

Development Consent

Section 80 of the *Environmental Planning and Assessment Act 1979*

I, the Chief Executive Officer of the Sydney Olympic Park Authority, pursuant to section 80(1) and 80(A) of the *Environmental Planning and Assessment Act 1979*, Clause 22 of the *Sydney Olympic Park Authority Act 2001*, and in accordance with the delegations invested to my office by the Minister for Planning, grant development consent to the development referred to in **Schedule 1**, subject to the conditions in **Schedule 2**.

These conditions are required to prevent, minimise, and/or offset adverse environmental impacts.



Alan Marsh
Chief Executive Officer
Sydney Olympic Park Authority

Date: 1 APRIL 2016

Ref: DA 16-12-2015
(File No. F15/00982)

SCHEDULE 1

Development Application:	DA 16-12-2015
Application made by:	oOh! Media Assets Pty Ltd
To:	Sydney Olympic Park Authority (the Authority)
In respect of:	Lot 2004 DP 1192085
For the following:	Digital conversion of an existing advertising structure
Determination:	Consent granted subject to conditions in the attached Schedule 2
Date of commencement of consent:	This development consent commences on the date identified in the formal notification letter accompanying the Notice of Determination
Advisory Notes	<p>The Applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities as relevant.</p> <p>The Applicant has right to appeal to the Land and Environment Court in the manner as set out in the <i>Environmental Planning and Assessment Act 1979</i>, and the <i>Environmental Planning and Assessment Regulation 2000</i> (as amended)</p>

SCHEDULE 2
CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION No. 16-12-2015

PART A – ADMINISTRATIVE CONDITIONS

A1 Development Description

Development Consent is granted only to carrying out of the development as described in, and on the land referred to, in **Schedule 1** above.

Note: The conditions of this consent do not relieve the applicant of its obligations under the *Environmental Planning and Assessment Act 1979*, and any other Act.

A2 Development in Accordance with Plans & Documentation

The development shall be undertaken in accordance with the following approved documents:

Site Plans, Elevations and Photomontages prepared by Blue Sky Design:		
Drawing Ref	Name of Plan	Date
Sheet 1 of 3	Australia Avenue Site Plan	04.08.2015
Sheet 2 of 3	Australia Avenue Site Elevation	04.08.2015
Sheet 3 of 3	Structure Elevation	04.08.2015
Statement of Environmental Effects entitled 'Digital Conversion of an Existing Advertising Structure Sydney Olympic Park', as prepared by Urban Concepts, dated November 2015 (including all appendices)		

except for:

1. any modifications as may be necessary for the purpose of compliance with the Building Code of Australia (BCA) and any Australian Standard (AS) incorporated in the BCA;
2. otherwise provided by the Conditions of this Approval;
3. otherwise as necessary to comply with other NSW and Commonwealth legislation as relevant.

A3 Inconsistency between documents

In the event of any inconsistency between Conditions of this Consent and the details referred to in Condition No. A2, the Conditions of this Consent prevail to the extent of the inconsistency.

A4 Lapsing of Consent

This consent will lapse five (5) years of determination date of DA 16-12-2015, unless the development has physically commenced.

A5 Advertisements – Dwell Time Trial Period

- (a) The dwell time of advertisements displayed on the LED screen are subject to a 12 month trial period. The purpose of the trial period is to:
- facilitate the transition between static and digital signage and allow drivers to adjust to the new technology; and
 - enable the Authority to review the performance of the sign and if necessary, amend the dwell times to ensure the continued safe operation of the roundabout and surrounding road network.

- (b) The trial period commences from the commencement of operation of the sign and concludes after 12 months. The Applicant shall provide the Authority with a written notice of the date of commencement of operation of the LED screen.
- (c) Static digital advertisements are to be displayed on the digital LED screen for a minimum dwell time of 90 seconds for the first 6 months of operation.
- (d) At the conclusion of the initial 6 month period, the dwell time shall be reduced to a minimum 25 seconds.
- (e) Prior to the conclusion of the 12 month trial period (no more than 1 month from the end date), the Applicant must seek:
 - (i) The Authority's written approval to continue operating the LED screen in the manner outlined for the dwell time (Condition A5(d)), transition time (Condition A6) and the permitted luminance levels of the LED screen (Condition A14); or
 - (ii) In the event that new Adopted Signage Guidelines are released within the 12 month trial period which establish different operating parameters for the dwell time (Condition A5(d)), transition time (Condition A6) and the permitted luminance levels of LED screen (Condition A14), the Authority's written approval for the ongoing use of the LED screen consistent with the Adopted Signage Guidelines. Any consideration of the request will take into consideration any information provided by the Applicant regarding the operation of the LED screen across the entire trial period, as well as the relevant Adopted Signage Guidelines.

To avoid doubt, provided the Applicant lodges the request at least 1 month from the conclusion of the trial period, the Applicant can continue to operate the sign beyond the trial period at the operating parameters in Conditions A5(d), A6 and A14 until it obtains the Authority's written approval referred to in (i) and (ii) above.

Note 1: The dwell times indicated above are subject to an appropriate landscape treatment with adequate foliage density being provided prior to the commissioning of the sign to ensure that sightlines of the sign from the roundabout is minimised.

A6 Advertisements – Transition Time

The transition time between different static digital advertisements displayed on the screen must be no longer than 0.1 second.

A7 Advertisements Generally

Advertisements displayed on the LED advertising screen must be in accordance with the guidelines for sign content outlined in Section 3.4 of the *Transport Corridor Outdoor Advertising and Signage Guidelines*, dated July 2007.

A8 Advertisements – Static Advertisements

Advertisements displayed on the LED advertising screen must be displayed in a completely static manner, without any motion, for the approved dwell times specified in Condition A5.

A9 Advertisements – Message Sequencing

Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.

A10 Advertisements – Traffic Control Device or Driving Instructions

Advertisements displayed on the LED advertising screen must not be capable of being mistaken:

- (i) for a prescribed traffic control device because it has, for example, red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device; or
- (ii) as text providing driving instructions to drivers.

A11 Advertisements – Dazzle or Distract Drivers

Advertisements displayed on the LED advertising screen must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content.

A12 Advertisements – Text

Advertisements displayed on the LED advertising screen must minimise the amount of text and information displayed (for example no more than a driver can read at a short glance). Text should preferably be displayed in the same font and size (Condition A7 provides further guidance).

A13 Display of SOPA Messages

The LED advertising screen shall be available to SOPA for 5% of all advertising time each year for the promotion of community and associated events being held at Sydney Olympic Park.

A14 Permitted Luminance Levels

The luminance levels of the LED advertising screen must comply with Australian Standard AS 4282-1997 Control of the obtrusive effects of outdoor lighting, and the below table:

Lighting Conditions	Permitted Luminance
Full Sun on Face of LED Advertising Screen	Max Output (7000 cd/m ²)
Day Time Luminance	6000 cd/m ²
Morning and Evening, Twilight and Inclement Weather	700 cd/m ²
Night time	350 cd/m ²

Note: Luminance means the objective brightness of the surface of the screen as measured by a photometer, expressed in candelas per square meter (cd/m²).

A15 Electronic Log

An electronic log of the signs activity must be maintained by the operator for the duration of the development consent and be available to the consent authority and/or RMS to allow a review of the signs activity in case of a complaint.

A16 Development near Busy Roads

The sign must comply with all requirements of the NSW Department of Planning “*Development Near Rail Corridors and Busy Roads –Interim Guidelines, December 2008*” (DNRCBR 2008).

A17 Wind Loading

The approved sign must meet wind loading requirements as specified in Australian Standard AS 1170.1 and AS 1170.2.

A18 Reflectivity

The visible light reflectivity from the proposed LED screen and materials used on the signage structure shall not exceed 20 per cent and shall be designed so as to minimise glare.

A19 Supplementary Landscape Treatment

A detailed Landscape Plan shall be prepared and submitted to the Authority's General Manager, Operations and Sustainability for approval prior to issue of any Construction Certificate. The plan shall:

- (i) detail proposed planting on the embankment directly in front of the sign and shall incorporate super advanced plant stock that will achieve mature heights of between 6 and 8 metres; and
- (ii) ensure unobstructed access is maintained at the base of the advertising structure to facilitate maintenance.

A20 Prescribed Conditions

The Proponent shall comply with the prescribed conditions of development consent under Part 6, Division 8A of the *Environmental Planning and Assessment Regulation 2000*.

PART B – PRIOR TO COMMENCEMENT OF WORKS

B1 Construction Certificate

A Construction Certificate is to be issued for the work by an accredited certifier in accordance with the requirements set out in Section 81A of the *Environmental Planning and Assessment Act 1979*.

B2 Principal Certifying Authority

The new building work is not to commence until a Principal Certifying Authority (PCA) has been appointed for the new building work as set out in Section 81A of the *Environmental Planning and Assessment Act 1979*.

B3 Structural Details

The proposed replacement works are to be designed, carried out and installed in accordance with the Consulting Structural Engineers requirements.

B4 Operations Management Plan / Maintenance Plan

The Applicant shall prepare a detailed Operations Management Plan which details the maintenance regime for the advertising structures and shall include, but not be limited to the following matters:

- 1) Frequency of maintenance checks / works
- 2) Number of persons required to execute the works
- 3) Number and nature of vehicles involved in the maintenance
- 4) Identification of parking locations at each site for maintenance vehicles which ensures that there is no impediment to the movement of traffic or pedestrians in the vicinity
- 5) Notification protocol between the operators of the signage and the Authority to ensure that maintenance works do not conflict with major events.

The Plan shall be submitted to and approved by the Authority's Operations Manager prior to the issue of a Construction Certificate. The Plan will form part of any contract with the Authority.

B6 Compliance Report

Prior to the issue of a Construction Certificate, the Applicant, or any party acting upon this consent, shall submit to the Authority a report addressing compliance with all relevant conditions of this consent.

PART C – DURING CONSTRUCTION

C1 No Obstruction of Public Way

The public way and road reserves must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances unless this occurs in accordance with a Works Permit. Non-compliance with this requirement will result in the issue of a Notice by the Authority to stop **all** work on the site.

Note: Further information about Work Permits can be obtained from www.sydneyolympicpark.com.au.

C2 Work Health and Safety Act 2011

All works are to be carried out in accordance with the *NSW Work Health and Safety Act 2011*.

C3 Development in accordance with the Building Code of Australia

The Billboard conversion is to be in accordance with the provisions of the current *Building Code of Australia* (BCA) and any relevant adopted *Australian Standards*, including but not limited to:

1. Compliance in accordance with the requirements of "Section J Energy Efficiency" of the *Building Code of Australia*,
2. Compliance requirements in accordance with AS 1170 series for structural stability and adequacy, AS 3000 Australian Wiring Standard, AS/NZS 1158.3.1:2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.

Note: Sufficient information must be forwarded to the certifying authority illustrating compliance with the relevant requirements of the *Building Code of Australia* and adopted *Australian Standards*. Sufficient information may include but not limited to, reports or certifications issued by an appropriately qualified person. Please contact your relevant certifying authority to discuss requirements prior to submission of the application for construction and occupation certificate.

C4 Hours of Work

The hours of construction, including the delivery of materials to and from the site, shall be restricted as follows:

- (1) Between 7:00 am and 6:00 pm, Mondays to Fridays (inclusive);
- (2) Between 7:00 am and 1:00 pm, Saturdays;
- (3) No work on Sundays and Public Holidays.

Works may be undertaken outside these hours where:

- (i) The delivery of materials is required outside these hours by the Police or other authorities; or
- (ii) It is required in an emergency to avoid the loss of life, damage to property and/or to prevent adverse environmental harm; or
- (iii) The work is approved by the Authority's General Manager, Operations and Sustainability.

C5 Waste Management During Construction

- a) Prior to the commencement of any works on the Subject Site, a Construction Waste Management Plan shall be prepared by a suitably qualified person in consultation with the Authority, shall be submitted to the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- i. Recycling of demolition materials including concrete; and
 - ii. Removal of hazardous materials and disposal at an approved waste disposal facility in accordance with the requirements of the relevant legislation, codes, standards and guidelines, prior to the commencement of any building works.
- b) Details demonstrating compliance with the relevant legislative requirements, associated with the removal of hazardous waste, particularly the method of containment and control of emission of fibres to the air, are to be submitted to the satisfaction of the Certifying Authority prior to the removal of any hazardous materials.
- c) The Applicant shall submit a copy of the Plan to the Authority, prior to commencement of work.
- d) The Applicant must notify the Roads and Maritime Services Traffic Management Centre (TMC) of the truck routes(s) to be followed by trucks transporting waste material from the Subject Site, prior to the commencement of the removal of any waste material from the Subject Site.

C6 Approved Plans to be On-Site

A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification shall be kept on the Subject Site at all times and shall be readily available for perusal by any officer of the Authority or the Certifying Authority.

PART D – CONDITIONS TO BE SATISFIED PRIOR TO COMMENCEMENT OF THE USE

D1 Occupation Certificate

An Occupation Certificate is to be issued by the Principal Certifying Authority (PCA) upon completion of the new replacement works in accordance with the requirements of Section 109H and 109M of the Environmental Planning and Assessment Act 1979.

PART E – CONDITIONS TO BE SATISFIED DURING THE OPERATION AND USE THE DEVELOPMENT

E1 Maintenance

Regular maintenance of the signage structures shall be undertaken in accordance with the approved Operational Management Plan.

E2 Outdoor Lighting

All lighting shall comply with AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Details demonstrating compliance with these requirements are to be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate.

PART F – ADVISORY MATTERS

F1 Use of mobile cranes

The Applicant shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to commencement of works. In particular, the following matters must be complied with to the satisfaction of the PCA:

- a) For special operations including the delivery of materials, hoisting of plant or equipment and the like which warrant the on-street use of mobile cranes, permits must be obtained from the Authority:
 - (i) At least 48 hours prior to the works for partial road closures which in the opinion of the Authority will create minimal traffic disruptions; and
 - (ii) At least 4 weeks prior to the works for full road closures or partial road closures which in the opinion of the Authority will create significant traffic disruptions.
- b) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of the Authority.