



STATEMENT OF ENVIRONMENTAL EFFECTS

George Street Overpass, The Rocks

Prepared for
JCDECAUX
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URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	John Wynne
Associate Director	Jocelyn McDowall
Assistant Planner	Harsha Yadav
Project Code	P0035792
Report Number	FINAL

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1. INTRODUCTION

1.1. OVERVIEW

This Statement of Environmental Effects (**SEE**) has been prepared by Urbis for JCDecaux, on behalf of Sydney Trains (**the applicant**). The SEE supports a Crown Development Application (**DA**) under Part 4 Division 4.6 (Clause 4.33) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), being submitted to the Department of Planning, Industry and Environment (**DPIE**), for the removal of two existing large-format static vinyl third party advertising signs and replacement with a digital advertising signage at George Street railway overpass within The Rocks (**the site**).

The site is located along a railway line connecting Circular Quay railway station to the east. The site is owned by Sydney Trains. Therefore, as per Clause 16(1a) of the *State of Environmental Planning Policy No. 64 – Advertising and Signage*, the consent authority is the Minister for Planning and Homes.

The DA seeks development consent for the following:

- Removal of existing large-format static vinyl advertising sign, inclusive of JCDecaux logo and associated gantry support;
- Removal of existing static light box and associated gantry support;
- Installation of new digital advertising signage with dimensions of 7.986m x 2.198m, displaying a third-party advertisement, new gantry support and a new JCDecaux logo;
- Reinstallation of an existing 'Low Clearance' signage;
- Installation of a new camera arm; and
- Installation of a new lockable access gate on the existing handrail.

The proposed works have an estimated cost of \$371,250 (including GST) and development consent is sought under Part 4 Division 4.6 (Clause 4.33) of the EP&A Act to the consent authority being the Minister for Planning and Homes.

The proposed has been assessed in accordance with relevant environmental planning instruments and policies, including the relevant matters for consideration listed in section 4.15 of the Act. A summary of the key planning considerations is below:

- **The proposal satisfies the applicable planning controls and policies** – the proposal is consistent with the objectives of all relevant planning controls and achieves a sound architectural form proposed to be installed on site. The proposal is generally compliant with the controls regarding built form, illumination and operations contained within State Environment Planning Policy No. 64 Advertising and Signage (2001), the Transport Corridor Outdoor Advertising and Signage Guideline and the Sydney Cove Redevelopment Authority Scheme.
- **The proposal will not result in any adverse environmental impacts** – it is demonstrated that the proposal will not cause any negative environmental impacts, such that there is no impact on natural biodiversity, vegetation and waterways. The proposal does not hamper any significant features contained within the Circular Quay Special Character Area.
- **The proposal is an appropriate built form in the streetscape** – the built form and scale of the proposed digital advertisement structure is smaller than the total size of the two vinyl advertisements currently on site. Despite a minor increase of the size to an existing asset to the west being replaced, the proposal ensures there is not an appearance of additional bulk along the overpass. The proposed structure is designed to remain sympathetic to the character of the locality as well as surrounding developments. The proposed structure will not threaten the safety of vehicles, pedestrians and cyclists.
- **The proposal will offer a high standard of amenity** – the proposal will provide a high level of amenity for future and existing residents as well as retain the amenity and safety of patrons utilising the First Fleet Park located north-east of the site. The illumination element of the structure is complaint with the relevant controls, ensuring surrounding land uses and developments remain unaffected.
- **The proposal is in the public interest** – the proposal is in the public interest as it does not hamper the safety for vehicles, pedestrians and cyclists. Further, the proposed advertising structure will display

emergency messages regarding road safety or other public awareness messages, ensuring the proposal sits well within the public interest. The proposal also allows Sydney Trains to generate revenue through the proposed advertisement structure. All the revenue generated to Sydney trains from the digital sign will be invested back into the rail network and directed towards maintenance and upgrade works, ensuring enhanced transport services to the public.

Accordingly, it is recommended that approval be granted for the proposed development, subject appropriate conditions of consent.

1.2. PROJECT AIM

The subject site is one of the many assets owned by Sydney Trains within the Sydney LGA. The proposal allows Sydney Trains to generate revenue through installation of a third-party advertisement structure at the subject site. All the revenue generated to Sydney Trains from the digital sign will be utilised to support a number of improvements and maintenance programs for Sydney Trains in accordance with the public benefit test provisions identified in SEPP 64 and the Transport Corridor Outdoor Advertising and Signage Guidelines.

In September 2021, the Secretary for Transport advised that JCDecaux was awarded as the concession for advertising for the fourth time, recognising the proven track-record and success of this partnership to date.

In awarding this concession Sydney Trains conducted a substantial review of the network of advertising assets, recognising that with a growing demand in the digital advertising market, there was an opportunity to rationalise existing assets and provide improved customer experience. Across the Sydney Trains network this will result in more than 990sqm of decommissioned advertising content within the Sydney metropolitan region.

The proposed advertising structure will also display information regarding to customers in the event of emergency situations, Sydney Trains and Transport for New South Wales (TfNSW) promotions and events and threat-to-life alerts by NSW Government Emergency and Police Agencies. Refer to Section 3 for further information. Therefore, the proposal provides an opportunity for serving the public benefit.

1.3. REPORT STRUCTURE

This SEE is structured in the following manner:

- **Section 1 – Introduction**
- **Section 2 – Site and Surrounding Context:** identifies the site and describes the existing development at a local context.
- **Section 3 – Proposed Development:** A detailed description of the proposed development.
- **Section 4 – Statutory Planning Framework:** provides a detailed assessment of the State and local environmental planning instruments and plans relevant to the site and development.
- **Section 5 – Assessment of Key Planning Considerations:** identifies the potential impacts arising from the proposal and recommends measures to mitigate, minimise or manage these impacts.
- **Section 6 – Section 4.15 Considerations:** provides an assessment of the proposal against other matters of consideration listed in Section 4.15 of the EP&A Act
- **Section 7 – Conclusion:** provides an overview of the development assessment outcomes and recommended determination of the DA.

1.4. SUPPORTING DOCUMENTATION

The technical and design documents that have been prepared to accompany this DA are provided as attachments to this SEE and in appendices **A** to **K**.

Table 1. Supporting Documents

Document	Consultant	Appendix
Development Application Form	Urbis	Appendix A

Document	Consultant	Appendix
Owners Consent	Sydney Trains	Appendix B
QS Cost Summary Report	JCDecaux	Appendix C
Survey Plan	CMS Surveyors	Appendix D
Elevation Plan (Existing and Proposed)	DBCE	Appendix E
Traffic Safety Assessment	Bitzios Consulting	Appendix F
Lighting Impact Assessment	Electrolight	Appendix G
Public Benefit Statement	Sydney Trains	Appendix H
Heritage Impact Assessment	Weir Phillips Heritage and Planning	Appendix I
Visual Impact Assessment	Urbis	Appendix J
Plan of Management	JCDecaux	Appendix K

2. SITE AND SURROUNDING CONTEXT

2.1. SITE DESCRIPTION

The site is located at coordinates 33°51'40.0"S 151°12'30.2"E (using NearMaps) and is shown on the site survey plan included in Appendix D.

As shown in Figure 1, the site is located at George Street railway overpass within The Rocks, along the Inner West and South Line. George Street is an essential road network, connecting to Hickson Road to the north and providing access to Circular Quay.

The existing assets on site are two large-format static vinyl advertising signs of size 8.48m x 2.38m and 4.18m x 2.41m. The signs face traffic heading northbound (refer Figure 2). The site is owned by the Sydney Trains.

An aerial photograph of the site is included in Figure 1 below. Photographs of the site and surrounding context are included in Figure 2 to Figure 7.

Figure 1 Aerial image of the site



Source: Urbis

Figure 2 Location of existing advertising sign at the George Street overpass



Source: Urbis

Figure 3 View of existing assets and character towards the north



Source: Urbis

Figure 4 View of street character towards the north along George Street



Source: Urbis

Figure 5 View of street character east of the site



Source: Urbis

Figure 6 View of street character towards the south



Source: Urbis

Figure 7 Four Seasons Hotel located west of the site



Source: Urbis

2.2. LOCALITY

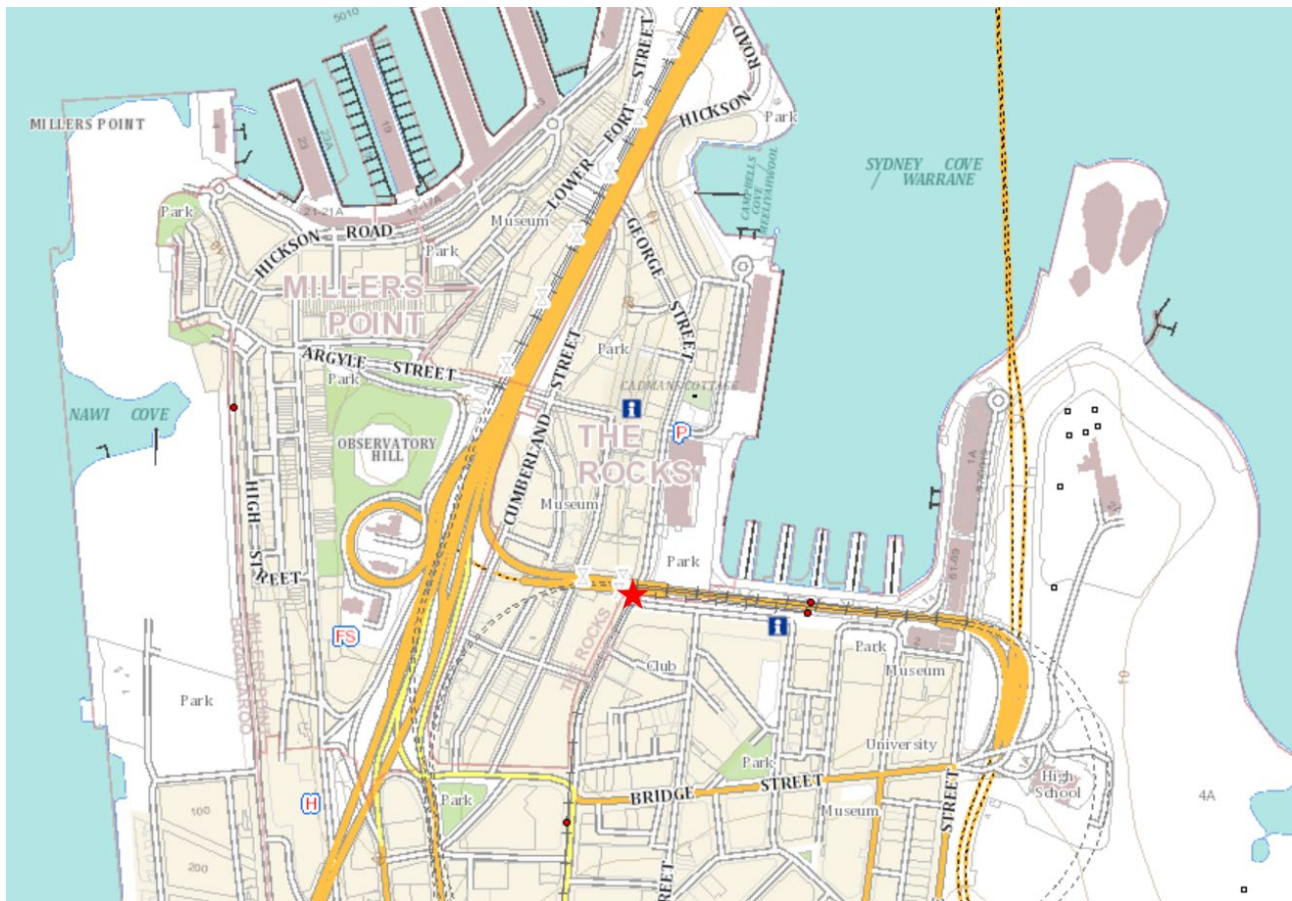
The site is located within the City of Sydney Local Government Area (LGA) and is approximately 1.9km from the Sydney CBD. The site is located within The Rocks which is an important location within the City of Sydney LGA, providing a variety of housing types, commercial opportunities and public open spaces.

The site locality is characterised by predominately office premises, hotel accommodations and mixed-use developments comprising of retail and residential premises.

The surrounding developments are described below:

- To the north – directly north of George Street is a three-storey mixed use development comprising of retail premise on the ground floor level and office premises above. The north-east of the site is occupied by the First Fleet Park.
- To the east – directly east of the site is Alfred Street and provides ample space for pedestrians, falling within the RE1 Public Recreation use zone.
- To the south – directly south of George Street Overpass is an array of high-density commercial developments 25-30 storeys high, falling within the B8 Metropolitan Centre. The Four Seasons Hotel is also located south of the site along George Street.
- To the west – directly west of the site is the two-storey podium associated with the Four Seasons Hotel.

Figure 8 Location Context (site identified as a red star)



Source: Urbis

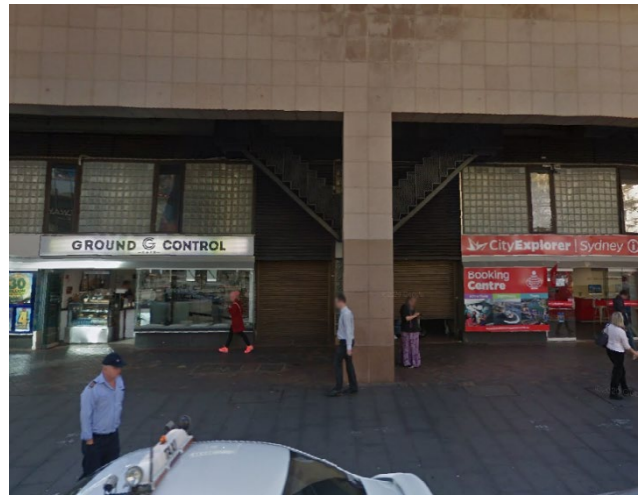
In terms of existing signages within the locality, there are multiple signs located along the northern side of George Street and along Alfred Street (east of the site) which includes a variety of paper format top hamper signage, under awning signage and window signage as shown in the Figure 9 below.

Figure 9 Existing signage around the site



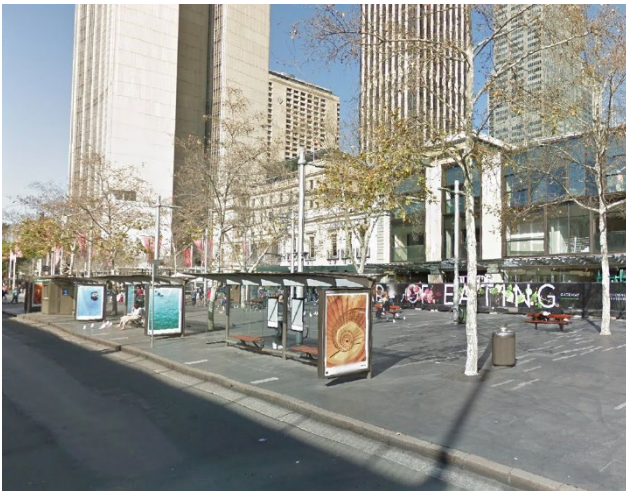
Picture 1 Window signs located east of the site along Alfred Street

Source: Urbis



Picture 2 Top hamper signs located east of the site along Alfred Street

Source: Urbis



Picture 3 Digital signs located at bus stops along Alfred Street

Source: Urbis



Picture 4 Under awning sign and top hamper sign located north of the site along George Street

Source: Urbis

2.3. SURROUNDING ROAD NETWORK

In terms of the surrounding road network, George Street runs along the north-east and south-west of the site and connecting with Lower Fort Street to the north. George Street is a 3km long road and runs through the Sydney CBD towards the south and provides two lanes allowing for two-way vehicular traffic movement running at a moderate speed. Footpaths are provided along each side of the road facilitating adequate pedestrian movement. There are no dedicated cycle pathways, accordingly cyclists share the same road as vehicles, given there are not many cyclists within the surrounding road network. The part of the northern side of George Street is utilised as outdoor seating for restaurants and cafes located the northern side of the site.

Alfred Street is located to the east of George Street and is highly pedestrianised along the sides. The L2 and L3 light rail line runs along Alfred Street. Essex Street is along the southern side of George Street and provides four lanes allowing for two-way vehicular traffic movement running at a moderate speed.

A stop light and pedestrian crossing is located directly south of the site, as shown in Figure 3.

3. PROPOSED DEVELOPMENT

Sydney Trains has an established partnership with JCDecaux to manage advertising on the concourses and platforms of Sydney Trains Stations and road corridors across Greater Metropolitan Sydney.

The subject site is one of the many assets managed by Sydney Trains within the Sydney LGA. The proposal allows Sydney Trains to generate revenue through installation of a third-party advertisement structure at the subject site. All the revenue generated to Sydney Trains from the digital sign will be utilised to support a number of improvements and maintenance programs for Sydney Trains in accordance with the public benefit test provisions identified in SEPP 64 and the Transport Corridor Outdoor Advertising and Signage Guidelines.

In September 2021, the Secretary for Transport advised that JCDecaux was awarded as the concession for advertising for the fourth time, recognising the proven track-record and success of this partnership to date.

In awarding this concession Sydney Trains conducted a substantial review of the network of advertising assets, recognising that with a growing demand in the digital advertising market, there was an opportunity to rationalise existing assets and provide improved customer experience. Across the Sydney Trains network this will result in more than 990sqm of decommissioned advertising content within the Sydney metropolitan region.

The proposed advertising structure will also display information in the event of emergency situations, from agencies such as Sydney Trains and TfNSW displaying promotions and events and threat-to-life alerts by NSW Government Emergency and Police Agencies. Therefore, the proposal provides an opportunity for serving the public benefit.

3.1. OVERVIEW

This development application seeks approval for removal of two existing large-format vinyl advertising signs and installation of new digital advertising sign. More specifically, this includes the following works:

- Removal of existing large-format vinyl advertising sign, inclusive of JCDecaux logo and associated gantry support;
- Removal of existing static light box and associated gantry support;
- Installation of new digital advertising sign with dimensions of 7.986m x 2.198m, displaying a third-party advertisement, new gantry support and a new JCDecaux logo;
- Reinstallation of an existing 'Low Clearance' signage;
- Installation of a new camera arm; and
- Installation of a new lockable access gate on the existing handrail.

The digital sign will have a dwell time of one (1) advertisement per 25 seconds and an instantaneous (or 0.1 second) transition time.

The extent of the proposed digital structure is shown in Figure 10 below. Elevation plans of the existing and proposed structure are provided in Figure 11 and Figure 12.

Table 2 below details the dimensions of the existing and proposed structure. While the proposed structure has a dimension of 7.986m x 2.198m, the digital screen itself has a dimension of 7.936m x 2.048m and a display area of 16.25sqm. The digital sign will be visible to traffic moving north-bound along George Street.

Table 2 Existing and proposed structure dimensions

Measurement	Existing	Proposed	Decrease
Height of structure	Large-format structure: 2.38m	2.198m	7.64%
	Static lightbox: 2.41m		

Measurement	Existing	Proposed	Decrease
Length of structure	Large-format structure: 8.48m Static lightbox: 4.18m	7.986m	5.82%
Clearance above ground level	5.13m	5.31m	Additional 0.17m road clearance height

Figure 10 Proposed structure – Photomontage



Source: JCDecaux

Figure 11 Elevation Plan - Existing Advertising Structures

Lighting Condition	Maximum
Day time	6,000 cd/m2
Overcast Weather	600 cd/m2
Twilight	350 cd/m2
Night Time	200 and Existing Signage (refer to the Lighting Impact Assessment)

3.3. CONTENT MANAGEMENT

All digital infrastructure is remotely monitored and controlled by JCDecaux staff via an internal content management software system. The content management system has firewalls and security protocols in place to ensure the integrity of the digital advertising network.

3.4. MONITORING AND MAINTENANCE

The electronic display screen on the railway overpass is equipped with features that continuously monitor the operating parameters of the structure and automatically send alerts if an operational problem or loss of content occurs to JCDecaux's management software.

If power is entirely lost, the screen maintains sufficient power to allow for an orderly shut-down of the electronic advertising sign and operating system, saving all settings and slowing the modem to send an alert about the problem. Once power is restored the electronic advertising sign will automatically display a black screen.

The sign will be cleaned and maintained 1-2 times per annum, as outlined in the Plan of Management.

3.5. INDUSTRY MEMBERSHIP AND ADVERTISING CODES

JCDecaux is a member of the Outdoor Media Association (OMA) who are the peak body representing Out-of-Home advertising within Australia. As a tier one member of the OMA, JCDecaux are committed to complying with the following codes that regulate the content and placement of advertisement which include:

- *OMA Code of Ethics*
- *OMA Advertising Context Policy*
- *OMA Alcohol Advertising Guidelines*
- *OMA National Health and Wellbeing Policy*
- *OMA Placement Policy*
- *OMA Political Advertising Policy*
- *AANA Code of Ethics*
- *AANA Environmental Claims Code*
- *AANA Children's Advertising Code*
- *AANA Food and Beverages Code*
- *AANA Wagering Advertising Code*
- *ABAC Responsible Alcohol Marketing Code*
- *Federal Chamber of Automotive Industries' Voluntary Code of Practice for Motor Vehicle Advertising (FCAI Code)*
- *Therapeutic Goods and Advertising Code (TGAC)*
- *Weight Management Industry Code of Practice*

JCDecaux have an internal creative review process to ensure that advertisements do not breach any applicable code. This review process is undertaken prior to advertisements being sent for printing/production and being displayed. This process will ensure that advertising content and the sequencing of imagery will not cause driver distraction.

It is also noted that the partnership between JCDecaux and Sydney Trains will ensure relevant third-party advertisements are displayed, with inclusion of emerging messaging ensuring the public interest is maintained.

3.6. COST OF DEVELOPMENT

A Cost Summary Report prepared by JCDecaux and included in Appendix C stated an estimated cost of \$371,250 (including GST).

4. STATUTORY PLANNING FRAMEWORK

This section provides an assessment of compliance of the proposed development against the relevant legislation, planning instruments and documents, including:

- *Environmental Planning and Assessment Act 1979*;
- *Heritage Act 1997*;
- *State Environmental Planning Policy 64 – Advertising and Signage*;
- *Transport Corridor Outdoor Advertising and Signage Guidelines 2017*;
- *Sydney Region Environmental Plan (Sydney Harbour Catchment) 2005*;
- *Sydney Cove Redevelopment Authority Scheme*.

4.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Development in NSW is regulated pursuant to the EP&A Act, which applies to all development in NSW and sets out the procedures and objects for all development.

In particular, this application is to be considered as a Crown DA per Part 4 Division 4.6, being an application lodged by an authority that is prescribed as the Crown for the purposes of Division 4.6. Sydney Trains, through Transport for NSW, are identified as a public authority. The Minister for Planning and Homes is the consent authority for this application, under SEPP 64 (explained under Section 4.4 of this SEE).

The subject site is identified as a heritage item, as such, this application requires a heritage approval under s.58 of the Heritage Act 1977. This application is required to be forwarded to the Heritage Council of New South Wales (HCNSW) within 14 days of lodgement of the application.

It is essential to note that since this application is a Crown DA, Clause 4.44 of the EP&A Act does not apply, other than the heritage approval.

4.2. HERITAGE ACT 1997

The subject site is identified as a state heritage item known as 'Circular Quay Railway Station group' (SH01112). The application is sought in accordance with s.58 of the *Heritage Act 1977*.

4.3. STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING AND SIGNAGE

The *State Environmental Planning Policy No.64 – Advertising and Signage (SEPP 64)* aims to ensure that signage and advertisements are compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations, and is of high-quality design and finish.

The proposed structure is identified as an advertisement signage as it displays third-party advertisement. Therefore, Part 3 of SEPP 64 is applicable to the proposal.

The proposed advertisement is on behalf of Sydney Trains and located on a railway corridor. Therefore, the proposal is permissible as per Clause 16 and the consent authority is the Minister for Planning and Homes in accordance with Clause 12.

Clause 13 of SEPP 64 prevent a consent authority from granting development consent to display signage unless the consent authority is satisfied that the signage is consistent with the objectives of the SEPP, has satisfied the assessment criteria specified in Schedule 1 and in the Guidelines.

The proposal is compliant with the objectives of the SEPP 64 due to the following:

- The proposed structure remains consistent with the character of the area, is minor variation to the scale of the existing individual advertisements and an improvement in decluttering signage overall.
- The proposed structure allows for effective communication of third-party advertisements, whilst ensuring safety for vehicles, motorists and pedestrians.

- The proposal will provide a public benefit through the revenue generated to Sydney Trains from the advertising sign will contribute to improving services and rail infrastructure by Sydney Trains. Additionally, the proposed structure will display information to customers in the event of emergency situations, Sydney Trains and TfNSW promotions and events and threat-to-life alerts by NSW Government Emergency and Police Agencies, ensuring the public benefit is served.

An assessment of the proposed signage against Schedule 1 of SEPP 64 is included in Table 4. An assessment against the *Transport Corridor Outdoor Advertising and Signage Guidelines 2017* (the Guidelines) is provided in Section 4.5 of this SEE.

Table 4 SEPP 64 Schedule 1 Assessment

Provision	Comment	Compliance
1. Character of the area		
Is the proposal compatible with the character of the area or locality in which it is proposed to be located?	The proposal is compatible with the desired future character of the site and the wider locality. The Plan of Management establishes the provisions and design parameters to achieve appropriate advertisement structure, consistent with the scale and form of the railway overpass. The advertisement typologies and materials and finishes are compatible with the context of the surrounding public domain.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	<p>The proposal involves installation of an outdoor advertisement as a digital third-party advertisement structure attached to the George Street overpass (railway corridor).</p> <p>Overall, the proposed replacement of two existing large-format vinyl advertisement with a single digital advertisement is consistent with signage on surrounding and nearby commercial developments along George Street, as shown in Figure 8. While the signage in the close vicinity of the site does not include illuminated signs, the proposed structure remains consistent with regards to the size and scale of the advertisement.</p> <p>As far as illumination is concerned, the proposal ensures there is no negative impact on the safety of vehicles, cyclists and pedestrians as described in the Light Impact Statement and Traffic Safety Assessment.</p> <p>Therefore, the proposal does not result in any negative outcomes and remains consistent with the theme within the locality.</p>	Yes
2. Special Areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or	The subject site is identified as a state heritage item (SH01112) known as 'Circular Quay Railway Station	Yes

Provision	Comment	Compliance
other conservation areas, open space areas, waterways, rural landscape or residential areas?	<p>group'. The 'Sydney Cove West Archaeological Precinct' (SH01860) is located north-east of the site.</p> <p>Heritage is further discussion in Section 6.1 of the SEE. A Heritage Impact Statement is attached at Appendix I.</p> <p>In summary, the proposal is a sympathetically designed digital advertisement structure that will not detract from the heritage significance of the site as well as surrounding developments.</p> <p>In terms of sensitive uses, the proposal does not have an impact on the recreational facility known as First Fleet Park located north-east of the site.</p> <p>There are no environmentally sensitive areas adjacent to the site. The Four Seasons Hotel, a 25-30 storeys high building, is located approximately 50m south of the site which provides several residential accommodations which are appropriately distanced from the site such that there will be no adverse lighting impacts. Further, the proposal remains compliant with the relevant lighting controls (refer Lighting Impact Assessment in Appendix I).</p> <p>As such, the structure does not detract from the amenity or visual quality of the surrounds.</p>	
3. Views and Vistas		
Does the proposal obscure or compromise important views?	The proposed structure is appropriate in size and scale and is designed to be integrated with the George Street overpass. As such, the proposal does not obscure or compromise any important views at street level.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed structure is attached to the overpass and does not dominate the skyline or reduce the quality of vistas in any way.	Yes
Does the proposal respect the viewing rights of other advertisers?	The proposal involves replacement of the existing sign with a digital third-party advertisement, situated predominantly at the same location and therefore, does not impact surrounding view rights of signage on other developments.	Yes
4. Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for	The scale, proportion and form of the proposed structure is appropriate in the context of the surrounding streetscape and broader locality.	Yes

Provision	Comment	Compliance
the streetscape, setting or landscape?		
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage integrates with the overall form of the overpass. The proposed colour palette is contemporary yet subdued and the materials are of a high-quality finish that contribute positively to the streetscape and surrounding public domain.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal involves replacement of existing vinyl format sign with a new digital structure such that there is no additional clutter of signage in the locality.	Yes
Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	Yes
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed structure does not protrude above the existing overpass.	Yes
Does the proposal require ongoing vegetation management?	The proposal does not require any ongoing vegetation management.	NA
5. Site and Building		
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?	The proposed structure is compatible with the scale and proportion of the overpass it is attached to. The location and overall format of the structure is such that there is no overbearing effect on ongoing vehicular traffic, cyclists and pedestrians. Additionally, the proposal is sympathetic to the bulk and architectural features of surrounding developments.	Yes
Does the proposal respect important features of the site or building, or both?	The proposed structure will not dominate the overpass it is attached to, rather it will achieve a balance between fulfilling its purpose as a third-party advertisement whilst remaining subservient to the overall built form of the overpass. Further, the proposal does not jeopardise the heritage significance of the site and surrounding items.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposal demonstrates innovation through a structure with a digital display screen showing a variety of advertisements as well as other important civic messages including emergency responses or tourism and events advertising such as Vivid etc.	Yes

Provision	Comment	Compliance
	Therefore, the structure is designed to show innovation and imagination through an appropriate scale, proportion, signage type and design.	
6. Associated devices and logos with advertisement and advertising structures		
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?	All signage illumination, fixings and cabling will be concealed within the structure.	Yes
7. Illumination		
Would illumination result in unacceptable glare?	The proposed signage does not result in unacceptable glare. Refer to the Lighting Impact Assessment Report at Appendix G.	Yes
Would illumination affect safety for pedestrians, vehicles or aircraft?	Given the size, scale, location and proportion of the proposed advertisement structure, the proposal will not impact upon pedestrian or vehicular safety on the surrounding road network.	Yes
Would illumination detract from the amenity of any residence or other form of accommodation?	The closest proximity of residential accommodation is One Circular Quay (in construction) and the Four Seasons Hotel is located approximately 50m south of the site. However, the Lighting Impact Statement identified a maximum illuminance to habitable windows of 1.82 lux, compliant with the DCP's requirement of less than 2 lux.	Yes
Can the intensity of the illumination be adjusted, if necessary?	The brightness of the LEDs can be controlled to provide upper and lower thresholds as required as well as automatically via a local light sensor to adjust to ambient lighting conditions.	Yes
Is the illumination subject to a curfew?	No illumination curfew is proposed. The digital signage is to be in 24-hour operation.	Yes
8. Safety		
Would the proposal reduce the safety for any public road?	<p>The proposed signage will not impact upon the safety of the surrounding road network for vehicles, pedestrians or cyclists given the structure will primarily be situated at the same location as the existing sign.</p> <p>For further detail in this regard, refer Traffic Safety Assessment included in Appendix F.</p>	Yes

Provision	Comment	Compliance
Would the proposal reduce the safety for pedestrians or bicyclists?	<p>The proposal structure does not interfere with the existing footpaths and cycleways. The proposal therefore does not hamper the safety of pedestrians and cyclists.</p> <p>In terms of illumination, the lighting component of the proposed structure is compliant with the relevant Australian Standard.</p> <p>For further detail in this regard, refer Lighting Impact Assessment and Traffic Safety Assessment.</p>	Yes
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	<p>The proposed structure will not obscure sightlines from public areas that are of key importance.</p> <p>Additionally, the proposal will not hamper the safety of children and pedestrians.</p>	Yes

4.4. TRANSPORT CORRIDOR OUTDOOR ADVERTISING AND SIGNAGE GUIDELINES 2017

The proposed signage has been developed in consideration of *Transport Corridor Outdoor Advertising and Signage Guidelines* (the Guidelines). Table 5 below assesses the proposed signage against the relevant controls as contained within the Guidelines is relevant to this application.

Table 5 Electronic Sign Criteria

Provision	Comment	Compliance
Section 1.6 - Development applications in transport corridors		
Land Use Compatibility Criteria		
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 subject site is located in the Sydney Cove Redevelopment Authority (SCRA) Scheme. The proposed structure is along a railway corridor which supports important transportation infrastructure across Greater Sydney. The proposal will replace an existing back-lit vinyl advertising that has demonstrated advertising as a compatible land use that will not detract from the commuter corridor.	
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"> environmentally sensitive area 	The sign will be primarily visible from the commercial developments located south of the site. The sign will not be visible from the public recreation facility known as the First Fleet Park, located north-east of the site.	Yes

Provision	Comment	Compliance
<ul style="list-style-type: none"> ▪ heritage area (excluding railway stations) ▪ natural or other conservation area ▪ open space (excluding sponsorship advertising at sporting facilities in public recreation zones) ▪ waterway ▪ residential area (but not including a mixed residential and business zone, or similar zones) ▪ scenic protection area ▪ national park or nature reserve. 	The sign is not considered to have an adverse impact on the amenity of either the recreational area or the commercial developments as it is primarily viewed by pedestrians, bicyclists and passengers travelling north-bound on George Street.	
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 proposed sign does not dominate or protrude above the bridge or skyline to compromise views or character of the area. The proposal ensures structural alignment of the asset to the bridge and appropriate access is provided for maintenance.	Yes
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.	A Heritage Impact Statement has been prepared by Weir Phillips Heritage and Planning (attached at Appendix I) that demonstrates the proposal does not diminish the heritage values of the site and surrounding items.	Yes
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 sign is proposed to be affixed to an existing Sydney Trains owned bridge and is located within an urban setting. The sign is positioned to align with the existing structure of the bridge.	Yes
Section 2.5.8 - Digital signs (less than 20sqm in area)		
a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (d) below.	Conditions can be imposed by the consent authority to ensure that the sign is completely static for the specified dwell time.	Yes

Provision	Comment	Compliance
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.	Conditions can be imposed by the consent authority to ensure there is no message sequencing that creates driver anticipation for the next message on the proposed sign or with any other signs.	Yes
c. The image must not be capable of being mistaken: (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 advertisement being mistaken for a prescribed traffic control device (ii) as text providing driving instructions to drivers.	Conditions can be imposed by the consent authority to ensure that sign content, design, imagery and messages neither replicate nor can be mistaken for a prescribed traffic control device or instruction to drivers. For example, advertisements must not instruct drivers to perform an action such as 'Stop'.	Yes
d. Dwell times for image display must not be less than: (i) 10 seconds for areas where the speed limit is below 80 km/h (ii) 25 seconds for areas where the speed limit is 80km/h and over.	The minimum allowed dwell time is 25 seconds based on the posted speed limit of 40km/h. Conditions can be imposed by the consent authority to ensure this minimum dwell time.	Yes
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.	Conditions can be imposed by the consent authority to ensure that the sign has a transition time of no more than 0.1 seconds and a black screen in the event of image failure.	Yes
f. Luminance levels must comply with the requirements in Section 3 below.	This area is Zone 1 as categorised in Section 3.3 of the Signage Guidelines. Acceptable luminance levels for this zone as specified in Table 6 of the Signage Guidelines are: no limit (full sun on face of signage), 6000cd/m2 (daytime), 600cd/m2 (twilight and inclement weather) and 200cd/m2 (night-time). Conditions can be imposed by the consent authority specifying maximum allowable luminance levels.	Yes
g. The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without	Conditions can be imposed by the consent authority to ensure that the sign's images	Yes

Provision	Comment	Compliance
limitation to their colouring or contain flickering or flashing content.	comply with requirements to not contain flickering or flashing content	
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).	Conditions can be imposed by the consent authority to ensure that minimal text and information is supplied on a sign no more than a driver can read at a short glance.	Yes
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.	The proposed structure is not within 250m of a classified road and is not visible from a school zone.	NA
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.	All relevant traffic directions have been assessed on their own merits. Refer Traffic Safety Assessment included in Appendix F.	Yes
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.	Noted.	Yes
Section 3.2 - Sign location criteria		
3.2.1 Road clearance		
<p>a. The advertisement must not create a physical obstruction or hazard. For example:</p> <p>(i) Does the sign obstruct the movement of pedestrians or bicycle riders? (e.g. telephone kiosks and other street furniture along roads and footpath areas)?</p>	The proposal is generally located within the existing built form of the bridge and does not obstruct movement of commuters.	Yes

Provision	Comment	Compliance
<p>(ii) Does the sign protrude below a bridge or other structure so it could be hit by trucks or other tall vehicles? Will the clearance between the road surface and the bottom of the sign meet appropriate road standards for that particular road?</p> <p>(iii) Does the sign protrude laterally into the transport corridor so it could be hit by trucks or wide vehicles?</p>		
b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone in an acceptable location in accordance with Austroads Guide to Road Design (and RMS supplements) or behind an RMS approved crash barrier.	The proposed sign supports are not frangible.	NA
c. Where a sign is proposed within the clear zone but behind an existing RMS-approved crash barrier, all its structures up to 5.8m in height (relative to the road level) are to comply with any applicable lateral clearances specified by Austroads Guide to Road Design (and RMS supplements) with respect to dynamic deflection and working width.	The proposed sign is not located within a clear zone.	NA
d. All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS 1170.1 and AS1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.	The proposed sign is capable of the wind loading requirements specified in AS 1170.1 and AS1170.2 with a vertical clearance of 5.31m to George Street. Detailed assessments will be provided prior to the issue of a Construction Certificate.	Yes
<p>Additional road clearance criteria for digital signs:</p> <p>Digital signs greater or equal to 20sqm must ensure the following clearances:</p>	The proposed sign is not greater or equal to 20sqm.	NA

Provision	Comment	Compliance
<p>a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone</p> <p>b. 5.5m from lowest point of the sign above the road surface if located within the clear zone or the deflection zone of a safety barrier, if installed.</p> <p>If attached to road infrastructure (such as an overpass), the digital sign must be positioned so that no portion of the sign is lower than the minimum vertical clearance under the overpass or supporting structure.</p>		
3.2.2 Line of sight		
a. An advertisement must not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings.	The sign is considered to not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings as the sign does not protrude the bridge. Refer Traffic Safety Assessment included at Appendix H.	Yes
b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The proposal is affixed to a bridge and has a road clearance of 5.31m which is 0.17m greater than the road clearance measure of the existing sign. As such, no pedestrian or cyclist view is obstructed.	Yes
c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road. In this context, the location and arrangement of signs' structures should not give visual clues to the driver suggesting that the road alignment is different to the actual alignment. An accurate photo-montage should be used to assess this issue.	<p>The proposed sign is positioned adjoining a bridge Clearance Zone sign. A traffic signal is provided directly south of the site along George Street. A separate light signal is provided for the light rail.</p> <p>The proposed sign is installed appropriately along the railway bridge such that it will not give incorrect information on the alignment of the road.</p>	Yes
<p>d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time. For example:</p> <p>(i) The sign should not be located in such a way that the driver's head is required to turn away from the</p>	The proposal is located within the periphery of the driver's eyesight and will not require them to overextend themselves to be able to view the sign.	Yes

Provision	Comment	Compliance
<p>road and the components of the traffic stream in order to view its display and/ or message. All drivers should still be able to see the road when viewing the sign, as well as the main components of the traffic stream in peripheral view.</p> <p>(ii) The sign should be oriented in a manner that does not create headlight reflections in the driver's line of sight. As a guideline, angling a sign five degrees away from right angles to the driver's line of sight can minimise headlight reflections. On a curved road alignment, this should be checked for the distance measured back from the sign that a car would travel in 2.5 seconds at the design speed.</p>		
3.2.3 Proximity to decision making points and conflict points		
<p>a. The sign should not be located:</p> <p>(i) less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves</p> <p>(ii) less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment</p> <p>(iii) so that it is visible from the stem of a T-intersection.</p>	<p>The Traffic Safety Assessment prepared by Bitzios Consulting (included at Appendix F) provides the following in this regard:</p> <p><i>The proposed sign will be located adjacent to the George Street/Alfred Street signalised/light rail intersection and strictly falls within a 'decision point'. However, this is a very slow speed environment and northbound drivers have sufficient sight distance and warning to the traffic signals (130m). All crash risk sources are in the forward field of view co-incident with a glance at the sign and decision making is not complex in this environment, suggesting a 'Low' risk.</i></p>	Yes
<p>b. The placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver's view:</p> <p>(i) of a road hazard</p> <p>(ii) to an intersection</p>	<p>The proposal is in proximity to a key decision point being the George Street and Alfred Street intersection located approximately 15m before the sign. As mentioned above, the Traffic Safety Assessment, the proposal does not distract a driver at a critical time.</p> <p>The sign is also proximate to the George Street and Essex Street intersection located</p>	Yes

Provision	Comment	Compliance
<p>(iii) to a prescribed traffic control device (such as traffic signals, stop or give way signs or warning signs)</p> <p>(iv) to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher.</p>	<p>approximately 120m before the sign. A signalised pedestrian crossing is also located at this intersection. The Assessment of still images identified that the although the sign is visible from approximately 200m from the site, content is unrecognisable, and it is only after the approach to the Essex Street intersection that the sign is clearly visible (after the key decision point). The pedestrian crossing is a simple decision-point environment and due to the simplicity and low cognitive load required to consider this in the same forward view as the sign it is unlikely to have an adverse impact on the safety of drivers.</p>	
3.2.4 Sign spacing		
<p>The proposed site should be assessed to identify any road safety risk in relation to visual clutter and the proximity to other signs.</p>	<p>The proposed digital advertisement structure is on a railway corridor and does not have much signage opportunity in the vicinity, ensuring there is not visual clutter.</p>	<p>Yes</p>
<p>Additional criteria for digital signs:</p> <p>a. 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>The proposed digital advertisement structure is on a railway corridor and does not have a digital sign within 150m of the corridor.</p>	<p>Yes</p>
Section 3.3 - Sign design and operation criteria		
3.3.1 Advertising signage and traffic control devices		
<p>a. The advertisement must not distract a driver from, obstruct or reduce the visibility and effectiveness of, directional signs, traffic signals, prescribed traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.</p>	<p>The proposal will not distract drivers or reduce their visibility of the directional signs and traffic signals in the area. Refer to the Traffic Safety Assessment for further information.</p>	<p>Yes</p>
<p>b. The advertisement must not interfere with stopping sight distance for the road's design speed or the</p>	<p>The proposal will not distract drivers or reduce their visibility of the directional signs and traffic signals in the area, including the appropriate stopping sight distance. Refer to</p>	<p>Yes</p>

Provision	Comment	Compliance
<p>effectiveness of a prescribed traffic control device. For example:</p> <p>(i) Could the advertisement be construed as giving instructions to traffic such as 'Stop', 'Halt' or 'Give Way'?</p> <p>(ii) Does the advertisement imitate a prescribed traffic control device?</p> <p>(iii) If the sign is in the vicinity of traffic lights, does the advertisement use red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal?</p>	the Traffic Safety Assessment for further information.	
<p>Additional criteria for digital signs and moving signs:</p> <p>a. The image must not be capable of being mistaken:</p> <p>(i) for a rail or traffic sign or signal because it has, e.g. red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal</p> <p>(ii) as text providing driving instructions to drivers.</p> <p>b. 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>	JCDecaux have a comprehensive process of reviewing content to ensure it is not interpreted as a traffic device or instruction to drivers. Refer to Section 3.4 for further information.	Yes
3.3.2 Dwell time and transition time		
a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.	The proposal will be limited to completely static content without any motion.	Yes
b. Dwell times for image display must not be less than:	The proposal seeks approval for a dwell time of 25 seconds per advertisement.	Yes

Provision	Comment	Compliance
(i) 10 seconds for areas where the speed limit is below 80km/h.		
(ii) 25 seconds for areas where the speed limit is 80km/h and over.		
c. Any digital sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.	The proposal will be conditioned as static content with instantaneous (0.1 second) transition, and a default image of black screen in the event of an error. Refer to the Plan of Management for further detail.	Yes
d. Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts.	Noted. The proposed asset will be limited to static content.	Yes
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.	JCDecaux have a comprehensive process of reviewing content to ensure content does not dazzle or distract drivers. All content will be static and not include any flickering, flashing or motion. Refer to Section 3.4 for further information.	Yes
Dwell time criteria for moving signs: a. The image must be completely static from its first appearance to the commencement of a change to another display. b. Dwell times for image display are to be a minimum of 10 seconds which includes 3 seconds to scroll.	The dwell time of 25 seconds will be limited to only static content.	NA
3.3.3 Illumination and reflectance		
Illumination criteria for digital signs: a. Luminance levels must comply with the requirements in Table 6 below.	As mentioned in the Light Impact Assessment the proposal is compliant with the Transport Corridor Outdoor Advertising & Signage Guidelines.	Yes
b. 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.	The proposal does not result in such effects.	Yes
3.3.4 Interaction and sequencing		

Provision	Comment	Compliance
a. The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users.	The proposal does not include technology which interacts with in-vehicle electronic devices or mobile devices.	Yes
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.	The Plan of Management includes content management protocols that will ensure message sequencing does not allow a driver to anticipate the next message.	Yes
Section 3.4 - Road safety review of new or modified signs		
RMS may review the crash history of any new or modified advertising signs after a three-year period to determine whether the sign has had an adverse effect on road safety. If RMS is of the opinion that a sign is a traffic hazard, RMS may direct the owner or occupier of the land on which the sign is situated or the person who erected the sign to screen, modify or remove the sign, regardless of whether or not the sign is the subject of a development consent under the Act or a consent under the Roads Act 1993.	Noted.	Yes
Section 3.5 - Road safety review of digital signs		
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 sign's 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 proposal is less than 20sqm as such a Road Safety Audit is not required.	N/A

Provision	Comment	Compliance
the RMS the report is to be provided to the Department of Planning and Environment as well.		
Section 4 - Public benefit test for advertisement proposals		
4.2 What is an appropriate public benefit?		
<p>The level of public benefit for a given SEPP 64 advertisement is to be negotiated and agreed upon between the consent authority and the applicant. The public benefit can be provided as a monetary contribution or as an 'in-kind' contribution. Both monetary and in-kind contributions must be linked to improvements in local community services and facilities including benefits such as:</p> <ul style="list-style-type: none"> ▪ improved traffic safety (road, rail, bicycle and pedestrian) ▪ improved public transport services ▪ improved public amenity within, or adjacent to, the transport corridor ▪ support school safety infrastructure and programs ▪ other appropriate community benefits such as free advertising time to promote a service, tourism in the locality, community information, or emergency messages. 	<p>The proposal is consistent with the public interest as it will generate revenue for Sydney Trains all of which will be used to fund improvements to essential public infrastructure and other rail programs that allow for the maintenance and operations of the wider Sydney Trains network both in regional and wider state where Sydney Trains operates.</p> <p>In addition to generating revenue, the proposed structure will display information regarding important civic messages in the event of the following:</p> <ul style="list-style-type: none"> ▪ Emergency or unplanned operations, ▪ Any other station emergency, ▪ Any major disruption which is likely to cause delays to train running times, ▪ Sydney Trains promotions and events, and ▪ Amber messaging alerts by NSW Government Emergency and Police Agencies. <p>As such, the proposal will deliver public benefit.</p>	Yes

4.5. SYDNEY REGION ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005

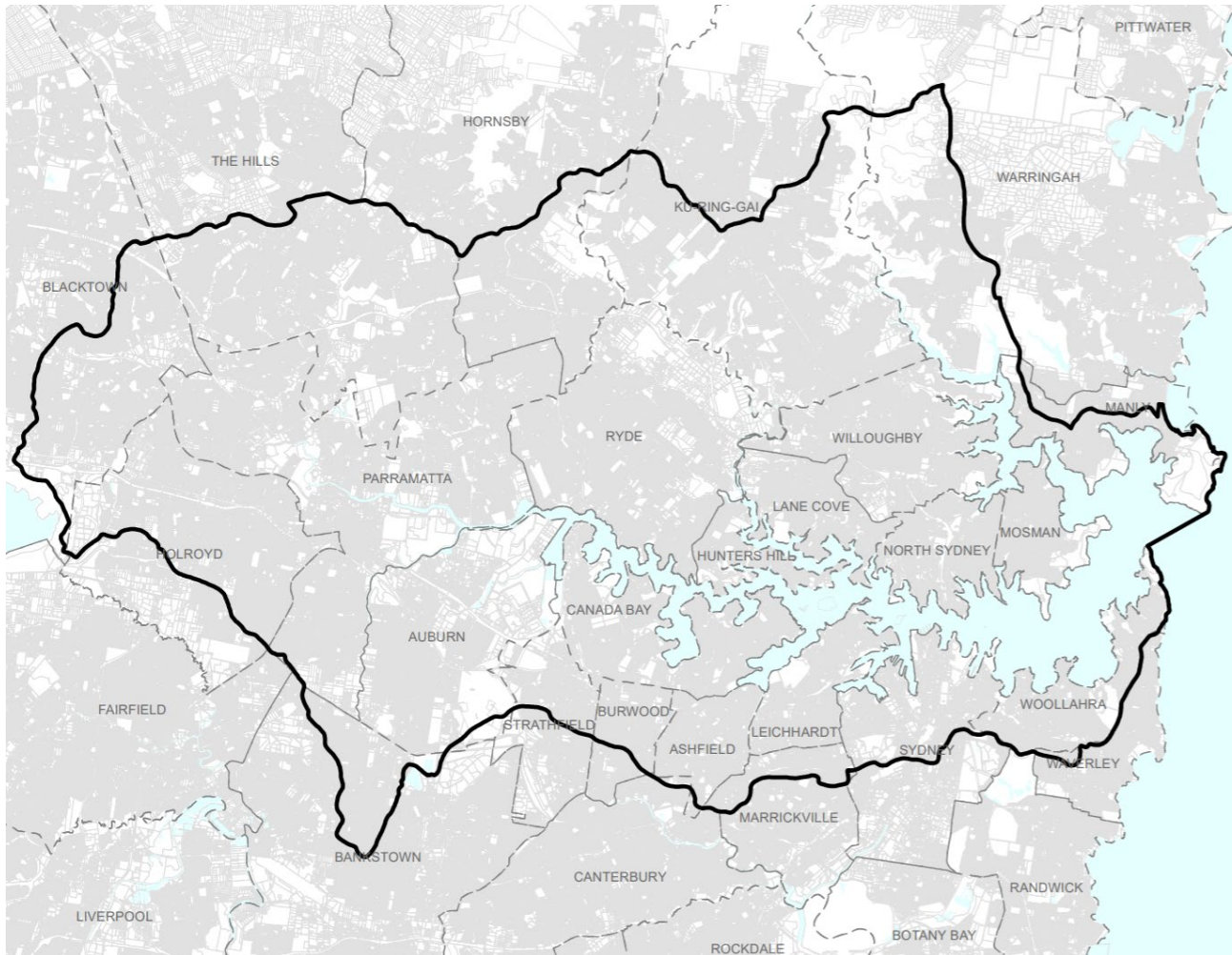
As shown in Figure 13, the site is within the Sydney Harbour Catchment boundary, as shown on the map "Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 Sydney Harbour Catchment Map (Amendment 2016)". The site is however not located within the following zones:

- (a) *the Foreshores and Waterways Area, and*
- (b) *various strategic foreshore sites, as shown on the Strategic Foreshore Sites Map, and*
- (c) *various heritage items, as shown on the Heritage Map, and*

- (c1) the Sydney Opera House buffer zone, as shown on the Sydney Opera House Buffer Zone Map, and
- (d) various wetlands protection areas, as shown on the Wetlands Protection Area Map.

Clause 13 of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREPP) states the planning principles for land within the Sydney Harbour Catchment. Considering the nature of the proposal, it will not impact the ecological communities, or hamper the visual qualities of the Sydney Harbour.

Figure 13 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 Sydney Harbour Catchment Map (Amendment 2016).



Source: DPIE

4.6. SYDNEY COVE REDEVELOPMENT AUTHORITY SCHEME

The applicable adopted Environmental Planning Instrument for land that falls within The Rocks is the Sydney Cove Redevelopment Authority (SCRA) Scheme. The SCRA Scheme was prepared under the former Sydney Cove Redevelopment Authority Act 1968 and operates under the saving provisions of the EP&A Act. It therefore has the same effect as an Environmental Planning Instrument.

The SCRA Scheme includes drawings identified as – XL, XLI, XLII, XLIII, XLIV, XLV, XLVI, XLVII, XLVIII, XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXIX, XXXIX, XXXI, XXX, XXVI, XXVII, XXVIII. These drawings provide the permissibility and development controls for the site contained within the map.

The subject site of this proposal is located within the drawing identified as 'XXXIX', as shown in Figure 14 below.

Permissibility:

Building Site Control Drawing XXXIX-A (1) lists the permitted uses as both 'Commercial' and Special'. Though the SCRA Scheme does not provide information regarding the permissibility of third-party advertisements, the proposal is permissible under Clause 16 of the SEPP 64.

Building site control and building envelope control:

Building Site Control Drawing XXXIX-B (2) provides a height restriction of Reduced Level (RL). These are related to buildings and do not stand applicable to this proposal.

Vehicle routes:

George Street is nominated as a vehicle route under the provisions of the SCRA Scheme. The vehicle route is shown on Building Site Control Drawing XXXIX-A (1) (refer Figure 14).

No change is proposed to the existing vehicle route along George Street as part of this application. As described in the Traffic Safety Assessment, the proposal does not cause a detrimental impact on the movement of vehicles along George Street.

Pedestrian routes:

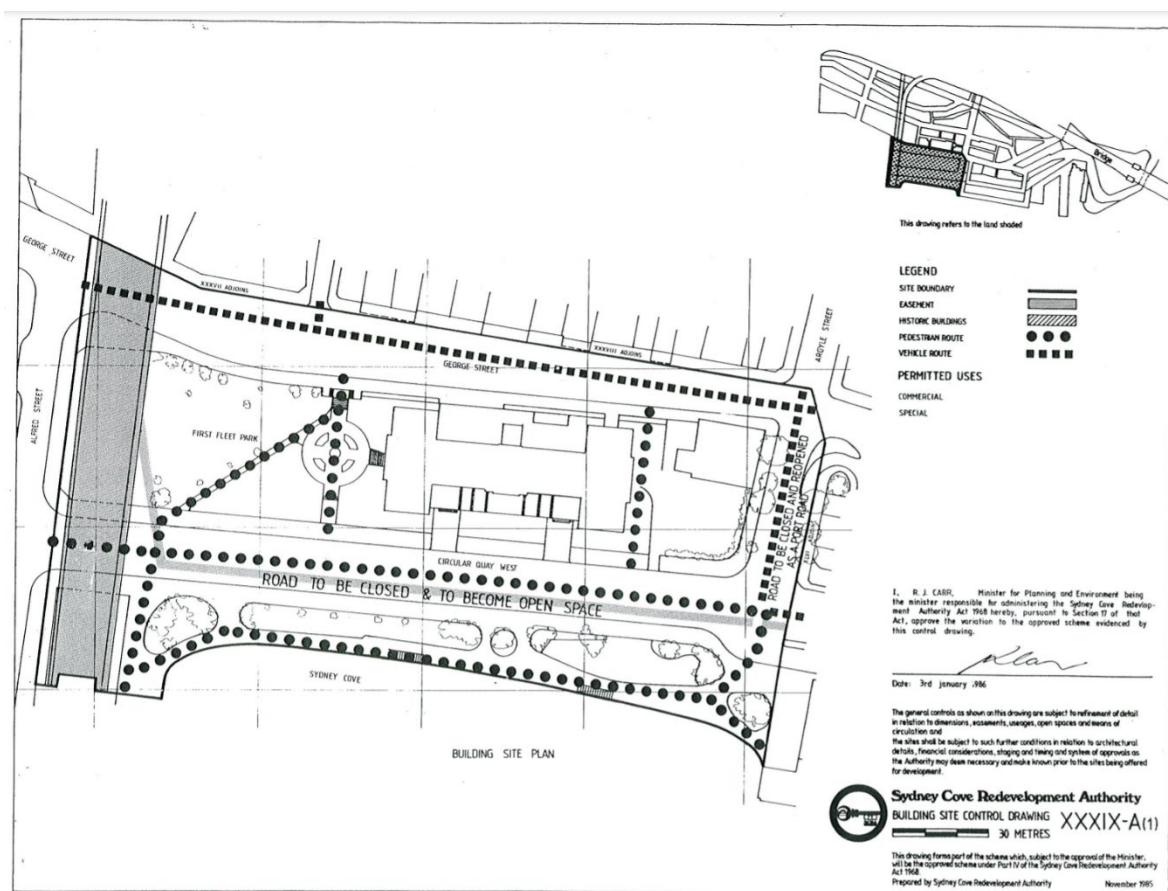
Circular Quay West is identified as a pedestrian access. There are several nominated pedestrian routes along the First Fleet Park (north-west of the site), as well as the foreshore area.

The proposal does not have an impact on the pedestrian routes. As described in the Traffic Safety Assessment, the safety of pedestrians is not jeopardised as a result of this proposal.

Easement:

The road corridor above George Street is identified as an easement. The proposed works will not have any impact on this easement.

Figure 14 Sydney Cove Redevelopment Authority Scheme – Map XXXIX



Source: SCRA

4.7. SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

Under the provisions of the *EP&A Act 1979*, the site is zoned SCRA - Sydney Cove Redevelopment Authority Scheme (refer Figure 15 below). As such this proposal does not require an assessment against the Sydney LEP 2012 (SLEP).

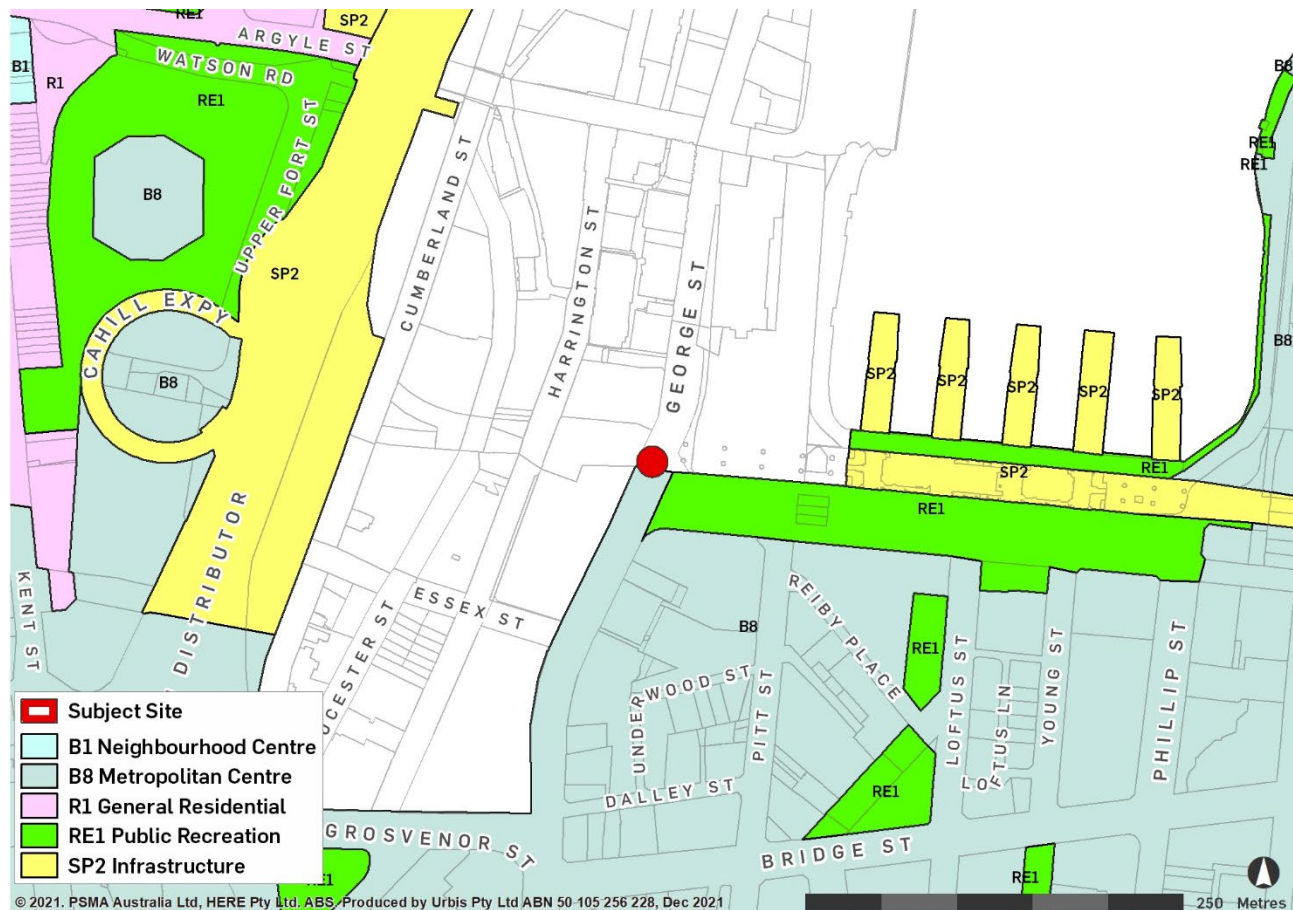
Although the SLEP is not applicable to the site, an assessment against the relevant provisions of the has been undertaken below to provide a broader planning reference to the site, particularly in terms of the surrounding land uses and heritage items.

4.7.1. Zoning and Permissibility

As shown in Figure 15 below, the site sits within the Sydney Cove Redevelopment Authority Scheme area identified in white and is outside the SLEP zoning.

The proposed advertisement sign is permissible with consent as it is considered ancillary to the existing railway corridor. It is essential to note that the permissibility is determined by the SEPP 64.

Figure 15 Zoning Map



Source: Urbis

4.7.2. Key LEP Standards

Considering the nature of the proposal, there are limited controls applicable within the SLEP.

A compliance summary of the proposed development against the relevant development standards is provided in

Table 6 LEP Compliance

Clause	Provision	Proposed	Complies
Clause 5.10 – Heritage Conservation	<p>The subject site is identified as a state heritage item (SH01112) known as ‘Circular Quay Railway Station group’.</p> <p>The site is also surrounded by other listed heritage items including:</p> <ul style="list-style-type: none"> ▪ SH01860: Sydney Cove West Archaeological Precinct, located north-east of the site ▪ SH01563: New York Hotel (former) - DFS (Duty Free Store), located north of the site ▪ I1807: Tank Stream Fountain (Herald Square), located south-east of the site 	<p>A Heritage Impact Statement has been prepared by Weir Phillips Heritage and Planning which assesses the potential impacts of the proposed works on the heritage significance of the site and the surrounding heritage items.</p> <p>Further discussion is included in Section 5.1 of this report.</p>	Yes
Clause 7.14 – Acid Sulphate Soils	Clause 2	The proposal does not have an impact on the soil composition.	NA

4.8. SYDNEY DEVELOPMENT CONTROL PLAN 2012

Sydney Development Control Plan (DCP) 2012 provides detailed controls for specific development types and locations. Most controls within the Sydney DCP relate to character, streetscape and public domain works.

As the site is zoned SCRA - Sydney Cove Redevelopment Authority Scheme and does not require an assessment against the Sydney LEP and Sydney DCP. This provided, a broad assessment against the Sydney DCP is provided below.

- **Locality and context** – the site is located within the Circular Quay Special Character Area. The proposed structure is consistent with the overall character of the area. The site is in an area comprising of predominantly mixed-use developments, including retail and business premises, as such the proposal does not cause a negative impact on surrounding land uses. The proposed structure is a replacement of the existing structure on site, ensuring there is no detrimental impact on Circular Quay as a special character area.
- **Heritage consideration** – the proposal is a sympathetically designed digital advertisement structure that will not detract from the heritage significance of the site as well as surrounding developments (refer Section 5.1 below and Heritage Impact Statement is attached at Appendix I).
- **Impact on sensitive uses** – a recreational park known as the ‘First Fleet Park’ located north-east of the site. The proposed replacement of the two existing vinyl signs with a single digital advertisement sign does not impact the amenity of the patrons. The proposed illumination will not result in any unacceptable glare and will comply with all relevant Australian Standards and guidelines. Further, the proposal does not negatively impact the residential accommodation located 50m south of the site.

- **Visual clutter** – the proposed digital advertisement structure is on a railway corridor and does not have much signage opportunity in the vicinity, ensuring there is not visual clutter. The overall proposal consolidates and reduces two advertising structures to a single advertising structure, improving the amenity of the area.
- **Illumination impact** – the illumination of signage will not result in any unacceptable glare and will comply with all relevant Australian Standards and guidelines. The proposal does not impact sensitive uses such as the recreational facility known as the 'First Fleet Park' located north-east of the site. Further, the residential accommodation as part of the Four Seasons Hotel is located 50m south of the site remains unaffected as a result of this application. The proposed advertisement structure will not flash, pulsate, flicker, or have chasing lights. The proposed digital signage is illuminated using LEDs installed within the front face. The brightness of the LEDs shall be controlled to provide upper and lower thresholds as required as well as automatically via a local light sensor to adjust to ambient lighting conditions. The signage includes baffles which mitigate upward waste light, resulting in an Upward Light Ratio (ULR) of less than 50%. Further, as mentioned in the Lighting Impact Assessment (Appendix G), the proposal is capable of compliance with the lighting controls as envisaged in the Sydney Development Control Plan 2012 although not strictly required.
- **Road safety** – the size and proportion of the structure is such that it does not create a road safety hazard along surrounding road network for vehicles, pedestrians, or cyclists. For further detail, refer Traffic Safety Assessment included in Appendix F.

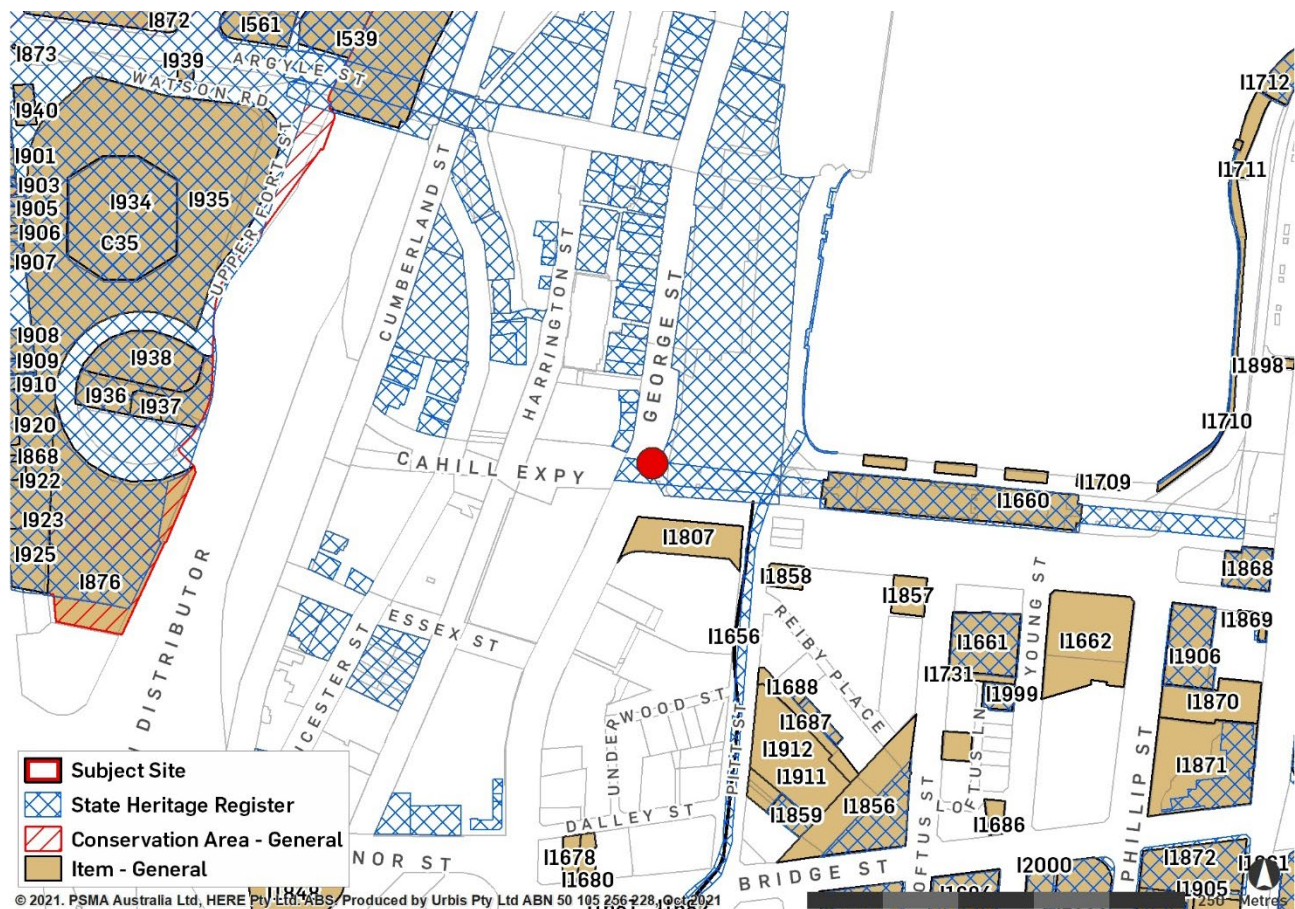
5. ASSESSMENT OF KEY PLANNING CONSIDERATIONS

5.1. HERITAGE

The subject site is identified as a state heritage item (SH01112) known as 'Circular Quay Railway Station group', as shown in Figure 16 below. The site is also surrounded by other listed heritage items including:

- SH01860: Sydney Cove West Archaeological Precinct, located north-east of the site;
- SH01563: New York Hotel (former) - DFS (Duty Free Store), located north of the site; and
- I1807: Tank Stream Fountain (Herald Square), located south-east of the site.

Figure 16 LEP Heritage Map



Source: Urbis

A Heritage Impact Statement (HIS) prepared by Weir Phillips Heritage and Planning (attached at Appendix I) provides the heritage assessment of the proposed development. The HIS assessed the proposal in relation to the heritage significance of the site and nearby heritage items.

The Statement concluded that the proposal is minor in nature and generally aligns with the intentions and provisions of the relevant policies, including:

- The proposed LED digital screen is compatible with the scale of the viaduct. The area of the existing signage is not altered. The area of coverage of the existing signage is minor compared to the length of the viaduct.
- The signage is not welded or bolted to the existing bridge girder. The signs are clamped to the existing bridge; no drilling, bolting or welding is required. The significant fabric is thus protected, and the work will be fully reversible at a later date.

- The LED digital screen will produce similar luminosity levels as the existing light box illuminated sign. The changeover of advertising on the LED screen on a 25 second basis will not introduce any new impacts on the heritage significance of the viaduct.
- The proposed signage is located within the immediate vicinity of heritage items and areas within The Rocks. The proposal will have a minimal impact on the heritage items within The Rocks, given that it is located on the southern side of the viaduct.
- The proposed signage will not further obscure the already restricted view corridors towards these items, created by the massing and scale of the viaduct and expressway. The LED digital screen will not reduce the already limited enjoyment of these items to be obtained from south of the viaduct.
- The proposed conversion of the existing signage to a LED digital screen will have a minimal impact on the heritage items and special character areas within the City of Sydney. Signage is already a significant element within the George Street streetscape. Existing streetscape elements and trees will assist in the integration of the proposed LED screen into the streetscape.

5.2. TRAFFIC SAFETY IMPACT

A Traffic Safety Assessment prepared by Bitzios Consulting is included in Appendix F. The assessment includes a literature review of the relationship between distraction, crashes and large-format digital signage. Importantly, it confirms the chain of events that is required to link a digital sign to increased crash rates is immeasurably small.

The proposed sign will not obstruct or interfere with the view of or restrict sight distances to any intersections, traffic control devices, vehicles, pedestrians, or cyclists given its location above the road.

Crash data for a period of five years has been reviewed to inform the road safety assessment of the site, identifying a low crash rate. Only one crash was reported between January 2016 and December 2020. The proposed sign is not in a location where rapid and complex driving decisions need to be made and is a very low risk to driver distraction and a negligible risk to distraction-related crashes.

The proposed sign is not expected to reduce the safety of any traffic, pedestrians or cyclist movements given its location above the road. It will be located within a driver's ordinary field of view and a glance to the sign will still permit co-incident recognition of signal changes and vehicle, pedestrian, and cyclist movements in the forward view.

The proposed sign will not obstruct or interfere with the view of or restrict sight distances to any intersections, traffic control devices, vehicles, pedestrians, or cyclists given its location above the road. as such, the proposal complies with the requirements of SEPP 64 and the Transport for NSW Advertising Sign Safety Assessment Matrix in terms of obscurity, positioning and sign clutter.

5.3. VISUAL IMPACT

A Visual Impact Assessment was prepared by Urbis is included in Appendix J, as an addendum to an existing Visual Impact Assessment prepared by GMU in 2014 that only considered the impacts of the retention of two signs, rather than the proposed consolidation of assets on the George Street Overpass.

The GMU Visual Impact Assessment concluded that the proposal had nil to negligible impact on the existing public domain and private areas. The Urbis Visual Impact considers this assessment in light of the changing built environment to George Street. It is noted that there has been limited visual change in the area since the previous assessment, however, despite the completed construction of the light-rail infrastructure, removal of a number of street trees and ongoing construction of the nearby One Circular Quay.

In summary, the proposed sign is of similar dimensions to the existing signs. Despite a minor increase in length and width of the proposed digital asset, the decommissioning of the two signs provides a significant improvement to the prominent views and visual clutter in the area.

5.4. LIGHTING IMPACT

A Lighting Impact Assessment prepared by Electrolight is included in Appendix G. The Lighting Impact Assessment suggest the following conditions be imposed to be compliant with all relevant lighting requirements of the Sydney DCP 2012:

- Condition 1: Before the existing illuminated signage is decommissioned, a 100% white image must be installed, and with that image in place, on site luminance measurements shall be undertaken by a qualified lighting engineer to determine the average luminance of the signage. Luminance measurements shall be undertaken at night time (a minimum of 1 hour after sunset) and a report shall be provided to Council with the results.
- Condition 2: Once the signage is installed, it must be set to display a 100% white image and be commissioned such that the maximum average luminance of the signage during night time operation does not exceed 200 cd/m² and also does not exceed the luminance level of the existing signage determined in Condition 1. A qualified lighting engineer shall provide a report to Council confirming that the signage has been commissioned correctly and that the luminance levels comply with the requirements.

The Lighting Impact Assessment concluded the following:

- The proposed digital signage complies with all relevant requirements of AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting and Sydney Development Control Plan (Signs and Advertisement) 2012.
- Where the Conditions outlined in Appendix E are imposed in the consent, the proposed digital signage will comply with all relevant lighting requirements of the Sydney DCP 2012.
- In complying with the above requirements, the proposed signage should not result in unacceptable glare nor should it adversely impact the safety of pedestrians, residents or vehicular traffic. Additionally, the proposed signage should not cause any reduction in visual amenity to nearby residences or accommodation.

6. SECTION 4.15 ASSESSMENT

The following planning assessment has been undertaken in accordance with the requirements of Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

6.1. ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed development has been assessed in accordance with the relevant state and local environmental planning instruments in Section 4.

This SEE and the supporting documentations demonstrates that the proposed development is generally consistent with the relevant environmental planning instruments and achieves the objectives of the relevant provisions. Where the proposal is not compliant with the relevant provisions, it has been demonstrated to be a superior outcome than a compliant scheme.

6.2. DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No draft environmental planning instruments are relevant to this proposal.

6.3. PLANNING AGREEMENT

No planning agreements are relevant to this proposal.

6.4. REGULATIONS

This application has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Regulations 2000*.

6.5. LIKELY IMPACTS OF THE PROPOSAL

The proposal is unlikely to result in any adverse environmental, social or economic impacts with consideration of the following:

- The proposed development will not create any adverse impacts on the heritage significance of the site, as assessed under the Heritage Impact Statement.
- As concluded in the Traffic Safety Assessment, George Street is capable of accommodating the proposed development with negligible impact on the ongoing road traffic. Additionally, surrounding street networks remain unaffected as a result of this proposal.
- The proposal will not result in the removal of significant biodiversity, nor have any adverse impacts on the waterways and natural landscape.
- The proposed structure is integrated and forms a part of the overpass and does not obscure or compromise any important views at street level.

6.6. SUITABILITY OF THE SITE

The site is highly suitable for the proposed development for the following reasons:

- The proposal seeks to replace two existing third-party vinyl advertisements and is permissible with development consent as per Clause 16 of the SEPP 64.
- The proposed advertisement structure is compliant with the built form envisaged in the planning controls and guidelines, particularly regarding illumination and dwell times and does not compromise the safety for vehicles, pedestrians and cyclists.
- The proposal does not conflict with any of the surrounding land uses in the locality.
- Technical reports including Heritage Impact Statement, Traffic Safety Assessment and Light Impact Assessment Report have provided and demonstrated the site is capable of being developed in the manner proposed without any adverse impacts.

6.7. SUBMISSIONS

Any submissions received by Council in response to the proposal will be considered under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

6.8. PUBLIC INTEREST

The proposal does not present any issues that are contrary to the public interest. The proposed digital advertisement structure provides an opportunity for multiple advertisements to be run at an appropriate dwell time, resulting in a better outcome to the vinyl advertisement currently in place. The structure is designed to ensure sensitive land uses such that of residential and recreational nature remain unaffected.

In awarding this concession Sydney Trains conducted a substantial review of the network of advertising assets, recognising that with a growing demand in the digital advertising market, there was an opportunity to rationalise existing assets and provide improved customer experience. Across the Sydney Trains network this will result in more than 990sqm of decommissioned advertising content within the Sydney metropolitan region.

The proposal will generate revenue for Sydney Trains all of which will be used to fund public amenities as well as upgrades to essential public infrastructure and other rail programs. The NSW State Government allocates this revenue to contribute to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs across NSW.

Along with third-party advertisements, the proposed structure will also display emergency messages regarding road safety or other public awareness messages, ensuring safety of vehicles and pedestrians, further facilitating the public interest.

This is in addition to key partnerships of JCDecaux, that facilitate the promotion of important public messages. This has been most recently exemplified with a number of successful campaigns such as 'Shop Local' encouraging stimulation of localised economies, 'Thank you' campaign for the Australian essential workers, and most recently the 'National Vaccine Tally' in a drive to encourage Australians to book their vaccinations. It is JCDecaux's partnerships with key authorities that enables these campaigns to reach broad audiences in diverse formats for the betterment of the general public.

A Public Benefit Statement has been prepared by Sydney Trains (Appendix H).

7. CONCLUSION

The proposed development has been assessed in accordance with section 4.15 of the EP&A Act and is considered appropriate for the site and the locality as summarised below:

- **The proposal satisfies the applicable planning controls and policies** – the proposal is consistent with the objectives of all relevant planning controls and achieves a sound architectural form proposed to be installed on site. The proposal is generally compliant with the controls regarding built form, illumination and operations contained within State Environment Planning Policy No. 64 Advertising and Signage (2001), the Transport Corridor Outdoor Advertising and Signage Guideline and the Sydney Cove Redevelopment Authority Scheme.
- **The proposal will not result in any adverse environmental impacts** – it is demonstrated that the proposal will not cause any negative environmental impacts, such that there is no impact on natural biodiversity, vegetation and waterways. The proposal does not hamper any significant features contained within the Circular Quay Special Character Area.
- **The proposal is an appropriate built form in the streetscape** – the built form and scale of the proposed digital advertisement structure is smaller than the total size of the two vinyl advertisements currently on site. Despite a minor increase of the size to an existing asset to the west being replaced, the proposal ensures there is not an appearance of additional bulk along the overpass. The proposed structure is designed to remain sympathetic to the character of the locality as well as surrounding developments. The proposed structure will not threaten the safety of vehicles, pedestrians and cyclists.
- **The proposal will offer a high standard of amenity** – the proposal will provide a high level of amenity for future and existing residents as well as retain the amenity and safety of patrons utilising the First Fleet Park located north-east of the site. The illumination element of the structure is compliant with the relevant controls, ensuring surrounding land uses and developments remain unaffected.
- **The proposal is in the public interest** – the proposal is in the public interest as it does not hamper the safety for vehicles, pedestrians and cyclists. Further, the proposed advertising structure will display emergency messages regarding road safety or other public awareness messages, ensuring the proposal sits well within the public interest. The proposal also allows Sydney Trains to generate revenue through the proposed advertisement structure. All the revenue generated to Sydney trains from the digital sign will be invested back into the rail network and directed towards maintenance and upgrade works, ensuring enhanced transport services to the public.

Having considered all relevant matters, we conclude that the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

DISCLAIMER

This report is dated 28 July 2022 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of JCD (**Instructing Party**) for the purpose of Part 4 Division 4.6 Crown Development Application (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A

DEVELOPMENT APPLICATION FORM

APPENDIX B

OWNERS CONSENT

APPENDIX C

QS COST SUMMARY REPORT

APPENDIX D

SURVEY PLAN

APPENDIX E

ELEVATION PLAN

APPENDIX F

TRAFFIC SAFETY ASSESSMENT

APPENDIX G

LIGHTING IMPACT ASSESSMENT

APPENDIX H

PUBLIC BENEFIT STATEMENT

APPENDIX I

HERITAGE IMPACT ASSESSMENT

APPENDIX J

VISUAL IMPACT ASSESSMENT

APPENDIX K

PLAN OF MANAGEMENT