



**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

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Anthony Witherdin
Director, Key Sites Assessments
Department of Planning and Environment
12 Darcy Street, Parramatta NSW 2150

Attention: Jill Rassaby (Planning Officer, Key Sites Assessment)

14 November 2023

Dear Jill,

RFI RESPONSE – DIGITAL ADVERTISING SIGN (OUTBOUND) – DA22/6816

This submission has been prepared on behalf of the applicant (Sydney Trains) in relation to the letter issued to Department of Planning and Environment (**DPE**) (dated 7 November 2023) with a request for additional information (**RFI**) regarding DA22/6816 (**the DA**). The DA seeks consent for installation of new third-party digital advertising signage (**the proposal**) at the south-west corner of the intersection of Cleveland Street and Regent Street, Redfern (**the site**, also referred to as the 'Outbound site').

This RFI is submitted further to the Response to Submission (**RtS**) and RFI letter issued to DPE on 27 October 2023 and a subsequent teleconference held with DPE on 1 November 2023.

This submission is supported by the following documentation:

- Certificate of Title for Lot 2 Deposited Plan 1011782 (**Attachment A**)
- Certificate of Title for Lot 1 Deposited Plan 862513 (**Attachment B**)
- Correspondence between JCDecaux and artist (Nadeena Dixon) (**Attachment C**)
- Correspondence between JCDecaux and Balarinji (**Attachment D**)
- TfNSW endorsement of proposed signage in relation to artwork (**Attachment E**)

1. RESPONSE TO DPE RFI

The applicant's formal response to the Department's RFI is provided in **Table 1** as follows.

Table 1 RFI Response

DPE Comment	Applicant Response
Provide evidence of consultation and agreement with the owner(s) and/or beneficiaries of the adjoining lot containing airspace and vegetation in the foreground of the proposed sign and any vegetation management agreement.	<p>The land on which the proposed sign is located (Lot 2 in DP 1011782) is owned by Transport Asset Holding Entity of NSW (TAHE). Refer to the Certificate of Title at Attachment A.</p> <p>The adjoining land to the north (Lot 1 in DP 862513) is also owned by TAHE. Refer to the Certificate of Title at Attachment B.</p> <p>The City of Sydney submission to the DA states: <i>"The proposed location of the signage is adjacent to a garden area with vegetation and trees, which is owned and managed by Council."</i></p> <p>This statement is incorrect. The adjoining land is owned by TAHE.</p> <p>As previously advised to DPE, there is an informal arrangement in place between TAHE and the City of Sydney, for the City to maintain vegetation on the adjoining land (Lot 1 of DP 862513).</p> <p>The City is currently responsible (via an informal arrangement) for the vegetation management of the adjoining lot. The informal vegetation management arrangement between the City and TAHE is substantiated in the City's submission to the DA. The proposal does not necessitate any change to the current arrangement. Both TAHE and the applicant are satisfied with the City continuing to manage and prune vegetation within this lot on the current basis.</p>
Address the assessment considerations relating to streetscape, setting and landscape In Schedule 5, Part 4 of the SEPP (Industry and Employment).	<p>The below provides an assessment of the proposal against the fourth criteria 'Streetscape, setting or landscape' in the SEPP.</p> <ul style="list-style-type: none"> <i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i> <p>The proposed advertisement is in keeping with the prevailing mixed-use setting of Redfern. The scale, proportion, and form of the proposed structure is appropriate in the context of the surrounding streetscape and broader locality which is characterised by signage.</p> <ul style="list-style-type: none"> <i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>

DPE Comment	Applicant Response
	<p>The form and location of the proposed structure is appropriate to the surrounding vegetation and railway corridor. The colour palette is contemporary yet subdued and materials are of a high-quality finish that contribute positively to the streetscape and wider public domain.</p> <ul style="list-style-type: none"> ▪ <i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i> <p>The sign is appropriately distanced from other signage and does not result in clutter of advertisements in the area. The previous concurrent DA for the 'Inbound' sign has been withdrawn; accordingly, the subject Outbound DA is the only sign proposed within this intersection along Cleveland Street.</p> <ul style="list-style-type: none"> ▪ <i>Does the proposal screen unsightliness?</i> <p>The proposed advertisement is located in the railway corridor such that it does not screen any unsightly items.</p> <ul style="list-style-type: none"> ▪ <i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i> <p>The structure does not protrude over vegetation located in adjoining land to the north (Lot 1 of DP 862513) and does not protrude above the tree canopies located along Regent Street to the south. Further, the structure remains well below the height of surrounding development and does not create adverse visual impact when viewed from the public domain.</p> <ul style="list-style-type: none"> ▪ <i>Does the proposal require ongoing vegetation management?</i> <p>The sign does not require ongoing vegetation management.</p>
<p>Provide evidence of consultation with the artist and commissioning body of the existing public artwork along the railway fence and consider relevant impacts.</p>	<p>The applicant has consulted and engaged with key stakeholders associated with the existing public artwork on the safety screen of the Cleveland Street bridge. [TAHE is the owner of the rail bridge to which the artwork is affixed]. The applicant's engagement with relevant stakeholders for the public artwork as detailed as follows:</p> <ul style="list-style-type: none"> ▪ Attachment C provides evidence of consultation with the artist of the existing public artwork (Nadeena Dixon). This correspondence confirms that the artist has no objection to the proposal in relation to the artwork along the rail bridge.

DPE Comment	Applicant Response
	<ul style="list-style-type: none"> ▪ Attachment D provides evidence of engagement with Balarinji (the commissioning organisation of the artwork) with regards the subject proposal and future opportunities for collaboration on public artwork. This correspondence confirms that Balarinji do not raise any objection to the proposal. ▪ Attachment E provides evidence of consultation with TfNSW, the commissioning party of the artwork. This correspondence confirms that TfNSW has no objection to the proposal.
<p>Clarify inconsistencies between the Arborist letter, prepared by Naturally Trees and the Response to RFI, in relation to the Bismarck Palm, in terms of it obstructing views towards the proposed sign and ongoing maintenance noting it has a mature height of over 15 metres.</p>	<p>As detailed above, the City is responsible for the management of vegetation on the adjoining land via an informal arrangement. Both TAHE and the applicant are happy for the City to maintain responsibility of the vegetation management on the current basis.</p> <p>It is noted that the Bismarck palms has potential to grow up to a height of 15 metres. However, as stated in the Arborist Report, the Bismarck palms species is slow growing and it is unlikely that the species will grow to its maximum height as it is native of Madagascar and differing climatic conditions in Sydney. The subject Bismarck palm currently has a height of less than 1 metre. Notwithstanding, the City is responsible for maintenance and any decision to trim or prune the vegetation rests with the City and is not the responsibility of the applicant. Notwithstanding, any potential obstruction of views to the proposed sign as a result of the Bismarck palms is at the applicant's own risk.</p>

We trust that the information provided in this submission and the accompanying documentation addresses the matters raised by DPE.

Please do not hesitate to contact the undersigned if any further information is required.

Yours sincerely,



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