



New South Wales

## **State Environmental Planning Policy No 64— Advertising and Signage (Amendment No 3)**

under the

Environmental Planning and Assessment Act 1979

His Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.



Minister for Planning

## **State Environmental Planning Policy No 64—Advertising and Signage (Amendment No 3)**

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### **1 Name of Policy**

This Policy is *State Environmental Planning Policy No 64—Advertising and Signage (Amendment No 3)*.

### **2 Commencement**

- (1) This Policy commences on the day on which it is published on the NSW legislation website, except as provided by subclause (2).
- (2) Schedule 1 [4] and [7] commence 3 months after the day on which this Policy is published on the NSW legislation website.

### **3 Repeal of Policy**

- (1) This Policy is repealed on the day following the day on which Schedule 1 [4] and [7] to this Policy commence.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

## **Schedule 1 Amendment of State Environmental Planning Policy No 64—Advertising and Signage**

### **[1] Clause 4 Definitions**

Omit the definitions of *building identification sign*, *business identification sign*, *Guidelines* and *RTA* from clause 4 (1).

Insert in alphabetical order:

*building identification sign* has the same meaning as in the Standard Instrument.

*business identification sign* has the same meaning as in the Standard Instrument.

*Guidelines* means the provisions of the publication titled *Transport Corridor Outdoor Advertising and Signage Guidelines* approved by the Minister for the purposes of this Policy and published in the Gazette on the date on which *State Environmental Planning Policy No 64—Advertising and Signage (Amendment No 3)* is published on the NSW legislation website.

*RMS* means Roads and Maritime Services constituted under the *Transport Administration Act 1988*.

*Standard Instrument* means the standard instrument set out in the *Standard Instrument (Local Environmental Plans) Order 2006*.

### **[2] Clauses 4 (1) (paragraph (c) of definition of “transport corridor land”), 12 (d), 16 (1) (b), 17 (3) (c), 18 (2)–(4) and 33 (1)**

Omit “the RTA” wherever occurring. Insert instead “RMS”.

### **[3] Clause 6 Signage to which this Policy applies**

Omit clause 6 (1) (except the note). Insert instead:

- (1) This Policy applies to all signage that:
  - (a) can be displayed with or without development consent under another environmental planning instrument that applies to the signage, and
  - (b) is visible from any public place or public reserve, except as provided by this Policy.

### **[4] Clause 9 Advertisements to which this Part applies**

Insert at the end of the clause:

- (2) Despite subclause (1) (d), clause 27A applies to signage on a trailer (within the meaning of the *Road Transport Act 2013*).

### **[5] Clause 12 Consent authority**

Omit “the Maritime Authority of NSW” from clause 12 (b). Insert instead “RMS”.

### **[6] Clause 16 Transport corridor land**

Omit clause 16 (4). Insert instead:

- (4) This clause does not apply to the display of an advertisement if the Minister determines that display of the advertisement is not compatible with surrounding land use, taking into consideration any relevant provisions of the Guidelines.

**[7] Clause 27A**

Insert after clause 27:

**27A Advertisements on trailers parked on (or visible from) roads or road related areas**

- (1) A person must not display an advertisement on a trailer parked on a road or road related area.
- (2) A person must not display an advertisement on a trailer parked on land other than a road or road related area, but visible from a road or road related area, except with the consent of the consent authority.
- (3) Subclauses (1) and (2) do not apply to:
  - (a) an advertisement that is ancillary to the dominant purpose of the trailer, or
  - (b) an advertisement on a trailer parked by or on behalf of a public authority in the exercise of its functions.
- (4) In this clause, *road*, *road related area* and *trailer* have the same meanings as in the *Road Transport Act 2013*.

**[8] Clause 31 Consultation with RMS**

Omit “the Roads and Traffic Authority”. Insert instead “RMS”.