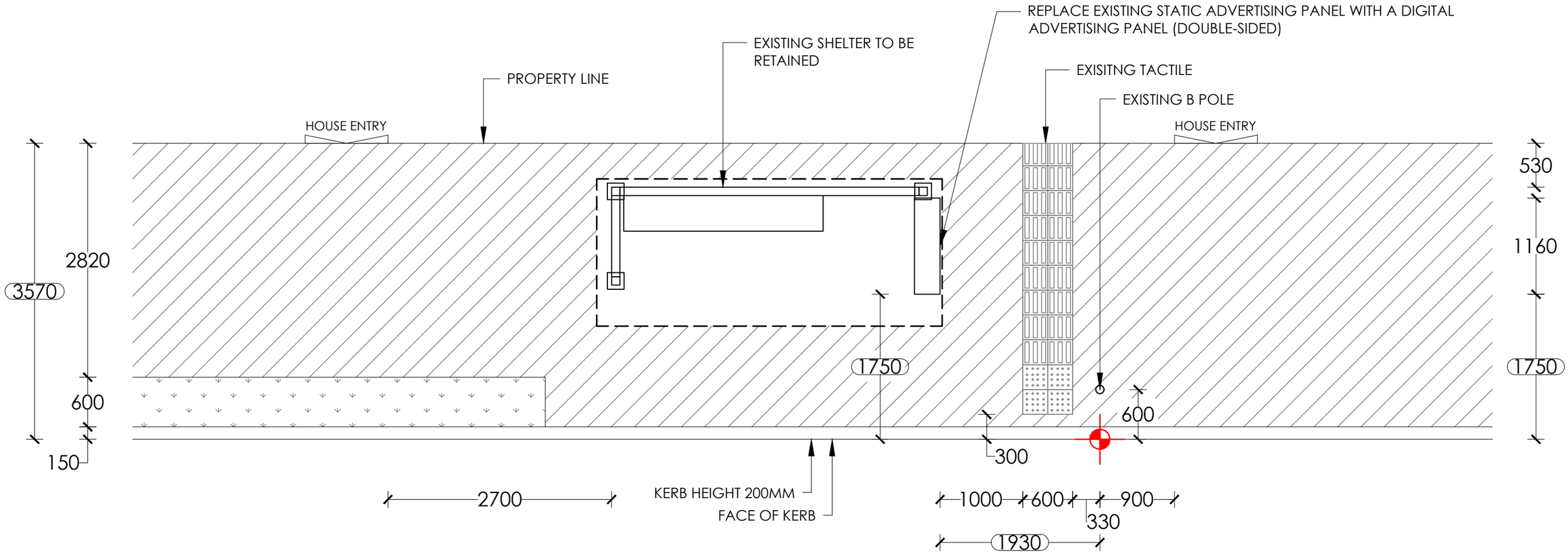
SCALE: 1:60

DRAWING NO.: 101

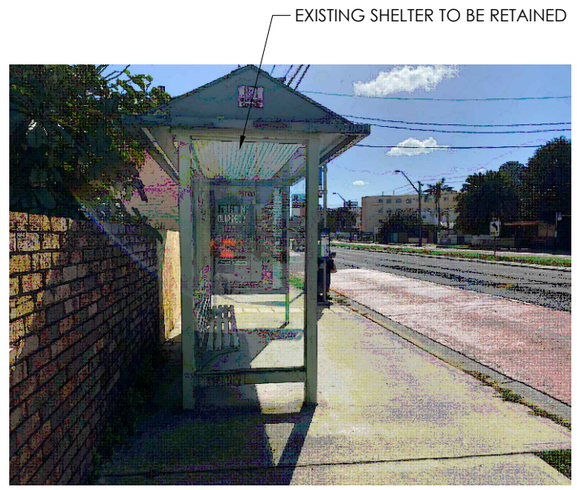
REV NO.: B

DATE: 26/03/25

NO. 1251 PITTWATER ROAD, NARRABEEN



PITTWATER ROAD



NOTES:
1. Retrofit digital screen
2. Existing shelter to remain.
3. Reinstate all disturbed areas to match existing, refer hatch legend.
4. Power pole located 13m to the right of the shelter.

NOTE:
PROPOSED CONFIG - DIGITAL/DIGITAL

SURVEY	
1	↓ 3.0
2	2.4
3	0.0

TRANSITION TABLE	

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

PROPOSED

SCALE 1:50

SITE ADDRESS : IN FRONT OF NO. 1251 PITTWATER ROAD, NARRABEEN

SITE # : 20529

BUS STOP: E6 (210111)

PAPER SIZE: A3

REV.	DATE	INT.
B	27/03/25	SYN
A	31/07/17	NK

SCALE	DRAWING NO.
1:50	101
REV NO.	DATE
B	27/03/25

PLANNING
INGENUITY

ANNEXURE H

Existing Use Rights –
Documentation



E1 – Pittwater Rd S/O Ocean Grove W/S

DEVELOPMENT APPLICATION DETERMINATION

No: 3053DA
Lodged: 22 October 1999

Development Proposal

Bus shelter.

Site Description

Site No. 20543 – Outside 1017 Pittwater Road, (cnr Ocean Grove), Collaroy

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. 20543 – Outside 1017 Pittwater Road, (cnr Ocean Grove), Collaroy be approved subject to conditions as contained in the attached draft consent notice.

Instrument of Exercise of Delegated Authority (Consent by Officer under delegation)

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) 1/3/00 (Date)

4124 FILE NO: PF3882/Bus-C

Warringah Council

Notice of Determination of Development Application

Development Application No: 3053DA

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. 20543 – Outside 1017 Pittwater Road, (cnr Ocean Grove), Collaroy
Proposed Development:	Bus shelter

Determination:

Made on (Date):	1 March 2000 *See note 1*
Determination:	Consent 3053DA granted subject to conditions described below
Consent to operate from (Date):	1 March 2000
Consent to lapse on (Date):	1 March 2005
Details of Conditions (including Section 94 conditions):	*See note 2*

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. 20543, 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
   (1) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
   (2) 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
   (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 or fence 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. (C381)
5. The bus pole and bus zone are not to be relocated.

Right to Review by the Council

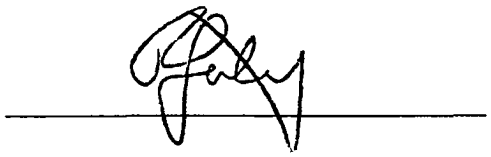
You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 28 days after the date the determination shown on this notice. A fee of $500.00 will apply.

Right of Appeal

If you are dissatisifed 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 or inquiry.

Signed on behalf of the consent authority

Signature 

Name P Gatenby

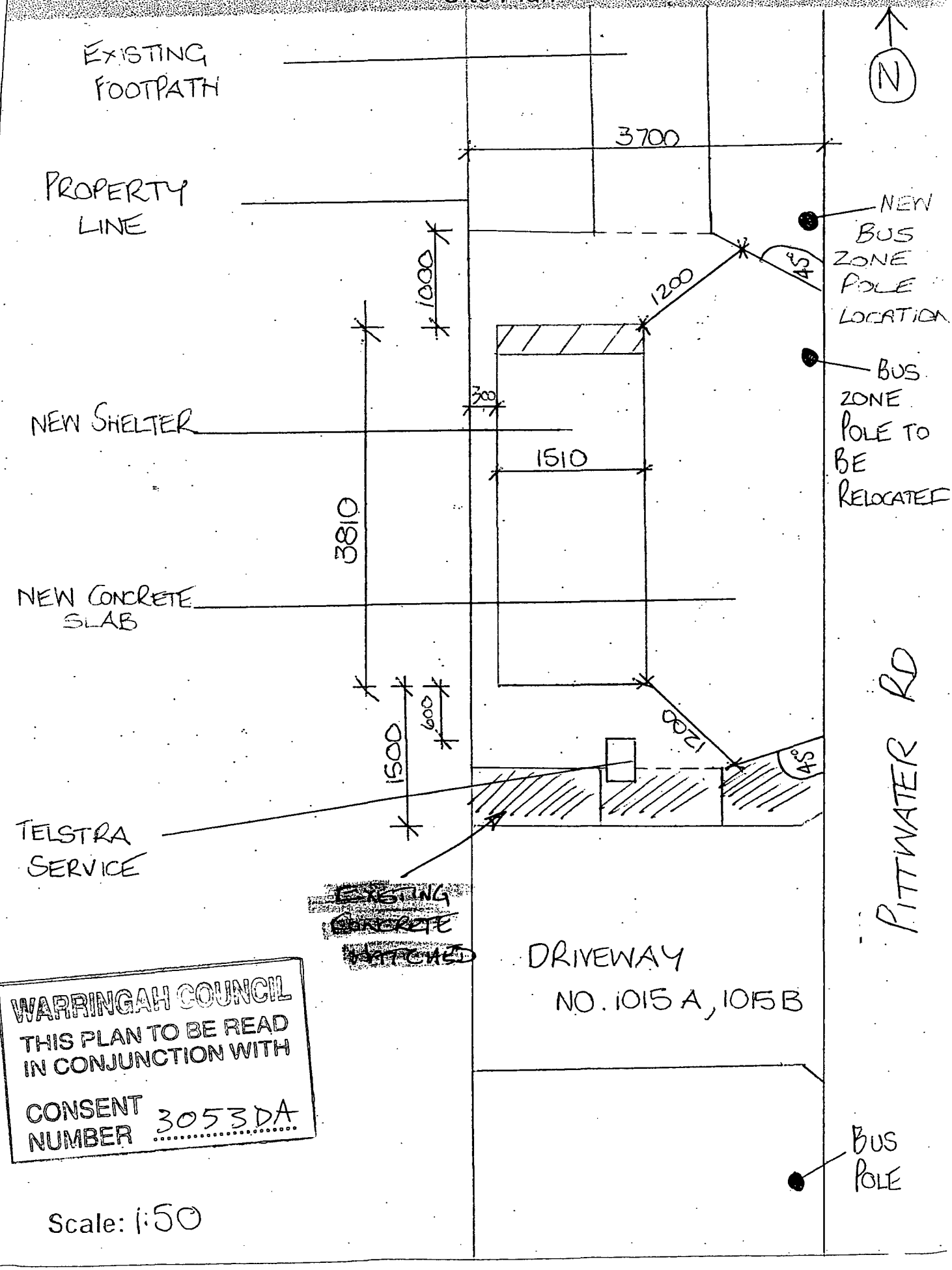
Date 1 March 2000

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.*

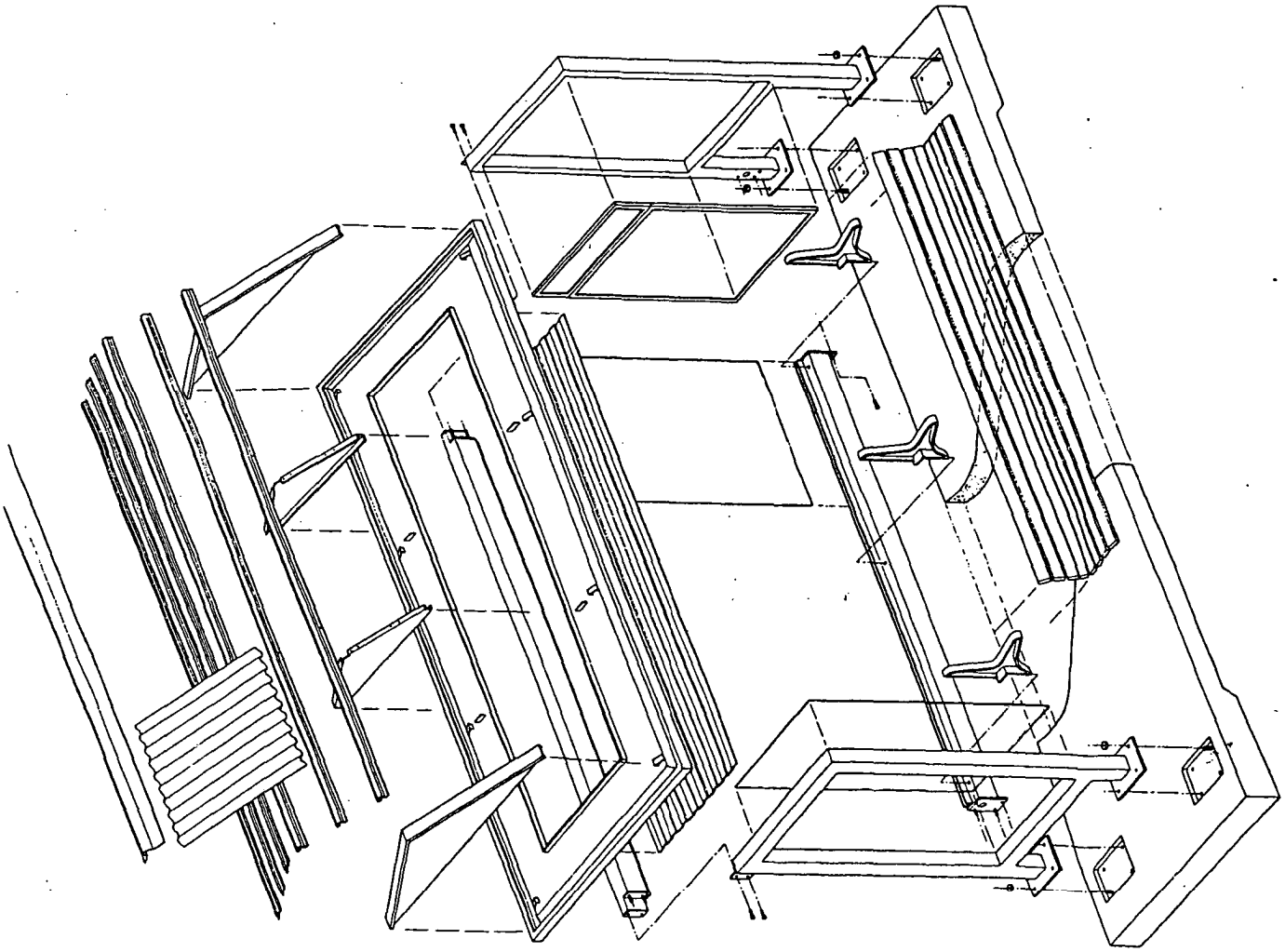
SITE NO. 20543

Site Plan



WARRINGAH COUNCIL
THIS PLAN TO BE READ IN CONJUNCTION WITH
CONSENT NUMBER 3053DA

Scale: 1:50



WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
CONSENT
NUMBER 3053DA

SCHEDULE 1 : METROLITE © MARK IV + FOOTINGS

E2 – Pittwater Rd S/O Ramsay St W/S

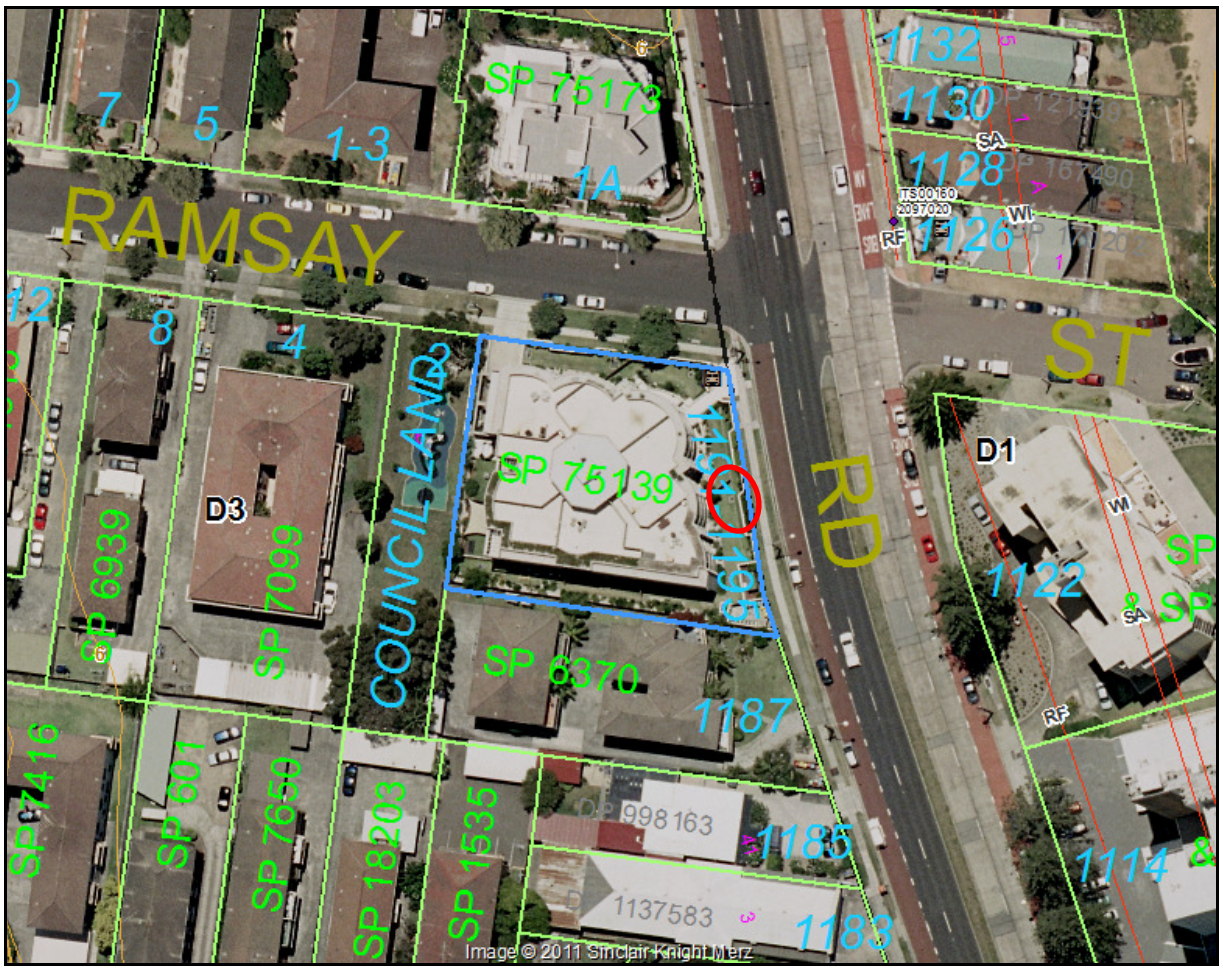
Warringah Council

3.5 1191-1195 Pittwater Road, Collaroy – Construction of Bus Shelter with Signage on Road Reserve on the Western Side of Pittwater Road South of Ramsay Street, Collaroy – Bus Stop Number 2097019

DEVELOPMENT ASSESSMENT REPORT

Assessment Officer:	Renee Ezzy
Address / Property Description:	Construction of Bus Shelter with signage on road reserve on the Western side of Pittwater Road South of Ramsay Street , Collaroy - Bus stop number 2097019
Development Application No:	DA2011/0565
Application Lodged:	28/04/2011
Plans Reference:	Site Location – Rev B (11/04/11) 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:	D3 Collaroy Footslopes
Category:	Category 2 (cl17 (4) WLEP 2000)
Draft WLEP 2009 Permissible or Prohibited Land use:	(SP2 Infrastructure) “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:	Nil
Assessment Issues:	SEPP 64 Advertising & Signage
Recommendation:	Approval, subject to conditions
Attachments:	Plans

LOCALITY PLAN (not to scale)



Subject Site: The proposed site is on the western side of Pittwater Road south of Ramsay Street within the road reserve outside No.1191-1195 Pittwater Road, Collaroy. - Bus stop number 2097019.

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 124 adjoining land owners and occupiers for a period of 14 calendar days commencing on 18 May 2011 and being finalised on 2 June 2011.

SITE DESCRIPTION

The site is on the nature strip on the western side of Pittwater Road outside the property at No.1191-1195 Pittwater Road. The site does not currently provide a shelter, only seating and a Bus J Pole within the identified bus zone.

SITE HISTORY

The application was lodged with Council on 28 April 2011.

PROPOSED DEVELOPMENT

The application proposes to provide a new bus seat with shelter measuring 2.846 metres high, 4.148 metres long and 1.686 metres wide. The structure will be constructed of light green aluminium with a pitched roof and glass panels to the back and southern side. An advertising panel measuring 1.15 metres x 1.75 metres will be provided at the northern 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) S94A 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 124 adjoining land owners and occupiers for a period of 14 calendar days commencing on 18 May 2001 and being finalised on 2 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

Referral Body - Internal	Comments	Consent Recommended
Development Engineer	Subject to the imposition of specific conditions of consent, Council's Development Engineer raises no objections.	Yes
Traffic Engineer	Councils Traffic Engineer deemed the proposed development acceptable without conditions.	Yes

Referral Body - External	Comments	Consent Recommended
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.	Yes
State Transit	The application was referred to the State Transit Authority on 19 May 2011. No response was received at the time of writing this report.	N/A
Roads and Traffic Authority	The application was referred to the Roads and Traffic Authority as 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 8 June 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 the notice of determination for these works.	Yes
Forest Coachlines	The application was referred to Forest Coachlines. No response was received at the time of writing this report.	N/A

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"	
Section 79C (1) (a) (i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	Yes
Section 79C (1) (a)(ii) – Have you considered all relevant provisions of any provisions of any draft environmental planning instrument	Yes
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	Yes
Section 79C (1) (a)(iiia) - Have you considered all relevant provisions of any Planning Agreement or Draft Planning Agreement	Yes
Section 79C (1) (a)(iv) - Have you considered all relevant provisions of any Regulations?	Yes
Section 79C (1) (b) – Are the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality acceptable?	Yes
Section 79C (1) (c) – It the site suitable for the development?	Yes

Section 79C "Matters for Consideration"	
Section 79C (1) (d) – Have you considered any submissions made in accordance with the EPA Act or EPA Regs?	Yes
Section 79C (1) (e) – Is the proposal in the public interest?	Yes

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: SP2 Infrastructure

Permissible or Prohibited: *Permissible with consent*

Additional Permitted uses 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:	NA	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:	8.5m	2.846m	Yes	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 D3 Collaroy Footslopes Locality: Requirement 1 *The Collaroy Footslopes locality will remain characterised by apartment style housing and detached style houses in landscaped settings interspersed by a range of complementary and compatible uses. New apartment development will be confined to the "medium density areas" shown on the map.* Comment: The proposed shelter is public infrastructure located within the Pittwater Road, road reserve. The proposed shelter is considered to provide an appropriate element within the road corridor. Requirement 2 *Future apartment style housing will be designed to address public streets and spaces, create visual interest and enable the establishment of substantial landscaping in the spaces between buildings. 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 works are not located within a standard allotment and do not seek to provide any form of housing. Accordingly, this requirement does not directly relate to the proposed works. Requirement 3 *Apartment style housing will be excluded from the immediate footslopes of the Collaroy Escarpment and future development in this area will be of a low density nature. Development in this part of the locality will be integrated with the natural landscape including rock outcrops and remnant bushland and topography. Building materials are to blend with the colours and textures of the natural landscape.* Comment: The proposed shelter provides an overall height of 2.846 metres which is considered an appropriate height in its context within the road reserve. The proposed shelter provides an upgrade to the existing facilities which includes an aluminium seat with no 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 eastern 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.	YES

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 not within close proximity of any environmentally sensitive areas.	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 residential flat buildings 3 storeys and over. 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.	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 proposed 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 southern sides offering visibility behind the shelter providing adequate visual surveillance.	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 3.25m^2, 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 2.01m^2.

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 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 D3 Collaroy Footslopes Locality under Warringah Local Environmental Plan 2000.

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

The Collaroy Footslopes locality will remain characterised by apartment style housing and detached style houses in landscaped settings interspersed by a range of complementary and compatible uses. New apartment development will be confined to the "medium density areas" shown on the map.

Future apartment style housing will be designed to address public streets and spaces, create visual interest and enable the establishment of substantial landscaping in the spaces between buildings. 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.

Apartment style housing will be excluded from the immediate footslopes of the Collaroy Escarpment and future development in this area will be of a low density nature. Development in this part of the locality will be integrated with the natural landscape including rock outcrops and remnant bushland and topography. Building materials are to blend with the colours and textures of the natural landscape.

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 Collaroy Footslopes locality will remain characterised by apartment style housing and detached style houses in landscaped settings interspersed by a range of complementary and compatible uses. New apartment development will be confined to the "medium density areas" shown on the map.

Comment:
The proposed shelter is located within the road reserve on the western side of Pittwater Road. The proposed shelter provides an upgrade to the existing environment which provides no facilities for 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 apartment style housing will be designed to address public streets and spaces, create visual interest and enable the establishment of substantial landscaping in the spaces between buildings. 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 development is for construction of a bus shelter within the road reserve and does not seek to provide any form of housing. Accordingly, this requirement is not relevant to the subject application.

Requirement 3
Apartment style housing will be excluded from the immediate footslopes of the Collaroy Escarpment and future development in this area will be of a low density nature. Development in this part of the locality will be integrated with the natural landscape including rock outcrops and remnant bushland and topography. Building materials are to blend with the colours and textures of the natural landscape.

Comment:
The subject site is not located in the immediate footslopes of the Collaroy escarpment. Accordingly, this requirement is not relevant to the proposed works.

Built Form Controls (Development Standards) **D3 Collaroy Footslopes**

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

Built Form Standard	Required	Compliance Comment	Compliance
Housing Density	1 dwelling per 800sqm	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.	YES
Building Height	3 storeys nor 11 metres	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

Built Form Standard	Required	Compliance Comment	Compliance
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 4.5m	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.	N/A
Landscaped Open Space	50% in medium density areas	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 area 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**
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**

General Principles	Applies	Comments	Complies
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**	No comment	**NO**
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	**YES**	The proposed site is identified as Class 4 for Acid Sulphate Soils. As the proposed works will not require work beyond 2 metres below natural ground level, no further acid sulphate soils assessment is required.	**YES**
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). Response: 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. Response: 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. Response: The proposed bus shelter is in full sight of approaching traffic. The structure contains toughened safety glass to the back and one side. The remaining side contains the illuminated advertising panel maintaining sightlines	**YES**

General Principles	Applies	Comments	Complies
		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. Response: The ongoing maintenance of the shelter is subject to a contract between Adshel and Warringah Council. *(Ref.CPTED Review for Warringah Council by Garner Clancey and Dr Murray Lee, Sydney Institute of Criminology and NSW Police)*	
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**
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**

General Principles	Applies	Comments	Complies
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**
CL80 Notice to Metropolitan Aboriginal Land Council and the National Parks and Wildlife Service	**NO**	No comment	**NA**

General Principles	Applies	Comments	Complies
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: • *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****,* Accordingly, the proposed signage element being located on the bus shelter is not a prohibited sign and is acceptable.

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.

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 that $100,000.00 the policy is not applicable to the assessment of this application.

CONCLUSION

The proposed development for construction of a bus shelter with signage within the road reserve in front of No. 1191 – 1195 Pittwater Road, Collaroy 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 DA2011/0565 for construction of a bus shelter with signage on the road reserve on the western side of Pittwater Road, south of Ramsay Street, outside No. 1191-1195 Pittwater Road, Collaroy (bus stop No. 2097019) 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 B	11/04/2011	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.

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 Energy Aust Referral	09 May 2011
Roads & Traffic Authority	RTA Referral Response	8 June 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) AS1428.4-2009 – Tactile Indicators
(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'**
(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. Maximum Cross Fall of Footpath

The maximum cross fall of any footpath at the bus shelter must not exceed 5% to ensure the safety of users.

Reason: Public Safety

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

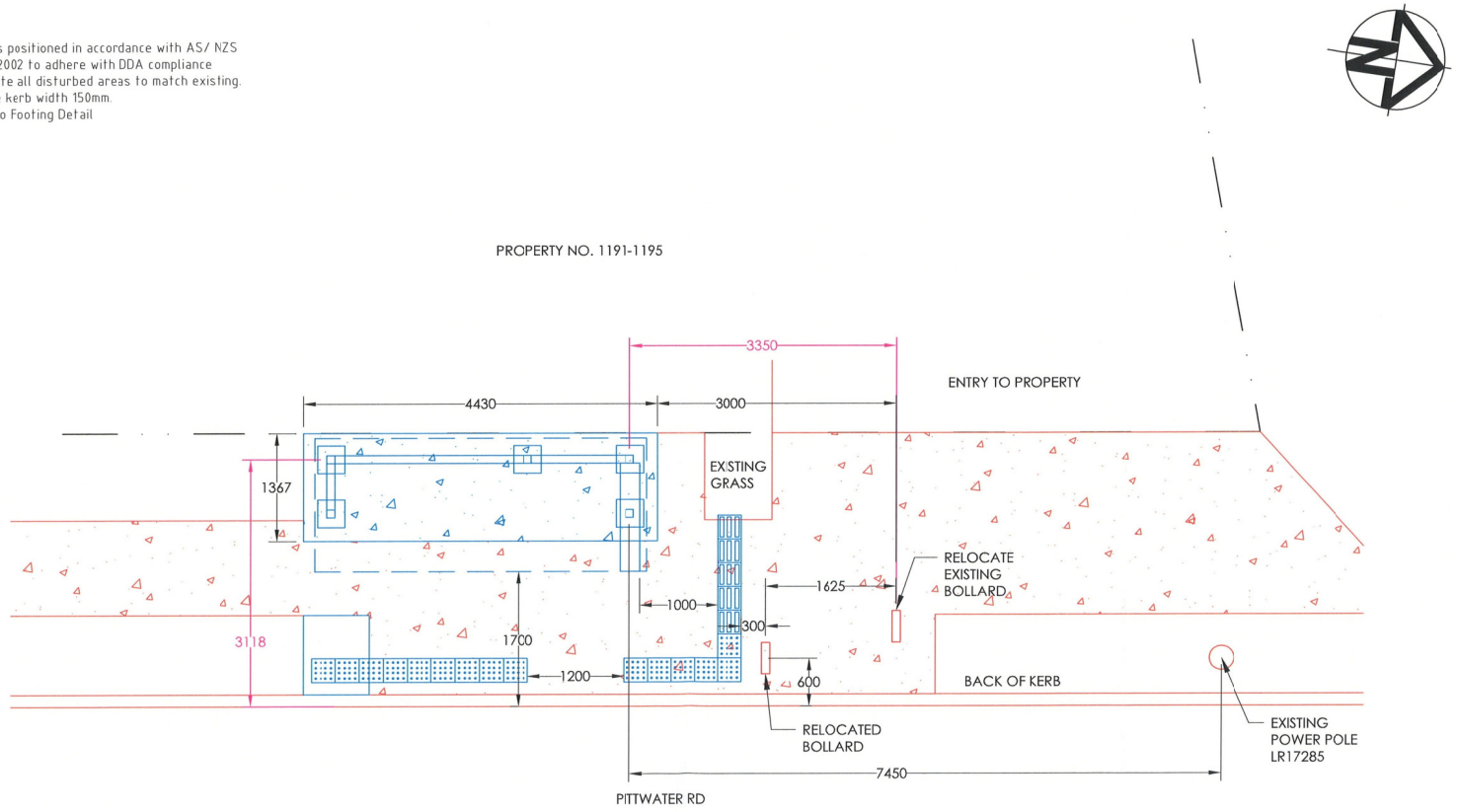
The level of illumination and/or lighting intensity used to illuminate the signage is to be minimised and the design is to be such to ensure that excessive light spill or nuisance is not caused to any nearby premises.

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 LOCATION: Pittwater Rd S/O Ramsay St W/S				REV B (11/04/11)
SITE NUMBER: 05707	BUS STOP No: 2097019	SCALE: 1:50	PAPER SIZE: A3	A 29/03/11 NC DRG Created B 11/04/11 NC DRG Amended

Notes:

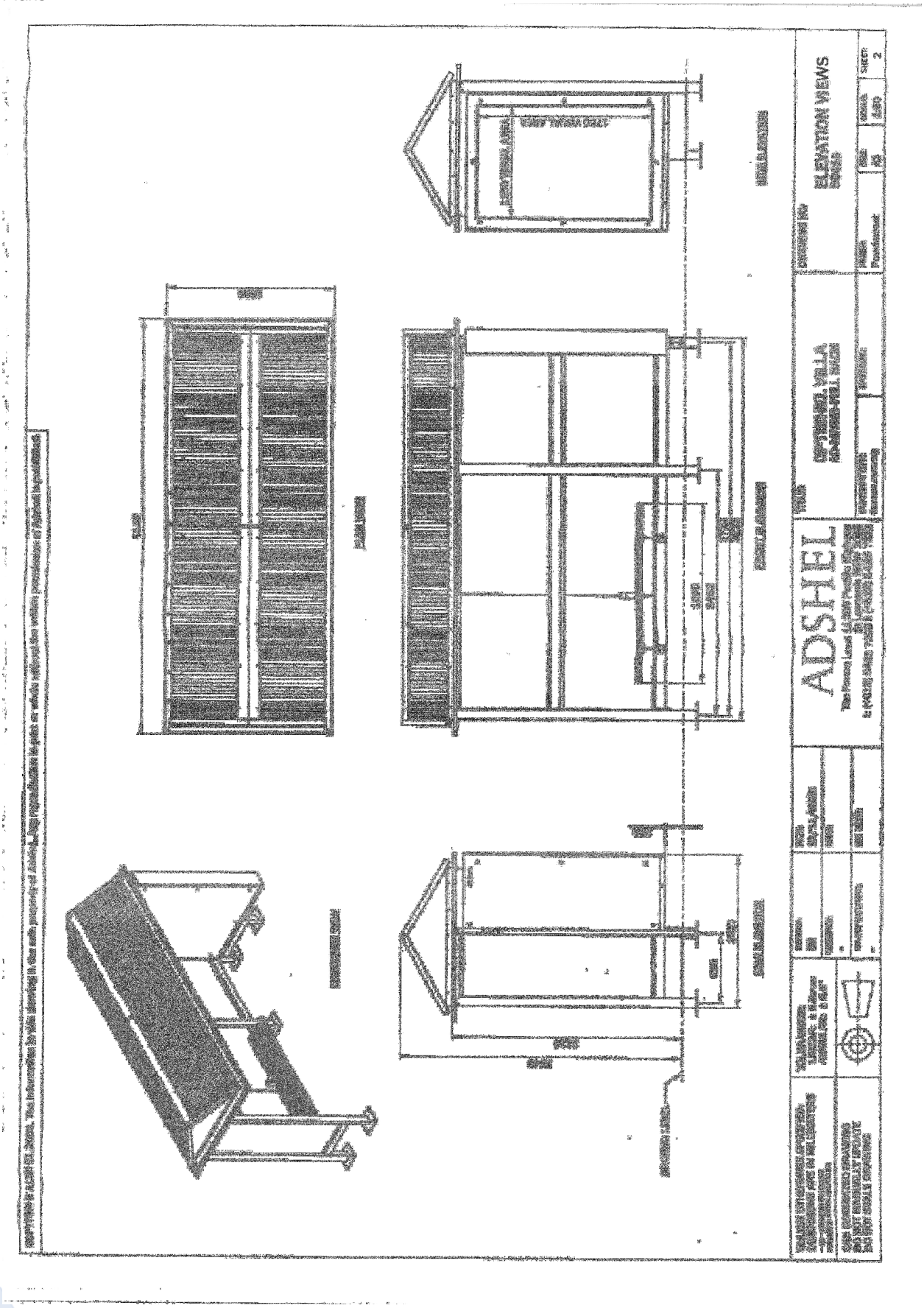
1. Tactiles positioned in accordance with AS/ NZS 1428:4:2002 to adhere with DDA compliance
2. Reinstate all disturbed areas to match existing.
3. Assume kerb width 150mm.
4. Refer to Footing Detail



Drawing Description - Proposed

ADSHEL

Plans



Warringah Council

Civic Centre 725 Pittwater Road
Dee Why NSW 2099
DX 9118
Telephone (02) 9942 2111
Facsimile (02) 9971 4522

Website www.warringah.nsw.gov.au
Email council@warringah.nsw.gov.au

17 October 2011

1301012111112102220022313311030130113

Adshel Street Furniture Pty Ltd
Level 9 - 205 Pacific Highway
St Leonards NSW 2065

Dear Sir / Madam,

RE: Construction Certificate No. CC2011/0675 for construction of Bus Shelter with signage on road reserve - Western side, Pittwater Road South of Ramsay Street , Collaroy - Bus stop number 2097019

Your application for a Construction Certificate has been determined. Please find attached your Construction Certificate, approved plans and details.

ONCE YOU HAVE OBTAINED YOUR CONSTRUCTION CERTIFICATE, THE FOLLOWING STEPS APPLY:

Before any construction commences, a Principal Certifying Authority (PCA) **must** be nominated at least two days in advance.

This can be either Council or an Accredited Certifier. Nominations should be made on the attached PCA Form, which should be lodged after your Construction Certificate has been approved. The PCA is responsible for inspecting the critical stages of construction, advising Council of the results of the inspections, compliance checking, and certifying that the work has been completed in accordance with the approved plans, specifications and conditions of consent.

Failure to nominate a PCA prior to work commencing, will result in fines being issued in accordance with the Environmental Planning & Assessment Act, 1979.

If Council is nominated as the PCA, then the following fees are required to be paid (prior to commencement) or at lodgement of the Nomination of PCA form.

If you decide to nominate the Council as your PCA, the following inspections and fees may apply and will be required to be paid at the time of lodging the PCA Form:

The Principal Certifying Authority (PCA) SHALL BE given a minimum of 2 days notice for mandatory inspection of the following;

CRITICAL STAGE INSPECTIONS - MANDATORY

For class 1 & 10 buildings, you must contact Council (if the Council is nominated PCA) to inspect:

- After excavation for, and prior to the placement of any concrete piers & footings — PAID
- After the building work has been completed and prior to any — PAID

occupation certificate being issued in relation to the building

The following additional inspections are also required where Council is the Principal Certifying Authority-

- Occupation Certificate Application $Nil

The above are the mandatory inspections that may apply if Council is nominated as the PCA. The fees are quoted on the basis of the level of information submitted with your application.

Council provides a quality level of service in its building certification services and would be delighted if you chose to use council as your PCA for this work. The benefits of dealing with council include;

A local organization that is able to undertake inspections with minimal notice, expert staff, and your records are maintained and we act in the best interests of the community.

Should you require any further information on this matter, please contact the undersigned weekdays on telephone number 9942 2111, or via council@warringah.nsw.gov.au.

Yours faithfully

Philip Hoffman
Senior Specialist Building Surveyor
BPB Accreditation No. 1249

Warringah Council

Civic Centre 725 Pittwater Road
Dee Why NSW 2099
DX 9118
Telephone (02) 9942 2111
Facsimile (02) 9971 4522

Website www.warringah.nsw.gov.au
Email council@warringah.nsw.gov.au

17 October 2011

Adshel Street Furniture Pty Ltd
Level 9 - 205 Pacific Highway
St Leonards NSW 2065

CONSTRUCTION CERTIFICATE

Certificate

I certify that the work if completed in accordance with the attached plans and specifications will comply with the requirements of the Environmental Planning and Assessment Regulation 2000 as referred to in Section 81A (5) of the Environmental Planning and Assessment Act 1979.

Address of Property: On the road reserve - Western side, Pittwater Road South of Ramsay Street , Collaroy - Bus stop number 2097019

Construction Certificate No: CC2011/0675

Description of Work: Construction of Bus Shelter with signage on road reserve

Classification of Building: 10a – Bus Shelter

Approved Drawing:

Drawing No.	Dated	Prepared By
Site Location Plan (Site 05707)– Rev B (Bus Stop 2097019)	11/04/2011	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

Date of Endorsement of Construction Certificate: 17 October 2011

Name of Authorised Officer: Philip Hoffman

BPB Accreditation No. 1249

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 No: DA2011/0565

Date of Determination: 11 Oct 2011

Attachment A – Class 10 Buildings

Building Occupation

The following is a list of certificates or statements which may be required for a Final Occupation Certificate. Please ensure that all relevant certificates as required by the Scope of Works are sent to Council prior to final inspection.

Note: Subject to confirmation from Council's Building Surveyor, an Interim Occupation Certificate may be issued where the building satisfies any pre-conditions of the Development Consent and satisfies the health and amenity requirements of the Building Code of Australia.

- Please complete and return an Occupation Certificate Application.

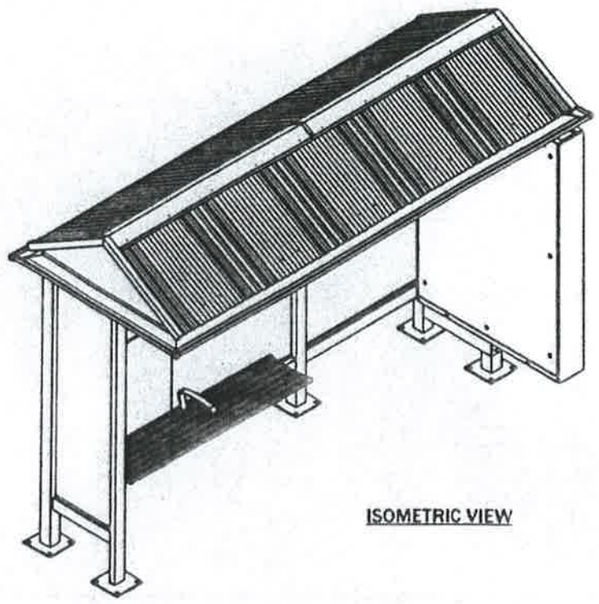
Note: In accordance with Clause 139 of the Environmental Planning & Assessment Regulation 2000, the original copy of the application form must be submitted Council, together with the relevant fee.

- Where required, a statement or certificate from the Civil Engineer or contractor confirming that the installation, operation and discharge of any storm water system is in accordance with the approved Construction Certificate drawings and in accordance with AS3500.3-2003.
- Where required, a Certificate from a registered practicing structural engineer stating that structural adequacy for all structural component of the building is adequate. Certificates should reference the relevant Australian Design Codes and plans and specifications relevant to the work.
- Statement or certificate from an accredited access consultant stating that all seating, TGSI's, any handrails, balustrades and fixings have been designed and installed to AS1428.1 and associated Premises Standards.
- Statement or certificate from window manufacturer that all glazed assemblies have been installed and comply with AS2047-1999
- Where required, a statement or certificate from a glazier that all glazed assemblies have been installed in accordance with AS1288-2006

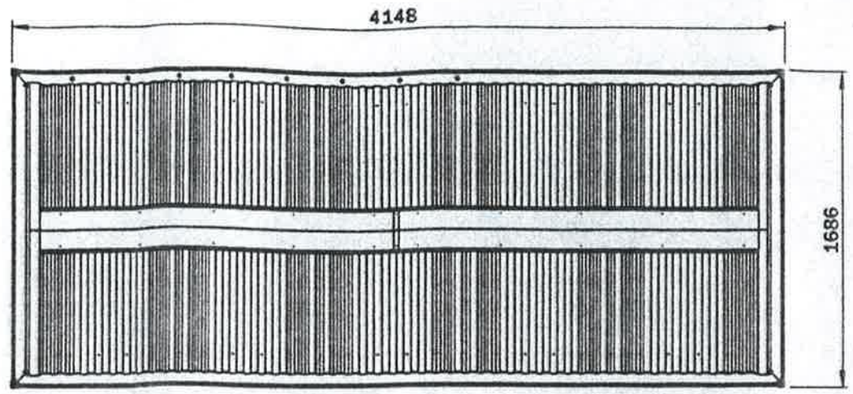
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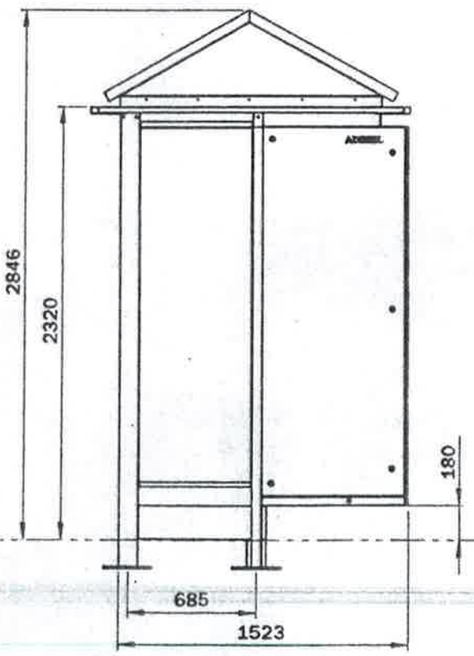
WARRINGAH COUNCIL
THIS PLAN TO BE READ IN CONJUNCTION WITH
Construction
Certificate No CC 2011/0675



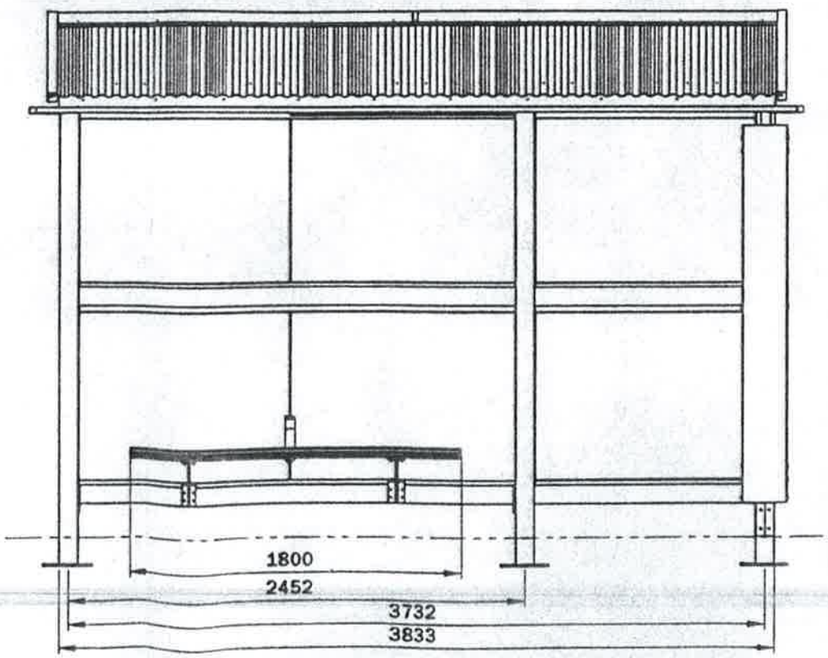
ISOMETRIC VIEW



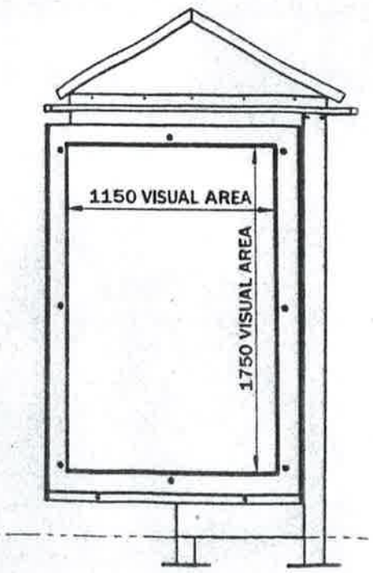
PLAN VIEW



SIDE ELEVATION



FRONT ELEVATION

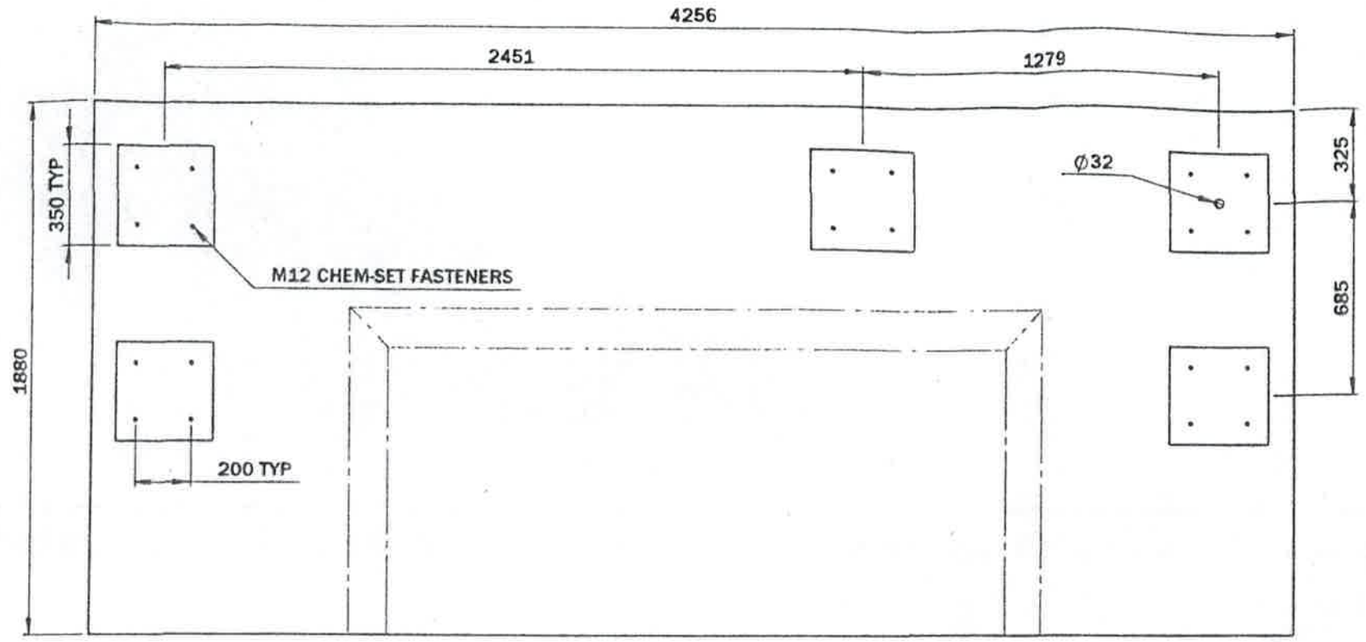


SIDE ELEVATION

UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS • XX = INDICATES DIMENSION SYMMETRIC ABOUT CENTRELINE	TOLERANCES: LINEAR: ± 0.5mm ANGULAR: ± 0.5°	DRAWN: SB	DATE: 18/11/2008	ADSHEL 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 NO: ELEVATION VIEWS 50416	
CAD GENERATED DRAWING DO NOT MANUALLY UPDATE DO NOT SCALE DRAWING		CHECKED: -	DATE:		DRAWING TYPE: General Assembly	MATERIAL:	FINISH: Powdercoat	SIZE: A3 / SCALE: 1:30 / SHEET: 2
		MANUFACTURING: -	REV DATE:					

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WARRINGAH COUNCIL
THIS PLAN TO BE READ IN CONJUNCTION WITH
Construction Certificate No CC 2011/0675



CONDUIT LOCATIONS ARE CRITICAL

CONCRETE REQUIREMENTS:

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

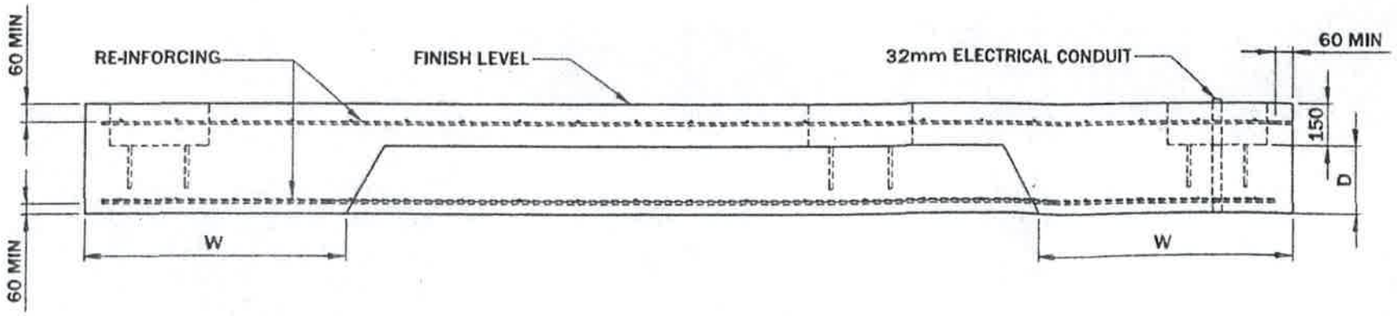
RE-INFORCEMENT:

- MINIMUM COVER OF RE-INFORCEMENT = 60mm

FASTENERS:

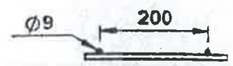
- 4 off M12 CHEM-SET FASTENERS PER UPRIGHT, MINIMUM EMBEDMENT = 150mm

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

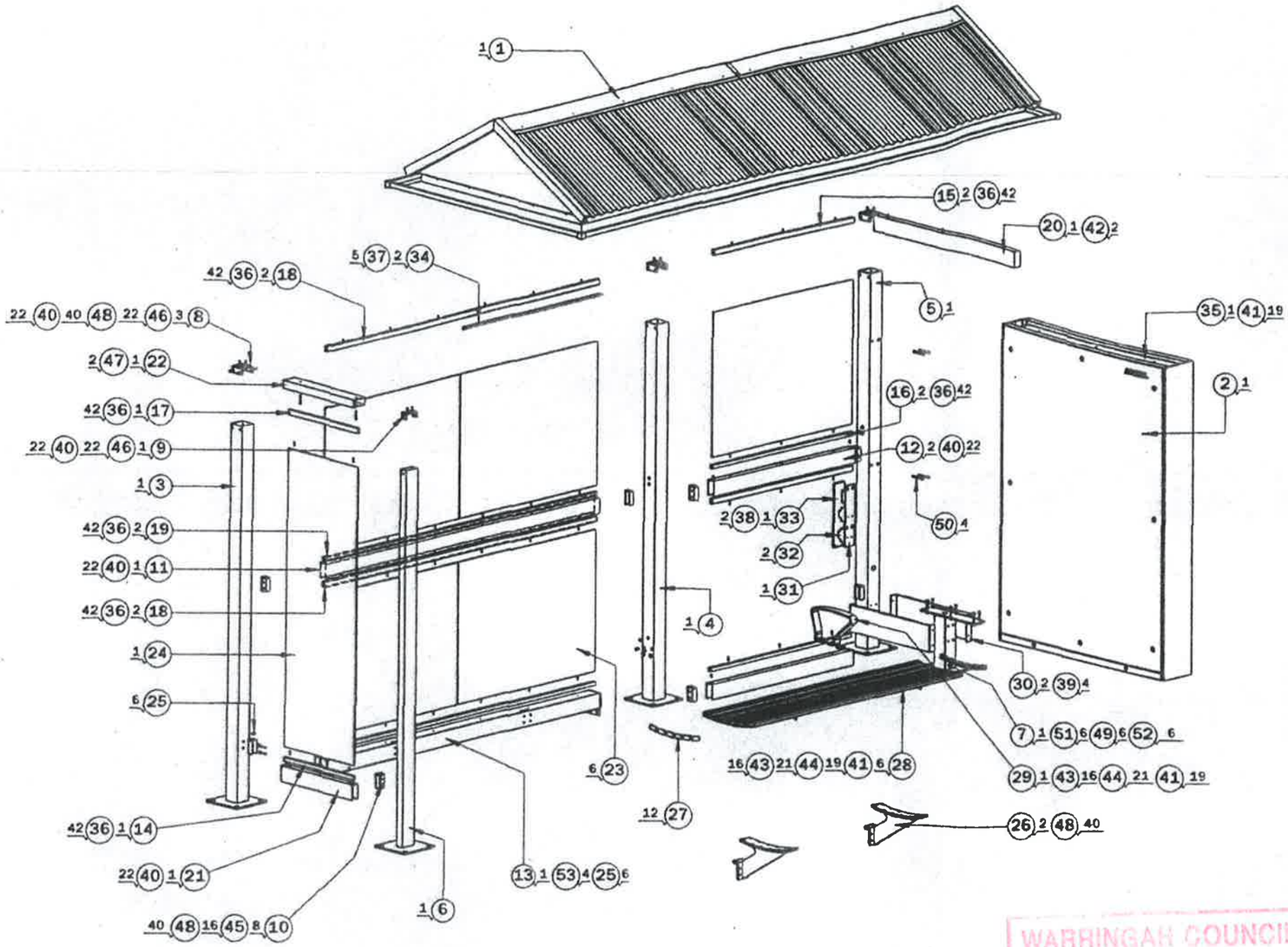




DETAIL B
MESH SIZE 200 x 200 x 9mm

UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS « XX » INDICATES DIMENSION SYMMETRIC ABOUT CENTRELINE	TOLERANCES: LINEAR: ± 0.5mm ANGULAR: ± 0.5°	DRAWN: SB	DATE: 18/11/2008	ADSHEL 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 NO: FOOTING DETAIL 50416	
CAD GENERATED DRAWING DO NOT MANUALLY UPDATE DO NOT SCALE DRAWING		CHECKED: -	DATE:		DRAWING TYPE: General Assembly	MATERIAL:	FINISH:	SIZE: A3 / SCALE: 1:20 / SHEET: 3
		MANUFACTURING: -	REV DATE:					

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BOM Table

ITEM NO.	QTY.	DRAWING NUMBER	DESCRIPTION	MATERIAL
1	1	50056	VILLA ROOF ASSEMBLY - MAINS SUPPLY	ALUMINIUM
2	1	11550	UNIVERSAL SUPERLITE DSFS	VARIOUS
3	1	12234	UPRIGHT A	ALUMINIUM
4	1	50193	UPRIGHT G	ALUMINIUM
5	1	12236	UPRIGHT C	ALUMINIUM
6	1	12233	UPRIGHT D	ALUMINIUM
7	1	50005	UPRIGHT E	ALUMINIUM
8	3	12241	REAR UPRIGHT BRACKET	SS
9	1	12240	FRONT UPRIGHT BRACKET	SS
10	8	11571	MID&BOTTOM RAIL BRACKET	SS
11	1	50019	MID RAIL LONG	ALUMINIUM
12	2	11570	MID RAIL	ALUMINIUM
13	1	12230	SEAT RAIL	ALUMINIUM
14	1	11582-1	U GLASS HOLDER 1	ALUMINIUM
15	2	11584-2	U GLASS HOLDER 2	ALUMINIUM
16	2	11582-2	U GLASS HOLDER 3	ALUMINIUM
17	1	50022	U GLASS HOLDER 5	ALUMINIUM
18	2	12288	UPPER LONG U GLASS HOLDER	ALUMINIUM
19	2	50000	LOWER LONG U GLASS HOLDER	ALUMINIUM
20	1	12281	UPPER PANEL SUPPORT	ALUMINIUM
21	1	12280	LOWER WINDBREAK SUPPORT	ALUMINIUM
22	1	12279	UPPER WINDBREAK SUPPORT	ALUMINIUM
23	6	11577	BACK GLASS	TOUGHENED SAFETY GLASS
24	1	11578	WINDBREAK GLASS	TOUGHENED SAFETY GLASS
25	6	50033	DOWEL SCREW	SS
26	2	50026	SEAT SUPPORT RATIONALISED	ALUMINIUM CAST
27	12	50004	SEAT END CAP	PP WITH UV PLASTIC
28	6	11575	SEAT SLAT	ALUMINIUM EXTRUSION
29	1	11574	ARM REST	ALUMINIUM
30	2	50030	BASE CLADDING	ALUMINIUM
31	1	12297	ELECTRICAL PLATE	ALUMINIUM
32	2	-	RCD_MCB	-
33	1	50456	COVER PLATE 2	ALUMINIUM
34	1	11968	LED LIGHT SYSTEM	ALUMINIUM
35	1	10668	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 C'SNK SOCKET HD SCREW	
39	4		M6 X 16 BUTTON SOCKET HD SCREW	
40	22		M6 X 20 C'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 50 SHCS	
48	40		M8 PLAIN WASHER	
49	6		M10 X 80 HEX HD SCREW	
50	4		M10 X 80 SHCS	
51	6		M10 PLAIN WASHER	
52	6		M10 FULL NUT	

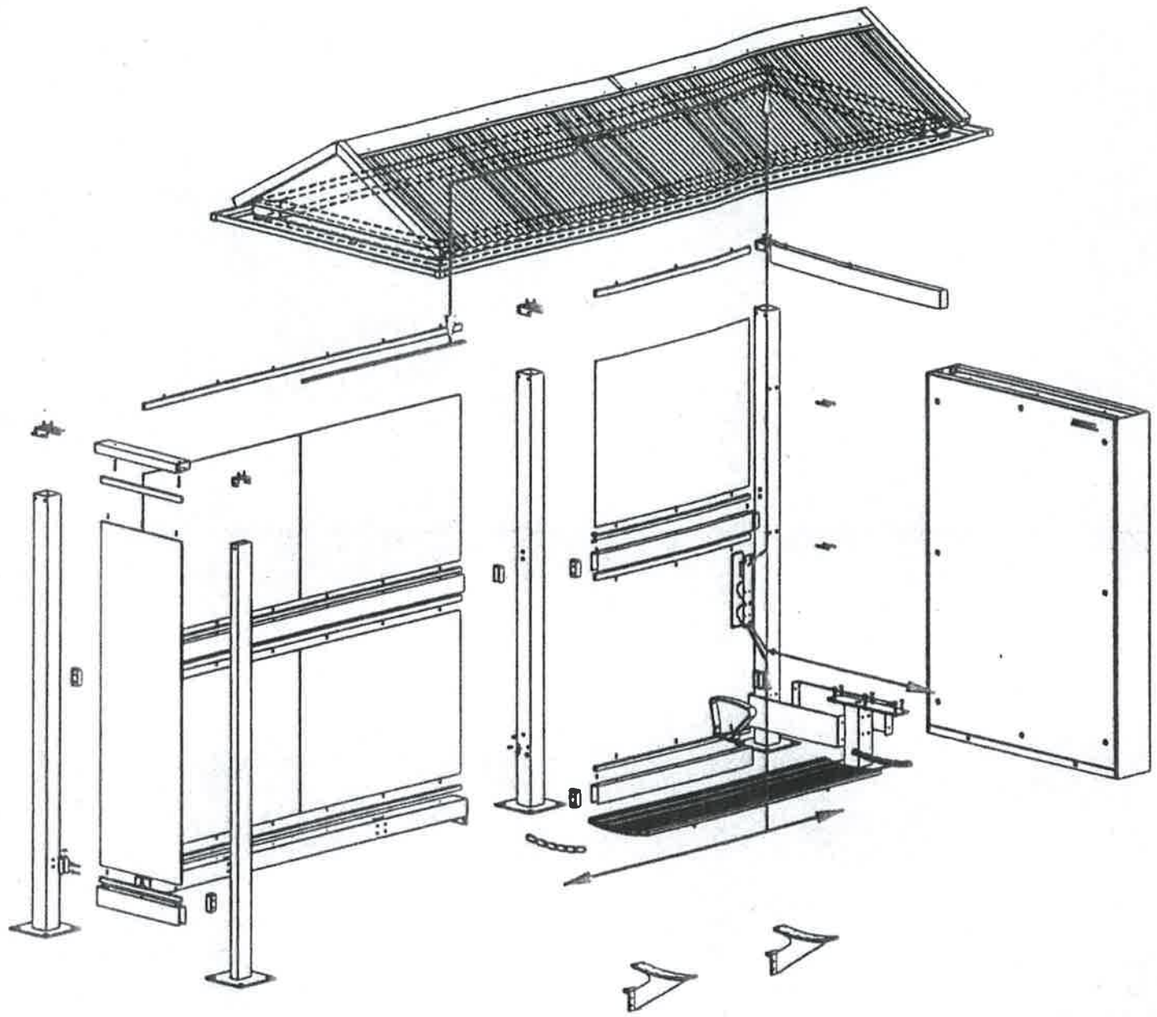
WARRINGAH COUNCIL
THIS PLAN TO BE READ IN CONJUNCTION WITH
Construction Certificate No CC2011/0675

QTY — 0 — ITEM NO.

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: ± 0.5mm ANGULAR: ± 0.5°	DRAWN: SB	DATE: 18/11/2008	ADSHEL 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 NO: EXPLODED ASSEMBLY 50416	
		CHECKED: -	DATE:					
		MANUFACTURING: -	REV DATE:		DRAWING TYPE: General Assembly	MATERIAL:	FINISH:	SIZE: A3 / SCALE: 1:30 / SHEET: 4

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WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
Construction
Certificate No CC2011/0675



KEY:

SUPPLY = 240V

LOAD / LIGHTS = 12V

UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS = XX = INDICATES DIMENSION SYMMETRIC ABOUT CENTRELINE	TOLERANCES: LINEAR: ± 0.5mm ANGULAR: ± 0.5°	DRAWN: SB	DATE: 18/11/2008	ADSHEL 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 NO: WIRING DETAIL 50416		
CAD GENERATED DRAWING DO NOT MANUALLY UPDATE DO NOT SCALE DRAWING		CHECKED: -	DATE:		DRAWING TYPE: General Assembly	MATERIAL:	FINISH:	SIZE: A3	SCALE: 1:30	SHEET: 5
		MANUFACTURING: -	REV DATE:						

Warringah Council

NOTICE OF DETERMINATION

Application Number:	DA2011/0565

APPLICATION DETAILS

Applicant Name and Address:	Adshel Street Furniture Pty Ltd Level 9 - 205 PacIfic Highway St Leonards NSW 2065

Land to be developed (Address):	Road Reserve on the Western side of Pittwater Road South of Ramsay Street , Collaroy - Bus stop number 2097019

Proposed Development:	Construction of Bus Shelter with signage

DETERMINATION - APPROVED

Made on (Date):	10 October 2011

Consent to operate from (Date):	11 October 2011

Consent to lapse on (Date):	11 October 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.

Warringah Council

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 B	11/04/2011	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.

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 Energy Aust Referral	09 May 2011
Roads & Traffic Authority	RTA Referral Response	8 June 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) AS1428.4-2009 – Tactile Indicators
(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'**
(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. Maximum Cross Fall of Footpath

The maximum cross fall of any footpath at the bus shelter must not exceed 5% to ensure the safety of users.

Reason: Public Safety

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, Acting team Leader, Development Assessments

Date 11 October 2011

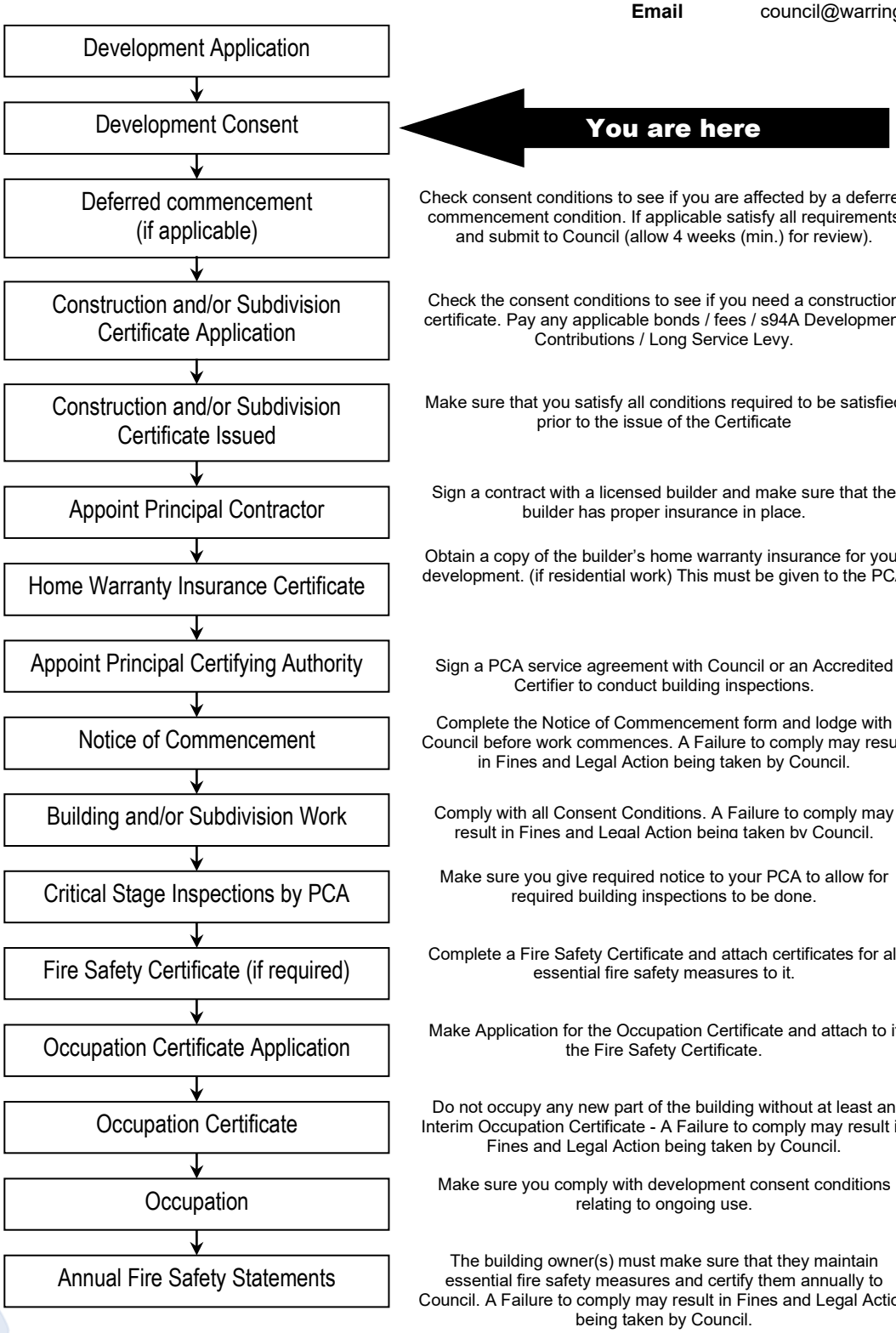
Notice of Determination

Advisory Notes (General)

Civic Centre 725 Pittwater Road
Dee Why NSW 2099
DX 9118
Telephone (02) 9942 2111
Facsimile (02) 9971 4522

Website www.warringah.nsw.gov.au
Email council@warringah.nsw.gov.au

Where are you in the development process?



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

***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.*

- *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.

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.*

(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.

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.*

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.

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.*

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.

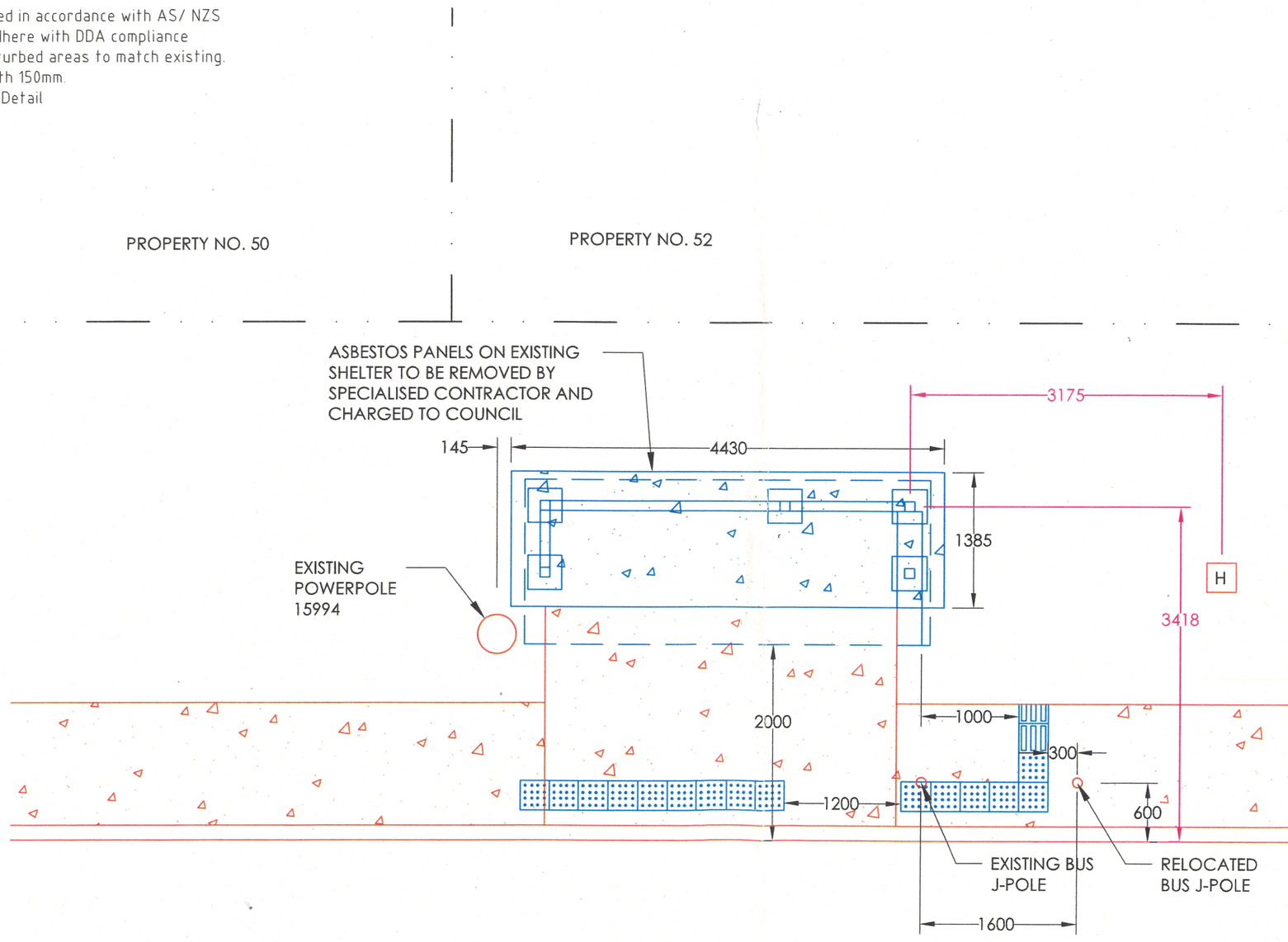
Legionella Control
Cooling towers, warm water systems, water cooling systems must be registered with the Council. Details of registration are to be provided to the Council prior to operation.

E3 – Veterans Pde S/O Rose Ave W/S

SITE LOCATION: Veterans Pde S/O Rose Ave W/S					REV B (10/05/11)
SITE NUMBER: 05708	BUS STOP No: 2097044	SCALE: 1:50	PAPER SIZE: A3	A 03/05/11 NC DRG Created B 10/05/11 NC DRG Amended	

Notes:

1. Tactiles positioned in accordance with AS/ NZS 1428:4:2002 to adhere with DDA compliance
2. Reinstate all disturbed areas to match existing.
3. Assume kerb width 150mm.
4. Refer to Footing Detail



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SYDNEY WATER APPROVED

1. Position of structure in relation to Sydney Water's assets is satisfactory.
2. Connections to Sydney Water sewer/water services may only be made following the issue of a permit to a licenced plumber/drainer.
3. It is the owner's responsibility to ensure that all proposed fittings will drain to Sydney Water's sewer.
4. Any Plumbing and /or Drainage Work to be carried out in accordance with the Sydney Water Act 1994, AS 3500 and the NSW Code of practice.
5. Gullies, Inspection Shafts and Boundary Traps shall not be placed under any Roof, Balcony, Verandah, Floor or other cover unless otherwise approved by Sydney Water.
6. Property No. 3459915

Reece St Leonards,
Quick Check Agent on behalf of SYDNEY WATER

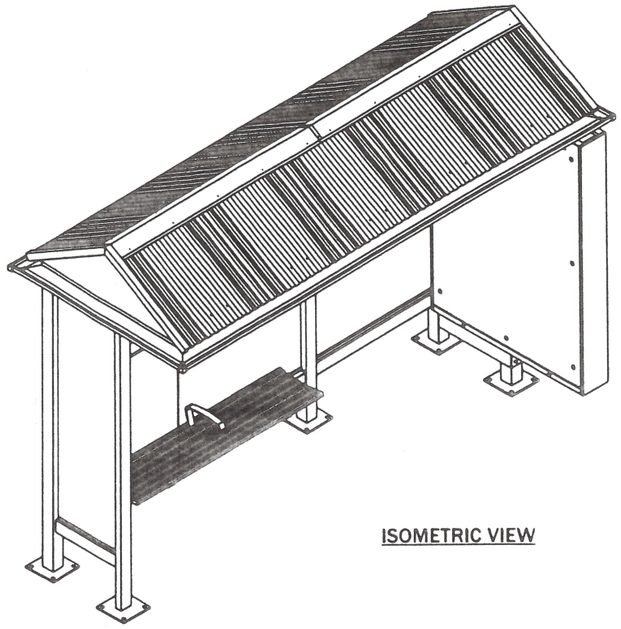
Per: 14,10,11

Drawing Description - Proposed

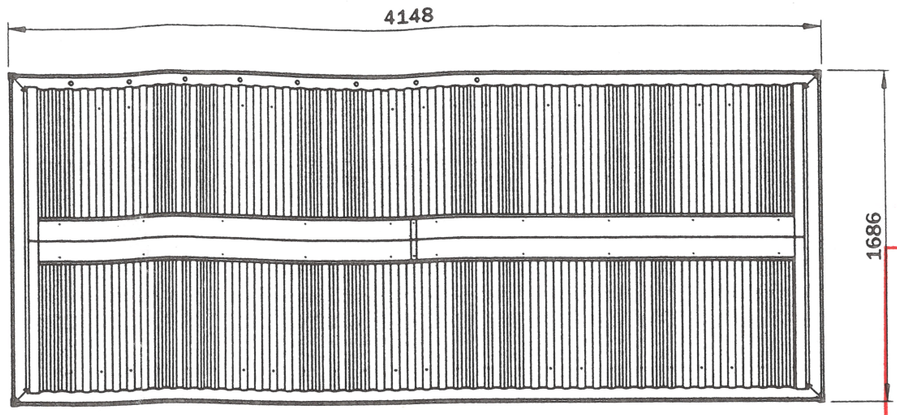
ADSHEL

APPROVED
SYDNEY WATER

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ISOMETRIC VIEW

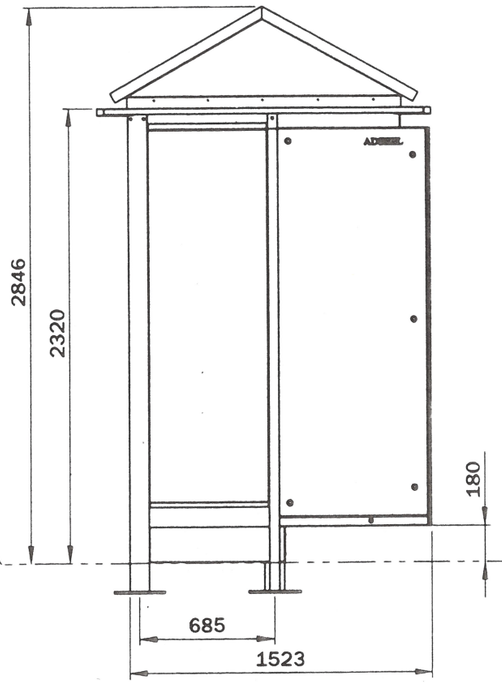


PLAN VIEW

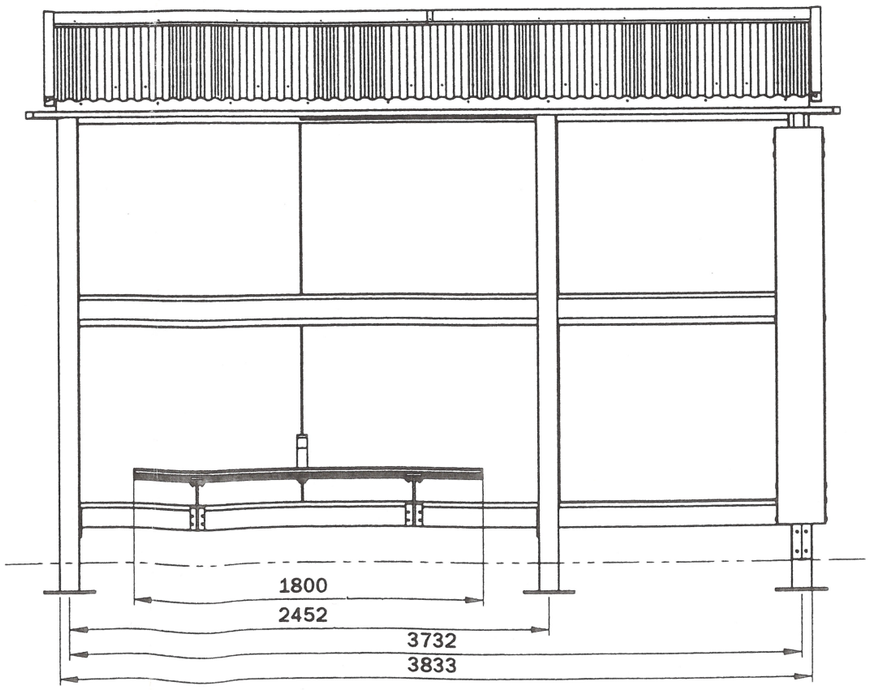
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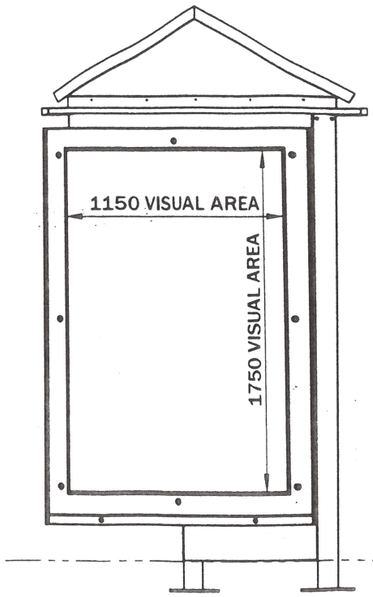
WARRINGAH COUNCIL



SIDE ELEVATION



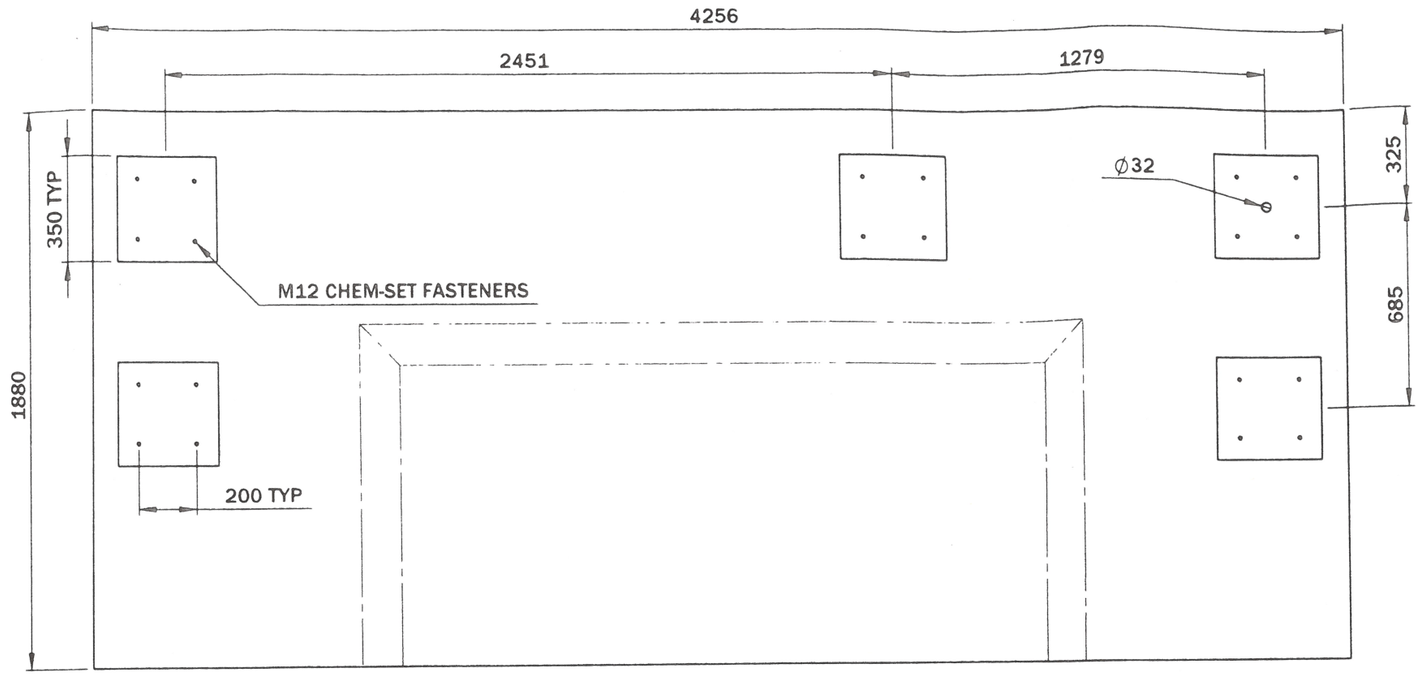
FRONT ELEVATION

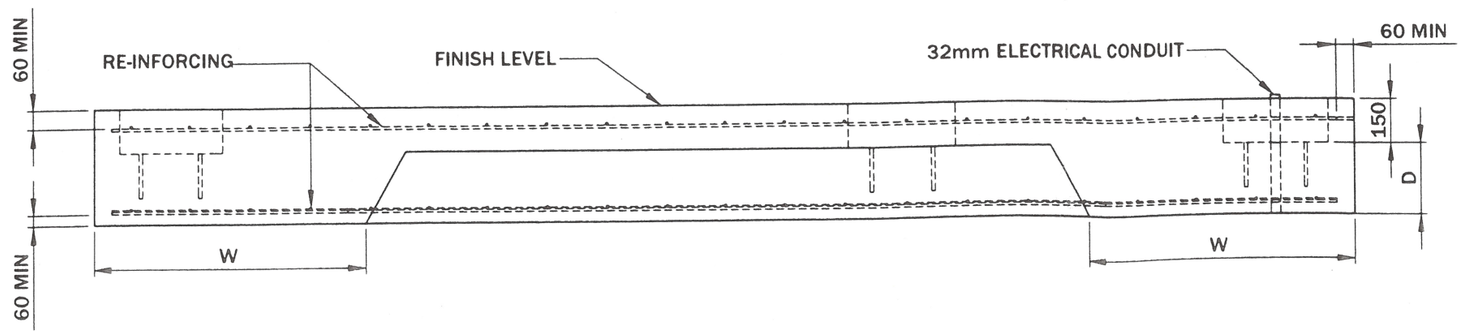


SIDE ELEVATION

UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS = XX = INDICATES DIMENSION SYMMETRIC ABOUT CENTRELINE	TOLERANCES: LINEAR: ± 0.5mm ANGULAR: ± 0.5°	DRAWN: SB	DATE: 18/11/2008	ADSHEL 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 NO: ELEVATION VIEWS 50416	
CAD GENERATED DRAWING DO NOT MANUALLY UPDATE DO NOT SCALE DRAWING		CHECKED: -	DATE:		DRAWING TYPE: General Assembly	MATERIAL:	FINISH: Powdercoat	SIZE: A3 / SCALE: 1:30 / SHEET: 2
		MANUFACTURING: -	REV DATE:					

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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

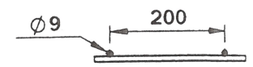
FASTENERS:

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

DIMENSIONS BASED ON METRO MkII CERTIFIED FOOTING

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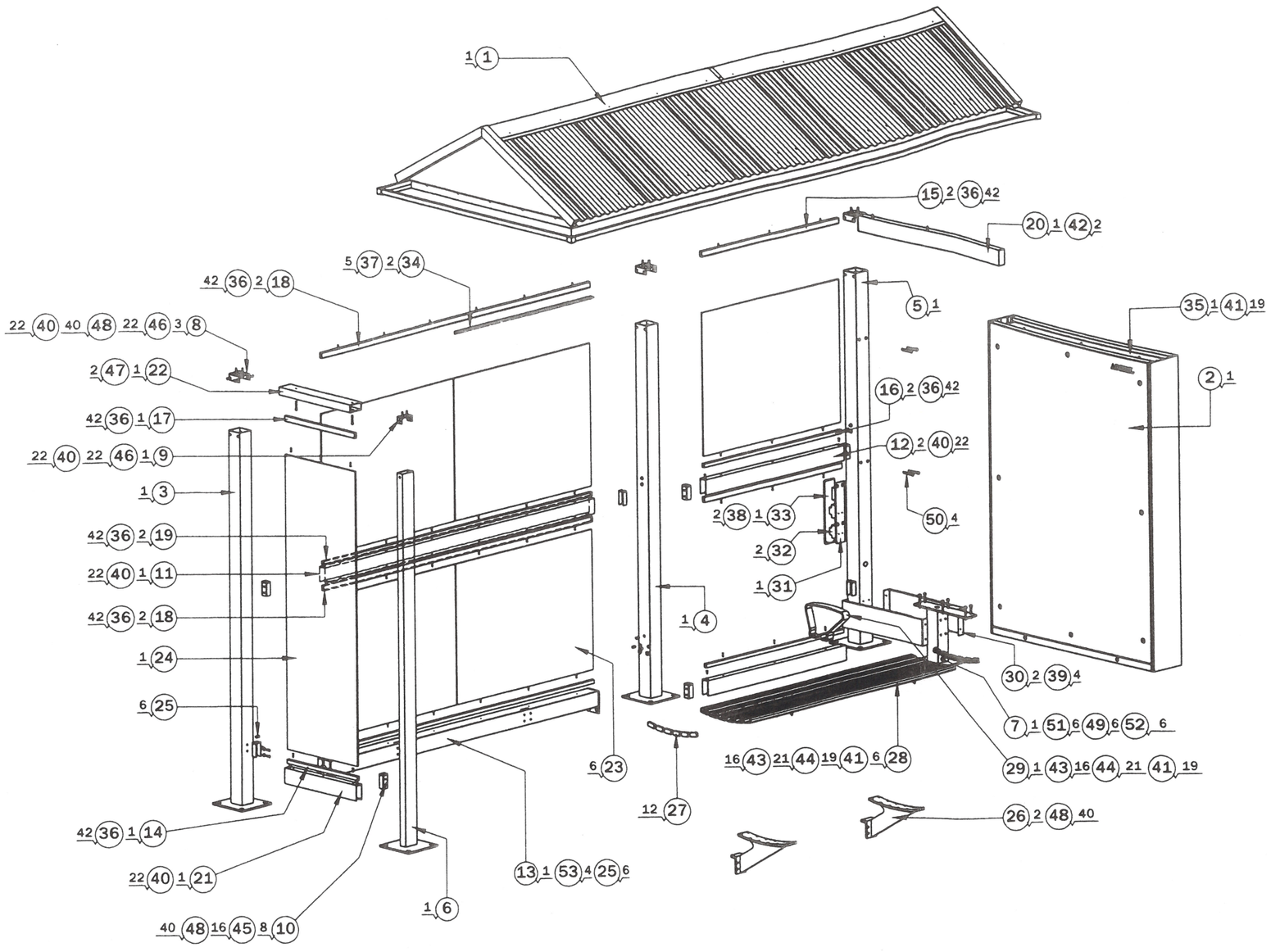
REGION	*DESCRIPTION*	*ULTIMATE WIND SPEED (m/s)*	*W (mm)*	*D (mm)*	*RE-INFORCEMENT TOP & BOTTOM*
A	NORMAL	50	910	240	RF92 MESH
B	INTERMEDIATE	60	1250	240	RF92 MESH



DETAIL B
MESH SIZE 200 x 200 x 9mm

UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS = XX = INDICATES DIMENSION SYMMETRIC ABOUT CENTRELINE	TOLERANCES: LINEAR: ± 0.5mm ANGULAR: ± 0.5°	DRAWN: SB	DATE: 18/11/2008	ADSHEL 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 NO: FOOTING DETAIL 50416
CAD GENERATED DRAWING DO NOT MANUALLY UPDATE DO NOT SCALE DRAWING		CHECKED: -	DATE:		DRAWING TYPE: General Assembly	MATERIAL:	FINISH: / SIZE: A3 / SCALE: 1:20 / SHEET: 3
		MANUFACTURING: -	REV DATE:				

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BOM Table

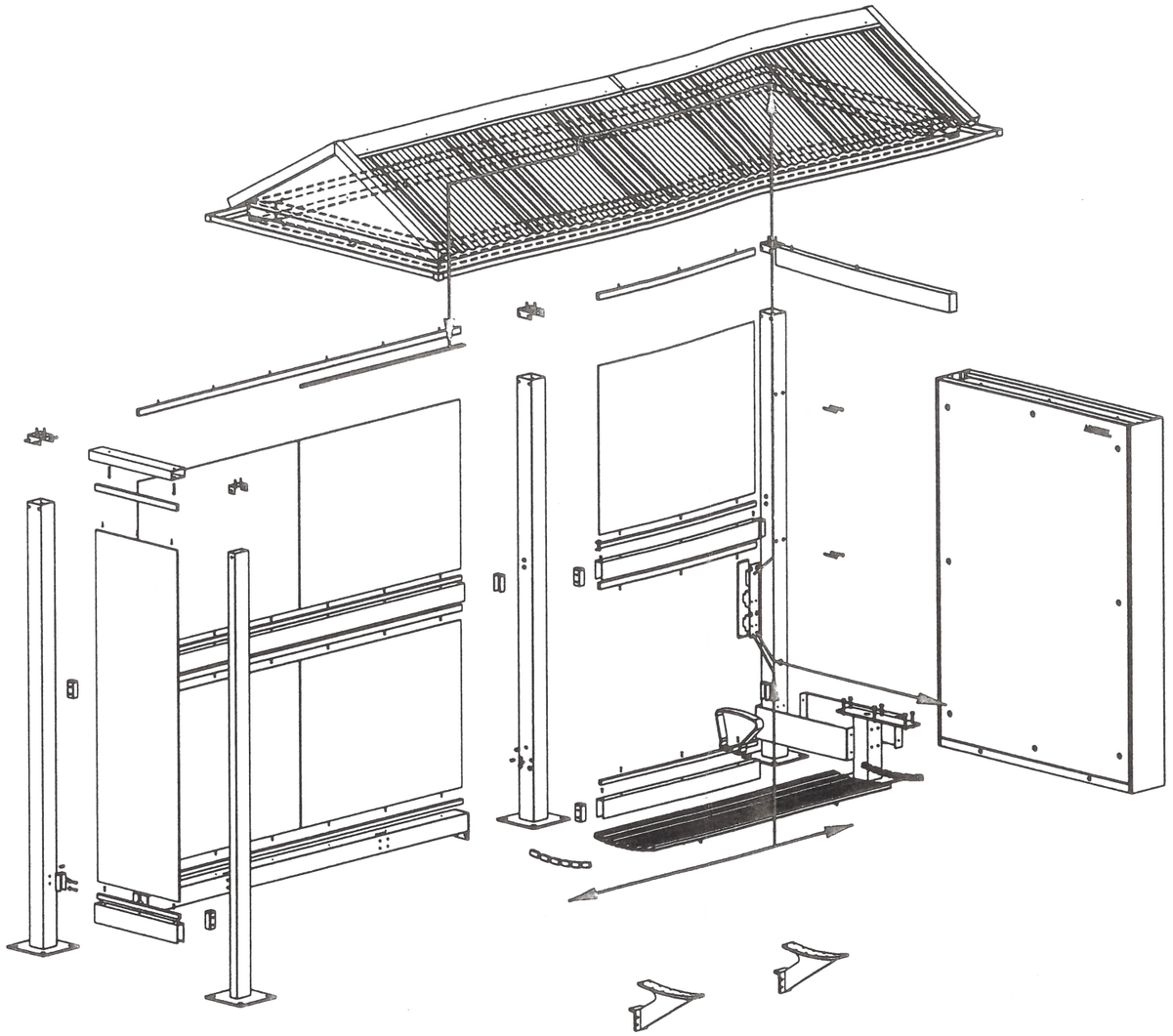
ITEM NO.	QTY.	DRAWING NUMBER	DESCRIPTION	MATERIAL
1	1	50056	VILLA ROOF ASSEMBLY - MAINS SUPPLY	ALUMINIUM
2	1	11550	UNIVERSAL SUPERLITE DSFS	VARIOUS
3	1	12234	UPRIGHT A	ALUMINIUM
4	1	50193	UPRIGHT G	ALUMINIUM
5	1	12236	UPRIGHT C	ALUMINIUM
6	1	12233	UPRIGHT D	ALUMINIUM
7	1	50005	UPRIGHT E	ALUMINIUM
8	3	12241	REAR UPRIGHT BRACKET	SS
9	1	12240	FRONT UPRIGHT BRACKET	SS
10	8	11571	MID&BOTTOM RAIL BRACKET	SS
11	1	50019	MID RAIL LONG	ALUMINIUM
12	2	11570	MID RAIL	ALUMINIUM
13	1	12230	SEAT RAIL	ALUMINIUM
14	1	11582-1	U GLASS HOLDER 1	ALUMINIUM
15	2	11584-2	U GLASS HOLDER 2	ALUMINIUM
16	2	11582-2	U GLASS HOLDER 3	ALUMINIUM
17	1	50022	U GLASS HOLDER 5	ALUMINIUM
18	2	12288	UPPER LONG U GLASS HOLDER	ALUMINIUM
19	2	50000	LOWER LONG U GLASS HOLDER	ALUMINIUM
20	1	12281	UPPER PANEL SUPPORT	ALUMINIUM
21	1	12280	LOWER WINDBREAK SUPPORT	ALUMINIUM
22	1	12279	UPPER WINDBREAK SUPPORT	ALUMINIUM
23	6	11577	BACK GLASS	TOUGHENED SAFETY GLASS
24	1	11578	WINDBREAK GLASS	TOUGHENED SAFETY GLASS
25	6	50033	DOWEL SCREW	SS
26	2	50026	SEAT SUPPORT RATIONALISED	ALUMINIUM CAST
27	12	50004	SEAT END CAP	PP WITH UV PLASTIC
28	6	11575	SEAT SLAT	ALUMINIUM EXTRUSION
29	1	11574	ARM REST	ALUMINIUM
30	2	50030	BASE CLADDING	ALUMINIUM
31	1	12297	ELECTRICAL PLATE	ALUMINIUM
32	2	-	RCD_MCB	-
33	1	50456	COVER PLATE 2	ALUMINIUM
34	1	11968	LED LIGHT SYSTEM	ALUMINIUM
35	1	10668	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 C'SNK SOCKET HD SCREW	
39	4		M6 X 16 BUTTON SOCKET HD SCREW	
40	22		M6 X 20 C'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 50 SHCS	
48	40		M8 PLAIN WASHER	
49	6		M10 X 80 HEX HD SCREW	
50	4		M10 X 80 SHCS	
51	6		M10 PLAIN WASHER	
52	6		M10 FULL NUT	

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QTY — 0 - ITEM NO.

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CAD GENERATED DRAWING DO NOT MANUALLY UPDATE DO NOT SCALE DRAWING		CHECKED: -	DATE:		DRAWING TYPE: General Assembly	MATERIAL:	FINISH: / SIZE: A3 / SCALE: 1:30 / SHEET: 4
		MANUFACTURING: -	REV DATE:				

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KEY:

SUPPLY = 240V

LOAD / LIGHTS = 12V

UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS = XX = INDICATES DIMENSION SYMMETRIC ABOUT CENTRELINE	TOLERANCES: LINEAR: ± 0.5mm ANGULAR: ± 0.5°	DRAWN: SB	DATE: 18/11/2008	ADSHEL 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 NO: WIRING DETAIL 50416	
CAD GENERATED DRAWING DO NOT MANUALLY UPDATE DO NOT SCALE DRAWING		CHECKED: -	DATE:		DRAWING TYPE: General Assembly	MATERIAL:	FINISH:	SIZE: A3 / SCALE: 1:30 / SHEET: 5
		MANUFACTURING: -	REV DATE:					

Minutes of Application Determination Panel Meeting on 10 October 2011

3.4	**52 Veterans Parade, Collaroy – Construction of Bus Shelter with Signage on Road Reserve - Bus Stop Number 2097044**

Panel Member

Malcolm Ryan, Chairperson, Acting Director of Community & Environment Services

David Kerr, Acting Director Strategic and Development Services

Michael McDermid, Acting Manager Strategic Planning, Strategic and Development Services

DA2011/0638

Proceedings in Brief

The Panel concurred with the Assessment Report and recommendation.

DECISION OF APPLICATION DETERMINATION PANEL

That the recommendation of the Development Assessment Officer for approval be adopted.

Warringah Council

NOTICE OF DETERMINATION

Application Number:	DA2011/0638

APPLICATION DETAILS

Applicant Name and Address:	Adshel Street Furniture Pty Ltd Level 9 - 205 Pacific Highway St Leonards NSW 2065

Land to be developed (Address):	Road reserve in front of 52 Veterans Parade, Collaroy Plateau- Bus stop number 2097044

Proposed Development:	Construction of Bus Shelter with signage

DETERMINATION - APPROVED

Made on (Date):	10 October 2011

Consent to operate from (Date):	11 October 2011

Consent to lapse on (Date):	11 October 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.

Warringah Council

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 B	10/05/2011	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.

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 Energy Aust Referral	23 May 2011
Roads & Traffic Authority	RTA Referral Response	7 June 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) AS1428.4-2009 – Tactile Indicators
(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'**
(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. Maximum Cross Fall of Footpath

The maximum cross fall of any footpath at the bus shelter must not exceed 5% to ensure the safety of users.

Reason: Public Safety

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, Acting Team Leader, Development Assessments

Date 11 October 2011

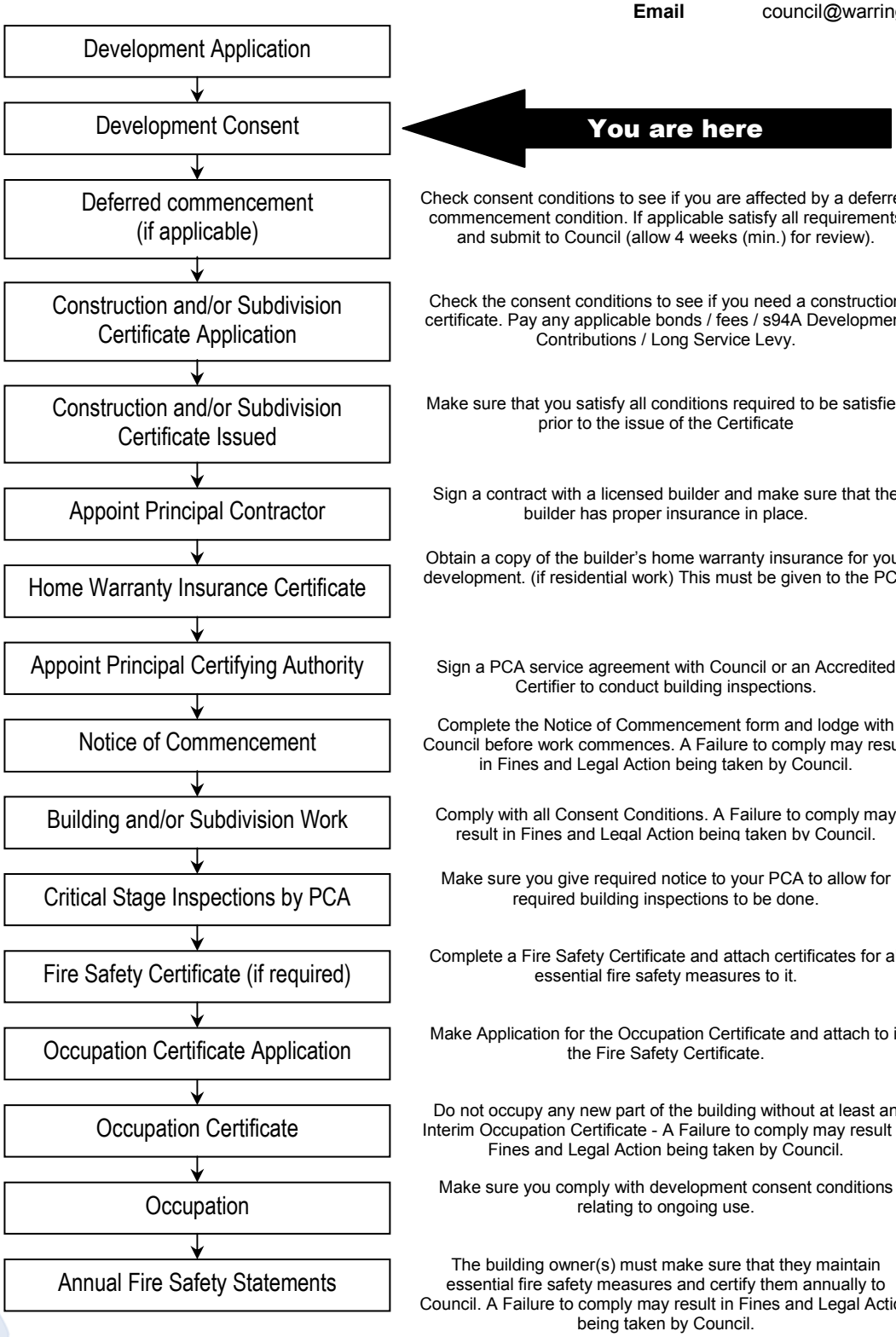
Notice of Determination

Advisory Notes (General)

Civic Centre 725 Pittwater Road
Dee Why NSW 2099
DX 9118
Telephone (02) 9942 2111
Facsimile (02) 9971 4522

Website www.warringah.nsw.gov.au
Email council@warringah.nsw.gov.au

Where are you in the development process?



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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- *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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(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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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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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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ADSHEL

BUILDING SITE PLAN – WARRINGAH SURVEY

Rev B

GENERAL

Date: 10/05/11 **Site Number:** 05708 **Bus Stop No:**

Type of Structure: Ad Federation

Suburb: Collaroy Plateau

Address: Veterans Pde S/O Rose Ave W/S

Section: **Block:**

GROUND REFERENCE

Ground Requirements:	**Grass/Dirt: Y**	**Concrete:**	**Bitumen:**
Footing Type:		**Slab: Y**	**Pad:**

Shelter Setback from kerb: 2000 mm

Notes: Asbestos panels to be removed by specialised contractor and charged to council.

POWER SUPPLY

Power Source	**Overhead:** Y	**Underground:** N/A	
Distance from structure to power source:	**Approx** 5m.		
Trench Reinstatement	**Grass/Dirt: Y**	**Concrete:**	**Bitumen: Y**

Removal of Existing Structure

Type of Structure to be removed:

Structure Owned By:

Removal By:

Structure Relocated To:

Additional Comments:

Site Photo

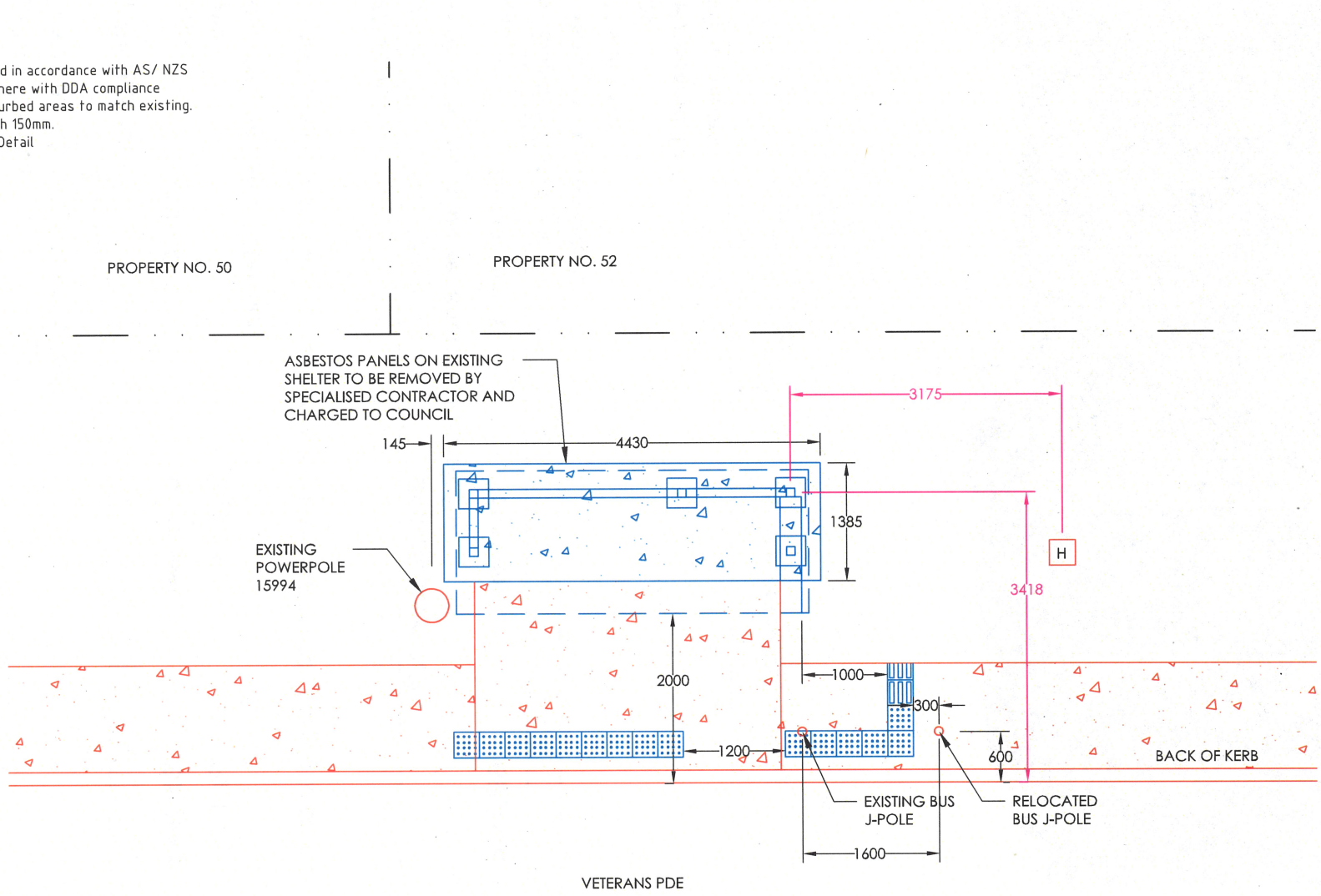


PDF processed with CutePDF evaluation edition www.CutePDF.com

SITE LOCATION: Veterans Pde S/O Rose Ave W/S				REV B (10/05/11)
SITE NUMBER: 05708	BUS STOP No:	SCALE: 1:50	PAPER SIZE: A3	A 03/05/11 NC DRG Created B 10/05/11 NC DRG Amended

Notes:

1. Tactiles positioned in accordance with AS/ NZS 1428:4:2002 to adhere with DDA compliance
2. Reinstate all disturbed areas to match existing.
3. Assume kerb width 150mm.
4. Refer to Footing Detail



Drawing Description - Proposed

ADSHEL

Warringah Council

Civic Centre 725 Pittwater Road
Dee Why NSW 2099
DX 9118
Telephone (02) 9942 2111
Facsimile (02) 9971 4522

Website www.warringah.nsw.gov.au
Email council@warringah.nsw.gov.au

18 October 2011

Adshel Street Furniture Pty Ltd
Level 9 - 205 Pacific Highway
St Leonards NSW 2065

Dear Sir / Madam,

RE: Construction Certificate Application No. CC2011/0673
Address: Road reserve in front of 52 Veterans Pde Collaroy Plateau-

Your application for a Construction Certificate has been determined. Please find attached your Construction Certificate, approved plans and details.

ONCE YOU HAVE OBTAINED YOUR CONSTRUCTION CERTIFICATE, THE FOLLOWING STEPS APPLY:

Before any construction commences, a Principal Certifying Authority (PCA) **must** be nominated at least two days in advance.

This can be either Council or an Accredited Certifier. Nominations should be made on the attached PCA Form, which should be lodged after your Construction Certificate has been approved. The PCA is responsible for inspecting the critical stages of construction, advising Council of the results of the inspections, compliance checking, and certifying that the work has been completed in accordance with the approved plans, specifications and conditions of consent.

Failure to nominate a PCA prior to work commencing, will result in fines being issued in accordance with the Environmental Planning & Assessment Act, 1979.

If Council is nominated as the PCA, then the following fees are required to be paid (prior to commencement) or at lodgement of the Nomination of PCA form.

If you decide to nominate the Council as your PCA, the following inspections and fees may apply and will be required to be paid at the time of lodging the PCA Form:

The Principal Certifying Authority (PCA) SHALL BE given a minimum of 2 days notice for mandatory inspection of the following;

CRITICAL STAGE INSPECTIONS - MANDATORY

For class 1 & 10 buildings, you must contact Council (if the Council is nominated PCA) to inspect:

- After excavation for, and prior to the placement of any footings $PAID
- After the building work has been completed and prior to any occupation certificate being issued in relation to the building $PAID

- Occupation Certificate Application $NIL

The above are the mandatory inspections that may apply if Council is nominated as the PCA. The fees are quoted on the basis of the level of information submitted with your application.

Council provides a quality level of service in its building certification services and would be delighted if you chose to use council as your PCA for this work. The benefits of dealing with council include;

A local organization that is able to undertake inspections with minimal notice, expert staff, your records are maintained and we act in the best interests of the community.

Should you require any further information on this matter, please contact the undersigned weekdays on telephone number 9942 2111, or via council@warringah.nsw.gov.au.

Yours faithfully

Philip Hoffman
Senior Specialist Building Surveyor
BPB Accreditation No. 1249

Warringah Council

Civic Centre 725 Pittwater Road
Dee Why NSW 2099
DX 9118
Telephone (02) 9942 2111
Facsimile (02) 9971 4522

Website www.warringah.nsw.gov.au
Email council@warringah.nsw.gov.au

17 October 2011

Adshel Street Furniture Pty Ltd
Level 9 - 205 Pacific Highway
St Leonards NSW 2065

CONSTRUCTION CERTIFICATE

Certificate

I certify that the work if completed in accordance with the attached plans and specifications will comply with the requirements of the Environmental Planning and Assessment Regulation 2000 as referred to in Section 81A (5) of the Environmental Planning and Assessment Act 1979.

Address of Property:	(Bus Shelter with signage) on road reserve in front of 52 Veterans Pde Collaroy Plateau
Construction Certificate No:	CC2011/0673
Description of Work:	Construction of Bus Shelter with signage on road reserve in front of 52 Veterans Pde Collaroy Plateau- Bus stop number 2097044
Classification of Building:	Class 10a
Approved Drawing:	
Date of Endorsement of Construction Certificate:	18 October 2011
Name of Authorised Officer:	Philip Hoffman BPB Accreditation No. 1249
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 No: DA2011/0638

Date of Determination: 11 Oct 2011

Attachment A – Class 10 Buildings

Building Occupation

The following is a list of certificates or statements which may be required for a Final Occupation Certificate. Please ensure that all relevant certificates as required by the Scope of Works are sent to Council prior to final inspection.

Note: Subject to confirmation from Council's Building Surveyor, an Interim Occupation Certificate may be issued where the building satisfies any pre-conditions of the Development Consent and satisfies the health and amenity requirements of the Building Code of Australia.

- Please complete and return an Occupation Certificate Application.

Note: In accordance with Clause 139 of the Environmental Planning & Assessment Regulation 2000, the original copy of the application form must be submitted Council, together with the relevant fee.

- Where required, a statement or certificate from the Civil Engineer or contractor confirming that the installation, operation and discharge of any storm water system is in accordance with the approved Construction Certificate drawings and in accordance with AS3500.3-2003.
- Where required, a Certificate from a registered practicing structural engineer stating that structural adequacy for all structural component of the building is adequate. Certificates should reference the relevant Australian Design Codes and plans and specifications relevant to the work.
- Statement or certificate from an accredited access consultant stating that all seating, TGSI's, any handrails, balustrades and fixings have been designed and installed to AS1428.1 and associated Premises Standards.
- Statement or certificate from window manufacturer that all glazed assemblies have been installed and comply with AS2047-1999
- Where required, a statement or certificate from a glazier that all glazed assemblies have been installed in accordance with AS1288-2006
-

SITE LOCATION: Veterans Pde S/O Rose Ave W/S				REV B (10/05/11)
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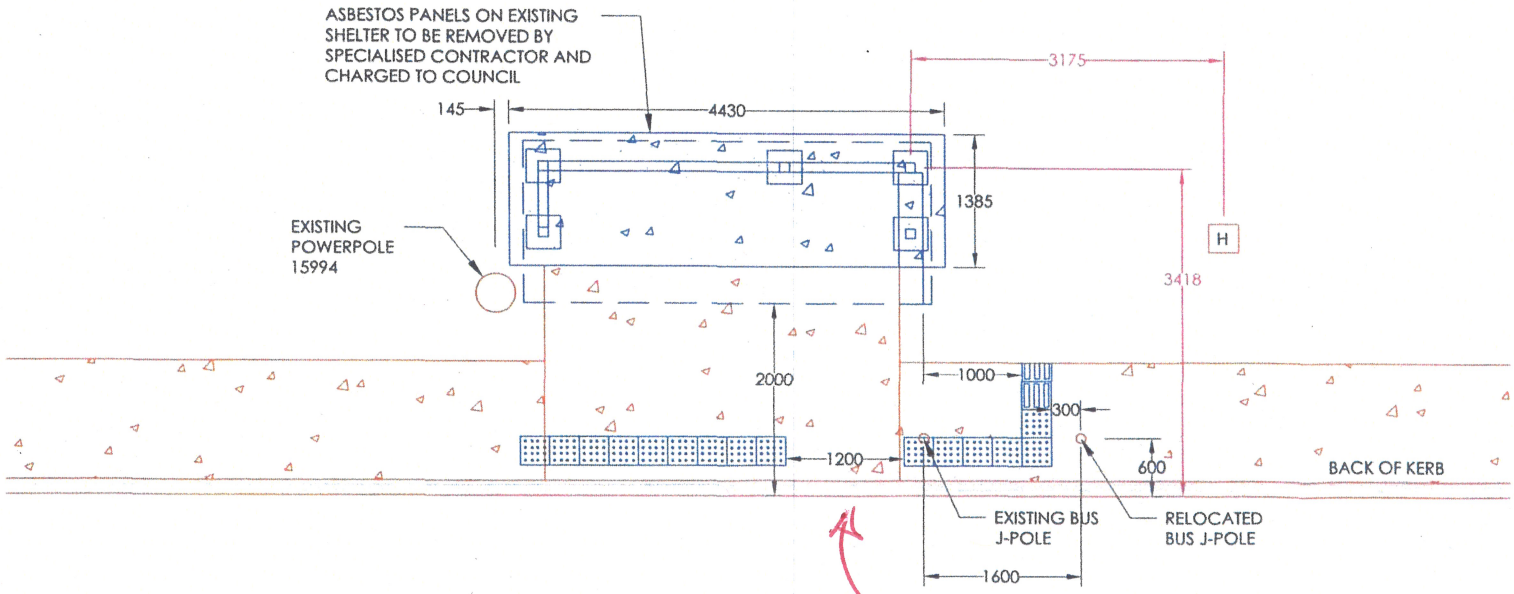
Notes

1. Tactiles positioned in accordance with AS/ NZS 1428.4.2002 to adhere with DDA compliance 2009.
2. Reinstate all disturbed areas to match existing.
3. Assume kerb width 150mm.
4. Refer to Footing Detail

WARRINGAH COUNCIL
THIS PLAN TO BE READ IN CONJUNCTION WITH
Construction
Certificate No. CC2011/0673

PROPERTY NO. 50

PROPERTY NO. 52



TGSI's to be ammended where required to comply with AS 1428.4.1 – 2009

Drawing Description - Proposed

ADSHEL

Warringah Council

3.4 52 Veterans Parade, Collaroy – Construction of Bus Shelter with Signage on Road Reserve - Bus Stop Number 2097044

DEVELOPMENT ASSESSMENT REPORT

Assessment Officer:	Renee Ezzy
Address / Property Description:	Construction of Bus Shelter with signage on road reserve in front of No. 52 Veterans Pde, Collaroy Plateau - Bus stop number 2097044
Development Application No:	DA2011/0638
Application Lodged:	17/05/2011
Plans Reference:	Site Location – Rev B (10/05/11) 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:	D4 Collaroy Plateau
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:	Nil
Assessment Issues:	Nil
Recommendation:	Approval, subject to conditions
Attachments:	Plans

LOCALITY PLAN (not to scale)



Subject Site: The proposed site is on the western side of Veterans Parade within the road reserve outside No.52 Veterans Parade. - Bus stop number 2097044.

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 26 May 2011 and being finalised on 10 June 2011.

SITE DESCRIPTION

The site is on the nature strip on the western side of Veterans Parade outside the property at No.52 Veterans Parade. The site currently provides a fibro shelter with a seat and contains a Bus J Pole within the identified bus zone.

SITE HISTORY

The application was lodged with Council on 17 May 2011.

PROPOSED DEVELOPMENT

The application proposes to provide a new bus seat with shelter measuring 2.846 metres high, 4.148 metres long and 1.686 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 northern 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) S94A 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 26 May 2001 and being finalised on 10 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

Referral Body - Internal	Comments	Consent Recommended
Development Engineer	Subject to the imposition of specific conditions of consent, Council's Development Engineer raises no objections.	Yes
Traffic Engineer	Councils Traffic Engineer deemed the proposed development acceptable without conditions.	Yes

Referral Body - External	Comments	Consent Recommended
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.	Yes
State Transit	The application was referred to the State Transit Authority on 19 May 2011. No response was received at the time of writing this report.	N/A
Roads and Traffic Authority	The application was referred to the Roads and Traffic Authority who raised no objection to the proposed works.	Yes
Forest Coachlines	The application was referred to Forest Coachlines. No response was received at the time of writing this report.	N/A

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"	
Section 79C (1) (a) (i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	Yes
Section 79C (1) (a)(ii) – Have you considered all relevant provisions of any provisions of any draft environmental planning instrument	Yes
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	Yes
Section 79C (1) (a)(iiia) - Have you considered all relevant provisions of any Planning Agreement or Draft Planning Agreement	Yes
Section 79C (1) (a) (iv) - Have you considered all relevant provisions of any Regulations?	Yes
Section 79C (1) (b) – Are the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality acceptable?	Yes
Section 79C (1) (c) – It the site suitable for the development?	Yes
Section 79C (1) (d) – Have you considered any submissions made in accordance with the EPA Act or EPA Regs?	Yes
Section 79C (1) (e) – Is the proposal in the public interest?	Yes

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.

No objections were raised in relation to the proposed works.

DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS:

Draft Warringah Local Environmental Plan 2009 (Draft WLEP 2009)

Definition: *Community Facility*

Land Use Zone: R2 Low Density Residential

Permissible or Prohibited: *Permissible with consent*
Additional Permitted uses 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:	NA	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:	8.5m	2.846m	Yes	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 D4 Collaroy Plateau Locality:	YES

Matters for Consideration	Comment	Complies
	Requirement 1 *The Collaroy Plateau locality will remain characterised by detached style housing in landscaped settings interspersed by a range of complementary and compatible uses.* Comment: The proposed shelter is public infrastructure located within the Veterans Parade, road reserve. The proposed shelter is considered to provide an appropriate element within the road corridor. Requirement 2 *Future development will maintain the visual pattern and predominant scale of existing detached style housing in the locality. The streets will continue to be characterised by landscaped front gardens and consistent front building setbacks. 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 in its context within the road reserve. The proposed shelter provides an upgrade to the existing bus 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 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. Requirement 3 *The properties north and east of Edgecliff Boulevard form part of the crests and sideslopes of the Collaroy escarpment. Development in this part of the locality must integrate with the landscape and topography and minimise its visual impact on long distance views of the escarpment.* Comment: The proposed works are not located within the area described in this section of the locality statement. Requirement 4 *Rock outcrops and indigenous tree canopy will be integrated with new development where possible. The use of materials that blend with the colours and textures of the natural landscape will be encouraged.* *Buildings are not to be erected on areas shown cross-hatched on the map due to the land's steep slope, instability and visual sensitivity. 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.*	

Matters for Consideration	Comment	Complies
	Comment: There are no rock outcrops or indigenous tree canopies which would be impacted by the proposed structure. The bus shelter is to be constructed from green powder coated aluminium with tempered glass panels which is considered complimentary to the surrounding environment. The proposed works are not located within the cross-hatched area or existing retail centres described in this section of the locality statement and will not impact on them.	
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 not within close proximity of any environmentally sensitive areas, heritage items, waterways or rural landscapes. Further, the proposed signage will not detract from the visual quality or amenity of these areas.	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 substantial council verge outside the boundary fence of No.52 Veterans Parade. 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.	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

Matters for Consideration	Comment	Complies
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
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 southern 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 3.25m^2, 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 2.01m^2.

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 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 G8 Queenscliff Locality under Warringah Local Environmental Plan 2000.

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

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

Future development will maintain the visual pattern and predominant scale of existing detached style housing in the locality. The streets will continue to be characterised by landscaped front gardens and consistent front building setbacks. 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 properties north and east of Edgecliff Boulevard form part of the crests and sideslopes of the Collaroy escarpment. Development in this part of the locality must integrate with the landscape and topography and minimise its visual impact on long distance views of the escarpment.

Rock outcrops and indigenous tree canopy will be integrated with new development where possible. The use of materials that blend with the colours and textures of the natural landscape will be encouraged.

Buildings are not to be erected on areas shown cross-hatched on the map due to the land's steep slope, instability and visual sensitivity. 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 Collaroy Plateau locality will remain characterised by detached style housing in landscaped settings interspersed by a range of complementary and compatible uses.

Comment:
The proposed shelter is public infrastructure located within the Veterans Parade, road reserve. The proposed shelter is considered to provide an appropriate element within the road corridor.

The proposed shelter provides an upgrade to the structure. 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.

Requirement 2
Future development will maintain the visual pattern and predominant scale of existing detached style housing in the locality. The streets will continue to be characterised by landscaped front gardens and consistent front building setbacks. 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. The proposed structure is considered to contribute an appropriate level of quality in terms of materials and aesthetics and its design does not offend this requirement of the DFC.

Requirement 3
The properties north and east of Edgecliff Boulevard form part of the crests and sideslopes of the Collaroy escarpment. Development in this part of the locality must integrate with the landscape and topography and minimise its visual impact on long distance views of the escarpment.

Comment:
The proposed are not located within the area identified and will not be visible from a distance. Accordingly, this requirement is not applicable to the proposed works.

Requirement 4
Rock outcrops and indigenous tree canopy will be integrated with new development where possible. The use of materials that blend with the colours and textures of the natural landscape will be encouraged.

Comment:
The proposed shelter will not impact on any rock outcrops or tree canopy. The materials and colours include a green powder coated aluminium structure with tempered glass panels. This combination of finishes is considered to blend into the surrounding environment.

Requirement 5
Buildings are not to be erected on areas shown cross-hatched on the map due to the land's steep slope, instability and visual sensitivity. 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 not located in the area identified by cross-hatching on the map or within any of the local retail areas described by this requirement.

Built Form Controls (Development Standards) **D4 Collaroy Plateau**

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 450sqm	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
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**

General Principles	Applies	Comments	Complies
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 area 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**
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**	No comment	**NA**
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). Response: The proposed bus shelter provides for a natural form of access control with the use of paving and tactile	**YES**

General Principles	Applies	Comments	Complies
		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. Response: 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. Response: The proposed bus shelter is in full sight of approaching traffic. 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. Response: The ongoing maintenance of the shelter is subject to a contract between Adshel and Warringah Council. *(Ref.CPTED Review for Warringah Council by Garner Clancey and Dr Murray Lee, Sydney Institute of Criminology and NSW Police)*	
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**

General Principles	Applies	Comments	Complies
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**
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**

General Principles	Applies	Comments	Complies
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**
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: • *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****,* Accordingly, the proposed signage element being located on the bus shelter is not a prohibited sign and is acceptable.

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.

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 that $100,000.00 the policy is not applicable to the assessment of this application.

CONCLUSION

The proposed development for construction of a bus shelter with signage within the road reserve in front of No. 52 Veterans Parade, Collaroy Plateau 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 DA2011/0638 for construction of a bus shelter with signage on the road reserve in front of No. 52 Veterans Parade, Collaroy Plateau, (bus stop No. 2097044) 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 B	10/05/2011	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.

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 Energy Aust Referral	23 May 2011
Roads & Traffic Authority	RTA Referral Response	7 June 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) AS1428.4-2009 – Tactile Indicators
(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'**

(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. Maximum Cross Fall of Footpath

The maximum cross fall of any footpath at the bus shelter must not exceed 5% to ensure the safety of users.

Reason: Public Safety

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

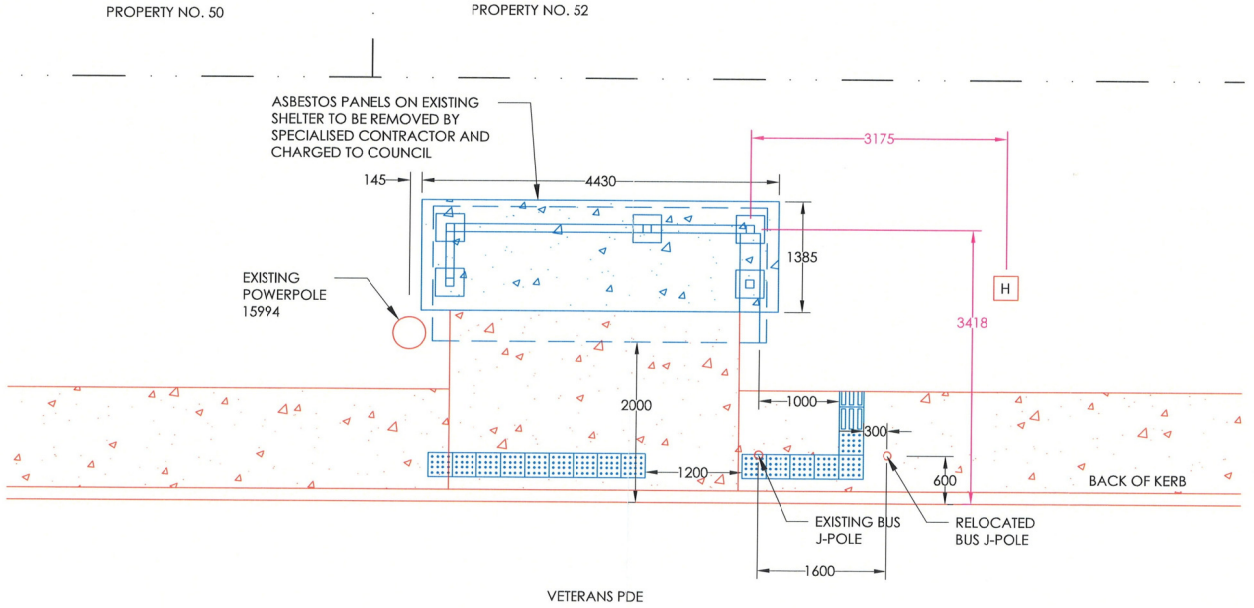
The level of illumination and/or lighting intensity used to illuminate the signage is to be minimised and the design is to be such to ensure that excessive light spill or nuisance is not caused to any nearby premises.

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 LOCATION: Veterans Pde S/O Rose Ave W/S				REV B (10/05/11)
SITE NUMBER: 05708	BUS STOP No: 2097044	SCALE: 1:50	PAPER SIZE: A3	A 03/05/11 NC DRG Created B 10/05/11 NC DRG Amended

Notes:

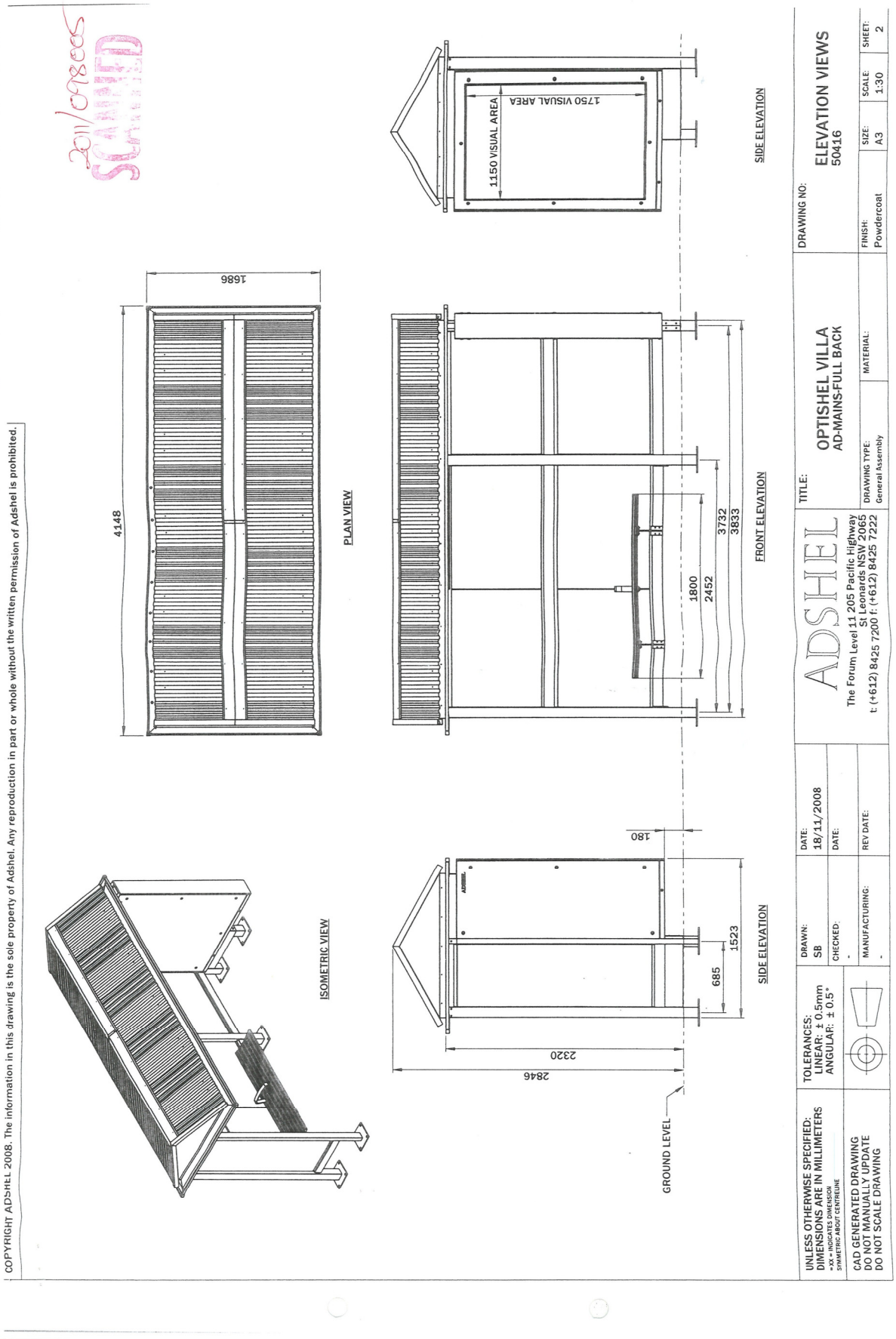
1. Tactiles positioned in accordance with AS/ NZS 1428:4:2002 to adhere with DDA compliance
2. Reinstate all disturbed areas to match existing.
3. Assume kerb width 150mm.
4. Refer to Footing Detail



Drawing Description - Proposed

ADSHEL

Plans


2011/078665
SCANNED
1686
4148
PLAN VIEW
1750 VISUAL AREA
1150 VISUAL AREA
SIDE ELEVATION
1800
2452
3732
3833
FRONT ELEVATION
ISOMETRIC VIEW
180
685
1523
2320
2846
SIDE ELEVATION
GROUND LEVEL
COPYRIGHT ADSHEL 2008. The information in this drawing is the sole property of Adshel. Any reproduction in part or whole without the written permission of Adshel is prohibited.
UNLESS OTHERWISE SPECIFIED:
DIMENSIONS ARE IN MILLIMETERS
TOLERANCES:
LINEAR: ± 0.5mm
ANGULAR: ± 0.5°
DRAWN: SB
CHECKED: -
MANUFACTURING: -
DATE: 18/11/2008
DATE:
REV DATE:
CAD GENERATED DRAWING
DO NOT MANUALLY UPDATE
DO NOT SCALE DRAWING
ADSHEL
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:
FINISH: Powdercoat
DRAWING NO:
ELEVATION VIEWS
50416
SIZE: A3
SCALE: 1:30
SHEET: 2

E4 – Pittwater Rd S/O Anzac Ave W/S

DEVELOPMENT APPLICATION DETERMINATION

No: 3071DA
Lodged: 22 October 1999

Development Proposal

Bus shelter.

Site Description

Site No. 20542 – Pittwater Road, Collaroy

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. 20542 – Pittwater Road, Collaroy be approved subject to conditions as contained in the attached draft consent notice.

Instrument of Exercise of Delegated Authority (Consent by Officer under delegation)

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) 21/12/99 (Date)

LASU\NF\3289\2 ITEM FILE NO: PF 3882/Bus-C

Warringah Council

Notice of Determination of Development Application

Development Application No: 3071DA

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. 20542 – Pittwater Road, Collaroy
Proposed Development:	Bus shelter

Determination:

Made on (Date):	21 December 1999	*See note 1*
Determination:	Consent 3071DA granted subject to conditions described below	
Consent to operate from (Date):	21 December 1999	
Consent to lapse on (Date):	21 December 2004	
Details of Conditions (including Section 94 conditions):	*See note 2*	

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. 20542, 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
   (1) All building work must be carried out in accordance with the provisions of the Building Code of Australia.
   (2) 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
   (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 or fence 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. (C381)

Right to Review by the Council

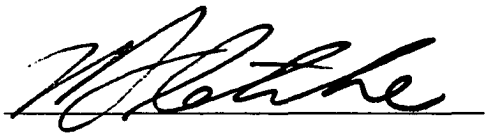
You may request the Council to review the determination of the application under Section 82A of the Environmental Planning & Assessment Act 1979. Any request to review the application must be within 28 days after the date the determination shown on this notice. A fee of $500.00 will apply.

Right of Appeal

If you are dissatisifed 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 or inquiry.

Signed on behalf of the consent authority

Signature 

Name Norm Fletcher

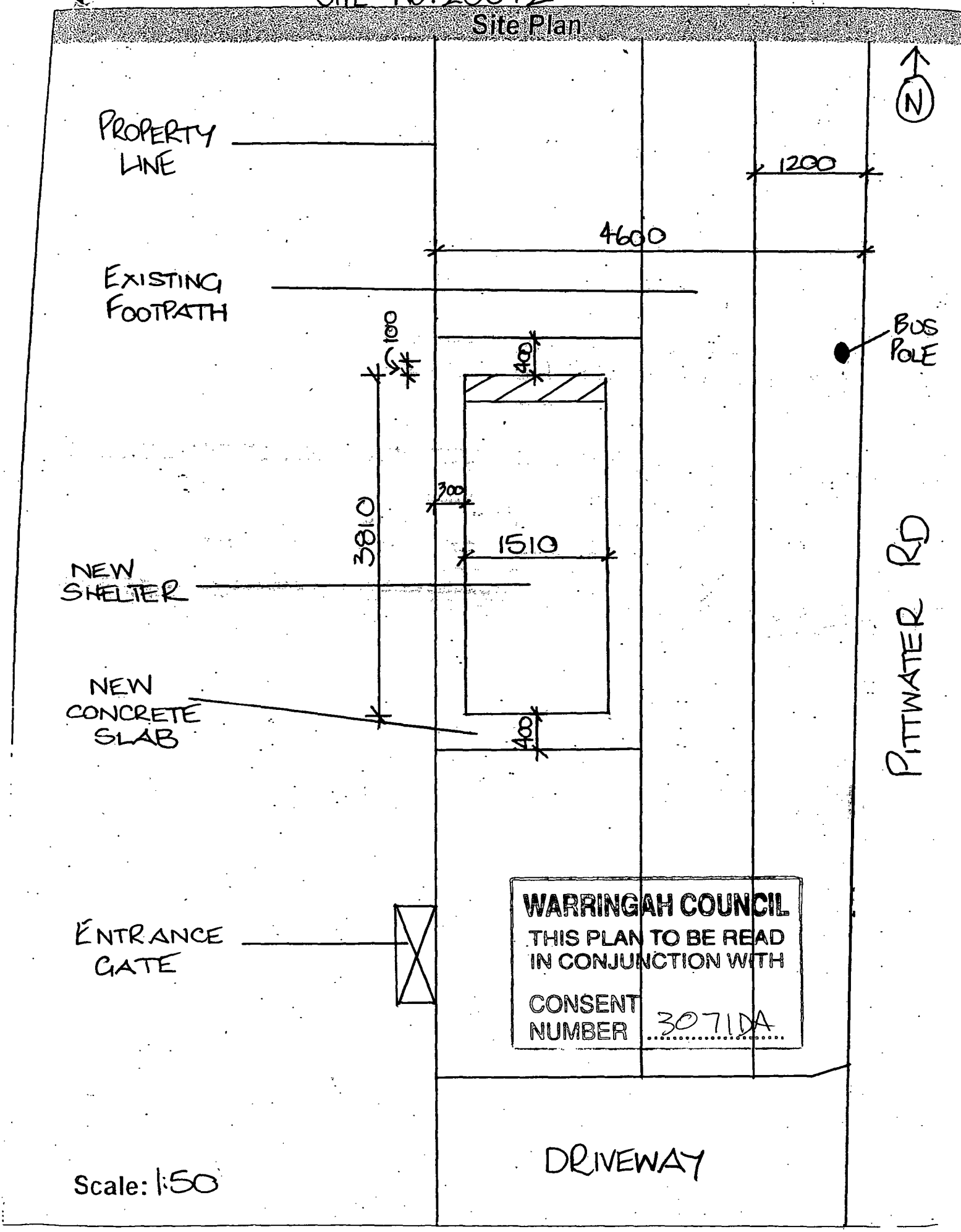
Date 21 December 1999

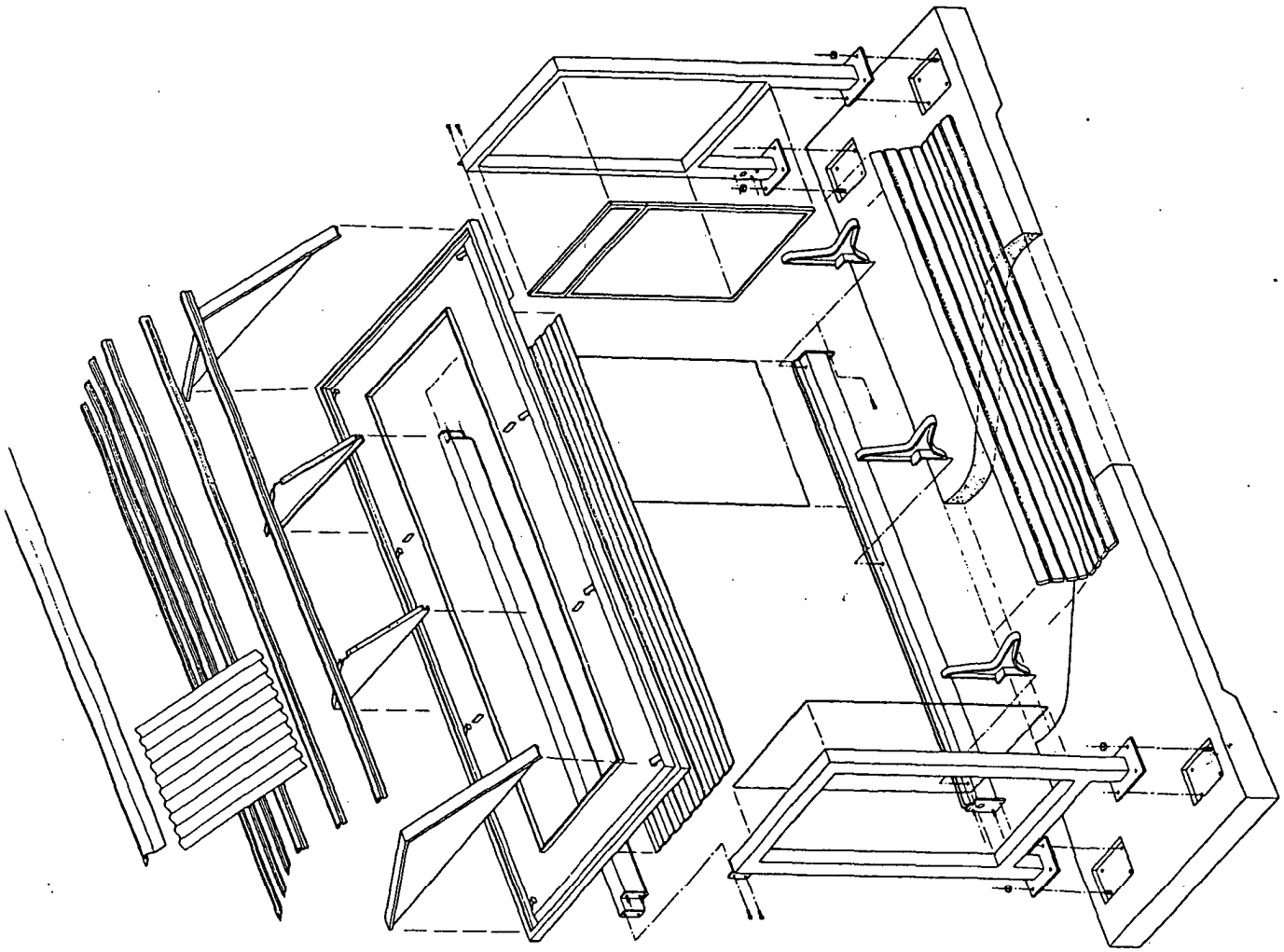
Note 1 *Where the consent is subject to a condition that the consent is not to operate until the applicant satisfies a particular condition the date should not be endorsed until that condition has been satisfied.*

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. 20542

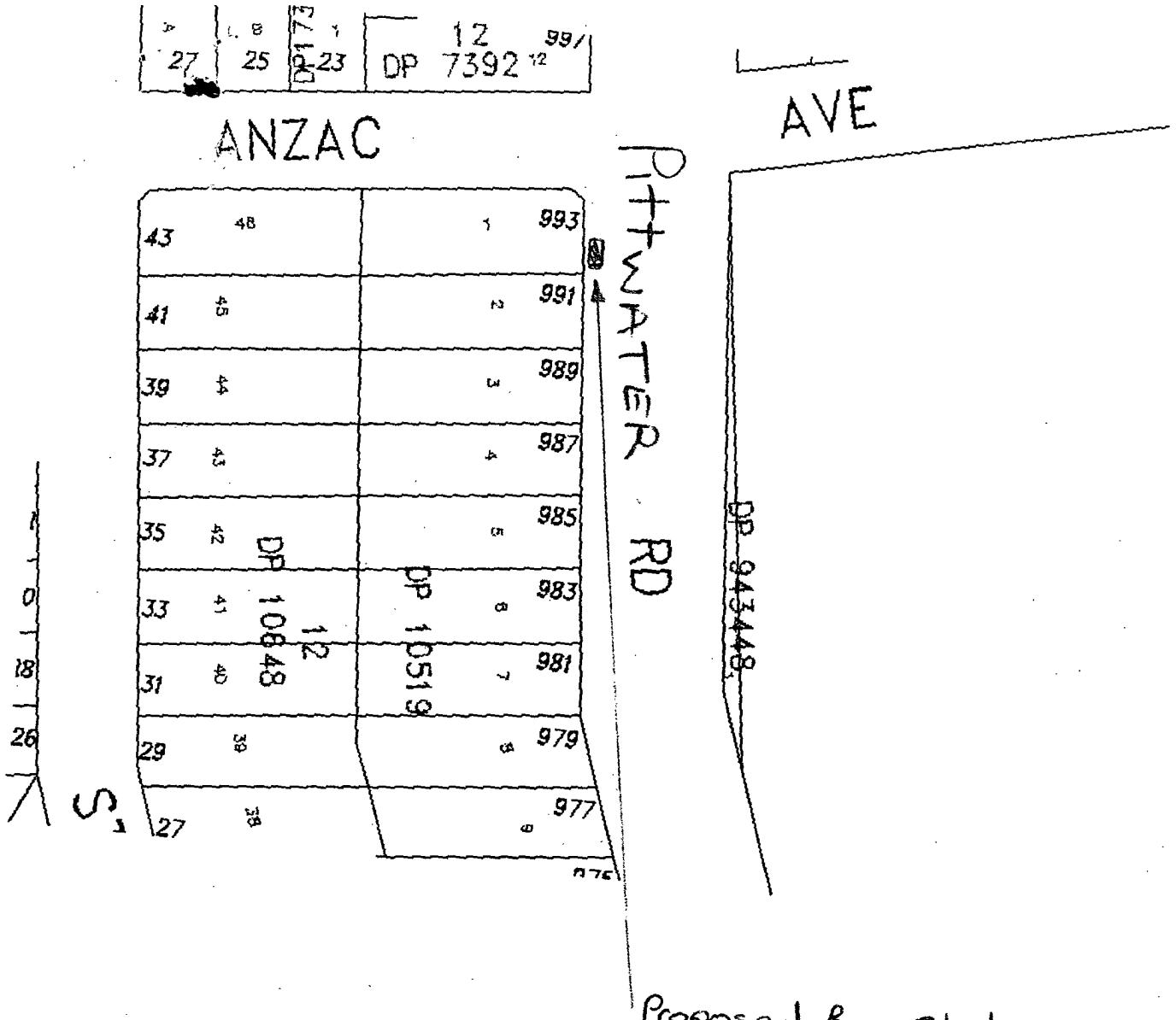
Site Plan

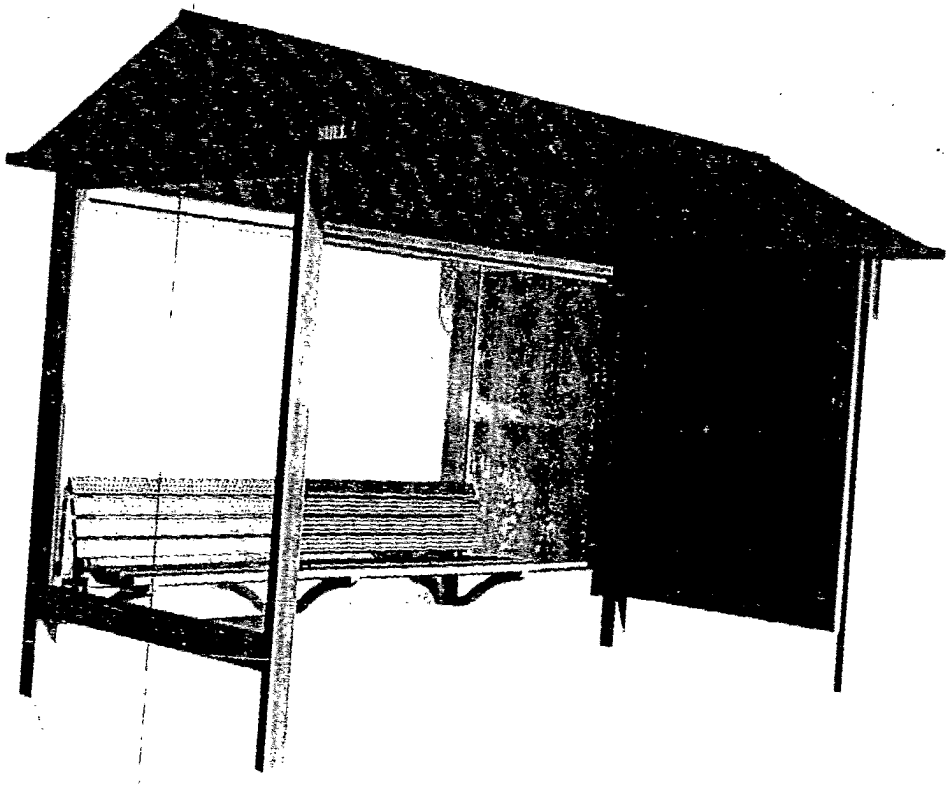




WARRINGAH COUNCIL
THIS PLAN TO BE READ
IN CONJUNCTION WITH
CONSENT
NUMBER 307/DA

SCHEDULE 1 : METROLITE © MARK IV + FOOTINGS


27
25
DP 1773
23
12
DP 7392
12
991
ANZAC
AVE
PITTWATER RD
43
48
1
993
41
45
2
991
39
44
3
989
37
43
4
987
35
42
5
985
33
41
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983
31
40
7
981
29
39
8
979
27
38
9
977
DP 10648
12
DP 10519
DP 943448
Proposed Bus Shelter



E5 – Pittwater Rd N/S Ramsay St E/S & E6 – Pittwater Rd S/O Clarke St W/S

INSAGREE

FORMAL INSTRUMENT OF AGREEMENT

CONTRACT NO. 96/6

AGREEMENT made the 10th day of June 1997

BETWEEN *Australian Posters Pty Ltd (ACN 004 828 380)* *of*
224 Young St.
WATERLOO 2017

(called the Contractor)

AND Warringah Council of Civic Centre, Pittwater Road, DEE WHY, NSW 2099 (called the Principal).

To carry out the work of Provision of Bus Shelters incorporating Advertising for an agreed financial return to Council.

IT IS AGREED that the annexed documents marked " A " to " D " :

A. *Council's letter of acceptance dated 23 May 1997*
B. *The Contractor's Offer dated 10 April 1996*
C. *Council's Tender Documents dated January 1996 comprising :*
- *The Proposal*
- *Conditions of Tendering*
- *Contract*
- *Specification*
- *List of Advertising Shelter Sites*

D. *Council's Invitation to Tender dated 5 March 1996*

shall together comprise the contract between the parties AND if the Contractor or the Principal is two or more persons then they shall be bound jointly and severally.

Signed by the Contractor

Signed by the Principal

Mayor

General Manager

Warringah Council

CONTRACT No. 96/6

This is the document marked A referred to in the annexed agreement between Warringah Council and 3M Australian Posters
...../ on behalf of Council
...../ on behalf of Contractor

RECEIVED MAY

370.006.007 PY.sjh/letacc.doc
Peter Yardley
Services Outcome Coordinator,
Performance & Competition Unit

23 May 1997

Mr S Blundell
NSW Lease, Government & Community Affairs Manager
3M Australian Posters
PO Box 223
WATERLOO NSW 2017

Dear Sir

Re: **Tender 96/6 - Bus Shelters Incorporating Advertising**

I refer to the abovementioned invitation to tender and to your submission dated 10 April 1996, considered by Council on 30 July 1996, in respect of which Council resolved as follows:-

> "That Council accepts the tender of Metrolite/3M Australian Posters Pty Ltd for the supply and maintenance of 30 x Mark IV type C Advertising Bus Shelters and matching free standing Community Information Panels for a 10 year contract period, subject to:
>
> a) An appropriate colour for the shelters being selected.
> b) Council's logo be placed in the roof gable, not on glass walling."

Council wishes to execute the Contract Documents without further delay.

The Contract conditions in Council's Tender document dated January 1996 state, at Clause C1 as follows:-

> **"C1 Agreement**
>
> The successful Tenderer shall be required to enter into a formal agreement with Council embodying the Contract Conditions and Specifications herein, the Tenderer's offer in response and the terms of Council's acceptance of that offer."

It is understood from your Tenderer's offer that the Contractor will perform the following in order to satisfy the Contract Specification and General Conditions of Contract:-

(a) **Contract Specification**

(i) Clause D1

The design is to be in accordance with the Metrolite Mark IV, type C Advertising Shelter and the following:

1. Colour of all bus shelters being Bond Green Roof and Mist Green structure and trim.

2. The inclusion of a full colour logo (sample attached) to be positioned on the gable end of the structure.

3. The use of "Scotchal" with frosted logo on glass panels of the structure to assist with pedestrian safety.

4. The deletion of all ornamental trim on the gable end and under top plates of the structure.

5. The provision of a stroller space within the structure on the approach side.

6. The leaving of a space above the advertising panel on the inside of the structure shown in the diagram submitted with the tender as reading bus stop, for Council to place location signs to reflect street names. These signs will be provided and installed at Council's cost.

(ii) Clause D2 to D9 inclusive

The provisions of Council's Contract Specification apply. In respect of Clause D5, "severance" shall be read to mean "termination" in terms of Clause C6 of the Contract Conditions.

(b) **Contract Conditions**

(i) Clauses C1 & C2

The provisions of Council's Contract document apply.

(ii) Clause C3

The required security shall be in the amount of $20,000.

(iii) Clauses C4 to C8 inclusive

The provisions of Council's Contract document apply.

(iv) Clause C9

Revenue return to Council at the specified intervals shall be as follows:-

Years 1 to 5: 5% of net advertising revenue
Years 6 to 9: 10% of net advertising revenue
Year 10 and subsequent years: 15% of net advertising revenue

(v) Clause C10

The provisions of Council's Contract document apply.

Contract documents are enclosed herein for your execution within 21 days.

Should you have any further enquiries in this matter please contact John Van Hesden on 9982 0697.

Yours faithfully

F. L. Thomson
General Manager

Australian Posters Pty Ltd
A.C.N. 004 828 380

3M Australian Posters
224 Young Street
Waterloo NSW 2017
PO Box 223
Waterloo NSW 2017
(02) 370 3000 Telephone
(02) 370 3030 Fax

3M

28th April 1997

The General Manager,
Warringah Council.
725 Pittwater Rd.
Dee Why NSW 2099

9982-C697

Att: Mr. John Van Hesden

Ref: Tender 96/96 - Bus Shelters

Further to our recent telephone conversations regarding the bus shelter tender, I would like to confirm some changes in our tender response as being acceptable.

There are some conditions requested by your Council which are outside the normally agreed terms between 3M Australian Posters and other councils involved in the Metrolite® shelter programme.

Items identified by Ritchie Venn in his letter dated 17th October 1996, are as follows:

1) Clause D2: Erection. "It shall be the Contractor's responsibility to make any applications and obtain any approvals required in respect of shelters and to notify adjoining property owners."

3M Australian Posters requests that bulk BAs be acceptable prior to installations (say 10/15 locations) and that the Council provides the company with a mailing list of the adjoining property owners at each site.

2) Clause D3: Replacement Shelters. "Where any existing shelter is to be replaced, the replacement cost shall be borne by the contractor."

The company requests that if a full shelter needs to be replaced due to damage, vandalism, or any other reason, that the agreement term applicable to that site recommence for 10 years to allow for full depreciation of the shelter.

3) Clause D4: Relocation. "Where it is decided that any existing shelter is to be relocated, all costs shall be borne by the Contractor."

It is understood by the company that this applies to within an existing bus zone, which requires relocation due to road-works, or some other form of bus zone adjustment.

70% Recycled Paper 30% Cotton Waste

4) Clause D5: Removal. "On completion of the contract ownership of all shelters shall be transferred to the Council or removed at the Contractor's cost."

This is acceptable to the company provided that the Term of the Contract (C2) can be defined as "ten years from the installation of each shelter." This allows for the Company to fully depreciate the costs involved with each of the bus shelters, which are to be installed over a period, or which may be replaced during the term of the agreement.

Variations outside the terms of the tender which were requested by the Council are as follows:

1. Colours. It is possible to have the roof of the shelters in the current colour Caulfield Green or other standard Colorbond® colours such as Mist Green. The structure of the shelter is limited to the colours of beige or grey produced for us by Dulux in anti-graffiti powder coating.

2.3.4.5.6. All these items are able to be supplied by 3M Australian Posters at no cost to the Council.

I would like to propose that a meeting be held between the Council an our company to discuss these differences and a starting date as well as a roll-out of the new Metrolite® shelters.

Please contact me direct on 9370-3073 to arrange a suitable meeting time.

Yours sincerely
3M Australian Posters



Stan Blundell
NSW Lease, Government & Community Affairs Manager

Metrolite® Street Furniture

Heritage Design MK IV (Pitched Roof)



METROLITE® STREET FURNITURE



Australian Posters Pty Ltd
A.C.N. 004 828 380

3M Australian Posters
224 Young Street
Waterloo NSW 2017
PO Box 223
Waterloo NSW 2017
(02) 370 3000 Telephone
(02) 370 3030 Fax

3M

06 November 1996

The General Manager
Warringah Council
725 Pittwater Road
DEE WHY NSW 2099

Attn: Mr Ritchie Venn, Waste Services Manager

Re: Tender 96/96 - Bus Shelters Incorporating Advertising

In response to your letter dated 17 October 1996, regarding council's acceptance of our submission to supply bus shelters with advertising.

There are some sections of our response to the tender, which have not been confirmed as acceptable to the council. Also in your letter there were some additional requests made by council which were not in the original tender documents and need to be confirmed by our company. They are as follows:-

Section D - Specification

D1. Design

1. The Metrolite® Shelter submitted for installation will be as show in the drawing AP007, but with roof design as shown on MKIVC. Any modifications to the design must be submitted to the Council for approval prior to their implementation.

   The design does not include a community panel to be part of the shelter. A separate free-standing Information Panel can be installed at agreed locations. Each structure shall have one face for council provided community information, and the second face for general advertising.

   Specific Shelter modifications shall be:-

   a. The colour of the Metrolite® bus shelter frame shall be Dandenong Beige (which is especially developed for 3M Australian Posters in a graffiti resistant powder coating). The slatted seat is natural anodised aluminium. The roof shall be of BHP Colorbond® Mist Green.

   b. A colour council logo to be positioned on the gable end of the roof.

   c. A Scotchcal™ frosted crystal logo to be placed on the rear and approach glass panels to assist with pedestrian safety.

70% Recycled Paper 30% Cotton Waste

d. No ornamental trim to be included on the gable end or under the top rail of the structure.

e. The inclusion of a ¾ length seat, to allow for wheel chair or stroller space under the shelter.

f. The use of the space above the advertising panel by council for street names or other place identification.

All of the above items a-f shall be provided by the company, at no cost to the council.

D2. Erection

A separate Building Application shall not be necessary for each bus shelter location. However a site inspection shall be carried out jointly by the Council and 3M Australian Posters to determine the exact location of each shelter. 3M Australian Posters shall notify adjoining property owners prior to any installation.

D3. Replacement Shelters

In the event that there is an existing bus shelter at a site selected by 3M Australian Posters for a new Metrolite® shelter then the cost of removal and or relocation of the existing shelter shall be borne by the Company.

D4. Relocation

If a site on which 3M Australian Posters has erected a Metrolite® shelter, ceases to be an omnibus stop site or for any other reasonable reason is not required at the site. Then any costs associated with the removal and or relocation of the shelter shall be borne by the Company.

D5. Removal

All items of Metrolite® Street Furniture (Bus Shelters or Information Panels) which have been erected by 3M Australian Posters, shall remain the property of the company and may be removed at the company's expense at the end of the term.

If at the termination of this agreement the parties do not enter into a new Agreement, 3M Australian Posters may offer each item of Street Furniture for sale to the Council at a fair and reasonable price.

D9. Limits on Advertising

1. 3M Australian Posters shall use its best endeavours to display on the Metrolite® Street Furniture, only advertisements which comply with Commonwealth and State Legislation, any Local Government ordinance as well as all voluntary codes of conduct established by the advertising industry.

2. In particular 3M Australian Posters shall not display on Street Furniture:-

- Replace electrical light fittings within 24 hours of notice and inspect electrical fittings when advertising copy is changed.
- Totally clean and sweep all shelters weekly to maintain as new appearance. Cleaning only to be carried out in off-peak times.
- Maintain record of maintenance and cleaning service.

D9 Limits on Advertising

Council approval is required as to the content of all advertising. Notwithstanding any prior approval given, Council may direct the removal of any advertising which Council subsequently decides is objectionable. No advertisement may depict smoking or tobacco products, advertise alcohol or display sexist, offensive, religious or political material. No advertisement shall be permitted which constitutes a traffic hazard.

Contracts Unit
Civic Centre
19 January 1996

a. any advertisement which is political, religious, pornographic in nature, or is likely to be offensive;

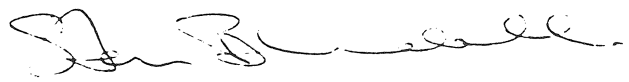
b. Any advertisement depicting smoking or for a tobacco product; or

c. Any advertisement which resembles in slope, size or colour any traffic signs, or which has the appearance of giving any instructions or other directions to traffic, or may constitute a traffic hazard.

3. The Council may, in writing, direct 3M Australian Posters to remove any advertisement form Street Furniture which in its reasonable opinion infringes clauses D9.1 or D9.2, and the company shall promptly obey any such direction.

It is important to have these items confirmed by council as part of the agreement. I await your reply.

Yours faithfully,
3M Australian Posters



Stan Blundell
NSW Lease, Government and Community Affairs Manager

Ref: SB166/mc96

Warringah Council

CONTRACT FOR

BUS SHELTERS INCORPORATING ADVERTISING

TENDER NO. 96/6

JANUARY 1996

CONTRACT FOR ADVERTISING BUS SHELTERS

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- Statutory Declaration with respect to Collusive Tendering and Pecuniary Interest
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DEFINITIONS

"Tenderer, Contractor and Company" shall mean, as relevant to the context, either the person or organisation submitting a Tender or the person or organisation bound to Council by this contract.

"Advertising shelter" or "Advertising bus shelter" shall mean a bus waiting shelter incorporating an advertising panel.

A. THE PROPOSAL

CONTRACT FOR ADVERTISING BUS SHELTERS

A. THE PROPOSAL

A1 General

Tenders are invited for the supply and maintenance of new bus shelters incorporating advertising panels at selected sites throughout the Warringah area. At present 30 sites are offered in terms of the list attached and it is to be noted that at 14 of these sites new shelters are to replace those shelters which are existing. Further advertising shelter sites may be offered to the Contractor as they become available during the Contract.

Each shelter may incorporate one two-sided advertising panel on the departure side of maximum size 1.0 by 1.5 metres and shall include a lockable community information panel of approximate size 0.5 by 0.8 metres accessible only to Council.

The successful Tenderer will be required to provide a shelter design acceptable to Council and to install and maintain shelters in accordance with this specification.

The tender shall include a financial return to Council expressed as a percentage of net advertising revenue.

Tenders incorporating reasonable departures from this specification may nevertheless be considered.

B. CONDITIONS OF TENDERING

B. CONDITIONS OF TENDERING

B1 Form of Tender

The tender shall be in the form of a written, suitably endorsed, response to this specification on the Tenderer's letterhead. The tender shall be accompanied by sketches showing alternative designs for advertising shelters and indicating full construction details and materials.
Full details of the Tenderers costs and the means of calculating net advertising revenue and the percentage revenue return to Council shall be indicated. The implications in terms of revenue return to Council in respect of future advertising shelters which may be added to the Contract shall also be indicated.
It is anticipated that there will be no cost to Council in the provision and maintenance of shelters.
The tender shall also indicate the Contractors program, preferably in bar chart form, for construction of the shelters in the list provided by Council and the subsequent program for advertising revenue return to Council.
The tender shall be accompanied by a statutory declaration that there has been no collusion in the tendering process together with a schedule of the Tenderers details.

B2 Submission of Tenders

Tenders, in a suitably endorsed sealed envelope shall be lodged in the tender box, Civic Centre, Dee Why by the due date. Late tenders will not be accepted.

B3 Period of Validity of Tenders

Tenders shall remain valid for a minimum of 90 days from the closing date.

B4 Assessment Criteria

Tenders will be assessed on the basis of suitability of advertising shelter designs offered, the quantum of the revenue return to Council, the timetable for shelter construction and subsequent commencement of financial return, the viability, reputability and previous experience of the Contractor and other relevant factors.

C. CONTRACT

C. CONTRACT

C1 Agreement

The successful Tenderer shall be required to enter into a formal agreement with Council embodying the Contract Conditions and Specifications herein, the Tenderers offer in response and the terms of Councils acceptance of that offer.

C2 Term of Contract

It is intended that the initial term of the agreement shall be ten years with the option at Council's discretion to extend the agreement thereafter at intervals to be determined.

C3 Security

Within 14 days of acceptance, the successful Tenderer shall be required to lodge with Council a security against:

1. Failure of the Contractor to supply revenue to Council in terms of this agreement.
2. Failure to meet payment on any premiums in respect of insurances under this agreement.
3. Failure to complete the construction of, or to maintain and clean bus shelters in terms of this agreement.
4. Failure to perform in respect of any other condition of this agreement.

The security shall take the form of a bank guarantee satisfactory to Council and shall be in a sum to be determined but anticipated to be not less than $20,000.

C4 Assignment

The Company shall not assign or transfer any of its obligations under this agreement without the express prior approval of Council.

C5 Indemnity and Insurance

The Company shall indemnify the Council from and against all actions, proceedings, claims, costs and demands in respect of:-

a) any claim for damages or compensation by any person or Company arising out of the erection of the street furniture or its presence on the public way, the maintenance, repair or want of repair of any item of street furniture, or arising from any other matter directly or indirectly connected therewith;
b) any advertisement which is alleged to be defamatory, obscene, blasphemous or seditious.

The Company shall maintain for the duration of the Agreement a public risk insurance cover for an amount not less than five million dollars ($5,000,000) for any

individual claim with any insurance company to be approved of in writing by the General Manager. The Company shall pay the annual premium in respect thereof and shall produce the certificate of currency to Council.

The Company shall also maintain for the duration of the agreement an all risks property insurance in respect of all of the advertising shelters which it has installed or which are in the course of installation.

If the Company defaults in the payment of any premium then without prejudice to any other rights of the Council under the Agreement, the Council may pay such premium and recover the cost thereof from the security.

C6 Termination

Without prejudice to any rights of the Council under the Agreement, the Council may terminate the Agreement in the event of a serious breach by the Company of any of the provisions of the Agreement provided that in the case of any breach which is capable of remedy, the Council shall have first given the Company written notice requiring it to rectify the breach and the Company has subsequently failed to rectify such breach within a reasonable time.

C7 Dispute Resolution

The dispute resolution procedures to apply under this Contract shall be as set out in a AS2124-1992, clause 47, alternative 1. In this context, Superintendent shall mean a person appointed by Council's Director of Technical Services.

C8 Financial Statement

Within 60 days of 30th June each year the Contractor shall submit to Council an audited statement reflecting income and expenditure relating to advertising in bus shelters under this Agreement which clearly identifies net advertising revenue for the preceding year.

C9 Revenue Return

The Contractor shall remit to Council the agreed percentage of net advertising revenue at intervals not exceeding 3 months.

C10 Legal Costs

Each party shall be responsible for its own legal costs in the execution of this agreement with the exception that any stamp duty levies shall be Contractor's.

D. SPECIFICATION

D. SPECIFICATION

D1 Design

The Tenderer shall submit full details of design options for advertising shelters accompanied by full construction details.
The size of shelter in each location shall be appropriate to the bus patronage at that location and shall include seating.
In general, maximum use shall be made of glazing with maximum visibility of on-coming traffic and roofing shall be pitched rather than flat. Glazing shall be toughened safety glass to the relevant Australian Standard.
A two-sided advertising panel shall be restricted to the departure side of maximum size 1.0 by 1.5 metres. A lockable community information panel of approximate size 0.5 by 0.8 metres accessible only to Council shall also be provided.
In general shelters shall be unobtrusive, aesthetically pleasing, safe and compatible with Urban Design Principles and the character of the area. Should Council adopt specific Urban Design Guidelines during the currency of the Contract which affect shelter design, all future shelters and replacement shelters shall comply with such guidelines.

D2 Erection

It shall be the Contractors responsibility to carry out all of the works associated with the supply and erection of advertising shelters including concrete floor, footings and electricity.
A program for construction at the sites provided in the attached list shall be submitted with the tender.
At each individual site the Contractor shall advise the Director of Technical Services in writing at least 14 days prior to commencement of work.
The levels of floor and footings shall be to Council's requirements and the Contractor shall be responsible for the safe-guarding, and the repair of any damage to, public utility services and installations.
Pedestrian and traffic safety during construction shall be the responsibility of the Contractor.
The works and restoration on completion shall all be to the satisfaction of the Director of Technical Services.
No shelter shall be so sited as to constitute a traffic or safety hazard.
It shall be the Contractor's responsibility to make any applications and obtain any approvals required in respect of shelters and to notify adjoining property owners.
All construction work and electrical installation shall be carried out by licensed, qualified contractors approved by Council.

D3 Replacement Shelters

Where any existing advertising shelter is to be replaced for any reason, or under this Contract Council shelters are to be replaced, demolition and replacement costs shall

be the Contractors.

D4 Relocation

Where it is decided by Council for any reason that an existing advertising shelter is to be relocated, all costs shall be borne by the Contractor.

D5 Removal

Where for any reason Council decides that an advertising shelter should be removed, all costs shall be borne by the Contractor. However this may be accompanied by a reduction in advertising revenue return to Council.
On completion or severance of the Contract the ownership of all shelters and advertising modules shall either transfer to Council or, at Council's discretion, be removed in whole or part by the Contractor at the Contractor's cost.

D6 Additional Shelters

Periodically Council may permit additional advertising shelters to be constructed by the Contractor as part of the Contract which shall provide an increase in the revenue returned to Council and the submitted tender shall make an appropriate provision.

D7 Electricity

All initial and on-going costs associated with electricity supply to advertising shelters shall be the Contractor's.
In addition to the illumination of advertising panels, shelters shall be generally lit from the street lighting system. Any application and approvals shall be the Contractor's responsibility.

D8 Maintenance and Cleaning

All costs associated with the maintenance and cleaning of advertising shelters shall be the Contractor's.
The Contractor shall:

- Inspect all advertising shelters weekly.
- Provide a damage report telephone number prominently displayed on all shelters with 24 hour response.
- Commence the repair of all structural damage within 24 hours of notice/inspection.
- Commence the replacement of any irrepairably damaged shelter immediately.
- Rectify any hazardous or unsafe condition including broken glass within 12 hours of notice/inspection.
- Remove posters and graffiti within 24 hours of notice/inspection.
- Maintain the condition of all surfaces including painted surfaces in as new condition.

TENDER NO. 96/6
ADVERTISING BUS SHELTERS

Tenders are invited and will be received by the undersigned up until 2pm Thursday 11th April 1996 for the supply and maintenance of new bus shelters incorporating advertising panels at selected sites throughout the Warringah area.

The successful tenderer will be required to provide a shelter design acceptable to Council and to install and maintain shelters in accordance with the specification. The tender shall include a financial return to Council expressed as a percentage of net advertising revenue.

Tenders are to be in a suitably endorsed and sealed envelope placed in the Tender Box at the Civic Centre, Dee Why. Only those Tenders received prior to the time and date of closing will be considered.

Tenders will be assessed on the basis of suitability of advertising shelter designs offered, the quantum of the revenue return to Council, the timetable for shelter construction and subsequent commencement of financial return, the viability, reputability and previous experience of the Contractor and other relevant factors.

The Tender Document and Specification can be obtained from the Engineers Counter Civic Centre Dee Why.

Further enquiries may be directed to Anne Keohane on 9982 0702.

FL Thomson
General Manager
Warringah Council
Civic Centre
Pittwater Rd
DEE WHY 2099

SMH 5/3 & 12/3

M. Dailey 3/3

Warringah Council

370.006.001 rv/ak/418RV.DOC
Ritchie Venn
Waste Services Manager
April 16, 1996

18 APR 1996

Stan Blundell
3M Australian Posters
P.O. Box 223
Waterloo
NSW 2017

Dear Mr Blundell,

Re: Tender No. 96/6 - Bus Shelters Incorporating Advertising

Council acknowledges receipt of your tender for Bus Shelters Incorporating Advertising.

The tender submissions will be reviewed and Council will notify you of the outcome.

If you have any further enquiries, please contact Anne Keohane on 9982 0702 during office hours.

Yours faithfully

B A Watters
DIRECTOR TECHNICAL SERVICES

Per: R Venn

Civic Centre, 725 Pittwater Road (enter Civic Drive), Dee Why, NSW 2099
Tel (02) 9982 0333, Fax (02) 9971 4522, TTY No. 99820434, DX 9118 Dee Why

E. LIST OF ADVERTISING SHELTER SITES

SUITABLE SITES FOR ADVERTISING BUS SHELTERS -NEW AND REPLACEMENT

WARD	SITE DETAILS	SUBURB	NEARBY DEVELOPMENT
1 Existing Advertising Shelters Requiring Replacement			
A	Pittwater Road,east side cnr Brissendan Ave	Collaroy	residential
A	Pittwater Road,east side near Dee Why RSL Club	Dee Why	commercial
A	Pittwater Road,east side north of Mactier St	Narrabeen	residential
B	Pittwater Road,west side adj Manly Leagues Club	Brookvale	commercial
B	Pittwater Road,west side cnr Kentwell Rd.	North Manly	residential
B	Warringah Road,south side west of Willandra Rd.	Beacon Hill	residential
2 Existing Council Shelters Requiring Replacement			
A	Pittwater Road,east side cnr Ramsay St	Collaroy	residential
A	Warringah Road,north side cnr Lascelles Rd	Narraweena	residential
B	Pittwater Road,east side cnr Sterland Ave	North Manly	residential
B	Pittwater Road,west side cnr Warringah Rd	Dee Why	commercial
B	Pittwater Road,west side opposite Brookvale Bus Depot	Brookvale	commercial
C	Warringah Road,north side opposite Emperor Pl	Forestville	residential
C	Warringah Road,south side cnr Maxwell Pde	Frenchs Forest	residential
C	Warringah Road,south side opposite Daines Pde	Beacon Hill	residential
3 Proposed New Sites for Advertising Shelters			
A	Carrington Avenue,west side cnr Toronto Ave	Cromer	residential
A	Pittwater Road,east side cnr Ocean Grove	Collaroy	commercial
A	Pittwater Road,west side cnr Clarke St	Narrabeen	residential
A	Pittwater Road,west side cnr Ramsay St	Collaroy	residential
A	Pittwater Road,west side adjacent Collaroy Post Office	Collaroy	commercial
A	Warringah Road,north side cnr McKillop Rd	Beacon Hill	residential
B	Adams Street,south side cnr Farnell St	Curl Curl	residential
B	Allambie Road,south side opposite Arnhem Rd	Allambie	residential
B	Pittwater Road,east side opposite Brookvale Oval	Brookvale	commercial
B	Pittwater Road,west side adj Brookvale Oval	Brookvale	commercial
B	Warringah Road,south side cnr Pine Ave	Narraweena	residential
B	Warringah Road,north side cnr Ellis Rd	Beacon Hill	residential
C	Forest Way,west side adj Forest Way Shopping Centre	Frenchs Forest	commercial
C	Frenchs Forest Rd,south side adj to Forest High School	FrenchsForest	residential/school
C	Starkey Street,east side, opposite shops	Forestville	commerce/resident
C	Warringah Road,south side cnr Darley St	Forestville	residential