

SYDNEY OLYMPIC PARK AUTHORITY

Development Application Assessment Report

Application No:	DA 09-07-2015
Application Site:	Lot 16 DP 1125680, No. 11 Olympic Boulevard (cnr. Olympic Boulevard & Herb Elliott Avenue), Sydney Olympic Park
Proposal:	Installation of digital signage / advertising structure at the Novotel Ibis Hotel.
Applicant:	Accor Novotel Ibis Hotel
Determining Agency:	Sydney Olympic Park Authority (SOPA)

1 Site and Location

A site visit was carried out on 14 January 2015 in the company of Novotel Staff.

Novotel Sydney Olympic Park is located to the southwest of Sydney Olympic Park Rail Station and is within the area currently known as the 'Central' Precinct as defined by Master Plan 2030. Images illustrating the site and environs are included below. The site is legally described as Lot 16 DP 1125680.

The Novotel / Ibis is immediately bounded by Dawn Fraser Avenue (north), Herb Elliott Avenue (south), Olympic Boulevard (west) and Showground Road (east). The primary pedestrian and vehicular access to the Novotel Hotel is provided from Herb Elliot Drive. The location of the proposed sign is the corner of Showground Road and Herb Elliott Avenue.

On the opposite side of Showground Road are buildings and grounds of the former State Abattoir site, listed as a Heritage Conservation Area under State Environmental planning Policy (Major Development) 2005.

Photos of the site are attached below.

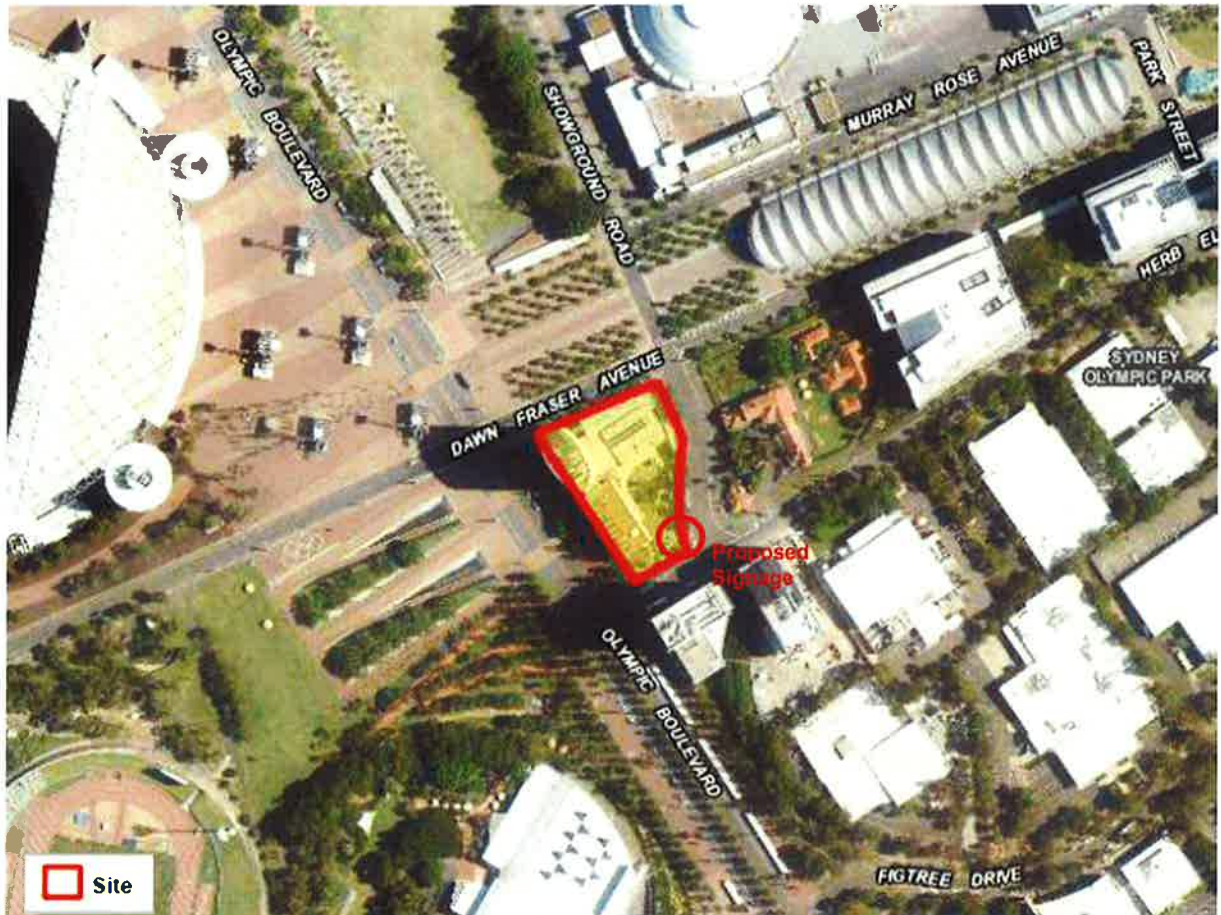


Figure 1 – Locality Plan

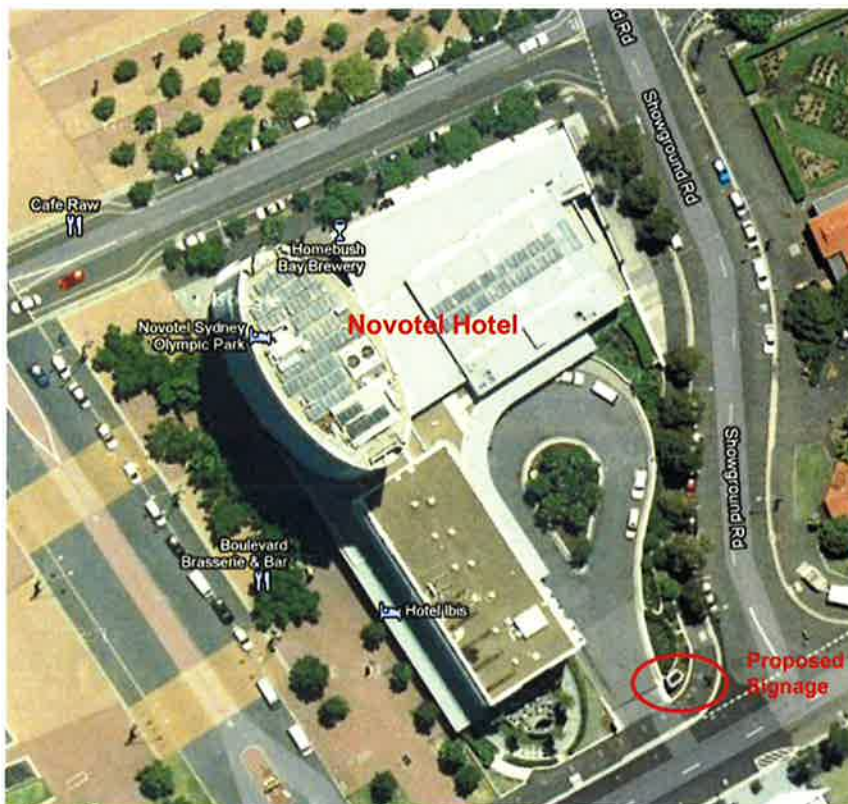


Figure 2 – The location of proposed Sign

2 The Proposed Development

The Statement of Environmental Effects which accompanies the DA indicates the following:

This DA seeks approval for the application of LED panel screen to the existing concrete pillar located at the driveway entry to the Novotel Hotel. The location of the existing pillar is indicated in Figure 2 and the location plans provided by Reid Campbell at Appendix A. The LED panel screen will be used to display welcome messages for the guests of the hotel using images and text. The screen will allow for changeable displays. Typical displays may include welcome messages to large groups of guests or for identification of events being held within the hotel. The display will not be used for third party advertising. The screen will be 2,240mm wide by 2,880mm tall. Electrical cabling will run through the car park area under the hotel and through the existing duct.

Illumination will occur at a low wattage and will not impact on the safety of pedestrians, vehicles or residents. The level of illumination is adjustable and can be monitored throughout the day/night and adjusted as required to suit the local environment. The sign is not located within the vicinity of any traffic lights and is of a design that will not mimic or imitate a traffic control device, not instruct drivers to perform an action; or not invite traffic to remove contrary to any traffic control device.

The display is to be completely static from its first appearance to the commencement of a change to another display. The items which will be displayed on the digital screen will contain no moving text or objects or film. The display will not involve more than one message in the period of exposure. The display on the screen can be scheduled to change every 20-30 seconds which will be enough time for a vehicle to pass the signage so as not to cause a distraction.



Figure 3 – View of the existing exhaust duct/column



Figure 4 – Perspective of the proposed signage on existing exhaust duct/column

3 Delegated Authority

The Minister is the consent authority pursuant to Schedule 6, Part 1, Clause 3 of the SEPP Major Development 2005 and Clause 22 of the *Sydney Olympic Park Authority Act 2001*.

On 10 November 2014, the Minister delegated her powers and functions under Section 80 of the *Environmental Planning and Assessment Act 1979 (the Act)* for all development at Sydney Olympic Park which have a Capital Investment Value of less than \$10 Million. These delegations have been provided to the Chief Executive Officer of Sydney Olympic Park Authority. The proposed development is consistent with these delegations as it:

- Has a CIV less than \$10 million;
- SOPA is not the applicant; and
- SOPA will not derive a commercial benefit in excess of \$250,000 per year from the development.

Therefore it is appropriate for SOPA to exercise its delegations in assessing and determining this development application.

4 Statutory Framework

4.1 Environmental Planning and Assessment Act 1979

The proposal constitutes local development to which Part 4 of the *Environmental Planning and Assessment Act 1979 (the Act)* applies. Part 8 of this report provides an assessment of the application against the heads of consideration set out under Section 79C of the Act.

4.2 Sydney Olympic Park Authority Act 2001

4.2.1 Clause 22(2) – Consistency with Environmental Guidelines

The *Environmental Guidelines* apply to all land within Sydney Olympic Park. The Authority is required to consider whether the proposed development is consistent with the *Guidelines*. The proposed development is generally consistent with the *Environmental Guidelines* as the proposed development is unlikely to adversely affect the environment.

4.3 Contaminated Land Management Act 1997

The site is not located on remediated lands.

5 Consultation

5.1 Public notification

The proposal does not require public advertising or notification.

5.2 Internal referrals within SOPA

The application was referred to the following internal Sydney Olympic Park Authority units for review and comment on 1 July 2015:

Internal department	Response
Building Services	No objections raised. Conditions provided
Urban Design	No objections /comments received
Major Projects	No objections /comments received
Precinct Coordination	No objections /comments received
Commercial Services	No objections raised

All conditions recommended by the respective Units have been incorporated into the draft Conditions of Consent where appropriate and necessary.

5.3 External agency referrals

Given the sign's location (intersection) and its nature (animated/digital), the application was referred to the Roads & Maritime Services (RMS) for general input, recommended conditions and /or advisory notes.

The RMS noted that the proposed signage does not trigger referral to the RMS under State Environmental Planning Policy No. 64 – Advertising and Signage (Clauses 17 and 18) based on size and location, and that it generally did not have any concerns and/or objections relating to the sign.

The Authority clarified to the RMS that given the sign's location (intersection) and its nature (animated/digital); the RMS's general guidance in recommending conditions and /or advisory notes would be extremely helpful.

On the 7 July, the RMS subsequently provided examples of conditions for digital signs. These have been incorporated into the consent.

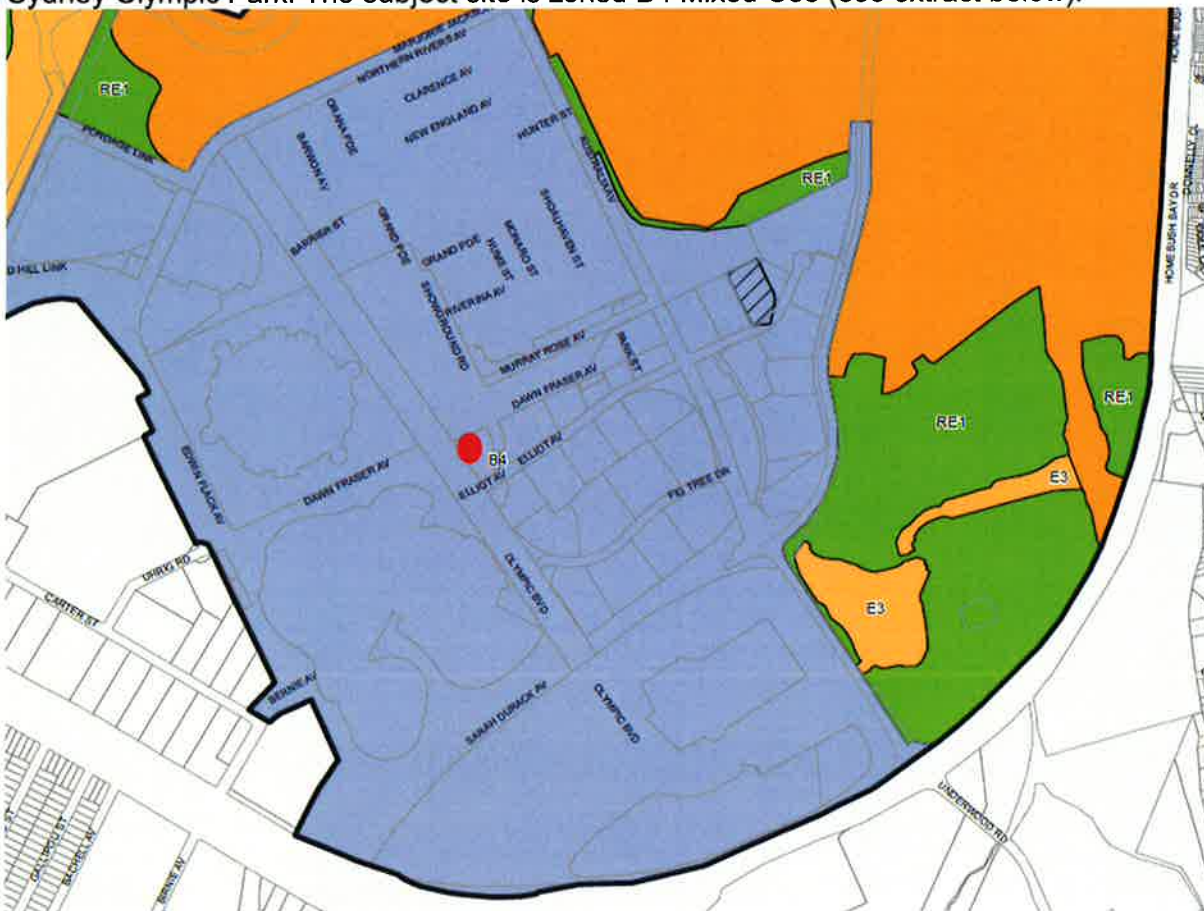
6 Assessment

The application has been assessed against the relevant heads of consideration set out under Section 79C (1) of the Act, which requires a consent authority, in determining a development application, to take into consideration the provisions of:

6.1 Environmental Planning Instruments

6.1.1 State Environmental Planning Policy (Major Development) 2005

Schedule 3 – Part 23 of SEPP MD 2005 provides the zoning and development controls for Sydney Olympic Park. The subject site is zoned B4 Mixed Use (see extract below).



Extract of Zoning Map – SEPP MD 2005

The relevant provisions of the SEPP are addressed in Table 1 below:

Table 1 SEPP Major Development – Planning Provisions

Clause	Response	Compliance x/✓/N/A
(9) Zone B4 Mixed Use	The proposal is permissible with consent and is consistent with the zone objectives.	✓
(23) Public infrastructure	The proposed signage does not require any augmentation of utility services.	✓
(24) Major event capability	The signage will have no substantive impact on the major event capability at SOP. Indeed it could reasonably be assumed to have a positive impact in that it will assist with	✓

Clause	Response	Compliance x/✓/N/A
	way-finding and site identification.	
(25) Transport	The proposed signage has no direct impact on transport.	N/A
(26) Master Plan (Note: MP 2030 is a deemed DCP and is also considered for the purposes of S79C(1)(a)(iii)).	The proposed development is generally consistent with the principles and controls set out in MP2030.	✓
(29) Development in a conservation area	The subject site is not located in a conservation area.	N/A
(30) Design excellence	The proposed signage is considered acceptable.	N/A
(31) Heritage Conservation	The subject site is located within the vicinity of a heritage conservation area (Abattoir Precinct), and a Heritage Impact Statement has accompanied the DA. It is considered that the proposed development will not adversely impact the integrity of the HCA.	N/A

6.1.2 State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 64 – Advertising & Signage (SEPP 64) regulates signage and advertising across the State and aims to ensure compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

The proposed signage is considered to fall within 2 types / category of signage, defined under the SEPP as follows:

- **Building identification sign** means a sign that identifies or names a building, and that may include the name of a business or building, the street number of a building, the nature of the business and a logo or other symbol that identifies the business but that does not include general advertising of products, goods or services. It is anticipated that the logo of the Novotel/Ibis/Accor will appear on the digital display; and
- **Advertisement** means signage to which Part 3 applies and includes any advertising structure for the advertisement. The digital display constitutes an advertisement for the purposes of the SEPP.

The consent authority must not grant development consent to display signage unless it is satisfied (cl.8):

- that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and
- that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.

The objectives of the SEPP set out at clause 3(1)(a) are:

- 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,*

The proposed signage is considered to be consistent with the aims and objectives of the SEPP, as they:

- are consistent with the land use objectives of the B4 Mixed Use zone;
- are of a high standard of design and finish;
- will assist with way-finding / site identification within the Central Precinct and across the broader Sydney Olympic Park;
- will provide clear and effective communication of upcoming events;
- are compatible with the visual character and amenity of the area, having regard to the context within Sydney Olympic Park and the Central Precinct; and
- will not manifest in any substantive adverse environmental impact in terms of view loss, heritage or general loss of amenity.

Part 3 of the SEPP provides a series of controls with respect to advertising. Clause 13 sets out the following further matters for a consent authority to consider prior to granting consent to an application to which the SEPP applies:

(a) is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and

Comment: As discussed above, the proposed signage is considered to be consistent with the aims and objectives of the SEPP.

(b) has been assessed by the consent authority in accordance with the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and

Comment: The SEE submitted with the DA has addressed the Schedule 1 assessment criteria, and this is considered acceptable.

(c) satisfies any other relevant requirements of this Policy.

Comment: As discussed above, the proposed signage satisfies the criteria under Schedule 1 of the SEPP.

Clause 22 of the SEPP relates to wall advertisements and subclause 22 (1) stipulates that only one wall advertisement may be displayed per building elevation. Subclause (2) sets a number of criteria that must be met for a consent authority to grant consent. These criteria are discussed in the Table below:

Table 2 SEPP 64 – Wall Advertisements Clause 22(2)

Clause 22(2) – Wall Advertisements		
Criteria	Comment	Compliance
(a) the consent authority is satisfied that the advertisement is integrated with the design of the building on which it is to be displayed, and	The proposed sign is to be located / integrated on an existing concrete pillar	Yes
(b) for a building having an above ground elevation of 200m ² or more -	The size of the advertisement is considered acceptable relative to the	Yes

advertisement does not exceed 10% of the above ground elevation, and	existing Hotel building.	
Criteria	Comment	Compliance
(c) the advertisement does not protrude more than 300mm from the wall, unless occupational health and safety standards require a greater protrusion, and	Details of the method of fixing will be provided as part of CC, however it is recommended that a condition be included in any consent issued which ensures compliance in this regard.	Yes
(d) the advertisement does not protrude above the parapet or eaves, and	All proposed signage is below the level of the parapet / eaves of the existing hotel building.	Yes
(e) the advertisement does not extend over a window or other opening, and	None of the proposed signage obscures any windows or other openings in the building façade.	Yes
(f) the advertisement does not obscure significant architectural elements of the building, and	The advertisement does not obscure significant architectural elements of the building. The proposal will provided visual interest to a blank concrete pillar and will contribute to the legibility of the precinct by providing a welcome sign for the Novotel Hotel.	Yes
(g) a building identification sign or business identification sign is not displayed on the building elevation.	The proposed signage is not displayed on the Hotel building's façade.	Yes

Having regard to the preceding assessment, the proposed signage is considered to be acceptable when assessed against the applicable SEPP 64 criteria.

6.2 Development Control Plans

Sydney Olympic Park Master Plan 2030 (MP 2030) was approved by the Minister for Planning & Infrastructure in accordance with Section 18(4) of the *Sydney Olympic Park Authority Act 2001* and came into effect on the 10 March 2010.

MP 2030 is a deemed DCP and is considered here for the purposes of Section 79C(1)(c).

The proposed development is considered to be consistent will the general controls and guidelines of MP 2030 as they apply to the Central Precinct.

6.3 Urban Elements Design Manual

Section 3.6 of the UEDM makes specific comment in relation to LED display signage as follows:

"...red wavelengths are not as easily seen as yellow and green wavelengths, therefore all information displayed on LEDs is to be yellow. Dynamic characters are to be suitable for outdoor use and provide superior colour luminance contrast. Night time and overcast conditions will require stepped lighting of the sign panel."

Comment: the illumination intensity and colour /content is capable of being varied depending on ambient lighting conditions.

Having regard to the above the proposal is considered to be consistent with the relevant provisions of the UEDM.

6.4 Outdoor Advertising Guidelines 2002

The objectives of SOPA's Guidelines for Outdoor Advertising, Identification and Promotional Signage are designed to ensure that signage is compatible with and contributes to the desired character of SOP; provides effective communication and way finding in suitable locations; and is of high quality design and finish.

In this regard, the proposed signage is considered to be consistent with the Guidelines on the basis that:

- the business identification sign will assist with way finding in the Town Centre during both daylight and night time hours;
- the digital display will provide visitor information;
- the signage will not dominate the building structure / façade;
- the signage does not detract from the safety of drivers using local roads (see discussion below).

6.5 Advertisements and Road Safety

Section 3 of the RMS *Transport Corridor Outdoor Advertising and Signage Guidelines* (TCOASG) sets out the various road safety criteria. The Statement of Environmental Effects which accompanies the DA includes an assessment of the proposal against these provisions and satisfactorily demonstrates that the signage as proposed will not compromise road safety, particularly having regard to the following mitigating factors:

- the local roads in this part of SOP cater for low traffic volumes and when major events occur the local roads are generally closed to traffic;
- the signage provides a way finding function which is considered to be a positive element in the public domain;
- illumination is solely directed towards the display area with minimal light spill;
- the intensity of the illumination can be adjusted to take account of ambient light conditions.
- the sign is not located within the vicinity of any traffic lights and will not mimic or imitate a traffic control device, not instruct drivers to perform an action; or not invite traffic to act contrary to any traffic control device.
- The display is to be completely static from its first appearance to the commencement of a change to another display. The items which will be displayed on the digital screen will contain no moving text or objects or film.

6.6 Draft Environmental Planning Instruments

There are no draft EPIs that are applicable to Sydney Olympic Park.

6.7 Planning Agreements

There are no planning agreements that are applicable to this application.

6.8 Prescribed matters EP&A Regulation 2000

The proposed development is able to comply with prescribed matters of the *Environmental Planning and Assessment Regulation 2000* subject to fulfilment of conditions of consent.

6.9 Impact of the Development

Having regard to the SEE, it is considered that the proposed development is unlikely to adversely affect the natural, social or economic environment, subject to the imposition of appropriate conditions of consent.

6.10 Suitability of the Site for the Development

Having regard to the urban context and the character of the locality, it is considered that the site is capable and suitable to accommodate the proposed development.

6.11 Public Notification & Submissions

The application did not require public exhibition or notification and no submissions have been received.

6.12 The Public Interest

The proposal is considered to be in the wider public interest as it:

- is consistent with the in-force provisions and controls of the principal environmental planning instrument applying to the land contained with *State Environmental Planning Policy (Major Development) 2005 & SEPP 64*;
- is consistent with the aims, objectives and relevant provisions of the Sydney Olympic Park Master Plan 2030;
- will assist with way-finding within SOP and the Central Precinct; and
- would not result in any substantive adverse environmental affects (subject to compliance with recommended conditions of consent).

7 Conclusion and Recommendations

7.1 Conclusions

The application has been considered with regard to the matters raised in section 79C of the EP&A Act. The proposed development is considered to be acceptable, in the wider public interest and is **recommended for approval** subject to conditions.

7.2 Recommendation

- A. Consider all relevant matters prescribed under Section 79C of the EP&A Act, as contained in the findings and recommendations of this report;
- B. Determine that the development application be approved subject to conditions pursuant to Section 80(1) and 80(A) of the EP&A Act, having considered the relevant matters in accordance with (A) above;
- C. Authorise Sydney Olympic Park Authority to carry out post-determination notification pursuant to Section 81 of the EP&A Act.

Prepared by



Planner

Date: 29/7/2015

Reviewed & Endorsed by



Chief Executive Officer

Date: 29/7/2015