



<b>City of Parramatta</b>	
File No:	DA/273/2022

## SECTION 4.15 ASSESSMENT REPORT

### Environmental Planning & Assessment Act 1979

<b>DA No:</b>	DA/273/2022
<b>Subject Property:</b>	Junction Street, Silverwater (adjacent to the Northern side of M4 Motorway).
<b>Proposal:</b>	Digital conversion of the existing static advertising sign.
<b>Date of receipt:</b>	5 April 2022
<b>Applicant:</b>	JCDecaux Australia Holdings Pty Ltd
<b>Owner:</b>	City of Parramatta Council
<b>Property owned by a Council employee or Councillor:</b>	The site is not known to be owned by a Council employee or Councillor
<b>Political donations/gifts disclosed:</b>	None disclosed on the application form
<b>Submissions received:</b>	Nil
<b>Recommendation:</b>	<b>Approval, subject to conditions</b>
<b>Assessment Officer:</b>	Emma Ziegenfusz, Planning Ingenuity (Town Planning Consultants)

### Legislative Requirements

<b>Relevant provisions considered under section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979</b>	<ul style="list-style-type: none"><li>• State Environmental Planning Policy (Resilience and Hazards) 2021</li><li>• State Environmental Planning Policy (Industry and Employment) 2021</li><li>• State Environmental Planning Policy (Biodiversity and Conservation) 2021</li><li>• State Environmental Planning Policy (Transport and Infrastructure) 2021</li><li>• Auburn Local Environmental Plan 2010</li><li>• Draft Parramatta Local Environmental Plan 2020</li><li>• Auburn Development Control Plan 2010</li></ul>
<b>Zoning</b>	IN1 – General Industrial
<b>Bushfire Prone Land</b>	No
<b>Heritage</b>	No
<b>Heritage Conservation Area</b>	No
<b>Designated Development</b>	No
<b>Integrated Development</b>	No
<b>Clause 4.6 variation</b>	No
<b>Delegation</b>	Parramatta Local Planning Panel (PLPP) due to 16 <sup>th</sup> August Panel

## 1. Executive Summary

Development Application DA/273/2022 was lodged on 5 April 2022 for the digital conversion of the existing static advertising sign on land at Junction Street adjacent to the Northern side of M4 Motorway.

The application is made pursuant to State Environmental Planning Policy Industry and Employment 2021 which regulates signage, provides consents, and regulates the display of advertising in transport corridors, and ensures that public benefits may be derived from advertising in and adjacent to transport corridors.

Development Application DA/273/2022 was lodged with Council on 5 April 2022. Therefore, this application is subject to the SEPP Industry and Employment 2021.

The application was notified between 19 April 2022 and 4 May 2022, in accordance with Parramatta Council's notification procedures. In response no submissions were received.

In accordance with the Environmental Planning and Assessment Act 1979, Section 9.1 – Directions by the Minister, this application is reported to the Parramatta Local Planning Panel for determination as the proposed development is on Council owned land.

### **Section 4.15 Assessment Summary**

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

The proposed development is appropriately located within the locality and some variations (as detailed in this report) in relation to the SEPP Industry and Employment 2021 and Auburn LEP 2010 are sought.

Having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, it is recommended Development Application No. DA/273/2022 be approved with the recommended conditions of consent.

## **2. Site Description and Conditions**

The subject site is located on Junction Street, adjacent to the M4 Motorway to the south. The current property description is part of Lot 2 in DP1007079, which is owned by Transport for NSW. The site is located on the eastern side of Junction Street, north of the M4 Motorway. The existing sign sits by a large industrial zoned site identified as Lot 1 in DP713708.

The site is zoned IN1 – General Industrial.

The surrounding properties are also zoned IN1 – General Industrial, with SP2 – Infrastructure zoning to the south of the site accommodating the M4 Motorway. Further from the site, zonings consist of W1 – Natural Waterway, IN3 – Heavy Industrial, B6 – Enterprise Corridor and small pockets of RE1 – Public Recreation. The nearest residential land is located 450m to the south of the site, on the opposite side of the M4 Motorway, whilst the nearest residential land on the same side of the Motorway, is separated from the site by over 600m of industrial land use.

The subject site currently accommodates an existing static pole-mounted sign, which can be viewed from the M4 Motorway from the east and west. The existing sign is located to the east of Junction Street, surrounded by existing vegetation at its base.

The site is surrounded by general industrial land uses.



Figure 1. Aerial Photo (NearMap)

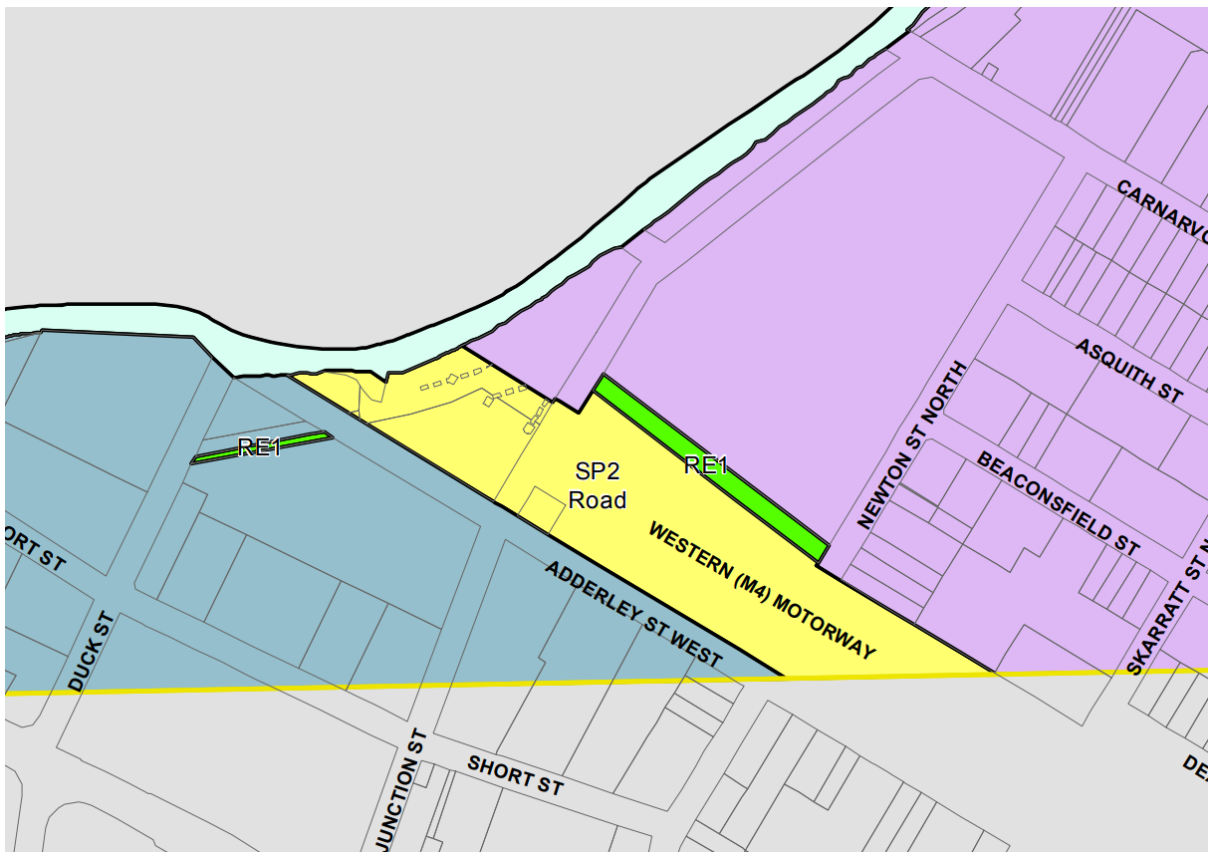


Figure 2. Zoning Map (LEP 2010)





*Figure 3. Eastern elevation of the existing sign, as viewed from M4 Motorway.*



*Figure 4. Western elevation of the existing sign, as viewed from M4 Motorway.*



Figure 5: Base of the existing sign, as viewed from Junction Street.

Table 1 below provides details of existing approvals relating to the site.

Development Application	Description
Development Application DA/60/1998	The existing sign was approved under DA/60/98 on 8 May 1998.

### 3. The Proposal

The proposed development includes the following components:

- Digital conversion and reduction in overall size of an existing static advertising sign on the northern side of M4 Motorway, at Junction Street, Silverwater from 114m<sup>2</sup> to 90.24m<sup>2</sup>.

### 4. Referrals

The following section outlines the response and conditions recommended from each of the internal and external referrals in relation to the subject application.

Referral	Comment
Transport for NSW (TfNSW)	TfNSW raises no objections to the proposal and supports the application subject to conditions.

## PLANNING ASSESSMENT

### 5. Environmental Planning Instruments

#### 5.1 Overview

The instruments applicable to this application are:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Auburn Local Environmental Plan 2010
- Draft Parramatta Local Environmental Plan 2020
- Auburn Development Control Plan 2010

Compliance with these instruments is addressed below.

## STATE ENVIRONMENTAL PLANNING POLICY – RESILIENCE AND HAZARDS 2021

The site is not identified in Council's records as being contaminated. A review of the site's history does not reveal a previous land use that may have caused contamination and there is no specific evidence that indicates the site is contaminated.

## STATE ENVIRONMENTAL PLANNING POLICY – INDUSTRY AND EMPLOYMENT 2021

The proposal is subject to Chapter 3 Advertising and Signage of SEPP – Industry and Employment 2021 given the proposal is for advertising signage that is visible from a public place. TfNSW has provided concurrence to the proposal as required under clause 3.16 of the SEPP and provided conditions of consent.

An assessment of the proposed signage against Schedule 5 of the SEPP and the Transport Corridor Advertising Guidelines 2017 has been undertaken below.

Consideration	Compliance
<b>1 Character of the area</b>	
<b>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</b>	Yes. The proposed sign is generally consistent with the existing sign and the conversion to a digital format will remain compatible with the character of the locality.
<b>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</b>	Yes. There is no established theme for signage in the locality however the proposed sign is consistent with the existing sign on the site and will improve the quality of the advertising structure to provide a contemporary advertising medium and more visually appealing structure, appropriate for the locality.
<b>2 Special areas</b>	
<b>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?</b>	Yes. The sign will not be visible from any environmentally sensitive areas and will largely be viewed from industrial areas and the M4 Motorway.
<b>3 Views and vistas</b>	
<b>Does the proposal obscure or compromise important views?</b>	Yes. There are no important views which are impacted by the proposed sign.
<b>Does the proposal dominate the skyline and reduce the quality of vistas?</b>	Yes. The sign will project above surrounding structures, infrastructure and vegetation however will be no greater in height than the existing sign on the site. The proposal will not reduce the quality of existing vistas as it is not located within any important view corridors.
<b>Does the proposal respect the viewing rights of other advertisers?</b>	Yes. The proposal will replace an existing sign and therefore will not impact other advertisers.
<b>4 Streetscape, setting or landscape</b>	
<b>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</b>	Yes. The sign will replace an existing sign whilst slightly reducing its size. The proposed sign is considered to be of an appropriate scale for its locality.
<b>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</b>	Yes. The proposal will improve the appearance of the existing sign and provide a more visually pleasing advertising structure. The sign does not form part of an urban streetscape, rather it will replace an existing sign that sits relatively isolated next to a major road.
<b>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</b>	Yes. The proposal reduces the area of the existing signage.



Does the proposal screen unsightliness?	Yes. The proposal does not act as a screen.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	Yes, the sign will project above surrounding structures, infrastructure and vegetation however will be no greater in height than the existing sign on the site.
Does the proposal require ongoing vegetation management?	Yes. The proposal will not have any adverse impacts on surrounding vegetation.
<b>5 Site and building</b>	
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?	Yes. The sign is consistent with the scale of the existing sign on the site and is considered appropriate for the locality which consists of industrial uses and road infrastructure.
Does the proposal respect important features of the site or building, or both?	Yes. The proposal respects surrounding development and the M4 Motorway, and provides improved, and smaller, signage as viewed from the roadway.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Yes. The new sign provides for conversion of a static sign to a contemporary LED technology, improving its display, appearance and ability to manage and maintain signage on the site over time.
<b>6 Associated devices and logos with advertisements and advertising structures</b>	
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?	Yes. The sign will be fitted with a security camera to ensure it is working properly, and a compliant operator logo is proposed at the bottom of the screen.
<b>7 Illumination</b>	
Would illumination result in unacceptable glare?	Yes. The sign will not result in unacceptable glare that would have any safety impacts. This is confirmed in a specialist lighting report submitted by the applicant.
Would illumination affect safety for pedestrians, vehicles or aircraft?	Yes. This is confirmed in a specialist lighting report and traffic report submitted by the applicant and TfNSW supports the application from a road safety point of view.
Would illumination detract from the amenity of any residence or other form of accommodation?	Yes. There are no residential land uses located within close proximity of the site that would be impacted by the sign's illumination.
Can the intensity of the illumination be adjusted, if necessary?	Yes.
Is the illumination subject to a curfew?	Yes. The Statement of Environmental Effects states that a post-curfew operational period applies to the sign where illumination is reduced during 11pm and 6am. This aspect of use will be conditioned.
<b>8 Safety</b>	
Would the proposal reduce the safety for any public road?	Yes. Subject to conditions of consent the sign will have no adverse impact on the safety of road users. Concurrence has been granted by TfNSW.
Would the proposal reduce the safety for pedestrians or bicyclists?	Yes. As above.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	Yes. The proposed sign will not have any impact on sightlines.

## TRANSPORT CORRIDOR ADVERTISING AND SIGNAGE GUIDELINES 2017

Land Use Compatibility Criteria – Transport Corridor Advertising	
Criteria	Compliance
i. The use of outdoor advertising in a given locality should not be inconsistent with the land use objectives for the area outlined in the relevant LEP.	The sign is not permissible within the IN1 zone, however benefits from existing use rights. The proposal is not inconsistent with the land use objectives, which are dealt with in relation to ALEP 2010 below.
ii. Advertisements must not be placed on land where the signage is visible from the following areas, if it is likely to significantly impact on the amenity of those areas: <ul style="list-style-type: none"> <li>environmentally sensitive area</li> <li>heritage area (excluding railway stations)</li> <li>natural or other conservation area</li> <li>open space (excluding sponsorship advertising at sporting facilities in public recreation zones)</li> <li>waterway</li> </ul>	The sign will be visible from Duck River, a nearby waterway, however, will not have any adverse amenity impacts on the waterway, particularly when compared to the existing sign on the site.

<ul style="list-style-type: none"> <li>• residential area (but not including a mixed residential and business zone, or similar zones)</li> <li>• scenic protection area</li> <li>• national park or nature reserve.</li> </ul>	
iii. Advertising structures should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant scenic views or views that add to the character of the area.	The sign will project above surrounding structures, infrastructure and vegetation however will be no higher, and will be smaller, than the existing sign on the site. The proposal will not reduce the quality of existing vistas as it is not located within any important view corridors.
iv. Advertising structures should not be located so as to diminish the heritage values of items or areas of local, regional or state heritage significance.	The proposal replaces an existing sign of similar appearance and in terms of bulk and location it is sufficiently separated from the nearby heritage items. The proposal will cause no adverse impact on significant view corridors or on the heritage fabric of the heritage items in the vicinity.
v. Where possible, advertising structures should be placed within the context of other built structures in preference to non-built areas. Where possible, signage should be used to enhance the visual landscape. For example, signs may be positioned adjacent to, or screening, unsightly aspects of a landscape, industrial sites or infrastructure such as railway lines or power lines.	The proposed signage is suitably located adjacent to the M4 Motorway.
<b>Freestanding Advertisements Criteria</b>	
<b>Criteria</b>	<b>Compliance</b>
a. The advertising structure must not protrude above the dominant skyline, including any buildings, infrastructure or tree canopies, when viewed from ground level within a visual catchment of 1km. Note: This impact should be measured from the vehicle approach location and any other critical viewpoints.	The sign will project above nearby structures, infrastructure and vegetation however this is consistent with the existing sign on the site, noting that the proposal will sit at a lower height than the existing sign.  The proposal will not reduce the quality of existing vistas as it is not located within any important view corridors.
b. For a freestanding advertisement greater than 45sqm that requires consent from local council, a DCP must be in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct.	The proposal has been assessed against the Auburn DCP 2010. The DCP does not contain area or precinct specific analysis or controls. However, the proposal relies on existing use rights, replacing an existing sign, and the DCP must not derogate from the existing use rights. The proposal has been considered against the relevant provisions of the DCP, as well as the SEPP, and is considered to warrant approval.
c. Where the sign is in a transport corridor a landscape management plan may be required as part of the DA approval for a freestanding advertisement. This may include requirements to provide appropriate vegetation behind and adjacent to the advertising structure to minimise unintended visual impacts. Landscaping should include trees, shrubs and ground covers to provide adequate screening, softening, colour, soil stabilisation and weed reduction.	Given the sign is existing and the proposal will not alter the base of the sign, a landscape management plan is not required.
<b>Digital Sign Criteria</b>	
<b>Criteria</b>	<b>Compliance</b>
a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (d) below.	Yes. Advertisements will be displayed in a static manner for a dwell time of 25 seconds as required by (d) below.
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.	Yes. This is addressed by a condition of consent.
c. The image must not be capable of being mistaken: <ul style="list-style-type: none"> <li>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</li> </ul>	Yes. This is addressed by a condition of consent.



<p>advertisement being mistaken for a prescribed traffic control device</p> <p>ii. as text providing driving instructions to drivers.</p>	
<p>d. Dwell times for image display must not be less than:</p> <p>i. 10 seconds for areas where the speed limit is below 80 km/h</p> <p>ii. 25 seconds for areas where the speed limit is 80km/h and over.</p>	<p>Yes. The proposal has a dwell time of 25 seconds given the speed limit for Silverwater Road is over 80km/h. This is addressed by a condition of consent.</p>
<p>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.</p>	<p>Yes. A transition time of 0.1 seconds is proposed. This is addressed by a condition of consent.</p>
<p>f. Luminance levels must comply with the requirements in Section 3 below.</p>	<p>Yes. According to the Lighting Impact Assessment submitted with the application, the proposal complies with the requirements. This is addressed by a condition of consent.</p>
<p>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.</p>	<p>Yes. This is addressed by a condition of consent.</p>
<p>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).</p>	<p>Yes. This is addressed by a condition of consent.</p>
<p>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.</p>	<p>N/A. The sign will not be visible from a school zone.</p>
<p>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.</p>	<p>Yes. The proposed digital signage is not considered to have adverse impacts when viewed from the M4 in either direction, as assessed throughout this report.</p>
<p>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.</p>	<p>Yes. This is addressed by a condition of consent.</p>
<p>l. 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.</p>	<p>N/A. The sign is not located within close proximity to other signage.</p>
<p>m. Signs greater than or equal to 20sqm must obtain RMS concurrence and must ensure the following minimum vertical clearances;</p> <p>i. 2.5m from lowest point of the sign above the road surface if located outside the clear zone</p> <p>ii. 5.5m from lowest point of the sign above the road surface if located within the clear zone (including shoulders and traffic lanes) or the deflection zone of a safety barrier if a safety barrier is installed.</p> <p>If attached to road infrastructure (such as an overpass), the sign must be located so that no portion of the advertising sign is lower than the minimum vertical clearance under the overpass or supporting structure at the corresponding location.</p>	<p>Yes. The proposal has received concurrence from TfNSW. The proposed signage sits approximately 13m above the M4 Motorway.</p>

n. An electronic log of a sign's operational activity must be maintained by the operator for the duration of the development consent and be available to the consent authority and/or RMS to allow a review of the sign's activity in case of a complaint.	Yes. This is addressed by a condition of consent.
o. A road safety check which focuses on the effects of the placement and operation of all signs over 20sqm must be carried out in accordance with Part 3 of the RMS Guidelines for Road Safety Audit Practices after a 12 month period of operation but within 18 months of the signs installation. The road safety check must be carried out by an independent RMS-accredited road safety auditor who did not contribute to the original application documentation. A copy of the report is to be provided to RMS and any safety concerns identified by the auditor relating to the operation or installation of the sign must be rectified by the applicant. In cases where the applicant is the RMS, the report is to be provided to the Department of Planning and Environment as well.	Yes. This is addressed by a condition of consent.

## STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

The site is identified within the Sydney Harbour Catchment, and as such the provisions of SEPP (Biodiversity and Conservation) 2021 have been considered in the assessment of the development application.

The application is considered to be consistent with the aims of the SEPP.

## STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

The provisions of SEPP (Transport and Infrastructure) 2021 have been considered in the assessment of the development application.

The application is subject to clause 2.118 of the SEPP as the site has frontage to a classified road. The application was referred to Transport for NSW and no objections were raised in relation to the proposal.

Appropriate conditions are recommended to address the requirements of the SEPP.

## 8. Auburn Local Environmental Plan 2010

The relevant matters to be considered under Auburn Local Environmental Plan 2010 for the proposed development are outlined below.

Development standard	Compliance
<b>Permissibility</b>	<p>The site is zoned IN1 General Industrial, within which advertising signage is not permissible.</p> <p>However, the site was lawfully used for advertising signage on 29 October 2010 being the time that ALEP 2010 came into effect and prohibited advertising signage in the zone. The use has been continuous since that time and the site enjoys existing use rights.</p> <p>Pursuant to Section 4.67 of the EP&amp;A Act and Part 7 of the EP&amp;A Regulation 2021 the proposed alterations and additions to the existing sign are permissible with consent.</p>
<b>Zone Objectives</b>	The proposal relies on existing use rights and accordingly is for a use that is not envisaged by the LEP for the zone. Notwithstanding, the proposal is not antipathetic to the zone objectives in that it will not adversely impact

	surrounding industrial uses, employment generation or the natural environment.
<b>Floor Space Ratio</b>	N/A.
<b>Development below mean high water mark</b>	The proposal is not for the development of land that is covered by tidal waters.
<b>Heritage Conservation</b>	No.
<b>Aboriginal Places of Heritage significance</b>	No.
<b>Acid sulphate soils</b>	Yes. An Acid Sulphate Soils Management plan is not required to be prepared.
<b>Earthworks</b>	No earthworks are proposed.
<b>Flood planning</b>	The site is not identified by council as being flood prone.
<b>Biodiversity protection</b>	The site is not identified on this map.
<b>Water protection</b>	The site is not identified on this map.
<b>Development on landslide risk land</b>	The site is not identified on this map.
<b>Affected by a Foreshore Building Line</b>	The site is not located in the foreshore area.
<b>Bushfire Prone Land</b>	The site is not identified on this map.
<b>Exceptions to development standards</b>	N/A.

## 6. Draft Parramatta Local Environmental Plan 2020

Draft Parramatta LEP 2020 was placed on public exhibition on 31 August 2020, with exhibition closing on 12 October 2020. The draft LEP will replace the five existing LEPs that apply within the Local Government Area and will be the primary legal planning document for guiding development and land use decisions made by Council. The draft LEP must be considered when assessing this application, under cl 4.15(1)(a)(ii). The Draft LEP will not change the zoning of the site or have any other implications for the proposal. The proposed development is considered to be consistent with the objectives of the Draft LEP and the primary provisions that apply to the development will remain in the SEPP – Industry and Employment 2021.

## 7. Auburn Development Control Plan 2010

The relevant matters to be considered under Auburn Development Control Plan for the proposed development are outlined below.

Development Control	Compliance
<b>2.0 Advertising and Signage Controls</b> D1 Advertising and signs shall be consistent with State Environmental planning Policy No. 64-Advertising and Signage	The proposed signage is considered to be consistent with the provisions of SEPP (Industry and Employment) 2021 (previously SEPP 64), as discussed within this report.
<b>3.0 Language of advertising and signage</b> D1 Advertising and signage shall be displayed in English but may include translation in another language.	According to the Statement of Environmental Effects submitted with the application, signage will be displayed in English. This will be conditioned.

## 8. Other Matters

### Roads Act 1993

Under Section 138 of the Roads Act 1993, the application requires approval from Transport for NSW since the proposal relates to works located above a public road. The application was referred to Transport for NSW and has reviewed the submitted application and provides concurrence under Clause 3.16 of the State Environmental Planning Policy (Industry and Employment) 2021 subject to the following conditions being included in any consent issued by Council:

The proposed sign location is on the border of meeting the required Stopping Sight Distance (SSD) as per the guidelines. TfNSW has concerns with the location and potential adverse safety implication. It is essential that the dwell time and illumination of the sign be conditioned, highlighted and if possible, enforced. The dual sided signage must have a minimum dwell time of 25 seconds.

To ensure drivers vision is not affected by the illumination of the signage, it is requested that the brightness of the digital signage comply with the requirements outlined within the Transport Outdoor Advertising and Signage Guidelines 2017 and relevant Australian Standards. As per the Transport Outdoor Advertising and



Signage Guidelines 2017, a road safety check which focuses on the effects of the placement and operation of all signs over 20sqm must be carried out in accordance with Part 3 of the TfNSW Guidelines for Road Safety Audit Practices after a 12 month period of operation but within 18 months of the signs installation. The road safety check must be carried out by an independent TfNSW-accredited road safety auditor who did not contribute to the original application documentation. A copy of the report is to be provided to TfNSW and any safety concerns identified by the auditor relating to the operation or installation of the sign must be rectified by the applicant. In cases where the applicant is the TfNSW, the report is to be provided to the Department of Planning and Environment as well.

The proposed digital sign, its operation and illumination levels must comply with the requirements in Transport Corridor Outdoor Advertising and Signage Guidelines 2017 and relevant Australian Standards.

All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on the M4 Western Sydney Motorway.

All works associated with the proposed sign, including maintenance activities, shall be at no cost to TfNSW.

## **9. Development Contributions**

As this Development Application was lodged on 21 June 2021, the City of Parramatta Council Section 94A Development Contributions Plan (Amendment No. 5) applies to the land. As such, a development contribution based on the cost of the proposed development is required to be paid. As the site is owned by Council, no conditions relating to contributions are recommended.

## **10. Bonds**

In accordance with Council's Schedule of Fees and Charges, the developer will be obliged to pay Security Bonds to ensure the protection of civil infrastructure located in the public domain adjacent to the site. As the site is owned by Council, no conditions relating to bonds are recommended.

## **11. EP&A Regulation 2021**

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection have been addressed by appropriate consent conditions, refer to Appendix 1.

## **12. The likely impacts of the development**

The assessment demonstrates that the proposal will not have any significant adverse impacts upon any adjoining properties or the environment through compliance with the applicable planning instruments and controls. All relevant issues regarding environmental impacts of the development are discussed elsewhere in this report, including natural impacts such as tree removal and excavation, and built environment impacts such as traffic and build form. In the context of the site and the assessments provided by planning experts, the development is considered satisfactory in terms of environmental impacts.

## **13. Suitability of the Site**

The subject site can accommodate a signage of this scale as the site required services and facilities to enable efficient and safe operation of the use without causing further impacts on the amenity of surrounding properties and is ideally located.

Suitable investigations and documentation have been provided to demonstrate that the site can be made suitable for the proposed development and the development is consistent with the land use planning framework for the locality.

No natural hazards or site constraints exist that are likely to have an unacceptably adverse impact on the proposed development.

Subject to the conditions provided within the recommendation to this report, the site is considered to be suitable for the proposed development.

## **14. Public Consultation**

The application was notified in accordance with Parramatta Council's notification procedures. In response no submissions were received.

### **CONCILIATION CONFERENCE**

On 11 December 2017, Council resolved that:

*"If more than 7 unique submissions are received over the whole LGA in the form of an objection relating to a development application during a formal notification period, Council will host a conciliation conference at Council offices."*

### **Conciliation Conference – Not required**

The application received no unique submissions during the formal notification period and as a result a Conciliation Conference was not required to be held.

## **15. Public interest**

Subject to amend conditions of consent outlined in the recommendation below, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

## **16. Conclusion**

### **Conditional consent**

After consideration of the development against Section 4.15 of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. Therefore, it is recommended that the application be approved subject to conditions.

## **17. Recommendation**

### **APPROVAL SUBJECT TO CONDITIONS**

**That** the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.17 of the Environmental Planning and Assessment Act, grant development consent to DA/273/2022 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent. It has been recommended for approval for the following reasons:

1. The development is permissible subject to existing use rights in accordance with Division 4.11 of the Environmental Planning and Assessment Act 1979.
2. The development will replace static advertising signage with LED signage and is consistent with the relevant provisions of SEPP – Industry and Employment 2021 and Auburn LEP 2010.
3. The development will be compatible with the existing and planned future character of the area.
4. The proposed development will not have any unacceptable impacts on surrounding development.
5. For the reasons given above, and given that the proposal has attracted no objections, approval of the application is in the public interest.

The reasons for the conditions imposed on this application are as follows:

1. To facilitate the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the aims and objectives of the relevant State and Council Planning instruments.

2. To ensure that the local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development.
3. To ensure the development does not hinder the proper and orderly development of the subject land and its surrounds.
4. To ensure the relevant matters for consideration under Section 4.15 of Environmental Planning and Assessment Act 1979 are maintained.



## **“Appendix 1” to Section 4.15 Assessment Report - DA/273/2022**

### **DRAFT CONDITIONS OF CONSENT**

Upon the signature of the applicable delegate, the conditions in this Appendix will form the conditions of development consent.

**Development Consent No.:** DA/273/2022

**Property Address:** Junction Street, Silverwater (adjacent to the Northern side of M4 Motorway).

#### **PART A – GENERAL CONDITIONS**

##### **Approved Plans & Support Documentation**

1. Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise:

Architectural Drawings (*Dennis Bunt Consulting Engineers Pty Ltd*)

Drawing No.	Issue	Plan Title	Dated
DA01	B	Existing General Arrangement	09/11/21
DA02	E	Proposed General Arrangement	01/12/21

##### Specialist Reports

Document	Issue	Prepared By	Dated
Statement of Environmental Effects	Rev 2	Keylan Consulting	17/02/22
Waste Management Plan		JCDecaux	24/03/22
Lighting Impact Assessment	Rev A	Electrolight Australia	10/12/21
Concept Design Road Safety Audit	Rev B	McClaren Traffic	22/12/21
Structural Assessment Statement		Dennis Bunt Consulting Engineers	23/11/21

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of consent, the condition prevails.

**Note:** An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

**Reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development

#### **Construction Certificate**

2. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Construction Certificate. Plans, specifications and relevant documentation accompanying the Construction Certificate must include any requirements imposed by conditions of this Development Consent.

**Reason:** To ensure compliance with legislative requirements.

#### **No encroachment on Council and/or Adjoining property**

3. The development must be constructed within the confines of the property boundary. No portion of the proposed structure, including footings/slabs, gates and doors during opening and closing operations must encroach upon Council's footpath area or the boundaries of the adjacent properties.

**Reason:** To ensure no injury is caused to persons and the building is erected in accordance with the approval granted within the boundaries of the site.

#### **Demolition work carried out in accordance with Australia Standards**

4. Demolition work must be carried out in accordance with Australian Standard 2601-2001 - Demolition of Structures and the requirements of the NSW WorkCover Authority.

**Reason:** To ensure appropriate demolition practices occur.

#### **LSL Payment**

5. Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

**Note:** The Long Service Levy is to be paid directly to the **Long Service Corporation** at [www.longservice.nsw.gov.au](http://www.longservice.nsw.gov.au). For more information, please contact the Levy support team on 13 14 41.

**Reason:** To ensure that the long service levy is paid.

### **PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE**

**(Note:** Some conditions contained in other sections of this consent (including prior to occupation/use commencing) may need to be considered when preparing detailed drawings/specifications for the Construction Certificate.)

### **Infrastructure & Restoration Adm. fee for all DAs**

6. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Construction Certificate.  
The fee will be in accordance with Councils adopted 'Fees and Charges' at the time of payment.
- Note:** Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.
- Reason:** To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

### **Erosion and Sediment Control Plan**

7. Before the issue of a construction certificate the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:
- Council's development control plan,
  - the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and
  - the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept on-site at all times during site works and construction.

**Reason:** To ensure no substance other than rainwater enters the stormwater system and waterways

### **Waste Management Plan**

8. Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:
- (a) Council's Waste Management Development Control Plan
- OR**
- (b) Details the following:
- the contact details of the person(s) removing the waste
  - an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill
  - the address of the disposal location(s) where the waste is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.



**Reason:** To ensure resource recovery is promoted and local amenity protected during construction.

## **PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK**

### **Appointment of PCA**

9. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:
- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
  - (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

The Principal Certifying Authority must determine and advise the person having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.

**Reason:** To comply with legislative requirements.

### **Enclosure of the site**

10. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.

**Reason:** To ensure public safety.

### **Site Sign**

11. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 detailing:
- (a) Unauthorised entry of the work site is prohibited;
  - (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
  - (c) The name, address and telephone number of the Principal Certifying Authority;
  - (d) The development consent approved construction hours;
  - (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
  - (f) This condition does not apply where works are being carried out inside an existing building.

**Reason:** Statutory requirement.

### **Toilet facilities on site**

12. Prior to work commencing, adequate toilet facilities are to be provided on the work site.

**Reason:** To ensure adequate toilet facilities are provided.

### **Public liability insurance**

13. Public risk insurance in the amount of not less than \$20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:
- (a) Above;
  - (b) Below; or
  - (c) On

Any public land owned or controlled by Council. The public risk insurance must be maintained for the period during which these works are being undertaken.

The public risk insurance must be satisfactory to Council and list Council as an insured and/or interested party.

A copy of the insurance policy obtained must be forwarded to Council before any of the works commence.

**Note:** Applications for hoarding permits, vehicular crossing etc. will require evidence of insurance upon lodgement of the application.

**Reason:** To ensure the community is protected from the cost of any claim for damages arising from works authorised by this consent conducted above, below or on any public land owned or controlled by Council.

### **Site Maintenance**

14. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:
- (a) all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
  - (b) all site boundaries are to be secured and maintained to prevent unauthorised access to the site;
  - (c) all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
  - (d) the site is to be maintained clear of weeds; and
  - (e) all grassed areas are to be mowed on a monthly basis.

**Reason:** To ensure public safety and maintenance of the amenity of the surrounding environment.

### **Transport for NSW**

15. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on the M4 Western Sydney Motorway.

**Reason:** To avoid any adverse traffic impacts on the surrounding road network.

16. All works associated with the proposed sign, including maintenance activities, shall be at no cost to TfNSW.

**Reason:** To ensure all costs are borne by the sign owner and/oe operator.

## **PART D – WHILE BUILDING WORK IS BEING CARRIED OUT**

### **Building Work Compliance BCA**

17. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code).

**Reason:** To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

### **Copy of development consent**

18. A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.

**Reason:** To ensure compliance with this consent.

### **Dust Control**

19. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Section 126 of the Protection of the Environment Operations Act 1997.

**Reason:** To protect the amenity of the area.

### **Materials on footpath**

20. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the construction, excavation or demolition shall be stored or placed on/in Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the Roads Act 1993.

**Reason:** To ensure pedestrian access.

### **Hours of work and noise**

21. The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- **7am to 5pm on Monday to Friday**
- **8am to 5pm on Saturday**

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

**Note:** Any variation to the hours of work requires Council's approval.

Council may permit an extension to the approved hours of work in extenuating or unforeseen circumstances subject to an application and approval by City of Parramatta Council (CoPC) in accordance with the 'After Hours Works for Approved Development Applications Policy' (Policy).

A copy of this Policy and associated application form is available on the CoPC website. A fee will apply to any application made in accordance with this Policy.

The matters of consideration of any extension sought would include, but not be limited to the following aspects and should be detailed in any application made:

- Nature of work to be conducted;
- Reason for after-hours completion;
- Residual effect of work (noise, traffic, parking);
- Demographic of area (residential, industrial);
- Compliance history of subject premises;
- Current hours of operation;
- Mitigating or extenuating circumstance; and
- Impact of works not being completed.

**Reason:** To protect the amenity of the surrounding area.

### **Complaints register**

22. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:
  - (a) The date and time of the complaint;
  - (b) The means by which the complaint was made;
  - (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that effect;
  - (d) Nature of the complaints;
  - (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complaint; and

- (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register must be made available to Council and/or the Principal Certifying Authority upon request.

**Reason:** To allow the Principal Certifying Authority/Council to respond to concerns raised by the public.

### **Construction Noise**

23. While building work is being carried out, and where a noise and vibration management plan is approved under this consent, the applicant must ensure that any noise generated from the site is controlled in accordance with the requirements of that plan.

OR

While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.

**Reason:** To protect the amenity of the neighbourhood.

### **Road Occupancy Permit**

24. Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

**Reason:** To ensure proper management of Council assets.

### **Oversize vehicles using local roads**

25. Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal ([www.nhvr.gov.au/about-us/nhvr-portal](http://www.nhvr.gov.au/about-us/nhvr-portal)) prior to driving through local roads within the City of Parramatta LGA.

**Reason:** To ensure maintenance of Council's assets.

### **No work on public open space**

26. The applicant must not enter or undertake any work within any adjoining public parks or reserves without the prior written consent of Council.

**Reason:** Protection of existing public infrastructure and land and to ensure public safety and proper management of public land.

### **Uncover Relics/Aboriginal Objects**

27. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly

discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- “relic” means any deposit, artefact, object or material evidence that:-
  - (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
  - (b) is of State or local heritage significance; and
- “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

**Reason:** To ensure the protection of objects of potential significance during works.

#### **Responsibility for changes Public Infrastructure**

28. While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).

**Reason:** To ensure payment of approved changes to public infrastructure.

#### **Waste Management**

29. While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.



**Note:** If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

**Reason:** To require records to be provided, during construction, documenting that waste is appropriately handled

## **PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**

### **Occupation Certificate**

30. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

**Reason:** To comply with legislative requirements of the Environmental Planning and Assessment Act 1979.

### **Record of inspections carried out**

31. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:

- (a) The development application and Construction Certificate number as registered;
- (b) The address of the property at which the inspection was carried out;
- (c) The type of inspection;
- (d) The date on which it was carried out;
- (e) The name and accreditation number of the certifying authority by whom the inspection was carried out; and
- (f) Whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

**Reason:** To comply with statutory requirements.

### **Repair of Infrastructure**

32. Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

**Note:** If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

**Reason:** To ensure any damage to public infrastructure is rectified

## **PART F – OCCUPATION AND ONGOING USE**

### **Management of signage content**

33. Signage displays must not contain/use:
- a. Flashing lights;
  - b. Electronically changeable messages;
  - c. Animated display, moving parts or simulated movement;
  - d. Complex displays that hold a driver's attention beyond "glance appreciation";
  - e. Message sequencing that make a driver anticipate the next message;
  - f. Displays resembling traffic signs or signals, or giving instruction to traffic with text or by using colours and shapes that imitate a prescribed traffic control device or words such as 'halt' or 'stop'.
  - g. A method of illumination that distracts or dazzles; and
  - h. Advertising that is not displayed in English (Note – advertising is to be displayed in English but may include translation in another language).

**Reason:** To comply with legislative controls.

### **Dwell time**

34. The proposed digital sign must have dwell times for image display of at least 25 seconds.

**Reason:** To comply with legislative controls.

### **Transition time**

35. The proposed digital sign must have a transition time between messages which does not exceed 0.1 seconds.

**Reason:** To comply with legislative controls.

### **Luminance levels**

36. The proposed digital sign, its operation and illumination levels must comply with the requirements in Transport Corridor Outdoor Advertising and Signage Guidelines 2017 and relevant Australian Standards.

**Reason:** To maintain amenity for surrounding sites.

### **Illumination curfew**

37. A post-curfew operational period applies to the sign where illumination is required to be reduced during 11pm and 6am Monday to Sunday.

**Reason:** To maintain amenity for surrounding sites.

### **No flashing illumination of advertisement**

38. The signage and/or lighting associated with this consent are not permitted to be flashing and/or moving.

**Reason:** To maintain amenity for adjoining properties.

### **TfNSW review of road safety**

39. 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, TfNSW reserves the right to re-assess the site using an independent TfNSW-accredited road safety auditor. Any safety issues identified by the auditor and options for rectifying the issues are to be discussed between TfNSW and the sign owner and operator.  
**Reason:** To ensure ongoing road safety for road users.

### **Electronic Log**

40. An electronic log of a sign's operational activity must be maintained by the operator for the duration of the development consent and be available to the consent authority and/or TfNSW to allow a review of the sign's activity in case of a complaint.  
**Reason:** To ensure ongoing road safety for road users.

### **Road safety check**

41. A road safety check which focuses on the effects of the placement and operation of all signs over 20sqm must be carried out in accordance with Part 3 of the RMS Guidelines for Road Safety Audit Practices after a 12 month period of operation but within 18 months of the signs installation. The road safety check must be carried out by an independent TfNSW-accredited road safety auditor who did not contribute to the original application documentation. A copy of the report is to be provided to TfNSW and any safety concerns identified by the auditor relating to the operation or installation of the sign must be rectified by the applicant. In cases where the applicant is the TfNSW, the report is to be provided to the Department of Planning and Environment as well.  
**Reason:** To maintain amenity for adjoining properties.

### **Release of Securities/Bonds**

42. When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with council policy.

Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Council's requirements.

**Note:** A written application to Council's Civil Assets Team is required for the release of a bond and must quote the following:  
(a) Council's Development Application number; and  
(b) Site address.

**Note:** Council's Civil Assets Team will take up to 21 days from receipt of the request to provide the written advice.

**Reason:** To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

### **Graffiti Management**

43. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

**Reason:** To ensure the removal of graffiti.

---

**Date:** 4 July 2022

**Responsible Officer:** Emma Ziegenfusz, Planning Ingenuity