

5 September 2022

Keiran Thomas  
Director, Regional Assessments  
NSW Department of Planning and Environment  
Locked Bag 5022  
Parramatta NSW 2124

Attention: Alexander Richard  
[alexander.richard@dpie.nsw.gov.au](mailto:alexander.richard@dpie.nsw.gov.au)

Dear Mr Thomas,

### **Response to Submissions**

#### **Darcy Street Rail Overpass, Parramatta (DA22/5178)**

This letter has been prepared by *Keylan Consulting Pty Ltd* (Keylan) on behalf of Sydney Trains (the Applicant) to address the *Department of Planning and Environment* (DPE) request for a Response to Submissions (RtS) and additional information dated 17 June 2022 in relation to Development Application (DA22/5178).

This response should be read in conjunction with the following attachments:

Attachment A: Response to matters raised by DPE  
Attachment B: Response to Agency submissions  
Attachment C: Response to Public submissions  
Attachment D: Response to Submissions by TTPP  
Attachment E: Updated Traffic Safety Assessment by TTPP  
Attachment F: Updated Architectural Plans  
Attachment G: Updated Photomontages

We note that the application has received four agency submissions including *Heritage NSW*, *Transport for NSW* (TfNSW) and *Parramatta City Council* (Council) and DPE. In addition, the application received one public submission.

The response reinforces the findings made within the Statement of Environmental Effects, that the proposed digital advertising sign:

- will not adversely impact on the amenity of nearby areas
- is consistent with the streetscape
- is located within a railway corridor and is permissible under the Industry and Employment SEPP
- demonstrates compliance and meets the objectives of Chapter 3 and Schedule 5 of the Industry and Employment SEPP (former SEPP 64)
- will result in acceptable lighting, road safety and visual impacts
- will provide a public benefit to the community

We trust that this response provides sufficient information required for DPE to finalise its assessment and approve the application.

Please do not hesitate to contact Pdraig Scollard on 8459 7508 or via email at [padraig@keylan.com.au](mailto:padraig@keylan.com.au) should you wish to discuss any aspect of this project.

Yours sincerely



Michael Woodland BTP MPIA  
Director

Attachments:

- Attachment A: Response to matters raised by DPE
- Attachment B: Response to Agency submissions
- Attachment C: Response to Public submissions
- Attachment D: Response to Submissions by TTPP
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- Attachment G: Updated Photomontages

## Attachment A

### Response to matters raised by DPE

Ref.	Agency and issues raised	Response
A	<b>Department of Planning and Environment</b>	
A1	<p><i>1. Traffic and Road Safety</i></p> <p><i>Please provide additional traffic and road safety assessment information which addresses the concerns of Transport for NSW (TfNSW) and Parramatta City Council.</i></p>	<p>The Transport Planning Partnership (TPPP) have prepared a detailed response to the matters raised by Transport for NSW (TfNSW) and Parramatta City Council. We note that these matters are specifically related to road safety. TPP's response is provided at Attachment D.</p> <p>TPPP's additional analysis concludes that the proposal meets all traffic and road safety requirements.</p>
A2	<p><i>2. Location of Signs</i></p> <p><i>The Department requires clarification on the location of the sign on the northern elevation of the rail bridge (viewed when heading south bound). Proposed drawings indicate that the sign may sit outside of the railway corridor due to its angled mounting, and in turn the allotment boundary of Lot 600 in DP1185309. This would result in the proposed sign being inconsistent with the requirements of clause 3.14(1)(a) of State Environment Planning Policy (industry and Employment) 2021 (SEPP I&amp;E) and the permissibility of the sign.</i></p> <p><i>The Department notes that the location of the sign on the southern elevation of the rail bridge is also located outside of land zoned for railway purposes under the Parramatta Local Environmental Plan 2011. This sign is also potentially located outside of the railway corridor as defined under SEPP I&amp;E.</i></p>	<p>Both the northern and southern signs are wholly located within railway corridor land and are therefore permissible in accordance with Clause 3.14(1)(a) of the Industry and Employment SEPP, as detailed below.</p> <p>Clause 3.14(1)(A) <i>Transport corridor land</i> of the Industry and Employment SEPP permits signage on behalf of Sydney Trains in railway corridor land.</p> <p>Under the Industry and Employment SEPP a <b>railway corridor</b> is defined as:</p> <p><b><i>railway corridor means the following land—</i></b></p> <ul style="list-style-type: none"> <li><i>(a) land on which railway track and associated railway infrastructure is located (including stations and platforms),</i></li> <li><i>(b) land that is adjacent to land referred to in paragraph (a) and that is owned, occupied or managed by RailCorp or Sydney Metro and used for railway purposes or associated purposes (such as administration, workshop and maintenance facilities and bus interchanges),</i></li> <li><i>(c) land zoned for railway (including railway corridor) purposes under an environmental planning instrument,</i></li> <li><i>(d) land identified as a railway corridor in an approval of a transitional Part 3A project (within the meaning of Schedule</i></li> </ul>

*Please provide information to demonstrate that the signs are proposed within the railway corridor to satisfy 3.14(1)(a) of SEPP I&E, or provide amended plans and documentation showing the signs wholly within the railway corridor.*

*6A to the Act), an approval to carry out State significant infrastructure or a development consent given by the Minister*

The definition of a railway corridor establishes that a railway corridor includes associated railway infrastructure. This definition would extend to include the Darcy Street Railway Overpass.

### **Northern Sign**

The northern sign has been amended to be flush with and wholly located within the structure of the northern elevation of the overpass. This is illustrated on the updated architectural plans and photomontages provided at Appendix F and G respectively.

The northern sign is now wholly located within Lot 600 DP1185309 which is owned by Sydney Trains.

On this basis, the northern sign is consistent with the definition of railway corridor land as it is located on:

*(a) land on which railway track and associated railway infrastructure is located (including stations and platforms).*

### **Southern Sign**

It is acknowledged that the southern sign is located outside of the land zoned SP2 Railway Corridor.

Notwithstanding, the proposed sign is wholly located within Lot 600 DP1185309. The sign is therefore located on land that is adjacent to land on which railway infrastructure is located (i.e., the Darcy Street Railway Overpass) that is owned by Sydney Trains.

The southern sign is therefore consistent with the definition of railway corridor land as it is located on:

*(b) land that is adjacent to land referred to in paragraph (a) and that is owned, occupied or managed by RailCorp or Sydney Metro and used for railway purposes or associated purposes (such as administration, workshop and maintenance facilities and bus interchanges)*

As both the northern and southern sign are located on railway corridor land, the signs satisfy the provisions of 3.14(1)(a) of the Industry and Employment SEPP, as illustrated below (**BOLD** added for emphasis)

3.14 *Transport corridor land*

(1) *Despite section 3.8(1) and the provisions of any other environmental planning instrument, **the display of an advertisement on transport corridor land is permissible with development consent in the following cases—***

(a) ***the display of an advertisement by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW on a railway corridor,***

## Attachment B

### Response to Agency submissions

Ref.	Agency and issues raised	Response
<b>B</b>	<b>Transport for NSW</b>	
<b>B1</b>	<p><b>Northbound Signage</b>  <i>TfNSW has reviewed the submitted documents and does not support the proposed 'Northbound' signage for the following reasons:</i></p> <ol style="list-style-type: none"> <li><i>As indicated in the submitted report, this sign would be partially visible to bus drivers utilising T-way on Argyle Street. Transport Corridor Outdoor Advertising and Signage Guidelines, section 3.2.2 outlines the criteria that needs to be met in regard to line of sight. The location of this sign potentially distracts drivers travelling along Argyle Street eastbound. In addition, there is high pedestrian activities on site at this location with nearby transport hub and Westfield shopping centre.</i></li> <li><i>There are currently 'No Right Turn' signage at TCS which Council has previously raised that are not appropriately visible to the motorists. Proposed advertising signage will create extra distractions to the motorists travelling along Church Street.</i></li> <li><i>The sign is proposed to be located directly over the signals at Argyle Street and Church Street and has the potential to distract drivers travelling northbound on Church Street on approach to the signals.</i></li> </ol> <p><b>Southbound Signage</b>  <i>With regard to the 'Southbound' signage, the sign is located within the safe stopping sight distance to the existing pedestrian</i></p>	<p>TTPP have prepared a detailed response to the matters raised by TfNSW.</p> <p>We note that these matters are specifically related to road safety.</p> <p>TTPP's response is provided at Attachment D.</p> <p>TTPP's additional analysis concludes that the proposal meets all traffic and road safety requirements.</p>

	<i>crossing on Darcy Street. The proponent is to discuss with Parramatta City Council regarding any potential impacts and proposed mitigation measures.</i>	
<b>C</b>	<b>Heritage Council NSW</b>	
C1	<i>Heritage NSW have reviewed the two Heritage Impact Statements (Weir Phillips, May 2022) and advise that they have adequately addressed the impacts of the proposal. Heritage NSW concurs with its conclusion that the proposed digital signage will have a minimal and acceptable impact on the heritage items within the vicinity.</i>	<p>The comments provided from Heritage NSW identify that the proposed signs will have a minimal and acceptable impact on the heritage items within the vicinity of the site.</p> <p>This statement aligns with the findings of both the Heritage Impact Statement and SEE submitted with the DA.</p>
<b>C</b>	<b>Parramatta City Council</b>	
C1	<p><i>The proposed digital advertising signs on Darcy Street Railway Overpass, Parramatta is not supported for the following reasons:</i></p> <ul style="list-style-type: none"> <li><i>The signs are visible from Church Street which does not comply with Section 3.2.3 (a)(iii) of the Transport Corridor Outdoor Advertising and Signage Guidelines which states that 'the sign should not be located so that it is visible from the stem of a T-intersection' (note that vehicular access is maintained in the future post PLR on Church Street north of Darcy Street)</i></li> <li><i>The signs on the Darcy Street Railway Overpass is located just behind the traffic signals facing northbound traffic on Church Street and just in front of the traffic signals facing southbound traffic on Church Street. Any advertisement displayed can distract drivers from the traffic signals at a critical time which is a safety concern. This does not comply with Section 3.3.1 (a) of the Transport Corridor Outdoor Advertising and Signage Guidelines which states in part that 'the advertisement must not distract a driver from, obstruct or reduce the visibility and effectiveness of traffic signals'</i></li> </ul>	<p>TTPP have prepared a detailed response to specifically address the matters raised by the City of Parramatta Council.</p> <p>We note that these matters are specifically related to road safety.</p> <p>TTPP's response is provided at Attachment D.</p> <p>TTPP's additional analysis concludes that the proposal meets all traffic and road safety requirements.</p>

## Attachment C

### Response to Public submissions

Ref.	Issues raised	Response
A	Scentre Group	
A1	<p><i>Scentre Group generally supports the opportunity for CBD locations to accommodate digital advertising and recognises that this form of advertising can assist retailers, many of which we accommodate within our Living Centres.</i></p> <p><i>However, Scentre Group objects to this proposal in its current form, as we feel that the design of the proposed signage does not promote high quality urban design outcomes and good design principles, which ultimately serves to benefit the amenity of the streetscape and locality.</i></p> <p><i>It is considered that the Department of Planning and Environment (DPE) should encourage a better urban design outcome for any proposed signage with the overlay to promote a meaningful placemaking opportunity at this prominent intersection. The following sections of this letter provide the reasoning for the objection to the proposal in its current form.</i></p>	<p>The SEE submitted with the DA provides a detailed Visual Impact Assessment. This assessment demonstrates that the proposal will have minimal impacts on the surrounding area and streetscape.</p> <p>The proposed signage contributes to and integrates with the surrounding streetscape as:</p> <ul style="list-style-type: none"> <li>the northern and southern facades of the Darcy Street Overpass are currently blank, of minor architectural merit and provide limited visual interest to the surrounding streetscape</li> <li>the digital advertising signage will enhance the visual interest of the Darcy Street Overpass and surrounding streetscape through the presentation of high quality static digital advertisements</li> <li>the proposed signs have been designed to visually integrate with the Darcy Street Overpass as: <ul style="list-style-type: none"> <li>the colour of the signage structures has been amended to be consistent with the overpass</li> <li>the northern sign has been amended to be flush with and wholly located within the structure of the northern elevation of the overpass</li> <li>the scale of the signage ensures that it sits comfortably within the structure of the overpass.</li> </ul> </li> <li>the signs are suitably positioned on the railway bridge to ensure they will not obscure or compromise important views in the locality</li> </ul> <p>As detailed above, the design of both signs has been amended to better integrate with the structure of the Darcy Street Overpass, thereby providing an enhanced urban design outcome.</p>



		Our assessment concludes that the above analysis addresses the issues raised in the submission.
A2	<p><i>Darcy Street, Church Street and Argyle Street are all prominent thoroughfares for the Parramatta CBD, and accommodate both pedestrian and vehicular traffic, in the proximity of the Parramatta Railway Station. As such, this location is a key intersection within the CBD, and forms a linkage to the new Parramatta Square, which is a \$2.8 billion project involving six new buildings, a refurbished Town Hall and extensive community space. Parramatta Square and the streets surrounding it is evolving into an important gathering space and transit areas for the many people who live, work and visit the Parramatta CBD.</i></p> <p><i>This highly trafficked location presents a distinctive opportunity to improve and enhance the public realm and overall streetscape, in circumstances where the current environment is relatively utilitarian and unappealing.</i></p> <p><i>However, the proposed signage fails to take this placemaking opportunity, as it simply seeks to attach two new advertising signs on support structures attached to the rail overpass, without consideration of how this could be better integrated into its surroundings, to enhance the visual appearance of the overpass. Furthermore, the northern sign (as per the Image 1 below) appears to be overly engineered and positioned at an angle such that it faces Church Street, which results in a rather incongruous looking structure that is 'bolted' onto the existing bridge.</i></p> <p><i>It is considered that as currently proposed, the signage adversely impacts the streetscape, in a situation where there is significant investment within the locality to enhance the local environment at Parramatta Square, along with the investment proposed by Scentre Group to improve and activate the ground plane outside the Westfield Parramatta Living Centre</i></p>	<p>As detailed above, the proposed signage the proposed signage contributes to and integrates with the surrounding streetscape.</p> <p>The design of both signs has been amended to better integrate with the structure of the Darcy Street Overpass, providing an enhanced urban design outcome. These design amendments include:</p> <ul style="list-style-type: none"> <li>the northern sign has been amended to be flush with and wholly located within the structure of the northern elevation of the overpass, as illustrated on the updated architectural plans and photomontages provided at Appendix F and G respectively</li> <li>The colour of both signs has been amended to integrate with the overpass, ensuring they sit comfortably within the structure and setting of the overpass</li> </ul> <p>Our assessment concludes that the above design amendments address the issues raised in the submission,</p>

<p>A3</p>	<p><i>The State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP) and Parramatta Development Control Plan 2011 (Parramatta DCP) provide detailed requirements for signage in both NSW and Parramatta.</i></p> <p><i>The Industry and Employment SEPP aims to ensure that advertising and signage is well located, compatible with the desired amenity of an area and of high quality. Clause 3.6 requires the consent authority to assess the proposal against a range of criteria contained within Schedule 5 of the SEPP.</i></p> <p><i>Under Criteria 4 of this Schedule, the consent authority must consider whether the proposal meets the following points:</i></p> <ul style="list-style-type: none"> <li><i>Is the scale, proportion, and form of the proposal appropriate for the streetscape, setting or landscape?</i></li> <li><i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i></li> </ul> <p><i>We consider that the current proposal fails both above criteria, insofar as the form of the development is not appropriate for a streetscape that is in the process of being enhanced, and the proposal adversely impacts the visual interest of the current setting, by introducing these poorly designed signs.</i></p> <p><i>The Parramatta DCP contains the following objectives within Section 5.5 in relation to signage, such that proposal should:</i></p> <ul style="list-style-type: none"> <li><i>Contributes to the appearance of the building, structure, or place by encouraging coordinated signage of high-quality design and materials.</i></li> <li><i>To protect the significant characteristics of buildings, streetscapes, vistas, and the Parramatta CBD skyline.</i></li> </ul> <p><i>Again, we consider that the proposal does not fully align with the above policies, given the limited quality of the signage and the</i></p>	<p>A detailed assessment of the proposal against Schedule 5 of the Industry and Employment SEPP is provided in Table 6 of the SEE.</p> <p>Specifically, with regard to Criteria 4 the following is noted:</p> <ul style="list-style-type: none"> <li>the proposed signage is appropriate for its setting and as detailed in A1 of this response, the signage contributes to and integrates with the surrounding streetscape</li> <li>the proposal contributes to the visual interest of the streetscape and locality through the display of high-quality advertisements</li> <li>the proposal does not result in visual clutter</li> <li>the proposal does not screen unsightliness; however it does contribute to the visual interest of the streetscape given both the northern and southern facades of the overpass are currently blank and of minor architectural merit</li> </ul> <p>Based on the above and the assessment provided within the SEE, the proposed signage is considered to satisfy the provisions of Schedule 5 of the Industry and Employment SEPP.</p> <p>A detailed assessment of the proposal's compliance with Section 5.5 of the Parramatta Development Control Plan 2011 (PDCP 2011) is provided in Section 4.6 of the SEE.</p> <p>The two specific provisions referenced by the submission are further addressed below:</p> <p><i>O.2 To contribute to the appearance of the building, structure or place by encouraging coordinated signage of high-quality design and materials</i></p>
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<p><i>resultant impact on the visual amenity of the immediate streetscape arising from the proposal.</i></p>	<p>The northern and southern facades of the Darcy Street Overpass are currently blank, of minor architectural merit and provide limited visual interest to the surrounding streetscape.</p> <p>The proposed digital advertising signage will enhance the visual interest of the Darcy Street Overpass and surrounding streetscape through the presentation of high quality static digital advertisements</p> <p>The signs have been designed to visually integrate with the Darcy Street Overpass as:</p> <ul style="list-style-type: none"> <li>• the colour of the signage structure has been amended to be consistent with the bridge</li> <li>• the northern sign has been amended to be flush with and wholly located within the structure of the northern elevation of the overpass</li> <li>• the scale of the signage ensuring it sits comfortably within the structure of the bridge</li> </ul> <p><i>O.5 To protect the significant characteristics of buildings, streetscapes, vistas and the Parramatta CBD skyline.</i></p> <p>As identified above, the northern and southern facades of the Darcy Street Overpass are currently blank and of little architectural merit.</p> <p>The proposed signs will not cover any architectural features on the overpass.</p> <p>The signs are wholly contained within the structure of the overpass, thereby ensuring they will not obscure or compromise important views in the locality.</p>
<p><i>As indicated above, Scentre Group do not object to the principle of advertising signage at this location, however it is considered that the design of the signage could be improved and better integrated into the existing bridge structure. This would help to enhance the overall appearance of this key intersection</i></p>	<p>It is noted that this submission does not object to the proposal.</p> <p>The design of both signs has been amended to better integrate with the structure of the Darcy Street Overpass, providing an enhanced urban design outcome. The subject design amendments include:</p>

*within the CBD, advance a more holistic and considered urban design outcome and align with the streetscape enhancement works which are proposed and being undertaken within the immediate environment.*

*A potential design solution could see the new signage mounted within a form of framing or artwork structure, which would help to improve the visual appearance of the proposal and in turn assist with enhancing the aesthetic quality of the local streetscape.*

**Recommendation:** *It is recommended that the applicant considers an improved design solution for the proposed signage which serves to better integrate the elements of structure into the streetscape and provides an enhanced urban design outcome.*

- the northern sign has been amended to be flush with and wholly located within the structure of the northern elevation of the overpass, as illustrated on the updated architectural plans and photomontages provided at Appendix F and G respectively
- The colour of both signs has been amended to integrate with the overpass, ensuring it sits comfortably within the structure and setting of the overpass

The above amendments have been made in consideration of Scentre Groups submission and recommendation.

On this basis, it is considered that an enhanced urban design outcome will be achieved and the issues raised in the submission have been fully addressed and resolved..

**Attachment D**

**Response to Submissions by TTPP**

**Attachment E**

**Updated Traffic Safety Assessment by TTPP**

**Attachment F**

**Updated Architectural Plans**

**Attachment G**

**Updated Photomontages**