

Advertising signage proposal on existing billboard structure

Cowpasture Road, Bossley Park

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transport.nsw.gov.au

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TABLE OF CONTENTS

1. INTRODUCTION	4
1.1. Application documents	4
1.2. Applicant background	5
2. THE SITE AND SURROUNDS	6
2.1. The site	6
2.2. The surrounding locality	10
3. RELEVANT BACKGROUND	11
4. DESCRIPTION OF DEVELOPMENT	12
4.1. Development statistics	12
4.2. Capital investment value	13
5. STATUTORY PLANNING CONSIDERATIONS	14
5.1. Overview	14
5.2. Environmental Planning and Assessment Act 1979	14
5.3. Environmental Planning and Assessment Regulations 2021	15
5.4. State Environmental Planning Policies	15
5.5. Transport Corridor Outdoor Advertising and Signage Guidelines 2017	21
5.6. Fairfield Local Environmental Plan 2013	25
5.7. Fairfield Development Control Plan 2013	26
6. VISUAL IMPACT ASSESSMENT	28
6.1. Impact on Cowpasture Road	28
6.2. Impact on residential	28
6.3. Visual clutter	28
6.4. Visual analysis - moving views	29
7. ASSESSMENT OF LIKELY IMPACTS	33
7.1. The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	33
7.2. The suitability of the site for the development	34
7.3. Any submissions made in accordance with this Act or the Regulations	34
7.4. The public interest	34
8. CONCLUSION	35

Appendix A Standards – General	36
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FIGURES

Figure 1: Site location depicted by red marker (source: Nearmap, edited by Gyde Consulting)	6
Figure 2: Identification of signage (Source: SIX Maps, edited by Gyde Consulting).....	7
Figure 3: Location Plan (Source: Arcadis Australia Pacific Pty Limited)	8
Figure 4: Billboard signage facing south-north direction of Cowpasture Road (Source: oOh!media)	9
Figure 5: Billboard signage facing north-south direction of Cowpasture Road (Source: oOh!media)	9
Figure 6: Site (red marker) context in surrounding locality (Source: Nearmap. Edited by Gyde Consulting)	10
Figure 7: Proposed elevation of billboard and advertising signage structure (Source: oOh!media)	13
Figure 8: Landscaped buffer along Cowpasture Road screening the pedestrian bridge (Source: Nearmap, edited by Gyde Consulting)	23
Figure 9: Land use zoning of the site (red marker) as per the Fairfield Local Environmental Plan 2013 (Source: NSW Legislation)	26
Figure 10 View travelling in a northbound direction along Cowpasture Road (Source: Google Streetview)	29
Figure 11 Views travelling in a southbound direction on Cowpasture Road (Source: Google Streetview)	30
Figure 12 The bridge and billboard signage viewed from from the north (Source: Google Streetview)	31
Figure 13 The bridge and billboard signage viewed from the south (Source: Google Streetview)	31

TABLES

Table 1: DA plans and reports	4
Table 2: Development Statistics	12
Table 3: Section 4.15 of EP&A Act 1979.	14
Table 4: Section 2.119(2) of T&I SEPP	15
Table 5: Consistency with Chapter 3 of I&E SEPP.....	17
Table 6: Assessment of the Land Use Compatibility Criteria	22
Table 7: Assessment of the Road Safety Assessment Criteria	24
Table 8: Assessment against the Fairfield Development Control Plan	26

1. INTRODUCTION

This revised Statement of Environmental Effects (SEE) has been requested by oOh!media on behalf of Transport for New South Wales (TfNSW) to accompany a development application (DA) to the Department of Planning, Housing, and Infrastructure (DPHI) to proposed new advertising signage (replacement of advertising skins) on an existing billboard structure in situ).

The pedestrian bridge is owned by TfNSW and as such, pursuant to Clause 23 of the *Environmental Planning and Regulation 2021* (EP&A Reg) consent in writing from the landowner for a DA made by a public authority is not required if written notice to the subject owner is given prior to lodging the application. This notice was issued on 4 July 2023 and is included in the supporting documents.

The DA relates to the existing billboard structure on the northern and southern elevations of the Cowpasture Road pedestrian bridge, approximately 150m north of Stockdale Crescent, in Bossley Park (the site). The DA seeks approval for the use of new advertising signage (replacement of advertising skins) on an existing billboard structure in situ (the proposal). The existing structure was approved by the Fairfield City Council under DA 121/98 and MOD 12/2000 (Modification Application).

A full description of the development is provided in section 4 of this report.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 50 of the EP&A Reg. The SEE considers the requirements of State Environmental Planning Policy (Industry and Employment) 2021 and the associated *Transport Corridor Outdoor Advertising and Signage Guidelines*. The purpose of this SEE is to:

- Describe the proposed development and its context,
- Assess the proposal against the applicable planning controls and guidelines, and
- Assess the potential environmental impacts and mitigation measures.

1.1. Application documents

The following plans and technical reports accompany the SEE.

Table 1: DA plans and reports

	DOCUMENT	PREPARED BY	REVISED VERSION
1	DA 121/98 Consent	Fairfield City Council	-
1a	MOD 12/2000 Consent	Fairfield City Council	-
2	Architectural drawings: Sign plans, elevations, sections, and details Location Plan	Arcadis Australia Pacific Pty Limited	-
3	Informal Pre-Development Application Advice Letter	Department of Planning and Environment	-

	DOCUMENT	PREPARED BY	REVISED VERSION
4	Lighting Impact Assessment	Electrolight Australia Pty Ltd	28 February 2024
5	Notice of Application	TfNSW	-
6	Public Benefit Statement	TfNSW	-
7	Site Card	oOh!media	-
8	Statement of Environmental Effects	Gyde Consulting	March 2024
9	Structural Statement of Feasibility	Arcadis Australia Pacific Pty Limited	-
9a	Structural Condition Report	Arcadis Australia Pacific Pty Limited	-
10	Existing Southbound Static Sign Traffic Safety Assessment	Bitzois Consulting	22 February 2024
10a	Existing Northbound Static Sign Traffic Safety Assessment	Bitzois Consulting	22 February 2024
11	Cost Breakdown	oOh!media	-
12	Survey Plan	Project Surveyors	-
13	Structural Assessment	JMP Consulting Engineers	29 February 2024
14	Structural Assessment Letter	JMP Consulting Engineers	29 February 2024

1.2. Applicant background

The applicant for the DA is TfNSW. The proposed signage will be managed by oOh!media Limited. oOh!media is one of Australia's largest out of home media companies. Out of home media refers to advertisements that reach an audience when they are outside of their homes. Common forms of out of home advertisement include billboards (digital or traditional) and advertisements in places of public transit like at bus stops and train stations. oOh!media operates an advertising network including more than 30,000 locations across Australia and New Zealand which includes over 9,000 digital signs. Its network includes:

- Large format roadside billboards across all major capital cities.
- A range of classic and digital sites located in shopping centres.
- Classic and digital sites in airport terminals and airline lounges.
- Bus shelters sites in most cities.
- Sites in high dwell environments from CBD office buildings to universities.
- National coverage with a premium digital roadside network, static roadside network.
- Sites across major rail networks.

This site forms part of a contractual agreement between oOh!media and TfNSW, whereby oOh!media has the right to manage and develop outdoor advertising assets to support TfNSW's program to help fund essential road safety and maintenance projects.

2. THE SITE AND SURROUNDS

2.1. The site

The sign structure is located on the northern and southern elevations of the TfNSW pedestrian bridge over Cowpasture Road, approximately 150m north of Stockdale Crescent, in Bossley Park, see Figure 1 and Figure 2. The site is legally known as Pt Lot 75, DP 703159, Lot 1, DP775855, and Lot 16, DP709688 (refer to Figure 3).

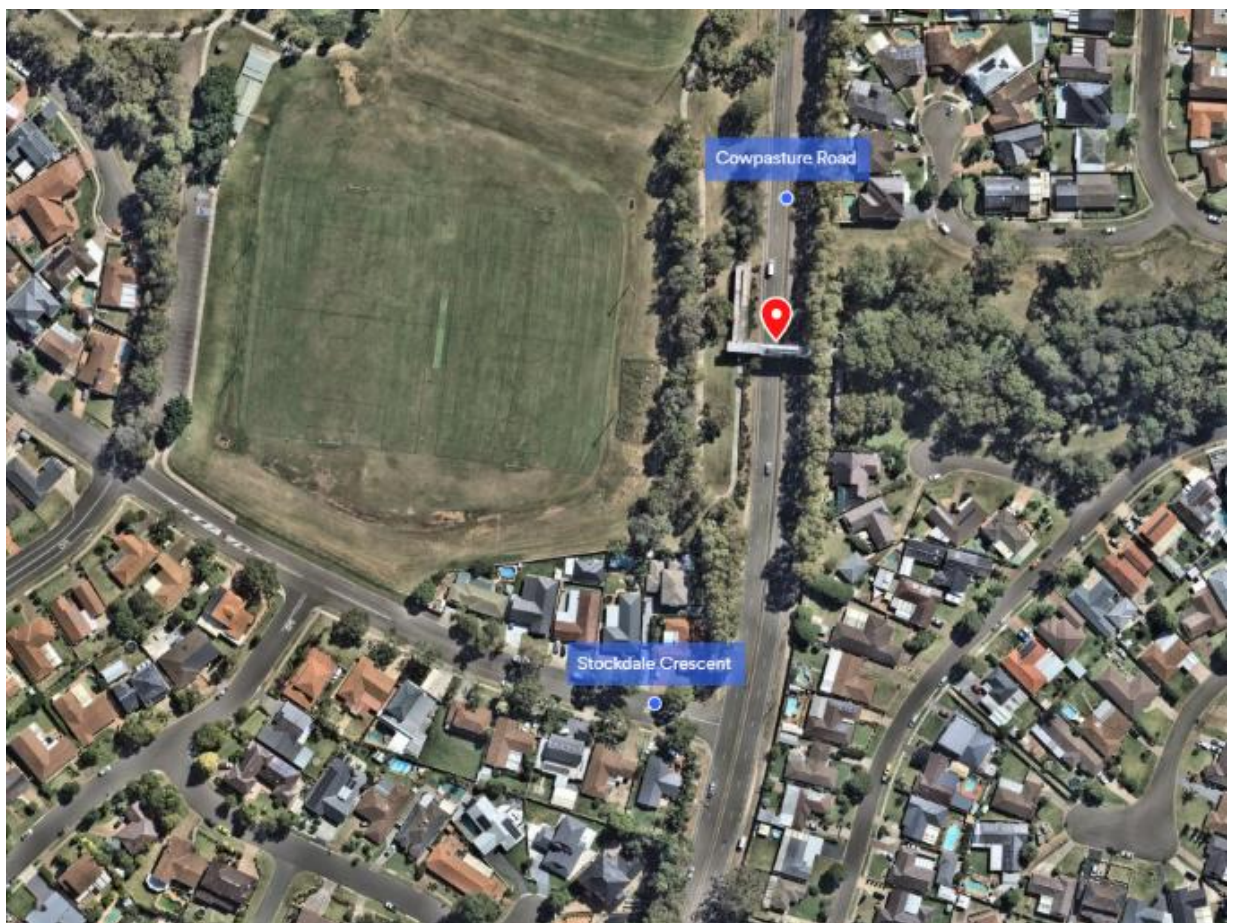


Figure 1: Site location depicted by red marker (source: Nearmap, edited by Gyde Consulting)



Figure 2: Identification of signage (Source: SIX Maps, edited by Gyde Consulting)

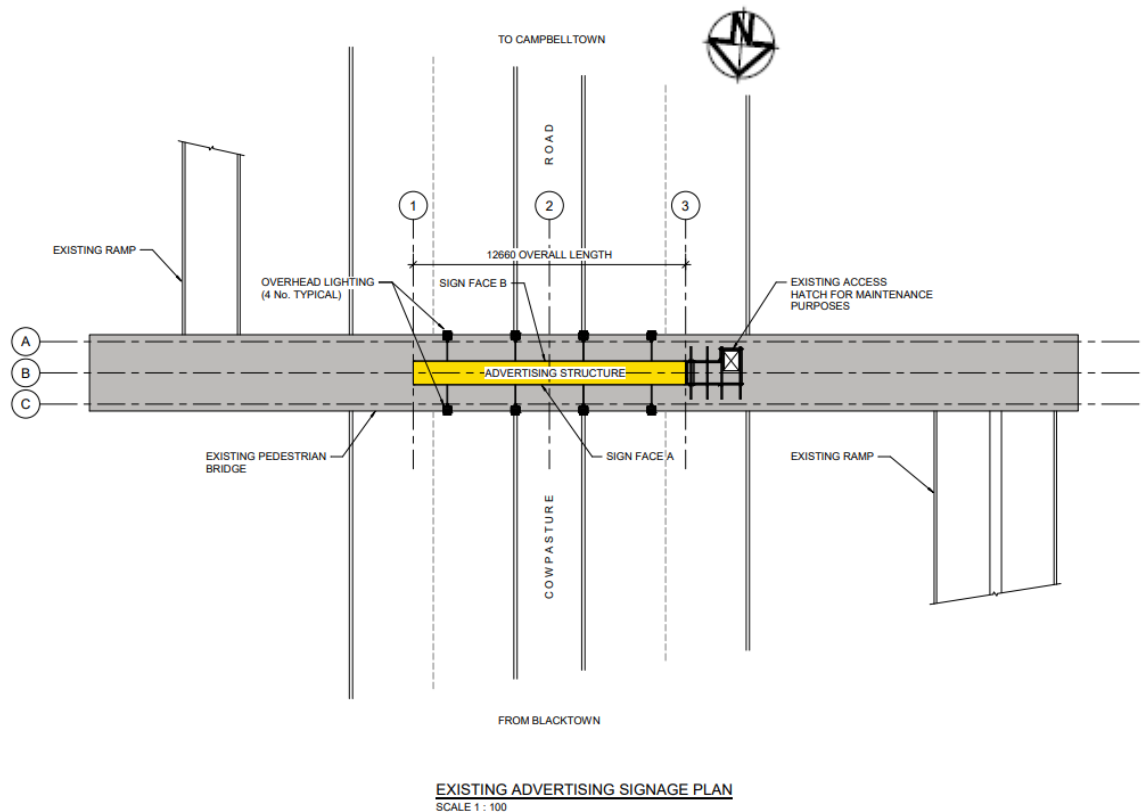


Figure 3: Location Plan (Source: Arcadis Australia Pacific Pty Limited)

The site consists of an existing billboard sign, that faces both the northern and southern directions of the Cowpasture Road. The billboard structure is affixed to the top of the TfNSW pedestrian bridge that crosses over the Cowpasture Road. The existing structure, has a width of 12.66m and a height of 3.35m, with a total area of 42.41sqm. The advertising content is static, not containing flashing or flickering motion, and is illuminated externally by 4 downward facing lights that extend from the top of the billboards.

As the billboard signs are located on top of the bridge itself, there is no landscaping around the signs. Figure 4 below and Figure 5 overleaf shows the billboard structures in their current condition and form when fully operational.



Figure 4: Billboard signage facing south-north direction of Cowpasture Road (Source: oOh!media)



Figure 5: Billboard signage facing north-south direction of Cowpasture Road (Source: oOh!media)

2.2. The surrounding locality

Directly east and west of the site are recreational playing fields and Orphans School Creek, a riparian area, which spans approximately 3.8km until it reaches the Fairfield golf course. The pedestrian bridge allows public access to Horsley Park and the Western Sydney Regional Park which is located approximately 800m to the west of the site.

This is a designated pedestrian corridor and consists of a network of footpaths, and cycle paths connecting the open space reserves in the surrounding suburbs. The pedestrian bridge improves the safety of pedestrians crossing Cowpasture Road and is considered a valuable safety asset to the area.

The Western Sydney Regional Park is an area covering 5,280 hectares and provides 60km worth of walking tracks and trails and it is an area with identified high biodiversity values.

The site is largely surrounded by residential development, comprising of low density residential areas in the form of one and two storey dwellings. Details of the surrounding locality can be seen below in Figure 6.

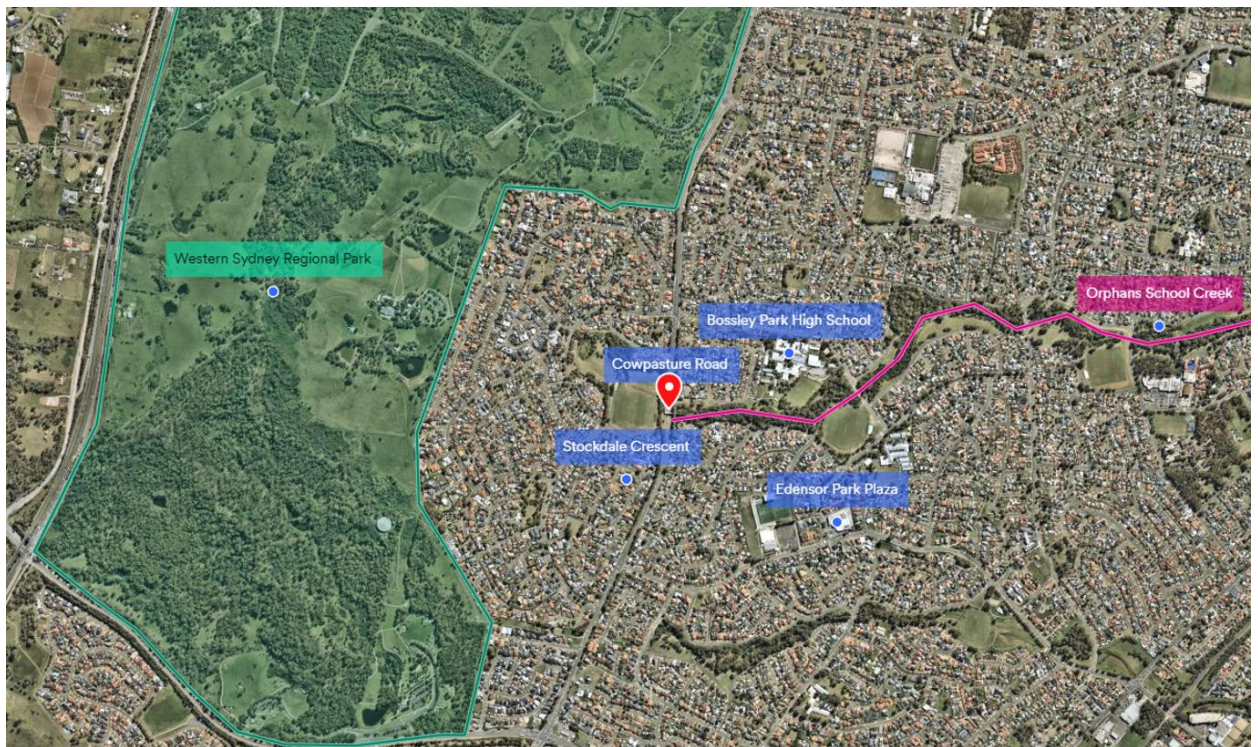


Figure 6: Site (red marker) context in surrounding locality (Source: Nearmap. Edited by Gyde Consulting)

3. RELEVANT BACKGROUND

Development consent is sought for new advertising signage on an existing billboard structure that is affixed to the pedestrian bridge crossing Cowpasture Road. The existing bridge and billboard structure were originally granted consent under DA 121/98 by Fairfield City Council on 27 April 1998.

A modification application, which relates to changing the time limitations of the advertising signage, was approved by Fairfield City Council under MOD 12/2000 on 3 March 2000. Condition 12 in the original conditions of consent states:

“The consent for the ‘general signage’ will lapse in ten (10) years from the date of the satisfactory final inspection being issued by Council. At the expiration of this ten year period the general advertising shall be removed (at no cost to Council) and Council informed of such”

MOD 12/2000 sought to extend the time limitation of the consent for the general signage. Condition 12 was contested in that the time it would take to construct the bridge itself would result in time taken from the 10-year period that the sign could be in operation. Therefore, this granted an amendment to Condition 12 which now reads as follows:

“The consent for the ‘general signage’ will lapse in a maximum of twenty (20) years from the date of the final inspection being completed by Council. An exact pricing of the cost of the bridge shall be submitted to Council on awarding of the construction contract This shall allow Council to consider and determine if the advertising signage is required for twenty (20) years, or a lesser period of time. At the expiration of the maximum twenty (20) year period, or a lesser period of time determined by Council based on the costing of the bridge, the general advertising signage shall be removed (at no cost to the Council) and Council informed as such”.

As per the conditions of consent under DA 121/98 and MOD 12/2000, the general signage is approved for a period of 20 years, a period that ceased on 3 July 2023 (20 years on from the date of the final inspection from Council).

4. DESCRIPTION OF DEVELOPMENT

This application is not proposing any modifications to the existing structure itself. The development proposal refers only to the approval of new advertising signage (replacement of advertising skins) on the existing structure in situ. The development proposal of advertising signage will:

- Continue to have the same orientation, height and display size.
- Continue to display static imagery.
- Continue to be illuminated externally.
- Be supported in the same structure.
- Be compliant with the Transport Corridor Outdoor Advertising and Signage Guidelines.

4.1. Development statistics

The key statistics and elements of the project are shown in the table below:

Table 2: Development Statistics

ELEMENT	PROPOSAL
Signage	2 advertising signs on existing structure, facing both north and south of Cowpasture Road
Advertising type	<ul style="list-style-type: none">• Static advertising• Non digital
Screen size	12.66m width x 3.35m height = total 42.41sqm
Illumination	<ul style="list-style-type: none">• Externally illuminated with 4 overheard lights• 120 watt LEDs illuminated from dusk until dawn
Height	Approximately 3.35m above the ridge height of the existing bridge structure
Weight of advertising skins	Approximately 14.8kg, and no heavier than 15kg

The proposed elevation for the billboard and advertising structure is illustrated below.

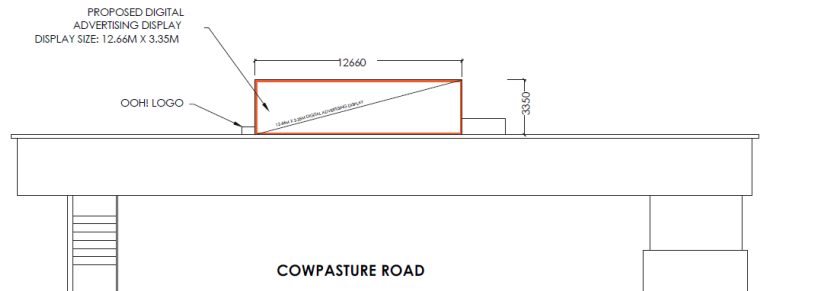


Figure 7: Proposed elevation of billboard and advertising signage structure (Source: oOh!media)

Further details are outlined in the plans and Lighting Impact Assessment accompanying the application.

4.2. Capital investment value

The total cost of development is \$30,784.99. A cost breakdown was provided to the DPHI in a letter prepared by Gyde Consulting dated 30 January 2024.

5. STATUTORY PLANNING CONSIDERATIONS

5.1. Overview

The relevant statutory framework considered in the preparation of this report comprises:

- Environmental Planning and Assessment Act, 1979.
- Environmental Planning and Assessment Regulation 2021.
- State Environmental Planning Policy (Industry and Employment) 2021.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Transport and Infrastructure) 2021.
- Transport Corridor Outdoor Advertising and Signage Guidelines 2017.
- Fairfield Local Environmental Plan 2013.
- Fairfield Development Control Plan 2013.

Where relevant, these are addressed below.

5.2. Environmental Planning and Assessment Act 1979

5.2.1. Section 4.15 of EP&A Act 1979

Section 4.15(1) of the EP&A Act specifies the matters which a consent authority must consider when determining a development application. The relevant matters for consideration under Section 4.15 of the EP&A Act are addressed in the Table below.

Table 3: Section 4.15 of EP&A Act 1979.

SECTION	COMMENT
Section 4.15(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Section 4
Section 4.15(1)(a)(ii) Any draft environmental planning instrument	No draft environmental planning instruments have been identified.
Section 4.15(1)(a)(iii) Any development control plan	Consideration of relevant the development control plan is discussed in section 5.6.
Section 4.15(1)(a)(iiia) Any planning agreement	No planning agreement has been or will need to be entered into for this scope of work.
Section 4.15(1)(a)(iv) Matters prescribed by the regulations	Refer to section 5.3.
Section 4.15(1)(b) - (e)	Refer to Section 6 of this SEE for consideration of (b), (c) and (e). Matter (d) relates to submissions and is a matter for the consent authority following public exhibition of the development application.

The development is not identified as an integrated development under section 4.46 of the EP&A Act.

5.3. Environmental Planning and Assessment Regulations 2021

The proposal will be assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Regulations 2021.

5.4. State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) are environmental planning instruments administered under the EP&A Act. SEPPs deal with issues considered to be of significance for the State and the people of NSW. In the determination of the development application, the consent authority will consider these matters pursuant to section 4.15(a)(i) of the EP&A Act.

5.4.1. Transport and Infrastructure SEPP (T&I SEPP)

Chapter 2 Infrastructure

Chapter 2 of the T&I SEPP aims to facilitate the effective delivery of infrastructure across the State. Section 2.1(e) aims to identify matters to be considered in the assessment of development adjacent to particular types of infrastructure development. In this instance the T&I SEPP applies to the proposal as it is located in the SP2 Infrastructure zone and is located above the Cowpasture Road on the pedestrian bridge.

Section 2.119 Development with a frontage to classified road

The site has frontage to Cowpasture Road which is identified and recorded as a classified road by TfNSW under section 46 and 163 of the *Roads Act 1993*. The objectives of section 2.119(1) are:

- *To ensure that new development does not compromise the effective and ongoing operation and function of classified roads.*
- *To prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

Under section 2.119(2), the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that the following matters have been addressed.

Table 4: Section 2.119(2) of T&I SEPP

SECTION	COMMENT
(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and	Vehicular access to the site and structure are fairly infrequent, with the site accessed for installation by oOhmedia! on a monthly basis and inspected by engineers every 3 years unless otherwise advised per previous inspections. During these periods installers and engineers park in adjacent streets and access the sign on foot via the pedestrian bridge as this is the safest option to prevent any threat to

SECTION	COMMENT
	traffic and pedestrian safety or the safety of the installers and engineers.
(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of (i) the design of the vehicular access to the land, or (ii) the emission of smoke or dust from the development, or (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land.	The safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development. No new individual vehicular access is proposed as the structure is adjacent to the highway and accessible via existing access. No smoke or dust will be emitted from the development. The volume of vehicles using the classified road will not be and has not been impacted by the erection of the billboard structures and associated signage. As the development is not changing in any way, this will not change.
(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.	The development is not sensitive to traffic noise or vehicle emissions and will also not itself create any further noise emissions due to the nature of use proposed.

As per the above table the proposal is considered acceptable in meeting the objectives set out in section 2.119(1).

5.4.2. Resilience and Hazards SEPP (R&H SEPP)

Chapter 4 Remediation of Land

The objective of Chapter 4 is to provide a Statewide planning approach for the remediation of contaminated land. Pursuant to section 4.6 of the R&H SEPP the consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

It is unlikely that the site is contaminated based on surrounding land uses, and a review of historical imagery of the site that shows no hazardous land uses were ever existing on the site. Therefore, it is considered suitable for the development on site to proceed.

5.4.3. Industry and Employment SEPP (I&E SEPP)

Chapter 3 Advertising and Signage

Chapter 3 of the I&E SEPP aims to ensure signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of a high-quality design and finish.

Section 3.6 of the I&E SEPP stipulates that a consent authority must not grant consent for an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.

An assessment of the proposed signage to meet the aims and objectives of section 3.1(1)(a) and Schedule 5 assessment criteria is detailed in Table 5 below.

Table 5: Consistency with Chapter 3 of I&E SEPP

ASSESSMENT CRITERIA	COMMENT	COMPLIES
Section 3.1(1)(a) Aims, objectives, etc		
(a) to ensure that signage (including advertising)— (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish,	(i) The use of an advertising billboard in this location is consistent with the overall visual character of the area as it is located on appropriately zoned lands and is an ancillary use to road infrastructure. The signs are static and not illuminated and therefore have a low impact on the visual character of the area. (ii) The signage will provide an opportunity for the installation of appropriate advertisements that are suitable to its roadside location. The location and orientation of the signs are in such a way that only glance appreciation is required, maintaining road safety and avoiding driver distraction. The content and imagery chosen seeks to avoid unnecessary text or images that may be interpreted as traffic instructions. (iii) The existing structure with new advertising signage, will maintain its current design and finish, and is considered acceptable under the original consent approved by Fairfield City Council (DA 121/98).	Yes
Schedule 5 assessment criteria		
1 Character of the area • Is the proposal compatible with the	The proposal is compatible with the desired character of the area which is largely industrial in nature. The site is	Yes

ASSESSMENT CRITERIA	COMMENT	COMPLIES
<p>existing or desired future character of the area or locality in which it is proposed to be located?</p> <ul style="list-style-type: none"> Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<p>located on SP2 Infrastructure zoned lands and the use of an advertising billboard in this location is compatible with the overall visual character of the area.</p> <p>The proposal is consistent with the norm of outdoor advertising along highways and roadsides and the general appearance of billboard advertising, however as there are no other proximate billboard signage structures there is no identified theme for outdoor advertising in the area.</p>	
<p>2 <i>Special areas</i></p> <ul style="list-style-type: none"> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	<p>The existing structure will not have any discernible impact on the adjacent riparian area, Orphan School Creek. There is low scenic quality or heritage value within the viewshed of the proposal and given it is an existing development it is not proposed to detract from amenity or visual quality of this area. The signage itself is not located in an environmentally sensitive area, or a natural conservation area and therefore it is not likely to cause any significant impacts. It is also not illuminated and static therefore not detracting from the visual quality of any of these areas.</p>	Yes
<p>3 <i>Views and vistas</i></p> <ul style="list-style-type: none"> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers? 	<p>The proposal does not obscure or compromise any important views. It does not dominate the skyline or reduce the quality of vistas. There are no other structures of similar size and scale to the billboard signage within the vicinity of the site.</p>	Yes
<p>4 <i>Streetscape, setting or landscape</i></p> <ul style="list-style-type: none"> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above 	<p>The scale, proportion and form of the proposed advertisement is appropriate and compatible with the existing SP2 landscape and built form. The proposal does contribute to the visual interest of the streetscape in creating a positive visual amenity on the pedestrian bridge.</p> <p>Vegetation management</p> <ul style="list-style-type: none"> No management or maintenance of vegetation is proposed as part of this development application. No removal of any vegetation of high biodiversity value is proposed. 	Yes

ASSESSMENT CRITERIA	COMMENT	COMPLIES
<p>buildings, structures or tree canopies in the area or locality?</p> <ul style="list-style-type: none"> Does the proposal require ongoing vegetation management? 	<ul style="list-style-type: none"> No new landscaping or planting is provided and therefore a landscape management plan is not required. <p>As part of the repair and maintenance of the signage, oOh!media on behalf of the applicant will carry out yearly repair and maintenance inspections.</p> <p>Ongoing management and maintenance will ensure the sign structure is structurally adequate and address any safety concerns.</p>	
<p>5 Site and building</p> <ul style="list-style-type: none"> 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? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>The proposal is compatible with the scale and proportion of the pedestrian bridge and the objectives of the SP2 zone.</p>	Yes
<p>6 Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> 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? 	<p>The proposal consists of an existing access ladder, safety platform, and small company logo (0.25sqm) to the bottom left and right corners of each respective sign. The structure is lit by 4 overhead downward facing lights. These features are not detracting from the sign itself or the main advertising panel.</p> <p>The billboard structure is located in a secure area which prevents members of the public from gaining access to the billboard and advertising sign.</p>	Yes
<p>7 Illumination</p> <ul style="list-style-type: none"> Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the amenity of any residence or other form of accommodation? Can the intensity of the illumination be 	<p>The advertising structure does not accommodate digital signage and therefore internal illumination is not relevant. The signs are externally illuminated with 4 overhead lights located above each sign. The lighting levels for the signs is extremely low and match the surrounding environment at the site.</p> <p>A Lighting Impact Assessment has been prepared to accompany this application. It concludes that the</p>	Yes

ASSESSMENT CRITERIA	COMMENT	COMPLIES
<p>adjusted, if necessary?</p> <ul style="list-style-type: none"> Is the illumination subject to a curfew? 	<p>proposal is fully compliant with all relevant requirements of AS/NZS 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting and does not exceed the maximum luminance's permitted.</p> <p>The existing signage complies with the Threshold Increment limits of AS4282, demonstrating that the illumination will not cause unacceptable glare. The floodlights are to be fitted with baffles which limits upward light that is viewable by aircraft.</p> <p>The signage will not cause unacceptable glare, adverse impacts on the safety of pedestrians, residents, or vehicular traffic and will not cause any unacceptable amenity impacts to nearby residents.</p>	
<p>8 Safety</p> <ul style="list-style-type: none"> Would the proposal reduce the safety for any public road? Would the proposal reduce the safety for pedestrians or bicyclists? Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>The proposed signs will not interfere with pedestrian or vehicular sightlines as they will comply with all relevant Australian Standards. The signs will not distract motorists as headlight reflections are not created in the driver's line of sight given its raised location, and will not resemble a traffic sign or contain a facsimile of a traffic sign.</p> <p>The sign does not obstruct the movement of pedestrians or cyclists or protrude laterally into the transport corridor as it is above the pedestrian bridge's minimum vertical pavement clearance of 5.6m. The sign is located and orientated directly above the road, meaning drivers would not need to turn away from the road or traffic stream in order to view its display and/or message.</p> <p>A review of available 5 years of crash data within 200m of the site showed that zero crashes were reported within the viewable area to it. As such, no crashes are attributable to the sign and this location generally reveals an inherently low risk crash despite its high traffic volumes and speed.</p> <p>Nighttime sightline assessments carried out by Bitzios Consulting confirm that <i>"Illumination does not increase safety risk as there is no material change in how drivers glance to a lit sign at night vs. an unlit sign during the day,</i></p>	Yes

ASSESSMENT CRITERIA	COMMENT	COMPLIES
	<p><i>when considering other stimuli in their visual field". Safety for road traffic is maintained between daylight hours and nighttime hours.</i></p> <p>Traffic Safety Assessments for both the northbound and southbound direction have been prepared by Bitzios Consulting to confirm that the proposal is acceptable in terms of traffic safety.</p>	

Section 3.10 of the I&E SEPP outlines the relevant consent authority and in the case of the proposal it is stated that, the consent authority is:

(d) the Minister for Planning in the case of an advertisement displayed by or on behalf of RMS on—

- (i) a road that is a freeway or tollway (under the Roads Act 1993) or associated road use land that is adjacent to such a road, or*
- (ii) **a bridge constructed by or on behalf of TfNSW on any road corridor, or***
- (iii) land that is owned, occupied or managed by TfNSW*

Section 3.15(1) of the I&E SEPP also applies as the application proposes a sign that has an area of 42.41sqm and is over 8.5m above the ground. Section 3.15(2) states that:

"The consent authority must not grant consent to an application to display an advertisement to which this section applies unless—

- (a) the applicant has provided the consent authority with an impact statement that addresses the assessment criteria in Schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and*
- (b) the consent authority gave a copy of the application to TfNSW before the application is exhibited if the application is an application for the display of an advertisement to which section 3.16 applies".*

Based on the above assessment, the proposal is considered to comply with the requirements of the I&E SEPP.

5.5. Transport Corridor Outdoor Advertising and Signage Guidelines 2017

The Transport Corridor Outdoor Advertising and Signage Guidelines (Guidelines) outline best practice for the planning and design of outdoor advertisements in transport corridors, such as along or adjacent to classified roads, freeways, tollways, transitways and railway corridors, or on bridges or road and rail overpasses.

The Guidelines complement the provisions of the former State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64). SEPP 64 has now been replaced by the I&E SEPP.

An assessment against the individual compatibility criteria tables set out within the Guidelines is outlined below.

Statement of Environmental Effects

- Land use (Table 6)
- Design
- Road safety (Table 7)

Table 6: Assessment of the Land Use Compatibility Criteria

LAND USE COMPATIBILITY CRITERIA	ASSESSMENT
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 outdoor advertising is consistent with the land use objectives outlined in the Fairfield Local Environmental Plan 2013, signage is permissible with consent in the SP2 Infrastructure zone. Any development that is ordinarily incidental or ancillary to development for that purpose is permitted with consent.
<p>Advertisements must not be placed on land where the signage is visible from the following areas, if it is likely to significantly impact on the amenity of those areas:</p> <ul style="list-style-type: none"> • environmentally sensitive area • heritage area (excluding railway stations) • natural or other conservation area • open space (excluding sponsorship advertising at sporting facilities in public recreation zones) • waterway • residential area (but not including a mixed residential and business zone, or similar zones) • scenic protection area • national park or nature reserve. 	<p>The proposed signage is not visible from any of the areas listed.</p> <p>The surrounding lands are mainly zoned R2 Low Density residential, RE1 Public Recreation and E2 Environmental Conservation. The pedestrian bridge connects the recreational lands to the west with Orphans School Creek to the east. Orphans School Creek is a designated riparian land and watercourse. This area is zoned C2 Environmental Conservation, however, is not an environmentally sensitive area. Significant screening around the bridge and between the 2 land uses ensures no impact on the C2 lands.</p> <p>The signage itself is not located in an environmentally sensitive area, or a natural conservation area and therefore it is not likely to cause any significant impacts. The proposal utilises an existing structure that has no current impact on the amenity of sensitive areas and therefore it is considered acceptable.</p> <p>There is a significant vegetation buffer along Cowpasture Road that will screen the proposal from the view of adjoining sensitive land uses.</p>
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 signage does not dominate or protrude above the skyline. There are no significant scenic views compromised. The pedestrian bridge and subsequently the signage as per this proposal, are well screened by landscape buffers along either side of the Cowpasture

LAND USE COMPATIBILITY CRITERIA	ASSESSMENT
	Road.
Advertising structures should not be located so as to diminish the heritage values of items or areas of local, regional or state heritage significance.	There are no heritage items or areas in the vicinity of the site.
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	<p>The signage is affixed to transport infrastructure; the pedestrian bridge across Cowpasture Road. This is placed within the context of other built structures and acts as a screening measure for the bridge.</p> <p>Figure 8 illustrates the landscaped buffer zone that aligns boundaries shared with the SP2 Infrastructure zone and the R2 residential zone. This helps to protect the views of surrounding residential properties and soften the potential for visual impacts.</p>  <p><i>Figure 8: Landscaped buffer along Cowpasture Road screening the pedestrian bridge (Source: Nearmap, edited by Gyde Consulting)</i></p>

The design assessment criteria set out in the Guidelines are the same as the those in schedule 5 of the I&E SEPP and have been assessed in section 5.4.3 of this report.

Table 7: Assessment of the Road Safety Assessment Criteria

ROAD SAFETY ASSESSMENT CRITERIA	ASSESSMENT
Would the proposal reduce the safety for any public road?	<p>The proposed signs will not reduce the safety for the public road (Cowpasture Road). The signs will not distract motorists as they will be located well away from the street verge and will not resemble a traffic sign or contain a facsimile of a traffic sign.</p> <p>Traffic Safety Assessments for both the northbound and southbound facing billboards were carried out by Bitzios Consulting. The overall conclusion of both assessments is that the <i>“there are no traffic safety concerns whatsoever with the static sign continuing to operate as it currently does”</i>. The signs do not obstruct or interfere with the view or restrict sight distances to any intersections, traffic control devices, vehicles, pedestrians or cyclists.</p> <p>The sign is located more than 350m from the nearest decision point and therefore does not distract a driver or pedestrian at a critical time.</p>
Would the proposal reduce the safety for pedestrians or bicyclists?	<p>The advertisement does not reduce the safety for pedestrian or cyclists given its location within a driver's ordinary field of view when approaching from the north and a glance to the sign will still permit co-incident recognition of vehicle, pedestrian and cyclist movements in the forward view in a road environment with very few decision and conflict points</p>
Would the proposal reduce the safety for pedestrians by obscuring sightlines from public areas?	<p>The proposal does not reduce the safety of pedestrians and does not obscure sightlines from public areas. The sign is located on a segregated pedestrian bridge, that is secure from the road, separate from vehicular traffic, and ensures the safest possible mode of transport for pedestrians to cross the Cowpasture Road.</p>

5.5.1. Justification and public benefit test

The public benefit test is an assessment of how the local community will benefit as a result of the display of the advertisement and is applied to this advertising proposal because the display of the advertisement is by or on behalf of RMS or TfNSW, Sydney Trains and NSW Trains.

Advertising on transport corridors generates revenue which TfNSW allocates to contribute to funding to support road

infrastructure maintenance, network management, road user compliance activities and road safety programs across the whole of NSW. The advertising signs provide affordable advertising space for road safety messages in prime locations. NSW road safety advertising campaigns have played an important role in helping to address key road safety problems across NSW and have contributed to the significant reductions achieved over recent decades in the number of deaths on NSW roads.

The public benefit of the proposed development is:

- oOh!media on behalf of TfNSW displays road safety messages during key times of the year
- TfNSW owns, manages, and maintains the pedestrian bridge

Furthermore, a Public Benefit Statement has been prepared by TfNSW and also accompanies this application.

5.6. Fairfield Local Environmental Plan 2013

5.6.1. Zoning and Permissibility

As shown in Figure 9 below, the site is zoned SP2 Infrastructure under the provisions of the *Fairfield Local Environmental Plan 2013* (the LEP). The objectives of the SP2 Zone are:

- 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 proposal is consistent with the objectives of the zone as it:

- Is compatible with the adjacent road infrastructure;
- Will not distract drivers using the Cowpasture Road;
- Proposes a use that is compatible and consistent with the surrounding uses;
- Will not have an adverse impact on the surrounding area;
- Utilises an existing structure that has had no negative impact on the road infrastructure or the safety of the road;
- Does not propose any modifications to the existing structure and therefore it is acceptable to consider that the proposal will not create any increased adverse impacts.

The proposal is characterised as a 'advertising structure' according to the dictionary to the LEP, which falls as a type of 'signage' according to the dictionary of the LEP.

"Signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following—

- (a) an advertising structure,*
- (b) a building identification sign,*
- (c) a business identification sign,*

but does not include a traffic sign or traffic control facilities".

It is permissible with development consent in the SP2 Zone. Any development that is ordinarily incidental or ancillary to development for that purpose is permitted with consent.

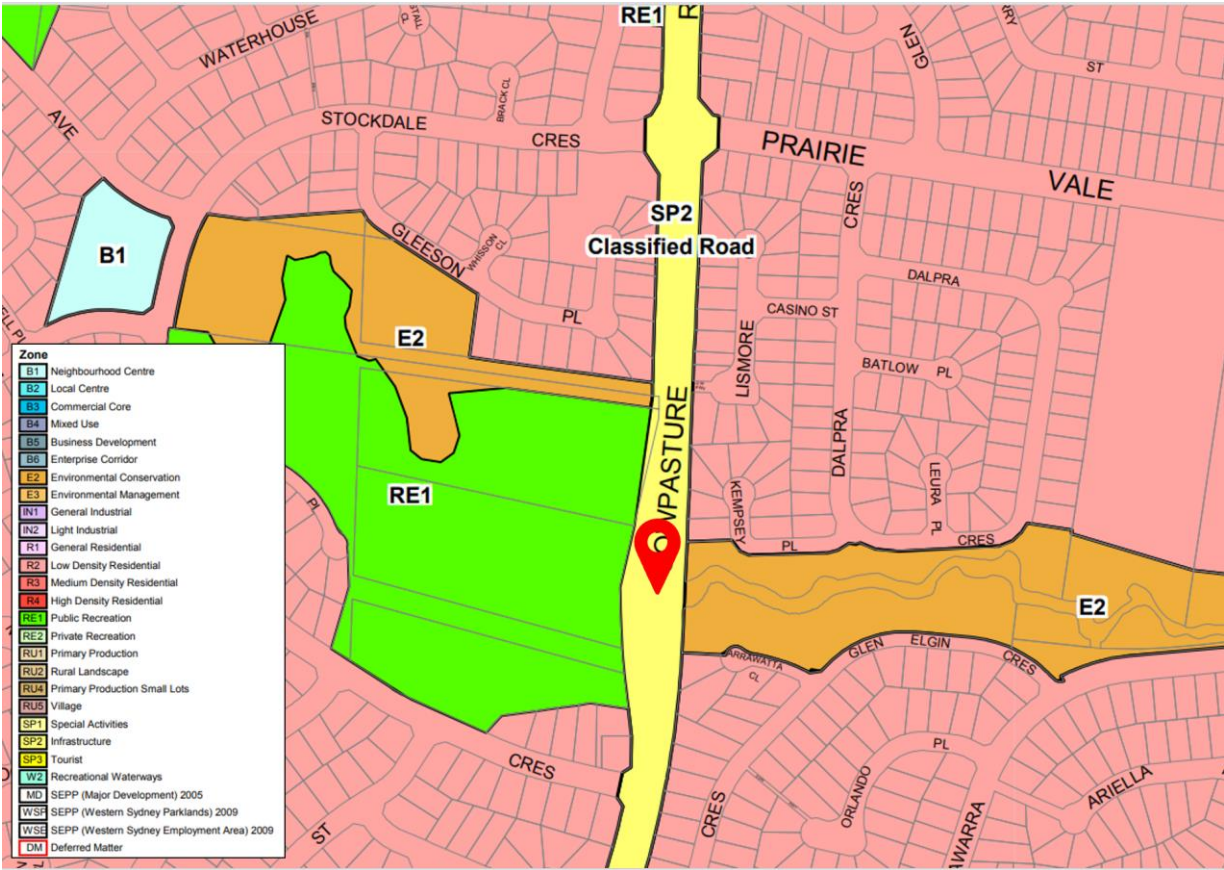


Figure 9: Land use zoning of the site (red marker) as per the Fairfield Local Environmental Plan 2013 (Source: NSW Legislation)

5.7. Fairfield Development Control Plan 2013

An assessment of the proposal against the relevant provisions of the Fairfield Development Control Plan 2013 (FDCP) is not applicable, as the sections in the FDCP do not specifically refer to billboard advertising signage in SP2 Infrastructure zones. However, for completeness, refer to Table 8 below for further details and our assessment of the FDCP.

The development has been assessed against the controls in the I&E SEPP (refer to section 5.4.3 of this SEE) as well as having regard to the Transport Corridor Outdoor Advertising and Signage Guidelines (refer to section 5.5 of this SEE).

Table 8: Assessment against the Fairfield Development Control Plan

SECTION OF FCDP	APPLICABLE?	ASSESSMENT
7.3.3 Advertising Signage	No	This section is not applicable as it relates to proposed advertising

SECTION OF FCDP	APPLICABLE?	ASSESSMENT
(Residential Flat Buildings and Shop Top Housing)		signage in the public domain of residential flat buildings and shop top housing developments in R1 General Residential and R2 High Density Residential zones.
8.1.3 Advertising Signage (Commercial Development in Local Centres – Business Use)	No	This section is not applicable as it relates to proposed advertising signage in the public domain of commercial development in local centres for business use in B2 Local Centre, B1 Neighbourhood Centre, and B6 Enterprise Corridor zones.
9.3 Advertising Signage (Industrial Development)	No	This section is not applicable as it relates to proposed advertising signage relative to industrial development in IN1 General Industrial, IN2 Light Industrial, B5 Business Development, B6 Enterprise Corridor zones.
10.1.5 Advertising and Signage (Miscellaneous Development)	No	This section is not applicable as it relates to proposed advertising signage relative to non-residential uses permissible in residential zones including R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, and R4 High Density zones.
12.2.15 Signage (Car Parking, Vehicle, and Access Management)	No	This section is not applicable as it relates to signage proposals in car parks, loading bays, or development where car parking is proposed.
13.1.10 Signage (Child Care Centres)	No	This section is not applicable as it relates to signage proposals in child care centres.
Appendix C – Advice for Designing Advertising Signs	No	<p>Appendix C provides advice for the design of advertising signs, and it is stated that these are relative to businesses and business owners advertising their products or services on the premises.</p> <p>As the billboard structure in this proposal are already existing there is no design proposed. They are externally managed billboard structures that do not advertise products or services for a business on the business premises therefore Appendix 3 is not applicable.</p>

6. VISUAL IMPACT ASSESSMENT

The proposal is in an established neighbourhood consisting of predominantly low density residential toward the south, north, and east, with recreational use toward the west of the site. The signage is located on SP2 Infrastructure zoned lands and is compatible with the objectives of the zone. The proposal will not detract from the provision of infrastructure or have any adverse impact on the form and scale of the surrounding neighbourhood.

The potential visual impact of the proposal has been assessed in relation to the surrounding development and use of the area. Consideration of whether the proposal will cause any visual change to the landscape or cause any adverse impact on the use of the area by the general public has been given. Based on its location, the signage is orientated to face road users of the Cowpasture Road and not surrounding properties and land uses.

The proposal is for new advertising signage (replacement of advertising skins) on the existing structure in situ, therefore the view remains the same to the existing.

6.1. Impact on Cowpasture Road

Cowpasture Road, at this location, is a road network consisting of four lanes of traffic, with 2 cycle lanes on both the eastern and western side of the road. The straight approach from either direction and the location of the signage in the centre of the road on top of the pedestrian bridge means that the sign can be seen from a further distance, but appears small as far as 750m away on the southbound approach.

The overall visual impact of the signs from the perspective of road users is low. As no changes are proposed and it is not digital signage no additional impact is proposed. The signage is consistent with that located on highways of this size and scale, and it does not cause any adverse impact on the visual amenity of road users or cyclists on Cowpasture Road,

The presence of landscaping and trees running parallel along the road allows the signs to not cause any adverse visual impact.

6.2. Impact on residential

There is sufficient visual buffer between the existing billboard and associated signage and the residential dwellings due to the landscaping screening along the boundary of the Cowpasture Road, and to the rear of properties. These 2 buffers will ensure that the signage will have no impact on the visual amenity of nearby residents.

6.3. Visual clutter

The proposal seeks to propose new advertising signage to the existing structure in the same location. There are no other billboard structures of similar use or size close to the existing structure, only directional traffic signage. The signage does not cause any visual clutter along Cowpasture Road.

The proposed advertising signage will not cause any increased impact to the existing road network or urban fabric on the highway and is visually consistent with a metropolitan road corridor. Proposing new advertising signage to the existing signage structure in its current form does not contribute to additional visual clutter and will assist in retaining the inherent visual qualities along this section of the Cowpasture Road.

6.4. Visual analysis - moving views

6.4.1. Southbound approach



Figure 10 View travelling in a northbound direction along Cowpasture Road (Source: Google Streetview)

Travelling in a northbound direction, the visual experience along Cowpasture Road is defined by the acoustic barriers aligning the eastern and western perimeter of the road reserve. The barriers provide a prominent sense of enclosure to carriageway. Views to residential roofscapes and tree canopies are available above the visible sky component.

North of Stockdale Crescent, a view corridor measuring approximately 60m in width opens to the west, where view lines to the playing fields and Stockdale Park are available. Along the eastern side, a narrow view corridor opens to the east towards Orphan School Creek to the east. The view to the Creek reserve is estimated to be less than 3m which, based on the average speed of travel, is barely perceivable whereas the view towards the playing fields is as a 'glimpse'.

Safety barriers separate the north and southbound laneways.

6.4.2. Northbound approach



Figure 11 Views travelling in a southbound direction on Cowpasture Road (Source: Google Streetview)

On approach from the north in a southbound direction, the visual environment along Cowpasture Road is characterised by the acoustic barriers defining the perimeter of the road. The arrangement provides a prominent sense of enclosure at the pedestrian level with sky views above. Partial views to roof structures and tree canopies behind the barrier walls reveal the proximity to residential neighbourhoods.

Views to the playing field further west opens approximately 145m north of the bridge where the curved ramp structure is prominent along the western side of the road. Views to the creek and reserve are available to the east, approximately 50m north of the bridge. A break in the continuous acoustic barrier allows for a vegetated outlook immediately ahead of the pedestrian overhead bridge.

Safety barriers separate the north and southbound laneways.

A vegetated verge separates the concrete ramp structure from the kerb along the western side of Cowpasture Rd. A pedestrian footpath and a narrow strip of street trees align the eastern side of the road.

6.4.3. The bridge

Travelling in a northbound or a southbound direction, the pedestrian bridge structure and landing ramps present as visually prominent elements on either side of, and above, the road reserve. The pedestrian bridge announces the pedestrian corridor crossing linking active transport networks on either side of the road network.

The horizontal bridge component spans across the road reserve, visually enclosing the roadway. The bridge

structure is visually permeable due to the wire mesh enclosure however, the bridge deck and roof, as well as the landing ramps, create a visual 'frame' which is distinct from other locations along the corridor. The visual framing effect and sense of enclosure is enhanced by the shadow cast of the road surface by the bridge structure.



Figure 12 The bridge and billboard signage viewed from from the north (Source: Google Streetview)



Figure 13 The bridge and billboard signage viewed from the south (Source: Google Streetview)

6.4.4. The billboard signage

The billboard signage presents above the bridge and is visible to vehicles moving in both directions along Cowpasture Road. The signage is not visible to pedestrians moving across the bridge except from viewing locations along the landing ramps.

The skins are articulated as a separate element to the bridge structure. The signage does not alter or detract from the legibility of the bridge structure and is contained above the central portion of the bridge. Nevertheless, the presence of the signage is perceived as an integrated part of the visual 'framing' effect characteristic to this location. The visual experience is created by the open view corridor and landscape glimpses in combination with the spatial enclosure of the pedestrian bridge, as described in previous comments.

The skins do not visually interfere with the presence of canopy trees near the landing structures nor do they obstruct or alter the visual landscape corridors occurring to the north and south of the bridge.

Due to the location of the large ramp structure north of the bridge, the signage is only visible from a few pedestrian viewing locations along the eastern edge of Stockdale Park as well as from the pedestrian ramps. Due to the large traffic volumes occurring along Cowpasture Road, these areas are unlikely to be used as the primary areas of recreational use. The skins are also largely concealed from pedestrian areas within the Creek reserve.

Based on the existing visual environment and the visual relationship between the bridge and the billboard signage, the skins are considered visually appropriate with no adverse impacts to the character of existing moving views within this part of the Cowpasture Road corridor.

7. ASSESSMENT OF LIKELY IMPACTS

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15(1)(b)-(e) of the EP&A Act.

7.1. The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

7.1.1. Natural environment

The proposed development will not have any material adverse impact on flora and fauna on the site or surrounding the site. The proposal is located adjacent to Orphan School Creek, which is not a protected natural area. There is low scenic quality or heritage value within the viewshed of the proposal. The proposed signage itself is not located in an environmentally sensitive area, or a natural conservation area, and will be placed into an existing structure, therefore it is not likely to cause any significant impacts.

No management or maintenance of vegetation is proposed as part of this development application. No removal of any vegetation of high biodiversity value is proposed as part of this application. No new landscaping or planting is proposed as part of this application.

7.1.2. Built environment

The development will not impact any views of the existing built environment. The signage proposal is consistent with the surrounding infrastructure and built environment of Cowpasture Road and the pedestrian bridge.

7.1.3. Traffic and public safety

Two traffic safety assessments have been prepared by Bitzois Consulting for the proposed development, facing southbound and northbound traffic. The safety assessments confirm that the static signs should continue to operate as they currently do on the basis that they will propose no negative impact to traffic, pedestrian, or cyclist safety. The proposal outlines that:

- It will not obstruct or interfere with the view of or restrict sightlines to traffic control devices or intersections due to its location above the road.
- Vehicle, pedestrian, or cyclist movements will not be impacted, and their safety will be maintained.
- Crash data within 200m shows that no crashes were reported within the viewable area of the sign. Therefore, no crashes are attributable to the sign, its location, or its content.
- The proposal is consistent with all relevant policy and guidelines in terms of traffic and public safety.

The traffic assessments also confirm that safety for road traffic is maintained between daylight hours and nighttime hours.

The Lighting Impact Assessment also concludes that the signage will not result in unacceptable glare, or cause any adverse impacts on the safety of pedestrians, residents or vehicular traffic. Additionally, the signage should not cause any unacceptable amenity impacts to nearby residents.

7.1.4. Social and economic impacts

The social impacts of the proposed development including those related to traffic and safety of pedestrians, cyclists, and vehicular traffic have been assessed and are acceptable. There are no further adverse social impacts expected from the proposed development.

The proposed development will promote the orderly and economic use and development of land for the purpose of third party advertising. This will create commercial and economic opportunities for businesses wishing to advertise their content and will provide effective communication along a key road corridor.

7.2. The suitability of the site for the development

The site is suitable for the retention of the advertising structure because:

- Signage is permitted with consent under SP2 Infrastructure zoned lands.
- The proposal is compatible with the form and character of the surrounding landscape.
- The impacts of the proposal including traffic, safety, and visual impact have been assessed and are acceptable considering the location, scale, and extent of the proposed development.
- The development has already been previously approved under in DA 121/98 and MOD 12/2000 by Fairfield City Council. No modifications or alterations are proposed and therefore the proposal for new signage on an existing structure as it stands on the site is suitable.

A Structural Statement and Structural Condition Report prepared by Arcadis confirmed the existing signage structure can safely operate for the next 15 year period. The Structural Statement concludes:

‘Our inspection review concluded that the advertising signage structure is in a satisfactory condition and should continue to perform as per the original design intent. Arcadis would recommend that the signage structure be re-inspected every three (3) years from the date of this correspondence.

This ongoing inspection regime, and regular maintenance requirements will ensure structural viability for the 15 year period of operation’.

7.3. Any submissions made in accordance with this Act or the Regulations

Section 4.1.5(d) of the Act relates to submissions and is a matter for the Consent Authority.

7.4. The public interest

The proposal is consistent with the objectives of the SP2 Infrastructure zone. It promotes orderly development and a positive economic use of land. It does not pose any risks to the safety of the public, either pedestrians, cyclists or vehicular traffic. It does not result in adverse social impacts. There are no likely environmental impacts as the proposal is for new advertising signage on an existing development.

Advertising on transport corridors generates revenue which TfNSW allocates to contribute to funding to support road infrastructure maintenance, network management, road user compliance activities and road safety programs across the whole of NSW. The advertising signs provide affordable advertising space for road safety messages in prime locations. NSW road safety advertising campaigns have played an important role in helping to address key road safety problems across NSW and have contributed to the significant reductions achieved over recent decades in the

number of deaths on NSW roads. TfNSW own, manages, and maintains the pedestrian bridge. The proposal is considered to be in the public interest.

8. CONCLUSION

This SEE has undertaken an environmental assessment of the development proposal for new advertising signage (replacement of advertising skins) on an existing billboard structure in situ at the northern and southern elevations of the Cowpasture Road pedestrian bridge, approximately 150m north of Stockdale Crescent, in Bossley Park.

This assessment found that the proposal for new advertising signage is:

- Consistent with the objectives of the SP2 Infrastructure land use zone in the Fairfield Local Environmental Plan 2013.
- Compliant with the planning controls set out in the *Industry and Employment SEPP 2021*.
- Acceptable under an assessment of the *Transport Corridor Outdoor Advertising and Signage Guidelines 2017*.

The proposal is acceptable within the character of the locality and proposes no adverse environmental impacts on the surrounding area. Public amenity and views will not be impacted by the development and the public interest of increased safety and income generated is acceptable.

The structural integrity of the existing billboard structure has been confirmed as satisfactory and fit for purpose ensuring structural viability for the 15-year period of operation.

Traffic safety, pedestrian and cyclist safety will not be put at risk from the proposal, and following a full assessment, there is no potential for crashes or traffic incidents to occur due to the signage.

Given the findings of this assessment, we consider that the proposal is in the public interest and merits approval.

Appendix A

Standards – General

Prepared by Gyde Consulting

March 2024

GYDE

Statement of Environmental Effects

The proposed development fully complies with the Building Code Australia, and Australian Standards, including but not limited to the following:

- AS/NZS 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting
- AS4100:2020 Steel Structures
- S/NZS 1170.2:2021 Structural Design Actions – Part 2: Wind Loads

Where an assessment (e.g. lighting, structural) finds that the sign does not meet current BCA requirements and/or Australian Standards, additional information outlining what work will be undertaken to ensure that the sign meets the most recent standards must be provided.

The Lighting Impact Assessment prepared by Electrolight (dated 28 February 2024), has assessed the proposed development and associated lighting in accordance with the AS/NZS 4282:2023 Control of the Obtrusive Effects of Outdoor Lighting.

To ensure full compliance with the Australian Standards, it is proposed that baffles are fitted to the floodlights, to prevent unacceptable glare from the lighting and to limit upward light that is viewable by aircraft. This mitigation measure maintains compliance with the relevant Australian Standard.

The recommendations nominated in the structural conditions report prepared by Arcadis should be implemented in the short term to prolong the longevity of the structure and be more serviceable. These recommendations will ensure the structural viability of the structure and ensure compliance with the BCA and relevant Australian Standards.

These recommendations of these reports ensure compliance with the relevant Australian Standards and the BCA.