



# STATEMENT OF ENVIRONMENTAL EFFECTS

Cleveland Street (Inbound),  
Chippendale

Prepared for  
**JCDECAUX**  
8 March 2023



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# 1. INTRODUCTION

## 1.1. OVERVIEW

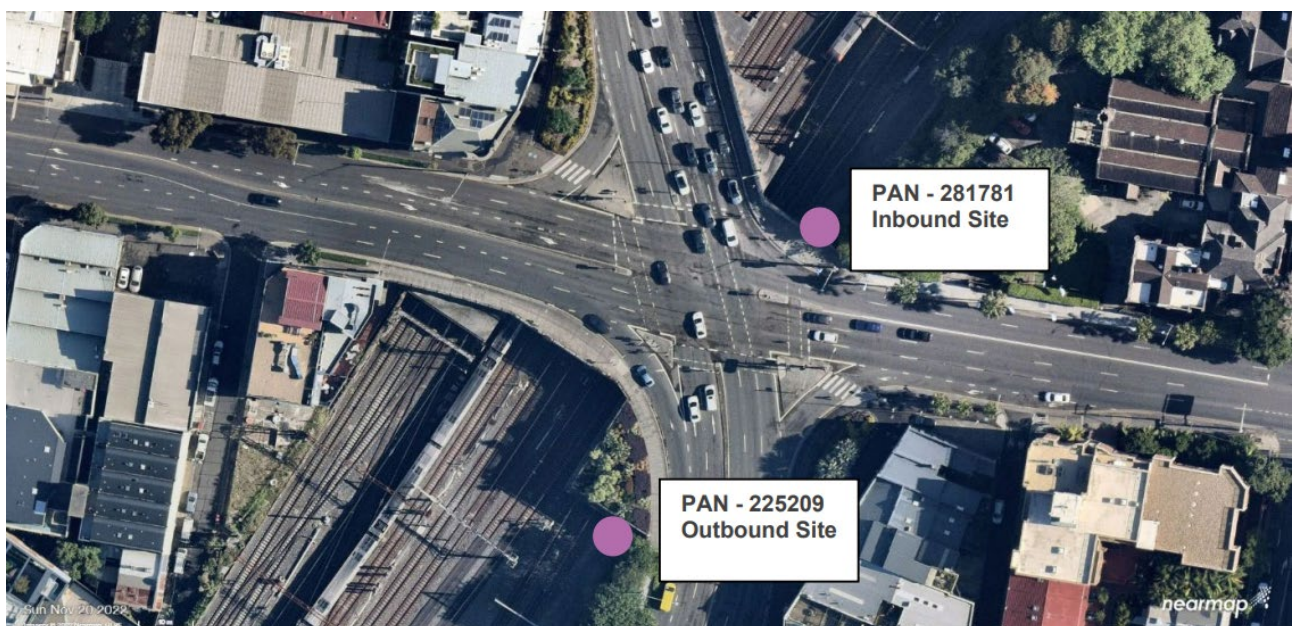
This Addendum Statement of Environmental Effects (**SEE**) has been prepared by Urbis for JCDecaux, on behalf of Sydney Trains (**the applicant**) to support a Crown Development Application (reference PAN – 281781) currently under assessment with Department of Planning and Environment (**DPE**) seeking consent for installation of a new third-party digital advertising signage at the north-eastern corner of the intersection of Cleveland Street and Regent Street, Redfern, (**the site**, referred to as the **Inbound site**).

A separate development application (**DA**) was submitted with DPE in May 2022 (reference PAN – 225209) for installation of third-party digital advertising sign at the south-western corner of the intersection of Cleveland Street and Regent Street, Chippendale (referred to as the **Outbound site**).

Further to a review of the documentation submitted with the Outbound and Inbound DAs (as originally lodged), DPE requested a cumulative assessment of the two signs in terms of traffic, lighting, heritage, and visual impacts. As such, this Addendum SEE and revised supporting documentation provide a cumulative assessment of the two signs proposed at the Cleveland Street and Regent Street intersection, both currently under assessment. **Figure 1** below shows the location of the Outbound and Inbound site.

The design of the digital signage proposed at the Outbound site has been slightly amended, in that, the prominent side and rear elevation has been remodelled to diffuse and soften the form within the streetscape (as shown in revised plans at Appendix D). Furthermore, the rear materiality has been changed as described in the Design Statement at Appendix K. This is to further minimise visual impact of the proposed sign, ensuring the sign seamlessly blends with its surrounds and present a more refined site-specific proposal.

Figure 1 Location of Outbound and Inbound site



Source: Near Maps 2023

This DA is proposed under Part 4 Division 4.6 (Section 4.33) of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**) and submitted to DPE. The subject site is located along a railway corridor. 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 proposed works have an estimated cost of \$479,050 (including GST) and development consent is sought under Part 4 Division 4.6 (Section 4.33) of the EP&A Act to the consent authority being the Minister for Planning and Homes.

The proposal has been assessed in accordance with relevant environmental planning instruments and policies, including 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 represents an appropriate land use and built form. The proposal is generally compliant with the controls regarding built form, illumination and operations contained within *State Environment Planning Policy (Industry and Employment) 2021*, the Transport Corridor Outdoor Advertising and Signage Guideline, the *Sydney Local Environmental Plan 2012*, and Sydney Development Control Plan 2012.
- **The proposal will not result in any adverse environmental impacts** – the proposal will not cause any unacceptable environmental impacts, insofar as there are no impacts on natural biodiversity, vegetation, or waterways.
- **The proposal is an appropriate built form in the streetscape** – the built form and scale is such that there is no appearance of adverse bulk in the streetscape. The proposal is designed to contribute positively to the character of the locality and surroundings. The proposal does not threaten the safety of vehicles, pedestrians, and cyclists, or impede the safe movement of trains running along the railway corridor. The cumulative traffic assessment of the two signs found that the Outbound and Inbound sign do not impact the safety of any traffic, pedestrians, or cyclist movements given their respective locations.
- **The proposal presents a high standard of amenity** – the proposal is well designed to contribute positively to the amenity of the area for future and existing residents as well as retain the amenity and safety of patrons utilising the surrounding public domain. The illumination of the proposal complies with relevant controls, ensuring surrounding land uses and developments are not adversely affected. The cumulative assessment of the signs finds that the signs do not cause a detrimental impact from a traffic safety, lighting, visual, or heritage perspective.
- **The proposal is in the public interest** – the proposal is in the public interest as it does not hamper the safety for vehicles, pedestrians, or cyclists. Further, the proposal allows Sydney Trains to generate revenue through advertisement. The revenue generated can fund 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 to appropriate conditions of consent.

## 1.2. PROJECT AIM

Sydney Trains has a partnership with JCDecaux to manage advertising on the concourses and platforms of Sydney Trains stations and rail 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. All revenue generated to Sydney Trains from the digital signage is 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 confirmed as their partner for advertising for the fourth time, recognising the proven track-record and success of this relationship to date. In awarding this contract, Sydney Trains conducted a substantial review of the network of advertising assets, recognising that with a growing demand in the digital advertising market, there is an opportunity to rationalise existing assets and provide improved customer experience. Across the Sydney Trains network this will remove more than 990 sqm decommissioned advertising content in the Sydney metropolitan region.

The signage may also display information regarding to customers in the event of emergency situations, Sydney Trains and 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 revised 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

<b>Document</b>	<b>Consultant</b>	<b>Appendix</b>
Owners Consent	TfNSW	<b>Appendix A</b>
QS Cost Summary Report	JCDecaux	<b>Appendix B</b>
Survey Plan	CMS Surveyors	<b>Appendix C</b>
Proposed Elevation Plan	DBCE	<b>Appendix D</b>
Traffic Safety Assessment	Bitzios Consulting	<b>Appendix E</b>
Lighting Impact Assessment	Electrolux	<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	JCDecaux	<b>Appendix J</b>
Design Statement	Tzannes	<b>Appendix K</b>



## 2. SITE AND SURROUNDING CONTEXT

### 2.1. SITE DESCRIPTION

The site is legally identified as Lot 118 in DP 1078271 and is located at coordinates -33.888944, 151.201831 (NearMaps) as depicted on the Site Survey Plan (provided at **Appendix C**).

As shown in **Figure 2**, the site is located near the junction of Regent Street and Cleveland Street and is along a railway corridor which runs six lines, these being the Eastern Suburbs & Illawarra Line, Leppington to City Circle, Bankstown Line, Northshore & Western Line, Inner West & South Line and Northshore to Hornsby & Berowra Line. The railway tracks run along the western side of the site.

Currently, the site does not contain any signage. In terms of topography, the site is generally flat. Moderate vegetation and fence are present along the eastern and southern side of the site respectively (refer **Figure 3**). The site is owned by TfNSW.

An aerial photograph of the site is included in **Figure 2** below. Photographs of the site and surrounding context are included in **Figure 3** to **Figure 9**.

Figure 2 Aerial image of the site



Source: Urbis

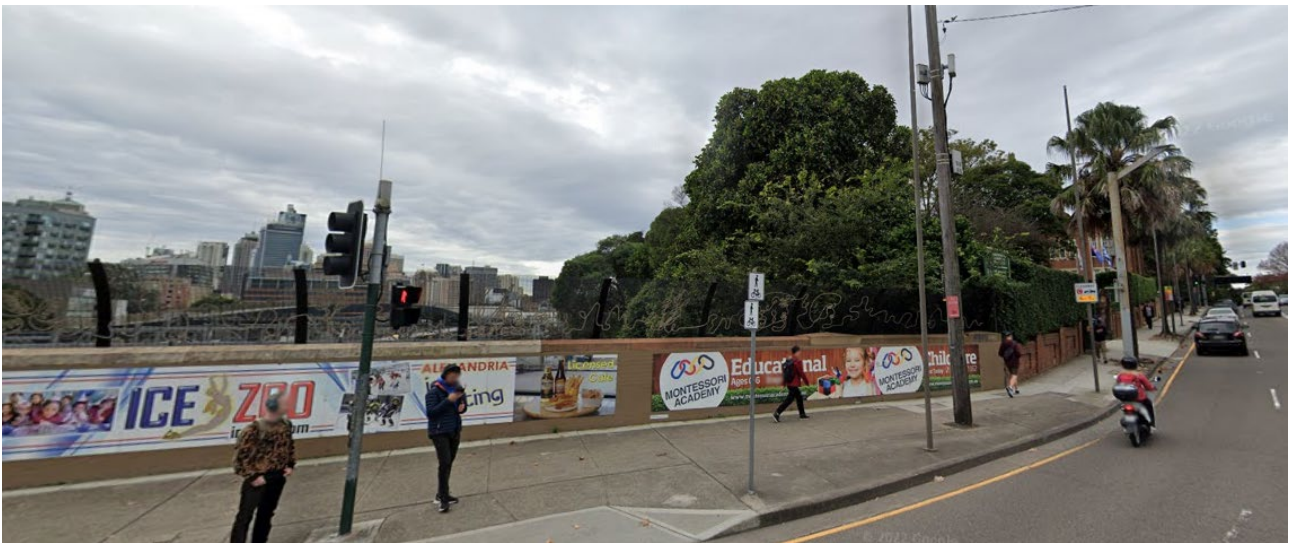


Figure 3 Existing condition on site, viewed from Cleveland Street



Source: Urbis

Figure 4 View looking north – with heavy vegetation along the western side of Greek Orthodox Archdiocese



Source: Urbis



Figure 5 Greek Orthodox Archdiocese and associated car park located east of the site, at Cleveland Street



Source: Urbis

Figure 6 Commercial and residential development located south of the site



Source: Urbis



Figure 7 Hotel located south-west of the site



Source: Urbis

Figure 8 Traffic signal, commercial and residential development located west of the site



Source: Urbis

Figure 9 Existing city skyline north of the site



Source: Urbis

## 2.2. LOCALITY

The site is located within the City of Sydney Local Government Area (**LGA**) and is approximately 3km from the Sydney Central Business District (**CBD**). The site is located within Chippendale locale, which is an important location within the City of Sydney LGA, providing a variety of housing types, commercial opportunities, and public open spaces such as the Prince Alfred Park.

The site locality is characterised by predominately mixed-use developments comprising of commercial premises and residential flat buildings. The surrounding developments are described below:

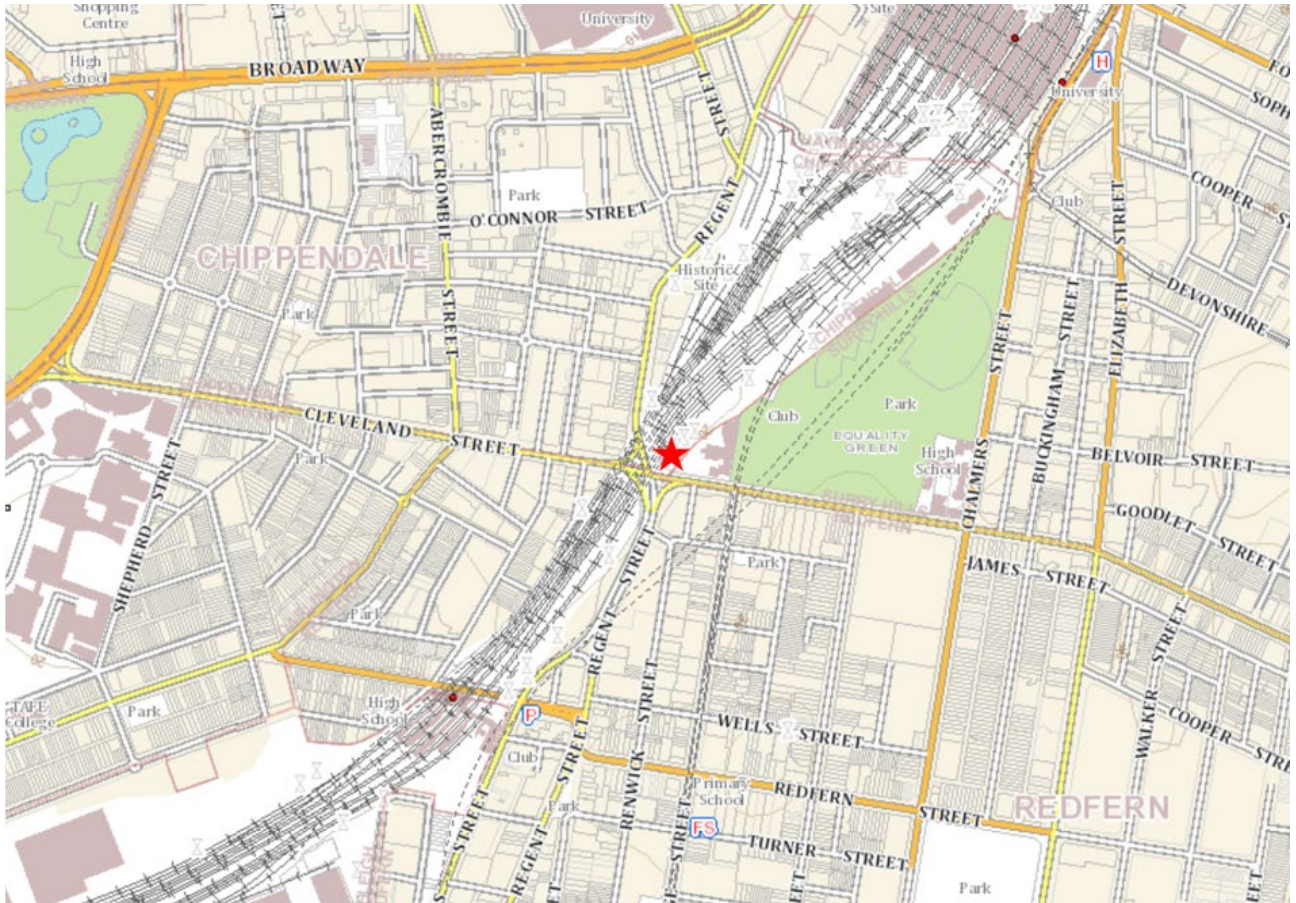
- **To the north** – the railway corridor runs along the north of the site. The Sydney CBD skyline is visible when viewed from the north of the site.
- **To the east** – directly east of the site is a car park associated with the church known as Greek Orthodox Archdiocese. Further east of the site is a public recreational facility known Prince Alfred Park.
- **To the south** – directly south of the site is a traffic signal. A two-storey mixed use development comprising business and retail premises is located across the traffic signal (under B4 Mixed use zone). Further south of the site is a mixed-use development ranging from three to six storeys in height including commercial premises along the ground floor and apartment units above, located within the B4 Mixed Use zone. Further south of Regent Street includes two storey commercial developments. South-west of the site (along Cleveland Street) is the Song Hotel and medium to high density mixed-use developments comprising of commercial premises on the ground floor level and residential uses above.
- **To the west** – directly west of the site are low-density mixed-use developments located within the B4 Mixed use zone. The developments comprise two storey business or retail premises; some developments include upper level residential accommodation.

With regard to surrounding relevant DAs, D/2020/1361 was approved on 31 August 2022 providing consent for restoration and expansion works to the existing Greek Orthodox Archdiocese at 242 Cleveland Street Surry Hills. The works approved under D/2020/1361 are not visible from the subject site. In addition, the proposed sign is not be visible from the Greek Orthodox Archdiocese due to the visual barrier created by the existing trees between the railway corridor and Greek Orthodox Archdiocese (as shown in **Figure 4** above).

A search of the City of Sydney Council's DA tracker and the Planning Portal identified no other development applications under assessment which may be detrimentally impacted by the proposed digital signage.



Figure 10 Locality context (site identified as a red star)



Source: Urbis

In terms of existing signage within the locality, there are multiple signs located along Regent Street and Cleveland Street in the form of windows, pylon, top hamper, and wall signs (as shown in **Figure 11**).

Figure 11 Existing signage in the locality



Picture 1 Top hamper signs located west of site along Regent Street

Source: Urbis



Picture 2 Top hamper and wall sign located north-west of site along Regent Street

Source: Urbis



Picture 3 Window signs located north-west of site along Regent Street

Source: Urbis



Picture 4 Top hamper signs located south of site along Regent Street

Source: Urbis

## 2.3. SURROUNDING ROAD NETWORK

In terms of the surrounding road network, Cleveland Street and Regent Street is located towards the south and west of the site respectively. Cleveland Street is a 2.7km long road, part of Sydney's orbital road network that connects to City Road to the west and Anzac Parade to the east.

Regent Street is approximately 1.3km long and connects George Street to the north and Botany Road to the south. Further east of Regent Street is Renwick Street which receives minimal traffic movement. Regent Street has a south-north upward slope leading up to the site. It presents as an essential road network providing access into the Sydney CBD towards the north.

Regent Street and Cleveland Street provides six lanes, allowing for two-way vehicular traffic movement running at a moderate speed. Footpaths are provided along each side of the road facilitating adequate pedestrian movement. There are no dedicated cycle pathways, accordingly cyclists share the same road as vehicles, given there are not many cyclists within the surrounding road network.



## 3. PROPOSED DEVELOPMENT

### 3.1. OVERVIEW

This development application seeks consent for installation of a new digital advertising signage. The proposed development comprises:

- Installation of digital advertising structure above the column having the following features:
  - Screen of dimensions 3.072m x 4.608m, attached to a monopole of height 3.3m ('Portrait 50');
  - JCDecaux logo of dimensions 120mm x 745mm, located at the bottom left of the screen;
  - Perforated silver metal panels rear of the sign.

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

The proposed structure is shown in **Figure 12** and elevation plans provided in **Figure 13**.

**Table 2** below details the dimensions of the proposed structure. While the proposed digital structure has a dimension of 3.172m x 4.708m, the digital screen itself has a dimension of 3.072m x 4.608m and a display area of 14.15 sqm. The thickness of the digital structure is 1.690m. The digital structure is attached to a monopole and has a total height of 8.65m from the footpath ground level (at RL 28.41).

The signage is oriented towards the northbound (inbound) traffic on Regent Street.

Table 2 Proposed structure dimensions

Measurement	Proposed
Height of monopole	3.3m
Length of structure	3.172m
Width of structure	4.708m
Screen display dimension	3.072m x 4.608m

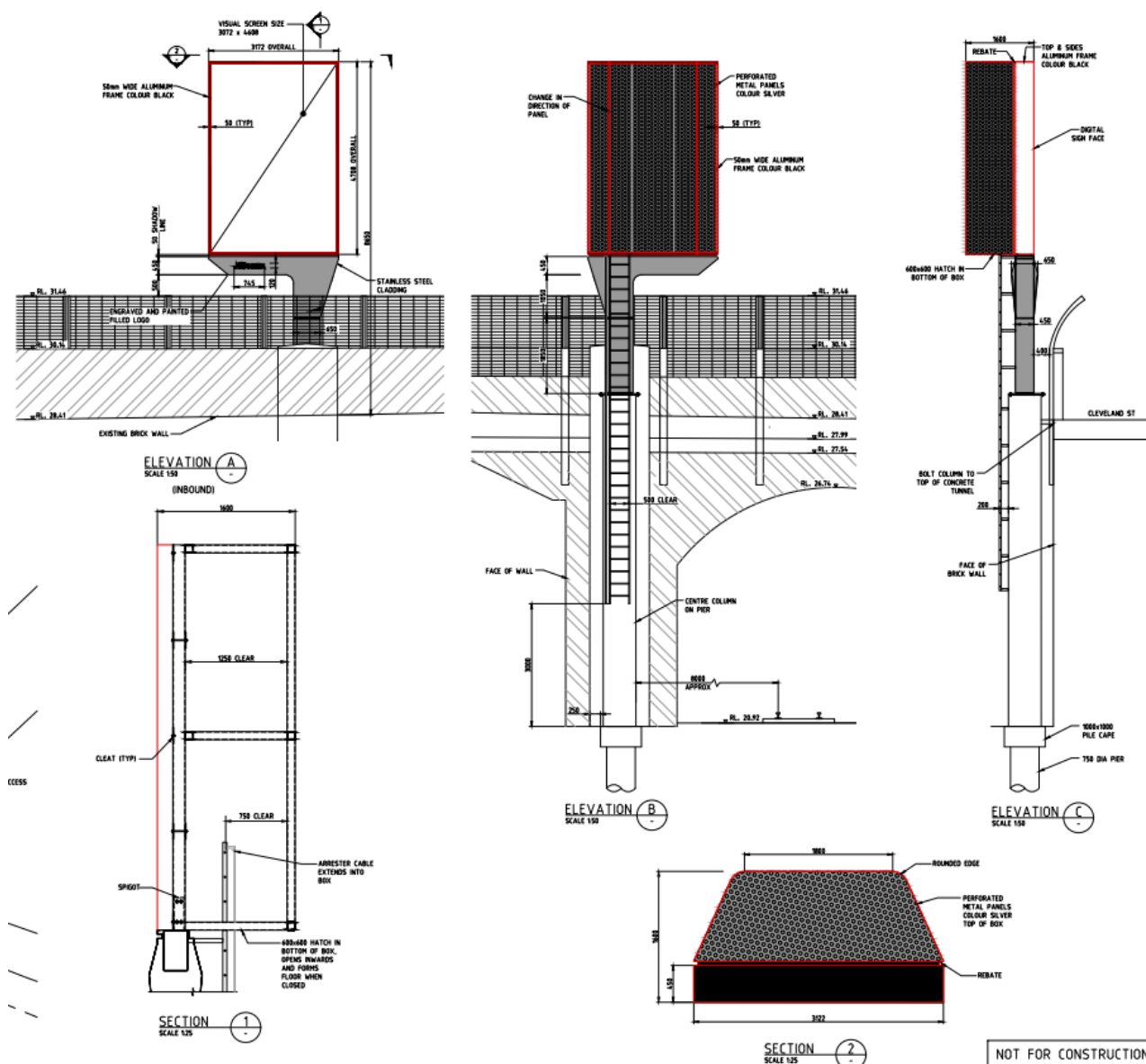
Figure 12 Proposed structure – Photomontage



Source: JCDecaux



Figure 13 Elevation Plan – Proposed Digital Sign



Source: DBCE

## 3.2. 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.

## 3.3. ILLUMINATION

The proposed digital signage is illuminated using LEDs installed within the front face. The brightness of the LEDs is 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 200cd/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	200 cd/m2

### 3.4. MONITORING AND MAINTENANCE

The proposed sign 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.

### 3.5. INDUSTRY MEMBERSHIP AND ADVERTISING CODES

JCDecaux is a member of the Outdoor Media Association (OMA) who are the peak body representing Outof-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 \$479,050 (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 proposals.

This application is 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, is identified as a public authority. The Minister for Planning and Homes is the consent authority for the DA, under the provisions of Clause 3.14 of the Industry and Employment SEPP (refer **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 'Central Railway Station group including buildings, station yard, viaducts and building interiors' (I1824) and is also listed on the NSW State Heritage Register as 'Sydney Terminal and Central Railway Stations Group' (SHR no. 01255). 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 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, has satisfied 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 is consistent with the commercial character of the area.
- The proposed structure allows for effective communication of third-party advertisements, whilst ensuring safety for vehicles, motorists and pedestrians. Further, trains moving in the northern direction along the railway corridor will not be impacted by the proposed signage.
- The proposal provides a public benefit through the revenue generated to Sydney Trains from the advertising sign will 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?	<p>The proposal is compatible with the desired future character of the site and the wider Chippendale locale. The Signage Strategy establishes the provisions and design parameters to achieve appropriate advertisement structure, ensuring the railway corridor remains unaffected.</p> <p>The advertisement typologies and materials and finishes nominated in the Strategy are compatible with the context of the surrounding public domain.</p>	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 installed along the railway corridor.</p> <p>The site adjoins B4 Mixed Use zone which is characterised by mixed use developments comprising of commercial and residential uses. There are existing signs located along Regent Street and Cleveland Street in the form of windows, pylon, top hamper, wall signs and digital sign, as shown in Figure 10 above. The proposed is consistent with the mixed-use commercial nature of development located along Regent Street and Cleveland Street.</p>	Yes
<b>2. Special Areas</b>		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscape or residential areas?	<p>The subject site is a heritage listed item 'Central Railway Station group including buildings, station yard, viaducts and building interiors' (I1824) and is also listed on the NSW State Heritage Register as 'Sydney Terminal and Central Railway Stations Group' (SHR no. 01255).</p> <p>Heritage is further discussed in Section 5.1 of the SEE. A Heritage Impact Statement is attached at Appendix H.</p>	Yes

Provision	Comment	Compliance
	<p>In summary, the proposal is a sympathetically designed digital advertisement structure that does not detract from the heritage significance of the site or surrounding items.</p> <p>In terms of sensitive uses, residential uses are located approximately 100m south and 80m south-west of the site. As stated in the Lighting Impact Assessment, the maximum illuminance to habitable windows from the proposed digital signage is 0.49 lux. This illuminance is less than the level 2 lux maximum outlined in Table 3.9 of the Sydney DCP. As such, the surrounding residential uses will not be impacted from a lighting perspective.</p> <p>In terms of recreational uses, Prince Alfred Park is located approximately 90m east of the site. The proposed structure is not visible from the park. Accordingly, the Prince Alfred Park remains unaffected in terms of visual and lighting impact.</p> <p>There are no environmentally sensitive areas adjacent to the site and the proposal does not detract from the amenity or visual quality of the surrounds.</p> <p><u>Cumulative assessment</u></p> <p>The Heritage Impact Statement provides a cumulative assessment of the Outbound and Inbound sign. The report concludes that the cumulative impacts of the two signs will have a minimal and acceptable impact on heritage items and conservation areas within the vicinity as it is sufficiently separated from these for there to be no impact on significant view corridors or on their fabric.</p> <p>The cumulative assessment of the two signs ensures the maximum night time luminance remains at 200 cd/m2 for both signs and is compliant with the AS4282, the Transport Corridor Outdoor Advertising &amp; Signage Guidelines, and the Sydney DCP 2012. The two signs do not have direct interface with the surrounding residential developments and will not cause a detrimental impact from a lighting perspective.</p>	
<b>3. Views and Vistas</b>		
Does the proposal obscure or compromise important views?	<p>The proposed structure is attached to a monopole and has a maximum height of 8.6m when viewed from the footpath ground level at RL 28.41 and is appropriate in size and scale and that is sympathetic to the surrounding environment. Importantly, existing vegetation along the eastern side of the site ensures the structure cannot be viewed from the church (known as Greek Orthodox Archdiocese of Australia) located east of the site. The</p>	Yes

Provision	Comment	Compliance
	<p>existing vegetation will be retained and help soften any visual impacts of the proposal.</p> <p>The Visual Impact Assessment concludes the following:</p> <p><i>To the south of the site from footpaths and for a limited time from moving situations, views of the CBD skyline including the Central Station Clock Tower. The proposed sign may obscure a small and isolated part of this view as the viewer moves across the intersection, however the proposed development will not significantly affect public domain views.</i></p> <p><i>Potential blocking effects will be mitigated as the viewer moves across the intersection, where all of the view to the Clock Tower will be available. The proposed development does therefore not significantly affect public domain views towards the Clock Tower from the immediate visual catchment when considered across the whole intersection</i></p> <p><i>Northerly views from Regent Street, north-easterly views from the west side of the intersection and north-north westerly views from the north side of the intersection will not be affected by any visual effects caused by the proposed development. The existing views towards the Greek Orthodox Church from the west are already partially blocked by trees east of the site.</i></p> <p>Therefore, there is no unacceptable impacts on important views at street level.</p> <p><u>Cumulative assessment</u></p> <p>The Visual Impact Assessment provides the following:</p> <p><i>The proposed signs are to be located on opposite sides of the intersection, spatially separated by Cleveland Street, 65m away from each other. Views to the proposed development will be experienced predominantly by road users from moving viewing situations along the Regent Street corridor and intersection or for short periods of time in relation to stationary traffic. Given the limited visual exposure of both signs in the same view composition, the visual context, and likely low viewer and view place sensitivity to this type of installation, it is our opinion the cumulative visual effects of the proposed signs result in a low visual impact and therefore is supported on visual impact grounds.</i></p>	
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed structure will be installed at RL 20.92, along the eastern boundary of the railway track approximately 8m away from the railway tracks. As stated in the Visual Impact	Yes

Provision	Comment	Compliance
	<p>Assessment (Appendix I), the structure does not dominate the skyline or reduce the quality of vistas in any way.</p> <p>The Visual Impact Assessment provides the following:</p> <p><i>The sign will protrude above the existing wall and into the low immediate foreground in close views. It is low in height, being visible approximately 5.708m above the top of the wall. The structure will not dominate the skyline because it presents against a background of other built form including buildings, streetlights and vegetation. The proposed development will therefore not reduce the quality of vistas.</i></p> <p><u>Cumulative assessment</u></p> <p>The Visual Impact Assessment provides the following:</p> <p><i>The location of the signs, on opposite sides of the road corridor limits the combined visual catchment to close views from the north and south along the Cleveland St corridor only. It is likely both signs would be visible in the same view composition in views from a limited number of commercial buildings to the east and northwest of the site as well as some north facing residences (21-69 Regent Street) and upper floors of the western frontage of 187-189 Cleveland Street.</i></p> <p>As such the two signs cumulatively do not have a cumulative impact on the skyline to the north.</p>	
Does the proposal respect the viewing rights of other advertisers?	Existing signs within the same view area will not be blocked therefore the viewing rights of other advertisers is be respected.	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 Chippendale locale.	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



Provision	Comment	Compliance
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	<p>The sign is appropriately distanced from other signage and does not result in clutter of advertisements in the area.</p> <p><u>Cumulative assessment</u></p> <p>The two signs are located on opposite sides of the intersection, separated by Cleveland Street, at a distance of approximately 65m. The signs form part of separate visual catchments and do not result in cumulative visual clutter in the area.</p>	Yes
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 Cleveland Street and Regent 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 east 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 trains along the railway corridor, particularly trains moving north along the corridor. The location, design and format of the structure is such that there is no unacceptable effects 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

Provision	Comment	Compliance
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	<p>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.</p> <p>As such, the structure is designed to show innovation and imagination through an appropriate scale, proportion, signage type and design.</p>	Yes
<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 is concealed within the structure.	Yes
<b>7. Illumination</b>		
Would illumination result in unacceptable glare?	<p>The proposed signage does not result in unacceptable glare. Refer to the Lighting Impact Assessment Report at Appendix F.</p> <p><u>Cumulative assessment</u></p> <p>The two signs at the intersection will be compliant with the relevant lighting requirements as set out in the Lighting Impact Assessment.</p>	Yes
Would illumination affect safety for pedestrians, vehicles or aircraft?	<p>Given the size, scale, location and proportion of the proposed advertisement structure, the proposal does impact upon pedestrian or vehicular safety on the surrounding road network.</p> <p><u>Cumulative assessment</u></p> <p>The cumulative traffic assessment provided within the Traffic Impact Assessment states the following:</p> <p><i>The proposed inbound digital sign is only very partially visible on the periphery of their windscreen if they chose to glance at it while in view of the subject outbound digital sign. Therefore, there are no cumulative traffic safety impacts from the inbound and outbound signs.</i></p>	Yes
Would illumination detract from the amenity of any residence or other form of accommodation?	There are residential uses located in the immediate surrounds of the site. Table 3.9 Sydney DCP outlines maximum illuminance limits on windows on habitable rooms of the accommodation uses in the vicinity of digital (electronic) signage. The maximum illuminance from the	Yes

Provision	Comment	Compliance
	<p>digital sign to windows of habitable rooms of an accommodation use is not to exceed 2 lux or not be greater than the illuminance from existing advertising structure (whichever is less). As there is no existing illuminated signage on the site, the maximum vertical illuminance to windows of habitable rooms is 2 lux.</p> <p>As per the Lighting Impact Assessment, the lighting model showed that the maximum illuminance to habitable windows from the proposed digital signage is 0.49 lux, less than the level 2 lux maximum outlined in Table 3.9 of the DCP.</p> <p>Therefore, the illumination will not detract from the amenity of residential accommodation located south and west of the site.</p> <p><u>Cumulative assessment</u></p> <p>The two signs do not have a direct interface with the residential developments and do not impact the amenity of residential developments. Additionally, the existing vegetation along the eastern side of the Inbound and Outbound sign provide adequate screening to the residential developments along this side and retain amenity.</p>	
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>		
Would the proposal reduce the safety for any public road?	<p>The proposed signage will not impact upon the safety of the surrounding road network for vehicles, pedestrians or cyclists given the structure will be situated away from the street, along the northern side of Cleveland Street.</p> <p>For further detail in this regard, refer Traffic Safety Assessment included in Appendix E.</p>	Yes
Would the proposal reduce the safety for pedestrians or bicyclists?	<p>The proposal structure does not interfere with the existing footpaths and cycleways. The proposal therefore does not hamper the safety of pedestrians and cyclists.</p> <p>In terms of illumination, the lighting component of the proposed structure is compliant with the relevant Australian Standard.</p>	Yes

Provision	Comment	Compliance
	For further detail in this regard, refer Lighting Impact Assessment and Traffic Safety Assessment.	
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	<p>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.</p> <p><u>Cumulative assessment</u></p> <p>Refer Section 5.2 and 5.4 below for a cumulative traffic and lighting assessment.</p>	Yes

Clause 3.21 relates to free standing advertisements. The proposal is compliant in that 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. Refer to 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 <i>Sydney Local Environmental Plan 2012 (SLEP)</i> 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 supports important transportation infrastructure across Greater Sydney. The proposal is to allow installation of a new digital signage that demonstrates advertising as a compatible land use, without detracting from the commuter corridor.	Yes
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: <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> </ul>	<p>The sign is not visible from the church known as Greek Orthodox Archdiocese of Australia located east of the site due to existing vegetation along the eastern side of the site.</p> <p>The sign is not visible from Prince Alfred Park located 90m east of the site.</p>	Yes

Provision	Comment	Compliance
<ul style="list-style-type: none"> <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>Nearby residential uses will not be impacted as the proposal is compliant with the illumination requirements under the Sydney DCP.</p> <p>The sign will not have an adverse impact on the amenity of either the commercial and residential uses surrounding the site as it is primarily viewed by pedestrians, bicyclists and passengers travelling northbound on Regent Street and eastbound on Cleveland Street.</p> <p>Further, the heritage significance of the site as well as surrounding items will not be impacted by the proposal as explained in the Heritage Impact Statement prepared by Weir Phillips (Appendix H).</p>	
iii. Advertising structures should not be located so as to dominate or protrude significantly above the skyline or to obscure or compromise significant scenic views or views that add to the character of the area.	The proposed sign does not protrude above the skyline and does not compromise views or character of the area, as explained in the Visual Impact Assessment (Appendix I). The proposal ensures the monopole is suitably installed within the ground, behind the existing fence and 8m away from the railway track. The location of the structure is appropriate and does not obstruct any essential views. Refer Section 5.3 for further discussion regarding visual impact.	Yes
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 <b>Appendix H</b> ) that demonstrates the proposal does not diminish the heritage values of the surrounding items and conservation areas.	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 Sydney Trains and is located within an urban setting. The sign is positioned to remain appropriately distanced from the railway track and train pathway. The digital screen is approximately 10.94m above the railway track level and will in no way impact movement of trains. The monopole installed in the ground is approximately 8m away from the railway track, 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	The sign does not protrude above the dominant skyline of the Sydney CBD visible from the site when looking north.	Yes

Provision	Comment	Compliance
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.	<p>The proposed sign does not protrude above the surrounding building heights. There is a slight protrusion of the sign over the existing trees located behind the sign. This however does not cause a detrimental impact on surrounding building in terms of visual impact and amenity and the commercial character of the locality.</p> <p>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>low</b>.</p> <p>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.</p>	
b. For a freestanding advertisement greater than 45sqm that requires consent from local council, a DCP must be in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct.	The sign is not greater than 45sqm and does not require consent from council.	NA
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 east 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.	Conditions can be imposed by the consent authority to ensure that the sign is completely static for the specified dwell time.	Yes
b. Message sequencing designed to make a driver anticipate the next message is	Conditions can be imposed by the consent authority to ensure there is no message sequencing that creates driver anticipation for the	Yes

Provision	Comment	Compliance
prohibited across images presented on a single sign and across a series of signs.	next message on the proposed sign or with any other signs.	
<p>c. The image must not be capable of being mistaken:</p> <p>(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</p> <p>(ii) as text providing driving instructions to drivers.</p>	Conditions can be imposed by the consent authority to ensure that sign content, design, imagery and messages neither replicate nor can be mistaken for a prescribed traffic control device or instruction to drivers. For example, advertisements must not instruct drivers to perform an action such as 'Stop'.	Yes
<p>d. Dwell times for image display must not be less than:</p> <p>(i) 10 seconds for areas where the speed limit is below 80 km/h</p> <p>(ii) 25 seconds for areas where the speed limit is 80km/h and over.</p>	The minimum allowed dwell time is 10 seconds based on the posted speed limit of 50km/h. Conditions can be imposed by the consent authority to ensure this minimum dwell time.	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.	Conditions can be imposed by the consent authority to ensure that the sign has a transition time of no more than 0.1 seconds and a black screen in the event of image failure.	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.	Conditions can be imposed by the consent authority to ensure that the sign's images comply with requirements to not contain flickering or flashing content.	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).	Conditions can be imposed by the consent authority to ensure that minimal text and information is supplied on a sign no more than a driver can read at a short glance.	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.	N/A – The sign is not visible from a school zone	NA

Provision	Comment	Compliance
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.	All relevant traffic directions have been assessed on their own merits.	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 and options for rectifying the issues are to be discussed between RMS and the sign owner and operator.	Noted.	Yes
<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>	The proposed structure is located behind the fence line, away from Cleveland Street, ensuring vehicular and pedestrian movement is not impacted. Further, the structure does not come in the way of the train pathway.	Yes
b. Where the sign supports are not frangible (breakable), the sign must be placed outside the clear zone in an acceptable	The proposed sign supports are not frangible.	NA



Provision	Comment	Compliance
location in accordance with Austroads Guide to Road Design (and RMS supplements) or behind an RMS approved crash barrier.		
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 Guide to Road Design (and RMS supplements) with respect to dynamic deflection and working width.	The proposed sign is not located within a clear zone.	NA
d. All signs that are permitted to hang over roads or footpaths should meet wind loading requirements as specified in AS 1170.1 and AS1170.2. All vertical clearances as specified above are regarded as being the height of the sign when under maximum vertical deflection.	The proposed structure does not hang over a road.	NA
<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 proposed sign is not greater or equal to 20sqm.	NA
<b>3.2.2 Line of sight</b>		
a. An advertisement must not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings.	The sign does not obstruct the driver's view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings as the sign is located behind the fence away from Cleveland Street and is adequately screened by existing vegetation	Yes

Provision	Comment	Compliance
	along the east of the site, reducing visual impact. Refer Traffic Safety Assessment included at Appendix E.	
b. An advertisement must not obstruct a pedestrian or cyclist's view of the road.	The sign is located on the roadside and will not obscure sightlines of pedestrians or cyclists.	Yes
c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road. 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 photo-montage should be used to assess this issue.	<p>A traffic signal is provided directly south of the site at the Cleveland Street and Regent Street junction. A 'No Stopping' sign, 'No Right Turn' sign and 'Clearway' sign is located south of the sign along Cleveland Street.</p> <p>The proposed sign is installed appropriately and will not give incorrect information on the alignment of the road.</p>	Yes
<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 does not require them to overextend themselves to be able to view the sign.</p> <p>As stated in the Traffic Impact Assessment, the proposed sign is not expected to reduce the safety of any traffic, pedestrians or cyclist movements given its location. It is located within a driver's ordinary field of view when approaching northbound and a glance to the sign will still permit co-incident recognition of signal changes, and vehicle, and/or pedestrian and cyclist movements in the forward view.</p>	Yes
<b>3.2.3 Proximity to decision making points and conflict points</b>		

Provision	Comment	Compliance
<p>a. The sign should not be located:</p> <p>(i) less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves</p> <p>(ii) less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment</p> <p>(iii) so that it is visible from the stem of a T-intersection.</p>	<p>The Traffic Safety Assessment prepared by Bitzios Consulting (included at Appendix E) provides the following in this regard:</p> <p><i>The proposed sign will be located near the congested, multi-lane Cleveland Street/Regent Street signalised intersection and by the time drivers are in viewing distance of the sign, they would have already reacted to signal changes or pedestrians at the left turn slip lane zebra crossing.</i></p>	Yes
<p>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:</p> <p>(i) of a road hazard</p> <p>(ii) to an intersection</p> <p>(iii) to a prescribed traffic control device (such as traffic signals, 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>The proposal is in proximity to a key decision point being the Regent Street and Cleveland Street intersection located approximately 15m south of/before the sign.</p> <p>The northbound approach along Regent Street has a left-hand bend with a slight uphill grade towards the Cleveland Street intersection and proposed sign. Across the three lanes, the sign would first be visible from approximately 100m away, though the view from lane 1 is more obscured (75m) due to vehicles in front. Drivers on this approach require a simple glance appreciation to view the proposed digital sign and are likely to do so in proximity to the intersection as it would be in their periphery. However, this would not distract their focus to the traffic signals, considering they are located in close proximity to the site and adjacent to the intersection and the left-hand bend 70m towards the stop line.</p> <p>The eastbound approach along Cleveland Street is straight with a moderate uphill grade towards the Regent Street intersection, approximately 70m before the proposed sign and where it would first be visible to drivers. The sign would not be visually prominent until the top of the hill near the stop line by which drivers would have already reacted to signal changes or pedestrians at the left turn slip lane zebra crossing.</p> <p>A signalised pedestrian crossing is also located at this intersection. The pedestrian crossing is a simple decision-point environment and due to the simplicity and low cognitive load required to</p>	Yes

Provision	Comment	Compliance
	<p>consider this in the same forward view as the sign it is unlikely to have an adverse impact on the safety of drivers.</p> <p>As assessed and stated in the Traffic Safety Assessment, the proposal does not distract a driver at a critical time and is unlikely to noticeably obstruct or interfere with any traffic control devices.</p>	
<b>3.2.4 Sign spacing</b>		
The proposed site should be assessed to identify any road safety risk in relation to visual clutter and the proximity to other signs.	The proposed sign facing northbound traffic on Regent Street does not result clutter in the area, such that the view rights of signage on other developments is protected.	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>	No other advertising sign is visible when a driver is in view of the subject site.	Yes
<b>Section 3.3 - Sign design and operation criteria</b>		
<b>3.3.1 Advertising signage and traffic control devices</b>		
a. The advertisement must not distract a driver from, obstruct or reduce the visibility and effectiveness of, directional signs, traffic signals, prescribed traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment.	<p>The proposal will not distract drivers or reduce their visibility of the directional signs and traffic signals in the area. Refer to the Traffic Safety Assessment for further information.</p> <p>As stated in the Traffic Safety Assessment, the proposed structure will not impact the movement of trains along the railway corridor as the digital screen will not be visible to train drivers and therefore will not be a distraction. As such, the proposal is also deemed appropriate from a rail safety perspective.</p> <p>Refer to the Traffic Safety Assessment for further information.</p>	Yes
b. The advertisement must not interfere with stopping sight distance for the road's design speed or the effectiveness of a	The proposal will not distract drivers or reduce their visibility of the directional signs and traffic signals in the area, including the appropriate	Yes

Provision	Comment	Compliance
<p>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>	<p>stopping sight distance. Refer to the Traffic Safety Assessment for further information.</p>	
<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>	<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.</p>	<p>Yes</p>
<b>3.3.2 Dwell time and transition time</b>		
<p>a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.</p>	<p>The proposal will be limited to completely static content without any motion.</p>	<p>Yes</p>
<p>b. Dwell times for image display must not be less than:</p> <p>(i) 10 seconds for areas where the speed limit is below 80km/h.</p>	<p>The proposal seeks approval for a dwell time of 10 seconds per advertisement.</p>	<p>Yes</p>

Provision	Comment	Compliance
(ii) 25 seconds for areas where the speed limit is 80km/h and over.		
c. Any digital sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.	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
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

Provision	Comment	Compliance
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 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.	The proposal is less than 20sqm as such a Road Safety Audit is not required.	NA
<b>Section 4 - Public benefit test for advertisement proposals</b>		
<b>4.2 What is an appropriate public benefit?</b>		
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	The proposal is consistent with the public interest as it will generate revenue for Sydney Trains which will be used to fund improvements to essential public infrastructure and other rail	Yes

Provision	Comment	Compliance
<p>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>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 public 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 delivers public benefit</p>	

## 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.

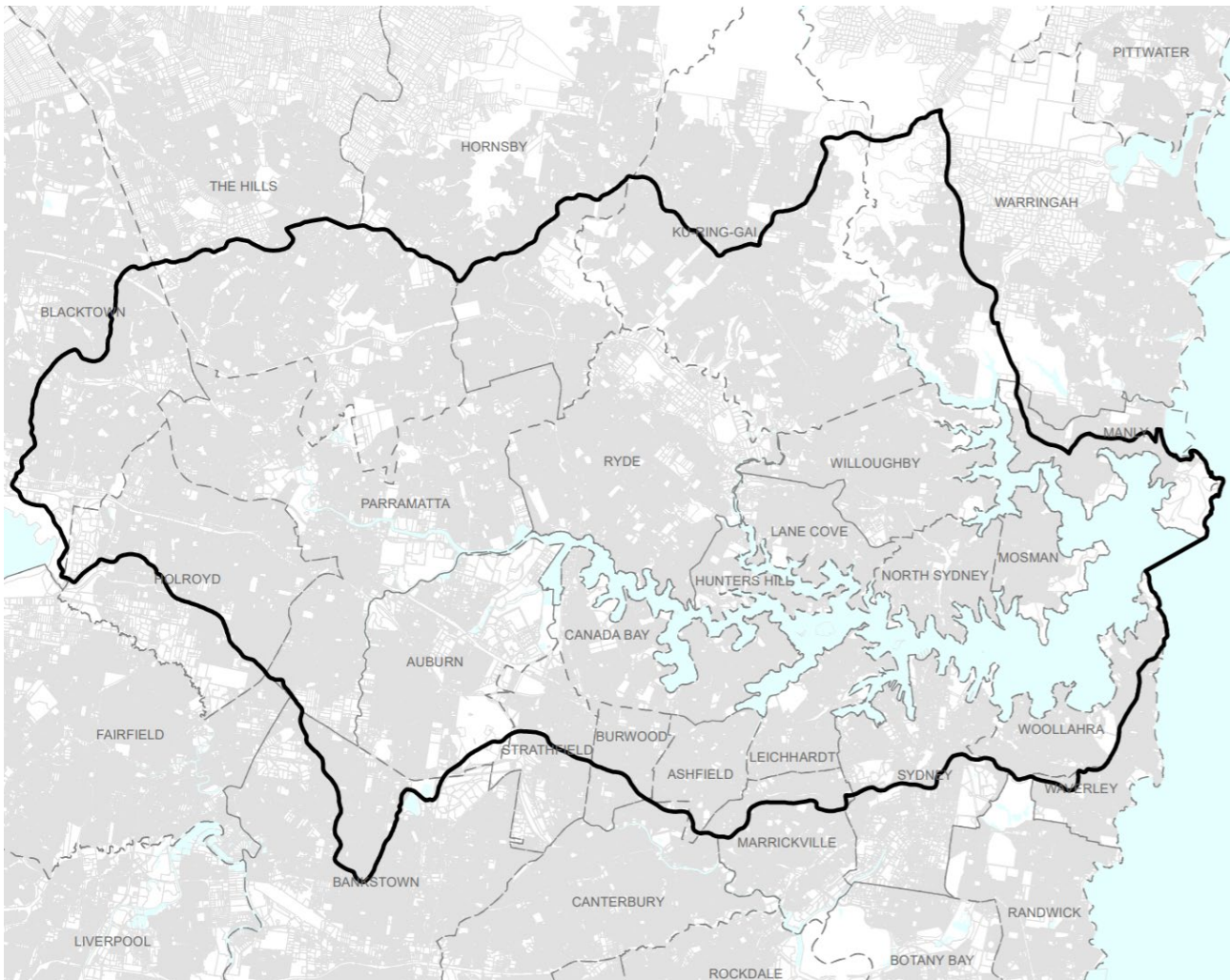
As shown in Figure 13 below, the site is within the Sydney Harbour Catchment boundary, as shown on the map “Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 Sydney Harbour Catchment Map (Amendment 2016)”. The site is however not located within the following zones:

- (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 14 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 Sydney Harbour Catchment Map (Amendment 2016)





Source: DPE

## 4.6. SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

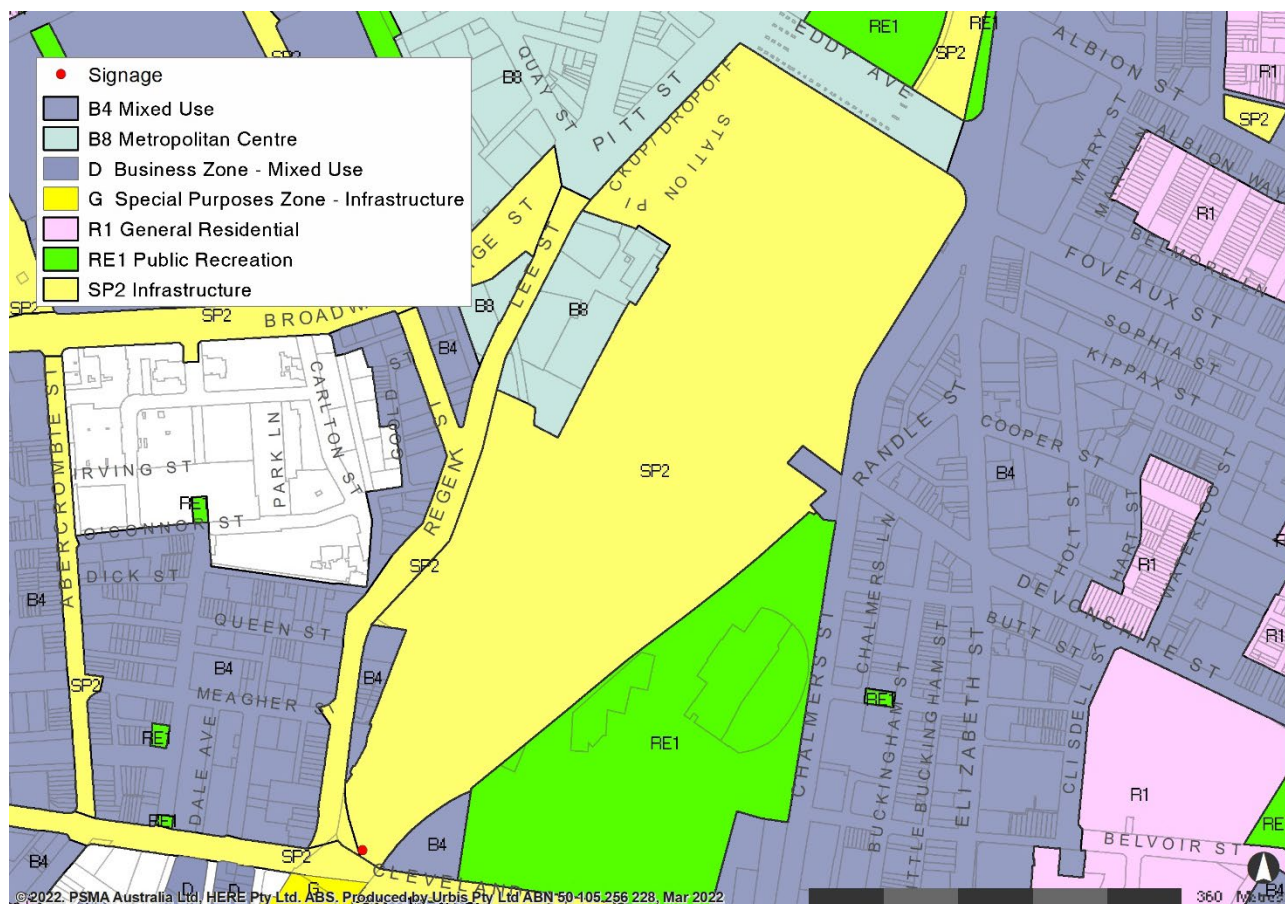
An assessment of the proposal against the relevant provisions of the *Sydney Local Environmental Plan 2012* (SLEP) has been undertaken below.

### 4.6.1. Zoning and Permissibility

Under the provisions of the Sydney LEP 2012, the site is zoned SP2 – Infrastructure (refer Figure 15 below).

The proposed advertisement sign is permissible with consent as it is ancillary to the existing railway corridor. Permissibility is determined by the Industry and Employment SEPP.

Figure 15 SLEP Zoning Map



Source: SLEP

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 provides a new advertisement structure, of a scale and size complimentary to the railway corridor and surrounding road network.
- The proposal does not result in unacceptable environmental impact and does not reduce the amenity of the public domain.

## 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**.

Table 6 SLEP Compliance

Clause	Provision	Proposed	Complies
Clause 5.10 – Heritage Conservation	The subject site is a heritage listed item 'Central Railway Station group including buildings, station yard, viaducts and building interiors' (I1824) and is also listed on the	A Heritage Impact Statement has been prepared by Weir Phillips which assesses the potential impacts of the proposed works on	Yes

Clause	Provision	Proposed	Complies
	<p>NSW State Heritage Register as 'Sydney Terminal and Central Railway Stations Group' (SHR no. 01255).</p> <p>The site is however surrounded by other listed heritage items including:</p> <ul style="list-style-type: none"> <li>▪ State Heritage Item 'Cathedral of the Annunciation of Our Lady' (SHR no. 01881) adjoining the eastern boundary of the site.</li> <li>▪ State Heritage Item 'Redfern Railway Station group' (SHR no. 01234) located approximately 310m south of the site.</li> <li>▪ State Heritage Item 'Redfern Aboriginal Children's Services and Archives' (SHR no. 01951) located approximately 100m south-east of the site.</li> <li>▪ 'C9 Chippendale' conservation area adjoins the western boundary of the subject railway corridor, as contained within the Sydney LEP.</li> <li>▪ 'C56 Redfern Estate' conservation area located south of the site, as contained within the Sydney LEP.</li> <li>▪ I1476: Greek Orthodox Church group buildings landscaping, fence and grounds including interiors (242 Cleveland Street) adjoining the eastern boundary of the site (Local significance within Sydney LEP).</li> <li>▪ I1406: Prince Alfred Park including fence, tree planting, ground and coronation centre, located approximately 90m east of the site (Local significance within Sydney LEP).</li> <li>▪ I194: Former Mortuary Railway Station including interior, grounds, fence and railway platforms (50 Regent Street) located 240m north-east of the site (State significance within Sydney LEP).</li> <li>▪ I195: Former Co-Masonic Temple including interior (54 Regent Street) located 185m north-east of the site (Local significance within Sydney LEP).</li> </ul>	<p>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>	

Clause	Provision	Proposed	Complies
	<ul style="list-style-type: none"> <li>I199: Former Mercantile Bank Chambers including interior (151 Regent Street) located approximately 60m west of the site (Local significance within Sydney LEP).</li> <li>I198: Cottage including interior (137–139 Regent Street) located approximately 65m west of the site (Local significance within Sydney LEP).</li> <li>I197: Former Crown Hotel including interior (111–113 Regent Street) located approximately 170m north-west of the site (Local significance within Sydney LEP).</li> </ul>		
Clause 6.17 Sun Access Planes	<p>This clause applies to the sun access planes described in Schedule 6A affecting the following places during the specified dates and times:</p> <p>Prince Alfred Park (protected protection - all year, times of protection - 10am–2pm)</p>	The proposal does not overshadow Prince Alfred Park at any time of the day and year.	Yes
Clause 7.14 – Acid Sulphate Soils	Clause 5	The proposal does not have an impact on the soil composition.	NA
Clause 6.19 View planes	<p>Central Station Clock Tower view protection plane</p> <p>(1) X is a point at 333731.6E, 6249248.2N, RL17.5.</p> <p>(2) B1 is 55.46 degrees.</p> <p>(3) V1 is 2.89 degrees.</p> <p>(4) B2 is 66.82 degrees.</p> <p>(5) V2 is 2.89 degrees.</p>	As stated in the Visual Impact Assessment (Appendix I), this view plane is not affected by the proposed development.	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 is provided below assessing the proposal against each of the relevant site-specific controls as outlined within the Sydney DCP.

Table 7 DCP Compliance

Clause	Provision	Proposed	Complies
<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>	This application is accompanied by a Heritage Impact Statement prepared by Weir Phillips, included at <b>Appendix H</b> .	Yes
3.14 Waste	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 Management in New Developments.	The Plan of Management outlines the proposed waste and recycling plan for the installation of the asset.	Yes
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.	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	Yes

Clause	Provision	Proposed	Complies
		<p>south, west, 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>	
	(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 200cd/m2 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.	The proposed structure is not within 25m of and visible from land zoned R1 General Residential.	NA
	(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</p>	The proposed signage will not result in high levels of energy use.	Yes

Clause	Provision	Proposed	Complies
	equivalent to the estimated annual amount of electricity used.		
3.16.7 Advertising structures and third party advertisements	<p>Generally, new advertising signs and third party advertisements are not permitted. The exceptional circumstances where advertising signs and third party advertisements are permitted shall be assessed against the following criteria:</p> <p>(a) Whether the sign is advertising a civic or community event in the City of Sydney area;</p>	The proposal involves installation of an advertising structure as permissible under Clause 3.14 of the Industry and Employment SEPP.	Yes
	(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;	<p>The proposed sign facing northbound traffic on Regent Street does not result in clutter.</p> <p>The proposal ensures the view rights of signage on other developments is protected.</p>	Yes
<b>Section 5 – Specific Areas</b>			
5.1.8 Views from public places	Development must not encroach within any of the views nominated on the Public Views Protection Maps and where possible should improve the views to Sydney Harbour (surface of the water) through modulation of built mass.	<p>The Visual Impact Assessment states the following in this regard:</p> <p><i>The site is near to, but not within a nominated view to a significant structure. The Public Views Protection Map 2 in Section 5.1 Central Sydney identifies views to Central Station Clock Tower from Cleveland Street approximately 50m west of the site and from Cleveland Street near Pitt St which is 250m east of the site. The proposed sign would not block views from either of these locations.</i></p> <p><i>The proposed sign may be seen within the same view as the Central Station Clock Tower, however, as the viewer moves across the intersection, views to the Clock Tower will be revealed, mitigating potential impacts.</i></p>	Yes

Clause	Provision	Proposed	Complies
		<p><i>Public domain structures are not relied upon for when assessing views to the Central Station Clock Tower. The Greek Orthodox Church is partially blocked by vegetation; however, the proposed sign would not block views of the tower because it is a taller structure.</i></p> <p><i>The views listed in this provision are not relevant to the site.</i></p> <p><i>The proposal does not terminate a public view on the Public Views Protection Map.</i></p>	



## 5. ASSESSMENT OF KEY PLANNING ISSUES

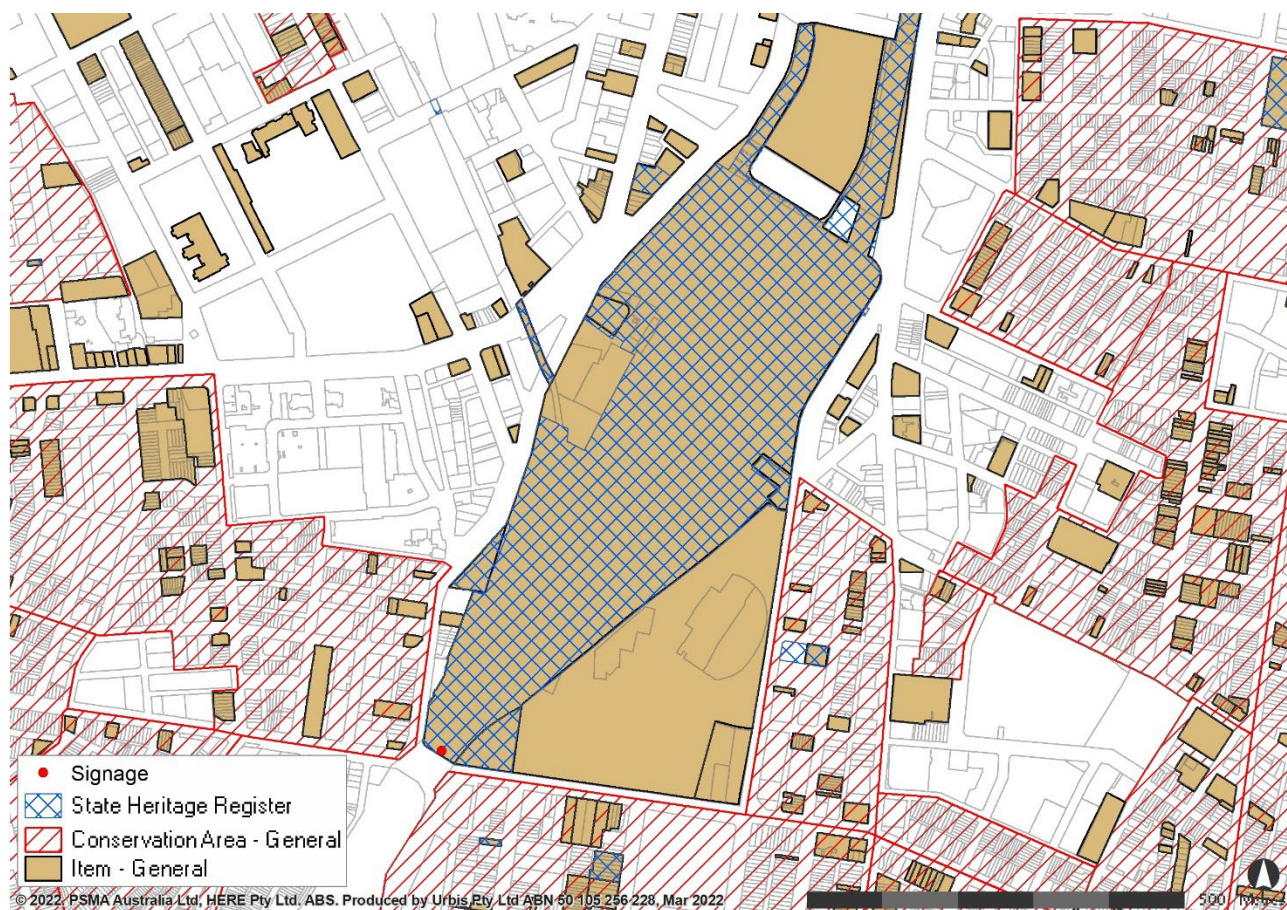
### 5.1. HERITAGE IMPACT

The subject site is a heritage listed item 'Central Railway Station group including buildings, station yard, viaducts and building interiors' (I1824) and is also listed on the NSW State Heritage Register as 'Sydney Terminal and Central Railway Stations Group' (SHR no. 01255), as shown in Figure 16 below.

The site is surrounded by other listed heritage items including:

- State Heritage Item 'Cathedral of the Annunciation of Our Lady' (SHR no. 01881) adjoining the eastern boundary of the site.
- State Heritage Item 'Redfern Railway Station group' (SHR no. 01234) located approximately 310m south of the site.
- State Heritage Item 'Redfern Aboriginal Children's Services and Archives' (SHR no. 01951) located approximately 100m south-east of the site.
- 'C9 Chippendale' conservation area adjoins the western boundary of the subject railway corridor, as contained within the Sydney LEP.
- 'C56 Redfern Estate' conservation area located south of the site, as contained within the Sydney LEP.
- I1476: Greek Orthodox Church group buildings landscaping, fence and grounds including interiors (242 Cleveland Street) adjoining the eastern boundary of the site (Local significance within Sydney LEP).
- I1406: Prince Alfred Park including fence, tree planting, ground and coronation centre, located approximately 90m east of the site (Local significance within Sydney LEP).
- I194: Former Mortuary Railway Station including interior, grounds, fence and railway platforms (50 Regent Street) located 240m north-east of the site (State significance within Sydney LEP).
- I195: Former Co-Masonic Temple including interior (54 Regent Street) located 185m north-east of the site (Local significance within Sydney LEP).
- I199: Former Mercantile Bank Chambers including interior (151 Regent Street) located approximately 60m west of the site (Local significance within Sydney LEP).
- I198: Cottage including interior (137–139 Regent Street) located approximately 65m west of the site (Local significance within Sydney LEP).
- I197: Former Crown Hotel including interior (111–113 Regent Street) located approximately 170m north-west of the site (Local significance within Sydney LEP).

Figure 16 Heritage Map



Source: SLEP

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.

Impact on site's heritage significance:

- The signage is located within the curtilage of State and local heritage items, however, is not considered to form part of an important view corridor towards the items, as it is located on a dirt track adjacent the railway corridor.
- The proposed digital signage will be sufficiently separated from the elements that primarily define the item's significant, particularly the cutting and track. No significant fabric will be modified or otherwise disturbed as a result of this proposal. The new concrete pier will only require minimal excavation.
- The proposed digital signage will not require the removal of any vegetation. The existing vegetation adjacent to it will help to integrate the new signage into the streetscape.
- The proposed digital signage will provide for a more visually interesting element within the public domain without detracting from the character of the item or the surrounding streetscape. The images will be static and not animated.
- The proposed digital signage will be oriented away from the item so that any advertising will have no visibility from it. For this reason, it will have no 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.

#### Impact on surrounding heritage items and heritage conservation areas:

- There will be no impact on the fabric of the heritage items and the buildings that make up the conservation areas. The site lies well outside the curtilage of this item.
- The proposed signage will not block significant view corridors towards the heritage items and conservation areas as the signage is located outside these view corridors and is otherwise minor in scale.
- Where visible in relation to the heritage item and conservation areas, the proposed signage will provide a more visually interesting element within the public domain, without detracting from the character of the item. The images will be static and not animated, which is consistent with Section 3.16 of the Sydney DCP 2012 that permits illuminated signage.
- The proposed works will, overall, have no impact on the ability of the public to understand and appreciate the historic and aesthetic significance of the heritage items and conservation areas.

#### **Cumulative assessment**

The revised HIS dated February 2023 (at Appendix H) assesses the cumulative impact of the two signs on the heritage significance of the heritage items and conservation items stated above.

The revised HIS provides that:

- Both signs will have little or no concurrent visibility within significant view corridors towards and from these items.
- View corridors are such that the two signs are not in the visual corridor due to the curve of the road and vegetation.
- Where both signs are visible, the separation distance and differing orientation of the signs will be sufficient to reduce the already negligible visual impact on heritage items and Conservation Areas within the vicinity.

## **5.2. TRAFFIC SAFETY IMPACT**

A Traffic Safety Assessment prepared by Bitzios Consulting is included in Appendix E. The assessment includes a literature review of the relationship between distraction, crashes and large-format digital signage. Importantly, it confirms the chain of events that is required to link a digital sign to increased crash rates is immeasurably small.

The proposed sign does not obstruct or interfere with the view of or restrict sight distances to any intersections, traffic control devices, vehicles, pedestrians, or cyclists given its location on the roadside.

The proposed sign is not expected to reduce the safety of any traffic, pedestrians or cyclist movements given its location. It will be located within a driver's ordinary field of view when approaching southbound and a glance to the sign will still permit co-incident recognition of signal changes, and vehicle, and / or pedestrian and cyclist movements in the forward view.

Crash data for a period of five years has been reviewed to inform the road safety assessment of the site, identifying a low crash rate based on an average of 2 crashes per year and when considering the high traffic volumes through this area and its congestion. The crash severity was mostly minor, suggesting slow speed crashes. The data highlights that this is not an inherently unsafe location. Furthermore, the analysis of the crash records suggests that a digital sign where proposed is not likely to influence the future crash history in any way.

The proposed sign will not obstruct or interfere with the view of or restrict sight distances to any intersections, traffic control devices, vehicles, pedestrians, or cyclists given its location above the road. As such, the proposal complies with the requirements of SEPP 64 and the Transport for NSW Advertising Sign Safety Assessment Matrix in terms of obscurity, positioning and sign clutter.

Regarding impact on movement on trains, the proposed structure will not impact the movement of trains along the railway corridor as the digital screen will not be visible to train drivers and therefore will not be a distraction. As such, the proposal is also deemed appropriate from a rail safety perspective.

#### **Cumulative assessment**



The revised Traffic Safety Assessment dated 14 February 2023 (at Appendix E) provides a cumulative traffic impact assessment of the two signs at the intersection. The report finds that:

*The inbound digital sign will face south towards northbound drivers on Regent Street and eastbound drivers on Cleveland Street. Due to the angle of the sign and alignment of Regent Street southbound, drivers on this approach would only very partially see it on the periphery of their windscreen if they chose to glance at it as they approach the signal stop line. The subject outbound sign is on the opposite corner of the Cleveland Street/Regent Street signalised intersection and is far more visible than the inbound sign. Therefore, they are highly unlikely to be seen simultaneously and the traffic signals would be the dominant object in a driver's field of view.*

*The in-vehicle sightline from Regent Street southbound are shown in figure below, clearly demonstrating that there are negligible cumulative traffic safety impacts from the inbound and outbound digital signs.*

Figure 17 In-vehicle sightlines along Regent Street southbound towards the inbound sign



Source: Bitzios

### 5.3. VISUAL IMPACT

A Visual Impact Assessment was prepared by Urbis is included in Appendix I. Visibility of the proposed sign is restricted to a small and localised visual catchment around the Cleveland Street and Regent Street junction. Views will predominantly be of short duration from moving view locations. There are potential views from two apartment buildings east and south of the site, however, the proposed sign would unlikely be the main focus of the view and would be seen from a higher elevation and behind vegetation.

The site itself is considered to be of low scenic quality, being a road and rail transport corridor, however the wider visual setting and view compositions above and beyond the site are expansive and arguably more scenic compared to the site. There are no areas of public open space proximate to the site, with the exception of Prince Alfred Park. Northerly views to the site from the south are expansive and include the CBD skyline and the Central Station Clock Tower, and distinctive feature. The Greek Orthodox Church is a notable feature visible from adjacent locations on Cleveland Street and its tower is visible above trees from locations west of the site.

The proposed sign may be seen within the same view as distant buildings in the CBD including the Central Station Clock Tower, however, as the viewer moves across the intersection, views to the Clock Tower will be revealed, mitigating potential impacts. Further, these views are from a transport corridor rather than public spaces or private residences, and no specific view corridors identified for protection in any identified planning policy will be impacted.

The site itself has heritage overlays, however, these relate to items at Central Station which are spatially well separated to the proposed development. The adjacent Greek Orthodox Church tower heritage item is not blocked in the modelled views and there is no impact to surrounding heritage conservation areas. Views to and from adjacent heritage items will therefore not be significantly affected by the proposed development.

The assessment of visual effects and impacts of the proposed development has been informed by fieldwork and an analysis of photomontages. In all views the proposal was found to generate varying levels of visual effects on baseline factors and low 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.

### **Cumulative assessment**

An addendum to the Visual Impact Assessment has been prepared by Urbis dated 24 February 2023 (at Appendix I) includes a cumulative visual impact assessment of the two signs at the intersection. The cumulative visual impact assessment found that:

- The proposed signs are located on opposite sides of the intersection and are widely separated by Cleveland Street. There are limited viewing opportunities to observe both the north and south signs within the same view due to the width and road alignment of the intersection and views to both signs will only be available from close approaching views.
- Digital content is unlikely to be perceived cumulatively from viewpoints along the Regent Street road corridor given the signs are oriented in opposing directions, creating limited and low-level cumulative visual effects.
- Viewers will have views of only one digital display face and the rear of the alternate sign, which will present as a dark, rectangular profile clad in perforated silver metal panels.
- The existing visual environment has a high capacity to absorb visual changes given the immediate context includes existing signage such as large format road signage, commercial signage, and advertising signage. The visual catchment is characterised by large scale urban infrastructure (overpass and rail corridor), which additionally mitigates cumulative effects of the north and south signs.
- The proposed signs are highly compatible with the existing visual context, would not be uncharacteristic of a major intersection and would not be inconsistent with viewer expectations.

Figure 18 View north along Regent Street, north and south signage indicated



Source: Urbis

Figure 19 View south along Regent Street, north and south signage indicated



Source: Urbis

## 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

### Cumulative assessment

The revised Lighting Impact Assessment prepared by Electrolight dated 6 February 2023 (at Appendix F) provides a cumulative assessment of the two signs against the relevant provisions.

The cumulative impact assessment found that the signs remain compliant with the AS4282, State Environmental Planning Policy (Industry and Employment) 2021, Transport Corridor Outdoor Advertising & Signage Guidelines 2017, and the Sydney DCP.



## 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 does not result in adverse environmental, social or economic impacts with consideration of the following:

- The proposal is permissible under all relevant planning controls.
- The proposed development will not create any adverse impacts on the surrounding heritage items.
- As concluded in the Traffic Safety Assessment, Regent Street and Cleveland Street can accommodate the proposed structure with negligible impact on the ongoing road traffic. Additionally, surrounding street networks remain unaffected because of this proposal. The cumulative assessment of the signs finds that the signs do not cause a detrimental impact from a traffic safety, lighting, visual and heritage perspective.
- 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 be sympathetic to the form and composition of the railway corridor as well 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 8.6m above ground level 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 Sydney LEP 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 compromise the safety for movement of light rail, 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 will be considered under Section 4.15 of the EP&A Act.

## **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 contract to JCDecaux, 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 to Sydney Trains which will 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 represents an appropriate land use and built form. The proposal is generally compliant with the controls regarding built form, illumination and operations contained within *State Environment Planning Policy (Industry and Employment) 2021*, the Transport Corridor Outdoor Advertising and Signage Guideline, the *Sydney Local Environmental Plan 2012*, and Sydney Development Control Plan 2012.
- **The proposal will not result in any adverse environmental impacts** – the proposal will not cause any unacceptable environmental impacts, insofar as there are no impacts on natural biodiversity, vegetation, or waterways.
- **The proposal is an appropriate built form in the streetscape** – the built form and scale is such that there is no appearance of adverse bulk in the streetscape. The proposal is designed to contribute positively to the character of the locality and surroundings. The proposal does not threaten the safety of vehicles, pedestrians, and cyclists, or impede the safe movement of trains running along the railway corridor. The cumulative traffic assessment of the two signs found that the Outbound and Inbound sign do not impact the safety of any traffic, pedestrians, or cyclist movements given their respective locations.
- **The proposal presents a high standard of amenity** – the proposal is well designed to contribute positively to the amenity of the area for future and existing residents as well as retain the amenity and safety of patrons utilising the surrounding public domain. The illumination of the proposal complies with relevant controls, ensuring surrounding land uses and developments are not adversely affected. The cumulative assessment of the signs finds that the signs do not cause a detrimental impact from a traffic safety, lighting, visual, or heritage perspective.
- **The proposal is in the public interest** – the proposal is in the public interest as it does not hamper the safety for vehicles, pedestrians, or cyclists. Further, the proposal allows Sydney Trains to generate revenue through advertisement. The revenue generated can fund 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**

## **PROPOSED 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**

## **APPENDIX K**

## **DESIGN STATEMENT**