



1 November 2024

Mary Garland  
Team Leader, Transport and Water Assessments  
NSW Department of Planning, Housing and Infrastructure  
Locked Bag 5022, Parramatta NSW 2124

Dear Mary,

**Response to Request for Information (DA24/12733)  
Static signage on pedestrian overbridge near the intersection of Canterbury Road  
and Church Street, Canterbury**

This response has been prepared by *Keylan Consulting Pty Ltd* (Keylan) on behalf of the Applicant, Transport for NSW (TfNSW), to address *Department of Planning, Housing and Infrastructure's* (DPHI) Request for Information (RFI) dated 14 October 2024 for DA/24/12733 at the above site. It reinforces the findings of the SEE and supporting information, that the proposed continued use of the existing static advertising sign:

- demonstrates compliance and meets the objectives of Chapter 3 and Schedule 5 of the Industry and Employment SEPP
- is capable of compliance with the relevant lighting requirements
- will continue to result in acceptable road safety and visual impacts
- will continue to provide a public benefit to the community

This response is supported by the following updated reports:

Attachment A: Response to issues raised by DPHI  
Attachment B: Revised Lighting Impact Assessment  
Attachment C: Revised Signage Safety Assessment  
Attachment D: Revised Structural Feasibility Statement  
Attachment E: Revised Architectural Plans  
Attachment F: Revised Statement of Environmental Effects

We trust that this response provides all information required under the relevant planning legislation to place the application on public exhibition.

Please do not hesitate to contact Sammy Hamilton, Senior Planner at [sammy@keylan.com.au](mailto:sammy@keylan.com.au) should you wish to discuss any aspect of this project.

Yours sincerely

*Padraig Scollard*

Padraig Scollard BA MURP  
Associate

# 1 Attachment A

## 1.1 Response to issues raised by DPHI

Ref.	Issues raised	Response	Relevant report amendments
1	<i>Lighting Impact Assessment</i>		
1.1	<ul style="list-style-type: none"> <li>Section 6 of the <i>Lighting Impact Assessment (Appendix 4 of SEE)</i> references an <i>Appendix C</i>. However, the appendix is not included in the report.</li> </ul>	The reference to Appendix C in the Lighting Impact Assessment submitted with DA/24/12733 (Rev B, dated 13 September 2024) is an administrative error. The report has been updated to correctly reference Appendix B which contains the lighting model and results of the calculations.	Revised Lighting Impact Assessment on page 8 (Rev D, dated 24 October 2024) - Attachment B.
2	<i>Signage Safety Assessment</i>		
2.1	<ul style="list-style-type: none"> <li>The <i>Signage Safety Assessment (Appendix 3 of SEE)</i> states that the existing signs have been approved and designed in accordance with Australian Standards AS 1170.1 and AS1170.2 to meet requirements for wind loading.</li> <li>The current wind loading standard is AS/NZS 1170.2:2021 Structural design actions wind actions. It is not known whether the assessment was against the current standard or a superseded version. Please advise what version of the standard has been used.</li> </ul>	<p>A revised Signage Safety Assessment (SSA) is provided at Attachment C.</p> <p>This revised report refers to the revised Structural Feasibility Statement (provided at Attachment D) which has been updated to confirm the current standards.</p>	<p>Revised Signage Safety Assessment - Attachment C (refer page 23).</p> <p>Revised Structural Feasibility Statement - Attachment D (refer page 1).</p>
	<ul style="list-style-type: none"> <li>If the assessment was not against the current standard, provide an amended assessment against this. Where the signs do not meet current standard requirements,</li> </ul>	A revised assessment is not required as the proposal was assessed against the current standards.	

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	<i>detail what mitigation measures will be implemented to ensure that the requirements are met and that the signs are safe.</i>		
3	<b>Structural Feasibility Statement</b>		
3.1	<ul style="list-style-type: none"> <li>The Structural Feasibility Statement (Appendix 5 of SEE) is not based on the current Australian Standard for steel structures. The document states that AS 4100:1998 was used. This has been superseded by AS 4100:2020.</li> </ul>	<p>A revised Structural Feasibility Statement is provided at Attachment D. The report has been updated to reference the most recent standards.</p> <p>No updated assessment or additional mitigation measures are required as there is no material difference between the two codes and the changes do not affect the engineer's assessment.</p>	Revised Structural Feasibility Statement - Attachment D (refer page 1).
3.2	<ul style="list-style-type: none"> <li>Provide an amended statement that assesses structural feasibility in accordance with the current standard. Based on the amended statement, consider whether mitigation measures may be required to ensure that the signs are structurally sound and do not pose a safety issue. Any required measures must be included in the amended statement.</li> </ul>		
4	<b>Architectural Plans</b>		
4.1	<ul style="list-style-type: none"> <li>The architectural plans do not provide sufficient details. The plans do not show the measurements of the logo with respect to all adjacent structures and road infrastructure. There is no detail on what the advertising and logo signs are made of.</li> </ul>	<p>Revised Architectural Plans are provided at Attachment E. The revised plans provide logo dimensions, information on the material of the sign and its location in proximity to the road and infrastructure.</p> <p>Please note, the size of the logo has been updated from 0.264m<sup>2</sup> to 0.612m<sup>2</sup> due to an error on the previous plans. It</p>	Revised Architectural Plans - Attachment E.
4.2	<ul style="list-style-type: none"> <li>The site plan does not indicate the position of Church Street in relation to the signs.</li> </ul>		

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4.3	<ul style="list-style-type: none"> <li>Please provide amended architectural plans to address the above.</li> </ul>	is now consistent with what is currently at the site and to similar advertising signs owned and approved by TfNSW.	
5	Statutory Planning Framework		
5.1	<ul style="list-style-type: none"> <li>Table 5, Page 19 of the SEE - Provision (a)(iv) states that the application is consistent with the relevant matters of the EP&amp;A Regulation. Please provide details on what the relevant matters are and how the application is consistent.</li> </ul>	The proposal is compliant with the relevant matters of the <i>Environmental Planning and Assessment Regulation 2021</i> as outlined in the updated SEE.	Section 5.2 in updated SEE – Attachment F.
5.2	<ul style="list-style-type: none"> <li>Table 6, Page 24 of the SEE - Item 6 does not address if any safety devices, platforms or lighting devices have been designed as an integral part of the signage or structure on which it is to be displayed. The comments only refer to the logo being included and to content controls for signage (which does not form part of the consideration). Provide details on the safety device, platforms and any lighting devices.</li> </ul>	<p>No physical works are proposed as part of this application and the existing safety, platform and lighting systems will remain. Further details on each are provided below:</p> <p>Safety devices:</p> <ul style="list-style-type: none"> <li>The advertising sign structures have been fitted with fall arrest systems (safety cables) to prevent the signage from falling on the road during vehicle impact.</li> <li>Steel frames are bolted to each side of the bridge's safety screen, with horizontal rails attached to the frames. Z brackets on the back of the sign boxes fit over these rails, securing the boxes to the support frames.</li> <li>Each sign box has a steel structure on all sides, except the front, where an advertising skin is secured with tensioned ratchet straps.</li> <li>The banners are replaced from an internal walkway without stopping traffic. Workers use a horizontal cable inside the box to which they fix their harnesses.</li> </ul>	N/A

Ref.	Issues raised	Response	Relevant report amendments
		<p>Platforms:</p> <ul style="list-style-type: none"> <li>A platform is located between the safety screen and the sign boxes that works step on when accessing each box. As outlined above, workers use a horizontal cable inside the box to fix their harnesses.</li> </ul> <p>Lighting devices:</p> <ul style="list-style-type: none"> <li>The signage is backlit (fluorescent lights fixed inside of each box illuminate the signs at night). The Structural Feasibility Statement provides photographs of the inside of the sign.</li> <li>No lighting devices external to the sign exist currently nor are they proposed as part of this application.</li> </ul>	
5.3	<ul style="list-style-type: none"> <li>Table 8, Pages 31 and 32 of the SEE - Item 3.1 does not address all of the requirements of the DCP. Instead, it refers to compliance with the Signage Guidelines and the existing consent. The commentary should clearly state whether the signs comply with the luminance requirements in Table 3a of the DCP and whether the level of reflectance does/ does not exceed the requirements set out in the nominated Australian Standard.</li> </ul>	<p>Table 3a in Section 3.1(a) of CBDP 2023 provides the daytime luminance criteria for non-digital illuminated signs. As the sign is not illuminated during the day, this criteria are not relevant.</p> <p>Notwithstanding, the LIA submitted with the application outlines the relevant applicable criteria under the Australian Standards and Signage Guidelines. It is noted, physical testing was not conducted, and the LIA does not confirm compliance with these standards.</p> <p>However, the LIA does outline that if the existing signage were to operate in accordance with the maximum permitted luminance, it will not result in:</p> <ul style="list-style-type: none"> <li>unacceptable glare, nor shall it adversely impact the safety of pedestrians, residents or vehicular traffic</li> </ul>	N/A

Ref.	Issues raised	Response	Relevant report amendments
		<ul style="list-style-type: none"> <li>any unacceptable amenity impacts to nearby residential dwellings, or accommodation or environmental receivers</li> </ul> <p>A condition of consent could be imposed on the application to require the sign to operate in accordance with the LIA.</p>	
6	<i>Biodiversity</i>		
6.1	<ul style="list-style-type: none"> <li><i>In accordance with section 1.7 of the Environmental Planning and Assessment Act 1979, Part 7 of the Biodiversity Conservation Act 2016 (BC Act) applies to the assessment of development applications. Section 7.7 of the BC Act requires an application for development consent to be accompanied by a biodiversity development assessment report (BDAR) if the proposed development is likely to significantly affect threatened species. Section 7.3 of the BC Act sets out the test for determining whether a proposed development is likely to significantly affect threatened species or ecological communities, or their habitats.</i></li> <li><i>While no works are proposed as part of the application, the test of significance must still be undertaken and submitted as part of the development application to support why a BDAR is not required.</i></li> </ul>	<p>Vegetation in proximity to the site is not identified on any biodiversity mapping and the existing sign is located on an existing pedestrian bridge, with no physical works proposed.</p> <p>Notwithstanding the above, an assessment against Section 7.3 of the BC Act is provided at Section 1.2 below. This confirms that the proposed development is unlikely to significantly affect threatened species, ecological communities or their habitats. Therefore, a BDAR is not required as part of the development application.</p>	Assessment provided in this response letter at Section 1.2 below
7	<i>Logo</i>		

Ref.	Issues raised	Response	Relevant report amendments
7.1	<ul style="list-style-type: none"> <li>Please advise whether the logo is attached to the advertising structure or if it is attached directly to the bridge.</li> </ul>	The logo is fixed directly to the side of the signage box. As per the definitions under Chapter 3 of <i>State Environmental Planning Policy (Industry and Employment) 2021</i> , the logo forms part of the advertising display area.	N/A
8	<i>Visual Impacts</i>		
8.1	<ul style="list-style-type: none"> <li>The scope of the assessment is limited to four of the closest residences. There is no justification as to why views from only four properties were considered.</li> </ul>	<p>Visual impacts are assessed for the closest sensitive receivers within the SEE. A separate VIA report was not submitted with the application given the nature of the proposal, also noting verbal confirmation from DPHI in a meeting on 22 August 2024 that a separate VIA was not warranted.</p> <p>Notwithstanding, further visual assessment is provided in the updated SEE provided as part of this RFI response. This sufficiently addresses the issues raised by DPHI.</p>	Section 6.5 in updated SEE – Attachment F
8.2	<ul style="list-style-type: none"> <li>It is not known whether other nearby residents would also have visual access to the sign.</li> </ul>		
8.3	<ul style="list-style-type: none"> <li>The assessment should indicate the extent of the visual catchment on a figure and justify the number of properties included for assessment.</li> </ul>		
8.4	<ul style="list-style-type: none"> <li>As discussed in the meeting on 22 August 2024, the level of visual impact should be evaluated in accordance with TfNSW's landscape character and visual impact rating matrix and justification provided for the level of sensitivity and magnitude selected.</li> </ul>		
8.5	<ul style="list-style-type: none"> <li>Please update the visual impact assessment using the recommended matrix and provide justification for the ratings.</li> </ul>		

Table 1: Response to issues raised by DPHI

## 1.2 Assessment Criteria within Section 7.3 of BC Act

Assessment Criteria within Section 7.3 of BC Act		Assessment
S.7.3 (1)	<i>The following is to be taken into account for the purposes of determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats—</i>	
s.7.3(1a)	<i>in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction.</i>	<p>The proposal involves the continuation of existing signage on an existing pedestrian bridge over a road corridor. No physical works are proposed and only maintenance and periodical changing of the advertising skins, as outlined in the SEE, will be undertaken. This will also be in accordance with any conditions of consent imposed.</p> <p>On this basis, the continued operation of the signage is not expected to impact the life cycle of any species.</p>
s.7.3(1b)	<i>in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity—</i>	
s.7.3(1b(i))	<i>is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or</i>	<p>No changes to the site or surrounding environment are proposed or will result from the proposed continuation of the signage. This includes vegetation management, which is not required for the signage given the lack of vegetation in proximity to the site noting it is located on an existing bridge over a road reserve.</p> <p>A review of the Biodiversity Values Map and Environmentally Sensitive Land Map identifies the site is not subject, or in proximity, to an area of biodiversity value or environmentally sensitive land.</p> <p>On the basis of the above, and considering the nature of the proposal, it is not expected to have an adverse effect on, or adversely modify an ecological community so to place that community at risk of extinction.</p>
s.7.3(1b(ii))	<i>is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,</i>	
s.7.3(1c)	<i>in relation to the habitat of a threatened species or ecological community—</i>	
s.7.3(1c(i))	<i>the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and</i>	



Assessment Criteria within Section 7.3 of BC Act		Assessment
s.7.3(1c(ii))	<i>whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and</i>	The application does not propose to remove or modify vegetation. No physical works are proposed. Therefore, habitats will not be removed, modified, fragmented or isolated.
s.7.3(1c(iii))	<i>the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,</i>	
s.7.3(1d)	<i>whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),</i>	A review of the Biodiversity Values Map and Environmentally Sensitive Land Map identifies the site is not subject, or in proximity, to an area of biodiversity value or environmentally sensitive land.
s.7.3(1e)	<i>whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.</i>	No changes to the site are proposed as part of the subject application. Only routine maintenance will be carried out in accordance with the SEE and any conditions of consent imposed. Therefore, the proposal is not part of a key threatening process outlined in Schedule 4 of the BC Act.

Table 2: Assessment against Section 7.3 of BC Act