

Wollongong Local Planning Panel Assessment Report | 14 September 2021

WLPP No.	Item No. 4
DA No.	DA-2021/384
Proposal	Signage - LED signage board
Property	Coledale Public School, 699 Lawrence Hargrave Drive, Coledale
Applicant	Mr Greg Barnes
Responsible Team	Development Assessment and Certification - City Wide Team (BM)
Prior WLPP meeting	No

ASSESSMENT REPORT AND RECOMMENDATION

EXECUTIVE SUMMARY

Reason for consideration by Local Planning Panel - Determination

The proposal has been referred to the WLPP **for determination** pursuant to part 2(b) of Schedule 2 of the Local Planning Panels Direction as the application is the subject of 10 or more unique submissions by way of objection.

Proposal

This proposal is for the Installation of an LED Electronic School Sign replacing the existing sign located on school grounds.

Permissibility

The proposed sign is a permissible use in the E4 Environmental Living zone. It is noted that as the sign is illuminated it is not exempt development under the provisions of State Environmental Planning Policy (Exempt and Complying Development) 2007.

Consultation

The proposal was exhibited in accordance with Wollongong Community Participation Plan 2019. Eleven (11) submissions were received during this period.

The submissions received are discussed at section 1.5 of the assessment report.

Internal

Details of the proposal were referred to Council's Traffic engineer and satisfactory comments were provided.

External

Details of the proposal were referred to Transport for NSW (TfNSW) who have provided satisfactory comments.

Main Issues

No major issues identified except for the number of submissions received after exhibition.

Recommendation

It is recommended that DA-2021/384 be **approved** subject to conditions within Attachment 2.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies:

- SEPP No. 55 – Remediation of Land
- SEPP (Coastal Management) 2018
- SEPP No. 64 – Advertising Signs

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2018
- Wollongong Community Participation Plan 2019

The proposal is satisfactory with regard to the applicable planning controls as discussed in the body of this report.

1.2 DETAILED DESCRIPTION OF PROPOSAL

The proposal comprises the following:

A digital display sign (1.6m x 0.96m) to replace the existing signage. Sign is to be located approximately 25m from the intersection of Lawrence Hargrave Dr and Rawson St. The hours of operation of the illuminated sign is proposed between 6am – 6pm with no flashing lights or message change. The information on the sign displays the school community information on the happenings coming up at school eg, kindergarten orientation days, swimming carnivals, Coledale markets etc.,

As the applicant is the Department of Education and Training and in accordance with s.4.33(1)(b) of the Environmental Planning and Assessment Act, 1979 consent cannot be granted without the concurrence of the applicant. Draft conditions were forward to the applicant on 23 July 2021 and concurrence to the imposition of the conditions was provided by the applicant on the same day.

1.3 BACKGROUND

Application Number	Description	Decision	Decision Date
DE-2009/98	New library building and refurbishment of existing school buildings	None	19-Jun-2009
PC-2009/663	Construction of Library, retaining wall and associated works.	Approved	07-Oct-2009
DE-2013/166	Demountable classroom	None	18-Sep-2013
DE-2013/195	Demountable classroom installation	None	19-Nov-2013
DA-2014/285	Monthly market to be held on 4th Sunday of the month (excluding December) and one twilight market in December	Approved	27-Jun-2014
DA-2014/285/A	Monthly market to be held on 4th Sunday of the month (excluding December) and one twilight market in December Modification A - amend condition 2 to extend consent period	Approved	16-Jun-2015
DA-2017/1184	Monthly market to be held on fourth (4th) Sunday each month	Approved	15-Nov-2017
DA-2021/384	Signage - LED signage board		

No pre-lodgement meeting was held for the proposal.

Customer service actions

There are no outstanding customer service requests of relevance to the development.

1.4 SITE DESCRIPTION

The site is of Coledale Public School at 699 Lawrence Hargrave Drive, COLEDALE NSW 2515 and the title reference is Lot 1 DP 782714. The site is irregular in shape and moderately slopes to the southern side. The school site located at the ocean front is surrounded by residential development to the west across the street. Across Rawson street to the south is a Child Care Centre. Coledale Market is being currently operated on the school playing fields to the north adjoining the RE1 zone where the Coledale Surf Club is situated.

Property constraints

- Council records identify the land as being:
 - coastal zone geotechnical risk
 - unstable land
 - foreshore building line
 - acid sulfate soils class 5
 - natural resource sensitivity

There are no restrictions on the title.



Figure 1: Aerial photograph

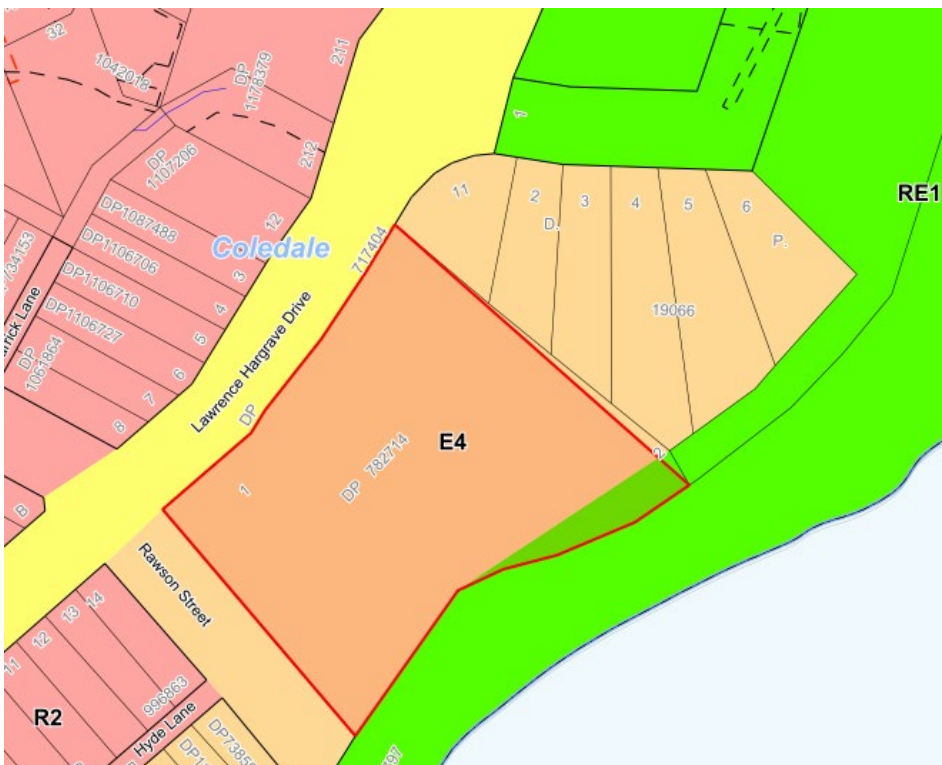


Figure 2: WLEP 2009 zoning map



Figure3: Site photographs

1.5 SUBMISSIONS

The application was notified in accordance with Wollongong Community Participation Plan 2019. Eleven (11) submissions were received. The issues identified are discussed below

Table 1: Submissions

Concern	Comment
<p>1. Impacts of illuminated LED signage</p> <p>Concerns that illumination will have impacts to residents, neighbourhood and natural environment, distractions to traffic and dangerous to drivers.</p>	<p>Additional information submitted by the applicant has stated that there will be no flashing lights, or message change during the course of operation between 6am – 6pm. The information on the sign would be school community information.</p> <p>However hours of operation is restricted between 7am and 7pm as part of the recommended conditions. This timeframe is considered reasonable as potential impacts to the residents from the illumination is minimal between these hours. Condition recommended also include for the brightness level to be controlled so as to minimise impacts of passing traffic and residential properties opposite the school with no flashing lights.</p> <p>Council's Traffic Engineer and TfNSW has reviewed the proposal. Comments provided did not raise significant safety concerns and were found satisfactory subject to conditions of consent.</p> <p>Proposal is considered worthy to support being within the school compound displaying school community information.</p>
<p>2. Operating hours and information displayed</p>	<p>Hours of operation is to be restricted between 7am and 7pm as part of the recommended conditions to minimise potential impacts to the residents opposite to the school and ongoing traffic.</p>
<p>3. Incorrect information withing the Statement of Environmental Effects (SOEE) and lack of Management Plan</p>	<p>Whilst the errors within the SOEE are noted the proposal assessed against the applicable SEPP's and Council's standards and controls is considered satisfactory with the recommended conditions of consent. Submission of a Management Plan is not considered necessary in this instance.</p>
<p>4. Signage unnecessary, waste of resources and out of place</p>	<p>The proposed signage is to replace the school sign currently existing on the site. No adverse visual impact is expected with the restricted operating hours to the locality.</p>

Table 2: Number of concerns raised in submissions

Concern	1	2	3	4
Frequency	7	4	1	5

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Traffic

Council's Traffic Engineer has reviewed the proposal raised no objections and provided following comments,

"The proposed sign would be located within the school grounds (outside of the road reserve) and therefore would not impact on vehicle or pedestrian sight distance.

It is understood that the sign will not include flashing lights or message changes during daytime operation which is expected to be between 7am and 6pm.

It is considered that wording on an electronic notice board within the school grounds that does not include message changes would be no more of a distraction than a standard billboard sign.

It should be noted that under the road rules, it is the responsibility of all drivers to focus on the road environment, taking due care and attention of pedestrians, cyclists and other vehicles.

It should also be noted that during school pick up and drop off times, school zones will be in operation which will slow vehicles to safer speeds."

1.6.2 EXTERNAL CONSULTATION

Transport for New South Wales (TfNSW)

Lawrence Hargrave Drive is considered a key State Road under the control of TfNSW. The proposal was referred to TfNSW. Comments received informed that the signage does not fall under Part 3 Clause 18 of SEPP64 and is a matter for Council to be considered. TfNSW recommends Council ensure the application complies with Chapter 3 of the Transport Corridor Outdoor Advertising and Signage Guidelines considering the requirements for digital display signs.

Comment:

The proposal is assessed as to being in compliance with the above Guidelines.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – 4.15 EVALUATION

2.1 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT

2.1.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

A desktop audit of previous land uses does not indicate any historic use that would contribute to the contamination of the site. There are no major earthworks proposed and the proposal does not comprise a change of use. No concerns are raised in regard to contamination as relates to the intended use of the land and the requirements of clause 7.

2.1.2 STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING AND SIGNAGE

The proposed sign is considered to be satisfactory with regard to the aims of this policy and the assessment criteria in Schedule 1 as follows:

1 Character of the area

- *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?*

Y

- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

Y

2 Special areas

- *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?*

N

3 Views and vistas

- *Does the proposal obscure or compromise important views?*

N

- *Does the proposal dominate the skyline and reduce the quality of vistas?*

N

- *Does the proposal respect the viewing rights of other advertisers?*

Y

4 Streetscape, setting or landscape

- *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*

Y

- *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*

Y

- *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*

NA replaces existing signage

- *Does the proposal screen unsightliness?*

NA

- *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*

N

- *Does the proposal require ongoing vegetation management?*

N

5 Site and building

- *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?*

Y

- *Does the proposal respect important features of the site or building, or both?*

Y

- *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*

Y

6 Associated devices and logos with advertisements and advertising structures

- *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?*

Y

7 Illumination

- *Would illumination result in unacceptable glare?*
N
- *Would illumination affect safety for pedestrians, vehicles or aircraft?*
N (However conditions recommended to be imposed restricting the operating hours and illumination level controls)
- *Would illumination detract from the amenity of any residence or other form of accommodation?*
N (However conditions recommended to be imposed restricting the operating hours and illumination level controls)
- *Can the intensity of the illumination be adjusted, if necessary?*
Y (Condition imposed)
- *Is the illumination subject to a curfew?*
Y – Conditions of consent recommended to be imposed.

8 Safety

- *Would the proposal reduce the safety for any public road?*
N
- *Would the proposal reduce the safety for pedestrians or bicyclists?*
N
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?
N

2.1.3 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

3. Aims of Policy

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by:

- (a) managing development in the coastal zone and protecting the environmental assets of the coast, and*
- (b) establishing a framework for land use planning to guide decision-making in the coastal zone, and*
- (c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.*

Division 1 Coastal wetlands and littoral rainforests area

10 Development on certain land within coastal wetlands and littoral rainforests area

Comment: The subject site is not identified within the SEPP maps as containing coastal wetlands or littoral rainforest areas. As such, this part does not apply to the subject development.

11 Development on land in proximity to coastal wetlands or littoral rainforest

- (1) Development consent must not be granted to development on land identified as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on—*

- (a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or*
 - (b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.*
- (2) This clause does not apply to land that is identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map.*

Comment:

The subject site is located within the Coastal wetlands proximity area, therefore this clause applies to the proposal. The development is not expected to result in adverse impacts on the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland.

Division 2 Coastal vulnerability area

Comment: At the commencement of this Policy, no Coastal Vulnerability Area Map was adopted and therefore no coastal vulnerability area has been identified. As such, this part does not apply to the subject development.

Division 3 Coastal environment area

13 Development on land within the coastal environment area

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

Comment: The proposal is located within the Coastal Environment Area. The proposal is not expected to negatively impact on the objectives of this clause or the values of the Coastal Environment Area.

The development is not expected to result in adverse impacts on the integrity and resilience of the ecological environment, the coastal environmental values, natural processes, water quality, marine vegetation, habitats or headlands or rock platforms, public open space and access to that public open space, aboriginal cultural heritage or the use of the surf zone.

(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Comment: The proposal is sited to avoid potential impacts to the coastal environment.

(3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

Comment: The subject site is not located within the Foreshores and Waterways Area.

Division 4 Coastal use area

14 Development on land within the coastal use area

(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:

(a) has considered whether the proposed development is likely to cause an adverse impact on the following:

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
- (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
- (iv) Aboriginal cultural heritage, practices and places,*
- (v) cultural and built environment heritage, and*

(b) is satisfied that:

- (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
- (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*

(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

Comment: The proposed signage would not be likely to cause an adverse impact on access to the foreshore area, any overshadowing of the foreshore area, impacts on the visual amenity of the coast, Aboriginal cultural heritage or cultural or built environmental heritage.

(2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

Comment: The subject site is not located within the Foreshores and Waterways Area.

Division 5 General

15 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

Comment: Council is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on the subject land or any other land.

16 Development in coastal zone generally—coastal management programs to be considered

Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.

Comment: On 30 October 2017, Council endorsed the final draft of the Wollongong Coastal Zone Management Plan for resubmission to the NSW Minister for Environment for certification. The draft Plan was certified on 20 December 2017. This Plan identifies that the site is affected by Geotechnical risk, and the site has been subsequently mapped according and considered as discussed throughout this report. There are no other provisions of the Plan which apply to the subject land.

18 Hierarchy of development controls if overlapping

If a single parcel of land is identified by this Policy as being within more than one coastal management area and the development controls of those coastal management areas are inconsistent, the development controls of the highest of the following coastal management areas (set out highest to lowest) prevail to the extent of the inconsistency:

(a) the coastal wetlands and littoral rainforests area,

(b) the coastal vulnerability area,

(c) the coastal environment area,

(d) the coastal use area.

Comment: The subject site is located within the Coastal Environmental areas. There is no inconsistency between the controls as discussed above.

NSW Coastal Management Act 2016 and Wollongong Coastal Zone Management Plan

A review of Council's associated CZMP coastal hazard mapping extents identifies that the subject site is impacted by geotechnical risk.

Minimal adverse impact on the coastal environment is anticipated as a result of the proposed development.

Minimal adverse impacts on the development are expected as a result of coastal processes

The proposal is therefore considered satisfactory with regard to the aims outlined in clause 3 of the Plan and the matters outlined for consideration.

2.1.4 STATE ENVIRONMENTAL PLANNING POLICY (KOALA HABITAT PROTECTION) 2020

The City of Wollongong is identified within Schedule 1 as land to which this Policy applies. Wollongong is located within the South Coast Koala Management Area.

The Koala SEPP only applies to development applications considered by councils on land over 1 hectare in size or on land if it is included in an approved council Koala Plan of Management. The lot size is less than one hectare and Council does not have an approved Koala Plan of Management for the land at the time of preparing this report. As such, no further consideration of this SEPP is required.

2.1.5 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned E4 Environmental Living and partly RE1 Public Recreation.

The signage is to be located wholly within the E4 zone.

Clause 2.3 – Zone objectives and land use table

Zone E4 Environmental Living

The objectives of the zone are as follows:

- *To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.*
- *To ensure that residential development does not have an adverse effect on those values.*

The proposal is satisfactory with regard to the above objectives.

The land use table permits the following uses in the zone.

*Bed and breakfast accommodation; **Business identification signs**; Community facilities; Dwelling houses; Environmental facilities; Environmental protection works; Home-based child care; Home businesses; Home industries; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Roads; Secondary dwellings; Tank-based aquaculture*

The proposal is considered a Business Identification sign as defined below and is permissible in the zone with development consent

Clause 1.4 Definitions

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

- (a) an advertising structure,
 - (b) a building identification sign,
 - (c) a business identification sign,
- but does not include a traffic sign or traffic control facilities.

Part 4 Principal development standards

Clause 4.3 Height of buildings

The proposed height of the sign is 4.5m does not exceed the maximum of 9m permitted for the site.

Clause 4.4 Floor space ratio

Maximum FSR permitted for the zone: 0.3:1

GFA: No additional GFA proposed

FSR: No change to existing FSR

Part 7 Local provisions – general

Clause 7.2 Natural Resource Sensitivity – Biodiversity

Whist part of the site is mapped under this clause no likely impacts are expected with the replacement of the signage as it is outside the mapped extents

Clause 7.5 Acid Sulfate Soils

The proposal is identified as being affected by class 5 acid sulphate soils. An acid sulphate soils management plan is not required as the works relate only to the installation of a sign.

The proposal comprises the erection of a sign. The earthworks are not expected to have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features surrounding land.

Part of the site is located within the FBL (see the map below). The proposed development is not to be located within the FBL and is considered not to adversely impact on natural foreshore processes.



N/A

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

8 General requirements for advertising signs and structures

The sign is to advertise school related activities. Satisfactory.

The design of the proposed signage is considered to be compatible with the existing school sign the design has no adverse impacts to the locality.

The scale of the proposed signage is satisfactory for its purpose which is located within the school compound behind the front fence partially hidden within the landscaping.

8.4 Colour

The colour complements the colour finish of the buildings and will contain the schools colours and logo.

8.5 Illumination

The electronic part of the sign is illuminated. The location of the sign is such that it is not likely to have any adverse impacts on residential properties, nor is it considered likely to be a distraction to passing traffic.

8.6 Rationalisation of Advertising Signage

Not applicable.

8.7 Advertising Signs and Structures maintained in good repair and in a clean and tidy condition

Satisfactory.

8.8 Advertising Signs must be displayed in English Language

Satisfactory.

8.9 Advertising Signs or Structures – Public Safety

The signage does not pose any public safety risk.

9 Specific controls for advertising signs and structures

9.5 Pole or Pylon Signs

Control	Proposed	Complies
1. A maximum of one (1) pole or pylon sign per site is permitted.	One sign proposed	Yes
2. A minimum clearance of 2.6 metres is required from the underside of the pole or pylon sign and the ground level.	2.6m clearance provided	Satisfactory
3. The maximum advertising area for a pole or pylon sign upon a site located within a business zone is 8m ² .	Not applicable(Environmental Living zone)	N/A
4. The maximum height for a pole or pylon sign upon a site located within a business zone is 8 metres above ground level.	Not applicable(Environmental Living zone)	N/A
5. The maximum advertising area for a pole or pylon sign upon land within an Industrial zone is 10m ² .	Not applicable(Environmental Living zone)	N/A
6. The maximum height of a pole or pylon sign upon a site located within an Industrial zone is 8 metres above ground level.	Not applicable(Environmental Living zone)	N/A
7. The maximum advertising area for a pole or pylon sign upon land within a rural zone is 3m ² .	Not applicable(Environmental Living zone)	N/A
8. The maximum height of a pole or	Not applicable(Environmental Living	N/A

pylon sign upon a site located within a rural zone is 2 metres above ground level	zone)	
<p>9. Pole or pylon signs will generally not be permitted upon a site located within a residential zone.</p> <p>However, a pole or pylon sign may be permitted, in special cases where:</p> <p>(a) The proposed sign is for advertising of an existing approved business; and</p> <p>(b) The proposed sign (in the opinion of Council) will not cause any adverse visual impact upon the streetscape character or amenity of the residential locality and /or view loss to key views or vistas; and</p> <p>(c) The maximum advertising area of the sign is 2m² and the maximum height of the sign is 2 metres, above ground level.</p>	<p>The proposed pole sign is within a residential zone, however it is considered satisfactory as it is:</p> <p>sited within the grounds of a public school and is intended for the advertising of school activities,</p> <p>not likely to cause adverse impacts on streetscape character or loss of residential amenity, and</p> <p>The proposed advertising area of 1.54m² and overall height of 4.5m is considered satisfactory having regard to the context of the site ie situated within school and located approximately 20m from the nearest residence which is separated from the site by a key State Road.</p>	Satisfactory

CHAPTER E12 GEOTECHNICAL ASSESSMENT

The proposed work in relation to the installation of the signage is not considered to cause or be impacted by site instability. Geotechnical assessment is considered not necessary in this instance.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Conditions of consent are recommended in regard to appropriate sediment and erosion control measures to be in place during works.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN 2020

The estimated cost of works is <\$100,000 and a levy is not applicable under this plan as the threshold value is \$100,000.

2.4 SECTION 4.15(1)(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under S7.4 that affect the development.

2.5 SECTION 4.15(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

92 What additional matters must a consent authority take into consideration in determining a development application?

Not applicable

93 Fire safety and other considerations

Not applicable

94 Consent authority may require buildings to be upgraded

Not applicable

2.6 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT

There are not expected to be adverse environmental impacts on either the natural or built environments. There are also not expected to be any adverse social or economic impacts in the locality.

This is demonstrated through the following:

- The proposal is satisfactory with regard to the applicable planning controls as detailed in the body of this report.

2.7 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR DEVELOPMENT

Does the proposal fit in the locality?

The proposal is considered appropriate with regard to the zoning of the site and is not expected to have any negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

2.8 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

The application was notified in accordance with Wollongong Council Community Participation Plan 2019. Eleven(11) submissions were received during the notification periods. See section 1.5 for details.

2.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The application is not expected to have any unreasonable impacts on the environment or the amenity of the locality. It is considered appropriate with consideration to the zoning and the character of the area and is therefore considered to be in the public interest.

3 CONCLUSION

This application has been assessed as satisfactory having regard to the Heads of Consideration under Section S4.15(1) of the Environmental Planning and Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies.

Pursuant to clause 2.3 of WLEP 2009, proposed sign is a permissible use in the E4 Environmental Living zone with development consent. The proposal is not considered to be inconsistent with the zone objectives.

All relevant internal and external referrals are satisfactory. Some of the issues raised in submissions are resolved by way of conditions. Any remaining issues are not considered to be sufficient to refuse the application.

It is considered that the proposed development is not inconsistent with the existing and desired future character of the locality and is unlikely to result in adverse impacts on the amenity of the surrounding area.

4 RECOMMENDATION

It is recommended that DA-2021/384 be **approved** and subject to conditions contained in Attachment 2.

5 ATTACHMENTS

- 1 Plans
- 2 Conditions

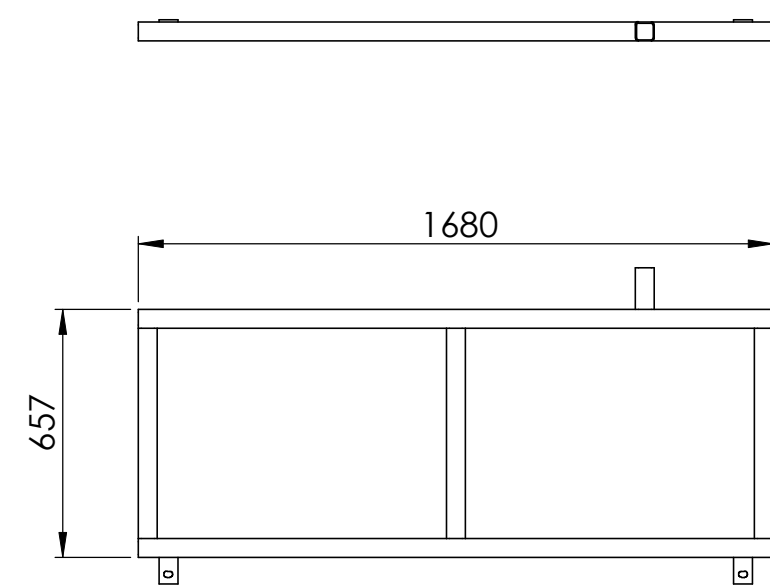
1587 - Coledale Public School
Site Plan (12250)

DA-2021/384 : Coledale Public School
699 Lawrence Hargrave Drive, Coledale NSW 2515

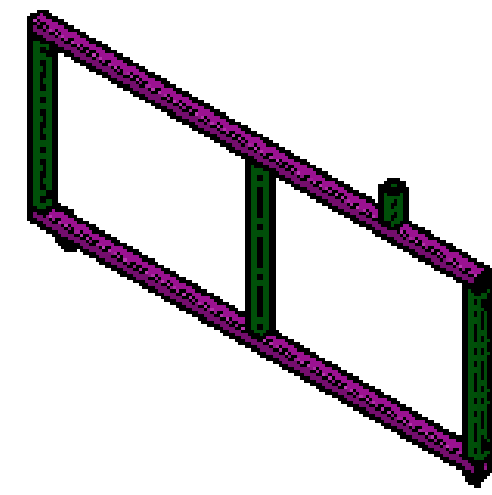
Electronic LED sign
to be located here



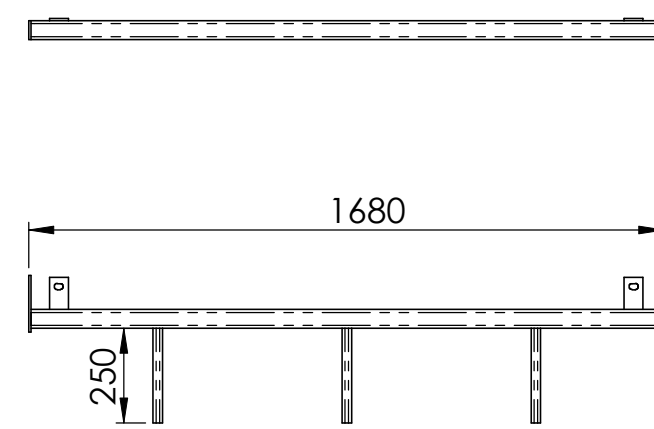
0 10 20 30
Meters



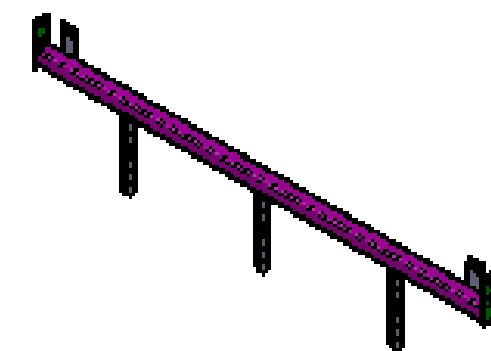
TOP HEADER FRAME:
MATERIAL: MILD STEEL
50MM X 50MM X 3MM SHS
QTY: 1



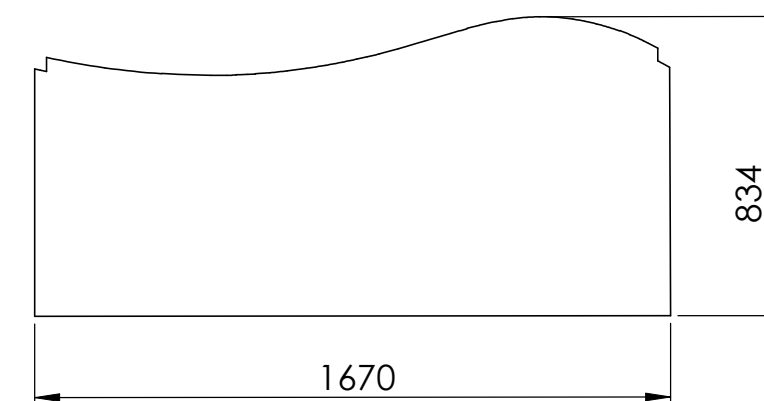
ISOMETRIC



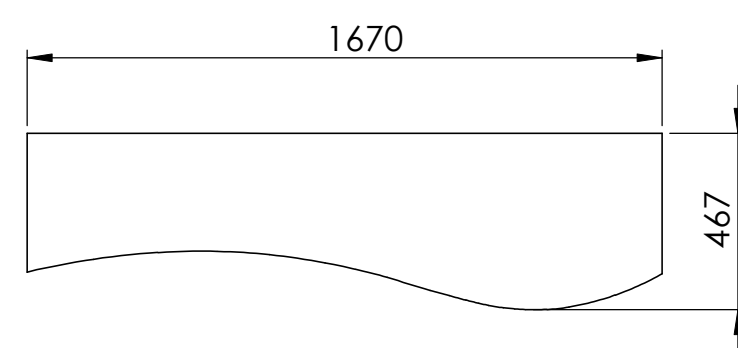
BOTTOM HEADER FRAME:
MATERIAL: MILD STEEL
50MM X 50MM X 3MM SHS
QTY: 1



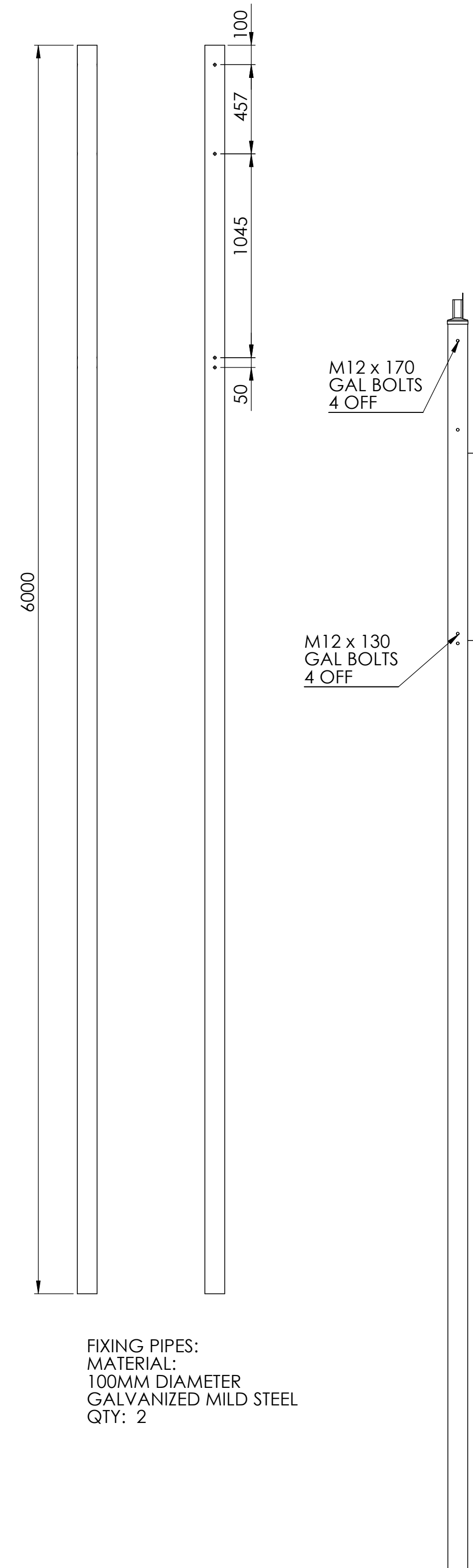
ISOMETRIC



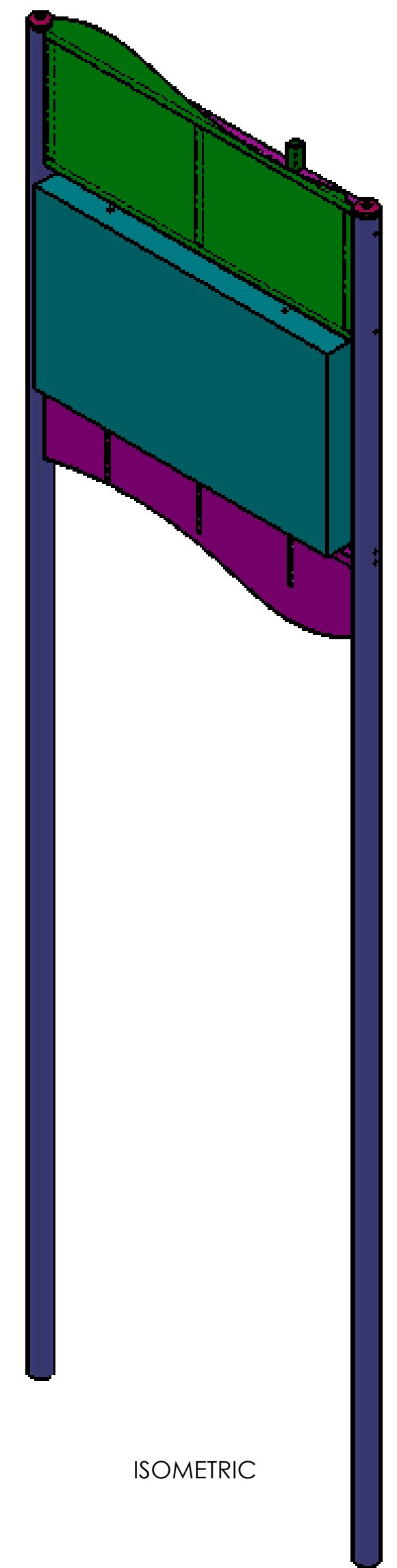
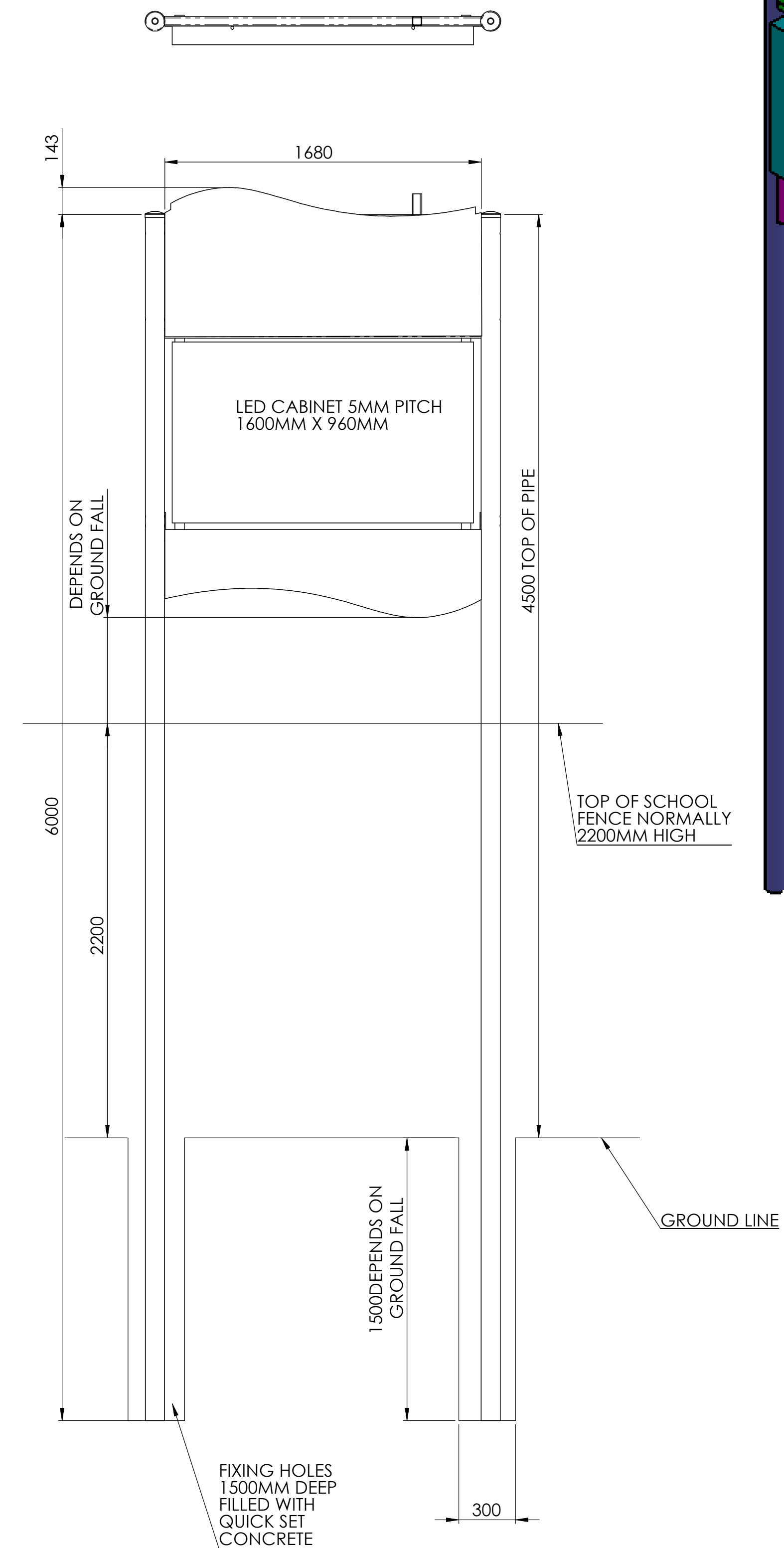
TOP HEADER PANEL
MTL 1.6MM ALUMINIUM
QTY 1



BOTTOM HEADER PANEL
MTL 1.6MM ALUMINIUM
QTY 1



FIXING PIPES:
MATERIAL:
100MM DIAMETER
GALVANIZED MILD STEEL
QTY: 2



ISOMETRIC

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NALA ELECTRICAL TEL 0418472293 email: nalaelectrical@gmail.com				
TITLE: COLEDALE PUBLIC SCHOOL LED SIGN FRAME				
DRG No:		20210721		
SCALE: 1:20	DATE: 21/07/2021	DRN: JOHN	CHKD:	REV: A

Attachment 2 - DRAFT CONDITIONS FOR : DA-2021/384

Approved Plans and Documents

- 1 The development should be implemented substantially in accordance with the details and specifications set out on Drawing 20210721-A dated 21 July 2021 prepared by Nala Electrical and Site Plan (12250) dated 23 October 2018 any details on the application form, and with any supporting information received, except as amended by the conditions specified and imposed hereunder.

General Matters

- 2 **Building Work - Compliance with the Building Code of Australia**
All building work should be carried out in compliance with the provisions of the Building Code of Australia.
- 3 **Building Materials/Finishes**
The proposed external treatment/appearance of the sign, including materials and colour finishes should be consistent with the existing public school buildings and associated infrastructure.
- 4 The sign should include suitable illumination control measures to mitigate against any adverse light impacts upon passing traffic and surrounding properties. The school should keep a record of any complaints received regarding the level of illumination of the sign and should make these requests available to Council if requested.

Prior to the Commencement of Works

- 5 **Sign – Supervisor Contact Details**
Before commencement of any work, a sign should be erected in a prominent, visible position:
 - a stating that unauthorised entry to the work site is not permitted;
 - b showing the name, address and telephone number of the Principal Certifier for the work; and
 - c showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign should be maintained while the work is being carried out and removed upon the completion of the construction works.
- 6 **Structural Engineer's Details**
Structural engineer's details for all structurally designed building works such as reinforced concrete footings, reinforced concrete slabs and structural steelwork should be submitted to the Principal Certifier, prior to the commencement of any works on the site.
- 7 **Enclosure of the Site**
The site should be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifier. No building work is to commence until the fence is erected.
- 8 **Sediment Control Measures**
The developer should ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures should be maintained at all times and checked for adequacy at the conclusion of each day's work.
- 9 **Notification to Council of any Damage to Council's Infrastructure**
Council should be notified in the event of any existing damage to any of Council's infrastructure including, but not limited to the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development prior to the commencement of work. Adequate protection should be provided to Council infrastructure prior to work commencing

and during the construction period. Any damage to Council's assets should be restored in a satisfactory manner prior to the issue of the Occupation Certificate.

10 **Works in Road Reserve - Minor Works**

Approval, under Section 138 of the Roads Act should be obtained from Wollongong City Council's Development Engineering Team prior to any works commencing or any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the roads act. It is advised that all applications are submitted and fees paid, five (5) days prior to the works within the road reserve are intended to commence. The Applicant is responsible for the restoration of all Council assets within the road reserve which are impacted by the works/occupation. Restoration should be in accordance with the following requirements:

- a All restorations are at the cost of the Applicant and should be undertaken in accordance with Council's standard document, "Specification for work within Council's Road reserve".
- b Any existing damage within the immediate work area or caused as a result of the work/occupation, should also be restored with the final works.

11 **Restricted Hours of Construction Work**

The developer should not carry out any work, other than emergency procedures, to control dust or sediment laden runoff outside the normal working hours, namely, 7.00 am to 5.00 pm, Monday to Saturday, without the prior written consent of the Principal Certifier and Council. No work is permitted on public holidays or Sundays.

Allowable construction activity noise levels should be within the limits identified in the NSW EPA Interim Construction Noise Guidelines (ICNG) July 2009. ICNG are also applied for blasting, rock hammer and drilling, external plant and equipment.

<https://www.environment.nsw.gov.au/resources/noise/09265cng.pdf>

Any request to vary these hours should be submitted to the **Council** in writing detailing:

- a the variation in hours required (length of duration);
- b the reason for that variation (scope of works);
- c the type of work and machinery to be used;
- d method of neighbour notification;
- e supervisor contact number;
- f any proposed measures required to mitigate the impacts of the works.

Note: The developer is advised that other legislation may control the activities for which Council has granted consent, including but not limited to, the Protection of the Environment Operations Act 1997.

Operational Phases of the Development/Use of the Site

12 **Hours of Operation**

The illumination of the sign should be turned off between the hours of 7.00 pm and 7.00 am. At all times during which the sign is illuminated the brightness level should be controlled so as to minimise impacts on passing traffic and residential properties opposite the school. Under no circumstance should the sign be allowed to flash.