

18 April 2024

Lisa Mitchell
Team Leader – Transport and Water Assessments
Department of Planning, Housing and Infrastructure

Dear Lisa

Static signage on Cowpasture Road, Bossley Park (DA 23/11560) - Response to Fairfield City Council Submission

We write for oOh!media, on behalf of Transport for New South Wales (TfNSW), the Applicant of this Development Application (DA). The DA relates to seeking consent to continue the use of static signage on Cowpasture Road, Bossley Park (DA 23/11560).

This DA was placed on public exhibition between 12 March 2024 and 25 March 2024. During this period, no submissions were received. However, a response from Fairfield City Council was received after the exhibition period and we are responding to the matters raised in their submission.

Following receipt of this submission from Fairfield City Council, the Department of Planning, Housing and Infrastructure (DPHI) have requested that TfNSW respond to the matters raised. The matters raised are presented below, with a response provided (refer to Table 1).

Table 1 Matters raised by Fairfield City Council in their submission

Matter	Response
a) It is noted that the advertising signage was originally agreed to under the original consent DA 121-98 to allow the RTA to recover the cost of construction of the pedestrian bridge. Council requests that financial justification be provided as to why this advertising revenue is still required, including a copy of the agreement with oOh!Media and the operational expenses associated with the bridge.	<p>The continued use of the existing advertising signs attached to the TfNSW Pedestrian Bridge will continue to generate revenue which TfNSW allocates to contribute to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs across the whole of NSW.</p> <p>The additional information being sought is Commercial-in-Confidence.</p>
b) Council requests that the proposed advertising period of 15 years be reduced to 10 years and that advertising slots be provided for the benefit of Council for promoting community events.	<p>DPHI is the consent authority. Section 3.12 of the I&E SEPP relates to the duration of consents. Subsection (1) provides that consent for advertisements may be for a maximum of 15 years or for a lesser period, if specified by the consent authority (DPHI). Subsection (2) provides instances when a consent authority may grant consent for less than 15 years. These include:</p> <ul style="list-style-type: none">(a) an adopted pre-existing policy that enabled the consent authority to approve signage for less than 15 years,(b) the area in which the advertisement is to be displayed is undergoing change, or

Matter	Response
	<p>(c) the specification of a lesser period is required by a different provision in the SEPP.</p> <p>There are no known policies which require DPHI to grant consent for a period less than 15 years, the area in which the advertisement is located is not undergoing change and there are no other provisions that limit the consent. As such, the 15 year consent period is considered appropriate for this billboard signage.</p> <p>The advertising signs are under formal agreement and there is no availability for additional community benefit events. However, should Council wish to purchase advertising slots, they are invited to contact oOh!media Sales Team.</p>
<p>c) Figure 7 on page 13 of the Statement of Environmental Effects makes reference to a proposed digital advertising display. Council recommends that the figure be updated to clarify that the proposed advertising display is non-digital and static.</p>	<p>Gyde Consulting note the error in the SEE.</p> <p>We direct your attention to drawing reference DS2023/000790 within the SEE, which clarifies that the signs are existing static displays (non-digital).</p>
<p>d) The submitted elevations and mock-ups by oOh! suggest that the oOh! Logo is located outside both advertising display areas to the bottom left. Parts 3.18(1) of the State Environmental Planning Policy (Industry and Employment) 2021 (IESEPP) stipulates that the logo of the person who owns or leases an advertising structure may only appear within the advertising display area. Where the advertising display area has no borders or surrounds, Part 3.18(2) stipulates that the logo may also be located within a strip below the advertisement running for its full width. Council recommends that the proposal be revised to ensure that the logo is incorporate into the advertising display area in the above manner.</p>	<p>There is limited area to accommodate the oOh!media logo within the advertising display area. The existing location for the logo is integrated within the structure and will not result in any detrimental impacts on safety or appearance of the signage.</p>
<p>e) The area measurement of the logo is unclear. Part 3.18(3) of the IESEPP stipulates that the area of such a logo must not be greater than 0.25 square metres. Council recommends that the submitted documentation be updated to include this measurement. Should the logo exceed 0.25 square metres, Council also recommends that the logo area be reduced accordingly.</p>	<p>The logo will be replaced, adhering to the 0.25 sqm requirement.</p>
<p>f) The submitted materials do not provide any details on the type of advertising material proposed for the signage. Notwithstanding this, Council recommends that any third-party advertising adhere to the advertising standards set out in the following documents:</p> <ul style="list-style-type: none"> • Australian Association of National Advertisers (AANA) Code of Ethics (February 2021). 	<p>Third-party advertising complies with AANA Code of Ethics and Digital Advertising Policy and Regulations. Advertising content adheres to external laws and regulations as well as specific contract requirements.</p>

Matter	Response
<ul style="list-style-type: none"> AANA Code of Ethics: Practice Note (February 2021). Australian Digital Advertising Policy and Regulations Guide 2015. 	
g) All proposed illumination and/or lighting of the advertising display area shall meet the relevant Australian Standards so that it does not impact on the amenity of any adjoining residential properties and does not distract road users.	<p>A Lighting Impact Assessment has been conducted by a suitably qualified Lighting Design Consultant, demonstrating full compliance with the requirements of AS/NZS 4282:2023 Control of the Obtrusive Effect of Outdoor Lighting. The proposal does not exceed the maximum permitted luminance.</p> <p>Further, an independent Road Safety Assessment has been undertaken by a qualified Traffic Engineer to ensure that the advertising signs do not obstruct or interfere with the view of or restrict sight distances to any intersections, traffic control devices, vehicles, pedestrians or cyclists. The illumination does not increase safety risks for drivers. The proposal complies with the Transport for NSW Advertising Sign Safety Assessment Matrix and <i>Signage Guidelines</i>.</p>

We trust that the above responses enables DPHI to continue with their assessment of the current DA.

Should you require any further information, please contact Debrah Barr (Associate Director) or Lucy Hammond (Project Planner) on (02) 9071 1842.

Yours sincerely



Debrah Barr
Associate Director
debrahb@gyde.com.au
9071 1894