

# Digital Advertising Sign on Railway Bridge Overpass, Dundas

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DA22/1843

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# Glossary

Abbreviation	Definition
<b>AHD</b>	Australian Height Datum
<b>Applicant</b>	Transport Asset Holding Entity of NSW (Sydney Trains)
<b>BCA</b>	Building Code of Australia
<b>CIV</b>	Capital Investment Value
<b>Council</b>	City of Parramatta
<b>DA</b>	Development Application
<b>DCP</b>	Development Control Plan
<b>Department</b>	Department of Planning and Environment
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2021</i>
<b>LEP</b>	Local Environmental Plan
<b>Minister</b>	Minister for Planning
<b>Planning Secretary</b>	Secretary of the Department of Planning and Environment
<b>SEPP</b>	State Environmental Planning Policy
<b>Planning Systems SEPP</b>	State Environmental Planning Policy (Planning Systems) 2021
<b>SEE</b>	Statement of Environmental Effects
<b>TfNSW</b>	Transport for NSW

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# 1 Introduction

This report provides an assessment of a Development Application (DA 22/1843) lodged by Transport Asset Holding Entity of NSW (Sydney Trains) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Sydney Trains (the Applicant) seeks consent to install one new digital advertising sign on the northwest elevation of the railway bridge overpass at Kissing Point Road, Dundas including associated alterations to the bridge to enable access and maintenance. The site is located within the Parramatta Local Government Area (LGA).

## 1.1 The site

The site is the northwest elevation of the railway bridge overpass at Kissing Point Road, Dundas. There are no existing advertising signs on the bridge.

Kissing Point Road is a dual-carriageway six-lane classified road, which travels in an east and west direction. On approach to the bridge overpass the legal speed limit of Kissing Point Road is 60 km/hr. During weekdays a school zone speed limit of 40 km/hr applies for traffic travelling in both directions. The school zone starts and ends approximately 320 metres east and west of the railway bridge overpass.

Surrounding development comprises:

- single dwellings and medium to higher density residential developments to the north, east, south, and west with the nearest dwelling being located approximately 60 m from the Site
- Dundas Public School approximately 140 m east of the Site
- Vineyard Creek Reserve approximately 50 m from the Site and Fred Robertson Park approximately 250 m from the Site.

There is dense mature vegetation along the northern and southern edges of the road corridor and there are various transport identification signs within the immediate locality.

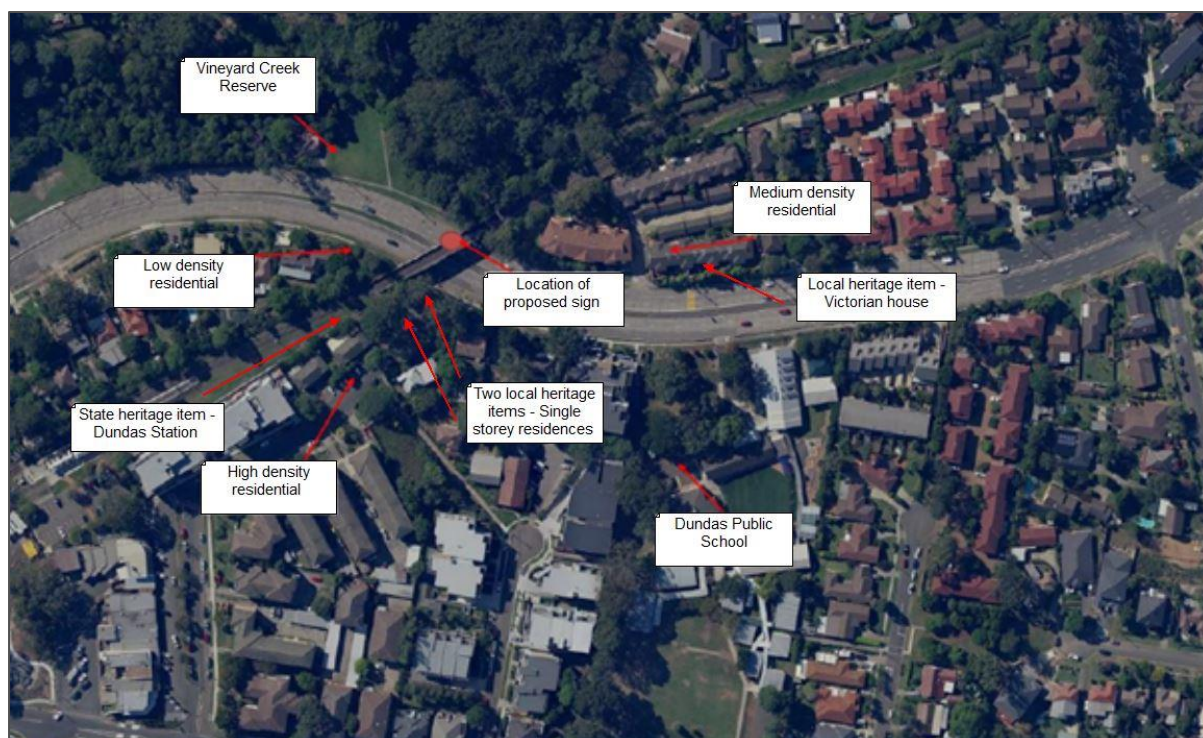
The sign is located in proximity to State and locally listed heritage items to northeast, southeast and southwest, including:

- Dundas Railway Station Group – approximately 170m to southwest
- two residences on Station Street – approximately 50m and 60m southeast
- one residence on Kissing Point Road – approximately 160m northeast

None of the items have a direct line of sight to the proposed sign.

**Figures 1 to 3** depict the site and its surrounds.





**Figure 1 |** Local context of the Site (Source: SEE)



**Figure 2 |** View looking northeast from southern side of Kissing Point Road (Source: SEE)



**Figure 3** | View looking east from 78 Kissing Point Road (Source: SEE)

## 2 Project

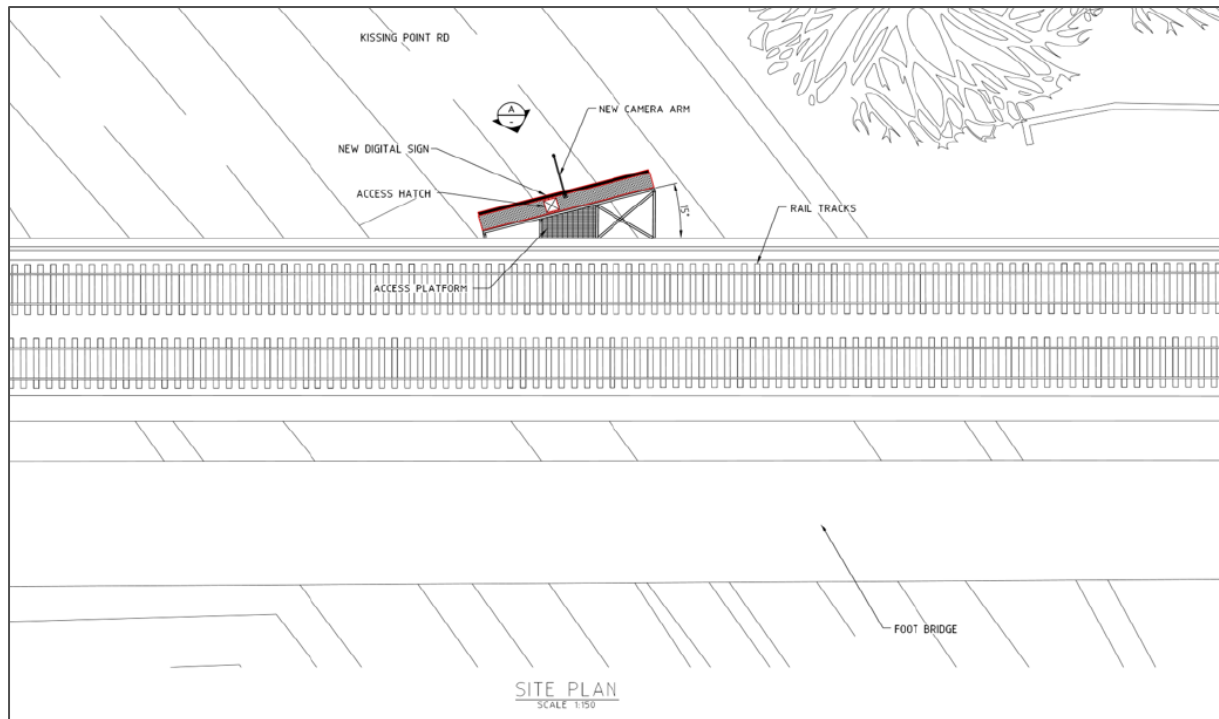
The proposal seeks consent for the installation of one new digital advertising sign on the northwest façade of the railway bridge overpass at Kissing Point Road, Dundas. The proposed sign would be visible to eastbound motorists. The proposal also includes alterations to the bridge to enable access to and maintenance of the sign.

The estimated cost of the works is \$352,000. The details of the proposed sign are outlined in **Table 1** and **Figures 4, 5, 6** and **7**.

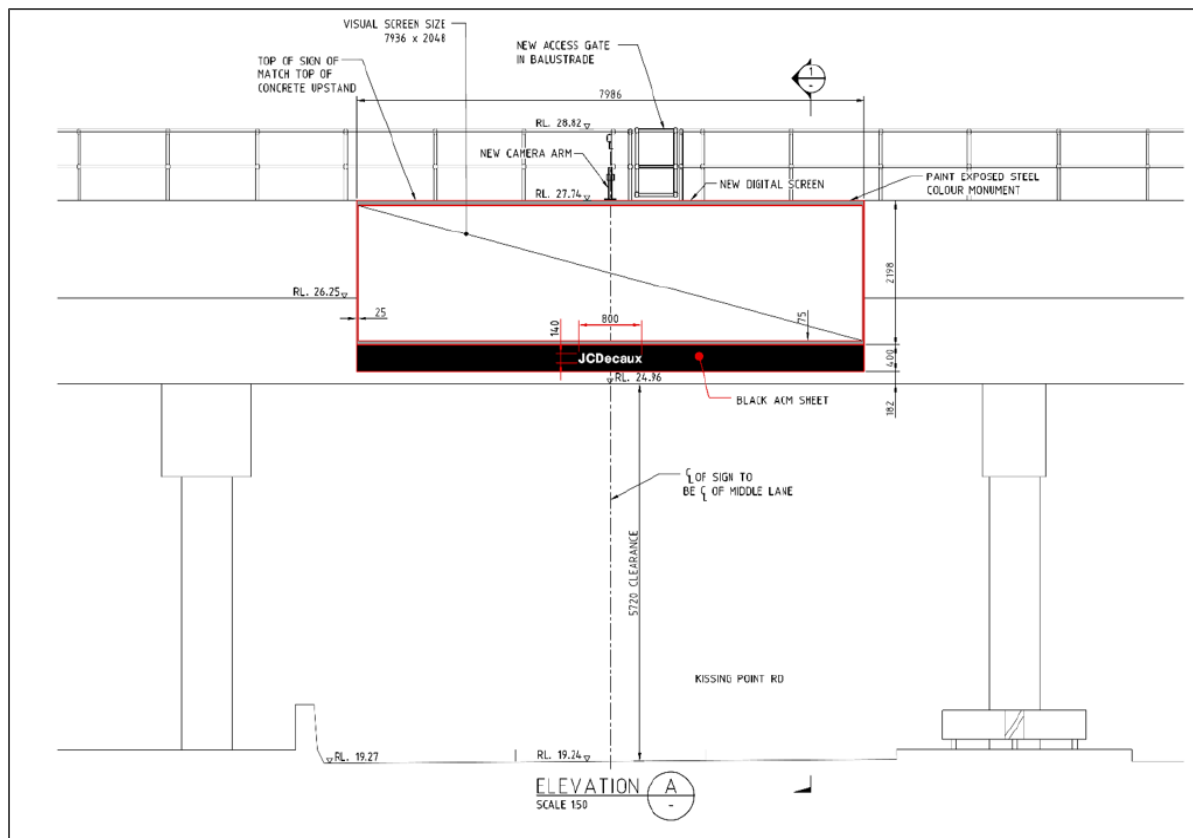
**Table 1** | Details of the Project

Aspect	Description
<b>Bridge:</b>	
Alterations	<ul style="list-style-type: none"><li>• construction of an access platform</li><li>• alterations to existing balustrade</li></ul>
<b>Sign:</b>	
Advertising display area	20.75 m <sup>2</sup> (7.986 m x 2.598 m, plus logo)
Visual screen size	16.25 m <sup>2</sup> (7.936 m x 2.048 m)
Road clearance	5.72 m clearance from ground level to bridge
Sign display	Digital signage, illuminated by LEDs installed within the front face
Hours of operation	24 hours a day, 7 days per week

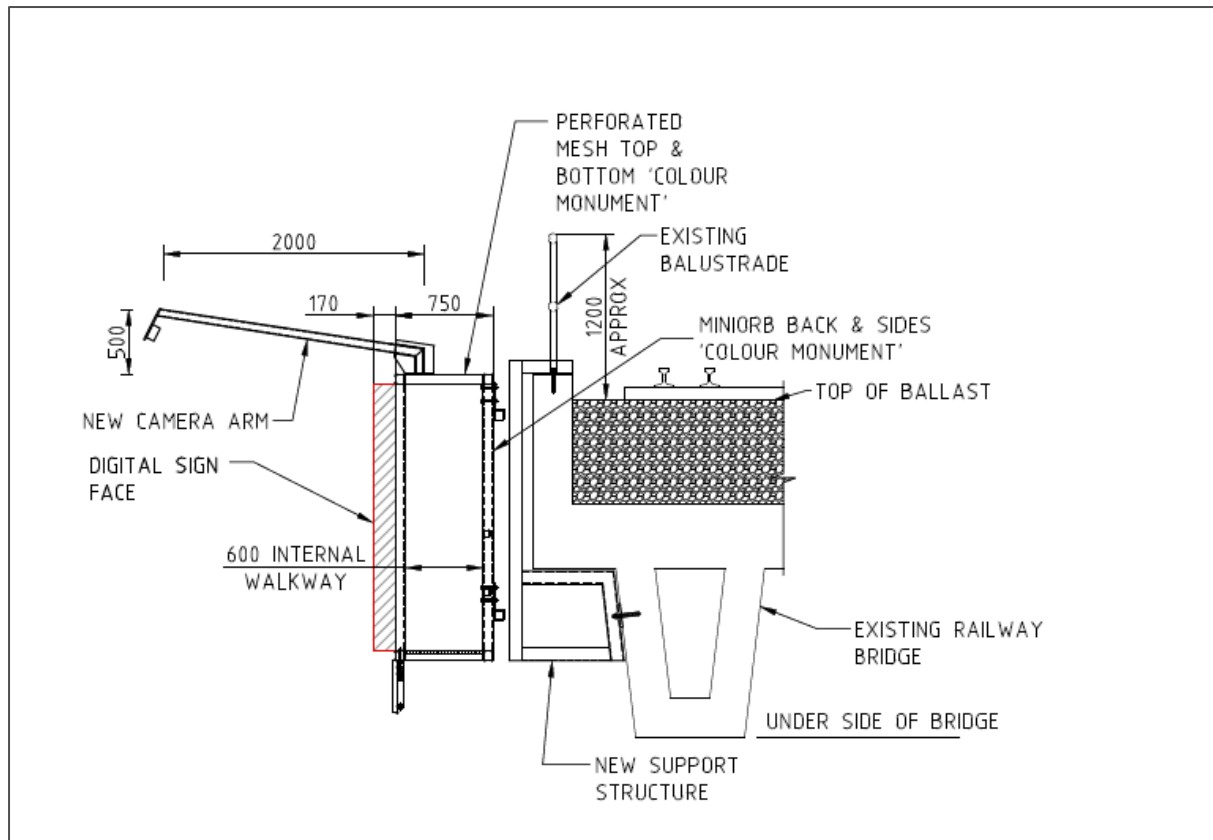




**Figure 4 | Site Plan (Source: Architectural plans)**



**Figure 5 | Northwest Elevation (Source: Architectural plans)**



**Figure 6 |** Digital sign section (Source: Architectural plans)



**Figure 7 |** Photomontage of view from Kissing Point Road (Source: SEE)

## 3 Statutory Context

### 3.1 Consent Authority

The Minister for Planning is the consent authority for the application in accordance with Clause 3.10(c) of State Environmental Planning Policy (Industry and Employment) 2021. The DA relates to an advertisement displayed by or on behalf of Sydney Trains on a railway corridor.

In accordance with the Minister's delegation, the Director, Key Sites Assessments may determine the application as:

- the Council has not made an objection
- there are less than 15 public submissions in the nature of objection
- a political disclosure statement has not been made.

### 3.2 Permissibility

The Kissing Point Road railway bridge overpass is located within the Parramatta LGA. The Site is zoned SP2 Infrastructure – Railway Corridor under the Parramatta Local Environmental Plan 2011 (PLEP 2011) and the proposed development is defined as an 'advertisement'. Advertisements are prohibited in the SP2 zone.

However, as the development involves the display of an advertisement on transport corridor land by or on behalf of Sydney Trains, it is identified as permissible with development consent pursuant to Clause 3.14(1)(a) of State Environmental Planning Policy (Industry and Employment) 2021.

### 3.3 Mandatory Matters for Consideration

The Department has considered the following relevant mandatory matters for consideration in its assessment of the proposal (refer to **Section 5** and **Appendix C** of this report):

- objects of the EP&A Act
- the matters in section 4.15(1) of the EP&A Act:
  - relevant Environmental Planning Instruments (EPIs) and proposed instruments
  - any development control plan
  - any planning agreements
  - Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)
  - likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts
  - suitability of the site
  - any submissions
  - the public interest

## 4 Engagement

### 4.1 Department's engagement

The Department exhibited the application for 28 days from 13 April 2022 to 10 May 2022 on the NSW Planning Portal. The Department also notified surrounding landowners in writing and consulted with City of Parramatta (Council) and Transport for NSW (TfNSW).

### 4.2 Agency advice

The Department received advice from Council and TfNSW.

Council advised that the sign can be supported from a traffic perspective subject to it complying with the Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (Guidelines), including any advertising content and luminance levels.

TfNSW advised that the sign can be supported, subject to the imposition of conditions relating to the structural capacity of the overpass bridge, protection of the Parramatta Light Rail infrastructure and restrictions relating to the location of the sign in a school zone.

Council and TfNSW's advice and conditions have been considered and assessed in **Section 5** and **Appendix C** and incorporated into the recommended instrument of consent (**Appendix D**).

A link to the advice is provided in **Appendix A**.

### 4.3 Public submissions

Two public submissions were received in response to the public exhibition. Both these objected to the proposal and are from nearby residents who live along Kissing Point Road. The key issues raised in the submissions relate to pedestrian and driver safety in the locality. In particular:

- accidents and fatalities that have occurred on the stretch of road
- unreported speeding
- the configuration, topography and curve of the road
- location within a school zone and residential area, with a high number of pedestrian movements
- weather conditions including fog
- driver distraction.

#### 4.4 Response to Submissions and additional information

The Applicant provided a Response to Submissions (RtS) on 4 July 2022, which addressed the matters raised in Council's and TfNSW's advice and the public submissions and included additional information relating to lighting, visual impacts and public benefit.

A link to the RtS and additional information is provided in **Appendix A**.



## 5 Assessment

The Department considers the key issues associated with the proposal are:

- design and suitability of the site
- visual impact
- road and pedestrian safety
- illumination
- public benefit.

### 5.1 Design and suitability of the site

The proposal seeks approval for a new digital advertising sign with an overall display area of 20.75 m<sup>2</sup>. The Department notes the proposed sign would be installed in a location, where currently, there is no digital advertising signage.

The Department considers the design and location of the proposed signage is acceptable as the sign:

- would not adversely impact the existing or future character of land uses surrounding the overpass as the proposed sign would be integrated into an existing urban setting with negligible to low visual impacts
- would not detract from the built form of the overpass or road, as it does not extend beyond the railway bridge overpass structure
- would not detract from heritage listed items, as none of these items have a direct line of sight to the proposed sign
- is unlikely to result in adverse impacts to nearby residences, as the curvature of Kissing Point Road and the presence of existing mature vegetation provide separation and screening
- complies with the design criteria of the Industry and Employment SEPP, the Transport Corridor Advertising and Signage Guidelines 2017 (Guidelines) and AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting (**Appendix C** and **Section 5.3**).

### 5.2 Visual Impact

Visibility of the proposed sign is largely contained to the road corridor of Kissing Point Road, travelling east, due to the curvature of the road obscuring sight lines (**Figure 9**). The presence of dense mature vegetation along the northern and southern edges of the road corridor further limits visibility.

The Statement of Environmental Effects (SEE) identifies the key visual receivers of the sign as the Vineyard Creek Reserve and several residences located to the northwest and southwest. The key viewpoints considered in the SEE are shown in **Figures 8 -13** and the expected view impacts are summarised in **Table 2**.



**Figure 8 |** Visual catchment and viewpoints considered in the SEE (Base source: SEE)

**Table 2 |** View impacts from viewpoints considered in the SEE

Viewpoint		Nature of impact
<b>Reserve</b>		
1	Vineyard Creek Reserve	Minor for those areas closest to the road and negligible to minor for the wider reserve, due to the alignment of Kissing Point Road and the orientation of the sign.
<b>Residential properties</b>		
2	69 Kissing Point Road	Negligible to minor as the curvature of Kissing Point Road limits direct views from the property to the sign
3	71 Kissing Point Road	Negligible, as views to the sign from the property are limited and obscured by the large setback, dense vegetation and the curvature of Kissing Point Road.
4	73 Kissing Point Road	Negligible to minor, as the orientation of the property and the presence of dense vegetation along the road corridor obscures sight lines and minimises visual impacts.
6	78 Kissing Point Road	Minor. Although the property has a direct line of sight east towards the sign, the view is obtained over the reserve, is partly obscured by vegetation and the two windows with direct views are not associated with primary living areas.





**Figure 9** | Proposed view to sign from Vineyard Creek Reserve – taken from Viewpoint 1



**Figure 10** | Proposed view of sign from footpath adjoining 69 Kissing Point Road – taken from Viewpoint 2



**Figure 11** | Proposed view of sign from footpath adjoining 71 Kissing Point Road – taken from Viewpoint 3



**Figure 12** | Proposed view of sign from footpath adjoining 73 Kissing Point Road – taken from Viewpoint 4



**Figure 13** | Proposed view of sign from 78 Kissing Point Road – taken from Viewpoint 6

The Department has reviewed the visual impact assessment and considers the visual impact is acceptable as:

- the curvature of Kissing Point Road and the orientation of the sign limits direct view lines from surrounding properties
- the presence of mature vegetation adjoining the road corridor obscures views from adjoining properties
- the sign would not extend outside the physical boundaries of the Kissing Point Road railway bridge overpass
- the sign would not obscure or compromise important views, will not dominate the skyline or reduce the quality of vistas of any environmentally sensitive areas, heritage areas or open space
- the sign is consistent with the requirements of State Environmental Planning Policy (Transport and Infrastructure) 2021 and the associated Guidelines, as they relate to visual considerations.

### 5.3 Road and pedestrian safety

Kissing Point Road is a dual-carriageway six-lane (three lanes in each direction) classified road. On approach to the railway overpass bridge the legal speed limit of Kissing Point Road is 60 km/hr. The bridge is located within a school zone and during weekdays a school zone speed limit of 40 km/hr applies for traffic travelling in both directions.

There are pedestrian footpaths on both sides of the road and no parking is permitted during the clearway times. No formal cycling facilities are provided. The sign will be visible to traffic travelling eastbound on Kissing Point Road.

The application is accompanied by a Signage Safety Assessment (SSA), which considers the proposal against the relevant safety requirements of the Guidelines and the Industry and Employment SEPP.

The SSA identifies that the sign would be likely visible across the three eastbound traffic lanes on the western approach for approximately 135m – 145m and would become out of driving view for all lanes approximately 10m west of the sign (**Figure 14**).

The SSA concludes that the road environment along the relevant section of Kissing Point Road presents a low-risk environment for the proposed sign and the installation of the sign would be acceptable from a road safety perspective as:

- the proposed sign is not located within the safe stopping distance of 60 m, being the distance required to enable a driver to react and stop before reaching a hazard
- no recorded crash incidents within the visible distances of the proposed sign have been recorded within the last 5 years

- a dwell time of 25 seconds, which exceeds the requirements of the Guideline (10 seconds for a 60 km/hr zone) and a fixed display during school hours are appropriate following consultation with TfNSW.



**Figure 14 | Sign visibility from the west approach of Lane 1 (Source: Sign Safety Assessment)**

TfNSW advised that they have no objection to the proposed sign, subject to the imposition of several conditions including a condition which requires the sign display to remain switched off or static during school zone hours.

Public submissions, however raised concerns that the proposal would potentially result in road and pedestrian safety impacts (**Section 4.3**).

The Department has carefully considered the concerns raised in public submissions, in particular the concerns raised about pedestrian and vehicle safety given the sites location within a school zone. However, having regard to the proposed mitigation measures and conclusions of the Applicant's SSA and the advice provided by TfNSW, the Department is satisfied that the proposed sign is acceptable and will not compromise road and pedestrian safety as:

- it is consistent with the safety requirements of the Industry and Employment SEPP and the Guidelines
- it is not located within the safe stopping distance of a decision making or conflict point
- there are no recorded crash incidents in the most recent five-year period on the western approach of the sign
- the sign will not obstruct or reduce visibility of any traffic control devices, signage, pedestrians or cyclists
- the sign will not give incorrect information on the alignment of the road
- the sign display will have an increased dwell time of 25 seconds (rather than 10 seconds) and be either switched off or static during school hours to minimise the risk of driver distraction.



The Department recommends that conditions be imposed that:

- set the dwell time for the sign display to a minimum of 25 seconds
- require that the sign display to be switched off or static during school zone hours
- control the content and display of messages to ensure that drivers are not distracted
- require the Applicant to carry out a further road safety audit after a 12 month period of operation but within 18 months. This audit will be reviewed by TfNSW and any recommendations, particularly in relation to safety during school zone hours, implemented by the Applicant. The condition also requires the sign to be removed if the audit recommendations cannot be implemented.

Based upon the findings of the Applicant's SSA and the advice provided by TfNSW, the Department is satisfied the proposal complies with the Industry and Employment SEPP and the Guidelines and the proposed signage will not have a negative impact on road safety, subject to the recommended conditions.

## 5.4 Illumination

The proposed sign will be illuminated using LEDs installed within the front face on a 24-hour basis, 7 days per week. The luminance will be automatically adjusted to suit surrounding ambient light levels throughout the day and night.

The Applicant provided a Lighting Impact Assessment (LIA) that assessed the luminance against the Guidelines and categorised the site as being within 'Zone 4' (areas with low levels of off-street ambient lighting e.g. most rural areas, or areas that have residential properties nearby) (**Table 2**).

**Table 2 | Maximum luminance for signage and proposed luminance**

Lighting Condition	Maximum permissible luminance (cd/m <sup>2</sup> )	Proposed Luminance (cd/m <sup>2</sup> )	Compliance
Full sun on face of signage	No limit	No limit	Yes
Day time luminance	6,000	6,000	Yes
Morning and evening twilight and inclement weather	500	500	Yes
Night-time	200	110	Yes

The LIA also assessed the signage against the requirements of Australian Standard AS4282-2019 - Control of the Obtrusive Effects of Outdoor Lighting 'Environmental Zone A2' under AS 4282 (areas with low district brightness e.g. sparsely inhabited rural and semi-rural areas) and concludes the sign:

- would have a maximum nighttime lux level of 0 at nearby dwellings, which is below the maximum lux level of 1 allowed under AS4282 and means that residents should experience no illumination impacts from the proposed sign during the nighttime period
- would have a threshold increment of 19.04% at night, which complies with the threshold increment requirement of 20% under AS4282.

The Department has considered the Applicant's LIA and is satisfied that the sign will not result in unacceptable lighting impacts, as:

- nearby residential properties are partially shielded by mature vegetation which obstructs spill light from the sign
- the Applicant's LIA demonstrates that the nighttime luminance of 110 cd/m<sup>2</sup> would not cause any impacts (0 lux) at the nearest residential properties
- the sign would not result in adverse light impacts as it complies with the most sensitive Zone 4 criteria in the Guidelines and threshold increment requirements under AS4282.

The Department therefore concludes the sign will not result in any adverse illumination impacts on surrounding properties.

## 5.5 Public benefit

Where the Minister for Planning is the consent authority Clause 3.11(2)(iii) of State Environmental Planning Policy (Industry and Employment) 2021 requires that the consent authority be satisfied that the proposal is acceptable in terms of public benefits provided in connection with the advertisement.

The Guidelines specify how this is to occur, requiring proposals for certain advertisements lodged by Sydney Trains or those to be displayed on a bridge to meet a public benefit test to ensure the advertisement would provide a net positive gain for the local community.

The Applicant provided a Public Benefit Statement (PBS) confirming the following public benefits:

- all revenue generated will be re-invested into running the Sydney Trains network including improvement and maintenance programs, and supporting the next generation of transport solutions online
- the digital sign will be available for use by Sydney Trains, TfNSW and NSW emergency services to display safety or public awareness message
- Sydney Trains may access the digital screens for up to 5 minutes per hour (~8%) for Sydney Trains and TfNSW customer promotions and events at no cost.

The Applicant also committed that the sign operator, JCDecaux, will undertake the removal of graffiti on the railway bridge overpass at the time of constructing the proposed sign.

The Department has considered the PBS and is satisfied the proposal will result in sufficient public benefits as it will contribute to the improvement and maintenance of train services and play an important role in helping to address traffic safety problems and improving local amenity, which is consistent with the Guidelines.

The Department recommends a condition, which requires the revenue received by Sydney Trains to be recorded in its Annual Reports and detail how the revenue has been applied to provide a public benefit. Other recommended conditions include the removal of graffiti prior to the commencement of use and during ongoing maintenance and the display of road safety and emergency messages 5 minutes per hour arranged by TfNSW.

## 6 Evaluation

The Department has assessed the development application and supporting information in accordance with the matters for consideration under Part 4 of the EP&A Act, including SEPP (Industry & Employment) 2021 relevant environmental planning instruments. The Department's assessment concludes the proposed development is acceptable as:

- it is permissible with development consent on transport corridor land under the Industry and Employment SEPP and consistent with the objectives of the SEPP, the Guidelines and SP2 zone
- it will not result in any significant visual or heritage impacts
- the proposed luminance levels are lower than or consistent with the Guidelines and Australian Standards, and the nighttime luminance will not cause any impacts (0 lux) to neighbouring residential properties
- it complies with the relevant road safety standards and will not compromise road and pedestrian safety in the locality, subject to conditions requiring an increased dwell time of 25 seconds and the requirement for it to be switched off or static with no changing advertisements during school zones
- it will provide appropriate public benefit as all revenue generated will be re-invested into the Sydney Trains network.

The Department's assessment therefore concludes the proposal is acceptable and is in the public interest. The Department recommends the application be approved, subject to conditions (**Appendix D**).

## 7 Recommendation

It is recommended that the Minister for Planning, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of DA 22/1843, subject to the conditions in the attached development consent / project approval
- **signs** the attached development consent and recommended conditions of consent.

**Recommended by:**



**Renah Givney**  
Senior Planning Officer  
Key Sites Assessments

**Recommended by:**



**Amy Watson**  
Team Leader  
Key Sites Assessments



## 8 Determination

The recommendation is **Adopted** / ~~Not adopted~~ by:



30 November 2022

**Anthony Witherdin**

Director

Key Sites Assessments

as delegate of the Minister for Planning

# Appendices

## Appendix A – List of referenced documents

The following supporting documents and additional information to this assessment report can be found on the NSW Planning Portal as follows:

- Statement of Environmental Effects
- Agency advice
- Public submissions
- Response to Submissions and additional information

<https://www.planningportal.nsw.gov.au/daexhibitions>

## Appendix B – Consideration of public submissions

Consideration of public submissions is provided in **Table 4**.

**Table 4** | Consideration of public submissions

Issue	Consideration
Road and pedestrian safety concerns including: <ul style="list-style-type: none"><li>• accidents and fatalities that have occurred on the stretch of road</li><li>• unreported speeding</li><li>• the configuration, topography and curve of the road</li><li>• location within a school zone and residential area, with a high number of pedestrian movements</li><li>• weather conditions including fog</li><li>• driver distraction.</li></ul>	<p>The application is accompanied by a SSA, which concludes that the road environment along the relevant section of Kissing Point Road presents low-risk environment for the proposed sign and that the analysis shows that the installation of the sign would be acceptable from a road safety perspective.</p> <p>The Department is satisfied that the SSA has been prepared in accordance with industry standard requirements, including assessment against the Industry and Employment SEPP, the Guidelines, Austroads and consideration of TfNSW crash data.</p> <p>TfNSW have reviewed the SSA and raise no objections on road safety grounds subject to conditions.</p> <p>The Department is satisfied that the proposed sign:</p> <ul style="list-style-type: none"><li>• is consistent with the safety requirements of the Industry and Employment SEPP and the Guidelines</li><li>• is not located within the safe stopping distance of a decision making or conflict point</li><li>• will not obstruct or reduce visibility of any traffic control devices, signage, pedestrians or cyclists</li><li>• will not give incorrect information on the alignment of the road</li><li>• is not located in an area that has any recorded crash incidents in the most recent five-year period</li><li>• is located within a low-risk environment and is acceptable from a road safety perspective.</li><li>• will have an increased dwell time of 25 seconds (rather than 10 seconds) and be fixed during school hours</li></ul>

Recommended Conditions include those that:

- set the dwell time for the sign display to a minimum of 25 seconds
- requires the sign display be fixed/ static (with no changing advertisements) during school zone hours
- control the content of messages and the manner in which they displayed to ensure that drivers are not distracted
- requires the Applicant to carry out a further road safety audit within 18 months of operation, which will be reviewed by TfNSW with any recommendations to be implemented by the Applicant
- requires the Applicant to remove the sign in the event that the recommendations of the safety audit cannot be implemented.

## Appendix C – Statutory Considerations

The Department has considered the following matters in its assessment of the proposal in **Table 5** to **Table 10**.

### C1 Objects of the EP&A Act

**Table 5** | Consideration of the proposal against the objects of the EP&A Act

Objects of the EP&A Act	Consideration
(a) 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	The proposal seeks to provide social and economic benefits including reinvesting all revenue to Sydney Trains network to improve the services. The proposal will not adversely impact on the State's natural and other resources.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	The Precautionary and Inter-generational Equity Principles have been applied in the decision-making process by a thorough assessment of the environmental impacts of the project.
(c) to promote the orderly and economic use and development of land	The sign is using an approved railway infrastructure and will generate revenue to contribute to improving the Sydney Trains network.
(d) to promote the delivery and maintenance of affordable housing	Not relevant.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The proposal will not impact on the natural environment.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	The proposal is located in proximity to several heritage listed items. The impacts to heritage are considered in <b>Section 5</b> .
(g) to promote good design and amenity of the built environment	The design and impacts on amenity are considered in <b>Section 5</b> .
(h) to promote the proper construction and maintenance of buildings, including the	Not relevant.

protection of the health and safety of their occupants	
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	The Department referred the proposal to TfNSW and Council ( <b>Section 4</b> ) and considered their responses ( <b>Section 5</b> ).
(j) to provide increased opportunity for community participation in environmental planning and assessment	The Department exhibited the application as outlined in <b>Section 4</b> .

## C2 Section 4.15(1) Matters for consideration

**Table 6 | Section 4.15(1) Matters for Consideration**

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	The proposal is consistent with relevant EPIs, as addressed in <b>Section 5</b> and <b>Appendix C3</b> .
(a)(ii) any proposed instrument	There are no draft EPIs applicable to the proposed development.
(a)(iii) any development control plan	The proposal is consistent with the relevant provisions of the Parramatta DCP 2012, as addressed in <b>Appendix C4</b> .
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications, the requirements for notification and fees.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The Department has assessed the likely impacts of the development and concludes that the proposed sign is unlikely to result in unacceptable environmental, social and economic impacts in the locality. The Department recommends conditions to minimise and manage impacts (refer to <b>Section 5</b> and <b>Appendix D</b> ).
(c) the suitability of the site for the development	The site is suitable for the development, as discussed in <b>Section 5</b> .
(d) any submissions	Consideration has been given to the submissions received during the exhibition period ( <b>Section 4</b> , <b>Section 5</b> and <b>Appendix B</b> ).
(e) the public interest	The Department considers the proposal to be in the public interest ( <b>Section 5</b> ).

## C3 Environmental Planning Instruments

The following EPIs were considered as part of the assessment of this proposal:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021

- Parramatta Local Environmental Plan 2011

### State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 applies to all land. Clause 4.6 of the Policy requires the consent authority to be satisfied, before consent is granted for a development, whether the land subject to the development is contaminated and if contaminated, whether the land is suitable in its contaminated state or will be suitable after remediation.

The proposed development involves the installation of an advertising sign on an existing railway overpass bridge above a road corridor. The development does not involve the disturbance of any land. Consequently, the land subject to the development is considered suitable for its intended purpose.

### State Environmental Planning Policy (Industry and Employment) 2021

State Environmental Planning Policy (Industry and Employment) 2021 applies to all signs that can be displayed with development consent and is visible from any public place or public reserve. The proposed digital sign has been assessed against the requirements of SEPP in **Table 7** and the specific assessment criteria of Schedule 5 of the SEPP in **Table 8**.

**Table 7 | Consideration of State Environmental Planning Policy (Industry and Employment) 2021**

Clause	Criteria	Comments	Compliance
<b>Part 3.2 – Signage Generally</b>			
<b>3.6 Granting of consent to signage</b>	The signage is to be consistent with the objectives of this Chapter.	The proposed development is compatible with the desired amenity and visual character of the area, provides effective communication and is high quality finish and is therefore consistent with the objectives of Chapter 3 of the Industry and Employment SEPP.	Yes
	The signage is to satisfy the assessment criteria in Schedule 5.	Refer to <b>Table 8</b> .	Yes
<b>Part 3.3 – Advertisements</b>			
<b>3.10 Consent authority</b>	The consent authority is the Minister for Planning in the case of an advertisement displayed by or on behalf of Sydney Trains on a railway corridor.	Refer to <b>Section 3.1</b> .	N/A
<b>3.11 Matters for consideration</b>	<p>The advertisement or advertising structure is to be:</p> <ol style="list-style-type: none"> <li>consistent with the objectives of this Chapter</li> <li>assessed in accordance with the assessment criteria in Schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its design, road safety and the public</li> </ol>	<p>The objectives of the Policy are considered above.</p> <p>The proposal has been assessed in accordance with the assessment criteria in Schedule 5 and the Guidelines, which is addressed below in <b>Table 8</b> and <b>Table 9</b>.</p>	Yes



	<p>benefits to be provided in connection with the display of the advertisement</p> <p>iii. satisfies any other relevant requirement of this Chapter.</p>	All other relevant requirements are addressed in this table.	
	Arrangements for the provision of the public benefits to be provided in connection with the display of the advertisement.	Refer to <b>Section 5</b> .	Yes
<b>3.12 Duration of consents</b>	A consent granted under this Part ceases to be in force on the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act.	The Department recommends a condition of consent to limit the approval for a maximum period of 15 years from the date of operation.	Yes
<b>3.14 Transport corridor land</b>	<p>The display of an advertisement on transport corridor land is permissible with development consent when the display is by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW on a railway corridor.</p> <p>The Minister must not grant consent to the display of an advertisement unless:</p> <ol style="list-style-type: none"> <li>the advice of any design review panel has been considered by the Minister, and</li> <li>the Minister is satisfied that the advertisement is consistent with the Guidelines.</li> </ol>	<p>Refer to <b>Section 3.2</b>.</p> <ol style="list-style-type: none"> <li>There was no design review panel for this application.</li> <li>Refer to <b>Table 9</b>.</li> </ol>	Yes
<b>3.15 Advertisements with display area greater than 20 square metres or higher than 8 metres above ground</b>	The consent authority must not grant consent unless an impact statement has been provided that addresses the assessment criteria in Schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts.	The Applicant's SEE addresses the assessment criteria in Schedule 5. The Department is satisfied that the proposal is acceptable in terms of its impacts ( <b>Section 5</b> ).	Yes
<b>3.18 Location of certain names and logos</b>	<p>The name or logo of the person who owns or leases an advertisement or advertising structure must:</p> <ol style="list-style-type: none"> <li>appear only within the advertising display area</li> <li>not be greater than 0.25 square metres</li> <li>be included in calculating the size of the advertising display area.</li> </ol>	<p>The operator logo is proposed to be placed on the skirting of the sign.</p> <p>The logo is approximately 0.112m<sup>2</sup> in size and has been included in the calculation of the advertising display area.</p>	Yes
<b>3.22 Advertisements on bridges</b>	The consent authority may grant consent only if the consent authority is satisfied that the advertisement is consistent with the Guidelines.	The proposal is consistent with the Guidelines as detailed in <b>Table 9</b> .	Yes

**Table 8 | Industry and Employment SEPP Schedule 5 Assessment Criteria Compliance Table**

Assessment Criteria	Comments	Compliance
<b>1 - Character of the area</b>		

Assessment Criteria	Comments	Compliance
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The sign is compatible with the locality, in particular the existing railway bridge overpass and road transport corridor.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The sign is consistent with other digital signs associated with other major roads in the locality.	Yes
<b>2 - Special areas</b>		
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?	While the sign is located in proximity to residential properties, reserves and heritage listed items it is considered that the sign will not detract from the values of these areas. <b>(Section 5).</b>	Yes
<b>3 - Views and vistas</b>		
Does the proposal: <ul style="list-style-type: none"> <li>• obscure or compromise important views?</li> <li>• dominate the skyline and reduce the quality of vistas?</li> <li>• respect the viewing rights of other advertisers?</li> </ul>	As the sign is affixed to the overpass and contained within the envelope of the existing bridge, it does not compromise any important views, the skyline or interfere with other advertisers.	Yes
<b>4 - Streetscape, setting or landscape</b>		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the sign is appropriate for the streetscape and railway corridor setting.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The sign will increase the visual interest by incorporating more frequently changing advertisements.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	No advertising exists within the area that will be consolidated by the proposed sign.	Yes
Does the proposal screen unsightliness?	No unsightliness near the proposal.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No.	Yes
Does the proposal require ongoing vegetation management?	No.	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 sign is contained within the existing overpass and is compatible with the scale, proportion and characteristics of the bridge.	Yes
Does the proposal respect important features of the site or building, or both?	The sign is integrated with the architecture of the existing overpass.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The sign is innovative in creating the capacity to display digital road safety advertising in this area.	Yes
<b>6 - Associated devices and logos with advertisements and advertising structures</b>		

Assessment Criteria	Comments	Compliance
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?	It is proposed that a security camera be installed to monitor the operation of the LED screen to ensure that it works properly. A logo will be located within the skirting area of the sign	Yes
<b>7 – Illumination</b>		
Would illumination: <ul style="list-style-type: none"> <li>result in unacceptable glare?</li> <li>affect safety for pedestrians, vehicles or aircraft?</li> <li>detract from the amenity of any residence or other form of accommodation?</li> </ul>	The proposed illumination complies with the Guidelines and will not result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, or detract from the amenity of any residents ( <b>Section 5</b> ).	Yes
Can the intensity of the illumination be adjusted?	The illumination levels will be adjustable with a light sensor. A condition has been included.	Yes
Is the illumination subject to a curfew?	The proposal is consistent with the applicable 'post curfew' illuminance limits established under AS 4282-2019.	Yes
<b>8 – Safety</b>		
Would the proposal reduce safety for: <ul style="list-style-type: none"> <li>any public road?</li> <li>pedestrians, or bicyclists?</li> <li>pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul>	No. Refer to <b>Section 5</b> .	Yes

## Transport Corridor Outdoor Advertising and Signage Guidelines

The Transport Corridor Outdoor Advertising and Signage Guidelines outline best practice for the planning and design of outdoor advertisements in transport corridors. The Guidelines supplement the provisions of State Environmental Planning Policy (Industry and Employment) 2021 by providing detailed information in relation to signage within transport corridors, including design criteria and road safety considerations. The proposal has been assessed against the Guidelines in **Table 9**.

**Table 9 | Assessment of the Guidelines design criteria**

Assessment Criteria	Comments	Compliance
<b>Land Use Compatibility Criteria</b>		
i. Outdoor advertising should not be inconsistent with the LEP land use objectives for the area.	The proposal is consistent with the objectives of the SP2 Zone under the Parramatta LEP 2011 as it is compatible with and will not detract from the provision of infrastructure.	Yes
ii. Advertisements must not be placed on land where signage is visible from the following areas if it is likely to create significant amenity impacts: <ul style="list-style-type: none"> <li>Environmentally sensitive area</li> <li>Heritage area</li> <li>Natural or other conservation area</li> <li>Open space</li> </ul>	While the proposed sign is in proximity to heritage items, residential areas, public open space and waterways it is considered that the proposal does not detract from the amenity of these areas. There is no direct line of sight from the site to the nearby heritage items and the sign is largely obscured from view to nearby residential areas and open space	Yes

Assessment Criteria	Comments	Compliance
<ul style="list-style-type: none"> <li>Waterway</li> <li>Residential</li> <li>Scenic protection area</li> <li>National park or nature reserve.</li> </ul>	<p>areas due to existing mature vegetation, the curvature of Kissing Point Road and the orientation of the proposed sign.</p> <p>The sign is located in a transport corridor and an assessment of potential impacts to surrounding residences are considered in <b>Section 5</b>.</p>	
iii. Advertising signage should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant views or views that add to the character of the area.	The sign is within the existing overpass structure and does not protrude above the skyline or obscure or compromise significant views.	Yes
iv. Advertising signage should not be located to diminish the heritage values of items or areas of local, regional or state heritage significance.	Refer to ii above.	Yes
v. Advertising signage should be placed within the context of other built structures in preference to non-built areas. Signage should be used to enhance the visual landscape.	The sign is affixed to the overpass and will be viewed in the context of the existing bridge structure.	Yes
<b>2.5 Site-Specific and Structural Criteria</b>		
<b>2.5.1 General criteria</b>		
a. The advertising structure should demonstrate design excellence and show innovation in its relationship to the site, building or bridge structure.	The sign is of a contemporary standard that is suitable for the road corridor.	Yes
b. The advertising structure should be compatible with the scale, proportion, and other characteristics of the site, building or structure on which the proposed signage to be located.	The sign is confined to the envelope of the existing overpass and is compatible with the scale of the overpass.	Yes
c. The advertising signage should be in keeping with important features of the site, building or bridge structure.	The proposal does not detract from any important features of the site or bridge.	Yes
d. The placement of the advertising signage should not require the removal of significant trees or other native vegetation.	The proposal does not require the removal of any vegetation.	Yes
e. The advertisement proposal should incorporate landscaping that complements the advertising signage and is in keeping with the landscape and character of the transport corridor.	The sign does not incorporate landscaping and will continue to be in character of the transport corridor.	Yes
f. Any safety devices, platforms, lighting devices or logos should be designed as an integral part of the signage or structure on which it is to be displayed.	<p>The proposed sign includes a fall arrest system to prevent the sign falling to the carriageway if struck by high vehicles.</p> <p>The logo will be incorporated into the sign structure and will not exceed 0.25m<sup>2</sup>.</p>	Yes
g. Illumination of advertisements must comply with the requirement in Section 3.3.3 in the Guidelines.	Assessed in this table below.	Yes
h. Illumination of advertisements must not cause light spillage into nearby residential properties, national parks or nature reserves.	The proposal, as conditioned, does not result in unacceptable light spillage to nearby residential properties, national	Yes

Assessment Criteria	Comments	Compliance
	parks or nature reserves (refer to <b>Section 5</b> of this report).	
<b>2.5.5 Bridge signage criteria</b>		
a. Architecture of the bridge must not be diminished.	The sign will not diminish the architecture of the bridge.	Yes
b. The advertisement must not extend laterally outside the structural boundaries of the bridge.	The sign will not extend outside the structural boundaries of the bridge including the guard fencing.	Yes
c. The advertisement must not extend below the soffit of the superstructure of the bridge to which it is attached, unless the vertical clearance to the base of the advertisement from the roadway is at least 5.8m.	The sign will not extend below the soffit of the overpass.	
g. Any advertising sign proposed for development on a bridge over a classified road requires the construction drawings to be submitted for review and approval by RMS bridge engineers, prior to construction to ensure all road safety requirements are met.	The Department recommends a condition that construction drawings be submitted to the satisfaction of TfNSW bridge engineers prior to construction.	Yes
h. Any advertising sign proposed for development on a bridge over a road requires provision of a fall arrest system (sign and sign support structure to bridge) to ensure the sign will not detach in case of impact by an over-high vehicle.	The proposal will include a fall arrest system to prevent the sign falling if struck by an over height vehicle. As a condition of consent, details of the 'fall arrest' system are to be provided prior to the issue of any Construction Certificate.	Yes
<b>2.5.8 Digital sign criteria (applies to signs greater than or equal to 20 sqm)</b>		
a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (d) below.	The proposal is for the display of static digital advertisements. A condition has been included.	Yes
b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	The proposal is not seeking consent for message sequencing. A condition has been included.	Yes
c. The image must not be capable of being mistaken for: <ul style="list-style-type: none"> <li>a prescribed traffic control device</li> <li>as text providing driving instructions to drivers.</li> </ul>	The sign content will be managed. A condition of consent has been included.	Yes
d. Dwell times for image display must not be less than 25 seconds for areas where the speed limit is 80km/h and over.	Following consultation with TfNSW the Applicant has proposed a 25 second dwell time, given the location of the sign within a School Zone.	Yes
e. The transition time between messages must be no longer than 0.1 second and in the event of image failure, the default image must be a black screen	The proposed transition time between messages is 0.1 second and the default image in the event of image failure will be a blank screen.	Yes
f. Luminance levels comply with the requirements in Section 3 of the Guidelines.	Refer to <b>Section 5</b> of this report	Yes

Assessment Criteria	Comments	Compliance
g. The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.	The images would not dazzle or distract drivers. A condition of consent has been included.	Yes
h. The amount of text and information supplied on a sign should be kept to a minimum.	The advertisements would primarily display images with information/text kept to a minimum. A condition of consent has been included.	Yes
i. Any sign that is within 250 m of a classified road and is visible from a school zone must be switched to fixed display during school zone hours.	The proposed sign is located within a school zone above a classified road.  The Department recommends a condition requiring the sign to be switched to a fixed display during school zone hours.	Yes
j. Each sign must be assessed on a case-by-case basis, including replacement of an existing fixed, scrolling or tri-vision sign with a digital sign and in the instance of a sign being visible from each direction, both directions for each location must be assessed on their own merits.	The Department has undertaken a detailed assessment of the design and location of the proposal (refer to <b>Section 5</b> ).	Yes
k. At any time, including where the speed limit in the areas of the sign is changed, if detrimental effect is identified on road safety post installation of a digital sign, RMS reserves the right to re-assess the site using an independent RMS-accredited road safety auditor.	RMS may reassess the sign if road safety circumstances change as appropriate.	Yes
l. Sign spacing should limit drivers view to a single sign at any given time with a distance of no less than 150 m between signs in any one corridor.	There is no other sign within 150 m of the proposed sign.	Yes
m. Signs greater than 20 m <sup>2</sup> must obtain RMS concurrence and must ensure the following minimum vertical clearances: i. 2.5 m from lowest point of the sign above the road surface if located outside the clear zone. ii. 5.5 m from lowest point of the site above the road surface if located within the clear zone (including shoulders and traffic lanes) or the deflection zone of a safety barrier if a safety barrier is installed.	Although the proposed sign is greater than 20 m <sup>2</sup> , TfNSW concurrence is not required when the Minister is the consent authority. The Department consulted with TfNSW who raised no objection to the proposal, subject to conditions.  The vertical clearance between the road surface and the lowest point of the bridge is 5.72m. No portion of the sign will be lower than the minimum vertical clearance under the overpass.	Yes
n. An electronic log of a sign's activity must be maintained by the operator for the duration of the development consent and be available to the consent authority and/or RMS to allow a review of the sign's activity in case of complaint.	A condition of consent has been included.	Yes
o. A road safety check which focuses on the effects of the placement and operation of all signs over 20 m <sup>2</sup> must be carried out after 12 month period of operation but within 18 months of the sign's installation.	A condition of consent has been included.	Yes
<b>Road Safety - 3.2 Sign location criteria</b>		

Assessment Criteria	Comments	Compliance
<b>3.2.1 Road clearance</b>		
a. The advertisement must not create a physical obstruction or hazard.	The sign is to be affixed to the existing overpass and would not result in any physical obstruction or hazard.	Yes
b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone.	The sign will be located outside the clear zone.	Yes
c. Where a sign is proposed within the clear zone but behind an existing RTA-approved crash barrier, all its structures up to 5.3m in height (relative to the road level) are to comply with lateral clearances as specified by Section 6 of the RTA's Road Design Guide with respects to dynamic deflection and working width.	The sign will be located outside the clear zone.	N/A
d. All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS 1170.1 and AS1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.	The sign is located on a bridge and a condition has been included requiring the proposal to comply with AS 1170.1 and AS 1170.2.	Yes
<b>3.2.2 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.	The sign will not obstruct views beyond that of the existing bridge.	Yes
b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The sign will not obstruct views beyond that of the existing bridge.	Yes
c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road.	The location of the proposal does not give incorrect information on the alignment of the road.	Yes
d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time.	The proposed sign is located front-on and will not require the drivers to direct their attention away from the road.	Yes
<b>3.2.3 Proximity to decision making points and conflict points</b>		
a. The sign should not be located: <ul style="list-style-type: none"> <li>i. less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves</li> <li>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</li> <li>iii. so that it is visible from the stem of a T-intersection.</li> </ul>	Refer to <b>Section 5</b> .	Yes
b. The placement of a sign should not distract a driver at a critical time.	The sign is not visible within the safe sight distance of any intersection or prescribed traffic control device.	Yes
<b>Road Safety - 3.3 Sign design and operation criteria</b>		
<b>3.3.1 Advertising signage and traffic control devices</b>		



Assessment Criteria	Comments	Compliance
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.	The sign will not distract drivers or reduce the visibility and effectiveness of any devices or signs.	Yes
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.	The sign will not interfere with stopping sight distance for the road's design speed or the effectiveness of a traffic control device.	Yes
<b>3.3.4 Interaction and sequencing</b>		
a. The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or technology that enables opt-in direction communication with road users.	A condition of consent has been included to ensure the proposed sign does not incorporate technology that will interact with in-vehicle electronic devices or mobile devices.	Yes
b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	A condition of consent has been included.	Yes
<b>Public Benefit</b>		
As proponents of outdoor advertising, Sydney Trains must demonstrate that revenue raised from outdoor advertising is directly linked to a public benefit.	Refer to <b>Section 5</b> .	Yes
Sydney Trains must record the total amount of outdoor advertising revenue received each year in their financial accounts and their Annual Reports. The Annual Reports must also outline investments made in the year on transport safety, amenity improvements or other public works, listing specific works to which the funds have been or are to be applied.	A condition of consent has been included.	Yes

## State Environmental Planning Policy (Transport and Infrastructure) 2021

The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

Clause 2.119(2) of the Transport and Infrastructure SEPP requires the consent authority to be satisfied that the development with frontage to a classified road would not adversely affect the safety, efficiency and ongoing operation of the road. The proposed digital sign would be affixed to the existing overpass. The proposed digital sign is similar in nature to other digital signs which are typically found in road corridors. In consideration of the above, the proposal would not compromise the operation and function of the road.

## Parramatta Local Environmental Plan 2011

The relevant provisions of the Parramatta Local Environmental Plan (LEP) 2011 are considered below in **Table 10**.

**Table 10 | Consideration of Parramatta Local Environmental Plan 2011**

Assessment Criteria	Comments	Compliance
<b>Part 2 – Permitted or prohibited development</b>		
Clause 2.3 – Zone objectives and Land Use Table		
The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone	<p>The subject land is zoned SP2 Infrastructure – Railway Corridor and the objectives of the zone are to:</p> <ul style="list-style-type: none"> <li>provide for infrastructure and related uses</li> <li>prevent development that is not compatible with or that may detract from the provision of infrastructure.</li> </ul> <p>The proposed advertising sign will be affixed to an existing railway overpass bridge and is typical of sign erected in transport corridors. The sign is compatible with the road corridor and railway overpass bridge.</p> <p>The proposed advertising sign is consistent with the objectives of the SP2 zone.</p>	N/A
Land use table – development permissibility	<p>The Site is zoned SP2 Infrastructure – Railway Corridor and the proposed development is defined as an ‘advertisement’. Advertisements are prohibited in the SP2 zone.</p> <p>As the development involves the display of an advertisement on transport corridor land by or on behalf of Sydney Trains, it is identified as permissible with development consent pursuant to Clause 3.14(1)(a) of State Environmental Planning Policy (Industry and Employment) 2021.</p>	N/A
Clause 5.10 – Heritage Conservation		
5(c) The consent authority may, before granting consent to any development on land that is within the vicinity of a heritage item or heritage conservation area require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned	<p>The SEE identifies that the proposed advertising sign is in proximity to the following heritage items:</p> <ul style="list-style-type: none"> <li>Dundas Railway Station Group – Significance: State item No. I01133</li> <li>Victorian house – Significance: Local. Item I40</li> <li>Single storey residence – Significance: Local. Item 142</li> <li>Single storey residence – Significance: Local. Item 143</li> </ul> <p>The items are located to northeast, southeast and southwest of the proposed sign. None of</p>	N/A

the items have a direct line of sight to the proposed sign.

Given the proposed location of the sign and distance to the listed heritage items, the Department did not request that a heritage management document be prepared to assess the extent to which the proposed sign would affect the listed heritage items.

#### **C4 Parramatta Development Control Plan 2011**

The Parramatta DCP 2011 contains provisions for the installation of signage. The proposed sign is consistent with the relevant controls of the DCP (**Table 11**).

**Table 11 | Assessment of compliance with the Parramatta Development Control Plan 2011**

Assessment Criteria	Comments	Compliance
<b>General requirements</b>		
Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality, in particular signs are not to dominate or obscure other signs or result in visual clutter	The sign is proposed to be affixed to the north-western elevation of the existing rail overpass bridge. The surrounding area is predominately characterised by a range of low, medium and high-density residential development and there are no other signs in the immediate locality. Given the proposed location of the sign, it is not expected to adversely impact the surrounding locality.	Yes
Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed	The sign is proposed to be located within the existing envelope of the overpass bridge. The sign is compatible with the scale and character of the bridge	Yes
Structures supporting signs should be of a high aesthetic appearance and not impact on the visual amenity of the locality	The sign is proposed to be affixed to the north-western elevation of the existing rail overpass bridge. The proposal also involves structural supports for the sign and alterations to the bridge balustrade to create an access gate and associated access platform. The supporting structures are typical of that associated with signs and will be largely hidden by the advertising display screen. The supporting structures will not impact on visual amenity of the locality.	Yes
Materials used should be durable, fade proof and of a high aesthetic quality		
Advertisements and advertising structures should not protrude above the skyline	The proposed advertising sign does not protrude above the skyline.	Yes

Advertisements and advertising structures should complement natural features and not result in the trimming and lopping of significant trees	The proposal does not involve the removal or trimming of any vegetation.	Yes
The following types of advertising and signs are discouraged to protect the visual quality of the City: posters on poles or other structures in public places; sky signs; temporary signs of a commercial nature on land whether zoned or unzoned; trees used to support advertisement; flashing lights; A-frame signs; goods and signboards in public places; pylon signs not directly related to an activity carried out on the site; and signs painted on or applied on the roof.	The proposed advertising sign does not involve any of the types of listed signs.	Yes
General advertising signs that do not relate to a use, business or activity carried on the site or building on which the sign is to be placed are discouraged in order to protect visual amenity and reduce visual clutter	While the proposed sign is an 'advertisement' that does not relate to a use, business or activity carried out on the Site, it is allowed for under the provisions of SEPP (Industry and Employment) 2021. Further, the proposed sign is not expected to result in amenity impacts or visual clutter.	Generally consistent
Sign content is to relate directly to a use, business or activity carried out on or associated with the building or site on which the sign is to be placed, or to within 400m of the site, except where the sign: is incorporated with a bus shelter; home kiosk, telephone booth; street furniture and the like, or is in conjunction with the provision of public infrastructure or incorporates sponsorship acknowledgement.	The proposed advertising sign does not satisfy this provision. However as discussed above, the sign is allowed for under the provisions of SEPP (Industry and Employment) 2021	No
Signs and their supporting structures are to be structurally sound and constructed to ensure pedestrian and traffic safety	The proposed advertising sign and supporting structures have been designed to ensure the safety of drivers and pedestrians. In this regard, the applicant will be required to incorporate a fall arrest system in the detailed design to ensure that the sign will not detach from the bridge in the event of impact. Further, the applicant will be required to submit and have approved by TfNSW the detailed design for the sign prior to construction commencing. The Department recommends conditions in this regard.	Yes
Signs and their supporting structures should not be: hazardous to passers-by and for traffic safety; located so as to obscure a driver's or pedestrian's view of road or rail vehicles, pedestrians or features of the road, railway or footpath; highly illuminated so as to cause discomfort to, or inhibit vision of drivers or pedestrians; mistaken as an official traffic sign and should not distract a drivers attention or be confused with traffic signal instructions	The proposed advertising sign will not distract drivers or reduce the visibility and effectiveness of directional signs, traffic signals, traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.	Yes

The erection of any sign must comply with the applicable requirements of the Building Code of Australia	The advertising sign is capable of achieving compliance with the relevant provisions of the BCA.	Yes
Illuminated signs are not to detract from the architecture of the supporting building during daylight.	The proposed sign is compatible with and will not detract from the architecture of the bridge	Yes
Illuminated signs are to be energy efficient	The proposed signs will be illuminated using LEDs installed within the front face. The proposed digital display is consistent with best practice in terms of energy efficiency.	Yes
In considering applications for new signs, the consent authority must have regard to the number of existing signs on the site or the number of signs on a new building and in its vicinity and whether the cumulative impact gives rise to visual clutter	There are no other signs in the vicinity of the proposed advertising sign.	Yes
A curfew may be imposed on the operation of illuminated signs where continuous illumination may impact adversely on the amenity of residential buildings, serviced apartments or other visitor accommodation, or have adverse environmental effects	The proposed illumination is consistent with the post-curfew illumination limits set out in AS 4282-2019.	Yes
External lighting of signs is to be downward pointing and focused directly on the sign and is to prevent or minimise the escape of light beyond the sign.	The proposed advertising sign does not involve any external lighting.	Yes

## Appendix D – Recommended Instrument of Consent

<https://www.planningportal.nsw.gov.au/daexhibitions>