

16 October 2013

Dean Hosking
Planning Officer
Regional Panels Secretariat Joint Regional Planning Panels
GPO Box 39
Sydney NSW 2001
E dean.hosking@planning.nsw.gov.au

Architecture
Urban Design
Planning
Interior Architecture

**RE: Development Application for M7 billboard signage – JRPP No: 2013SYW072 /
DA No: 60.1/2013
Response to JRPP Assessment Report**

Dear Mr Hosking,

Thank you for the opportunity for the Western Sydney Parklands Trust (Trust) to provide comment on the Joint Regional Planning Panel (JRPP) (Western Sydney Region) Assessment Report prepared by Fairfield City Council for the Crown Development Application (JRPP No: 2013SYW072 / DA No: 60.1/2013). This Development Application (DA) is to be considered by the JRPP on 24 October 2013. We provide this response on behalf of the Trust.

Architectus Sydney
Level 3 341 George Street
Sydney NSW 2000 Australia
T 61 2 8252 8400
F 61 2 8252 8600
sydney@architectus.com.au
www.architectus.com.au

We would like to note that due to the lateness of submission of the Assessment Report to the JRPP by Council, that we were only given one day to provide a response to the Assessment Report so that the JRPP Secretariat can meet their operational timeframes for provision of the information to the JRPP.

Auckland
Brisbane
Melbourne
Shanghai
Sydney

Review of JRPP Assessment Report

In the limited time available we have reviewed the JRPP Assessment Report and have provided a response against key matters raised in the report at **Appendix A**. We submit that there are flaws in Council's statutory planning analysis as presented in the JRPP Assessment Report that have been used as the basis for reasons of refusal of the DA.

Supplementary Visual Impact Assessment

In response to a recent request of Council the Trust prepared and submitted a Supplementary Visual Impact Assessment (SVIA) to support the DA on 20 September 2013. The initial Council officer response to the SVIA was that it was acceptable and met their requirements exactly but that they were maintaining their position that the signage proposals are inconsistent with the aims and objectives of the State Environmental Planning Policy (Western Sydney Parklands) 2009 (SEPP) and the Western Sydney Parklands Plan of Management (PoM). The Trust contends that the DA is indeed consistent with the aims and objectives of the SEPP and PoM and that the SVIA shows the nature of the parklands in question to be that of a "working parkland" which is atypical of most regional open space and most capable of accommodating the proposed use. This is also demonstrated in the SEE and supporting DA documentation, and in the analysis at **Appendix A**.

Forthcoming State Government Policy

It should be noted that the Trust has produced a Draft Supplement to the Western Sydney Parklands Plan of Management 2020 (September 2013) that is yet to go on exhibition. It is expected that the Draft Supplement can be tabled to JRPP members at the Panel meeting on 24 October by the Director of the Trust.

Section 3.7 of the Draft Western Sydney Parklands Plan of Management 2020 Supplement (September 2013) specifies that 10 locations have been identified through the parklands for

Architectus Group Pty Ltd
ABN 90 131 245 684

Managing Director:
David Sainsbery
Nominated Architect
NSWARB 5551
ARBV 13176

billboard signage which are adjacent to arterial roads and have low environmental and scenic landscape values which do not detract from the recreational values of the Parklands.

Response to Reasons of Refusal

We have reviewed the Assessment Report and note that Council is recommending refusal of the proposed development. On behalf of the Trust, we have reviewed the reasons for recommendation of refusal of the DA, and consider that the submitted Statement of Environmental Effects and other supporting information also submitted, adequately demonstrates that the DA meets the relevant statutory requirements and other matters specified under Section 79C(1) of the *Environmental Planning and Assessment Act 1979*.

We have also provided a response to the planning assessment in the JRPP Assessment report that underpins the reasons for refusal at **Attachment A**.

A response to the reasons for refusal is provided below:

- (a) The signs do not fragment the physical or visual continuity of the parklands corridor. The intent of Clause 12(g) of the SEPP is not application to road signage at the edge of the Parklands that visually form part of the highway infrastructure. There are limited view sheds into the parklands where the signs are situated and they are not in highly valued landscapes. Moreover, there are already other made-made interventions in the parklands within these view sheds, namely transmission towers, high voltage power lines, water towers, and the like.
- (b) The proposed signage is not inconsistent with the PoM or precinct plans as demonstrated in the Statement of Environmental Effects and at **Appendix A**, and in particular are not inconsistent with recently adopted State Government Policy which underpins the PoM and forthcoming State Government policy.
- (c) There would be only minor visual impact of Sign 4 on the existing residence due to:
 - The intervening distance and trees which will at least partially obscure the view of the sign;
 - The signage content and illumination is facing away from the residence;
 - The signage structure will be painted in a receding colour;
 - The prevailing outlook to transmission line and highway infrastructure.
- (d) There are no significant views in the limited/restricted visual catchment of the proposed signs from the M7 motorway or vice versa.
- (e) The DA is not inconsistent with Clause 16 Signage of the SEPP on the basis of inconsistency with the Western Sydney Parklands Design Manual, as the Manual contains no provisions relating to road signs. Yet the SEPP permits road signs with development consent.
- (f) Given the impacts of the proposed signage comprises only minor visual impacts, that the signs visually form part of the highway infrastructure, their situation has restricted/limited view shed into the parklands, and the significant revenue that will feed back into the parklands from the proposals for the parklands' management and maintenance, the development is on balance in the public interest.

We thank you for the opportunity to provide comment on the JRPP Assessment Report for this DA. Please contact Jane Fielding on 8252 8400, by fax on (02) 8252 8600, or via email at jane.fielding@architectus.com.au if you have any enquiries regarding this letter.

Yours sincerely



Michael Harrison

Director, Urban Design and Planning

APPENDIX A

JRPP Assessment Report – Provision	Response
Western Sydney Parklands Act 2006 (P.9) “several of the structures interrupt view corridors from the Motorway across the rural landscape.”	The ‘Landscape Character – Visual Containment’ and ‘Landscape Character’ figures in Section 7 of the Supplementary Visual Impact Assessment demonstrate that are only restricted visual catchments from the M7 motorway into the parklands.
(pp. 9-10) “the proposal is inconsistent with the other functions of the Trust including Cl.2 (e) – „protect or enhance the cultural of historical heritage of the Parklands”	The land on which the signs are situated and surrounding the signs are not subject to a heritage item and nor are located in the vicinity of a heritage item.
State Environmental Planning Policy (Western Sydney Parklands) 2009	
Clause 12 – Matters for consideration (pp. 10-11) “The proposal is considered to be inconsistent with the Aims of the SEPP, specifically (f) „maintain the rural character of the Parklands”	The only landscape that could be described as a rural landscape within the visual catchment of the signs is Site 4, which is a grazing landscape. However this visual catchment is crossed by high voltage power lines, water tower and the like.
(pp. 10-11) “The proposal is considered to be inconsistent with the Aims of the SEPP, specifically (e) „protect or enhance the cultural and historical heritage of the Parklands”	The land on which the signs are situated and surrounding the signs are not subject to a heritage item and nor are located in the vicinity of a heritage item.
(p.11) “The proposal is considered to be inconsistent with the Aims of the SEPP, specifically (g) facilitate public access to, and use and enjoyment of the Parklands”.	The signs are situated to the edge of the parklands and visually form part of the highway infrastructure. The view shed of the signs from the M7 motorway is very limited due to topography and trees. The situation of the signs is not nearby any public trails except for a bike path along the M7 motorway which is part of the road corridor and not the parklands.
(p.12) “It is considered that the proposed structures would result in unacceptable impacts on the visual continuity of the Parklands when viewed from the M7 Motorway and bike path. Refer to assessment for detailed discussion.”	The proposed signs are situated along the edge of the road corridor and therefore visually form part of the highway infrastructure. They do not fragment the continuity of the parklands corridor.
(p.13) “Site 4 is adjacent to a rural-residential property and it is considered that this structure would result in an unacceptable impact on the residential amenity of the property including visual amenity from the interruption of existing views, impacts from the illumination of the sign and associated impacts during construction and maintenance. This resident has also raised significant objections to the application.”	There would be only minor visual impact of Sign 4 on the existing residence due to the: <ul style="list-style-type: none"> • intervening distance and trees which will at least partially obscure the view of the sign; • signage content and illumination is situated to the other side of the sign away from the residence; • the signage structure will be painted in a receding colour; • prevailing outlook to transmission line and highway infrastructure.
Clause 16 Signage “The Western Sydney Parklands Design Manual outlines the vision for the Parklands and its relationship to infrastructure planning, design, and implementation. The Design Manual does not specify any standards/requirements other than for	Although the Design Manual does not contain provisions for advertising signage, this does not mean that the proposal is inconsistent with the Manual and therefore does not meet Clause 16. An absence of relevant criteria is not grounds for non-compliance. And

<p>infrastructure and directional signage associated with the Parklands and there are no statements or provisions within the Design Manual that anticipate or envisage the type of advertising structures proposed by this application. On this basis it is considered that the proposal is inconsistent with the Design Manual and therefore does not meet the requirements of this Clause.”</p>	<p>therefore, the proposal is not inconsistent with and does comply with Clause 16.</p>
<p>Internal Referrals “Council’s Place Manager raised concerns in relation to the impact of the proposed structures on the visual amenity of the parklands. The proposed size and position of the signs (i.e. especially those sited on top of hills such as Site 3) would disrupt the semi-rural vistas of the nearby residents and users of the motorway.”</p>	<p>It should be noted that only one objection was received from residents in relation to the four proposed signs.</p>
<p>PLANNING ASSESSMENT</p> <p>Visual Amenity and impact on Views <u>Site 1 - Comment</u> “The Urban Farming Master plan indicates that the area is intended to be developed into market gardens and glasshouses. It is noted that the Master plan makes no provision for the proposed sign and that bulk and scale of the structure is likely to exceed that of the types of rural buildings planned to be established in this Precinct.”</p>	<p>The insertion of built form structures such as glasshouses into the parklands along the M7 road corridor will change the nature of the parklands even more into a “working parkland” and it will present less as a natural environment. It will become a landscape/setting even more compatible with the proposed sign.</p>
<p><u>Site 2 - Comment</u> “While this area is currently underutilised by users of the Parklands, the Urban Farming Master plan indicates that a link road shall be constructed to provide access to the future business hub to the south, which is likely to increase activity to this area by users of the Parklands.”</p>	<p>The approved business hub at Horsley Park may increase activity in this area by motorists and pedestrians; however these are more likely to be accessing the business hub than undertaking recreational pursuit in this area of the parklands. The proposed sign will be compatible with the built form of the business hub.</p>
<p><u>Site 3 - Comment</u> “Due to the height and siting of the structure on a high point, the structure has a large visual catchment and therefore it is considered that the structure would result in an unacceptable visual impact when viewed by users of the Parklands and the Equestrian Centre, particularly when entering the site by Saxony Street.”</p>	<p>The visual analysis (photomontages) on page 27 of the SVIA demonstrates the visual impact will be negligible when viewed from the Equestrian Centre, due to the intervening distance and obscuring ridge and trees. While the sign will be very visible upon entry to the Parklands from Saxony Road, so will other highway infrastructure at this point. The important issue is that there is little visual catchment of the sign from the M7 and from within the parklands because of topography, trees, and the absence of a Parklands pedestrian trail system at this location. This is also demonstrated by the preceding ‘Landscape Character – Visual Containment’ and ‘Landscape Character – Site 3’ in Section 7.0. The bike path along the M7 corridor forms part of the road corridor and is not within the parklands.</p>
<p><u>Site 4 - Comment</u> “The proposed structure introduces built elements that are out of character with the surrounding rural landscape. It is considered that the signage panel would result in the obstruction of views into the Parklands and of the rural-residential property from the Motorway and bike path.</p>	<p>There would be only minor visual impact of Sign 4 on the existing residence due to the:</p> <ul style="list-style-type: none"> • intervening distance and trees which will at least partially obscure the view of the sign; • signage content and illumination is situated to the other side of the sign away from the residence;

<p>The proposed sign at Site 4 is located within 150 metres from a nearby rural-residential dwelling. The dwelling faces the rear of the proposed sign and is directly visible from the front veranda, living room and backyard of the property. On this basis, it is considered that this structure would result in an unacceptable impact on the residential amenity of the property from the interruption of existing views."</p>	<ul style="list-style-type: none"> the signage structure will be painted in a receding colour; Prevailing outlook to transmission line and highway infrastructure.
<p>Western Sydney Parklands Plan of Management 2020</p>	
<p><i>Strategic Direction – Recreation and Parkland Infrastructure</i> "The proposed advertising structures introduce built elements that are out of character in the surrounding rural landscape and are likely to detract from the visual amenity of the Parklands when viewed from the M7 motorway and adjacent bike path. Accordingly, it is considered that the proposal would not be consistent with providing a „cohesive and identifiable landscape character“ for the Parklands."</p>	<p>Section 7 Landscape Character – Visual Containment' in the SVIA demonstrates that there are not extensive, far-reaching views into the parklands and that the view-shed is limited/restricted. Furthermore, the SEPP permits road signs with development consent. The proposed signs visually form part of the highway infrastructure that is visible driving along the highway and from within the parklands looking out to the highway. The bike path forms part of the road corridor and not part of the parklands.</p>
<p><i>Precinct 9 – Horsley Park</i> "The proposed structures are likely to conflict with the existing rural landscape and future desired rural landscape character for the Precinct through the imposition of large advertising structures and the potential for the interruption of rural views from the M7 Motorway and other significant viewpoints within and to the precinct. For these reasons the application conflicts with the objective to create a „cohesive rural image“ for the Precinct."</p>	<p>A business hub has been approved nearby the signs on Sites 1 and 2. The surrounding area is also proposed for greenhouses. The built form associated with these land uses is consistent with the advertising signage structures.</p>
<p><i>Precinct 10 – Abbotsbury</i> Site 3 – "The advertising structures will be positioned on a high point and will be the tallest structure in the area which can be seen from a large area within the Parklands."</p>	<p>The statement that the sign will be seen from a large area within the Parklands is incorrect. This is evident from a site visit, and demonstrated by the 'Landscape Character – Visual Containment' and 'Landscape Character' figures in Section 7 of the Supplementary Visual Impact Assessment, which show restricted visual view shed, attributed to the ridge close by in the background and intervening trees.</p>
<p>Residential Amenity "The dwelling faces the rear of the proposed sign and is directly visible from the front veranda, living room and backyard of the property."</p>	<p>While we were unable to access the residential property, we contend that the intervening existing trees which at least partially screen the proposed sign, and given the high voltage power line, it is not out of character with the area, And furthermore, the proposed colour of the signage structure will enable the sign to recede into the background.</p>