



**KEYLAN**  
consulting pty ltd

Suite 2, Level 1  
1 Rialto Lane  
Manly NSW 2095

# Statement of Environmental Effects

Digital Advertising Signage  
Kissing Point Road, Dundas



Prepared for JCDecaux on behalf of Sydney Trains  
Submitted to the Department of Planning, Industry and  
Environment

**February 2022**



This report has been prepared by:

This report has been reviewed by:



Nic Najar B Prop (DIV)  
 Planner

E: [nic@keylan.com.au](mailto:nic@keylan.com.au)



Padraig Scollard MRUP  
 Principal Planner

E: [padraig@keylan.com.au](mailto:padraig@keylan.com.au)



Michael Woodland BTP MPA  
 Director

E: [michael@keylan.com.au](mailto:michael@keylan.com.au)

Cover image: The proposed sign as viewed from Kissing Point Road (Eastbound) (Source: JDCecaux)

All Rights Reserved. No material may be reproduced without prior permission of KEYLAN Consulting Pty Ltd. While KEYLAN Consulting Pty Ltd working on this project has tried to ensure the accuracy of the information in this publication, it accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in the information in this report. This report has relied on information provided by JDCecaux in good faith and accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in the information in this report.

Revision	Prepared by	Reviewed by	Date	Revision Type
1	NN/PS	MW	17/02/22	Final

## Table of Contents

<b>1</b>	<b>Introduction .....</b>	<b>6</b>
1.1	Pre-Lodgement Meeting .....	7
1.2	Consultation with Transport for NSW .....	7
<b>2</b>	<b>The Site and locality .....</b>	<b>8</b>
2.1	Site Description .....	8
2.2	Existing Road Environment .....	9
2.3	Surrounding Locality .....	9
<b>3</b>	<b>The Proposal .....</b>	<b>12</b>
3.1	Digital LED Technology for Outdoor Advertising .....	14
3.2	Digital LED Screen Operation and Management .....	14
<b>4</b>	<b>Statutory Planning Framework .....</b>	<b>16</b>
4.1	Environmental Planning and Assessment Act 1979 .....	16
4.2	Roads Act 1993 .....	18
4.3	Heritage Act 1977 .....	18
4.4	State Environmental Planning Policies .....	18
4.4.1	State Environmental Planning Policy No. 64 – Advertising and Signage .....	19
4.4.2	Transport Corridor Advertising and Signage Guidelines 2017 .....	22
4.4.3	State Environmental Planning Policy (Infrastructure) 2007 .....	23
4.5	Parramatta Local Environmental Plan 2011 .....	23
4.5.1	Zoning .....	23
4.5.2	Heritage .....	24
4.6	Parramatta Development Control Plan 2011 .....	25
<b>5</b>	<b>Environmental Planning Assessment .....</b>	<b>27</b>
5.1	Road safety .....	27
5.1.1	Road environment .....	27
5.1.2	Signage exposure .....	28
5.1.3	Stopping sight distance .....	28
5.1.4	Road safety criteria – SEPP 64 Guidelines .....	29
5.1.5	Road safety summary .....	33
5.2	Illumination .....	33
5.2.1	Illumination criteria – SEPP 64 Guidelines .....	34
5.2.2	AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting .....	34
5.2.3	Illumination summary .....	36
5.3	Heritage .....	37
5.4	Visual Impacts .....	38
5.4.1	Vineyard Creek Reserve .....	38
5.4.2	Western residential receivers .....	39
5.4.3	Residential properties east of the bridge .....	42
5.4.4	View impacts from heritage items .....	42
5.4.5	Visual impact summary .....	43
5.5	Site suitability .....	43
5.6	Public benefit .....	44
<b>6</b>	<b>Conclusion .....</b>	<b>45</b>

## Figures

Figure 1: Site context (Base source: Six Maps) .....	8
Figure 2 Existing Kissing Point Road overpass – view traveling eastbound (Source: Keylan) .....	9
Figure 3: View looking northeast from southern side of Kissing Point Road .....	10
Figure 4: View looking east from 78 Kissing Point Road .....	10
Figure 5: View looking east from Vineyard Creek Reserve and 78 Kissing Point Road .....	11
Figure 6: View Looking southeast from Vineyard Reserve entrance .....	11
Figure 7: Digital signage plan (Source: JCDecaux) .....	12
Figure 8: Northwest elevation of proposed sign (Source: JCDecaux) .....	13
Figure 9: Photomontage of view from Kissing Point Road (Source: JCDecaux) .....	13
Figure 10: Zoning Extract (Source: PLEP 2011) .....	24
Figure 11: Heritage Map extract (Source: PLEP 2011) .....	25
Figure 12: Safe Stopping Distance Kissing Point Road (Source: TTPP) .....	28
Figure 13: Location of assessed residential properties (Source: Electrolight) .....	35
Figure 14: Location of heritage items in proximity to the sign (Base Source: Six Maps) .....	37
Figure 15: View to the Site from Vineyard Creek Reserve .....	38
Figure 16: View northwest from Kissing Point Road bridge to Vineyard Creek Reserve .....	39
Figure 17: Photo Plan showing Figures 20 to 22 .....	40
Figure 18: No 78 Kissing Point Road looking south from Vineyard Creek Reserve .....	41
Figure 19: View looking Southeast from Vineyard Creek Reserve .....	41
Figure 20: View looking west from below Kissing Point Road Bridge to 78 Kissing Point Road .....	42

## Tables

Table 1: Project Summary .....	5
Table 2: List of Appendices .....	6
Table 3: Development summary .....	12
Table 4: Display specifications (Source: Electrolight Australia Pty Ltd) .....	15
Table 5: Assessment against Objectives of the EP&A Act .....	17
Table 6: Section 4.15(1) assessment .....	18
Table 7: Schedule 1, SEPP 64 Consideration .....	22
Table 8: PDCP 2011 Assessment .....	26
Table 9: Existing Road environment (Source: TTPP) .....	27
Table 10: Sign location criteria – Section 3.2 of the SEPP 64 Guidelines (Source: TTPP) .....	31
Table 11: Sign design and operation criteria – Section 3.2 of the SEPP 64 Guidelines (Source: TTPP) .....	32
Table 12: Luminance levels for digital advertisements criteria – SEPP 64 Guidelines .....	34
Table 13 - Property address and environmental criteria rating .....	34
Table 14: Maximum lighting limit (post-curfew) .....	35
Table 15: Obtrusive lighting and threshold increment calculations .....	36

## Appendices

Appendix 1	SEPP 64 & Transport Corridor Advertising Signage Guidelines Assessment
Appendix 2	Architectural Plans
Appendix 3	Signage Safety Assessment
Appendix 4	Lighting Impact Assessment
Appendix 5	Public Benefit Statement
Appendix 6	Site Survey

## Project Summary

Project Element	Summary of the project
Proposed Signage	<ul style="list-style-type: none"> <li>erection of a new sign on the northwest façade of the railway bridge at Kissing Point Road</li> </ul>
Advertising Display Area	<ul style="list-style-type: none"> <li>20.75m<sup>2</sup> (7.986m x 2.598m + logo)</li> </ul>
Visual Screen Size	<ul style="list-style-type: none"> <li>16.25m<sup>2</sup> (7.936m x 2.048m)</li> </ul>
Site Description	<ul style="list-style-type: none"> <li>Lots 206 and 207 in DP 1185758</li> </ul>
Visual Impacts	<ul style="list-style-type: none"> <li>the visual impact with the sign is assessed as minor on the nearest residential receivers</li> <li>visual impacts are addressed at Section 5.4</li> <li>the assessment concludes that No.78 Kissing Point Road is the greatest impacted residential receiver however it can coexist with the sign in the urbanised road environment</li> <li>other surrounding residential receivers at 69 and 73 Kissing Point Road will have negligible impacts</li> <li>residential receivers east, northeast and southeast of the sign will have negligible visual impacts</li> </ul>
Lighting Impacts	<ul style="list-style-type: none"> <li>the lighting impacts associated with the sign shows it to comply with the relevant Australian standards and guidelines</li> <li>at Section 5.2 of this SEE lighting is assessed in detail.</li> <li>the assessment concludes the proposal can proceed subject to recommendations outlined in the LIA which is provided at Appendix 4</li> </ul>
Road Safety Impacts	<ul style="list-style-type: none"> <li>signage safety assessment and discussions presented within this report shows that the proposal would be acceptable from a road safety perspective.</li> </ul>
Heritage Impacts	<ul style="list-style-type: none"> <li>the site is located near to both local and State heritage items. An assessment of heritage impacts is at Section 4.5.2 and 5.3 of this SEE</li> <li>the visual impact on the State heritage item is minimal as there is sufficient distance between the Site and State item</li> <li>the railway corridor provides for sufficient screening which ensures there isn't a direct sight line from the station to the Site</li> <li>impacts on the State and local items of heritage are negligible given the location and orientation of the sign</li> </ul>
Public Benefit	<ul style="list-style-type: none"> <li>the proposal incorporates appropriate public benefit mechanisms as required by SEPP 64 and the Transport Corridor Outdoor Advertising and Signage Guidelines</li> <li>public benefit is addressed at Section 5.6 of this SEE</li> </ul>
Hours of Operation	<ul style="list-style-type: none"> <li>24 hours, 7 days a week</li> </ul>
Cost of Works	<ul style="list-style-type: none"> <li>\$352,000 inclusive of GST</li> </ul>

Table 1: Project Summary



## 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by *Keylan Consulting Pty Ltd* (Keylan) for JCDecaux on behalf of *Sydney Trains* (the Applicant) to accompany a Development Application (DA) for digital advertising signage on a railway bridge at Kissing Point Road, Dundas, within the Parramatta Local Government Area (LGA).

As Sydney Trains is the Applicant, the Minister for Planning and Public Spaces (the Minister) is the consent authority for the application, as prescribed under clause 12(c) of SEPP 64. Accordingly, this SEE has been prepared and is submitted to the Department of Planning, Industry and Environment (DPIE) pursuant to the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

As the Applicant is a public authority, the subject application is a Crown Development Application pursuant to Part 4 Division 4.6 of the EP&A Act. Further, pursuant to the provisions of section 4.44, Division 4.8 of the EP&A Act, the subject application is not integrated development as it is made by or on behalf of the Crown.

This SEE also includes a detailed assessment of the operation of the proposed digital advertising signage against the requirements outlined in the *Transport Corridor Outdoor Advertising and Signage Guidelines, Assessing Development Applications under SEPP 64* (DP&E, 2017) (SEPP 64 Guidelines).

The proposed development comprises:

- new bridge sign in landscape format on the northern face of the railway bridge, visible to traffic travelling in an eastbound direction on Kissing Point Road
- dimensions: 7.986 metres x 2.598 metres (Super 8)
- advertising display area 20.75m<sup>2</sup>
- visual screen size: 16.25m<sup>2</sup>
- structural supports for the sign
- alterations to the railway bridge balustrade to create an access gate and associated access platform

The application seeks consent to operate the sign for a period of 15 years. The estimated cost of works of the development is \$352,000 inclusive of GST. This SEE should be read in conjunction with the following supporting documents:

Supporting documentation	Appendices
SEPP 64 & Transport Corridor Advertising and Signage Guidelines Assessment	Appendix 1
Architectural Plans	Appendix 2
Signage Safety Assessment	Appendix 3
Lighting Impact Assessment	Appendix 4
Public Benefit Statement	Appendix 5
Site Survey	Appendix 6

Table 2: List of Appendices

## 1.1 Pre-Lodgement Meeting

On 2 December 2021, a DA pre-lodgement meeting was convened with DPIE to discuss key issues associated with the development application.

The meeting provided an opportunity for JCDecaux to introduce the site and the proposal and to facilitate discussion on key issues that are considered as part of this DA. The application has been prepared in accordance with the advice given at the pre-lodgement meeting with DPIE.

The key issues raised include:

- **Road Safety** – concurrence from Transport for NSW (TfNSW) is recommended
- **Amenity** – proposals should consider neighbouring residential uses and potential light spill impacts
- **Visual Impact** – proposals should avoid blocking other signs and seek to reduce visual clutter
- **Heritage/National Parks** – proposals should respect architecture of bridge and sensitive areas
- **Public Benefit** – proposals should show how they are specifically providing public benefit under SEPP 64

This application has been prepared with consideration of the issues raised by DPIE during the pre-lodgement meeting. These issues are addressed at Section 5.

## 1.2 Consultation with Transport for NSW

A meeting was convened with TfNSW to discuss traffic and road safety issues associated with the development application. During this meeting TfNSW suggested to increase the proposed dwell time to reflect an 80 km/h speed limit rather than the applicable 60 km/h speed limit. This would increase the dwell time from 10 seconds to 25 seconds. Based on this feedback, the proposed dwell time has been amended to 25 seconds.

TfNSW also advised that the signage display should be switched to a fixed (static) display during school zone hours. As detailed in Section 5.1.4, the sign will be fixed (static) during school zone hours.

## 2 The Site and locality

### 2.1 Site Description

The Site is located on the railway bridge overpass of a 6-lane classified road which travels in an east and west direction. The sign is to be fixed to the railway bridge on the north-western side visible to traffic travelling in an eastbound direction.

The road environment supports low, medium and high density residential. Dundas Public School, located 140 metres toward the east, also accesses this road. The Site is within 50 metres of Vineyard Creek Reserve, an environmental conservation zone which includes Vineyard Creek and public open space at Fred Robertson Park.

The Site context is shown in Figure 1.



Figure 1: Site context (Base source: Six Maps)

The proposed sign as viewed from Kissing Point Road (Eastbound) is shown in Figure 2 Existing Kissing Point Road overpass – view traveling eastbound (Source: Keylan)

There are no existing advertising signs on the bridge.





Figure 2 Existing Kissing Point Road overpass – view traveling eastbound (Source: Keylan)

## 2.2 Existing Road Environment

Kissing Point Road is an established road corridor and comprises a dual carriageway with three traffic lanes in both directions. On approach to the railway overpass a speed limit of 60 km/h applies. During weekdays a school zone speed limit of 40 km/h applies for traffic travelling in both directions. The school zone starts and ends approximately 320 metres away east and west of the railway bridge.

There are pedestrian footpaths on both sides of the road and no parking is permitted during the clearway times. On-road cycling is permitted, however no formal cycling facilities are provided.

## 2.3 Surrounding Locality

The advertising sign will be located within an established Sydney Trains corridor and visible from Kissing Point Road, an established TfNSW Road Corridor. Development surrounding the Site and in proximity to the road corridor includes:

- residential dwellings ranging from single dwellings to apartment buildings to the north, east and south, the nearest dwelling is approximately 50 metres from the Site
- Dundas Public School approximately 140 metres east of the Site
- Vineyard Creek Reserve approximately 50 metres away and Fred Robertson Park approximately 250 metres away
- variable transport identification signage within the immediate locality

Photos of the Site and surrounding locality are provided in Figure 3 to Figure 6.



Figure 3: View looking northeast from southern side of Kissing Point Road



Figure 4: View looking east from 78 Kissing Point Road





Figure 5: View looking east from Vineyard Creek Reserve and 78 Kissing Point Road



Figure 6: View Looking southeast from Vineyard Reserve entrance

### 3 The Proposal

The proposal involves the installation of a digital advertising sign attached to the north-western elevation of the bridge above Kissing Point Road in Dundas.

The development is summarised in Table 3.

Development Aspect	Description
<b>Development summary</b>	Installation of a new digital advertising sign on a railway bridge over Kissing Point Road
<b>Signage location</b>	Sign is proposed on the north-western elevation of the bridge (visible to east bound traffic)
<b>Advertising display area</b>	20.75 m <sup>2</sup> (7.986 metres x 2.598 metres + logo)
<b>Visual Screen Size</b>	16.25 m <sup>2</sup> (7.936 metres x 2.048 metres)
<b>Road clearance from ground level to the sign</b>	5.72 metres clearance to road from bridge
<b>Dwell time</b>	25 seconds
<b>Signage exposure</b>	Visibility and readability is from a distance of 10 metres to 200 metres
<b>Illumination</b>	The digital signage is illuminated using LEDs installed within the front face
<b>Consent time period</b>	15 years
<b>Existing signage</b>	none

Table 3: Development summary

Architectural drawings for the sign are shown in Figure 7 and Figure 8 and provided within the Architectural package at Appendix 2. A photomontage of the sign, as viewed from Kissing Point Road, is provided at Figure 9.

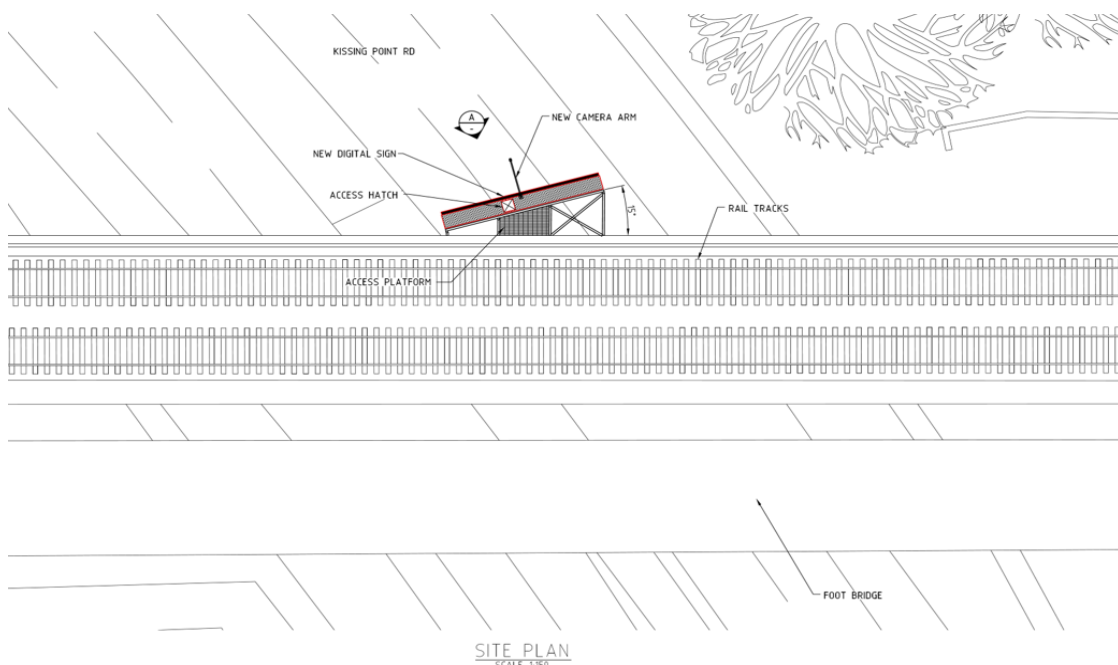


Figure 7: Digital signage plan (Source: JCDecaux)



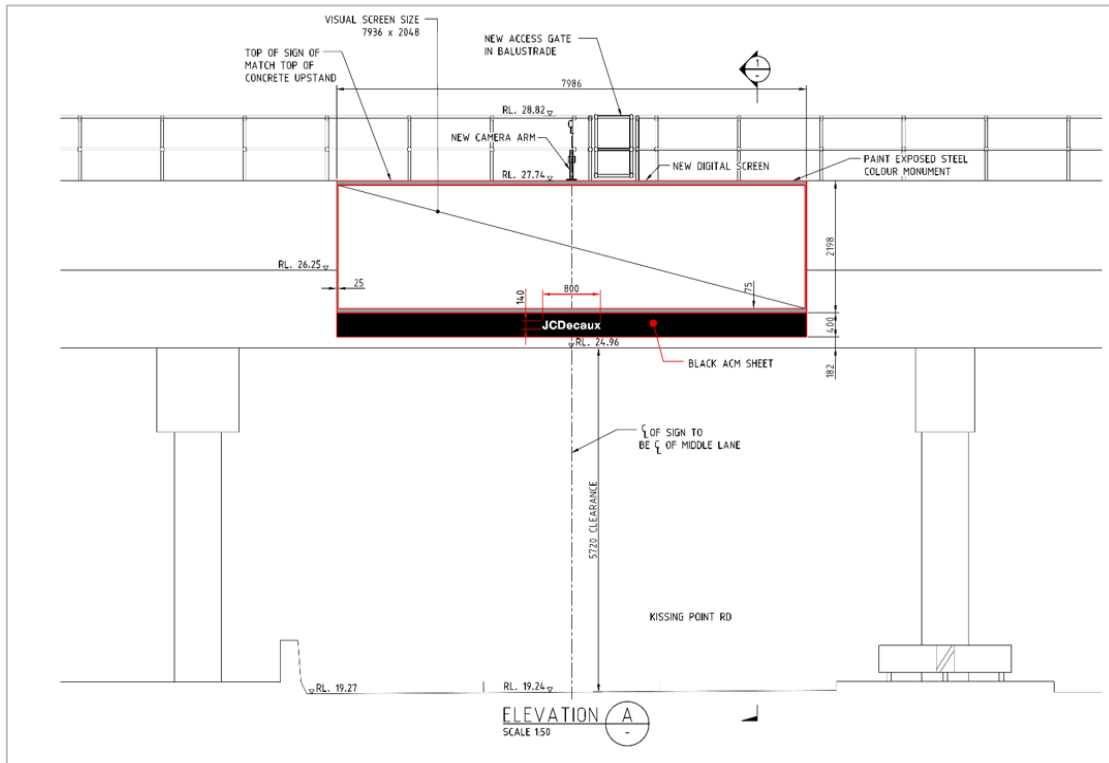


Figure 8: Northwest elevation of proposed sign (Source: JCDecaux)



Figure 9: Photomontage of view from Kissing Point Road (Source: JCDecaux)



### 3.1 Digital LED Technology for Outdoor Advertising

Outdoor advertising requires changeable signs or images. Traditional outdoor advertising billboards require manual change of materials (paint, paper and vinyl) either pasted onto billboards or tensioned across support frames. The introduction of digital technology has enabled new methods to change signage without regular manual change to the advertising signage.

A LED or digital screen will present a very high-quality image by adopting a pixel pitch of 10mm in accordance with industry standards. A digital screen is comprised of a cluster of red, green, blue and amber diodes driven together to form a full colour pixel usually square in shape. These pixels are spaced evenly apart and are measured from centre to centre for absolute pixel resolution.

The proposed digital advertising sign will only display static content. The LED display will not scroll, flash or feature motion pictures or emit intermittent light. The advertising signage includes an operation management system to ensure that only static images are displayed.

### 3.2 Digital LED Screen Operation and Management

JCDecaux will operate the content management system for the advertising signage. This management system ensures that unapproved content is not downloaded either by mistake or without appropriate authorisation.

A webcam will monitor operation of the sign 24 hours a day. A motion threat response is built into the display, which will make the screen incapable of displaying movement or live video feed. In the event that unapproved content is displayed the signage will, by default, revert to a black screen format immediately.

The LED screen will display content in feed cycles that are sequentially rotated on a loop cycle. Static digital advertisements will appear on the screen for a 25 second dwell time before changing to a new static digital image. There will be a 0.1 second transition time between images, which appears instantaneous.

The proposed dwell time is consistent with the global and national operation of LED screens, variable messaging and scrolling technology as demonstrated below:

- the dwell time for electronic signage in the United States is typically 8 seconds
- scrolling technology is typically 7 to 8 seconds
- NSW TfNSW variable messaging signage works on a 3 second transition time for both information and emergency displays
- the 25 second dwell time specified for this 60 km/hr speed zone is consistent with and exceeds the minimum 10 seconds required by the SEPP 64 Guidelines

JCDecaux will implement content controls for the proposed signage, including:

- no tobacco products
- no overtly religious advertising
- no advertising that contains overt and sexually graphic images
- no pornography and illegal drugs

Further, all advertising copy material will comply with the following:

- Australian Advertising Industry Code of Conduct
- The Outdoor Media Association (OMA) Code of Conduct

### Sign Access

The proposal involves the alterations of the existing railway bridge balustrade to enable safe access and maintenance of the proposed sign. The proposal also involves the construction of an access platform from the railway bridge to enable appropriate access and maintenance in a safe manner.

### Maintenance

JCDecaux will be responsible for maintenance of the signage structure. Maintenance will generally be undertaken by employees of JCDecaux during the night to protect the below road environment.

### Hours of Operation

The proposed signage is for 24-hour operation. The proposed hours of operation comply with AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting. Refer to the LIA at Appendix 4.

Table 4 identifies the signage's operational details.

Display Specification	
Product specification	8mm Super 8
Matrix size (WxH)	992 pixels x 256 pixels
Aspect ratio	3.875:1
Display weight	943g
Display weight per m <sup>2</sup>	58kg/m <sup>2</sup>
Total average power consumed	3.98kw
Total max. power consumed	9.75kw
Max. power consumption per m <sup>2</sup>	600w/m <sup>2</sup>
Current draw	43 amps max load
Mains recommendation	Three-phase rated at 20 amps per phase

Table 4: Display specifications (Source: Electrolight Australia Pty Ltd)

## 4 Statutory Planning Framework

### 4.1 Environmental Planning and Assessment Act 1979

As the Applicant is a public authority, the subject application is a Crown Development Application pursuant to Part 4 Division 4.6 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Under section 4.44 of the EP&A, integrated development provisions under Division 4.8 of the EP&A Act do not apply to Crown Development Applications (other than development that requires a heritage approval). Accordingly, the subject application is not integrated development.

The proposal is consistent with the objects of the EP&A Act as it is considered to promote the orderly and economic use and development of land without resulting in an adverse impact on the environment. Detailed assessment against the objects of the EP&A act is provided below.

Objective	Comment
(a) <i>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The development promotes the social and economic welfare of the community by generating revenue to improve and maintain the Sydney Trains network and provide messages to the community during key periods on behalf of the NSW Government
(b) <i>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	This SEE provides information on the relevant economic, environmental and social impacts of the proposed development to enable the consent authority to undertake a thorough environmental assessment and assist in its decision-making on the application
(c) <i>to promote the orderly and economic use and development of land,</i>	The development promotes the orderly and economic use of the land by providing a new digital advertising sign within an established transport corridor that will provide public benefits including the generation of revenue to contribute to improving and maintaining the Sydney Trains network
(d) <i>to promote the delivery and maintenance of affordable housing,</i>	Affordable housing does not form part of this application
(e) <i>to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	The development will not impact on any threatened species or other species of native animals and plants, ecological communities and their habitats
(f) <i>to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	There are no significant historical or Aboriginal cultural heritage features at the Site that will be impacted by the development
(g) <i>to promote good design and amenity of the built environment,</i>	The development will be located within an established transport corridor. The design of the sign is considered to promote good design and will not have an adverse impact on the amenity of the surrounding location

Objective	Comment
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The development will be constructed and maintained in accordance with any conditions of approval issued by the consent authority and the relevant requirements that relate to health and safety, construction and maintenance
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	This SEE is submitted to DPIE to enable an environmental assessment of the application. It is expected that the SEE will be referred by DPIE to other State agencies and Council for further assessment and comment
(j) to provide increased opportunity for community participation in environmental planning and assessment.	As part of DPIE's assessment of the application, the SEE will be made publicly available and the community, Council and State agencies will be invited to provide comment via a submission on the proposal. Any submissions received will be addressed as part of a Response to Submissions Report

Table 5: Assessment against Objectives of the EP&A Act

This section of the report provides the planning assessment against the key statutory environmental planning instruments and Development Control Plans relevant to the development. The following detailed assessment of the proposal is provided and is based on the heads of consideration contained in section 4.15 of the EP&A Act.

Relevant Provision	Comment
(a) the provisions of:	
(i) any environmental planning instrument, and	The relevant environmental planning instruments are addressed at Section 4
(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	The relevant proposed environmental planning instruments are addressed at Section 4
(iii) any development control plan, and	The Parramatta Development Control Plan 2011 is addressed at Section 4.6
(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	No planning agreement or draft planning agreement has been entered into as part of this application
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The application is consistent with the relevant matters of the EP&A Regulations
(v) (Repealed)	N/A
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments,	The impacts of the proposal are addressed in Section 5

Relevant Provision	Comment
<i>and social and economic impacts in the locality,</i>	
(c) <i>the suitability of the site for the development,</i>	Site suitability is addressed at Section 5.5
(d) <i>any submissions made in accordance with this Act or the regulations,</i>	Any submissions made on this subject development application will be duly considered and addressed by the Applicant
(e) <i>the public interest.</i>	Public interest is addressed at Section 5.6

Table 6: Section 4.15(1) assessment

## 4.2 Roads Act 1993

The proposal is located above a public road and therefore requires approval under section 138 of the Roads Act 1993 (Roads Act):

### 138 Works and structures

- A person must not:
  - (a) **erect a structure or carry out a work in, on or over a public road, or**
  - (b) **dig up or disturb the surface of a public road, or**
  - (c) **remove or interfere with a structure, work or tree on a public road, or**
  - (d) **pump water into a public road from any land adjoining the road, or**
  - (e) **connect a road (whether public or private) to a classified road, otherwise than with the consent of the appropriate roads authority.**

The application will be referred to Transport for NSW in accordance with Section 138 of the Roads Act. However, pursuant to the provisions of section 4.44, Division 4.8 of the EP&A Act, the subject application is not integrated development as it is made by or on behalf of the Crown.

## 4.3 Heritage Act 1977

The *Heritage Act 1977* makes provisions to conserve the State's environmental heritage. It provides for the identification, registration and protection of items of State heritage significance and constitutes the Heritage Council of New South Wales.

The Dundas Railway Station group list number 01133 is on the State Heritage Register.

The proposal has minimal impact on the significance of the State item given the sign is located approximately 170 metres from the curtilage. Heritage impacts are addressed in Section 5.3 of this report, which demonstrate the proposed works will not detract from the heritage significance of the Dundas Railway Station item and will be consistent with the provisions of the Heritage Act 1977 and should be supported.

## 4.4 State Environmental Planning Policies

The proposal has been designed with regard to the objectives and standards of the relevant planning instruments and policies that apply to the Site. Under the provisions of the EP&A Act, the key applicable State environmental planning policies are:

- *State Environmental Planning Policy No. 64 – Advertising and Signage*
- *State Environmental Planning Policy (Infrastructure) 2007*



The application of the above plans and policies is discussed in detail in the following sections of this SEE.

#### 4.4.1 State Environmental Planning Policy No. 64 – Advertising and Signage

*State Environmental Planning Policy 64 Advertising and Signage (SEPP 64)* aims to ensure that advertising and signage is well located, compatible with the desired amenity of an area and of high quality. SEPP 64 applies to all signage, advertisements that advertise or promote any goods, services or events and any structure that is used for the display of signage.

Regardless of permissibility under the Parramatta LEP 2011, the proposed sign is permissible with consent under clause 16(1)(a) of SEPP 64 as it is on behalf of Sydney Trains and is within a railway corridor. Further, under clause 12(c) of SEPP 64, the Minister is the consent authority for the application as it is for an advertisement displayed on behalf of Sydney Trains in a rail corridor.

A comprehensive assessment against the provisions of SEPP 64 that apply to the development is provided at Appendix 1.

#### Schedule 1 Assessment

Clause 8 of SEPP 64 requires the consent authority to assess the proposal against the criteria within Schedule 1 prior to granting consent to carrying out of any development on that land. An assessment of these matters is provided in Table 7.

Schedule 1	Comment	Compliance
<b>1. Character of the Area</b>		
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	The scale and visual compatibility of the sign is consistent with the surrounding road and locality	Yes
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	The immediate locality includes speed limit, parking and road safety signs associated with the road corridor. There is no outdoor advertising theme for the locality	Yes
<b>2. Special Areas</b>		
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	<p>The proposal does not unreasonably impact the amenity of the area</p> <p>The proposed sign is near State and local heritage items however the view lines to the sign from these areas are not direct. As such, the proposal is unlikely to detract from the amenity or visual quality of the heritage sites</p> <p>The sign is close to public open space, public reserves and natural waterways located at Vineyard Creek Reserve</p>	Yes

Schedule 1	Comment	Compliance
	<p>The distance and vegetation between the Site provides appropriate separation and screening, which ensure the sign does not unreasonably impact the amenity of the natural environment</p> <p>The sign's location ensures that impacts to residential developed located on the eastern side of the bridge are minimal. Residential dwellings to the south of the sign are protected by the orientation of the sign and curvature of the road</p> <p>The orientation and aspect of the sign ensure visual impacts are minimised on the surrounding natural environment</p>	
<b>3. Views and vistas</b>		
<i>Does the proposal obscure or compromise important views?</i>	The sign is proposed to be erected on an existing railway bridge crossing of Kissing Point Road, it will not obscure or compromise important views	Yes
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	<p>The sign's height is consistent with the surrounding road environment</p> <p>The sign is proposed within an established road corridor and attached to an existing railway bridge overpass</p> <p>The proposed sign will not dominate the skyline or reduce the quality of vistas</p>	Yes
<i>Does the proposal respect the viewing rights of other advertisers?</i>	The sign does not unreasonably impact viewing rights of other advertisers	Yes
<b>4. Streetscape, Setting or Landscape</b>		
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	<p>The proposal is appropriate for its setting, as it is located within a road and railway corridor</p> <p>The bulk and scale of the sign is consistent with the transport setting</p>	Yes
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	The proposal provides for a structure that is nestled into the bridge setting providing compatibility with the road environment	Yes
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	There is no existing signage at the Site	Yes
<i>Does the proposal screen unsightliness?</i>	The proposal is on an existing railway bridge and would partially screen the structure	Yes
<i>Does the proposal protrude above buildings, structures or</i>	The sign does not protrude above the bridge or tree canopies	Yes

Schedule 1	Comment	Compliance
tree canopies in the area or locality?		
Does the proposal require ongoing vegetation management?	No vegetation management required	Yes
<b>5. Site and Building</b>		
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 proposal is compatible with the scale and proportion of the existing bridge and transport corridor characteristics of the Site that are described within Section 2 of this SEE	Yes
Does the proposal respect important features of the site or building, or both?	The proposal is attached to an existing railway bridge which is not listed on a heritage register	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed digital advertising sign will provide an innovative design which is compatible with the surrounding buildings and road environment	Yes
<b>6. Associated Devices and Logos with Advertisements and Advertising structures</b>		
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?	<p>A security camera / web camera is proposed to ensure the display of the LED screen is working properly</p> <p>A compliant operator logo will also be located at the bottom of the screen and within the skirting of the sign</p>	Yes
<b>7. Illumination</b>		
Would illumination result in unacceptable glare?	The Lighting Impact Assessment (LIA) submitted as part of the application confirms that the sign will not result in unacceptable glare for the nearest residential properties when operated at the recommended levels (Appendix 4)	Yes
Would illumination affect safety for pedestrians, vehicles or aircraft?	The LIA confirms that the sign will not affect the safety for pedestrians, vehicles or aircraft (Appendix 4)	Yes
Would illumination detract from the amenity of any residence or other form of accommodation?	The LIA confirms that the illumination of the sign will not impact on the amenity of nearby residences or any other form of accommodation when operated at the recommended levels (Appendix 4)	Yes
Can the intensity of the illumination be adjusted, if necessary?	The brightness of the LEDs will 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

Schedule 1	Comment	Compliance
<i>Is the illumination subject to a curfew?</i>	The proposal is consistent with the applicable 'post curfew' illuminance limits established under AS 4282-2019	Yes
<b>8. Safety</b>		
<i>Would the proposal reduce the safety for any public road?</i>	<p>The proposal would not reduce the safety for any public road. The Signage Safety Assessment (SSA) submitted as part of the application (refer Appendix 4) confirms there is a low risk the proposed sign will distract drivers and that drivers would not need to turn away from their direct line-of-sight to view the full extent of the sign</p> <p>The proposal is not expected to reduce the safety of the Kissing Point Road environment</p> <p>Road safety is discussed in further detail at Section 5.1</p>	Yes
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	The sign's location will be away from pedestrian and cyclist paths by 5.72 metres. The distance between these elements provides safety for ongoing footpath traffic	Yes
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	The location of the sign on the overpass will not obscure sightlines from any public areas. The sign will not impact the safety of children at Dundas Local Public School as it is attached to the railway façade approximately 180 metres from the signalised pedestrian crossing	Yes

Table 7: Schedule 1, SEPP 64 Consideration

#### 4.4.2 Transport Corridor Advertising and Signage Guidelines 2017

The *Transport Corridor Outdoor Advertising and Signage Guidelines* (SEPP 64 Guidelines) sets out a best practice approach for the planning and design of outdoor advertisements in transport corridors in NSW.

The SEPP 64 Guidelines have been established to compliment the provisions of SEPP 64 under the EP&A Act. The DA for any advertising sign that is located in, or adjacent to, a transport corridor to demonstrate how the proposal addresses the SEPP 64 Guidelines. An assessment against the criteria within SEPP 64 Guidelines is provided at Appendix 1 and Section 5.

The assessment provided at Appendix 1 demonstrates the proposal is consistent with:

- the Land Use Compatibility Criteria for Transport Corridor Advertising
- the Digital Sign Criteria
- the Bridge Signage Criteria
- Road Safety (refer Section 5.1)
- Luminance Levels for Digital Advertisements (refer Section 5.2)
- the Public Benefit Test (refer Section 5.6)

#### **4.4.3 State Environmental Planning Policy (Infrastructure) 2007**

*State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) identifies the environmental assessment category into which different types of infrastructure and services development fall. In addition, the ISEPP identifies those matters that are to be considered in the assessment of development that is adjacent to particular types of infrastructure, including development in and adjacent to road corridors.

Clause 101 of the ISEPP requires the consent authority to be satisfied that any new development with a frontage to a classified road would not compromise the operation and function of the road. The proposal comprises development with frontage to a classified road (Kissing Point Road).

A Signage Safety Assessment (SSA) has been prepared as part of the application and is included at Appendix 3. The SSA considers the ongoing operation and function of Kissing Point Road in context to the development and concludes that the surrounding road environment presents a low risk environment for the proposed digital advertising sign. Road safety is further discussed at Section 5.1.

#### **4.5 Parramatta Local Environmental Plan 2011**

The *Parramatta Local Environmental Plan 2011* (PLEP 2011) is the principal Environmental Planning Instrument applicable to the land.

##### **4.5.1 Zoning**

The Kissing Point Road railway bridge is located on land zoned SP2 Infrastructure – Railway corridor under the PLEP 2011. Signage is prohibited in the SP2 zone under the PLEP 2011.

Notwithstanding, clause 16 of SEPP 64 overrides the provisions of any other environmental planning instrument including the provisions under the PLEP 2011. Consequently, under clause 16(1)(a) of SEPP 64, the display of an advertisement by or on behalf of Sydney Trains on a railway corridor is permissible with development consent.



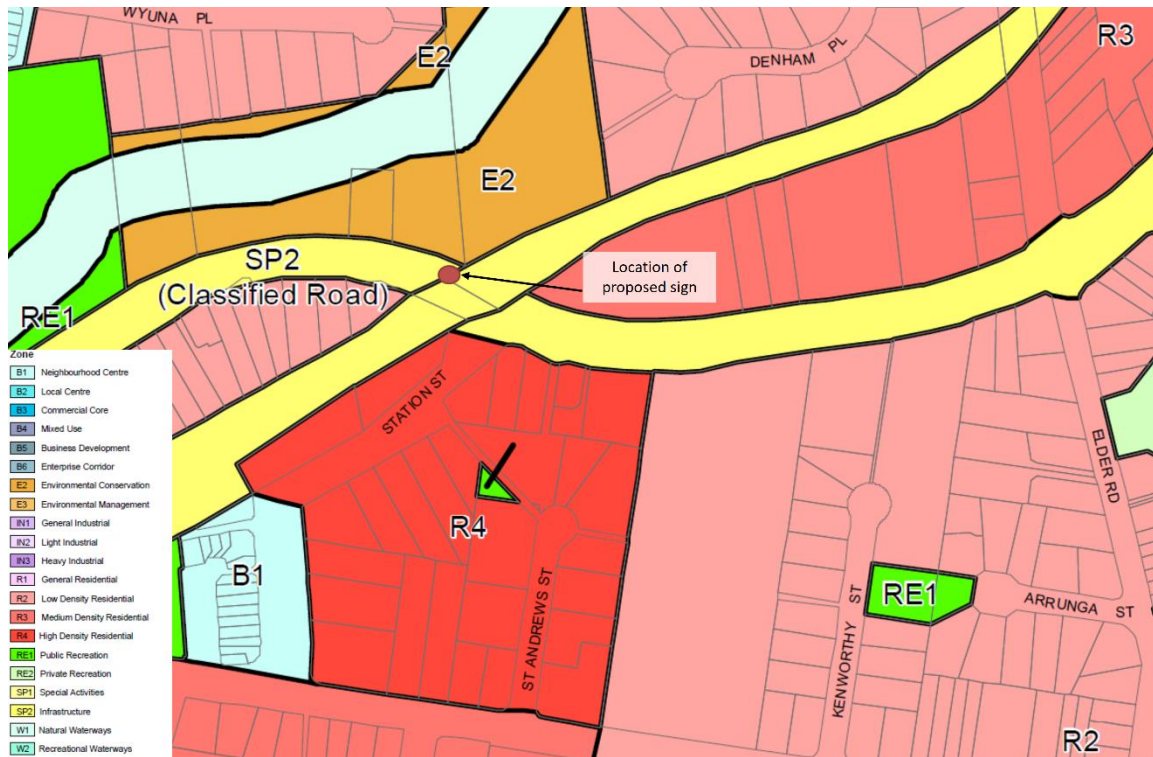


Figure 10: Zoning Extract (Source: PLEP 2011)

The Site is located in close proximity to an E2 and W1 zone under the PLEP 2011. While the Site is not located within these zones, the E2 and W1 zone objectives have been considered. The proposal will not impact the environmental conservation and waterways given the sign is affixed to the north-western elevation of an existing railway bridge. The proposal will not impact the value of these environmentally sensitive areas as:

- it will not impact or destroy the environmental or aesthetic value of these areas
- the visual impact is minimal given the existing road environment
- it will not impact the natural waterways given the proposals distance between this element

#### 4.5.2 Heritage

The Site is identified to be close to a State heritage item and within close proximity to three local items under the PLEP 2011 (Figure 11). These items being;

- Dundas Railway Station Group – Significance: State item No. I01133
- Victorian house – Significance: Local. Item I40
- Single storey residence – Significance: Local. Item 142
- Single storey residence – Significance: Local. Item 143

The proposal satisfies the objectives of clause 5.10 of the PLEP 2011 as it has minimal adverse impacts on the heritage significance of the surrounding heritage items, including the associated fabric, settings and views. Heritage is further discussed in Section 5.3.

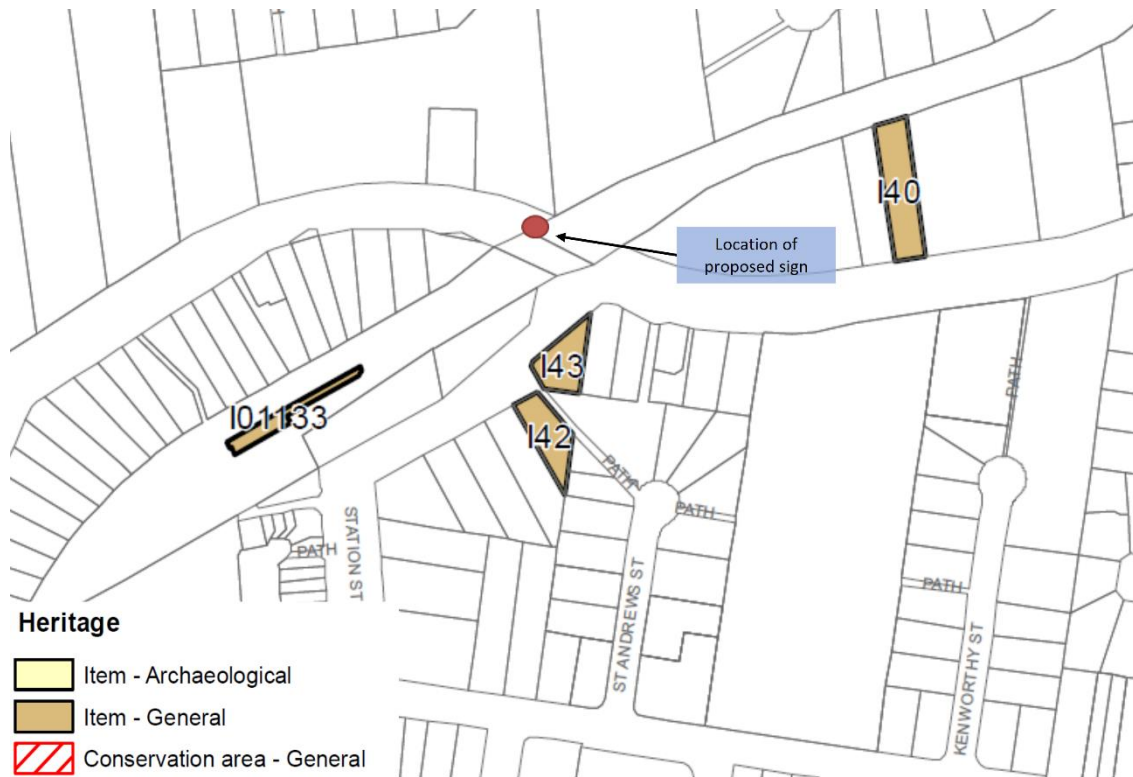


Figure 11: Heritage Map extract (Source: PLEP 2011)

#### 4.6 Parramatta Development Control Plan 2011

The proposal is generally in compliance with the aims, objectives and key provisions of the PDCP 2011. A detailed assessment of the proposal against the relevant provisions of the DCP is provided in the table below:

Provision	Comment	Complies
<b>5.5 Signage Objectives of this Chapter</b>		
0.1 To encourage signage that provides identification and information about premises in a manner that complements the development on which it is displayed and minimises the visual impact on the surrounding locality.	The sign is proposed on a transport corridor which provides for advertisement in a compatible style with the locality. Visual impacts are mitigated through orientation and aspect the sign is placed on the railway bridge	Yes
0.2 To contribute to the appearance of the building, structure or place by encouraging coordinated signage of high-quality design and materials.	The sign within the transport corridor will provide continuity with the area through a structure of high-quality design erected on the façade of the railway bridge	Yes

Provision	Comment	Complies
0.3 To protect residential areas, open space areas and buildings or areas of heritage significance or special character from the adverse impacts of inappropriate signage.	<p>The sign will not unreasonably impact surrounding residential areas. Noting the sign's location on the north-western elevation of the bridge, the impacts associated with its placement on residents at 69,73 and 78 Kissing Point Road are anticipated to be minor given the orientational direction of the sign and proposed mitigation measure to protect the surrounding amenity as outlined in the LIA at Appendix 4</p> <p>The sign will not detract from the heritage significance from the surrounding items</p>	Yes
0.4 To ensure that the visual and physical amenity of a locality is not impaired by a proliferation of signs.	The visual or physical amenity of the area will not be unreasonably impacted by virtue of the proposed sign. The locality already provides for limited transport signage and no advertising signage is within the locality	Yes
0.5 To protect the significant characteristics of buildings, streetscapes, vistas and the Parramatta CBD skyline.	The proposal will not impact the streetscape of Kissing Point Road. No views or vistas are impacted by the proposal and Parramatta's skyline will not be impacted	Yes
0.6 To require that signs complement the architectural style and use of buildings.	The sign's visual appearance and style will be compatible with the transport corridor of which it is located	Yes
0.7 To promote signs that will add character to the streetscape and assist with way finding and the pedestrian usability of the Parramatta CBD.	The proposed sign will integrate with the surrounding streetscape whilst not impacting the moveability of pedestrians	Yes
0.8 To limit the overall amount of signage through the provision of fewer, more effective signs, to avoid the creation of visual on buildings and streetscapes	The proposed sign is on a transport corridor and consistent with the objective	Yes
<b>5.5.1 Signs on heritage buildings and conservation areas</b>	The proposal generally complies with the objectives and requirements of the control. The Site is not located on a heritage conservation area or item however is close to a State heritage item and local heritage items under the PLEP 2011	Yes

Table 8: PDCP 2011 Assessment

## 5 Environmental Planning Assessment

### 5.1 Road safety

The SSA prepared by The Transport Planning Partnership (TPPP) (Appendix 3) considers the signage exposure and road accident history and the requirements for road safety set out in the SEPP 64 Guidelines.

#### 5.1.1 Road environment

The existing road environment along Kissing Point Road near the railway bridge is summarised in Table 9.

Feature	Description
Road classification	<ul style="list-style-type: none"> <li>Kissing Point Road is a classified State Road (Road 190)</li> </ul>
Speed limit	<ul style="list-style-type: none"> <li>on approach to the bridge the posted speed limit is 60 km/h with a 40 km/h school zone speed limit in both directions</li> </ul>
Nearby intersections and traffic control devices	<ul style="list-style-type: none"> <li>no intersections, crossing, merge points or critical traffic control devices are located within the Stopping Sight Distance (SSD) of the sign. No intersections are located within the readable distance of the sign</li> <li>The closest pedestrian crossings are located 320 metres northeast and 300 metres to the southwest</li> </ul>
Road configuration and geometry	<ul style="list-style-type: none"> <li>dual carriageway with three traffic lanes in each direction</li> </ul>
Crash data	<ul style="list-style-type: none"> <li>there are no recorded crash incidents within the visible distance of the proposed digital sign</li> <li>zero crashes have occurred on the western approach to the digital sign location for the most recent five years</li> <li>the digital sign would not be visible to motorists from this location due to the slight roadway curvature</li> </ul>
Pedestrian and cyclist infrastructure	<ul style="list-style-type: none"> <li>no pedestrian or cyclist infrastructure exists along Kissing Point Road near the railway bridge</li> <li>the proposal is unlikely to reduce safety for motorists, pedestrians or cyclists</li> </ul>
Parking	<ul style="list-style-type: none"> <li>no stopping or car parking is permitted along Kissing Point Road in near the railway bridge</li> <li>clearway in operation 6am to 7pm Monday to Friday and 9am to 6pm Saturday, Sunday and Public holidays</li> </ul>
Stopping sight distance (SSD)	<ul style="list-style-type: none"> <li>the SSD along Kissing Point Road travelling eastbound is 60 metres in the 60 km/h zone.</li> <li>the sign is not proposed within the SSD of any intersections or traffic control devices (discussed further at Section 5.1.3)</li> </ul>

Table 9: Existing Road environment (Source: TPPP)



### 5.1.2 Signage exposure

The proposed digital sign would be visible to traffic travelling eastbound on Kissing Point Road. There are three travel lanes on approach to the proposed sign location. The SSA outlines the following.

- the digital sign is located within the Dundas Public School 40km/h speed limit
- the digital sign would likely be visible in traffic lanes as follows:
  - in lane 1 (through lane), 145 m from the sign
  - in lane 2 (through lane), 140 m from the sign
  - in lane 3 (through lane), 135 m from the sign
- the likely readable distance would be 110 m across all 3 lanes, where there are no vehicles travelling in adjacent lanes or opposing lanes which could impede driver visibility to the signage
- there is no existing signage at this location, and therefore, the readable distance is based on the text font and sizing of the advertisement
- in all lanes, the digital sign would become out of driving view approximately 10 metres west of the proposed sign

### 5.1.3 Stopping sight distance

The SSA adopts the posted speed limit of 60 km/h to calculate the minimum SSD. The minimum SSD for a 60 km/h speed limit is 64 metres based on the Austroads guidelines. Travelling east an upward gradient occurs which has been assessed as 4%. The guidelines provide a grade correction factor when there is a slope within the SSD. As such a correction of 4 metres is applied to the 64 metres SSD to establish an SSD of 60 metres. The proposed sign would not be located within the SSD of a decision making or conflict point and complies with the safe stopping sight distance when a 4% correction factor is applied, as shown in Figure 12.



Figure 12: Safe Stopping Distance Kissing Point Road (Source: TTPP)



#### 5.1.4 Road safety criteria – SEPP 64 Guidelines

The SSA assess the proposal against the criteria for road safety in Section 3 of the SEPP 64 Guidelines.

Responses provided in the SSA in respect to the sign location criteria (Section 3.2) and the sign design and operation criteria (Section 3.3) of the SEPP 64 Guidelines is outlined in Table 10 and Table 11, respectively.

Sign Location Criteria	Response	Compliance
<b>Road clearance</b>		
a. <i>The advertisement must not create a physical obstruction or hazard.</i>	<p>The digital sign would not physically obstruct any vehicle, pedestrian and cyclist movements as it would be placed on the western side of the railway bridge directly above Kissing Point Road</p> <p>The digital sign would not protrude below the underside of the railway bridge, and hence the vertical clearance would be maintained as per existing conditions</p>	✓
i. <i>Does the sign obstruct the movement of pedestrians or bicycle riders?</i>		
ii. <i>Does the sign protrude below a bridge or other structure so it could be hit by trucks or other tall vehicles?</i>		
iii. <i>Does the sign protrude laterally into the transport corridor so it could be hit by trucks or wide vehicles?</i>		
b. <i>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 or behind an RMS approved crash barrier.</i>	The digital sign board would be installed on the side of the railway bridge, which is positioned above the carriageway and outside of the clear zone	✓
c. <i>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 are to comply with any applicable lateral clearances specified by Austroads Guide to Road Design with respect to dynamic deflection and working width.</i>	The digital sign would not be located within the clear zone. The existing available vertical clearance between the road surface and the underside of the railway bridge would be maintained	✓
d. <i>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.</i>	As part of the detailed design phase, the digital sign would be designed in accordance with Australian Standards AS1170.2 and AS1170.2 to meet the requirements for wind loading, whilst having consideration for height of the sign board when under maximum vertical deflection	✓
<b>Additional road clearance criteria for digital signs</b>		
<i>Digital signs greater or equal to 20sqm must ensure the following clearances:</i>	The sign is more than 2.5 metres above the lowest point of the road surface	✓

Sign Location Criteria	Response	Compliance
a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone		
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>The sign has 5.72 metres of clearance from the road including framing and skirting</p> <p>The sign is attached to a bridge overpass. The sign does not breach the minimum vertical clearance of the overpass</p>	✓
<b>Line of sight</b>		
a. An advertisement must not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings.	Based on TfNSW's Cycleway Finder map and Parramatta Bike Map 2020, there are no on road or off-road cycle facilities along this section of Kissing Point Road	✓
b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The proposed digital sign would not obstruct pedestrian and cyclist's view of Kissing Point Road	✓
c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road.	The signage would be positioned at the same height as the existing railway bridge which would not impede a driver's visibility of the road alignment	✓
d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time.	The proposed digital sign would be located within a driver's line of sight on the Kissing Point Road west approach with a visible distance of up to 145 metres. In addition, the digital sign would be placed above the road, therefore, a driver would not be required to turn their head away from the road in order to view the digital sign	✓
<b>Proximity to decision making points and conflict points</b>		
<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>As referenced in the <i>Guide to Road Design, Part 3</i>, sight distance refers to the distance required to enable a driver to react and stop before reaching a hazard. This distance is dependent on the operating (85th percentile) speed of the road, road gradient and other road characteristics</p> <p>For the purpose of this assessment, an operating speed of 60 km/h has been used to calculate the minimum SSD. A 60 km/h speed has been adopted based on the sign posted speed limit on Kissing Point Road as well as the speed limit which</p>	✓

Sign Location Criteria	Response	Compliance
	motorists were observed to be driving during the Site inspection (outside of the school zone period)	
<b>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:</b> <ul style="list-style-type: none"> <li>i. of a road hazard</li> <li>ii. to an intersection</li> <li>iii. to a prescribed traffic control device (such as traffic signals, stop or give way signs or warning signs)</li> <li>iv. to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher.</li> </ul>	The proposed sign is elevated above road level such that the driver's view of any such road hazard, intersection or similar feature as specified in points (i) to (iv) above is maintained at all times in the vicinity of the proposed signage location. The proposed sign would not distract a driver at a critical time	✓
<b>Sign spacing</b>		
<b>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.</b>	There are no other digital signs or static billboards placed within 150 metres of the proposed signage	✓

Table 10: Sign location criteria – Section 3.2 of the SEPP 64 Guidelines (Source: TTPP)

Sign Design and Operation Criteria	Response	Compliance
<b>Advertising signage and traffic control devices</b>		
<b>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.</b>	<p>Details of the advertisement are not yet known since the project is still within the concept design stage</p> <p>Based on the example advertisements as depicted in the designer's impression, the signage would not display colours and shapes which could be mistaken for a traffic signal</p>	✓
<b>b. The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a prescribed traffic control device. For example:</b> <ul style="list-style-type: none"> <li>i. Could the advertisement be construed as giving instructions to traffic such as 'Stop', 'Halt' or 'Give Way'?</li> <li>ii. Does the advertisement imitate a prescribed traffic control device?</li> <li>iii. If the sign is in the vicinity of traffic lights, does the</li> </ul>	<p>The content of the proposed digital sign is reviewed against Table 5 of the NSW Guidelines as discussed in Table 12</p> <p>This review demonstrates that the sign would avoid any content that may be construed as imitating a traffic control device</p>	✓

Sign Design and Operation Criteria	Response	Compliance
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?		
<b>Additional criteria for digital signs and moving signs</b>		
a. The image must not be capable of being mistaken: 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 ii. as text providing driving instructions to drivers.	See above	✓
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).	See above	✓
<b>Dwell time and transition time – criteria for digital signs</b>		
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 digital signage is proposed to contain text and images. Based on the NSW Guidelines, the minimum dwell time for content displayed on the digital signage would be 10 seconds, however, following consultation with TfNSW (Section 1.2), the dwell time has been amended to 25 seconds.  The proposed digital sign is located on a classified road and within a school zone. As such, the display would be fixed during school zone hours which is consistent with TfNSW advice outlined in Section 1.2.	✓
b. Dwell times for image display must not be less than: 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.		✓
d. Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts.		✓
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.		✓

Table 11: Sign design and operation criteria – Section 3.2 of the SEPP 64 Guidelines (Source: TTPP)

### 5.1.5 Road safety summary

Road safety impacts have been comprehensively assessed as part of the application in accordance with the requirements of SEPP 64 and the road safety criteria set out in the SEPP 64 Guidelines.

The SSA has determined there is a low-risk environment for the proposed digital advertising sign. The proposed sign will be readable from approximately 145 metres to the west of the bridge and will be positioned above the traffic lanes, therefore not requiring drivers to turn away from their direct line-of-sight to view the full extent of the sign.

Further, the proposed dwell time of 25 seconds is suitable as drivers would be viewing the sign while travelling 60km/hour or less. The proposed dwell time exceeds the guidelines 10 second requirement for the 60km/hour zone. The applicant has adopted this dwell time following consultation with TfNSW as outlined in Section 1.2.

The key findings within the SSA are.

- zero crashes have occurred on the western approach to the digital sign location for the most recent five years (for which TfNSW has aggregated data)
- the proposed sign would not obstruct and/or reduce visibility of any traffic control devices, signage, pedestrians or cyclists
- the proposed sign would not be located within the safe stopping distance to traffic signals, crossings or directional/ information signage or any other decision/ conflict point
- Kissing Point Road has a posted speed limit of 60 km/h
- the dwell time of 25 seconds for the digital sign is suitable. During school zone hours, the display would be fixed

In summary, based on the findings of TTPP in its SSA, the road environment along Kissing Point Road in proximity to the Kissing Point Road overpass is considered to present a low risk environment for the proposed digital advertising sign and is acceptable on road safety grounds.

### 5.2 Illumination

The proposed signs will be illuminated using LEDs installed within the front face on a 24 hour, 7 days per week basis. The brightness of the LEDs shall be controlled to provide upper and lower thresholds (as required) and will include a light sensor to automatically adjust the brightness of the display area to adjust to ambient lighting conditions.

A Lighting Impact Assessment (LIA) has been prepared by Electrolight (Appendix 4). The LIA has assessed the proposal against the illumination criteria under:

- SEPP 64
- the SEPP 64 Guidelines
- AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting

### 5.2.1 Illumination criteria – SEPP 64 Guidelines

Section 3.3.3 of the SEPP 64 Guidelines sets out the illumination criteria for digital signs. The LIA has categorised the Site as being within Zone 4 of the SEPP 64 Guidelines, which is described as an area with generally low levels of off-street ambient lighting, or areas that have residential properties nearby. The luminance levels for digital advertisements that are within a Zone 4 environment, as outlined in the SEPP 64 Guidelines (Table 12).

Lighting Condition	Max Permissible Luminance for Zone 4 (cd/sqm)	Complies
Full sun on face of signage	No limit	✓
Daytime luminance	6000	✓
Morning and evening twilight and inclement weather	500	✓
Night time	200	✓

Table 12: Luminance levels for digital advertisements criteria – SEPP 64 Guidelines

### 5.2.2 AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting

The control of the Obtrusive Effects of Outdoor Lighting (AS 4282-2019) sets out limits for different obtrusive factors associated with the night time operation of outdoor lighting systems. The LIA has undertaken an assessment of the sign during the ‘post-curfew’ period (11 pm to 6 am), which is considered the most obtrusive night time period.

The LIA has categorised the nearest residential properties as all being within Environmental Zone 3 of AS 4282-2019. Lighting impacts on the nearest residential dwellings with potential views to the sign are assessed. The location of the nearest dwellings is shown in Figure 13 and Table 13.

Address	Zone
69 Kissing Point Rd	A3
73 Kissing Point Rd	A3
78 Kissing Point Rd	A3

Table 13 - Property address and environmental criteria rating





Environmental Zone Legend:

- A0
- A1
- A2
- A3
- A4

Figure 13: Location of assessed residential properties (Source: Electrolight)

The maximum lighting limits for Environmental Zone 3 during the pre-curfew and post-curfew periods, as set out in AS 4282-2019, is shown in Table 14.

Environmental Zone	Maximum vertical illuminance (lux)		Complies
	Pre-curfew	Post-curfew	
A3	10	2	Yes

Table 14: Maximum lighting limit (post-curfew)

The LIA modelled the proposed signage (and surrounding environment) in lighting calculation program AGI32 to determine the effect of the light spill from the proposed signage. Photometric data for the screen was provided by the screen manufacturer (Table 6) with luminances corresponding to the night time limits outlined in Table 15.

Although some of the houses are shielded by mature vegetation which effectively obstructs the light spill from the signage. The LIA assumed there was no vegetation present as outlined in AS4282.

Label	Calculation type	Units	Max
69 Kissing Poing Rd_III_Seg1	Obtrusive - III	Lux	0.00
69 Kissing Poing Rd_III_Seg2	Obtrusive - III	Lux	0.00
73 Kissing Poing Rd_III_Seg1	Obtrusive - III	Lux	0.00
73 Kissing Poing Rd_III_Seg2	Obtrusive - III	Lux	0.41
78 Kissing Point Rd_III_Seg1	Obtrusive - III	Lux	0.00
78 Kissing Point Rd_III_Seg2	Obtrusive - III	Lux	0.73

Table 15: Obtrusive lighting and threshold increment calculations

During night time operation, the lighting model demonstrates that a maximum illuminance is 0.73 (lux) is generated by the sign which impacts nearby dwellings within Zone A3. The illuminance flux level complies with the maximum AS4282 limit of 2 luminous flux as shown in Table 15. The proposal complies with the 'Pre-curfew and Post-curfew' requirements per the AS4282.

### 5.2.3 Illumination summary

The LIA recommends that the Applicant ensures that the average luminance difference between successive images do not exceed 30 per cent to ensure compliance with AS 4282-2019 and for the dwell time to be 25 seconds or greater which exceeds the guidelines requirements. The Applicant has committed to these recommendations.

In summary, the LIA determines that the signs lighting impact are acceptable as:

- the proposed signage has been found to comply with all relevant requirements of AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting
- the proposed signage should not result in unacceptable glare nor should it adversely impact the safety of pedestrians, residents or vehicular traffic
- the proposed signage should not cause any reduction in visual amenity to nearby residences or accommodation

### 5.3 Heritage

The Site is near State and local heritage items listed under Schedule 5 of the PLEP 2011 as shown in Figure 14. The heritage items are:

- Dundas Railway Station Group – Significance: State Item No. 01133
- Victorian house – Significance: Local Item I40
- Single storey residence – Significance: Local Item 142
- Single storey residence – Significance: Local Item 143

The Site is located approximately 170 metres to the northeast of the Dundas Railway Station. The two single storey residence heritage items located on Station Street are located approximately 50 metres and 60 metres south of the Site, respectively. The Victorian House item is located on Kissing Point Road, approximately 160 metres to the northeast of the Site.

The visibility of the sign to the local heritage items at Station Street is restricted given the location of the sign on the north-western elevation of the bridge and aspect of the sign minimises visual impacts on these local items. The visibility of the sign on the Victorian House local heritage item on Kissing Point Road is minimal as the Site is on the other aspect of the bridge. The visibility and impact of the proposed sign on the State item known as Dundas Railway Station Group is minimal. The sign will be affixed to the bridge with minimal impact on the item as there is no direct view lines.

The illuminance of the proposed sign will be calibrated to the levels recommended in the LIA, which is an acceptable level that does not introduce any lighting impacts upon the heritage item. The proposal is not expected to have any additional adverse impact on the heritage significance, associated fabric, settings or views of the surrounding heritage items.



Figure 14: Location of heritage items in proximity to the sign (Base Source: Six Maps)



## 5.4 Visual Impacts

The proposal involves the installation of a digital advertising sign on the north-western elevation of the Kissing Point Road overpass above Kissing Point Road (Appendix 2).

Visibility of the proposed sign is largely constrained to the road corridor travelling east as Kissing Point Road curvature in the road pattern obscures sight lines. Further constraints on visibility of the sign are mitigated through the presence of dense mature vegetation along the north and south edges of the road corridor. The SSA notes the sign is visible to drivers traveling eastbound from approximately 135 metres – 145 metres.

The key visual receivers of the sign will be the Vineyard Creek Reserve and the closest residences to the west along Kissing Point Road.

### 5.4.1 Vineyard Creek Reserve

The visual catchment of the sign from the Vineyard Creek Reserve is limited to the areas closest to Kissing Point Road due to the presence of dense vegetation (Figure 15 and Figure 16). The orientation of the sign along the alignment of the road also minimises the visual catchment of the sign from the reserve. The visual impact of the sign on the wider locality is negligible to minor.



Figure 15: View to the Site from Vineyard Creek Reserve



Figure 16: View northwest from Kissing Point Road bridge to Vineyard Creek Reserve

#### 5.4.2 Western residential receivers

The closest residential receivers are located at 69, 73 and 78 Kissing Point Road (Figure 13). No. 69 is located 80 metres to the southwest, No. 73 is located 60 metres to the southwest and No. 78 is located 75 metres west of the sign.

The sign's visual impacts on these receivers are measured against the planning principles established in *Tenacity Consulting v Warringah Council [2004] NSWLEC 140*, provided in the summary below:

##### No. 69 Kissing Point Road

- the property does not have direct view lines towards the sign
- the curvature of the road minimised visual impacts
- the signs luminous flux range does not impact this residential receiver
- the visual impact is assessed as negligible to minor

##### No. 73 Kissing Point Road

- the orientation of the property minimises lighting impacts and obscures sight lines
- dense vegetation along the road corridor minimises visual impacts
- the property is within luminous flux (lux) range of the sign
- the sign lux levels of 0.41 (lux) complies with the maximum allowable luminous flux (lux) level of 2
- the visual impact is assessed as negligible to minor



### No. 78 Kissing Point Road

- the dwelling fronts Kissing Point Road and situated on the lot is a single storey dwelling with a secondary dwelling/ outbuilding at the rear
- the property has direct view lines east to the sign
- surrounding the property is dense planting which alleviates visual impacts
- the sign catches the northern window facing Vineyard Creek Reserve as it is the most exposed
- the LLA shows a 0.73 luminous flux at night which complies with the A3 zone maximum luminous flux levels that can be released within the A3 zone is during evening hours of 2
- the existing dwellings internal living spaces is orientated away from Kissing Point Road
- the visual impact is assessed as minor

A photo summary of the existing site conditions of No.78 Kissing Point Road and map showing photo locations and orientation is provided in Figure 17 to Figure 20.



Figure 17: Photo Plan showing Figures 20 to 22





Figure 18: No 78 Kissing Point Road looking south from Vineyard Creek Reserve



Figure 19: View looking Southeast from Vineyard Creek Reserve





Figure 20: View looking west from below Kissing Point Road Bridge to 78 Kissing Point Road

#### 5.4.3 Residential properties east of the bridge

The nearest residential properties to the sign on the eastern, south, south-eastern and north eastern side of Kissing Point Road are approximately 50 metres south of the sign (27 Station Street, Dundas and 75 Kissing Point Road, Dundas).

The visibility of the sign from residential properties east, southeast and northeast is restricted primarily due to existing mature vegetation that runs alongside the north and south side of the road corridor. The digital advertising sign will not have any adverse impacts on existing and future residential development due to existing mature vegetation and orientation of the sign towards westbound traffic.

The sign's position on the north-western aspect of the bridge provides screens views of the sign from all residential properties to the east of the bridge. The impact is negligible.

#### 5.4.4 View impacts from heritage items

The Site is located close to Dundas Railway Station. The State item is located approximately 170 metres towards the south. The single storey residence heritage items located on Station Street are located approximately 50 metres and 60 metres towards the southeast of the Site. The Victorian House item is located on Kissing Point Road, which is approximately 170 metres towards the northeast.

The visual impact on the State heritage item is considered minimal as there is sufficient distance between the Site and State item. Furthermore, the railway corridor provides for sufficient screening which ensures there isn't a direct sight line from the station to the Site.

Views to the single storey local heritage items on Station Street will have no direct view lines to the proposal as the signs position on the north-western elevation of the railway bridge blocks all direct views. The view lines to the sign also screened through dense mature vegetation along Kissing Point Road.

There is appropriate distance and setbacks between these elements to ensure visual amenity is maintained. Views to the heritage item on Kissing Park Road (Victorian House) will be minimal as the Site sits behind the crest of the road ensuring that there are no sight lines from the item to the sign. There is also sufficient vegetation along the transport corridor that provides for adequate screening. The position of the sign prevents direct views.

The overall visual impact associated with all the heritage items in the surroundings is assessed at negligible.

#### **5.4.5 Visual impact summary**

This SEE has considered the visual impacts of the proposal and in summary, the proposal is assessed as having a minor and acceptable visual impact on the surrounding area, on the basis that:

- the proposal does not result in any visual clutter as the proposed digital advertising sign will be a standalone sign along Kissing Point Road overpass
- the proposal has minor visual impacts on the nearest residential development and items of heritage
- the visual impact on residence as No.78 Kissing Point Roads minor
- the presence of mature trees and vegetation along the road corridor will restrict views of the sign from surrounding land uses
- the proposal is integrated within the visual envelope of the bridge and will not extend outside of the structural boundaries of the Kissing Point Road Overpass and will therefore not obstruct a view line or any significant views
- the installed digital advertising sign will enhance the visual interest of the Kissing Point Road Overpass through the presentation of high resolution static digital advertisements
- the proposal is considered appropriate for its setting, as it is located within an established transport corridor

#### **5.5 Site suitability**

The Site is a suitable location for the provision of digital advertising signage on the basis that:

- the proposal is compatible with the existing and desired future character of the area, noting that the advertising sign is proposed on an existing rail corridor bridge
- there will be no impact on any significant European or Aboriginal cultural heritage items or heritage conservation zones
- there will be minimal visual impacts on sensitive land uses as appropriate design measures will be implemented to minimise impacts
- detailed investigations of the road network have determined that the development will not impact on the continued and safe operation of Kissing Point Road in its function as a classified road
- the illumination of the sign will not result in unacceptable glare or adversely lead to an unacceptable impact on the visual amenity of surrounding residences or heritage items

- the development fully complies with the relevant statutory and policy provisions that govern outdoor advertising signage and LED technology in NSW

Further to the above, the Site is an effective location for outdoor advertising that will generate revenue to the benefit of the local community. The public benefits of the proposal are discussed in further detail at Section 5.6.

## **5.6 Public benefit**

In accordance with the SEPP 64 Guidelines, an application for digital advertising that is proposed by Sydney Trains is to demonstrate how the local community will benefit from the proposal, such as railway station upgrades, rail crossings or amenity improvements along rail corridors including landscaping, litter removal or vandalism and graffiti management.

A Public Benefit Statement prepared by Sydney Trains is included as part of the application (Appendix 5). The statement confirms that part of the revenue generated by the proposed advertising sign will help fund essential Sydney Trains services to the benefit of the local community, including:

- benefit to the community including emergency messaging and announcements
- revenues to be directed by Sydney Trains into rail services and infrastructure projects
- emergency messaging and public service announcements (including alerts by NSW Government, Emergency Services and Police)
- community event announcements, including Sydney Trains, NSW Trains and TfNSW promotion and events (5min per hour dedicated to Sydney Trains)

The proposed new digital advertising signage will provide public benefit through availability to be used for an emergency or community message (e.g. display of information relating to major disruption to the operation of the surrounding road network which is likely to cause delays to traffic or emergency information).

Accordingly, the application addresses the public benefit test outlined in the SEPP 64 Guidelines through the provision of funding toward improvements to the Sydney Trains network and direct messaging to the community.



## 6 Conclusion

This SEE supports a DA for the installation of a new digital advertising sign on the north-western elevation of a railway bridge over Kissing Point Road, Dundas.

The sign is proposed to comprise an advertising display area of approximately 20.75m<sup>2</sup> and a visual screen area of 16.25m<sup>2</sup>. The sign will be visible to motorists travelling eastbound along Kissing Point Road.

Following a detailed consideration of the proposal in its legislative and physical context, this SEE determines that the proposal:

- meets the objectives of SEPP 64 as it is compatible with the amenity and visual character of the surrounding area
- demonstrates compliance with the assessment criteria set in Schedule 1 of the SEPP 64
- demonstrates compliance with the criteria set out in the SEPP 64 Guidelines in regard to land use compatibility, digital signage, road safety and illumination requirements and the public benefit test
- will not impact on any items of European or Aboriginal heritage
- will be of high quality design and finish and will provide visual interest for motorists using Kissing Point Road
- the proposal has minor to moderate visual impacts on the nearest residential development and items of heritage
- will be in the public interest as the revenue that is generated by the advertising signage will be used by Sydney Trains to improve the network through projects such as railway station upgrades, rail crossings or amenity improvements along rail corridors including landscaping, litter removal or vandalism and graffiti management

In consideration of the above, it is considered that the digital advertising sign will not have an adverse impact on the environment or on the safety of road users and therefore warrants approval.

## **Appendix 1**

### **SEPP 64 & Transport Corridor Advertising and Signage Guidelines Assessment**

## **Appendix 2**

### **Architectural Drawings**

## **Appendix 3**

### **Signage Safety Assessment**



## **Appendix 4**

### **Lighting Impact Assessment**

## **Appendix 5**

### **Public Benefit Statement**

## **Appendix 6**

### **Site Survey**