

22 April 2021

2200249

Cameron Sargent  
Team Leader – Key Sites Assessment  
Department of Planning, Industry and Environment  
4 Parramatta Square  
12 Darcy Street  
Parramatta NSW 2150

Attention: Minoshi Weerasinghe, Acting Senior Planning Officer

Dear Minoshi,

## **RESPONSE TO SUBMISSIONS – DA 10649 FOR SEPP 64 ADVERTISING SIGNAGE PROPOSED ON THE M2 MOTORWAY, EPPING**

This letter has been prepared by Ethos Urban on behalf of Sydney Trains in response to the submissions received for DA 10649, which is currently under assessment by the Department of Planning, Industry and Environment (DPIE). The application is part of a series of Crown Development Applications (DA) under Part 4 Division 4.6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) submitted to DPIE.

During the exhibition period, several submissions were received by the relevant agencies including Transport for NSW (TfNSW), Hornsby Shire Council and City of Parramatta Council. In addition, DPIE also requires a response to additional information requested as part of their RTS letter dated 17 February 2021. No public submissions were made against the proposed advertising signage.

A response to the DPIE request for additional information as well as each agency submission are provided in the below sections of this letter. This RTS is supported by a Response to Traffic Submissions prepared by TTPP at **Attachment A**, and an updated Lighting Assessment Report by LAAS at **Attachment B**.

### **1.0 Agency Submissions**

There were four submissions made by public authorities, being the DPIE, TfNSW, Hornsby Shire Council and City of Parramatta Council. The key themes identified throughout these submissions relate to:

- Compliance with relevant statutory plans and policies;
- Public Benefit;
- Road Safety;
- Permissibility;
- Leasing and Operations;
- Illumination; and
- Urban Design.

Responses to each are outlined below.

It is noted that Hornsby Shire Council did not raise any concerns with the proposal.

**Table 1 Response to DPIE Request for Further Information**

| Submission Comment   | Applicant Response  |
|--|---|
| <b>DPIE</b>  |   |
| <b>Concurrence under Section 138 of the Roads Act 1993</b>   |   |
| Under Section 138(2) of the <i>Roads Act 1993</i> , concurrence from TfNSW is required. TfNSW does not support the proposal and raised concerns regarding safety, illumination and visual impacts. Additional information is required to address the concerns raised by TfNSW.   | Refer to the responses provided below to the TfNSW submission.  |
| <b>Transport Corridor Outdoor Advertising and Signage Guidelines</b>   |   |
| The Department notes that the proposal is located within the safe sight distance of a merge point and exit ramp and within the safe stopping sight distance from a cycle crossing. The Road Safety Assessment should be amended to address these concerns and all of the traffic concerns raised by City of Parramatta Council.  | Refer to the TTPP response at <b>Attachment A</b> .   |
| <b>City of Parramatta Local Government Area</b>  |   |
| The site is located in the Hornsby Shire and City of Parramatta Local Government Areas (LGAs). Amend the Statement of Environmental Effects (SEE) to include an assessment of the proposal against the relevant Local Environmental Plan and Development Control Plan for the City of Parramatta LGA.  | It is noted that part of the east-facing sign is located within the Parramatta LGA. A response is provided below.   |
| <b>Public Benefit</b>  |   |
| <p>The Transport Corridor Outdoor Advertising and Signage Guidelines require advertisements to meet a public benefit test to ensure that the advertising would result in a positive gain or benefit for the local community.</p> <p>Additional information is required demonstrating how the in-kind contributions detailed within the Public Benefit Statement are linked to improvements in local community services and facilities.</p> | <p>Sydney Trains advise that advertising assets within Sydney Trains transport and rail corridors generate revenue for Sydney Trains that can be used to fund upgrades to essential public infrastructure and other rail programs that allow for the maintenance and operations of the wider Sydney Trains network throughout Greater Sydney. These commercial arrangements provide a valuable on-going revenue stream to Sydney Trains from external 3<sup>rd</sup> party markets (ie the advertising market), with the assets intended to be privately leased for display purposes. Importantly, as Sydney Trains (through TfNSW; Sydney Trains is a NSW Government agency) maintain and operate a rail service throughout Greater Sydney, the projects supported by the operation of these assets are spread across larger areas across the entire rail network. These projects can range from station platform upgrades to safety improvements across the network as a whole.</p> <p>There are, however, several projects being delivered by Sydney Trains that would benefit the local community, including the future roll-out of 'gap buffers' within CBD stations where local residents would likely travel to from nearby railway stations including Epping and Beecroft. Other projects underway include the Transport Access Program, which will benefit both the local community and broader community when travelling to railway stations that do not currently provide access (via lifts, new canopy covers, upgraded footpaths and improvements to wayfinding) for persons with a disability, limited mobility, carers/parents with prams and customers with luggage, through the provision of lifts. Local residents near to the subject site may travel to stations that lack these facilities, such as Beecroft Station and the Transport Access Program will therefore provide a benefit to those residents when attending those stations.</p> <p>Furthermore, digital advertising provides a further public benefit to Sydney Trains, TfNSW and emergency services to display instantaneous safety or public awareness messages. In addition to a revenue stream,</p> |

| Submission Comment   | Applicant Response   |
|--|--|
|  | <p>the digital screens will also be used to provide important information to customers and the general public in the event of the following:</p> <ul style="list-style-type: none"> <li>• Station emergency situations;</li> <li>• Any major disruption which is likely to cause delays to train running times;</li> <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>This public benefit for Sydney Trains, TfNSW and emergency services to access digital screens to provide instantaneous messaging to Sydney Trains users is a significant component of the digital program to provide a benefit to the public in certain locations around Sydney.</p>   |
| <b>State Environmental Planning Policy No. 64 – Advertising and Signage</b>  |  |
| Amend the SEE to include a compliance table addressing the relevant clauses of SEPP 64 (Clause 14, 16, 17, 18, 19, 20 and 24).   | Refer to the below assessment in <b>Section 2.0</b> .  |
| <b>State Environmental Planning Policy (Infrastructure)</b>  |  |
| Amend the SEE to address the relevant clauses of SEPP (Infrastructure).  | Refer to <b>Section 2.0</b> below.   |
| <b>Hours of Operation</b>  |  |
| Amend the SEE to include the operating hours of the sign.  | The proposed sign is intended to be operational 24 hours a day, 7 days a week, given the nature of the M2 Motorway operating the same timeframe.   |
| <b>Permissibility</b>  |  |
| <p>The Department notes the site is zoned SP2 Infrastructure under Hornsby Local Environmental Plan 2013 (HELP 2013) and Parramatta Local Environmental Plan 2011 (PLEP 2011), and that signage is a prohibited use in the SP2 zone under the HELP 2013 and PLEP 2011. The Department does not consider the development is “development that is ordinarily incidental or ancillary” to the railway corridor.</p> | <p>Clause 16(1)(a) of the SEPP 64 states:</p> <p><i>(1) Despite clause 10 (1) and the provisions of any other environmental planning instrument, the display of an advertisement on transport corridor land is permissible with development consent in the following cases:</i></p> <p><i>(a) the display of an advertisement by or on behalf of RailCorp, NSW Trains, <b>Sydney Trains</b>, Sydney Metro or TfNSW on a railway corridor,</i></p> <p><i>(b) the display of an advertisement by or on behalf of TfNSW on—</i></p> <p><i>(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</i></p> <p><i>(ii) a bridge constructed by or on behalf of TfNSW on any road corridor,</i></p> <p><i>or</i></p> <p><i>(iii) land that is owned, occupied or managed by TfNSW and that is within 250 metres of a classified road,</i></p> <p>A railway corridor as defined within the SEPP 64</p> <p><b>railway corridor means the following land—</b></p> <p><b>(a) land on which railway track and associated railway infrastructure is located (including stations and platforms),</b></p> <p><b>(b) land that is adjacent to land referred to in paragraph (a) and that is owned, occupied or managed by RailCorp or Sydney Metro and used for railway purposes or associated purposes (such as administration, workshop and maintenance facilities and bus interchanges),</b></p> <p><b>(c) land zoned for railway (including railway corridor) purposes under an environmental planning instrument,</b></p> <p><b>(d) land identified as a railway corridor in an approval of a transitional Part 3A project (within the meaning of Schedule 6A to the Act), an</b></p> |

| Submission Comment | Applicant Response   |
|--------------------|--|
|                    | <p><i>approval to carry out State significant infrastructure or a development consent given by the Minister.</i></p> <p>Furthermore, the bridge structure itself is specifically a railway corridor given it contains railway track, and therefore the signage is consistent with this, being located on that land defined as a railway corridor.</p> <p>Additionally, the land is zoned as SP2 Infrastructure for the purposes of Rail Infrastructure Facility under the HLEP 2013 and PLEP 2011. Subsequently, given this, and given Clause 16 of SEPP 64, the proposed signage is permissible with consent as it is the display of an advertisement on behalf of Sydney Trains on a railway corridor, which is also zoned for railway purposes (being a Rail Infrastructure Facility) under those Environmental Planning Instruments.</p> |

**Table 2 Response to TfNSW Submission**

| Submission Comment   | Applicant Response   |
|--|--|
| <b>M2 Leasing</b>  |  |
| <p>TfNSW notes that subject single-track railway bridge on the western side was built as part of the Epping to Thornleigh Third Track (ETTT) project, and this bridge is still in the M2 Lease. As such, consent from The Hills Motorway Limited (THML) is required for advertising on the ETTT Bridge.</p> <p>TfNSW has consulted THML and was advised that THML is not supportive of another party advertising on the ETTT bridge.</p> | <p>It must be noted that there are several other third-party digital advertising signs located along the M2 Motorway Corridor, including those located at:</p> <ul style="list-style-type: none"> <li>• Pennant Hills Road bridge;</li> <li>• Barclay Road bridge;</li> <li>• Windsor Road bridge;</li> <li>• Watkins Road bridge;</li> <li>• Ixion Street pedestrian bridge;</li> <li>• Gooden Reserve pedestrian bridge;</li> <li>• Langdon Road bridge;</li> <li>• Kent Road bridge; and</li> <li>• Murray Farm Road bridge.</li> </ul> <p>These existing signs have been in place on the M2 Motorway since consent was granted in circa 2017. It is noted that the lack of support for another party advertising on a bridge is a competitive aspect which is not a matter for consideration under the planning system.</p> <p>The matter of the ETTT bridge lease is being investigated and a response will be provided separately.</p> |
| <b>Sign on Western Elevation (eastbound)</b>   |  |
| The sign is located just upstream of the entry merge and is visible in the area where merging traffic will be manoeuvring to match the speeds of the mainline traffic. Any form of distraction should be minimised.  | Refer to the specific TTPP response at <b>Attachment A</b> .   |
| The sign is also clearly visible on entry ramp and a possible distraction to motorists who preparing to enter the motorway and concentrating on performing merge into the mainline traffic.  | Refer to the specific TTPP response at <b>Attachment A</b> .   |
| In this area there are Variable Speed Limits (VSLs) used to manage incidents within the tunnel. There should be no other devices causing potential interference to the VSLs.   | Refer to the specific TTPP response at <b>Attachment A</b> .   |

| Submission Comment  | Applicant Response   |
|---|--|
| Currently there are 3 tunnel clearance signs posted directly on the western face (eastbound) of the rail bridge and there are two VSLS in front of the rail bridge. The proposed advertising signs would likely interfere (depending on exact location) and be a distraction to these tunnel clearance signs and VSLS.  | Refer to the specific TTPP response at <b>Attachment A</b> .   |
| <b>Sign on Eastern Elevation (westbound)</b>  |  |
| <p>The sign is proposed in the viewing area where an exit lane commences. In these locations some motorists are required to make decisions for their destinations and potential lane changes if they decide to exit. Any form of distraction should be minimised.</p> <p>Section 3.2.3 of Transport Corridor Outdoor Advertising and Signage Guidelines, November 2017, states as follows:</p> <p><i>“It is important that drivers are not distracted near decision making points or conflict points to allow concentration to be focused on the driving task where the driver’s attention requirements are greater”.</i></p> | Refer to the specific TTPP response at <b>Attachment A</b> .   |
| Signs are visible to motorists as they exit the tunnel. This area has a history of congestion and rear end collisions. Any form of distraction causing potential accidents should be avoided in this area.  | Refer to the specific TTPP response at <b>Attachment A</b> .   |
| The proposed advertising signs will be located on the rail bridge, which is approx. 250m from the tunnel exit. It is concerned that it may cause unfamiliar drivers trying to read and understand the signs and seeking any relevant information on the proposed advertising signs to them. This can potentially cause unsafe behaviours leading to accidents.  | Refer to the specific TTPP response at <b>Attachment A</b> .   |
| <b>Car accidents</b>  |  |
| Any crashes occur directly outside the tunnel going westbound have an immediate effect back through the tunnel. As such, any advertising sign causing potentially increasing possibility of crashes should be avoided in the area.  | Refer to the specific TTPP response at <b>Attachment A</b> .   |
| <b>Illumination</b>   |  |
| The Evaluation of Lighting Impacts only assessed the illuminance resulting from the proposed installation without the cumulative impact of the other lighting in the area which includes how it is impacting the nearby street lighting.  | Lighting, Art and Science have provided a response at <b>Attachment B</b> . In summary, any additional lighting in the environment will have a cumulative impact on sky glow and the surrounding environment. In response to manage this, per the original Lighting Report submitted, the signs as proposed have been designed to confirm with the relevant limits in AS/NZS4282:2019 Control of Obtrusive Effects of outdoor lighting and the Transport Corridor Advertising and Signage Guidelines. It must be noted that the M2 Motorway is well lit during night-time hours due to the safety requirements of fast moving vehicles in both directions, and that due to the low levels of illumination proposed during curfew hours for the signs, this is not expected to be affected. Furthermore, the proposed signage sits within the sunken corridor of the motorway in this location, which is bordered on either side by acoustic walls and large mature trees and other vegetation which means that the signs will not be seen from the closest residential streets, being Somerset Street to the south (westbound sign) and Old Beecroft Road to the north (eastbound sign). |
| <b>Requested Information</b>  |  |

| Submission Comment   | Applicant Response  |
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| Structural documentation including drawings/reports of the sign support and connection details to the bridge, including an as-is loading assessment of the existing bridge.  | This can be a condition of consent noting however that a structural statement indicating the bridge could support the proposed signage, prepared by Northrop, was submitted as part of the original DA package (refer Appendix F).  |
| Construction Traffic Management Plan and installation methodology including any lane or carriageway closure requirements.  | This can be a condition of consent noting that it would be subject to contractor involvement in terms of the proposed construction methodology and whether this required lane or carriageway closure, and subsequently the need for a Construction Traffic Management Plan.   |
| Details of the relocation of the eastbound clearance signage including the support and connection details.   | It is noted that the existing clearance signs are attached to a Sydney Trains (Transport Asset Holding Entity) asset, and as shown on the design plans submitted with the original application are located underneath the proposed sign. Details of support and fixings can be a condition of consent at the detailed design stage. |
| Visual Impact Assessment of the relocation of the anticipated adjusted tunnel clearance signage on the eastbound traffic, as the digital advertising signage could be a major distraction from the last tunnel clearance warning prior to the tunnel entrance. | As noted in the TTPP response at <b>Attachment A</b> , the three height clearance signs would not be obstructed by the proposed signage, rather relocated and suspended under the signage 5.5m above the road surface of the M2 Motorway, greater than the displayed clearance (being 5m for the bridge and tunnel clearance).      |
| Pre and post dilapidation report for all assets potentially impacted by the construction and operation of the proposed advertising signs.  | This can be a condition of consent as it is subject to construction methodology, and pre-dilapidation reports of the assets would be undertaken prior to construction commencing. Post-construction dilapidation reports would also be undertake at the completion of construction.   |
| Crane loading assessment for the construction of the proposed advertising signs, as the crane will be set up on the existing M2 pavement for construction.   | This can be a condition of consent and would be subject to a construction methodology being developed.  |
| Inspection and maintenance plan for the proposed advertising signs, detailing the frequency and what routine inspections and maintenance to be carried out on the signage as well as the supporting structure.   | This can be a condition of consent as this would be developed specifically for the sign, pending the proposed detailed design of the signage to confirm access requirements.  |
| Lighting impact assessment, including the cumulative impact of the proposed advertising signs on the illumination provided by the nearby street lighting.  | Refer to the response provided above under 'Illumination'.  |

**Table 3 Response to the City of Parramatta Council comments**

| City of Parramatta Council  |  |
|---|--|
| TRAFFIC IMPACTS   |  |
| Eastbound Direction   | Refer to the specific TTPP response at <b>Attachment A</b> . |
| Westbound Direction   | Refer to the specific TTPP response at <b>Attachment A</b> . |
| Urban Design  |  |
| The proposed signage is to be attached to the face of the two overhead rail bridges that cross the M2 Motorway at Epping. The rail bridges are seen primarily from the M2 Motorway and associated on/off ramps. The proposed east sign can be viewed at a distance from Constance Close (on top of the west tunnel exit), Epping, otherwise the proposed signs are not visible from local roads due to the extent of noise walls installed along the M2 Motorway corridor at this location. The rail bridges do not provide public access. For these reasons UD has little to no comments to offer. | This comment is noted.                                       |

| City of Parramatta Council  |   |
|---|---|
| Nevertheless, the proposed sign for Site 5 – Epping M2 (eastern side) height dimension is approximately equal to the bridge depth (top of parapet/deck to underside of bridge), while the sign for Site 5 – Epping M2 (western side) sits above the bridge deck. Unlike the eastern sign, the western sign interrupts the elevation and skyline of the bridge. The western sign dimensions should be reduced so as not to interrupt the elevation (top edge) and skyline of the bridge. | The western sign sits approximately 488mm above the top edge of the bridge parapet however it is noted that the bridge itself contains higher elements which extend approximately 3m above the top of the proposed sign. This is considered to be an appropriate response and not represent any impact on the design of the bridge noting that trains passing across will sit above the sign. |
| The western sign is at an acute angle to the vehicle's line of travel which may make it harder for drivers/passengers to register the message. The M2 Motorway tunnel, to east of Site 5, has space at the tunnel portal perpendicular to the line of travel and are clearly visible. Given the close proximity of the western sign to the tunnel entry consideration should be given to utilising the tunnels western portal in place of the western rail bridge location.             | This suggestion is noted however the M2 Motorway tunnel is not a Sydney Trains asset that can be used for this signage in this situation.   |

## 2.0 Additional Environmental Assessment

From the submissions received, additional environmental assessment has been undertaken to respond to the matters raised. Where an environmental consideration is not included below, no further assessment or change from the assessment undertaken in the original SEE is required.

### 2.1 State Environmental Planning Policy No. 64 – Advertising and Signage

In response to DPIE's request to amend the SEE to include a compliance table addressing the relevant clauses of SEPP 64 (clause 14, 16, 17, 19, 20 and 24), an additional table (**Table 3** below) has been provided.

**Table 4 Additional SEPP 64 Compliance Assessment**

| Relevant Clause  | Assessment   |
|--|--|
| <b>(14) Duration of consents</b><br>(1) A consent granted under this Part ceases to be in force—<br>(a) on the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act, or<br>(b) if a lesser period is specified by the consent authority, on the expiration of the lesser period.<br>(2) The consent authority may specify a period of less than 15 years only if—<br>(a) before the commencement of this Part, the consent authority had adopted a policy of granting consents in relation to applications to display advertisements for a lesser period and the duration of the consent specified by the consent authority is consistent with that policy, or<br>(b) the area in which the advertisement is to be displayed is undergoing change in accordance with an environmental planning instrument that aims to change the nature and character of development and, in the opinion of the consent authority, the proposed advertisement would be inconsistent with that change, or<br>(c) the specification of a lesser period is required by another provision of this Policy. | Noted and will comply via a condition on the consent.  |
| <b>16 Transport corridor land</b><br>(1) Despite clause 10 (1) and the provisions of any other environmental planning instrument, the display of an advertisement on transport corridor land is permissible with development consent in the following cases—<br>(a) the display of an advertisement by or on behalf of RailCorp, NSW Trains, Sydney Trains, Sydney Metro or TfNSW on a railway corridor,<br>(b) the display of an advertisement by or on behalf of TfNSW on—<br>(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   | The proposed advertising signage is permissible under Clause 16 of the SEPP 64 as it seeks consent for the display of an advertisement carried out by Sydney Trains within an existing rail corridor (being the T9 Northern Line). |



| Relevant Clause  | Assessment   |
|--|--|
| <p>(ii) a bridge constructed by or on behalf of TfNSW on any road corridor, or</p> <p>(iii) land that is owned, occupied or managed by TfNSW and that is within 250 metres of a classified road,</p> <p>(c) the display of an advertisement on transport corridor land comprising a road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 Motorway, the M4 Motorway, the M5 Motorway, the M7 Motorway, the Cross City Tunnel or the Lane Cove Tunnel, or associated road use land that is adjacent to such a road.</p> <p>(2) Before determining an application for consent to the display of an advertisement in such a case, the Minister for Planning may appoint a design review panel to provide advice to the Minister concerning the design quality of the proposed advertisement.</p> <p>(3) The Minister must not grant consent to the display of an advertisement in such a case unless—</p> <p>(a) the relevant local council has been notified of the development application in writing and any comments received by the Minister from the local council within 28 days have been considered by the Minister, and</p> <p>(b) the advice of any design review panel appointed by the Minister has been considered by the Minister, and</p> <p>(c) the Minister is satisfied that the advertisement is consistent with the Guidelines.</p> <p>(4) This clause does not apply to the display of an advertisement if the Minister determines that display of the advertisement is not compatible with surrounding land use, taking into consideration any relevant provisions of the Guidelines.</p> |  |
| <p><b>17 Advertisements with display area greater than 20 square metres or higher than 8 metres above ground</b></p> <p>(1) This clause applies to an advertisement—</p> <p>(a) that has a display area greater than 20 square metres, or</p> <p>(b) that is higher than 8 metres above the ground.</p> <p>(2) The display of an advertisement to which this clause applies is advertised development for the purposes of the Act.</p> <p>(3) The consent authority must not grant consent to an application to display an advertisement to which this clause applies unless—</p> <p>(a) the applicant has provided the consent authority with an impact statement that addresses the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and</p> <p>(b) the application has been advertised in accordance with section 79A of the Act, and</p> <p>(c) the consent authority gave a copy of the application to TfNSW at the same time as the application was advertised in accordance with section 79A of the Act if the application is an application for the display of an advertisement to which clause 18 applies.</p>   | <p>A full compliance table has been provided in <b>Table 2</b> of the SEE and provides a full assessment of the sign with regards to the criteria set out in Schedule 1 of the SEPP 64.</p>                          |
| <p><b>18 Advertisements greater than 20 square metres and within 250 metres of, and visible from, a classified road</b></p> <p>(1) This clause applies to the display of an advertisement to which clause 17 applies, that is within 250 metres of a classified road any part of which is visible from the classified road.</p> <p>(2) The consent authority must not grant development consent to the display of an advertisement to which this clause applies without the concurrence of TfNSW.</p> <p>(3) In deciding whether or not concurrence should be granted, TfNSW must take into consideration—</p> <p>(a) the impact of the display of the advertisement on traffic safety, and</p> <p>(b) the Guidelines.</p> <p>(c) (Repealed)</p> <p>(4) If TfNSW has not informed the consent authority within 21 days after the copy of the application is given to it under clause 17 (3) (c) (ii) that it has granted, or has declined to grant, its concurrence, TfNSW is taken to have granted its concurrence.</p> <p>(5) Nothing in this clause affects clause 16.</p> <p>(6) This clause does not apply when the Minister for Planning is the consent authority.</p>   | <p>It is noted that TfNSW have not yet granted their concurrence due to raising several matters to be considered. These have been addressed below and it is considered appropriate for concurrence to be issued.</p> |



| Relevant Clause   | Assessment  |
|---|---|
| <b>19 Advertising display area greater than 45 square metres</b><br>The consent authority must not grant consent to the display of an advertisement with an advertising display area greater than 45 square metres unless—<br>(a) a development control plan is in force that has been prepared on the basis of an advertising design analysis for the relevant area or precinct, or<br>(b) in the case of the display of an advertisement on transport corridor land, the consent authority is satisfied that the advertisement is consistent with the Guidelines.   | The sign will be located on transport corridor land (being the T9 Northern Line), a TAHE asset for the rail corridor. The proposed signage is consistent with the Guidelines as assessed in the original SEE, noting however that the display area as proposed is 39.68m <sup>2</sup> in area (12.4m by 3.2m visual screen size).<br><br>Transport corridor land is defined under the SEPP as:<br><i>transport corridor land means the following land—</i><br>(a) <b>land comprising a railway corridor,</b><br>(b) <i>land comprising a road corridor,</i><br>(c) <i>land zoned industrial under an environmental planning instrument and owned, occupied or managed by TfNSW, Sydney Metro or RailCorp.</i> |
| <b>20 Location of certain names and logos</b><br>(1) The name or logo of the person who owns or leases an advertisement or advertising structure may appear only within the advertising display area.<br>(2) If the advertising display area has no border or surrounds, any such name or logo is to be located—<br>(a) within the advertisement, or<br>(b) within a strip below the advertisement that extends for the full width of the advertisement.<br>(3) The area of any such name or logo must not be greater than 0.25 square metres.<br>(4) The area of any such strip is to be included in calculating the size of the advertising display area. | The logo of the sign operator will be provided within the signage display structure.  |
| <b>24 Advertisements on bridges</b><br>(1) A person may, with the consent of the consent authority, display an advertisement on a bridge.<br>(2) The consent authority may grant consent only if the consent authority is satisfied that the advertisement is consistent with the Guidelines.   | The proposed signage is located on existing TAHE assets, being the eastern (and western) rail bridge which cross the M2 Motorway. The proposal is also consistent with the Guidelines.  |

## 2.2 State Environmental Planning Policy (Infrastructure) 2007

In response to DPIE's request to amend the SEE to include a compliance table addressing the relevant clauses of the Infrastructure SEPP, an additional table (**Table 5** below) has been provided for this purpose.

**Table 5 Infrastructure SEPP Assessment**

| Relevant Clause   | Assessment   |
|---|--|
| <b>Division 5 Electricity transmission or distribution</b>  |  |
| Clause 45 Determination of development applications—other development   | Not applicable. The proposed signage is greater than 5m from the overhead electricity lines  |
| <b>Division 15 Railways</b>   |  |
| Clause 84 Development involving access via level crossings  | Not applicable. There are no level crossings nearby.   |
| Clause 85 Development adjacent to rail corridors<br>(1) This clause applies to development on land that is in or adjacent to a rail corridor, if the development—<br>(a) is likely to have an adverse effect on rail safety, or | Sydney Trains is the rail authority for this rail corridor, and it is noted that Sydney Trains is the applicant for this proposal, and as such, this clause is considered satisfied. |

| Relevant Clause   | Assessment   |
|---|--|
| <p>(b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or</p> <p>(c) involves the use of a crane in air space above any rail corridor, or</p> <p>(d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.</p> <p>Note—</p> <p>Clause 45 also contains provisions relating to development that is within 5 metres of an exposed overhead electricity power line.</p> <p>(2) Before determining a development application for development to which this clause applies, the consent authority must—</p> <p>(a) within 7 days after the application is made, give written notice of the application to the rail authority for the rail corridor, and</p> <p>(b) take into consideration—</p> <p>(i) any response to the notice that is received within 21 days after the notice is given, and</p> <p>(ii) any guidelines that are issued by the Secretary for the purposes of this clause and published in the Gazette.</p> <p>(3) Land is adjacent to a rail corridor for the purpose of this clause even if it is separated from the rail corridor by a road or road related area within the meaning of the Road Transport Act 2013.</p> |  |
| Clause 86 Excavation in, above, below or adjacent to rail corridors   | Not applicable. No excavation proposed.  |
| Clause 87 Impact of rail noise or vibration on non-rail development   | Not applicable. The signage is not one of the listed non-rail development types.   |
| Clause 88 Development within or adjacent to interim rail corridor   | Not applicable. There is no interim rail corridor nearby.  |
| Clause 88A Major development within Interim Metro Corridor  | Not applicable. There is no Interim Metro Corridor nearby.   |
| Clause 88B Development near proposed metro stations   | Not applicable. There are no proposed metro stations nearby.   |
| <b>Division 17 Roads and Traffic</b>  |  |
| Clause 98 Development other than road facilities on public roads  | Not applicable. The proposed signage is not located on a public road. It is situated on the existing rail bridges which run above the road corridor. |
| Clause 99 Highway service centres in road corridors   | Not applicable. No highway service centre is proposed.   |
| Clause 100 Development on proposed classified road  | Not applicable. There is no proposed classified road nearby.   |
| Clause 101 Development with frontage to classified road   | Not applicable. The proposed signage does not have frontage to a classified road, rather is suspended above and situated on existing rail bridges.   |
| Clause 102 Impact of road noise or vibration on non-road development  | Not applicable. The signage is not one of the listed non-road development types.   |
| Clause 103 Excavation in or immediately adjacent to corridors   | Not applicable. No excavation proposed.  |
| Clause 104 Traffic-generating development   | Not applicable. The signage is not traffic-generating development per Schedule 3 of the Infrastructure SEPP.   |

## 2.3 Parramatta Local Environmental Plan 2011

The eastern facing sign is subject to the controls of the Parramatta Local Environmental Plan 2011 (PLEP 2011) and is located within the SP2 Infrastructure zone.

The land is zoned as SP2 Infrastructure for the purposes of a Rail Infrastructure Facility under the PLEP 2011. Subsequently, given this, and given Clause 16 of SEPP 64, the proposed signage is permissible with consent as it is the display of an advertisement on behalf of Sydney Trains on a railway corridor, which is also zoned for railway purposes (being a Rail Infrastructure Facility) under the Environmental Planning Instrument.

The proposal is consistent with the objectives of SP2 zone, in particular ‘to provide for infrastructure and related uses’ in that it will contribute to the display of advertising which will generate revenue used to maintain and enhance existing Sydney Train assets and services which form a key part of the transport network in Sydney.

### 2.3.1 Parramatta Development Control Plan 2011

It is noted that the site sits partly within the Hornsby Shire (western facing sign) and partly within the City of Parramatta (eastern facing sign) Local Government Areas (LGA), and that until May 2016, the Hornsby LGA included the entirety of the site. As such, the Parramatta Development Control Plan 2011 (PDCP 2011) Section 1.3 ‘Land to which this plan applies’ does not contain the subject site, which, for the purposes of planning assessment, is still located in the Hornsby Development Control Plan 2013 (HDCP 2013) which is, for the part of the LGA within the City of Parramatta area, and managed by the City of Parramatta. An assessment against the HDCP 2013 was completed in the original SEE. Notwithstanding the above, an assessment against the signage requirements of the PDCP 2011 has been completed below.

**Table 6 Parramatta Development Control Plan 2011 – Part 5.5 Signage**

| Control   | Assessment   | Compliance |
|---|--|------------|
| <b>5.5 Signage - General Requirements</b>   |  |            |
| Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality, in particular signs are not to dominate or obscure other signs or result in visual clutter.   | The proposed signage has been designed accordingly with the character of the area and is consistent with other advertising signs on the M2 Motorway. The proposed signage will not create visual clutter, nor will it dominate or obscure other signs. | Yes        |
| Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed.   | The proposed signage is consistent with the local area and will not take away from any significant architectural features of the bridge (noting it is very functional in its design as a rail bridge) or its surrounds.                                | Yes        |
| Structures supporting signs should be of a high aesthetic appearance and not impact on the visual amenity of the locality.  | The sign is attached to the rail bridge, which is the supporting structure in this case.   | Yes        |
| Materials used should be durable, fade proof and of a high aesthetic quality.   | Complies. The proposed signage will be designed with high quality materials that are durable and fade proof.   | Yes        |
| Advertisements and advertising structures should not protrude above the skyline.  | The proposed eastern facing sign situated within the Parramatta LGA does not protrude above the skyline of the bridge and sits generally within the structural elements. The bridge itself   | Yes        |
| Advertisements and advertising structures should complement natural features and not result in the trimming and lopping of significant trees.   | The proposed signage will not result in any adverse impacts to the surrounding environment and does not require the trimming or lopping of any trees or vegetation.  | Yes        |
| The following types of advertising and signs are discouraged to protect the visual quality of the City: <ul style="list-style-type: none"> <li>Posters on poles or other structures in public places</li> <li>Sky signs</li> <li>Temporary signs of a commercial nature on land whether zoned or unzoned.</li> <li>Trees used to support advertisement</li> <li>Flashing lights</li> <li>A-frame signs, goods and signboards in public places.</li> <li>Pylon signs not directly related to an activity carried out on the site.</li> <li>Signs painted on or applied on the roof.</li> </ul> | The proposed signage is an advertising sign located on a railway bridge within transport corridor lands.   | Yes        |

| Control  | Assessment  | Compliance |
|--|---|------------|
| The language of signs is to be accessible to the wider population.   | The signage content will be managed by a private operator which will ensure appropriate content is displayed in languages and signs that are accessible to the wider population.                    | Yes        |
| Signs and their supporting structures are to be structurally sound and constructed to ensure pedestrian and traffic safety.  | Noted. The structures supporting the signage are sound and suitable for the proposal as noted within the Structural Feasibility Statement prepared by Northrop as part of the original application. | Yes        |
| Signs and their supporting structures should not be: <ul style="list-style-type: none"> <li>Hazardous to passers-by and for traffic safety</li> <li>Located so as to obscure a driver's or pedestrian's view of road or rail vehicles, pedestrians or features of the road, railway or footpath</li> <li>Highly illuminated so as to cause discomfort to, or inhibit vision of drivers or pedestrians</li> <li>Mistaken as an official traffic sign and should not distract a driver's attention or be confused with traffic signal instructions.</li> </ul> | The proposed signage will be constructed appropriately with high quality structural support to mitigate the risk of hazardous events for pedestrians or vehicles.                                   | Yes        |
| The erection of any sign must comply with the applicable requirements of the Building Code of Australia.   | Complies. The proposed signage will be compliant with the relevant BCA requirements.  | Yes        |
| Illuminated signs are not to detract from the architecture of the supporting building during daylight.   | The proposed signage will not detract from the existing architectural features of the bridge (noting its functional design) or the visual amenity of the surrounding area on the M2 Motorway.       | Yes        |
| Illuminated signs are to be energy efficient.  | Noted. The signage as designed will be energy efficient noting its use of LED lighting fixtures.  | Yes        |
| In considering applications for new signs, the consent authority must have regard to the number of existing signs on the site or the number of signs on a new building and in its vicinity and whether the cumulative impact gives rise to visual clutter.   | There are no existing advertising signs located on the railway bridge, therefore the proposed signage will not result in visual clutter.  | Yes        |
| External lighting of signs is to be downward pointing and focused directly on the sign and is to prevent or minimise the escape of light beyond the sign.  | The signage is proposed to be internally illuminated.   | Yes        |

#### 5.5.1 Signs on heritage buildings and conservation areas

|  |   |     |
|--|---|-----|
| All signs on a heritage item are to be:                                    | As per the below.   | -   |
| C.1 Restrained in design.  | Despite the signage being located within a heritage conservation area, it is located along the M2 Motorway which is a highly urbanised area. Therefore, the proposed signage will not result in any adverse impacts to the surrounding heritage significance.<br><br>The proposed signage has been designed appropriately and will be constructed with high quality materials and finishes. The proposed signage has been carefully placed along the existing railway bridge. | Yes |
| C.2 Of a high standard of materials, construction and graphics.            |   | Yes |
| C.3 Carefully placed and of compatible design and style where appropriate. |   | Yes |

#### 5.6.4.6 Advertising Signs and Structures

|  |   |     |
|--|---|-----|
| C.1 A maximum of one (1) external sign per premises is permitted and shall indicate only the name of the businesses operated and/or the address. However, additional signage for parking and traffic management may be provided. | One sign is proposed to be located on each side of the bridge; therefore, the proposal will not result in any visual clutter. | Yes |
|--|---|-----|

| Control   | Assessment   | Compliance            |
|---|--|-----------------------|
| C.3 The advertising sign is to be limited in size to 0.3 x 0.6 metres (or other dimensions, but of equivalent surface area of 0.18m <sup>2</sup> ).   | The proposed signage has a total display surface area of 39.68m <sup>2</sup> (12.4m (w) x 3.2m (h)) consistent with the SuperSite signage typology under the Guidelines. It is located within a transport corridor and is consistent with other advertising signs located along the M2 Motorway and other roads of a similar nature, and noting that SEPP 64 is the EPI providing permissibility, is entirely consistent with its environment being a functional transport corridor. | No, however justified |
| C.4 Signs may be illuminated, but flashing signs are not permitted, providing this would not result in adverse impacts upon the environment or amenity of the area. Illuminated signs are to be extinguished between 2am and 7am. | The proposed advertising signage will be illuminated; however they will not contain flashing, pulsating or moving images.<br><br>The illuminated signage is to be operational 24 hours a day as it is located within an already well-lit area along a major transport corridor.  | Yes                   |
| C.5 The sign shall not display words or images, which are in the opinion of the consent authority sexually explicit, lewd or otherwise offensive.   | Noted. The content of the proposed signage will be managed appropriately to ensure no offensive or explicit advertisements are displayed.  | Yes                   |

We trust that the information provided above assists the Department in finalising the assessment of the application, and look forward to receipt of draft conditions. Should you have any queries please do not hesitate to contact the undersigned.

Yours sincerely,



**Daniel West**  
Associate Director  
02 9956 6962  
dwest@ethosurban.com



**Christopher Curtis**  
Principal  
02 9956 6962  
ccurtis@ethosurban.com