

25 August 2022

Andrew Watson
DA Coordinator - Key Sites & Regional Assessments
NSW Department of Planning and Environment

Our reference: R/2022/12

Your reference: DA 22/6650

Subject: Digital Advertising Signage – Saunders and Miller Streets, Pyrmont

Dear Andrew,

Thank you for your correspondence dated 29 July 2022 inviting the City of Sydney Council ("the City") to provide comment on the abovementioned development application.

The development application involves the replacement of an existing large-format vinyl advertising sign with a new digital advertising sign within the existing Inner West Light Rail corridor at the junction of Miller Street and Saunders Street, Pyrmont.

The existing non-illuminated vinyl sign measures 6m x 3m at a height of 6.84m. The new sign is a digital advertising sign with dimensions of 4.708m x 3.172m attached to a monopole at a height of 3.6m with an overall height of 8.290m. The new signage is illuminated using LEDs and will change on a 10 second basis, with 24 hour operation.

The City has reviewed the supporting documents accompanying the application and raise particular concern with the lack of sufficient information in relation to architectural drawings and consideration of tree impacts. Concern is also raised regarding the overall public benefits of the proposal. Please see the detailed discussion below for your consideration.

1 Insufficient information

Elevation drawings are provided however, drawings in plan have not been provided and an adequate assessment on the impacts of the demolition and proposed footings cannot be undertaken. In addition

to site and floor plans not accompanying the application, an arboricultural impact assessment has not been prepared and an assessment against potential tree impacts cannot be undertaken. It is unclear whether the applicant has considered any potential tree impacts during demolition or construction works (by way of branch or tree removal) and whether any tree protection measures will be implemented during construction. It is noted that the Statement of Environmental Effects states some branches may need to be removed and refers to the Plan of Management (POM) for further discussion, however, the POM does not discuss any tree removal or protection measures.

Additional plan drawings and arboricultural impact assessment are recommended to be submitted for further consideration.

2 Public Benefit

The application states that the new signage will provide adequate public benefit in connection with the advertisement, pursuant to Clause 13(2) of the State Environmental Planning Policy (Industry and Employment) 2021 (SEPP Industry and Employment) and Section 4 of the Transport Corridor Outdoor Advertising and Signage Guidelines 2017. This is on the basis that the signage will continue to provide a revenue stream to Sydney Trains for improvements and maintenance programs and will display instantaneous safety or public awareness messages.

Section 3.16.7.2 of the Sydney Development Control Plan 2012 (DCP) discusses the replacement, modification or conversion of an existing approved advertising structure to an electronic variable content advertising structure and includes the following provisions:

- Provision (2) states that when considering such replacement, the consent authority is to have regard to the extent of public benefit that will be provided in connection with the structure.
- Provision (9) requires the public benefit to be satisfied by making 10% of the advertising time available free of cost for use by the City of Sydney to display public information, community messages and promotion of Council events and initiatives.

Clause 3.16.7.2(9) of the DCP is to be applied through the consideration of SEPP Industry and Employment and is entitled to significant weight. The City considers that compliance with both Clause 13(2) of the SEPP and Clause 3.16.7.2(9) of the DCP should be demonstrated concurrently. This has not been considered in the current proposal.

Overall, the application does not comply with objective 11 of Section 3.16 of the Sydney DCP. The proposal does not satisfactorily provide a public benefit and is generally not in the public interest.

3 Heritage

The City notes that the subject site is listed as a Stage heritage under the Heritage Act 1977 item known as the *Pymont and Glebe Railway Tunnels* (SHI 01225) and are also listed as *Rail cutting* and as being of state significance in the Sydney Local Environmental Plan 2012 (Item No. I1203). The application was accompanied by a Heritage Impact Statement prepared by Wier Phillips which discusses the potential impact of the proposal on the significance of the heritage item.

While the Statement discusses the impacts of the proposal, it does not, nor does the Statement of Environmental Effects, provide any discussion on the administrative process of obtaining approval under the Heritage Act. It is noted that Council has separately been referred the application as an Integrated Development Application, however, the application was also accompanied by a record of a Section 57(2) exemption that is a self-assessed exemption process available under the Heritage Act. Clarification is sought as to what approval is being sought under the Heritage Act. Should specific comments and conditions relating to heritage conservation be sought, the City may provide such conditions upon request.

Please contact Marie Burge on 02 9288 5850 or by email at mburge@cityofsydney.nsw.gov.au if you need to discuss your request.

A handwritten signature in black ink, appearing to be 'NR' with a stylized flourish.

Nicola Reeve
Area Planning Manager