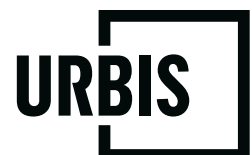




# STATEMENT OF ENVIRONMENTAL EFFECTS

Saunders Street and Miller  
Street, Pyrmont

Prepared for  
**JCDECAUX**  
20 June 2022



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# 1. INTRODUCTION

## 1.1. OVERVIEW

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

The site is located on the railway corridor known as L1 Dulwich Hill light rail line. The site is owned by Transport for New South Wales (**TfNSW**). Therefore, as per Clause 3.10 of the *State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)*, the consent authority is the Minister of Planning and Homes.

The DA seeks development consent for the following:

- Demolition of the existing large-format vinyl advertising sign, associated support and footing on site. This will be undertaken as exempt development as per Clause 3.30 of the Industry and Employment SEPP;
- Installation of digital advertising signage of dimensions 4.708m x 3.172m, attached to a monopole of height 3.6m (known as a Portrait 50); and
- Installation of associated footing and support.

The proposed works have an estimated cost of \$308,000 (including GST) and development consent is sought under Part 4 Division 4.6 (Clause 4.33) of the EP&A Act to the consent authority being the Minister for Planning and Homes.

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

- **The proposal satisfies the applicable planning controls and policies** – the proposal is consistent with the objectives of all relevant planning controls and achieves a sound architectural form proposed to be installed on site. The proposal is compliant with the controls regarding built form, illumination and operations contained within the *State Environment Planning Policy (Industry and Employment) 2021*, the Transport Corridor Outdoor Advertising and Signage Guideline and the *Sydney Local Environmental Plan 2012* and Sydney Development Control Plan 2012.
- **The proposal will not result in any adverse environmental impacts** – it is demonstrated that the proposal will not cause any negative environmental impacts, such that there is no impact on natural biodiversity, vegetation and waterways. The proposal does not hamper any significant features contained within Pyrmont.
- **The proposal is an appropriate built form in the streetscape** – the proposed digital screen is smaller than the size of the existing vinyl advertisement currently on site. Despite a minor increase in height of monopole, the proposal ensures there is not an appearance of additional bulk along the railway corridor. The proposed structure is designed to remain sympathetic to the character of the locality as well as surrounding developments. The proposed structure will not threaten the safety of vehicles, pedestrians and cyclists.
- **The proposal will offer a high standard of amenity** – the proposal will provide a high level of amenity for future and existing residents as well as retain the amenity and safety of patrons utilising the surrounding public domain. The illumination element of the structure is compliant with the relevant controls, ensuring surrounding land uses and developments remain unaffected.
- **The proposal is in the public interest** – the proposal is in the public interest as it does not hamper the safety for vehicles, pedestrians, and cyclists. Further, the proposal also allows Sydney Trains to generate revenue through the proposed advertisement structure. The revenue generated can then be used for other operations and services that cater to and benefit the public. As such, the proposal sits well within the public interest.

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

## 1.2. PROJECT AIM

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

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

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

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

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

## 1.3. REPORT STRUCTURE

This SEE is structured in the following manner:

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

## 1.4. SUPPORTING DOCUMENTATION

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

Table 1 Supporting Documents

Document	Consultant	Appendix
Owners Consent	TfNSW	Appendix A
QS Cost Summary Report	JCDecaux	Appendix B

<b>Document</b>	<b>Consultant</b>	<b>Appendix</b>
Survey Plan	JCDecaux	<b>Appendix C</b>
Elevation Plan (Existing and Proposed)	DBCE	<b>Appendix D</b>
Traffic Safety Assessment	TTPP	<b>Appendix E</b>
Lighting Impact Assessment	Electrolight	<b>Appendix F</b>
Public Benefit Statement	JCDecaux	<b>Appendix G</b>
Heritage Impact Assessment	Weir Phillips	<b>Appendix H</b>
Visual Impact Assessment	Urbis	<b>Appendix I</b>
Plan of Management	Urbis	<b>Appendix J</b>









Source: Urbis

Figure 3 Cycleways running directly along the east and north-west of the site



Picture 1 Cycleway east of the site

Source: Urbis



Picture 2 Cycleway north-west of the site

Source: Urbis

Figure 4 Residential flat buildings located north and north-east of the site





Source: Urbis

Figure 5 Residential flat building located east of the site along Miller Street





Source: Urbis

Figure 6 Light rail corridor also runs east of the site



Source: Urbis



Figure 7 Road infrastructure located south of the site



Source: Urbis

Figure 8 Commercial development located south-west of the site, along Saunders Street



Source: Urbis



Figure 9 Residential flat building located north-west of the site, along Saunders Street



Source: Urbis

## 2.2. LOCALITY

The site is located within the City of Sydney Local Government Area (**LGA**) and is approximately 2.9km from the Sydney CBD. The site is located within Pyrmont, which is an important location within the City of Sydney LGA, providing a variety of housing types, commercial opportunities and public open spaces.

The site is in close proximity to the Blackwattle Bay, located approximately 150m further west of the site providing multiple retail facilities as well as recreational facilities such as FBB Dragon Boat Club. The Harbour City Harvest Church is also located along the Blackwattle Bay.

The site locality is characterised by predominately mixed-use developments comprising of commercial and residential uses.

The surrounding developments are described below:

- **To the north** – directly north of the site along Jones Street are four to six storey residential flat buildings, forming part of R1 General Residential zone.
- **To the east** – directly east of the site is a seven-storey mixed use development comprising of commercial premises along the ground floor level and residential, falling within the B4 Mixed Use zone. The Fish Market light rail station is located east of the site, falling within SP2 Infrastructure zone.
- **To the south** – directly south of the site comprises of road infrastructure including Miller Street and Bank Street. R1 General Residential zone is located south of the site.

The Blackwattle Bay Marina land is located approximately 300m south of the site and is proposed to be developed for four buildings including commercial offices, marina storage, retail tenancies and basement parking. The development application (reference number SSD-5227) is currently being prepared by the respective applicant. SSD-5227 will not be impacted as a result of this proposal as the subject site under



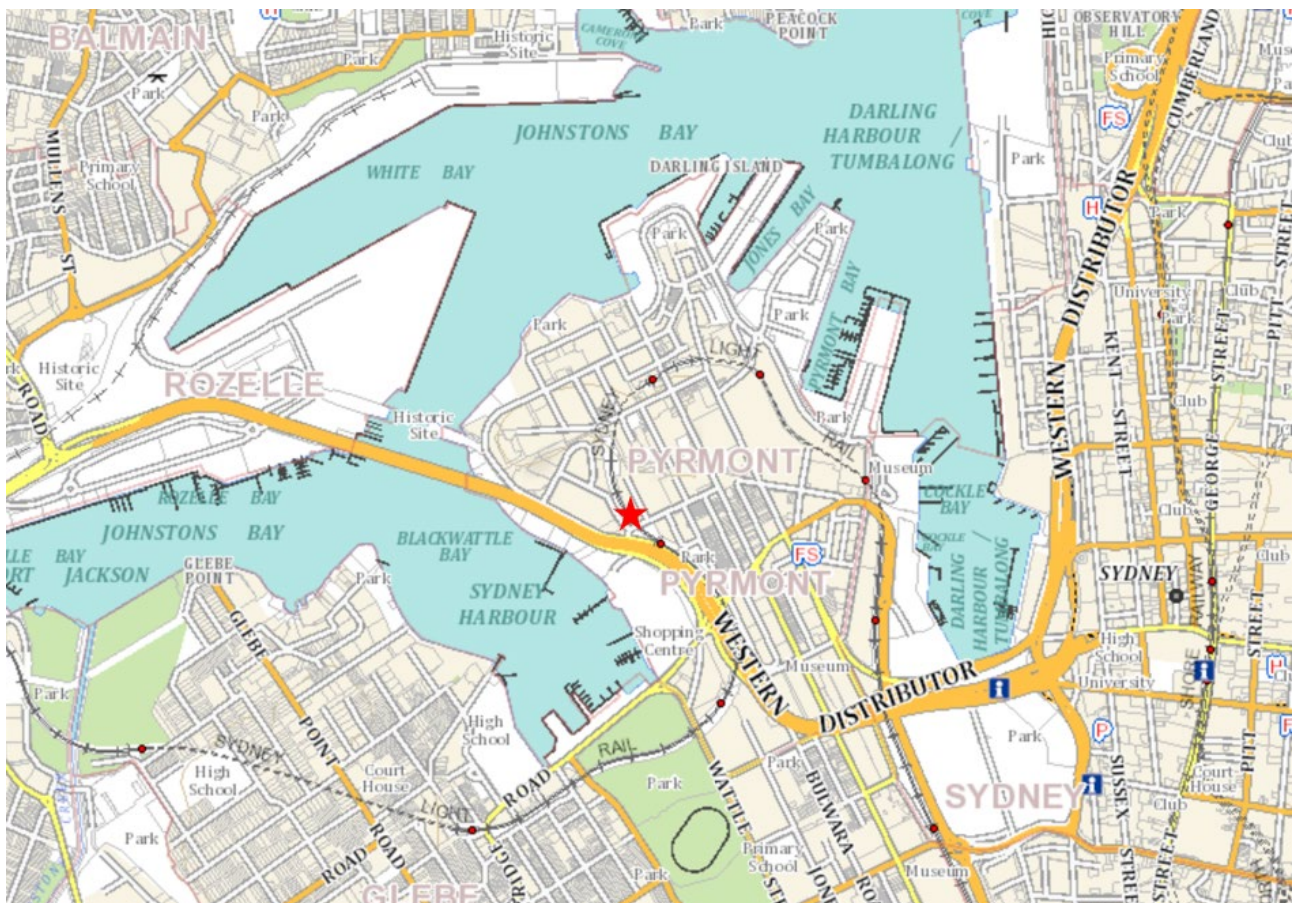
this proposal does not have a direct interface with the Blackwattle Bay Marina land, such that the overall amenity of future residential developments will be retained.

- **To the west** – directly south of the site are two to four storey commercial developments comprising of office premises falling within the B3 Commercial Core zone. North-west of the site, along Saunders Street, is an eight-storey mixed use development which including retail premise along the ground floor level and residential uses above, falling within the R1 General Residential zone.

The Sydney Fish Market Stage 2 (SSD-8925) was determined on 12 June 2020 and is currently under construction. Multiple modification applications have been lodged since its approval. The latest modification application known as SSD-8925-Mod-6 was recently lodged seeking consent to temporarily extend the boundary of the approved Sydney Fish Market site to include the Sydney Secondary College car park at 1 Pyrmont Bridge Road, to be utilised as temporary site accommodation (site sheds and amenities) during the construction of the new Sydney Fish Market. SSD-8925-Mod-6 is currently under assessment.

The site under SSD-8925-Mod-6 is located 150m northwest of the subject site under this proposal. It is noted that this proposal will not have an impact on the temporary site construction accommodation proposed under SSD-8925-Mod-6.

Figure 10 Location Context (site identified as a red star)



Source: Urbis

In terms of existing signage within the locality, there are multiple signs located along the eastern and north-western side of the site, along Miller Street and Saunders Street respectively. The signs within the vicinity include a variety of paper format top hamper signs, window signs and projecting wall signs as shown in Figure 11.

Figure 11 Existing signage within the vicinity of the site





Picture 3 Top hamper sign and wall sign located at Miller Street and Mount Street

Source: Urbis



Picture 4 Top hamper sign located north-east of the site

Source: Urbis



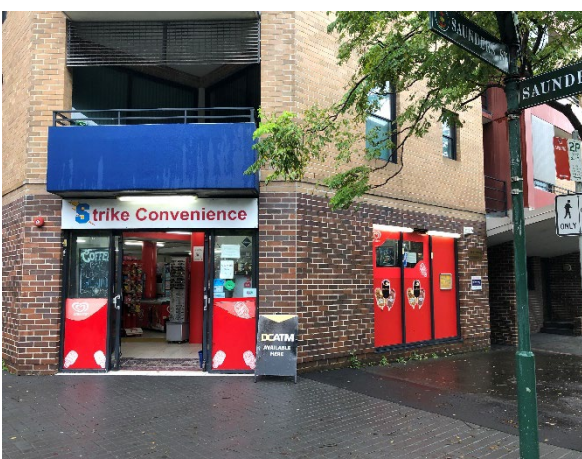
Picture 5 Projecting wall sign and window sign located at Miller Street

Source: Urbis



Picture 6 Top hamper sign and projecting wall sign located along Bulwara Road

Source: Urbis



Picture 7 Top hamper sign and window sign located at the junction of Saunders Street and Quarry Master Drive

Source: Urbis

## 2.3. SURROUNDING ROAD NETWORK

In terms of the surrounding road network, Miller Street and Saunders Street is located towards the east and south of the site respectively. Miller Street is an approximately 230m long road, part of Sydney's orbital road network that connects to Harris Street to the east and Bank Street to the west of the site. Miller Street allows for two-way vehicular traffic movement running at a moderate speed and provide footpaths on both side of the road. A bi-directional cycleway is provided along the northern side of Miller Street and eastern side of Saunders Street. The bi-directional cycleway and the north-east bound travel lane on Miller Street are separated by a raised median. On-street car parking is provided along both sides of Miller Street.

There is a marked pedestrian crossing located on Saunders Street at the intersection with Miller Street.

Saunders Street is an approximately 220m long road and connects Miller Street and Quarry Master Drive to the south and north-west of respectively. It allows for two-way vehicular traffic movement running at a moderate speed and on street parking is provide along both sides of the road. Footpaths are provided along each of Saunders Street. There are no dedicated cycle ways, however the footpaths are wide enough to accommodate cyclists as well as pedestrians.

An expressway known as Western Distributor is located south of the site, which is an essential road network providing connection to the Sydney CBD and include traffic running at a moderate to high speed.

A stop light and pedestrian crossing is located directly south of the site at the junction of Miller Street and Bank Street, as shown in Figure 7.

## 3. PROPOSED DEVELOPMENT

### 3.1. OVERVIEW

The removal of existing signs on site will be undertaken as exempt development under the provision of Clause 3.30 of the Industry and Employment SEPP. This development application seeks approval for installation of a new digital advertising sign and includes the following works:

- Demolition of the existing large-format vinyl advertising sign, associated support and footing on site. This will be undertaken as exempt development as per the Industry and Employment SEPP;
- Installation of digital advertising signage of dimensions 4.708m x 3.172m, attached to a monopole of height 3.6m (known as a Portrait 50); and
- Installation of associated footing and support.

The digital sign will have a dwell time of six (6) advertisements per minute and an instantaneous (or 0.1 second) transition time.

The extent of the proposed digital structure is shown in Figure 12 below. Elevation plans of the existing and proposed structure are provided in Figure 13 and Figure 14.

Table 2 below details the dimensions of the existing and proposed structure. While the proposed digital structure has a dimension of 4.708m x 3.172m, the digital screen itself has a dimension of 4.608m x 3.072m and a display area of 14.15sqm. The thickness of the digital structure is 450mm. The digital structure is attached to a monopole and has a total height of 8.290m. The digital structure will be visible to traffic moving northbound along Miller Street.

Table 2 Existing and proposed structure dimensions

Measurement	Existing	Proposed	Increase
Height of monopole	3.42m	3.6m	5.26%
Length of structure	3m	4.708m	56.9%
Width of structure	6m	3.172m	-47.13%

Figure 12 Proposed structure – Photomontage

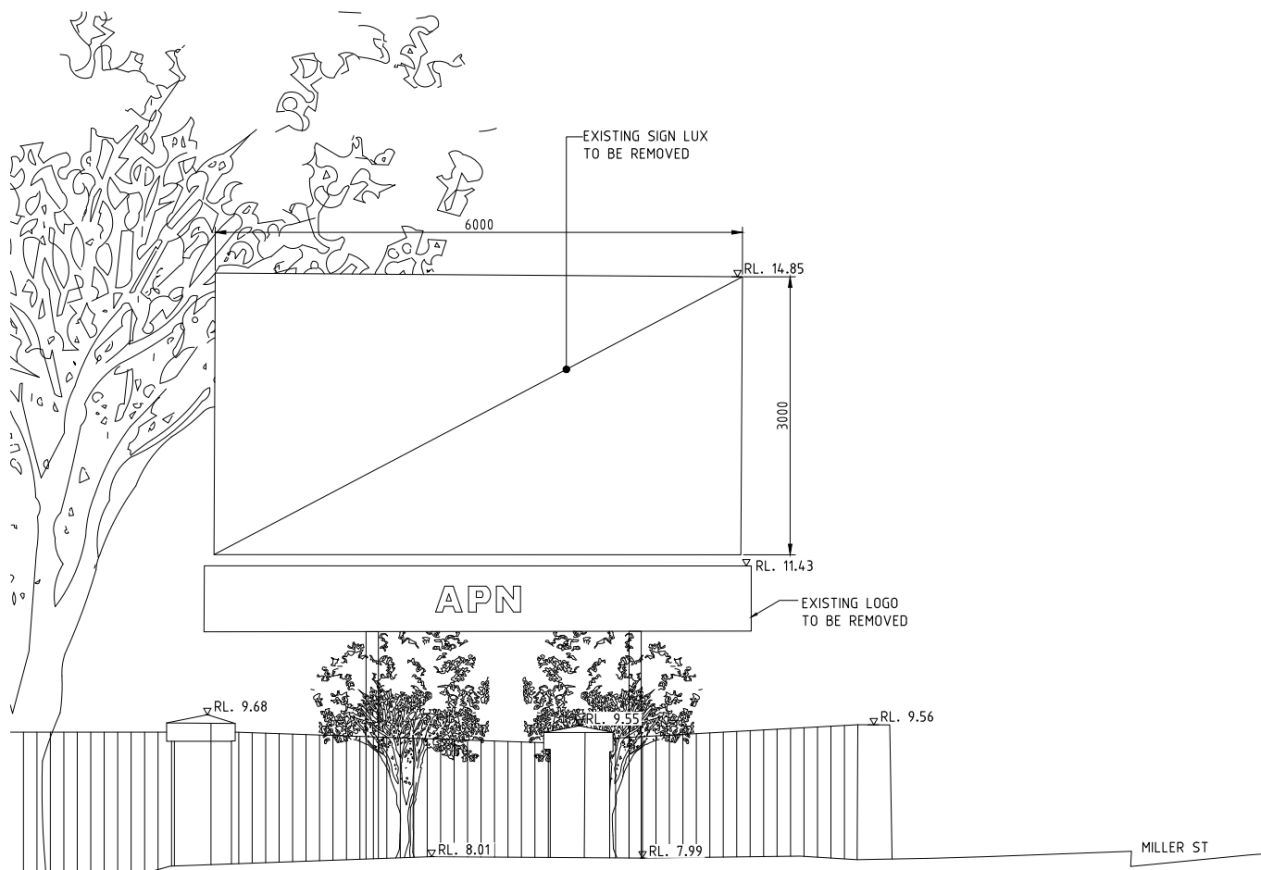




Source: JCDecaux

Figure 13 Elevation Plan - Existing Advertising Structure

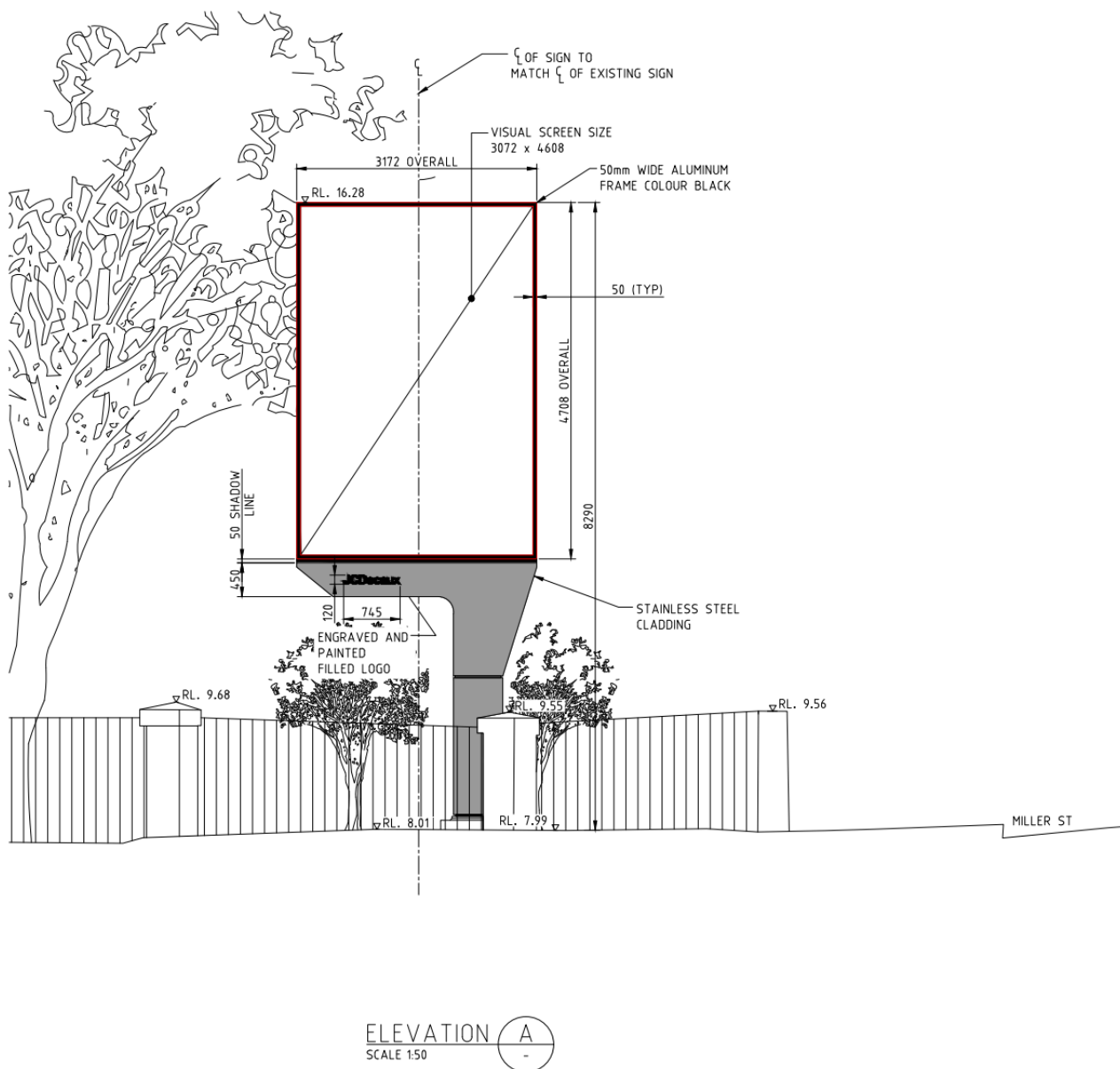




ELEVATION A  
SCALE 1:50

Source: DBCE

Figure 14 Elevation Plan – Proposed Digital Sign



Source: DBCE

## 3.2. ILLUMINATION

The proposed digital signage is illuminated using LEDs installed within the front face. The brightness of the LEDs shall be controlled to provide upper and lower thresholds as required as well as automatically via a local light sensor to adjust to ambient lighting conditions.

The electronic display screen has an inbuilt light adjustment sensor that measures ambient light around the structure and gradually adjusts the screen brightness based on the need for light. The brightness adjustments occur in small increments so that no dramatic change in illuminance level is experienced. However, the luminance of the advertisements will be such that they do not give a veiling luminance to the driver of greater than 350cd/m<sup>2</sup> in the night time.

The screen brightness outputs are designed in accordance with Australian Standard AS4282:2019 *Control of the Obtrusive Effects of Outdoor Lighting*. The maximum screen brightness is summarised in Table 3.

Table 3 Screen Brightness Levels

Lighting Condition	Maximum
Full direct sun on panel	6000 cd/m2
Day time	6000 cd/m2
Overcast Weather	600 cd/m2
Twilight	600 cd/m2
Night time	350 cd/m2

### 3.3. CONTENT MANAGEMENT

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

### 3.4. MONITORING AND MAINTENANCE

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

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

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

### 3.5. INDUSTRY MEMBERSHIP AND ADVERTISING CODES

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

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

- *Therapeutic Goods and Advertising Code (TGAC)*
- *Weight Management Industry Code of Practice*

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

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

### **3.6. COST OF DEVELOPMENT**

A Cost Summary Report prepared by JCDecaux and included in Appendix B stated an estimated cost of \$308,000 (including GST).

## 4. STATUTORY CONTEXT

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

- *Environmental Planning and Assessment Act 1979*;
- *Heritage Act 1997*;
- *State Environmental Planning Policy (Industry and Employment) 2021*;
- *Transport Corridor Outdoor Advertising and Signage Guidelines 2017*;
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*;
- *Sydney Local Environmental Plan 2012*; and
- Sydney Development Control Plan 2012.

### 4.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

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

This application is considered as a Crown DA per Part 4 Division 4.6, being an application lodged by an authority that is prescribed as the Crown for the purposes of Division 4.6. Sydney Trains, through Transport for NSW, are identified as a public authority. The Minister for Planning and Homes is the consent authority for this application, under the provision of Clause 3.14 of the Industry and Employment SEPP (explained under Section 4.3 of this SEE).

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

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

### 4.2. HERITAGE ACT 1997

The subject site is a heritage listed item 'Railway cutting' (I1203) and is also listed on the NSW State Heritage Register as 'Pyrmont and Glebe Railway Tunnels' (SHR no. 01225). The application is sought in accordance with s.58 of the *Heritage Act 1977*.

### 4.3. STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

Chapter 3 of the *State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)* relates to advertising and signage. It aims to ensure that signage and advertisements are compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations, and is of high-quality design and finish.

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

The proposed advertisement is on behalf of Sydney Trains and located on a railway corridor. Therefore, the proposal is permissible with consent as per Clause 3.14 and the consent authority is the Minister of Planning and Homes in accordance with Clause 3.10.

Clause 3.11 of the Industry and Employment SEPP prevent a consent authority from granting development consent to display signage unless the consent authority is satisfied that the signage is consistent with the objectives of Chapter 3 and satisfies the assessment criteria specified in Schedule 5 and in the Guidelines.

The proposal is compliant with the objectives of Chapter 3 due to the following:



- The proposed structure remains consistent with the character of the area, is only minor variation to the scale of the existing advertisement and an improvement in decluttering signage overall.
- The proposed structure allows for effective communication of third-party advertisements, whilst ensuring safety for vehicles, motorists, and pedestrians.
- The proposal will provide a public benefit through the revenue generated from the advertising sign which can be used for other operations and services that cater to and benefit the public. Additionally, the proposed structure can display information on Sydney Trains and TfNSW promotions and events as well as threat-to-life alerts by NSW Government Emergency and Police Agencies, ensuring the public benefit is served.

An assessment of the proposed signage against Schedule 5 of the Industry and Employment SEPP is included in Table 4. An assessment against the Transport Corridor Outdoor Advertising and Signage Guidelines 2017 (the Guidelines) is provided in Section 4.4 of this SEE.

Table 4 Industry and Employment SEPP Schedule 5 Assessment

Provision	Comment	Compliance
<b>1. Character of the area</b>		
Is the proposal compatible with the character of the area or locality in which it is proposed to be located?	The proposal is compatible with the desired future character of the site and the wider locality. The Plan of Management establishes the provisions and design parameters to achieve appropriate advertisement structure, consistent with the scale and form of the railway corridor. The advertisement typologies and materials and finishes are compatible with the context of the surrounding public domain.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	<p>The proposal involves installation of an outdoor advertisement as a digital third-party advertisement structure along the railway corridor.</p> <p>Overall, the proposed replacement of existing large-format vinyl advertisement with a digital advertisement is consistent with signage on nearby mixed-use developments along Saunders Street and Miller Street, as shown in Figure 11. The signage in the close vicinity of the site does not include illuminated signs, although the proposed structure remains consistent with regards to the size and scale of the advertisement.</p> <p>As far as illumination is concerned, the proposal ensures there is no negative impact on the safety of vehicles, cyclists and pedestrians as described in the Light Impact Statement and Traffic Safety Assessment.</p> <p>Additionally, the proposal will enhance safety along a prominent road intersection through an illuminated signage with appropriate night time luminance level, in stances of reduced casual surveillance along the road intersection.</p>	Yes

Provision	Comment	Compliance
	As such, the proposal does not result in any negative outcomes and remains consistent with the theme within the locality.	
<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 landscape or residential areas?	<p>The subject site is a heritage listed item 'Railway cutting' (I1203) and is also listed on the NSW State Heritage Register as 'Pyrmont and Glebe Railway Tunnels' (SHR no. 01225). The site is also located in close vicinity to local heritage items located east of the site, along Miller Street.</p> <p>Heritage is further discussed in Section 5.1 of the SEE. A Heritage Impact Statement is attached at Appendix H.</p> <p>In summary, the proposal is a sympathetically designed digital advertisement structure that will not detract from the heritage significance of the site as well as surrounding items.</p> <p>In terms of sensitive uses, residential flat buildings are located north, east, and north-west of the site forming part of mixed-use developments. The proposed structure is located at the junction of Saunders Street and Miller Street and does not face the residential developments such that there will be no lighting impact upon on residents in the locality.</p> <p>As stated in the Lighting Impact Assessment, there are no residential developments within the residential exclusion zone of 3 lux maximum vertical illuminance. Further, the signage complies with the maximum A4 Environmental Zone vertical illuminance limits of 5 lux.</p> <p>Therefore, the proposed sign remains sympathetic to residential uses in terms of bulk, scale, and lighting impact. The surrounding residential uses remain unaffected as a result of this proposal.</p> <p>There are no environmentally sensitive areas adjacent to the site. The existing vegetation rear of the sign will be retained. Regular vegetation maintenance will be undertaken as required. The site will be inspected every six (6) months to determine if any branches need to be pruned to ensure clear visibility of the proposed sign.</p> <p>Further, the structure does not detract from the amenity or visual quality of the surrounds.</p>	Yes

Provision	Comment	Compliance
<b>3. Views and Vistas</b>		
Does the proposal obscure or compromise important views?	<p>While there is an increase in the height of the structure (from 6.84m to 8.29m), the area of the digital screen remains relatively similar to the existing structure. Importantly, the vegetation on site behind the structure ensures that the proposal cannot be viewed from the residential buildings within the vicinity of the site. As such, there is no additional appearance of bulk on site ensuring the view corridors of the residential developments located north, east, and north-west of the site are not blocked.</p> <p>The proposed structure is appropriate in size and scale that is sympathetic to the surrounding environment, such that there is no compromise on important views at street level.</p>	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed structure is installed at the ground level, such that it does not dominate the skyline or reduce the quality of vistas in any way.	Yes
Does the proposal respect the viewing rights of other advertisers?	The proposal involves replacement of existing sign with a digital third-party advertisement, situated at the same location and therefore, does not impact surrounding view rights of signage on other developments.	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 proposed structure is appropriate in the context of the surrounding streetscape and broader locality.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	<p>The proposed structure is designed as an aesthetically pleasing, tall and slender form which remains consistent with the City of Sydney's vision to allow signage achieving high design quality.</p> <p>The proposed structure stands appropriate to the railway corridor. The colour palette used is contemporary yet subdued and the materials are of a high-quality finish that contribute positively to the streetscape and surrounding public domain.</p>	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal involves replacement of existing vinyl format sign with a new digital structure such that there is no additional clutter of signage in the locality.	Yes



Provision	Comment	Compliance
Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	Yes
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The structure does not protrude over the surrounding tree canopies located at the Saunders Street and Miller Street frontage. Further, the proposed structure remains well below the height of surrounding developments and not lead to an adverse visual impact when viewed from the street or adjoining developments.	Yes
Does the proposal require ongoing vegetation management?	<p>The proposal does not include removal of trees.</p> <p>The existing tree branches rear of the sign will be managed and removed as required. Regular vegetation maintenance will be undertaken as required. The site will be inspected every six (6) months to determine if any branches need to be pruned to ensure clear visibility of the proposed sign.</p> <p>Refer to the Plan of Management (Appendix J).</p>	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 proposed structure is compatible with the railway corridor and allows smooth movement of light rail along the railway corridor. The location, design and format of the structure is such that there is no overbearing effect on ongoing vehicular traffic, cyclists, and pedestrians. Additionally, the proposal is sympathetic to the bulk and architectural features of surrounding developments.	Yes
Does the proposal respect important features of the site or building, or both?	<p>The proposed structure will not dominate the railway corridor it is located along, rather it will achieve a balance between fulfilling its purpose as a third-party advertisement whilst remaining subservient to the railway corridor.</p> <p>Further, the proposal does not jeopardise the heritage significance of the site and surrounding items.</p>	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposal demonstrates innovation through a structure with a digital display screen showing a variety of advertisements as well as other important civic messages in the event of emergency (through JCDecaux's web-based (Emergency Messaging System) or unplanned operations, any major disruption which is likely to cause commuter delays, Sydney Trains promotions and events.	Yes

Provision	Comment	Compliance
	As such, the structure is designed to show innovation and imagination through an appropriate scale, proportion, signage type and design.	
<b>6. Associated devices and logos with advertisement 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?	All signage illumination, fixings and cabling will be concealed within the structure.	Yes
<b>7. Illumination</b>		
Would illumination result in unacceptable glare?	The proposed signage does not result in unacceptable glare. Refer to the Lighting Impact Assessment Report at Appendix F.	Yes
Would illumination affect safety for pedestrians, vehicles or aircraft?	Given the size, scale, location and proportion of the proposed advertisement structure, the proposal will not impact upon pedestrian or vehicular safety on the surrounding road network.	Yes
Would illumination detract from the amenity of any residence or other form of accommodation?	<p>There are residential uses located in the immediate surrounds of the site. The Sydney DCP states that the maximum illuminance from the digital sign to windows of habitable rooms of an accommodation use is not to exceed 3 lux.</p> <p>As shown in Appendix D of the Lighting Impact Assessment, there are no residential developments which fall within the exclusion zone. Further, the signage complies with the maximum vertical illuminance limits outlined in Table 3.9 of the Sydney DCP.</p> <p>As such, the illumination will not detract from the amenity of residential accommodations located north, east and north-west of the site.</p>	Yes
Can the intensity of the illumination be adjusted, if necessary?	The brightness of the LEDs can be controlled to provide upper and lower thresholds as required as well as automatically via a local light sensor to adjust to ambient lighting conditions.	Yes
Is the illumination subject to a curfew?	No illumination curfew is proposed. The digital signage is to be in 24-hour operation.	Yes
<b>8. Safety</b>		

Provision	Comment	Compliance
Would the proposal reduce the safety for any public road?	The proposed signage will not impact upon the safety of the surrounding road network for vehicles, pedestrians or cyclists given the structure will primarily be situated at the same location as the existing sign.  For further detail in this regard, refer Traffic Safety Assessment included in Appendix E.	Yes
Would the proposal reduce the safety for pedestrians or bicyclists?	The proposal structure does not interfere with the existing footpaths and cycleways. The proposal therefore does not hamper the safety of pedestrians and cyclists.  In terms of illumination, the lighting component of the proposed structure is compliant with the relevant Australian Standard.  For further detail in this regard, refer Lighting Impact Assessment and Traffic Safety Assessment.	Yes
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed structure will not obscure sightlines from public areas that are of key importance. Additionally, the proposal will not hamper the safety of children and pedestrians.	Yes

Clause 3.21 relates to free standing advertisements. The proposal is compliant with Clause 3.21 as the sign does not protrude above the dominant skyline, including any buildings, structures or tree canopies, when viewed from ground level within a visual catchment of 1 kilometre, as explained in the Visual Impact Assessment (Appendix I).

## 4.4. TRANSPORT CORRIDOR OUTDOOR ADVERTISING AND SIGNAGE GUIDELINES 2017

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

Table 5 Electronic Sign Criteria

Provision	Comment	Compliance
<b>Section 1.6 - Development applications in transport corridors</b>		
<b>Land Use Compatibility Criteria</b>		
i. The use of outdoor advertising in a given locality should not be inconsistent with the land use objectives for the area outlined in the relevant LEP.	The subject site is located in the Sydney Local Environmental Plan 2012 (SLEP) and is consistent with the land use objectives as stated in Section 4.6.1 below. The proposed structure is along a railway corridor which	Yes



Provision	Comment	Compliance
	supports important transportation infrastructure across Greater Sydney. The proposal will replace an existing back-lit vinyl advertising that has demonstrated advertising as a compatible land use that will not detract from the commuter corridor.	
<p>ii. Advertisements must not be placed on land where the signage is visible from the following areas, if it is likely to significantly impact on the amenity of those areas:</p> <ul style="list-style-type: none"> <li>▪ environmentally sensitive area</li> <li>▪ heritage area (excluding railway stations)</li> <li>▪ natural or other conservation area</li> <li>▪ open space (excluding sponsorship advertising at sporting facilities in public recreation zones)</li> <li>▪ waterway</li> <li>▪ residential area (but not including a mixed residential and business zone, or similar zones)</li> <li>▪ scenic protection area</li> <li>▪ national park or nature reserve.</li> </ul>	<p>The sign will be primarily visible from following distances:</p> <ul style="list-style-type: none"> <li>▪ Approximately 40m from the digital sign to Bank Street eastbound travel lanes.</li> <li>▪ Approximately 100m from the digital sign to Bank Street westbound travel lanes.</li> <li>▪ Approximately 85m from the digital sign to Sydney Fish Market northbound car park access travel lanes.</li> </ul> <p>The digital screen will not be visible from the residential developments located north, north-east and north-west of the structure, as such there will no illumination impact on the residential uses. Residential uses located north, north-east and north-west of the site will not be impacted as the proposal is compliant with the illumination requirements under the Sydney DCP.</p> <p>The sign will largely be covered by the existing vegetation rear and side of the structure, therefore reducing the visual impact on the residential developments north of the site.</p> <p>The sign is not considered to have an adverse impact on the amenity of either the mixed-use developments north-east and south-west of the site or the residential uses north of the site as it is primarily viewed by pedestrians, bicyclists and passengers travelling northbound on Miller Street.</p> <p>Further, the heritage significance of the site will not be impacted by the proposal as explained in the Heritage Impact Statement (Appendix H).</p>	Yes
iii. Advertising structures should not be located so as to dominate or protrude significantly above the skyline or to	The proposed sign does not protrude above the skyline and does not compromise views or character of the area, as explained in the	Yes

Provision	Comment	Compliance
obscure or compromise significant scenic views or views that add to the character of the area.	Visual Impact Assessment (Appendix I). The proposal ensures the monopole is suitably installed within the ground, behind the existing fence. The location of the structure is appropriate and does not obstruct any essential views. Refer Section 5.3 for further discussion regarding visual impact.	
iv. Advertising structures should not be located so as to diminish the heritage values of items or areas of local, regional or state heritage significance.	A Heritage Impact Statement has been prepared by Weir Phillips (attached at Appendix H) that demonstrates the proposal does not diminish the heritage values of the site and surrounding heritage items.	Yes
v. Where possible, advertising structures should be placed within the context of other built structures in preference to non-built areas. Where possible, signage should be used to enhance the visual landscape. For example, signs may be positioned adjacent to, or screening, unsightly aspects of a landscape, industrial sites or infrastructure such as railway lines or power lines.	The sign is proposed to be installed along a railway corridor owned by TfNSW and is located within an urban setting. The sign is positioned to remain appropriately distanced from the railway track and train pathway as the sign will be installed at RL 7.99 and the train tracks run at a ground level much lower than the sign. The sign is located well away from the railway track and ensuring smooth movement of trains.	Yes
<b>Section 2.5.4 - Freestanding advertisements criteria</b>		
a. The advertising structure must not protrude above the dominant skyline, including any buildings, infrastructure or tree canopies, when viewed from ground level within a visual catchment of 1km. Note: This impact should be measured from the vehicle approach location and any other critical viewpoints.	As stated before, the sign does not protrude above the dominant skyline and the surrounding building heights nor does the sign does not protrude over the existing trees located behind the sign. As stated in the Visual Impact Assessment, 50mm medium focal length photographs have been documented to show the visual setting of the subject site and the proposed development within it. The assessment states that the overall rating of significance of visual impact is <b><u>low-medium</u></b> .  When the sign is viewed from ground level within a visual catchment of 1km, it does not protrude above the dominant skyline, including any buildings, infrastructure or tree canopies.	Yes
b. For a freestanding advertisement greater than 45sqm that requires consent from local council, a DCP must be in force that has been	The sign is not greater than 45sqm and does not require consent from the local council.	NA

Provision	Comment	Compliance
prepared on the basis of an advertising design analysis for the relevant area or precinct.		
c. Where the sign is in a transport corridor a landscape management plan may be required as part of the DA approval for a freestanding advertisement. This may include requirements to provide appropriate vegetation behind and adjacent to the advertising structure to minimise unintended visual impacts. Landscaping should include trees, shrubs and ground covers to provide adequate screening, softening, colour, soil stabilisation and weed reduction.	There is existing vegetation behind and at side of the proposed structure which will be retained and help minimise unintended visual impacts. The existing vegetation management details are stated in the Plan of Management (Appendix J). No new vegetation is proposed as part of this proposal.	Yes
<b>Section 2.5.8 - Digital signs</b> (less than 20sqm in area)		
a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (d) below.	The content will be static for a dwell time of 10 seconds.	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.	Conditions may be imposed to comply.	Yes
c. The image must not be capable of being mistaken:  (i) for a prescribed traffic control device because it has, for example, red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device  (ii) as text providing driving instructions to drivers.	Noted.	Yes
d. Dwell times for image display must not be less than:	A dwell time of 10 seconds would be suitable for the proposed digital sign.	Yes



Provision	Comment	Compliance
(i) 10 seconds for areas where the speed limit is below 80 km/h		
(ii) 25 seconds for areas where the speed limit is 80km/h and over.		
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.	An almost instantaneous transition is likely to reduce the additional distraction potential for digital signs. It is assumed that this operational requirement would be met.	Yes
f. Luminance levels must comply with the requirements in Section 3 below.	The proposal complies with the luminance levels. Refer to the Lighting Impact Assessment included in Appendix F.	Yes
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.	It is assumed that this operational requirement would be met.	Yes
h. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).	Noted. Conditions may be imposed to comply.	Yes
i. Any sign that is within 250m of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.	The sign is not visible from a school zone, and therefore, would not be required to be conditioned as so.	Yes
j. Each sign proposal must be assessed on a case-by-case basis including replacement of an existing fixed, scrolling or tri-vision sign with a digital sign, and in the instance of a sign being visible from each direction, both directions for each location must be assessed on their own merits.	Noted.	Yes
k. At any time, including where the speed limit in the area of the sign is changed, if detrimental effect is identified on road safety post installation of a digital sign, RMS reserves the right to re-assess the site using an independent RMS-accredited road safety auditor. Any safety issues identified by the auditor	Noted.	Yes

Provision	Comment	Compliance
and options for rectifying the issues are to be discussed between RMS and the sign owner and operator.		
<b>Section 3.2 - Sign location criteria</b>		
<b>3.2.1 Road clearance</b>		
<p>a. The advertisement must not create a physical obstruction or hazard. For example:</p> <p>(i) Does the sign obstruct the movement of pedestrians or bicycle riders? (e.g. telephone kiosks and other street furniture along roads and footpath areas)?</p> <p>(ii) Does the sign protrude below a bridge or other structure so it could be hit by trucks or other tall vehicles? Will the clearance between the road surface and the bottom of the sign meet appropriate road standards for that particular road?</p> <p>(iii) Does the sign protrude laterally into the transport corridor so it could be hit by trucks or wide vehicles?</p>	<p>The proposed digital sign would not physically obstruct any vehicle, pedestrian and cyclist movements as it would be placed within the vegetated area of the light rail corridor. The digital sign would not protrude laterally into the road carriageways of Saunders Street or Miller Street.</p>	Yes
<p>b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone in an acceptable location in accordance with Austroads Guide to Road Design (and RMS supplements) or behind an RMS approved crash barrier.</p>	<p>The digital sign would be installed within the vegetated area of the light rail corridor located outside the clear zone. This vegetated area is currently demarcated by wrought iron fencing.</p> <p>The support column of the digital sign would be attached to a newly installed pile cap (1m width x 1m breadth) and 0.75m diameter pier to provide additional stability to the digital sign. Hence, it would not require an RMS-approved crash barrier.</p>	Yes
<p>c. Where a sign is proposed within the clear zone but behind an existing RMS-approved crash barrier, all its structures up to 5.8m in height (relative to the road level) are to comply with any applicable lateral clearances specified by Austroads</p>	<p>In accordance with Austroads guidelines, a clear zone is the area adjacent to the traffic lane that should be kept free from features that would be potentially hazardous to errant vehicles. In a 40km/h road environment, the minimum clear zone width from the traffic lane is 3m. The proposed digital sign is</p>	Yes

Provision	Comment	Compliance
Guide to Road Design (and RMS supplements) with respect to dynamic deflection and working width.	located approximately 10m away from the traffic lanes on Saunders Street and hence would not be located within the clear zone.	
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.	As part of the detailed design phase, the digital sign would be designed in accordance with Australian Standards AS1170.1 and AS1170.2 to meet the requirements for wind loading, whilst having consideration for height of the sign board when under maximum vertical deflection.	Yes
<p>Additional road clearance criteria for digital signs:</p> <p>Digital signs greater or equal to 20sqm must ensure the following clearances:</p> <p>a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone</p> <p>b. 5.5m from lowest point of the sign above the road surface if located within the clear zone or the deflection zone of a safety barrier, if installed.</p> <p>If attached to road infrastructure (such as an overpass), the digital sign must be positioned so that no portion of the sign is lower than the minimum vertical clearance under the overpass or supporting structure.</p>	The sign is not attached to a road infrastructure and is not more than or equal to 20sqm.	Not applicable
<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 digital sign would not obstruct the motorist's view of the road and other road users (i.e., pedestrians and cyclists) travelling on the footpath and cycleway on Saunders Street and Miller Street.	Yes
b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The digital sign would not obstruct a pedestrian or cyclist's view of the road as the proposed digital sign would not protrude laterally over the footpath or cycleway on the eastern side of Saunders Street and northern side of Miller Street.	Yes
c. The advertisement should not be located in a position that has the	The digital sign would be positioned at the north-west corner of the Miller Street and	Yes

Provision	Comment	Compliance
potential to give incorrect information on the alignment of the road. In this context, the location and arrangement of signs' structures should not give visual clues to the driver suggesting that the road alignment is different to the actual alignment. An accurate photomontage should be used to assess this issue.	<p>Saunders Street intersection where vehicles travelling on Miller Street in the north-east bound direction would approach a slight right turn bend. However, the digital sign is positioned behind the wrought iron fencing with masonry pillars and cycleway which would provide sufficient information for motorists on Miller Street travelling north-east bound to not misunderstand the road alignment.</p> <p>In addition, Miller Street is a low-speed environment of 40km/h allowing motorists to travel with caution and increased time to react to any hazards or changes to the road alignment ahead.</p>	
<p>d. The advertisement should not distract a driver's attention away from the road environment for an extended length of time. For example:</p> <p>(i) The sign should not be located in such a way that the driver's head is required to turn away from the road and the components of the traffic stream in order to view its display and/ or message. All drivers should still be able to see the road when viewing the sign, as well as the main components of the traffic stream in peripheral view.</p> <p>(ii) The sign should be oriented in a manner that does not create headlight reflections in the driver's line of sight. As a guideline, angling a sign five degrees away from right angles to the driver's line of sight can minimise headlight reflections. On a curved road alignment, this should be checked for the distance measured back from the sign that a car would travel in 2.5 seconds at the design speed.</p>	<p>The proposal is located within the periphery of the driver's eyesight and will not require them to overextend themselves to be able to view the sign, as demonstrated in the Traffic Safety Assessment (Appendix E).</p>	Yes
<b>3.2.3 Proximity to decision making points and conflict points</b>		



Provision	Comment	Compliance
a. The sign should not be located:	The proposed digital sign (and existing static sign) is located beyond the traffic signals at Miller Street and Saunders Street intersection, and therefore, the sign would not be located less than the safe stopping sight distance from the intersection.	Yes
(i) less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves		
(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>The proposed digital sign is situated outside of the safe sight distance of the marked pedestrian crossing on Saunders Street.</p> <p>Additionally, the proposed digital sign is located beyond the safe sight distance of the Miller Street southbound to Saunders right turn lane via the small gap in the median island. It is noted that cyclists give way to oncoming motorists before proceeding to turn right into Saunders Street. It is noted that the number of cyclists turning right at this location would have significantly reduced with the recent installation of the two-way cycleway provided on the north side of Miller Street.</p>	Yes
(iii) so that it is visible from the stem of a T-intersection.	<p>The proposed digital sign would not be visible from Saunders Street when approaching the intersection with Miller Street due to vegetation obstructing the motorist's view.</p> <p>At the stem of the Miller Street and Saunders Street intersection, the digital sign would be visible to motorist's waiting at Saunders Street. However, the digital sign would not be within the motorist's peripheral vision and a motorist would be required to turn their head almost 90 degrees in order to view the digital sign which is unlikely to occur.</p>	Yes
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:	A "critical time" is understood to refer to a point in time when a driver's decision is required implying that a road safety implication could occur if a driver was distracted at this time. On the north-east bound approach, the proposed digital sign would be positioned beyond the traffic signals at Bank Street and the Miller Street and Saunders Street intersection. As such, the proposed digital sign would not obstruct the motorist's view of traffic signals.	Yes
(i) of a road hazard		
(ii) to an intersection		
(iii) to a prescribed traffic control device (such as traffic signals,		

Provision	Comment	Compliance
<p>stop or give way signs or warning signs)</p> <p>(iv) to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher.</p>	<p>Additionally, an assessment of the motorists' view at different distances on approach to the Bank Street and Miller Street intersection from the Sydney Fish Market car park kerbside exit lane has been undertaken in the Traffic Safety Assessment. It was found that visibility of the proposed digital sign would be obstructed by existing vegetation at approximately 10m to 15m from the stop line. The proposed digital sign would only be viewed by motorists below the traffic signal lantern at approximately 5m from the Bank Street and Miller Street intersection. At the stop line, the proposed digital sign is not positioned near the traffic signal lanterns that face the Sydney Fish Market car park access. As such, the proposed digital sign would not obstruct the motorist's view to the traffic signal and would not adversely affect motorists exiting Sydney Fish Market via the kerbside lane.</p>	
<b>3.2.4 Sign spacing</b>		
<p>The proposed site should be assessed to identify any road safety risk in relation to visual clutter and the proximity to other signs.</p>	<p>The proposed digital advertisement structure is along a railway corridor and does not have much advertising signage opportunity in the immediate vicinity.</p> <p>There are some business identification signs located further north of the site. The proposal will not result in visual clutter in the area.</p>	Yes
<p>Additional criteria for digital signs:</p> <p>a. Sign spacing should limit drivers view to a single sign at any given time with a distance of no less than 150m between signs in any one corridor. Exemptions for low speed, high pedestrian zones or CBD zones will be assessed by RMS as part of their concurrence role.</p>	<p>As stated in the Traffic Safety Report, it is impracticable to limit the spacing of signage at 150m apart in built-up urban areas. Especially within the Sydney Metropolitan where drivers can be exposed to many signs at any given time.</p> <p>Noting this, there are no other advertising signs placed within 150m of the proposed sign.</p>	Yes
<b>Section 3.3 - Sign design and operation criteria</b>		
<b>3.3.1 Advertising signage and traffic control devices</b>		
<p>a. The advertisement must not distract a driver from, obstruct or reduce the visibility and effectiveness of,</p>	<p>The proposal will not distract drivers or reduce their visibility of the directional signs and traffic signals in the area. Refer to the</p>	Yes

Provision	Comment	Compliance
directional signs, traffic signals, prescribed traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.	Traffic Safety Assessment for further information.	
<p>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:</p> <p>(i) Could the advertisement be construed as giving instructions to traffic such as 'Stop', 'Halt' or 'Give Way'?</p> <p>(ii) Does the advertisement imitate a prescribed traffic control device?</p> <p>(iii) If the sign is in the vicinity of traffic lights, does the advertisement use red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal?</p>	The proposal will not distract drivers or reduce their visibility of the directional signs and traffic signals in the area, including the appropriate stopping sight distance. Refer to the Traffic Safety Assessment for further information.	Yes
<p>Additional criteria for digital signs and moving signs:</p> <p>a. The image must not be capable of being mistaken:</p> <p>(i) for a rail or traffic sign or signal because it has, e.g. red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal</p> <p>(ii) as text providing driving instructions to drivers.</p> <p>b. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).</p>	JCDecaux have a comprehensive process of reviewing content to ensure it is not interpreted as a traffic device or instruction to drivers. Refer to Section 3.4 for further information.	Yes
<b>3.3.2 Dwell time and transition time</b>		

Provision	Comment	Compliance
a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.	The proposal will be limited to completely static content without any motion.	Yes
b. Dwell times for image display must not be less than:  (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.	The proposal seeks approval for a dwell time of 10 seconds per advertisement.	Yes
c. Any digital sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.	The proposal will be conditioned as static content with instantaneous (0.1 second) transition, and a default image of black screen in the event of an error. Refer to the Plan of Management for further detail.	Yes
d. Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts.	Noted. The proposed asset will be limited to static content.	Yes
e. The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.	JCDecaux have a comprehensive process of reviewing content to ensure content does not dazzle or distract drivers. All content will be static and not include any flickering, flashing or motion. Refer to Section 3.4 for further information.	Yes
Dwell time criteria for moving signs:  a. The image must be completely static from its first appearance to the commencement of a change to another display.  b. Dwell times for image display are to be a minimum of 10 seconds which includes 3 seconds to scroll.	The dwell time of 10 seconds will be limited to only static content.	NA
<b>3.3.3 Illumination and reflectance</b>		
Illumination criteria for digital signs:  a. Luminance levels must comply with the requirements in Table 6 below.	As mentioned in the Light Impact Assessment the proposal is compliant with the Transport Corridor Outdoor Advertising & Signage Guidelines.	Yes



Provision	Comment	Compliance
b. The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.	The proposal does not result in such effects.	Yes
<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.	The proposal does not include technology which interacts with in-vehicle electronic devices or mobile devices.	Yes
b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.	The Plan of Management includes content management protocols that will ensure message sequencing does not allow a driver to anticipate the next message.	Yes
<b>Section 3.4 - Road safety review of new or modified signs</b>		
RMS may review the crash history of any new or modified advertising signs after a three-year period to determine whether the sign has had an adverse effect on road safety. If RMS is of the opinion that a sign is a traffic hazard, RMS may direct the owner or occupier of the land on which the sign is situated or the person who erected the sign to screen, modify or remove the sign, regardless of whether or not the sign is the subject of a development consent under the Act or a consent under the Roads Act 1993.	Noted.	Yes
<b>Section 3.5 - Road safety review of digital signs</b>		
A road safety check which focuses on the effects of the placement and operation of all signs over 20sqm must be carried out in accordance with Part 3 of the RMS Guidelines for Road Safety Audit Practices after a 12 month period of operation but within 18 months of the sign's installation. The road safety check must be carried out by an independent	The proposal is less than 20sqm as such a Road Safety Audit is not required.	NA

Provision	Comment	Compliance
RMS-accredited road safety auditor who did not contribute to the original application documentation. A copy of the report is to be provided to RMS and any safety concerns identified by the auditor relating to the operation or installation of the sign must be rectified by the applicant. In cases where the applicant is the RMS the report is to be provided to the Department of Planning and Environment as well.		
<b>Section 4 - Public benefit test for advertisement proposals</b>		
<b>4.2 What is an appropriate public benefit?</b>		
<p>The level of public benefit for a given SEPP 64 advertisement is to be negotiated and agreed upon between the consent authority and the applicant. The public benefit can be provided as a monetary contribution or as an 'in-kind' contribution. Both monetary and in-kind contributions must be linked to improvements in local community services and facilities including benefits such as:</p> <ul style="list-style-type: none"> <li>improved traffic safety (road, rail, bicycle and pedestrian)</li> <li>improved public transport services</li> <li>improved public amenity within, or adjacent to, the transport corridor</li> <li>support school safety infrastructure and programs</li> <li>other appropriate community benefits such as free advertising time to promote a service, tourism in the locality, community information, or emergency messages.</li> </ul>	<p>The proposal is consistent with the public interest as it will generate revenue for the NSW Government that can be used to fund improvements to essential public infrastructure and other rail programs that allow for the maintenance and operations of the wider Sydney Trains network both in regional and wider state where Sydney Trains operates.</p> <p>In addition to generating revenue, the proposed structure is capable of displaying information regarding the following:</p> <ul style="list-style-type: none"> <li>Sydney Trains and TfNSW promotions and events, and</li> <li>Threat-to-life alerts by NSW Government Emergency and Police Agencies.</li> </ul> <p>As such, the proposal will deliver public benefit.</p>	Yes

## 4.5. STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

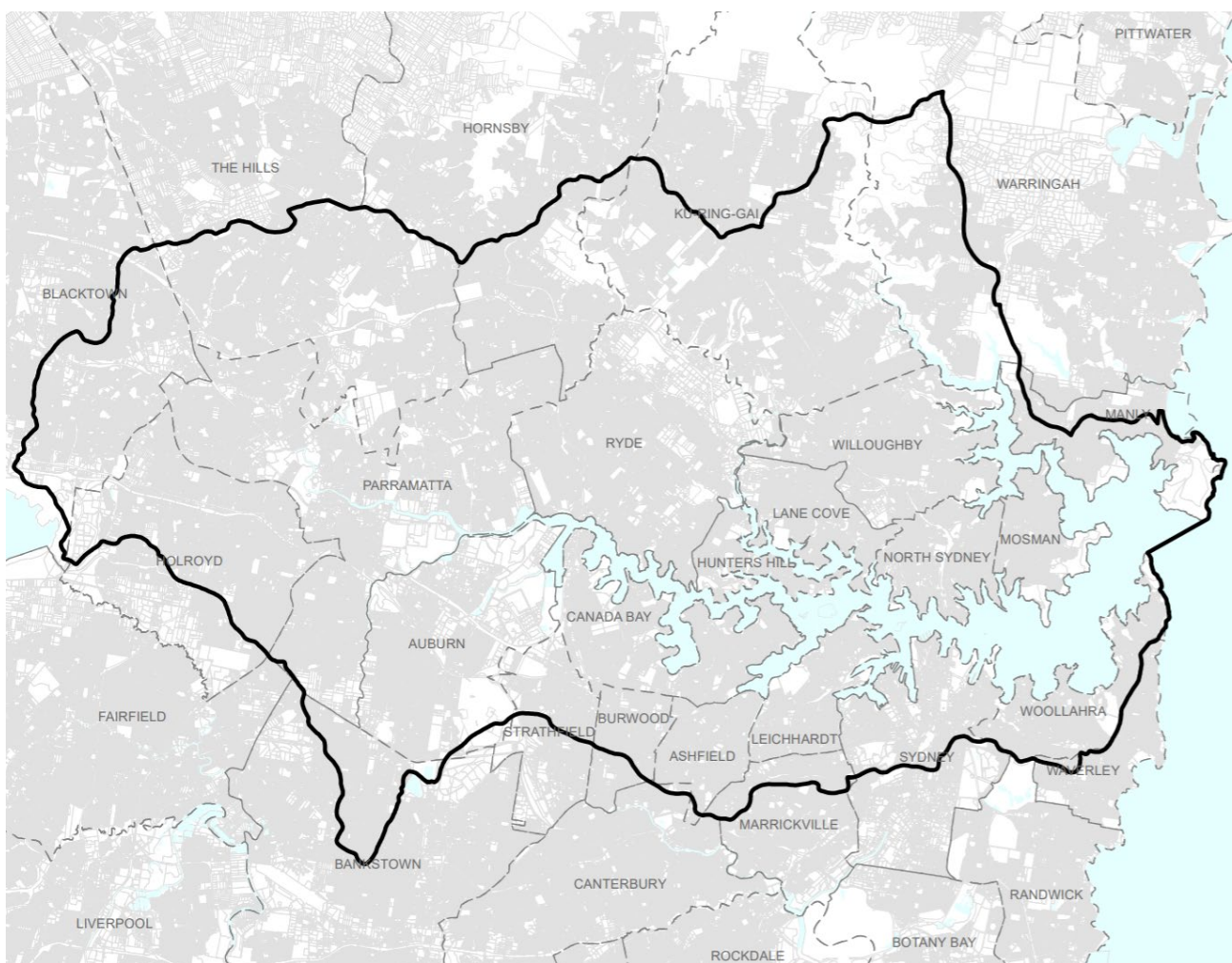
Chapter 10 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (**Biodiversity and Conservation SEPP**) relates to the Sydney Harbour Catchment.

As shown in Figure 15, the site is within the Sydney Harbour Catchment boundary, as shown on the map “Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 Sydney Harbour Catchment Map (Amendment 2016)”. The site is however not located within the following zones:

- (a) the Foreshores and Waterways Area, and
- (b) various strategic foreshore sites, as shown on the Strategic Foreshore Sites Map, and
- (c) various heritage items, as shown on the Heritage Map, and
- (c1) the Sydney Opera House buffer zone, as shown on the Sydney Opera House Buffer Zone Map, and
- (d) various wetlands protection areas, as shown on the Wetlands Protection Area Map.

Clause 10.10 of the Biodiversity and Conservation SEPP states the planning principles for land within the Sydney Harbour Catchment. Considering the nature of the proposal, it will not impact the ecological communities, or hamper the visual qualities of the Sydney Harbour.

Figure 15 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 Sydney Harbour Catchment Map (Amendment 2016)



Source: DPE

## 4.6. SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

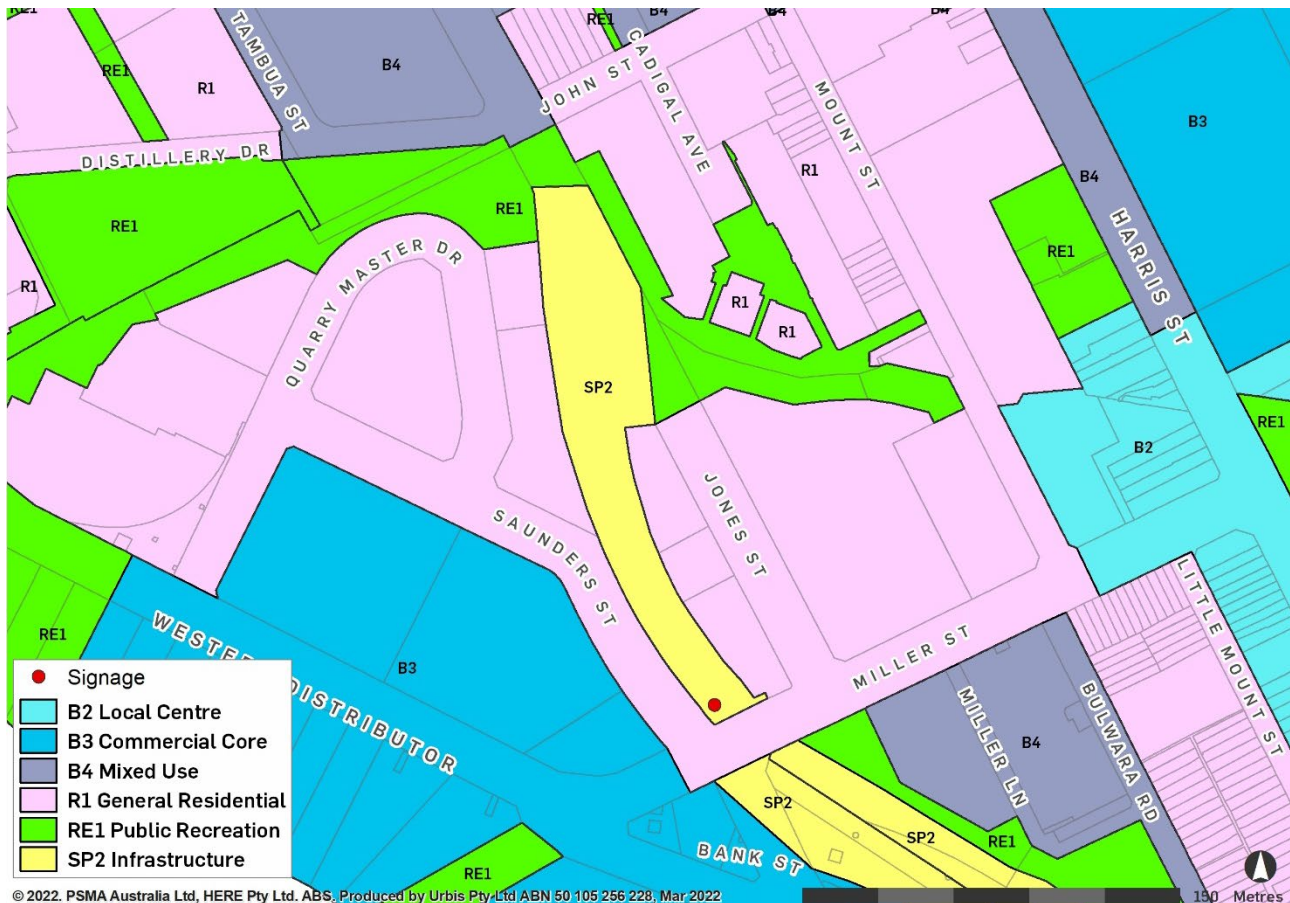
An assessment of the proposal against the relevant provisions of the Sydney LEP 2012 (SLEP) has been undertaken below.

### 4.6.1. Zoning and Permissibility

Under the provisions of the Sydney LEP 2012, the site is zoned SP2 – Infrastructure (refer Figure 16 below).

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

Figure 16 Zoning Map



Source: Urbis

The objectives of the SP2 Infrastructure zone are as follows:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

The proposed development is consistent with the SP2 zone objectives for the following reasons:

- The proposal will provide for an improved advertisement structure, of a scale similar to the existing structure.
- The proposal will be in favour of the public interest, ensuring the structure does not cause any negative impact on vehicular traffic as well as the amenity of surrounding developments.

### 4.6.2. Key LEP Standards

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

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

Table 6 LEP Compliance



Clause	Provision	Proposed	Complies
Clause 5.10 – Heritage Conservation	<p>The subject site is identified as a state heritage item (I1203) known as ‘Railway cutting’. The site is also listed on the NSW State Heritage Register as ‘Pyrmont and Glebe Railway Tunnels’ (SHR no. 01225).</p> <p>The site is also surrounded by other listed heritage items including:</p> <ul style="list-style-type: none"> <li>▪ I1211: Former warehouse “Festival Records” including interiors (1–3 Bulwara Road (and 63–79 Miller Street))</li> <li>▪ I1212: Former CSR McCaffery’s Building including interiors (21 Cadigal Avenue)</li> <li>▪ C52: conservation area known as ‘Pyrmont’.</li> </ul>	<p>A Heritage Impact Statement has been prepared by Weir Phillips which assesses the potential impacts of the proposed works on the heritage significance of the site and the surrounding heritage items.</p> <p>Further discussion is included in Section 5.1 of this report.</p>	Yes
Clause 7.14 – Acid Sulphate Soils	Clause 2	The proposal does not have an impact on the soil composition.	NA

## 4.7. SYDNEY DEVELOPMENT CONTROL PLAN 2012

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

A comprehensive compliance table has been prepared to assess the proposal against each of the relevant site-specific controls as outlined within the Sydney DCP. The site is located within Pyrmont Point. The proposal is consistent with the locality principles and is discussed in the table below.

Table 7 DCP Compliance

Clause	Provision	Proposed	Complies
<b>Section 2 – Locality Statement</b>			
2.12.1 Pyrmont Point	<ul style="list-style-type: none"> <li>▪ Retain the dramatic topography created by excavated sandstone cliffs visible from the public domain.</li> </ul>	The scale of the structure is designed in consideration with the rail corridor as well as surrounding developments. The	Yes

Clause	Provision	Proposed	Complies
	<ul style="list-style-type: none"> <li>Conserve views and vistas within and beyond the neighbourhood, particularly from the public domain.</li> <li>Historical buildings are to be retained and adaptively reused.</li> </ul>	<p>structure has a maximum height of 8.658m and does not impact important views and vistas.</p> <p>Heritage is discussed in Section 5.1 of the SEE. A Heritage Impact Statement is attached at Appendix H.</p> <p>In summary, the proposal is a sympathetically designed digital structure that will not detract from the heritage significance of the site as well as surrounding developments.</p> <p>The proposed new advertisement structure is contemporary in character and demonstrates respect for the form and architectural proportions of the railway corridor it is located along.</p>	
<b>Section 3 – General Provisions</b>			
3.9.1 Heritage Impact Statements	<p>A Heritage Impact Statement is to be submitted as part of the Statement of Environmental Effects for development applications affecting:</p> <ul style="list-style-type: none"> <li>heritage items identified in the Sydney LEP 2012; or</li> <li>properties within a Heritage Conservation Area identified in Sydney LEP 2012.</li> </ul>	<p>This application is accompanied by a Heritage Impact Statement prepared by Weir Phillips, included at Appendix H.</p>	Yes
3.14 Waste	<p>A Waste and Recycling Management Plan is to be submitted with the Development Application and will be used to assess and monitor the management of waste and recycling during construction and operational phases of the proposed development. The Waste and Recycling Management Plan is to be consistent with the City of Sydney Guidelines for Waste</p>	<p>The Plan of Management outlines the proposed waste and recycling plan for the demolition of the existing asset. It is noted that demolition of assets within the Transport Corridor is exempt development.</p>	Yes

Clause	Provision	Proposed	Complies
	Management in New Developments		
3.16.1 Signage strategy	<p>A signage strategy is to be prepared for all signage applications:</p> <p>(a) in a heritage conservation area or involving a heritage item;</p> <p>(b) on sites that are strata titled or contain more than four business premises; or</p> <p>(c) seeking variations to the requirements of this section.</p>	A Plan of Management has been submitted which includes details of a signage strategy referenced by the DCP in Appendix J.	Yes
3.16.4 Illuminated signage	(1) Any illuminated signage is to be designed to ensure that the illuminance and luminance from the sign or advertisement is, in the opinion of the consent authority, consistent with the existing light level of the streetscape or environment within which it is located and does not cause glare.	<p>The illumination of signage will not result in any unacceptable glare and will comply with all relevant Australian Standards and guidelines. The proposal does not impact sensitive uses such as the residential developments located north, east and north-west of the site such that the overall amenity of the residential developments is retained as a result of this application.</p> <p>For further detail, refer Lighting Impact Assessment Report included in Appendix F.</p>	Yes
	(2) Unless otherwise provided for in this Section, the illuminance, luminance and threshold increment of illuminated signage is to comply with the recommended values of AS 4282-1997.	As stated in the Lighting Impact Assessment, the proposed signage does not exceed the maximum night time luminance of 350cd/m <sup>2</sup> and is compliant with the relevant Australian Standards.	Yes
	(3) Signage is only permitted to be illuminated while a premises is open and trading where the sign is on, or within 25m of and visible from, land zoned R1 General Residential or R2 Low Density Residential.	<p>The proposed structure is within 25m of land zoned R1 General Residential.</p> <p>The proposed structure is located along a railway corridor and is one of TfNSW's assets across the Sydney LGA. No illumination curfew is proposed and the digital</p>	Yes

Clause	Provision	Proposed	Complies
		<p>signage is to be in 24-hour operation.</p> <p>The proposed structure does not have a direct interface with a residential development. Additionally, the proposed luminance is compliant with the relevant DCP controls, such that the surrounding residential uses will not be impacted as a result of this proposal.</p>	
	(4) Any externally illuminated signage is to have a downward facing light source focused directly on the display area. Upward facing light sources are not permitted.	<p>The proposed digital signage is illuminated using LEDs installed within the front face.</p> <p>The signage includes baffles which mitigate upward waste light, resulting in an Upward Light Ratio (ULR) of less than 50%.</p> <p>The proposal does not utilise upward facing light sources.</p>	Yes
	(5) Signs with flashing, chasing, pulsating or flickering lights are not permitted unless part of an approved public artwork.	The proposed advertisement structure will not flash, pulsate, flicker, or have chasing lights.	Yes
	<p>(6) Where the consent authority is of the opinion that an illuminated sign or advertisement is expected to generate high levels of energy use based on size, hours of operation or illumination source, the signage is to be powered by:</p> <p>(a) onsite renewable energy of a capacity to provide the energy required to illuminate the sign; or</p> <p>(b) the purchase of a renewable energy product offered by an electricity supplier equivalent to the estimated annual amount of electricity used.</p>	The proposed signage will not result in high levels of energy use.	Yes
3.16.7 Advertising structures and	Generally, new advertising signs and third party advertisements are not permitted. The exceptional circumstances where advertising	The proposal involves installation of an advertising structure as permissible under Clause 3.14 of	Yes



Clause	Provision	Proposed	Complies
third party advertisements	signs and third party advertisements are permitted shall be assessed against the following criteria:  (a) Whether the sign is advertising a civic or community event in the City of Sydney area;	the Industry and Employment SEPP.	
	(d) Whether part of the sign occupied by corporate markings, logos, branding or similar is not more than 5% of the total sign area;	The proposed JCDecaux logo is aligned to the existing asset with a size less than 5% of the proposed digital signage.	Yes
	(e) Whether the number of existing signs on the site and in the vicinity do not cumulatively create unacceptable visual clutter;	The proposed digital advertisement structure is adequately spaced from other existing signs. As such, the proposal does not result in visual clutter in the area.	Yes
3.16.7.2 Replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure	(2) When considering the replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure, a consent authority is to have regard to:  (a) the compatibility of the electronic advertising structure with the site context based on zoning, surrounding land use, built form and the existing and desired character of the area;	As mentioned previously, the proposed structure is consistent with the overall character of the area. The site is in an area comprising of predominantly mixed-use developments, including retail and business premises as well as residential uses.  The proposal does not cause a negative impact on surrounding land uses. Further, the overall amenity of the residential developments within the vicinity of the site is retained as a result of this application.	Yes
	(b) whether the structure reduces the amenity of areas with sensitive amenity values, including environmentally sensitive areas, recreation areas, residential properties and other accommodation land uses;	There are no sensitive recreational areas in the vicinity of the site.  In terms of sensitive residential developments located north, east, and north-west of the site will not be affected by this proposal as the proposed structure does not	Yes

Clause	Provision	Proposed	Complies
		<p>directly face the residential developments.</p> <p>Further, the proposed illumination will not result in any unacceptable glare and will comply with all relevant Australian Standards and guidelines.</p> <p>The bulk and scale of the structure is predominantly the same as the existing sign such that there is no additional bulk on site.</p>	
	(c) whether the structure maintains or enhances the significance of heritage conservation areas or heritage items;	Refer Section 5.1 below.	Yes
	(g) whether the signs and advertisements create a road safety risk or hazard or confuse, distract or compromise road user safety in any road environment;	The proposed structure is designed to remain consistent with the overall character of the area. The size and proportion of the structure is such that it does not create a road safety hazard along surrounding road network for vehicles, pedestrians, or cyclists.	Yes
	(j) the extent of public benefit that will be provided in connection with the structure;	<p>Along with third-party advertisements, the proposed structure will display emergency messaging and announcements, and Sydney Trains promotions and events. Therefore, ensuring the public interest is well served by the proposal.</p> <p>Refer Public Benefit Statement attached at Appendix G.</p>	Yes
	(l) the suitability of the structure's operation and on-going maintenance.	Refer discussion in Section 4.5 above, regarding monitoring and maintenance.	Yes
	(3) Electronic variable content advertising structures are not to result in a visual impact that detracts from the existing visual character of the site, streetscape	A Visual Impact Assessment Report is included in Appendix I.	Yes

Clause	Provision	Proposed	Complies
	or skyline. A visual impact assessment report is to be prepared in accordance with Council guidelines in Clause 11.1 of Schedule 11 (Electronic variable content advertising structures) of this DCP		
	(4) Electronic variable content advertising structures are not to result in obtrusive light that will create unacceptable glare, affect the safety of public domain users or detract from the amenity of accommodation land uses. A light impact assessment report is to be prepared in accordance with Council guidelines in Clause 11.2 of Schedule 11 (Electronic variable content advertising structures) of this DCP.	A Light Impact Assessment Report is included in Appendix F.	Yes
	(5) Electronic variable content advertising structures are not to result in a negative safety impact for road users using a road corridor. Where visible from a road corridor, a road safety report is to be prepared in accordance with Council guidelines in Clause 11.5 of Schedule 11 (Electronic variable content advertising structures) of this DCP	A Traffic Safety Report is included in Appendix E.	Yes
	(8) Electronic variable content advertising structures are to have a high standard of operation and maintenance. A management plan is to be provided that identifies the operational, content management, maintenance and complaints handling arrangements for the advertising structure. The structure is to:  (a) have a default setting that will display an entirely black advertising display area when no	A Plan of Management is included in Appendix J.	Yes

Clause	Provision	Proposed	Complies
	<p>content is being displayed or if a malfunction occurs;</p> <p>(b) keep an electronic log of activity that is maintained by the operator for the duration of the development consent and be available to the consent authority or Roads &amp; Maritime Services to monitor compliance with any conditions; and</p> <p>(c) be regularly monitored and maintained for the duration of the development consent.</p>		
	<p>(9) Electronic variable content advertising structures are to provide a public benefit in accordance with State Environmental Planning Policy 64. Unless otherwise specified by Council, the public benefit is to be satisfied by making 10 per cent of the advertising time (rounded to the nearest whole number) available free of cost for use by the City of Sydney to display public information, community messages and promotion of Council events and initiatives. The advertising time is to be equally distributed throughout the hours of operation of the structure.</p>	<p>As mentioned previously, the proposal serves public benefit as per Chapter 3 of the Industry and Employment SEPP (previously known as State Environmental Planning Policy 64). A Public Benefit Statement prepared by Sydney Trains is attached at Appendix G.</p>	Yes

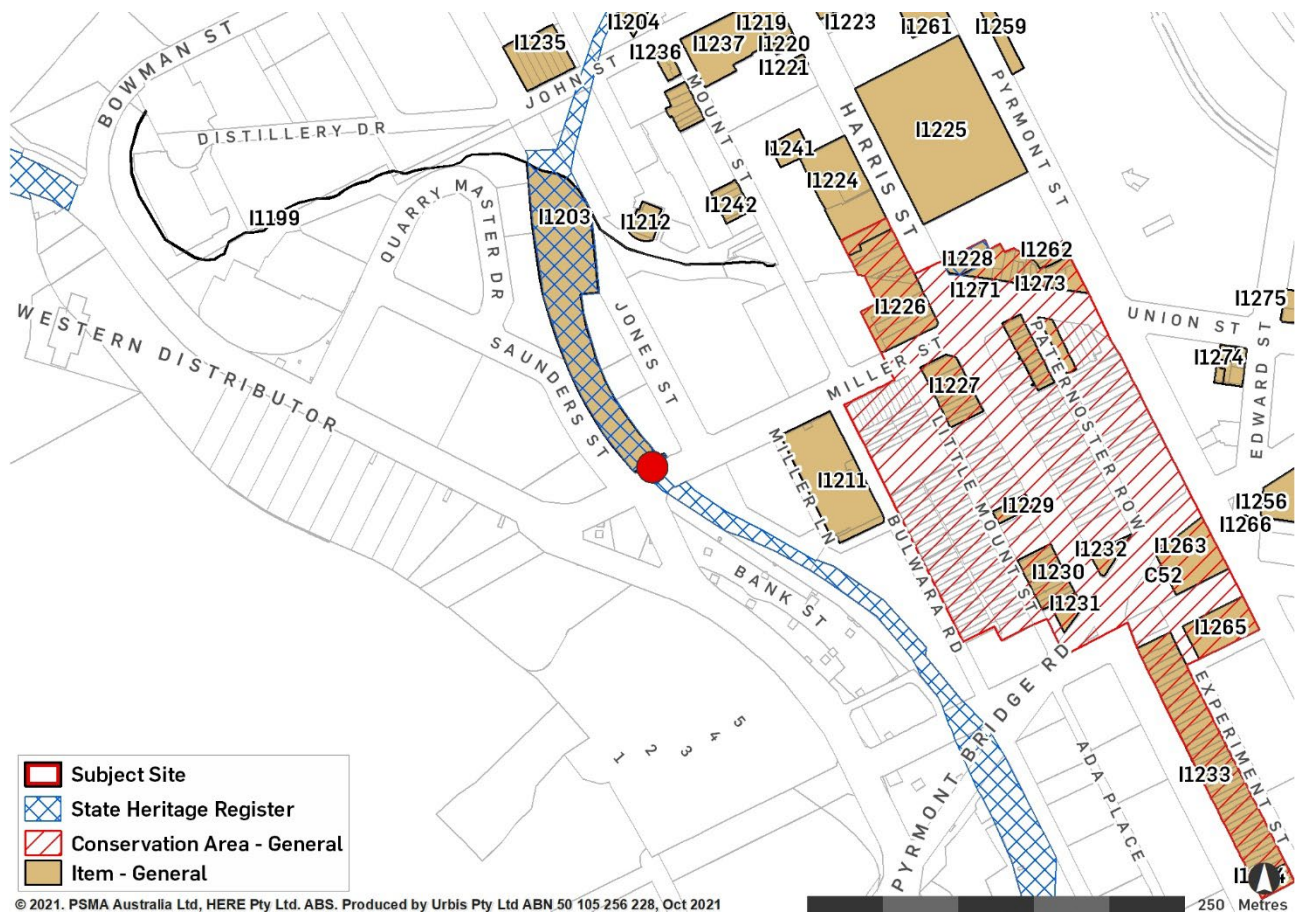
## 5. ASSESSMENT OF KEY PLANNING ISSUES

### 5.1. HERITAGE

The subject site is identified as a state heritage item (I1203) known as 'Railway cutting', as shown in Figure 17 below. The site is also listed on the NSW State Heritage Register as 'Pyrmont and Glebe Railway Tunnels' (SHR no. 01225). The site is also surrounded by other listed heritage items including:

- I1211: Former warehouse "Festival Records" including interiors (1–3 Bulwara Road (and 63–79 Miller Street))
- I1212: Former CSR McCaffery's Building including interiors (21 Cadigal Avenue)
- C52: conservation area known as 'Pyrmont'.

Figure 17 LEP Heritage Map



Source: Urbis

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

The Statement stated the proposed signage will have a minimal and acceptable impact on the subject site for the following reasons:

- The existing sign is not considered to form part of an important view corridor towards the items, nor is it visible in conjunction with the item. The proposed digital signage will be located in the same position and will continue to have no impact on view corridors for these reasons.
- The existing signage will be carefully removed, and the new concrete pier will be located in a similar position as the existing, to reduce the impact on the heritage item.



- The proposed digital signage will be sufficiently separated from the elements that primarily define the item's significance, including the embankment and cutting. No significant fabric will be modified or otherwise disturbed as a result of this proposal.
- The proposed digital signage will not require the removal of any vegetation. The existing vegetation will help to integrate the new signage into the streetscape.
- The proposed digital signage will continue to be oriented away from the item so that any advertising will continue to have no visibility from the item. It will not be viewed, from the public domain, as being in conjunction with the item and will not have any impact on its setting.
- The proposed digital signage enables the change-over of advertisements without requiring physical intervention. This will help to minimise the long-term impact on the item from having signage within its curtilage.

## 5.2. TRAFFIC SAFETY IMPACT

A Traffic Safety Assessment prepared by TTPP is included in Appendix E. The report includes a signage exposure assessment as well as a detailed crash history assessment for the last five years (between 1 January 2016 and 31 December 2020) for incidents along Miller Street and the cross intersection with Bank Street within the visible distance of the proposed digital sign location. It was found that there were no crashes recorded on Miller Street between Bank Street and Saunders Street in the north-east direction. In addition, there were no crashes recorded at the Miller Street and Bank Street intersection and Miller Street and Saunders Street intersection.

The proposed sign would not obstruct and/or reduce visibility of any traffic control devices, signage, pedestrians, or cyclists. TTPP has conducted an assessment of motorist's view at different distances on approach to the Bank Street and Miller Street intersection and finds that the proposed structure does not obstruct a motorist's view to the traffic signal. Additionally, the sign will not give incorrect information on the alignment of the road.

As found in the traffic report, Miller Street and Saunders Street has a posted speed limit of 40km/h. In accordance with the Guidelines, a dwell time of 10 seconds for the digital sign is suitable. Therefore, the proposed digital sign would not compromise safety for road users in the vicinity.

The analysis under the traffic report concludes that the removal of existing static sign and installation of a digital sign on the corner of Saunders Street and Miller Street would be acceptable.

## 5.3. VISUAL IMPACT

A Visual Impact Assessment was prepared by Urbis is included in Appendix I. The site itself, although a heritage item, is considered to be of low scenic quality being within a light rail corridor and being located in an urban area with no scenic or landscape features other than trees located on streets and within the light rail corridor.

All buildings east of the site are mixed use or residential, however no private domain locations in any of these buildings are expected to have access to views of the proposed sign because of the blocking effects of trees or other buildings. For example, all private views from residences at 102 Miller Street to the east are likely to be blocked by the building at 15 Jones Street. The building at 15 Jones Street is directly to the east of the site and it has four habitable storeys with its wider western frontage facing the site, including balconies. There are potential views towards the site from these locations, however it is noted that potential views would be facing to the rear of the sign and would be heavily screened by mature, vegetation located within the light rail corridor.

Visibility of the proposed sign is restricted to a small and localised visual catchment of approximately 50m in an arc from north to south. Views will predominantly be of short duration from moving situations by people passing through the area. No views are expected from any private domain locations and there are no scenic views or significant views identified during site visits or in planning policy.

The proposed sign will replace an existing advertisement sign with one of improved design quality and greater visual interest resulting in improved visual outcome. Further, the area has a moderate level of existing clutter including street lights, traffic lights, small directional signs and a bus stop advertisement signage in the vicinity, which mitigate impacts of the existing and proposed signs.

The site has local and state heritage significance; however, these heritage items are of low visibility from the public domain area on Miller Street and Saunders Street because of its siting below street level and due to the screening effects of intervening walls and vegetation.

No private domain locations are expected to have access to views of the proposed sign because of the blocking effects of trees or other buildings.

The assessment of visual effects and impacts of the proposed sign has been informed by an analysis of photomontages. In all views the proposal was found to generate a medium level of visual effects on baseline factors and medium level of visual impacts. In the context of the site and area, the visual impacts of the proposal were found to be acceptable and can be supported from a visual impact perspective.

## 5.4. LIGHTING IMPACT

A Lighting Impact Assessment (**LIA**) prepared by Electrolight is included in Appendix F. The LIA concluded the following:

- The signage operator must ensure that the average luminance difference between successive images does not exceed 30% to ensure compliance with AS4282. The dwell time shall be 10 seconds or greater.
- The proposed digital signage has been found to comply with all relevant requirements of AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting.
- In complying with the above requirements, the proposed signage should not result in unacceptable glare nor should it adversely impact the safety of pedestrians, residents or vehicular traffic. Additionally, the proposed signage should not cause any reduction in visual amenity to nearby residences or accommodation.
- The proposal, if commissioned according to the LIA, complies with the following criteria, guidelines and standards:
  - *State Environmental Planning Policy (Industry and Employment) 2021*
  - Transport Corridor Outdoor Advertising & Signage Guidelines 2017
  - AS 4282-2019 Control of the Obtrusive Effects of Outdoor Lighting
  - Sydney Development Control Plan (Signs and Advertisement) 2012

## **6. SECTION 4.15 ASSESSMENT**

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

### **6.1. ENVIRONMENTAL PLANNING INSTRUMENTS**

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

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

### **6.2. DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS**

No draft environmental planning instruments are relevant to this proposal.

### **6.3. PLANNING AGREEMENT**

No planning agreements are relevant to this proposal.

### **6.4. REGULATIONS**

This application has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Regulations 2021*.

### **6.5. LIKELY IMPACTS OF THE PROPOSAL**

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

- The proposed development will not create any adverse impacts on the heritage significance of the site, as assessed under the Heritage Impact Statement.
- As concluded in the Traffic Safety Assessment, Saunders Street and Miller Street can accommodate the proposed development with negligible impact on the ongoing road traffic. Additionally, surrounding street networks remain unaffected because of this proposal.
- The proposal will not result in the removal of significant biodiversity, nor have any adverse impacts on the waterways and natural landscape.
- The proposed structure is designed to remain sympathetic to the form and composition of the railway corridor as well as adjoining developments. The proposal considers surrounding residential uses, ensuring there is no adverse impact in terms of illuminating, lighting and traffic.
- The structure has a maximum height of 8.290m and does not obscure or compromise any important views at street level.

### **6.6. SUITABILITY OF THE SITE**

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

- The site is zoned SP2 Infrastructure under the SLEP 2012 and is an ancillary use to the railway corridor, therefore permissible with development consent.
- The proposed advertisement structure is compliant with the built form envisaged in the planning controls and guidelines, particularly regarding illumination and dwell times and does not comprise the safety for vehicles, pedestrians, and cyclists.
- The proposal does not conflict with any of the surrounding land uses in the locality.

- Technical reports including Heritage Impact Statement, Traffic Safety Assessment and Light Impact Assessment Report have provided and demonstrated the site is capable of being developed in the manner proposed without any adverse impacts.

## 6.7. SUBMISSIONS

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

## 6.8. PUBLIC INTEREST

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

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

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

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

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

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

## 7. CONCLUSION

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

- **The proposal satisfies the applicable planning controls and policies** – the proposal is consistent with the objectives of all relevant planning controls and achieves a sound architectural form proposed to be installed on site. The proposal is compliant with the controls regarding built form, illumination and operations contained within the *State Environment Planning Policy (Industry and Employment) 2021*, the Transport Corridor Outdoor Advertising and Signage Guideline and the *Sydney Local Environmental Plan 2012* and Sydney Development Control Plan 2012.
- **The proposal will not result in any adverse environmental impacts** – it is demonstrated that the proposal will not cause any negative environmental impacts, such that there is no impact on natural biodiversity, vegetation and waterways. The proposal does not hamper any significant features contained within Pyrmont.
- **The proposal is an appropriate built form in the streetscape** – the proposed digital screen is smaller than the size of the existing vinyl advertisement currently on site. Despite a minor increase in height of monopole, the proposal ensures there is not an appearance of additional bulk along the railway corridor. The proposed structure is designed to remain sympathetic to the character of the locality as well as surrounding developments. The proposed structure will not threaten the safety of vehicles, pedestrians and cyclists.
- **The proposal will offer a high standard of amenity** – the proposal will provide a high level of amenity for future and existing residents as well as retain the amenity and safety of patrons utilising the surrounding public domain. The illumination element of the structure is compliant with the relevant controls, ensuring surrounding land uses and developments remain unaffected.
- **The proposal is in the public interest** – the proposal is in the public interest as it does not hamper the safety for vehicles, pedestrians, and cyclists. Further, the proposal also allows Sydney Trains to generate revenue through the proposed advertisement structure. The revenue generated can then be used for other operations and services that cater to and benefit the public. As such, the proposal sits well within the public interest.

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



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

## **APPENDIX A**

## **OWNERS CONSENT**

## **APPENDIX B**

## **QS COST SUMMARY REPORT**

## **APPENDIX C**

## **SURVEY PLAN**

## **APPENDIX D**

## **ELEVATION PLAN**



## **APPENDIX E**

## **TRAFFIC SAFETY ASSESSMENT**

## **APPENDIX F**

## **LIGHTING IMPACT ASSESSMENT**

## **APPENDIX G**

## **PUBLIC BENEFIT STATEMENT**

## **APPENDIX H**

## **HERITAGE IMPACT ASSESSMENT**

## **APPENDIX I**

## **VISUAL IMPACT ASSESSMENT**



## **APPENDIX J**

## **PLAN OF MANAGEMENT**