

Appendix 1 Response to Submissions

Heritage Council of NSW - 22 June 2023

Issue Raised	Response
<p><i>As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above integrated development application. In accordance with Section 4.47 of the Environmental Planning and Assessment Act 1979 (the Act), I will not grant approval of the above-described integrated development application for the following reasons:</i></p>	<p>A detailed response to each issue raised by Heritage Council is addressed below:</p>
<p><i>(1) The Newtown Railway Station group and Former Newtown Tram Depot is a place of State heritage significance that is protected on the State Heritage Register for its historical, associative, aesthetic, technical, social, representative and rarity values. The proposed LED-illuminated signage will have a detrimental impact on its aesthetic and social values.</i></p>	<p>In response to the issues raised by the Heritage Council an amended DA has been prepared. As part of the amendment, the sign will be relocated outside of the state heritage register and will no longer be physically attached to the bridge structure (being an item of SHI significance). Additionally, the sign will be reoriented away from a number of local heritage items.</p> <p>As a result of these improvements, the amended proposal is unlikely to give rise to significant impacts on the nearby state heritage curtilage.</p> <p>This is also reiterated within the HIS prepared by Wier Phillips, which concludes that (Appendix 7):</p> <p><i>...The proposed signage is now in an unobtrusive spot and will read, where visible in conjunction with the item, as a background element that is neither detracting from the streetscape, or prominent in any way...</i></p>
<p><i>(2) The amended proposed signage continues to produce unequivocal visual clutter to its surrounding environment.</i></p>	<p>As addressed within the SEE and Architectural Plans, the amended DA includes the removal of six poster style signs fixed to the King Street overbridge. The removal of these signs directly reduces visual clutter by simplifying and rationalising the number of signs within the area.</p>

Issue Raised	Response
	<p>The removal of these signs directly addresses the principles outlined in Section 2.4 of the Signage Guidelines. The proposed sign will exhibit a high-quality design that will encourage an active street frontage, support Newtown's night-time economy and provide visual interest.</p> <p>Further, the amended sign is now positioned in an unobtrusive setting, that is neither detracting from the streetscape or visually prominent. The amended location will ultimately reduce the perception of visual clutter as it will be observed as a background element rather than a standalone structure.</p> <p>It is noted the amended sign location is located in proximity to an existing business identification sign (Oporto sign) to the west. Notwithstanding, the proposed sign is not considered to negatively contribute to adverse visual clutter impacts for the following reasons:</p> <ul style="list-style-type: none"> • the proposed sign will be single-sided and the Oporto sign is double sided, thereby the two signs will only be visible together from one direction (westbound traffic) for a short period of time • the eastern side of the Oporto sign is largely screened by existing vegetation and therefore when viewed from this direction (westbound traffic) the sign is mostly obstructed from view (refer Appendix 9) • this vegetation and fencing will also assist in separating the Oporto sign from the proposed sign • the proposed sign is defined as an advertising sign, and the Oporto sign is a business identification sign, therefore these represent two different sign typologies, creating visual interest and diverse advertising • importantly, the Oporto sign is not the sole business identification sign for the Oporto premises, and therefore the installation of the proposed sign would not detract from its identification or customer capacity

Issue Raised	Response
	<ul style="list-style-type: none"> motorists travelling west along Enmore Road are unable to turn into the Oporto car park until the second (most western) driveway which is approximately 45m past the proposed digital advertising sign, at this location, the Oporto premise and other business identification signs relating to the premise are completely visible to motorists. <p>In light of the above, the proposal is considered to have minimal and acceptable contribute to visual clutter.</p>
<p>(3) <i>It continues to be inappropriate in size and scale and dominates and detracts from the aesthetic character of the SHR Item and its surrounding historical setting.</i></p>	<p>The signage has been reduced in depth as part of the previous RtS and RFI request (dated May 2023).</p> <p>Notwithstanding, as part of the amended DA, the perception of bulk and scale has now been substantially decreased as the signs positioning and location in proximity to vegetation and other structures appears rather than the previous structure which appeared as an individual element.</p> <p>As such, the amended DA ensures the aesthetic character of the state item and its surrounding setting is not dominated by the proposal.</p>
<p>(4) <i>It alters the sense of place of the locality as it negatively impacts the views and vistas created towards the SHR item along the Kings Street and Enmore Road streetscapes</i></p>	<p>The amended location of the sign is positioned so that it is outside of the state heritage curtilage, and additionally, to minimise impacts on the views towards the item.</p> <p>The amended location will ultimately reduce the impacts on views and vistas as it will be observed as a background element. Additionally, the positioning of the sign will not have any impact on views towards the item as it will not be visible from outside of the heritage item.</p> <p>This is also reiterated within the HIS prepared by Wier Phillips (Appendix 7):</p>

Issue Raised	Response
	<p>concludes</p> <p><i>...The signage will be visible, however, will be visible in conjunction with the numerous other elements that form part of the views and vistas towards the item along the King Street and Enmore Road streetscape, which is a busy commercial corridor already characterised by existing advertising signage...</i></p>
<p><i>(5) It is not possible to mitigate or minimise these impacts through conditions of approval.</i></p>	<p>Through the relocation and reorientation of the sign and additional removal of static signage, it is considered that the amended DA has mitigated the impacts on the State Heritage Item raised by Heritage Council.</p>
<p><i>(6) The application will result in a permanent detrimental impact to the overall significance of the SHR item and its setting.</i></p>	<p>In light of the above, it is considered that the amended DA will ensure that there will be no permanent, detrimental impact on the significance of the state heritage item and its setting and is concluded to result in an improved outcome when compared to previous iterations of the DA.</p>

TfNSW - 18 May 2023

Issue	Response
<p><i>Reference is made to the Department of Planning and Environment's (DPE) correspondence of 10 May 2023 inviting Transport for NSW (TfNSW) to comment on the Response to Submissions (RtS) for the proposed digital advertising sign on Enmore Road.</i></p> <p><i>TfNSW appreciates the opportunity to provide comment on the RtS and has no further comments, noting that the suggested conditions of its previous letter dated 14 October 2022 (Attachment A) remain applicable to the proposal.</i></p>	<p>Noted.</p> <p>Following TfNSW' response dated 18 May 2023, the Applicant has undertaken additional consultation with TfNSW to discuss the amended location (subject to this application). An overview of this is addressed in Section 3 of the SEE.</p>

Inner West Council - 22 May 2023

Issue	Response
<p><i>Council has reviewed the additional information and in summary, it is considered that the amended proposal still fails to satisfy relevant planning objectives and controls, is inappropriate to the character of the area and does not provide a public benefit. Following on from Council's letter dated 20 October 2022, the following concerns are yet to be satisfactorily addressed:</i></p>	<p>A response to each issue raised by Council is provided below.</p>
<p>(1) <i>Consistency with the underlying objectives of the EP&A Act 1979</i></p> <ul style="list-style-type: none"> <i>The sign is still not considered to promote good design within an area of high built and cultural heritage value and of prominent Aboriginal significance, and the sign is not considered to promote good amenity for existing local residents and future residents in close proximity.</i> 	<p>A detailed assessment against Clause 1.3 Objects of the Act is provided in the SEE. The proposal is consistent with the objectives for the following reasons:</p> <ul style="list-style-type: none"> the proposal promotes social and economic welfare of the community by generating revenue to improve and maintain the Sydney Trains rail network the proposal promotes the orderly and economic use of the land, by providing an advertising sign with widespread public benefits the proposal will not have any impact on threatened species or ecological communities the amended DA involves the relocation of the sign to ensure minimal adverse impacts on nearby heritage items. furthermore, the proposal removes several poster style signs located on the railway overpass which is a State Heritage Item. The removal of these signs will have a positive impact on the significance of the item. the proposed signage will be carefully constructed and maintained in accordance with the relevant requirements and conditions of approval the DA is submitted to DPE to enable its assessment, as part of the assessment process, several agencies and Councils have had/will have an opportunity to provide comments on the application

Issue	Response
	<ul style="list-style-type: none"> as part of DPEs assessment, the DA has been made publicly available. Any submission received has been addressed by the Applicant accordingly.
(2) <i>Permissibility</i>	
<ul style="list-style-type: none"> <i>As previously noted, the location of the sign is within SP2 – Rail Infrastructures Land, under the Inner West Local Environmental Plan 2022 (IWLEP 2022). The applicant notes that regardless of permissibility under the IWLEP 2022, the proposed sign is permissible with consent under Clause 3.14 of State Environmental Planning Policy (Industry and Employment) (Industry and Employment SEPP) as it is on behalf of Sydney Trains and is within a railway corridor.</i> <i>Council disagrees with this position for the following reasons:</i> <ul style="list-style-type: none"> <i>The proposal relies on Clause 3.14 of the Industry and Employment SEPP for permissibility, with no details provided regarding any advertising by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW.</i> <i>The applicant acknowledges that the specific detail of each advertisement is not yet known. However, Council contends this is an imperative requirement in order for the proposal to be permissible under Clause 3.14 of the Industry and Employment SEPP.</i> <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 IWLEP 2022. For the reasons previously mentioned in Council’s letter dated 13 December 2022, the proposal is inconsistent with the objectives of the SP2 – Rail Infrastructures zone under the IWLEP 2022, given that the sign is not identified to provide any function that would be considered ordinary, incidental or ancillary to the railway.</i> <p><i>As a result, Council maintains that the Minister must not grant consent to the sign.</i></p>	<p>The site is located within a transport corridor within the SP2 Rail Infrastructure zone. Sydney Trains are the landowners of the land, and the DA is submitted on their behalf.</p> <p>Additionally, Section 4 of the SEE and the Public Benefit Statement outlines the proposed sign will be available for emergency messaging and messaging from Sydney Trains and TfNSW for 5 minutes per hour.</p> <p>We note Councils concerns raised in the letter dated 13 December 2022. Following this, a detailed response was provided in our Response to Submissions, dated 9 May 2023. The response and conclusions outlined remain relevant and the proposed sign (as amended) is consistent with the land use objectives for the SP2 Infrastructure zone.</p> <p>Further, as outlined in the Public Benefit Statement, the proposed sign will generate revenue to maintain and improve Sydney Trains infrastructure.</p> <p>In light of the above, it is concluded that the application is permissible with consent in accordance with Section 3.14 of the Industry and Employment SEPP.</p>
(3) <i>Heritage and Local Character</i>	

Issue	Response
<ul style="list-style-type: none"> <i>As previously referred to in Council's letter dated 20 October 2022, the subject site is identified as being located within a heritage 'rich' area, is within the vicinity of numerous heritage items as identified under the IWLEP 2022 and Sydney Local Environmental Plan 2012. The site is within the curtilage of the State listed Newtown Railway Station and is located within the King Street and Enmore Road Heritage Conservation Area.</i> <i>The proposal still has not demonstrated that the issues raised in relation to impacts upon Heritage and Local Character have been satisfactorily addressed. Minimal changes have been proposed to the height, bulk and scale of the signage. The major amendment of note relates to the depth of the signage, being reduced from 1.05m to 590mm. As a result, the reasons previously outlined as to why the signage is not considered to be suitable for the subject site remain of concern.</i> 	<p>As outlined in the SEE and above responses, the amended DA ensures minimal and acceptable impacts on heritage items within the vicinity.</p> <p>Importantly, the signage has been relocated outside of the state heritage curtilage. The sign's amended location is in an unobtrusive spot and will appear as a background element, rather than dominating or detracting from the streetscape.</p> <p>As noted, the proposal also seeks to remove all the existing signs on the King Street overbridge, which will enhance the heritage significance of the bridge.</p> <p>It is considered the above amendments (in addition to the previous reductions in depth and bulk) will positively improve the immediately locality and ensure minimal impacts on nearby items of heritage significance.</p>
<ul style="list-style-type: none"> <i>Furthermore, Council disagrees with the responses provided by the applicant, most notably:</i> <ul style="list-style-type: none"> <i>The streetscapes are also interspersed with numerous contemporary streetscape elements including light poles, traffic lights, seating, bus stands and signage (both directional and commercial) – These elements are essential infrastructure for the safety of pedestrians when navigating throughout the public domain, in which the proposed signage is not considered to be essential infrastructure, nor are any of these structures of a scale comparative with the proposed signage.</i> <i>The proposed signage is consistent in character and scale with these elements and will generally be only obliquely visible in significant view corridors to and from these streets. Given these reasons, it is considered that the impact on the historic character of the streetscape will be minimal – The sign is of an excessive scale having regard to its context, is</i> 	<p>In the context of the immediate area, being a busy, urban corridor, it is not uncommon to have multiple signs visible along a given sightline. The amended DA is considered to contribute positively to the urban fabric and promote city life within the Newtown-Enmore precinct.</p> <p>Notwithstanding, the amended location is in an unobtrusive spot and will appear as a background element, rather than dominating or detracting from the streetscape.</p>

Issue	Response
<p><i>not characteristic or sympathetic to the character of the HCA, and is within a highly visible and prominent site of high traffic (at the intersection of King Street and Enmore Roads opposite Newtown Station), which is within the State listed curtilage of the Newtown Railway Station. For example, Figure 15 within the amended Visual Impact Assessment demonstrates that the indicative view of the proposed signage is of a bulk and scale significantly beyond that of surrounding development.</i></p>	
<ul style="list-style-type: none"> <i>It is also noted that on 4 January 2023, the Heritage Council of NSW provided a response which confirmed that the proposed signage was not supported and provided a recommendation of refusal.</i> 	<p>Noted. A detailed response to Heritage NSW has been provided above.</p>
(4) Consistency with legislation and policies	
<ul style="list-style-type: none"> <i>The amended proposal still has not demonstrated that it satisfies the requirements of Part 3 – Transport Corridor Advertising and Signage Guidelines and Schedule 5 – Assessment Criteria under SEPP (Industry and Employment) 2021, the aims and objectives of the Inner West Local Environmental Plan 2022 and the requirements of Part 8 under the Marrickville Development Control Plan 2011. As the response by the applicant has not assessed the proposal against the provisions of the MDCP 2011, Council cannot be satisfied that the proposal complies with the provisions of the MDCP 2011.</i> 	<p>An assessment against the Industry and Employment SEPP, Signage Guidelines, Inner West LEP and the Marrickville DCP has been provided for Councils review in the original DA and subsequent Response to Submissions.</p> <p>Additionally, a revised assessment against the relevant legislation and guidelines has been undertaken to reflect the amended DA is included in the SEE and Appendix 2.</p> <p>The assessment concludes the proposal is consistent with the objectives and generally complies with the provisions of the abovementioned legislation and guidelines.</p>
(5) Visual impacts upon surrounding residential properties	
<ul style="list-style-type: none"> <i>It is acknowledged that additional information within the Visual Impact Assessment has been provided to confirm the impacts to the surrounding residential properties, particularly to the nearest residential properties along Bedford Street. Following a review of this information, Council considers that the signage will present an adverse visual impact to the surrounding residential properties. Concern is still raised that the overall height and the</i> 	<p>As noted, the proposal also seeks to remove six existing signs on the King Street overbridge, which will enhance the heritage significance of the bridge.</p> <p>Although noting the proposed sign is 8.15m in height, the sign is located behind the railway bridge and will not be wholly visible from the street and nearby properties. Therefore, the signage will appear</p>


Issue	Response
<p><i>visual screen size of the signage has not been reduced, which is considered to be the greatest impact caused by the proposal. The sign still extends above the railway line, and thus will be visually obtrusive to the surrounding residential properties.</i></p> <ul style="list-style-type: none"> <i>The applicant has stated that the proposal will comply with all relevant requirements of AS 4282-2019: Control of the Obtrusive Effects of Outdoor Lighting, and that the signs do not emit light backwards whereby the residential properties to the east/rear of the sign will receive no illuminance during the night-time operation. However, no elevations have been submitted which clarify the visibility of the signage during the night-time period, including the associated luminance levels. As it is confirmed that illumination is still proposed for 24 hours a day, adverse impacts will be presented upon the residential amenity for properties along Bedford Street because of on-going glare and light spillage that is caused by the proposal. This has also considered the fact that post curfew illumination limits are being proposed, which require the signs illumination to be substantially lower between the hours of 11pm and 6am daily.</i> <i>Within Council's letter on 20 October 2022, details were requested which demonstrate view lines from the existing shop top housing developments along Enmore Road. The vantage points from these properties still have not been demonstrated, and therefore the assessment does not adequately consider how these dwellings would be affected by the proposal</i> 	<p>to only extend 4.66m above the railway bridge wall. The signage is 450mm deep and is not visually a bulky element.</p> <p>Given this, it is considered the amendments (in addition to the previous reductions in depth and bulk) will positively improve the immediately locality and ensure minimal impacts on nearby items of heritage significance.</p> <p>The amended DA, including the reorientation and relocation of the sign results in a reduction in the number of dwellings with potential views towards the sign.</p> <p>We note that 8 Enmore Road is identified as the nearest residential dwelling. A Lighting Impact Assessment (LIA) has been prepared to support the amended DA. The LIA confirms the proposed sign shall not cause any unacceptable impacts to nearby residences or accommodation.</p> <p>As noted, the Visual Impact Assessment prepared is limited to views from the closest representative point, as access to private residential properties is restricted.</p> <p>Notwithstanding this, the VIA and LIA confirm that the residential properties within the shop top housing along Enmore Road will not be adversely impacted by the proposed sign.</p>
<p>(6) Traffic/pedestrian safety</p> <ul style="list-style-type: none"> <i>Whilst it is acknowledged that Transport for NSW (TfNSW) have provided concurrence, we would like to bring to your attention that TfNSW have recommended a condition requiring dwell times between displays to be no shorter than 25 seconds.</i> <i>The current documentation specifies that dwell times will be for a minimum of 15 seconds, which is a consideration in determining</i> 	<p>Further consultation with TfNSW has been undertaken as part of the amended DA, TfNSW have advised that a minimum dwell time of 60 seconds is appropriate based on the speed environment.</p> <p>In accordance with TfNSW's advice, the recommended dwell time has been adopted.</p>

Issue	Response
<p><i>a safe stopping distance, and ultimately an appropriate location for the sign.</i></p> <ul style="list-style-type: none"> <i>Furthermore, the amended documentation has not provided further clarification or justification as to why the non-compliance with the required safe stopping distance is appropriate. The examples that are referenced are the same examples previously provided within the documentation.</i> 	<p>Furthermore, the amended DA would be located 75m beyond the stop line. Therefore, the sign would not be located within the SSD of the stop line at the King Street and Enmore Road intersection.</p>
(7) <i>Impacts upon the Public Domain & Entertainment Precinct</i>	
<ul style="list-style-type: none"> <i>The response provided by the applicant has been considered, however Council does not agree with this response and the subsequent impacts that the proposal will have on the public domain and Enmore Road Entertainment Precinct for the reasons that have been previously outlined.</i> 	<p>Through the relocation and reorientation of the sign and additional removal of static signage, it is considered that the amended DA has mitigated the impacts on the public domain.</p>
(8) <i>Public Benefit & Interest</i>	
<ul style="list-style-type: none"> <i>The amended documentation still fails to demonstrate a direct public benefit provided by the proposal, such as a framework/mechanism to support this claim. Council does not agree that the public benefits stated by the applicant outweigh the adverse impacts that the signage will have on the surrounding locality</i> 	<p>Direct public benefits have been outlined in the SEE and the accompanying Public Benefit Statement.</p>

City of Sydney Council - 26 June 2023

Issue	Response
<p><i>All of the issues outlined in our previous letter dated 19 October 2022 remain relevant. For simplicity, we have not reproduced those comments in detail below, but seek to rely on those comments alongside the following additional comments provided on the RtS.</i></p>	<p>A response to each issue raised by Council is provided below.</p>
<p>(1) Amended Design</p> <ul style="list-style-type: none"> <i>The Response to Submissions letter prepared by Keylan Consulting states that design amendments have been undertaken to improve the overall design of the sign.</i> <i>The letter states that the “signage width has been significantly reduced by 600mm from 1,050mm to 450mm.” A review of the amended Architectural Plans indicates that changed has very minimal impact on the overall scale and appearance of the sign.</i> <i>The letter is also misleading in that it states that this has been reduced to 450mm, when it is in fact 590mm on the northern side as shown on the plans. At various points, the RtS letter states that the issues raised have been “successfully responded to by reducing the overall size of the signage.” This is clearly incorrect.</i> <i>In addition, it is noted that the height of the signage structure has increased in this submission by 450mm, which further exacerbates the impact of the sign. Overall, the scale and design of the sign remain unacceptable, and the sign should be refused.</i> 	<p>The signage depth is consistent on both elevations, being 450mm, which is a substantial reduction (57%) when compared to previous versions of the DA. The dimensions and details of the sign are shown on the Architectural Plans (Appendix 3).</p> <p>Although noting the proposed sign is 8.15m in height, the sign is located behind the railway bridge and will not be wholly visible from the street and nearby properties. Therefore, the signage will appear to only extend 4.66m above the railway bridge wall. The signage is 450mm deep and is not considered visually a bulky element.</p> <p>Given this, it is considered the amendments (in addition to the previous reductions in depth and bulk) will positively improve the immediately locality and ensure minimal impacts on the streetscape.</p>
<p>(2) Heritage and streetscape impacts</p> <ul style="list-style-type: none"> <i>The City maintains its objection to this DA on heritage grounds for the reasons outlined under Point 1 of our previous letter.</i> <i>A revised Heritage Impact Statement (HIS) has been submitted with the RtS package. While the HIS provides additional assessment of the proposal, the proposal remains unacceptable due to the detrimental impacts it would have on the State heritage item, the Enmore Road Heritage Conservation Area and the King Street Heritage Conservation Area.</i> 	<p>In response to heritage related issues, an amended DA has been prepared. As part of the amendment, the sign will be relocated outside of the state heritage register and will no longer be physically attached to the bridge structure (being an item of SHI significance). Additionally, the sign will be reoriented away from a number of local heritage items.</p> <p>As a result of these improvements, the amended proposal is unlikely to give rise to significant impacts on the nearby state heritage curtilage.</p>

Issue	Response
<ul style="list-style-type: none"> <i>The sign continues to detract from the historic character of the area, fails to complement the State heritage item that it is located on, extends well above the typical awning height in the locality, is out of scale with its surrounding, contributes to excessive visual clutter and obscures important view corridors.</i> <i>It is also understood that Heritage NSW refused the Integrated DA due to a number of significant issues which would ultimately result in a permanent detrimental impact to the overall significance of the State heritage item.</i> <i>Therefore, the proposal is unable to satisfy the relevant provisions of the Heritage Act 1977 and Clause 5.10 of the Inner West LEP 2012 and should be refused.</i> 	<p>It is considered that the amended DA will ensure that there will be no permanent, detrimental impact on the significance of the state heritage item and its setting and is concluded to result in an improved outcome.</p>
(3) Visual Impacts	
<ul style="list-style-type: none"> <i>No significant changes have been made to the size and scale of the sign to reduce its visual impacts. Instead, the height of the structure has increased by 450mm.</i> <i>Therefore, the comments raised under point 2 of our previous letter remain relevant and we maintain our position that the sign is excessive in height and scale, is completely overbearing to its surrounding and contributes detrimental visual bulk and clutter within the locality.</i> <i>A revised VIA has been submitted. This does not adequately address the issues raised in our previous letter. In particular, the VIA still presents a visual catchment only the on the western side of the sign and fails to give any consideration to the visual impact of the sign when viewed from the east, south or north. The proposal is for a large, overbearing structure and it is incorrect to assume that the only visual impact will be from the side where the digital advertising can be viewed.</i> <i>We therefore maintain our position that the VIA is inadequate. The information that it does provide demonstrates the detrimental visual impact that the sign will have on the Enmore Road and King Street locality and the undesirable permanent visual clutter that it will contribute</i> 	<p>As noted, the proposed sign is 8.15m in height, the sign is located behind the railway bridge and will not be wholly visible from the street and nearby properties. Therefore, the signage will appear to only extend 4.66m above the railway bridge wall. The signage is 450mm deep and is not considered visually a bulky element.</p> <p>Additionally, the sign's amended location is in an unobtrusive spot and will appear as a background element, rather than dominating or detracting from the streetscape.</p> <p>Given this, it is considered the amendments (in addition to the previous reductions in depth and bulk) will positively improve the immediate locality and ensure minimal impacts on the streetscape.</p> <p>The rear of the amended sign is surrounded by landscaping and will not be visible from the western elevation as shown in the figure below.</p>

Issue	Response
	 <p>A revised VIA has been prepared and submitted with the amended DA. The VIA concludes the proposal is considered to result in acceptable visual impacts and will provide for a compatible signage structure with the surrounding streetscape of Enmore Road.</p>
<p>(4) Inconsistency with the State Environmental Planning Policy (Industry and Employment) 2021</p> <ul style="list-style-type: none"> <i>In addressing Schedule 5 of the Industry and Employment SEPP, the RtS letter states that design amendments have been undertaken that have “reduced overall visual bulk, clutter and diminished the impact on views along Enmore Rd, the footpath and adjacent pedestrian crossing.”</i> <i>As outlined under Point 1 above, the City disagrees that the RtS has reduced the overall visual bulk of the sign and instead note that the height of the structure has increased, which is unacceptable.</i> <i>We again disagree with the proponent’s assessment against Schedule 5 of the Industry and Employment SEPP for the reasons outlined under Point 3 of our previous letter.</i> 	<p>As noted, the proposed sign is 8.15m in height, the sign is located behind the railway bridge and will not be wholly visible from the street and nearby properties. Therefore, the signage will appear to only extend 4.66m above the railway bridge wall. The signage is 450mm deep and is not considered visually a bulky element.</p> <p>Additionally, the sign’s amended location is in an unobtrusive spot and will appear as a background element, rather than dominating or detracting from the streetscape.</p>
<p>(5) Transport and traffic impacts</p> <ul style="list-style-type: none"> <i>Our previous submission raised concern regarding the location of the proposed sign in proximity to the nearby intersection, having</i> 	<p>Further consultation with TfNSW has been undertaken as part of the amended DA, TfNSW have advised that a minimum dwell time of 60 seconds is appropriate based on the speed environment.</p>

Issue	Response
<p><i>regard to Part 3 of the Transport Corridor Advertising and Signage Guidelines. The RtS letter states that the non-compliance is “considered to be acceptable in this instance as the proposed sign would not be expected to cause an unsafe level of distraction for motorists on approach to the respective traffic signals.” We disagree with this sentiment and maintain our position that the location of the sign only 18m from the intersection (compared to the 34m required under the safe sight distance in the SEPP) is unsafe and is strongly not supported by the City.</i></p>	<p>In accordance with TfNSW’s advice, the recommended dwell time has been adopted.</p> <p>Furthermore, the amended DA would be located 75m beyond the stop line. Therefore, the sign would not be located within the SSD of the stop line at the King Street and Enmore Road intersection.</p>
(6) Public benefit	
<ul style="list-style-type: none"> <i>The RtS provides little response to the issues raised by the City with regard to the public benefit.</i> 	<p>Direct public benefits have been outlined in the SEE and the accompanying Public Benefit Statement.</p>
<ul style="list-style-type: none"> <i>No further detail has been provided to clarify that the proposed ‘improvement and maintenance programs’ are and how this demonstrates a direct link to public benefit.</i> 	
<ul style="list-style-type: none"> <i>Our position therefore remains that there is insufficient information provided to demonstrate how the proposal will provide a direct public benefit, other than creating a revenue that will be invested back into the public transport network, which is an existing core responsibility of Sydney Trains.</i> 	
<p><i>In summary, the City strongly objects to the proposed sign due to the issues raised in both this letter and our previous submission dated 19 October 2022. The proposal does not satisfy any of the relevant State or Local planning objective and controls, results in permanent detrimental impact to the State heritage item and surrounding area and does not provide adequate public benefit. The City therefore recommends that DPE refuse the application.</i></p>	<p>In light of the above, there will be no permanent, detrimental impact on the significance of the state heritage item and its setting and is concluded to result in an improved outcome.</p>