WLPP No.	Item No. 4
DA No.	DA-2021/384
Proposal	Signage - LED signage board
Property	Coledale Public School, 699 Lawrence Hargrave Drive, COLEDALE NSW 2515
Applicant	Mr Greg Barnes
Responsible Team	City Planning - City Wide Team (BM)

ADDENDUM REPORT

This report should be read in conjunction with the Council Assessing Officer's report as presented to the Wollongong Local Planning Panel on the 14 September 2021 at **Attachment 5**.

1 BACKGROUND AND EXECUTIVE SUMMARY

Reason for consideration by Wollongong Local Planning Panel (WLPP)

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.

Background

This matter was reported to the WLPP meeting on 14 September 2021. A copy of the Panel's recommendation is included at **Attachment 1**. The Panel determined to defer the development application to allow the applicant an opportunity to address the issues raised by the Panel as follows:

a. *Clarify the need for the illuminated sign.*
b. *Justify the appropriateness of the design in the context of the historic school and the natural environment.*
c. *Justify the need for such extended hours of operation.*

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.

Planning Controls

The following planning controls apply to the proposal:

<u>State Environmental Planning Policies:</u>

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

<u>Local Environmental Planning Policies:</u>

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2020
- Wollongong Community Participation Plan 2019

An assessment of the planning controls relevant to the proposal are provided in the Council Assessing Officer's report as presented to the Wollongong Local Planning Panel on the 14 September 2021 at **Attachment 5**.

RECOMMENDATION

DA-2021/384 be **approved** subject to the conditions provided in **Attachment 4**.

2 APPLICANTS RESPONSE TO THE WLPP RECOMMENDATIONS

The applicant has provided additional information in response to the concerns raised by the Panel including:

- Revised Statement of Environmental Effects including responses to the Panel's concerns;
- Letter requesting changes to previous draft conditions;

A copy of the additional information submitted is provided at **Attachments 2** and **3** respectively.

3 COUNCIL'S ASSESSING OFFICER'S COMMENTS

Council's Assessing Officer has reviewed the Panel's recommendations from the 14 September 2021 WLPP meeting and the Applicant's response to the issues raised.

Relevant excerpts from Applicant's justification regarding the concerns are provided below with Council's comments.

1. Clarify the need for the illuminated sign.

"The primary existing school signage (refer Photograph 2) functions largely as an identification sign adjacent to flagpoles and main school entrance. Whilst the sign can accommodate removable lettering, manual installation and removal is required by staff and the process is generally an onerous one that results in the sign often being left blank.
The ultimate purpose of the proposed LED sign is for community engagement which will be achieved through informing parents and the local community about upcoming events, enrolment dates and other local community information. The sign will highlight and promote School Support, awareness of school achievements, calendar dates/ reminders and fees, community events to be held at the school, such as a fete and markets. This information changes frequently (from day to day) and the LED option can facilitate simple programming to achieve the community awareness sought by the school which cannot be achieved through existing signage infrastructure.
The signage is consistent with SEPP 64 and Council controls and both the Council and TfNSW are supportive of the proposed development which confirms the application is justifiable on merit".

Comment: The signage replaces the old school sign employing the latest technology to avoid the manual operation facilitating the timely display and awareness on the important activities on the school ground for communities and notices for the school community including the parents. The need for the illuminated sign is considered as demonstrated.

2. Justify the appropriateness of the design in the context of the historic school and the natural environment.
"The site is not local, State or section 170 heritage listed, however a review of the proposed colour scheme recommends that a condition be imposed requiring change to the signage frame colours to better reflect the natural site setting. A black frame for the signage will blend with the background and integrate well within the site.
The proposed development is generally an improvement in aesthetics on the signage installed at the Coledale RSL which is only 200m from the school. The school's proposal however is lower in height (refer image below in Photograph 1) and will actively engage the community resulting in longer term benefits for the region. The school signage will also be limited in operation. The function of the electronic sign largely dictates the height and form required and, in this instance, the bulk and scale is not considered to be overbearing nor unnecessary.

Taking into consideration the proposed hours of operation, the development is unlikely to generate any unacceptable impact by way of historic impacts or adverse effects to the natural environment setting. Vegetation removal is not required or proposed and the signage, following imposition of conditions requiring alternate colour scheme, will be commensurate with LED infrastructure installed at a number of coastal schools in the Wollongong LGA".

Comment: It is considered as demonstrated the signage will have minimal impact on the surrounding natural setting and school. There are similar signs in the vicinity of the school. The proposed sign is in line with the LED Signage installed for most of the NSW schools.

3. Justify the need for such extended hours of operation.

Whilst the site is located within the early shadow of the Illawarra escarpment, the school have confirmed that many parents commute for work either north to Sydney or south to Wollongong and the proposed hours of operation are justified on a need's basis.
Council were supportive of restricted hours of operation between 7am to 7pm in order to maintain the visual amenity of the locality. To further mitigate any impact to neighbouring development, the Department of Education are willing to discuss summer (daylight savings) and winter hours of operation with the consent authority to achieve the best outcome for the site and surrounding development. This could be achieved through reduced hours of operation in winter (until 6pm) and extended hours of operation in summer (until 7pm).

Comment: Based on the applicant's request for operation of the sign between 7am to 6pm (winter days) and to 7pm (summer days) and the Panel's comment for hours of operation to be 7am to 5pm Council considers a reasonable compromise could be operational hours of between 7am and 6pm.

Overall Council is satisfied with the responses provided by the applicant.

AMENDED CONDITIONS

The following Conditions from the report to WLPP of 14 September 2021 will need to be revised as a result of the submitted additional information:

- **Conditions 5, 6,7** and **11** - Wording 'Principal Certifier' changed to 'Crown Certifier'

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 Crown 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 Crown 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 Crown Certifier. No building work is to commence until the fence is erected.

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 Crown 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.

- **Condition 12 changed with revised hours of illumination from 7am to 6pm**

12 Hours of Operation

The illumination of the sign should be turned off between the hours of 6.00 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.

Council has received confirmation from the applicant that the proposed revised conditions of consent as at Attachment 4 are acceptable. Applicant's concurrence to conditions as at Attachment 6.

4 CONCLUSION

At the WLPP meeting of 14 September 2021, the Panel determined to defer the development application to allow the applicant an opportunity to address a number of concerns as described in Section 1 of this report.

Responding to the recommendations of the WLPP the applicant has provided additional information. Council's Assessing Officer is of the view that the information provided has satisfactorily addressed the concerns previously raised.

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.

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.

5 RECOMMENDATION

DA-2021/384 be approved pursuant to Section 4.16(1) of the Environmental Planning & Assessment Act 1979 subject to the conditions provided at **Attachment 4**.

6 ATTACHMENTS

1	WLPP Recommendation from 14 September 2021
2	Revised Statement of Environmental Effects including response to Panel's concerns
3	Applicant's response to previous Draft Conditions
4	Revised Conditions
5	Original Council Assessing Officer's WLPP Report and Conditions as presented to WLPP meeting on 14 September 2021
6	Applicant's concurrence to conditions

Attachment 1

DETERMINATION AND STATEMENT OF REASONS

WOLLONGONG CITY COUNCIL – WOLLONGONG LOCAL PLANNING PANEL (WLPP)

DATE OF DETERMINATION	14 September 2021
PANEL MEMBERS	Sue Francis (Chair), Sue Hobley, Glenn Falson, Bernard Hibbard (Community Representative)

Public meeting held at Wollongong City Council, Level 9 Function Room, 41 Burelli Street, Wollongong on 14 September 2021 opened at 5:00pm and closed at 6.13pm

MATTER DETERMINED

DA-2021/384 - Lot 2 DP 19066, Lot 3 DP 19066, Lot 4 DP 19066, Lot 5 DP 19066, Lot 6 DP 19066, Lot 11 DP 717404, Lot 1 DP 782714, Lot 2 DP 782714, Coledale Public School, 699 Lawrence Hargrave Drive, Coledale (as described in detail in schedule 1).

PUBLIC SUBMISSIONS

The Panel was addressed by one submitter.

There was no representative from the applicant

PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 7, and the material presented at the meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to defer the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

1. There is no demonstrated justification or need for the sign.
2. Having heard from a local resident and having read submissions from other residents, the Panel was concerned about the form and function of the proposed sign, specifically in relation to the historic nature of the school and its particular natural environmental setting.
3. Visibility of the existing sign, if a concern, could be addressed by management of existing vegetation.
4. Concern was also raised in relation to the hours of operation given that the site sits within the shadow of the Illawarra Escarpment

These matters need to be discussed with the applicant before any amendment may be suggested by the Panel and this was not able to be done at the meeting. Accordingly, the Panel resolved to defer this application to allow the Council to address these concerns with the applicant.

In addressing these concerns, the Panel would like the Council to:

1. Clarify the need for the illuminated sign.
2. Justify the appropriateness of the design in the context of the historic school and the natural environment.
3. Justify the need for such extended hours of operation.

In this respect the Panel considers 7.00am to 5.00pm to be reasonable.

The above details shall be provided to Council following which a supplementary report to be provided to the Panel. The Panel will determine the matter electronically.

PANEL MEMBERS	
Sue Francis (Chair)	Sue Hobley
Glenn Falson	Bernard Hibbard (Community Representative)

SCHEDULE 1		
1	DA NO.	DA-2021/384
2	PROPOSED DEVELOPMENT	Signage - LED signage board
3	STREET ADDRESS	Coledale Public School, 699 Lawrence Hargrave Drive, COLEDALE NSW 2515 Lot 1 DP 782714, Lot 2 DP 782714, Lot 2 DP 19066, Lot 3 DP 19066, Lot 4 DP 19066, Lot 5 DP 19066, Lot 6 DP 19066, Lot 11 DP 717404
4	APPLICANT/OWNER	Greg Barnes / Department of Education
5	REASON FOR REFERRAL	Pursuant to part 2(b) of Schedule 2 of the Local Planning Panels Direction the application is the subject of 10 or more unique submissions by way of objection.
6	RELEVANT MANDATORY CONSIDERATIONS	5. Environmental planning instruments: o State Environmental Planning Policy No 55 – Remediation of Land o State Environmental Planning Policy No 64—Advertising and Signage o State Environmental Planning Policy (Coastal Management) 2018 o Wollongong Local Environment Plan 2009 6. Wollongong City - Wide Development Contributions Plan 2019 7. Development control plans: o Wollongong Development Control Plan 2009 8. The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality 9. The suitability of the site for the development 10. Any submissions made in accordance with the *Environmental Planning and Assessment Act 1979* or regulations 11. The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	· Council assessment report dated 14 September 2021 · Council memo dated 14 September 2021 regarding Draft SEPPs · Written submissions during public exhibition: 11 · Verbal submissions at the public meeting: One
8	SITE INSPECTIONS BY THE PANEL	Virtual Site inspection 14 September 2021. Attendees: o Panel members: Sue Francis (Chair), Sue Hobley, Glenn Falson, Bernard Hibbard (Community Representative) o Council assessment staff: Brigit Mathai
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report

Attachment 2

BARKER RYAN STEWART

School Infrastructure NSW (SINSW) – Southern AMU

Statement of Environmental Effects

Proposed LED Signage

Coledale Public School

October 2021

ENGINEERING
PLANNING
SURVEYING
CERTIFICATION

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Project No.	210497
Author	LS/BM
Checked	LW
Approved	BM

Rev No.	Status	Date	Comments
1	Draft	20/10/2021	For Client Review
2	Final	28/10/2021	

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BARKER RYAN STEWART

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1 Introduction

This report has been prepared on behalf of School Infrastructure NSW (SINSW) to provide additional information to support an existing development application DA-2021/384.

This application seeks development consent for an LED Electronic School Sign at Coledale Public School.

A detailed description of the proposal is provided at Section 4.0.

Development plans are included in the appendices to this report.

This report has determined that the proposal is generally compliant with relevant State and the various Wollongong City Council Planning Instruments.

The application is a Crown development application (a development application made by or on behalf of the Crown). The New South Wales Department of Education / Schools Infrastructure New South Wales is a statutory body representing the Crown.

2 Background

Development Application DA-2021/384 was submitted by NSW Department of Education / School Infrastructure NSW – Southern AMU on 14/04/2021. It was referred to the Wollongong Local Planning Panel (WLPP) for determination as the application was the subject of 10 or more submissions.

Wollongong City Council recommended that DA-2021/384 be approved subject to relevant conditions provided with the report.

WLPP subsequently chose to defer determination of the application to provide time for Council to address concerns raised by the community and the panel. Table 1 considers the WLPP comments along with a response to justify the proposal.

Table 1: Local Planning Panel Comments

WLPP Comments	Comments / Response
1. There is no demonstrated justification or need for the sign.	The primary existing school signage (refer Photograph 2) functions largely as an identification sign adjacent to flagpoles and main school entrance. Whilst the sign can accommodate removable lettering, manual installation and removal is required by staff and the process is generally an onerous one that results in the sign often being left blank. The ultimate purpose of the proposed LED sign is for community engagement which will be achieved through informing parents and the local community about upcoming events, enrolment dates and other local community information. The sign will highlight and promote School Support, awareness of school achievements, calendar dates/ reminders and fees, community events to be held at the school, such as a fete and markets. This information changes frequently (from day to day) and the LED option can facilitate simple programming to achieve the

WLPP Comments	Comments / Response
	community awareness sought by the school which cannot be achieved through existing signage infrastructure. The signage is consistent with SEPP 64 and Council controls and both the Council and TfNSW are supportive of the proposed development which confirms the application is justifiable on merit.
2. Having heard from a local resident and having read submissions from other residents, the Panel was concerned about the form and function of the proposed sign, specifically in relation to the *historic nature of the school and its particular natural environmental setting*	The site is not local, State or section 170 heritage listed, however a review of the proposed colour scheme recommends that a condition be imposed requiring change to the signage frame colours to better reflect the natural site setting. A black frame for the signage will blend with the background and integrate well within the site. The proposed development is generally an improvement in aesthetics on the signage installed at the Coledale RSL which is only 200m from the school. The school's proposal however is lower in height (refer image below in Photograph 1) and will actively engage the community resulting in longer term benefits for the region. The school signage will also be limited in operation. The function of the electronic sign largely dictates the height and form required and, in this instance, the bulk and scale is not considered to be overbearing nor unnecessary. *Photograph 1: Photograph of existing RSL Signage* Council confirmed in the assessment report that proposed signage will not dominate the skyline or obstruct views to adjacent development. Further, the scale is appropriate for the streetscape and landscape and will contribute to the visual interest of the school setting. Taking into consideration the proposed hours of operation, the development is unlikely to generate any unacceptable impact by way of historic impacts or adverse effects to the natural environment setting. Vegetation removal is not required or proposed and the signage, following imposition of conditions requiring alternate colour scheme, will be commensurate with LED infrastructure installed at a number of coastal schools in the Wollongong LGA.

WLPP Comments	Comments / Response
3. Visibility of the existing sign, if a concern, could be addressed by management of existing Vegetation.	As discussed, the existing signage cannot facilitate the increased level of community awareness that is now sought by the school. Existing signage requires manual modification of lettering and the sign is neither engaging or easily modified to suit the changing needs of the school.
4. Concern was also raised in relation to the hours of operation given that the site sits within the shadow of the Illawarra Escarpment.	Whilst the site is located within the early shadow of the Illawarra escarpment, the school have confirmed that many parents commute for work either north to Sydney or south to Wollongong and the proposed hours of operation are justified on a need's basis. Council were supportive of restricted hours of operation between 7am to 7pm in order to maintain the visual amenity of the locality. To further mitigate any impact to neighbouring development, the Department of Education are willing to discuss summer (daylight savings) and winter hours of operation with the consent authority to achieve the best outcome for the site and surrounding development. This could be achieved through reduced hours of operation in winter (until 6pm) and extended hours of operation in summer (until 7pm).

3 Site Analysis

3.1 Site Description

Coledale Public School is located at Coledale on a site with access from Lawrence Hargrave Drive. The real property descriptions are Lot 2 DP19066 located at 699 Lawrence Hargrave Drive Coledale 2515 as shown in Figure 1.

The total site area is approximately 9,940 m^2. Main pedestrian access is provided from Lawrence Hargrave Drive, with a secondary and service access point also available from Lawrence Hargrave Drive.

The site slopes from Lawrence Hargrave Drive toward the ocean. There are pockets of established trees between the school and the ocean.

The site has been largely disturbed as a result of school building and playground area construction.

The school has convenient access to public transport with bus stops located along Lawrence Hargrave Drive adjacent to the site.

Figure 1: Aerial Photo of Site (Source: Six maps 12/10/2021)

3.2 Locality

The Coledale suburb is characterised by a mix of residential and commercial developments as shown in Figure 2 below. The Coledale SLSC is located on the north side of school property and commercial properties to the south side of the school boundary. Developments and land surrounding the subject site include the following:

- North: Public Recreation area and the SLSC and Low density Residential area;

- East: Coledale Beach, Coledale tidal Rock Pool;
- South: Low density residential development, environmental living area; and
- West: Lawrence Hargrave Drive, low density residential development and Coledale Railway Station.

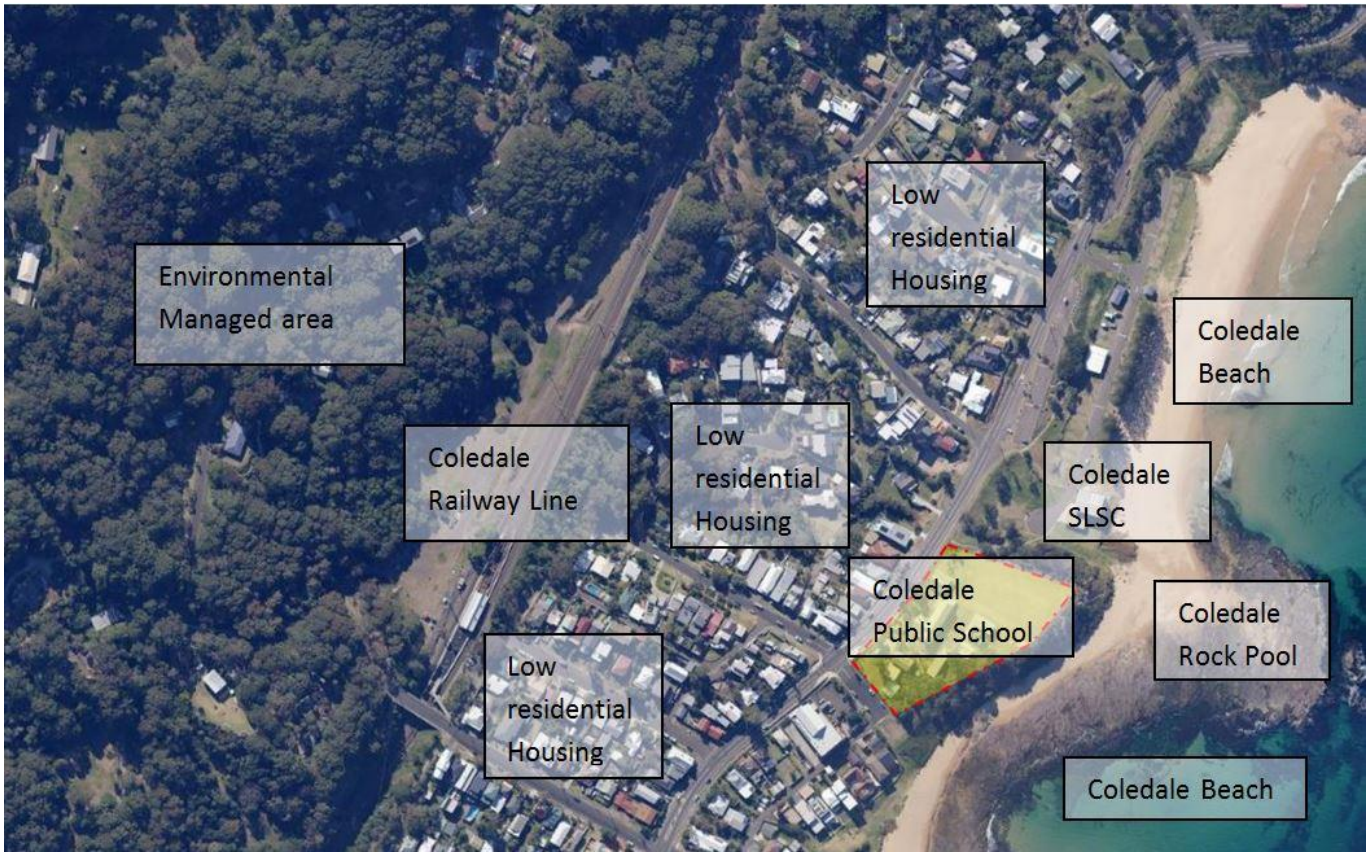


Figure 2: Aerial Photo of Locality (Source: Six Maps 12/10/2021)

3.3 Infrastructure

The site is serviced by water, sewer, telecommunication and power services.

3.4 Photographs

The following photographs show the site and surrounding development.

Photograph 2: Existing dilapidated school signage in the south west corner of the site

Photograph 3: Existing Identification Signage within the site – viewed from Lawrence Hargrave Drive

Photograph 4: Looking north east to proposed signage location – viewed from Lawrence Hargrave Drive

Photograph 5: Looking east to proposed signage site from Rawson Street

4 Proposal in Detail

4.1 Proposed Development

Development approval is being sought for a single sided Electronic LED Digital Sign to be installed at Coledale Public School. Detailed plans are included in Appendices A and B.

An extract from the proposed Site Plan is provided in Figure 3 and specific elements are discussed in more detail in headings below. Proposed works on the site generally include the following:

- Minor excavation for posts; and
- Installation of an electronic LED sign.

Vegetation removal is not required.

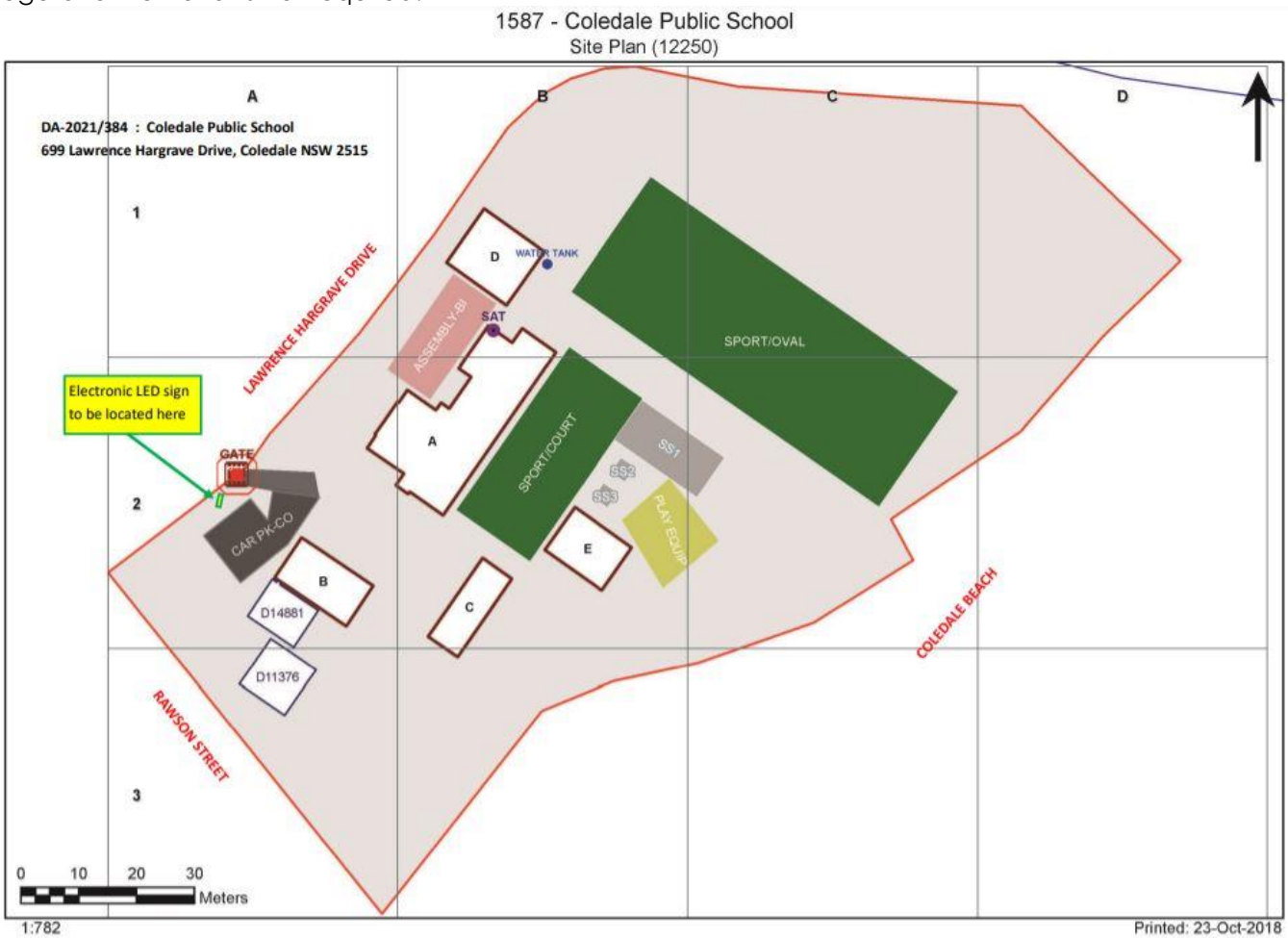


Figure 3: Extract from proposed Site Plan identifying location of proposed works

4.1.1 Signage Design, External Materials and Finishes

The proposed LED signage will be installed to a height of 4.5m above ground level and a width of 1680mm.

The LED sign will accommodate a 1600mm x 900mm electronic panel with school logo and motto above as shown in Figure 4.

The sign will be sited approximately 900mm from the western boundary with orientation to the south west.

External finishes will comprise of hard wearing galvanised and powder coated steel with colours proposed as per Figure 4. Note the Applicant is willing to consider black should the WLPP determine that a darker colour would better suit the site in regard to local context.

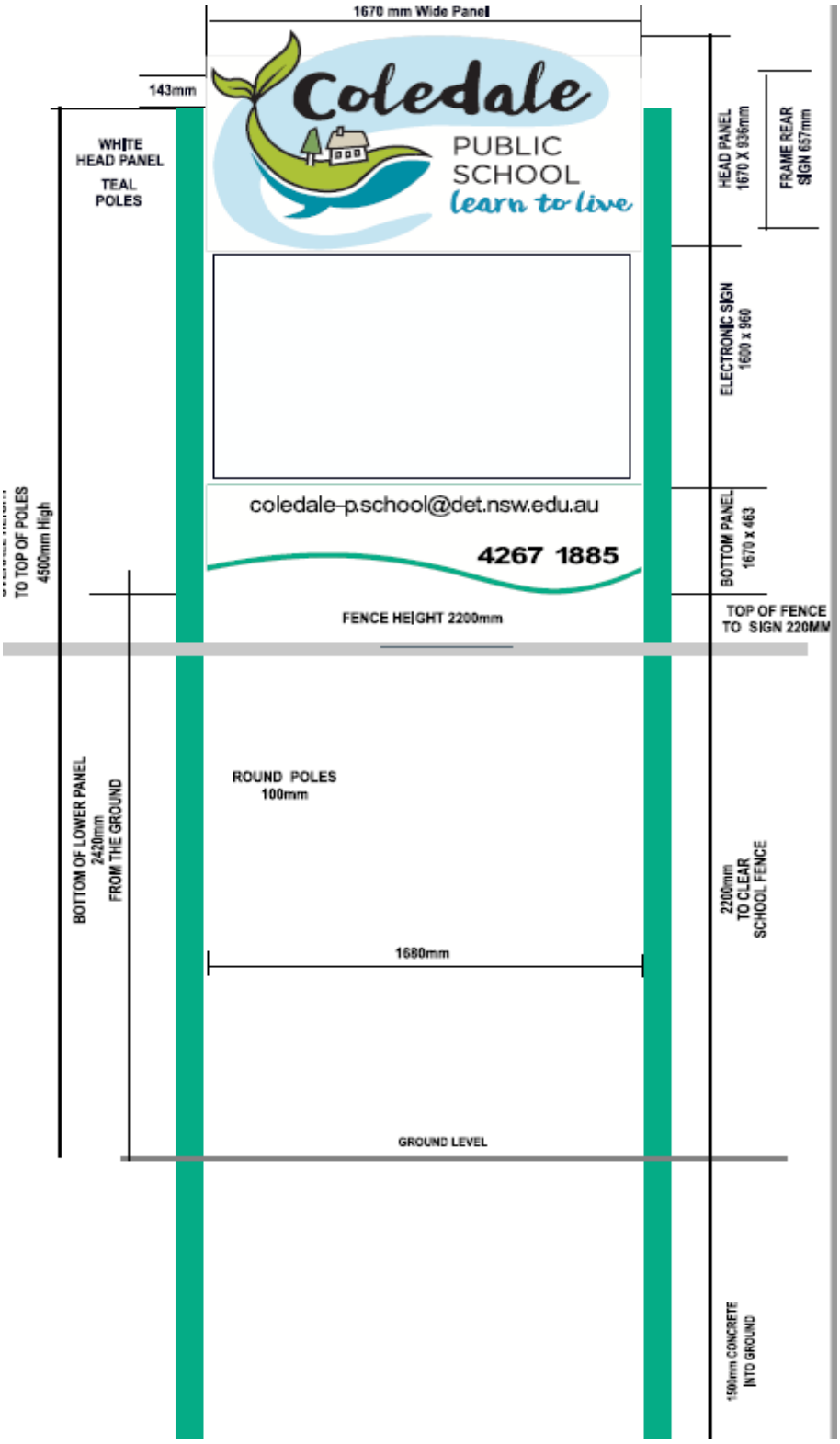


Figure 4: Extract from Proposed Signage Plan

5 Statutory Matters

5.1 State Environmental Planning Policies

5.1.1 State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 includes requirements for alterations and additions to school. Table 2 details compliance with the requirement of this SEPP.

Table 2: Compliance with SEPP (Educational Establishments and Child Care Facilities) 2017

SEPP REQUIREMENT	COMMENTS
Part 1 Preliminary	
Sections 1-9	Noted.
Part 2 General	
Division 1 Consultation and notification	Consultation is not required at DA stage.
Division 2 Site compatibility certificates	Not applicable
Division 3 Additional uses of State land	Not applicable
Division 4 Exempt development	Not applicable
Division 5 Complying development	Not applicable
Part 3 Early Education and Care Facilities – Specific Development Controls	
Sections 22-32	Not applicable
Part 4 Schools – Specific Development Controls	
33 Definition of "prescribed zone"	The site is Zone E4 Environmental Living, which is identified as a prescribed zone within the definition.
34 Development for the purpose of student accommodation	Not applicable.
35 Schools – Development permitted with consent	Schools are permissible with consent in any prescribed zone (including E4). The design quality principles detailed in Schedule 4 of the SEPP have been considered in the design of the proposal. Reference to the applicable development control plan (DCP) is detailed below. However, Section 35 subclause (9) advises that any requirement, standard or control included in a DCP is of no effect when related to a school.

SEPP REQUIREMENT	COMMENTS
36 Schools – Development permitted without consent	The proposal does not comply with these provisions and therefore, requires development consent.
37 Notification of carrying out of certain development without consent	Not applicable.
38 Existing schools – exempt development	The proposal cannot be undertaken as exempt development.
39 Existing schools – complying development	The proposal cannot be undertaken as complying development.
40 School-based child care – complying development	Not applicable.
41 Complying development certificates – additional conditions	Not applicable.
42 State significant development for the purpose of schools – application of development standards in environmental planning instruments	The proposed works are not classified as State significant development.
Part 5 Universities – Specific Development Controls	
Sections 43-49	Not applicable.
Part 6 Tafe Establishments – Specific Development Controls	
Sections 50-56	Not applicable.
Part 7 General Development Controls	
57 Traffic-generating development	N/A

5.1.2 State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of State Environmental Planning Policy No.55 – Remediation of Land requires the consent authority to consider whether land is contaminated during the development application process.

The site has been historically used as an educational facility and the development is proposed in an area that has been previously disturbed. SINSW has advised that the site is not known to be contaminated and therefore the proposed works can be undertaken consistent with the requirements of SEPP 55.

5.1.3 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) aims to facilitate the effective delivery of infrastructure across the State.

The site fronts a classified road and Clause 101 is applicable to the proposed development. The proposed signage is entirely consistent with Sub clause (2)(a),(b) and(c) as follows:

- No changes to existing vehicular access to the school is proposed;
- The works will not impact existing vehicle access to the site nor will signage generate missions by way of smoke or dust;

- No increase to traffic volume or frequency will be generated by the signage; and
- Consultation was undertaken with TfNSW during the initial assessment stage who were supportive of the location and scale of proposed signage.

The works are therefore considered to be consistent with this legislation.

5.1.4 State Environment Planning Policy No. 64 – Advertising & Signage

Clause 8 of SEPP 64 states:

"A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

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

(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1."

Table 3 below, details the compliance of the signage with the assessment criteria specified in Schedule 1. It is noted that a comprehensive assessment of SEPP 64 was undertaken by Council in the DA assessment report and there were no inconsistencies raised. Further, Council were entirely supportive of the proposed development in relation to all eight (8) sections of the SEPP 64 assessment.

Table 3: SEPP 64 Schedule Assessment

SCHEDULE 1 ASSESSMENT CRITERIA	COMMENTS
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?*	The signage will assist the general public with identifying community and school use of the site in an unobtrusive manner. The signage is considered to be compatible with the existing and desired future character of the area, including the existing illuminated signage at Coledale RSL approximately 200m to the south of the school site.
• *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*	The signage will identify the occupant of the site and will not include unrelated advertising. The information signage is considered to be consistent with the nature of the site and will present community or school related events and information specific to the site. As discussed, the proposal is consistent with nearby illuminated signage at Coledale RSL.
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?*	The proposed signage is integrated into existing site design and will not have an adverse impact on the amenity of the area. The site is not heritage listed nor is vegetation removal required and the works will not detract from the visual quality of any environmentally sensitive areas.
3 Views and vistas	

SCHEDULE 1 ASSESSMENT CRITERIA	COMMENTS
• *Does the proposal obscure or compromise important views?*	Noting the mature vegetation to the east and existing built form within the school, the width of signage proposed at 1,680mm will not obscure or compromise important views. Refer to Photograph 5 for confirmation of view lines from the west of Lawrence Hargrave Drive.
• *Does the proposal dominate the skyline and reduce the quality of vistas?*	The proposal will not adversely impact on the skyline noting the suitable proposed hours of operation, vegetation to the rear and high quality design of the signage.
• *Does the proposal respect the viewing rights of other advertisers?*	The signage will not accommodate private advertisements and the infrastructure will be used for school based and community information.
4 Streetscape, setting or landscape	
• *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?*	The signage proposed is compatible with the building design and streetscape, including nearby illuminated pylon signage at Coledale RSL.
• *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?*	The signage will provide additional visual interest to the streetscape through long term engagement of the community.
• *Does the proposal reduce clutter by rationalising and simplifying existing advertising?*	The signage is well spaced and not cluttered. The signage is easily intelligible and will identify the school without compromising road safety.
• *Does the proposal screen unsightliness?*	Not applicable.
• *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?*	Signage height is commensurate with site buildings that accommodate pitched roofs and the works will not generate visual impact by way of protrusion above the built form. A large Norfolk Island Pine will be retained as the focal point in this area of the site and tree canopies to the east will be retained at a height above signage.
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?*	As stated above, the complementary colour scheme and spatially separated information, signage is compatible with the scale, proportion and design of the school buildings. If required, SINSW are willing to discuss alternate design colours that may better integrate within the natural setting, such as black.
• *Does the proposal respect important features of the site or building, or both?*	As above.

SCHEDULE 1 ASSESSMENT CRITERIA	COMMENTS
• *Does the proposal show innovation and imagination in its relationship to the site or building, or both?*	The signage integrates with the building design in an attractive and complementary manner. Community engagement is a core objective of the proposal and the LED screen will innovatively showcase school and community news.
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?*	The school logo will function as an integral design element of the signage. No other safety devices, platforms or lighting devices are proposed.
7 Illumination	
• *Would illumination result in unacceptable glare?*	The sign has been designed to ensure illumination will not result in unacceptable glare. Council recommended conditions to address hours of operation and brightness levels so as to minimise impacts of passing traffic and residential properties opposite the school.
• *Would illumination affect safety for pedestrians, vehicles or aircraft?*	The sign will not function with interchangeable images or moving videos to ensure the safety of drivers on Lawrence Hargrave Drive.
• *Would illumination detract from the amenity of any residence or other form of accommodation?*	The sign will only operate between 7am to 7pm to ensure the illumination will not detract from the amenity of nearby residential development. Note the school are willing to consider summer/ winter (until 6pm) operating hours for signage to further mitigate any amenity impacts.
• *Can the intensity of the illumination be adjusted, if necessary?*	Illumination can be adjusted however not considered necessary in this instance due to the acceptability of proposed hours of operation.
• *Is the illumination subject to a curfew?*	Hours of operation are proposed to mitigate any adverse impacts on surrounding residential development.
8 Safety	
• *Would the proposal reduce the safety for any public road?*	Nil impact. The signage is relatively unobtrusive and will not cause confusion, restricted sight lines or disruption for motorists. TfNSW have reviewed the proposal and were supportive of the design and location adjacent to Lawrence Hargrave Drive.
• *Would the proposal reduce the safety for pedestrians or bicyclists?*	Nil impact. As above.
• *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?*	Nil impact. As above.

5.1.5 State Environmental Planning Policy (Coastal Management) 2018

SEPP (Coastal Management) aims to promote a framework for land use planning within coastal areas.

The subject site is located within the *Coastal Environment* and *Coastal Use* areas according to SEPP (Coastal Management) 2018 online mapping. Please note whilst the Council assessment report identified that the site was located within the Proximity to Coastal Wetlands Area, a review of mapping indicates that the site is not located within this affectation.

Relevant clauses are addressed below.

Coastal Environment Area

The SEPP requires the impacts provided in Table 4 be addressed for sites located within the Coastal Environment Area.

Table 4: SEPP Coastal Environment Area Requirements

Coastal Environment Area Requirements	Comment
(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:	See below.
(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,	Nil impact. The proposed works are located within a cleared area of the site with minor works expected to contribute no impact to the integrity of the biophysical, hydrological and ecological environment.
(b) coastal environmental values and natural coastal processes,	Nil impact. The site is located approximately 250m from the coastal headland and appropriate erosion and sediment control measures will be implemented to mitigate any impact to coastal environmental values or 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,	Nil impact. As above, the site is located a suitable distance from the ocean and the proposed works, inclusive of very minor excavation for posts, will have no detrimental impact on receiving waters.
(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,	Nil impact. This area of the site has been cleared of vegetation and the works will not require further clearing. The site is located approximately 250m from an undeveloped headlands and rock platform however erosion and sediment controls will mitigate any impact on marine vegetation.

Coastal Environment Area Requirements	Comment
(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,	Nil impact. The site is not located in immediate proximity to a typical foreshore, beach, publicly accessible headland or rock platform.
(f) Aboriginal cultural heritage, practices and places,	Nil impact. An AHIMS search (refer Appendix C) has confirmed no Aboriginal places of significance are registered on the site or surrounding development. It is unlikely the development will have an adverse impact on Aboriginal cultural heritage.
(g) the use of the surf zone.	Nil impact. The site is located approximately 600m from the surf zone and development will have no impact on this area.

Coastal Use Area

The SEPP requires the impacts provided in Table 5 be addressed for sites located within the Coastal Use Area.

Table 5: SEPP Coastal Use Area Requirements

Coastal Use Area Requirements	Comment
(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:	See below.
(a) has considered whether the proposed development is likely to cause an adverse impact on the following:	See below.
(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	Nil impact. The proposed development is located on a site approximately 500m from Coledale Beach. No provisions for public access to a foreshore or beach are required in this location.
(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,	Nil impact.
(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,	Nil impact. The sign will not cause detrimental impacts on the visual amenity of the coastal zone.
(iv) Aboriginal cultural heritage, practices and places,	Nil impact. As discussed in the Coastal Environment Area justification above, the site does not include a site identified on the AHIMS database and it is unlikely that there will be adverse impacts on Aboriginal heritage from the proposed development.
(v) cultural and built environment heritage.	Nil impact.

Coastal Use Area Requirements	Comment
	The site is not heritage listed and the development is consistent with this clause and is designed, sited and will be managed to avoid any adverse impacts on cultural and built environment heritage.

Proximity Area for Coastal Wetlands

Coastal Environment Area Requirements	Comment
(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:	See below.
(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,	Nil impact. The proposed works are located within a cleared area of the site with minor works expected to contribute no impact to the integrity of the biophysical, hydrological and ecological environment.
(b) coastal environmental values and natural coastal processes,	Nil impact. The site is located approximately 250m from the coastal headland and appropriate erosion and sediment control measures will be implemented to mitigate any impact to coastal environmental values or 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,	Nil impact. As above, the site is located a suitable distance from the ocean and the proposed works, inclusive of very minor excavation for posts, will have no detrimental impact on receiving waters.
(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,	Nil impact. This area of the site has been cleared of vegetation and the works will not require further clearing. The site is located approximately 250m from an undeveloped headlands and rock platform however erosion and sediment controls will mitigate any potential impact on marine vegetation, which is extremely unlikely.
(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,	Nil impact. The works will not inhibit access to a foreshore, beach or rock platform.
(f) Aboriginal cultural heritage, practices and places,	Nil impact. An AHIMS search (refer Appendix C) has confirmed no Aboriginal places of significance are

Coastal Environment Area Requirements	Comment
	registered on the site or surrounding development. It is unlikely the development will have an adverse impact on Aboriginal cultural heritage.
(g) the use of the surf zone.	Nil impact. The site is located approximately 600m from the surf zone and development will have no impact on this area.

5.2 Local Environmental Plans

5.2.1 Wollongong Local Environmental Plan (LEP) {2009}

Under the provisions of the Wollongong Local Environmental Plan 2009 the area of the site propsoed for development is zoned E4 Environmental Living, as shown in Figure 5 below. The zone objectives are:

- 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 considered to be consistent with the zone objectives for the following reasons:

- The development is a significant opportunity to engage the community through the installation of the LED Sign at the School; and
- The proposed sign will provide information to meet the day to day needs of the local community, especially parents and children at Coledale Public School.

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 proposed development can be defined as a *Business Identification Sign* and is permissible subject to development consent.

Figure 5: Extract from Land Zoning Map – Wollongong LEP 2009

Refer to discussion of additional relevant LEP clauses in Table 6 below.

Table 6: Additional Relevant LEP Provisions

Relevant Provisions / Development Standards			
Control	**Required**	**Proposed**	**Compliance**
Principal development standards			
4.3 Height of Buildings	9m maximum building height under WLEP2009.	Height of signage is 4.5m.	Yes
4.4 Floor space ratio	0.3:1 maximum FSR under WLEP2009.	No change to FSR proposed.	N/A
Miscellaneous provisions			
5.10 Heritage	Consider potential heritage impacts	The site does not contain any local heritage items or areas. The site adjoins local heritage item 6143 however the proposed signage will not be visible from the heritage item and no adverse impact to heritage will be generated by the works.	Yes

Relevant Provisions / Development Standards			
Control	**Required**	**Proposed**	**Compliance**
Additional local provisions			
7.2 Natural Resource Sensitivity - Biodiversity	Development is required to protect, maintain or improve the diversity and condition of the native vegetation and habitat	Vegetation removal is not proposed and no impact will be generated on biodiversity.	Yes
7.4 Riparian Lands	…ensure that development does not adversely impact upon riparian lands.	The site is not identified on the WLEP Riparian Lands Map.	Yes
7.5 Acid Sulfate Soils	The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.	Class 5 however excavation will not lower the watertable.	Yes
7.6 Earthworks	… any earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features surrounding land,	Minor excavation to 1500mm below ground level will facilitate installation of posts. The works will not have a detrimental impact on environmental functions of the site or neighbouring uses.	Yes
7.7 Foreshore Building Line	… ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area.	The proposed development footprint is well outside the Foreshore Building Line and the works will have no impact on natural foreshore processes.	Yes

5.3 Development Control Plan

5.3.1 Wollongong Development Control Plan 2009

Notwithstanding Section 35 subclause (9) of the ESEPP, which states that any requirement, standard or control included in a DCP is of no effect when related to a school, our assessment of the proposal confirms that the proposal generally satisfies Council's relevant development controls included within the Wollongong Development Control Plan (DCP) 2009 as shown in Table 7 below.

Please note irrelevant DCP sections have been omitted from Table 7 for ease of assessment.

Table 7: Development Control Matrix

DCP Requirement	Comment
C1- Advertising Signage and Structures	
2 - Objectives	Complies. The development proposed is consistent with signage objectives that promote complementary style, materials and built form.
3 - Types of Advertising Signs and Structures	Complies. The proposed development is generally classified as a Pole or Pylon sign in accordance with section 3.
4 - SEPP 64	Complies. Refer to Section 4.1.4 for detailed assessment of SEPP 64 controls.
5 – WLEP 2009	Complies. *Business Identification Signs* are permissible with development consent in the E4 zone. The works cannot be achieved through exempt or complying development pathways.
8 General requirements for advertising signs and structures	8.1) Complies – the signage will directly relate to the use of the site for educational purposes. 8.2) Complies – the proposed signage is orientated to Lawrence Hargrave Drive and will not obscure decorative form or buildings. 8.3) Complies – The size and scale of proposed screen is complementary of the scale of the existing built form. The sign will not dominate the building façade or landscape of the site. 8.4) The proposed colour scheme aligns with school colours and the coastal setting, but black could be considered a more appropriate colour. 8.5) The sign is to be installed independent of the existing built form and the illumination can be conditioned and controlled to maintain the amenity of surrounding development. 8.6) The signage will not function as a typical advertising sign per se, rather the infrastructure will promote school and community events that will generate social benefit for the community. 8.7) Noted 8.8) Complies – signage and messaging will be delivered in English. 8.9) Complies – the signage is to be installed within the school grounds and Councils Traffic Engineer and TfNSW are supportive of the location and form adjacent to Lawrence Hargrave Drive.
9 – Specific controls for advertising signs and structures	**9.5 Pole or Pylon Signs** 1. Complies 2. Complies – required clearance provided, refer to Plans in Appendix B for confirmation. 3. N/A for E4 zone 4. N/A for E4 zone 5. N/A for E4 zone 6. N/A for E4 zone 7. N/A for E4 zone 8. N/A for E4 zone

DCP Requirement	Comment
	9. Generally complies – although the sign is proposed within An Environmental living zone, the sign is to be sited within an education establishment with no residential development directly adjacent due to the siting of Lawrence Hargrave Drive. Hours of operation will be conditioned to ensure the sign will not impact amenity or the character of the area.
Suburb Character Statements	The school signage will engage the general public in an unobtrusive manner. The signage is considered to be compatible with the existing and desired future character of the area.
Heritage Conservation	The heritage control is not applicable for the subject site as it is not listed.
Bushfire Management	The subject site is not in a bushfire prone area the control is not applicable for the proposed development.
Preservation and management of trees and vegetation	The proposed sign installation will have no impact on existing site vegetation.

5.4 Water Management Act 2000

Under Part 3 of Chapter 3 a person must obtain a permit for water use approval, water management work approval or activity approval.

The proposal is not within close proximity to a water course and the integrated approval of Office of Water is required.

5.5 Rural Fires Act 1997 & Planning for Bushfire Protection

The subject site is not located within a designated bushfire prone area as shown in Figure 6. The application will therefore not require referral to the NSW RFS for concurrence.

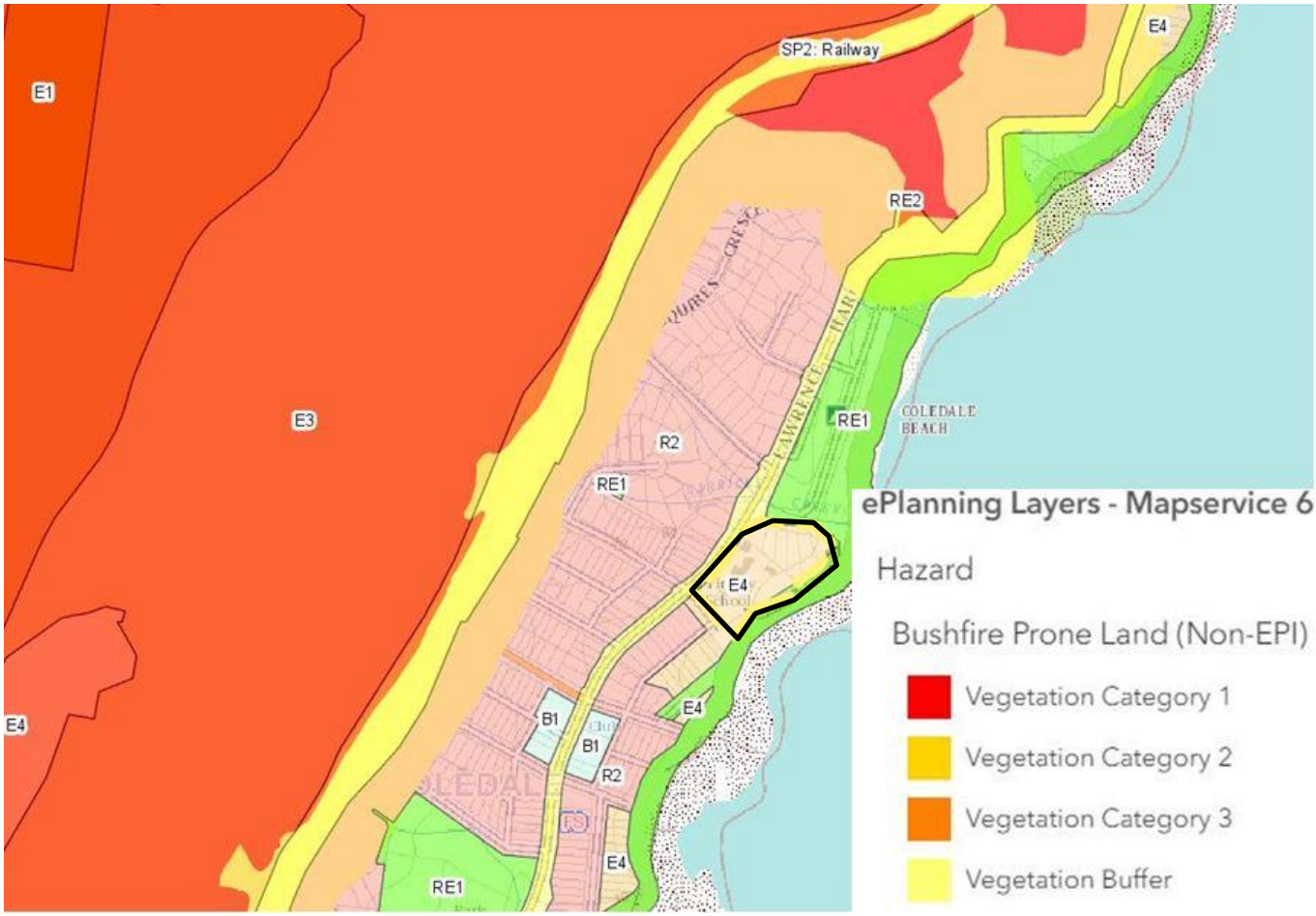


Figure 6: Extract from Bushfire Prone Land Map

5.6 Biodiversity Conservation Act 2016

Vegetation removal is not required

In accordance with Part 7 of the Biodiversity Conservation Act, the proposal does not require a supporting biodiversity development assessment report because:

(a) the development is not likely to significantly affect threatened species or ecological communities, or their habitats,
(b) the development does not trigger any biodiversity offsets schemes; and
(c) the development is not proposed in a declared area of outstanding biodiversity value.

The proposed development footprint is not located within area subject to NSW biodiversity values per Figure 7 below.

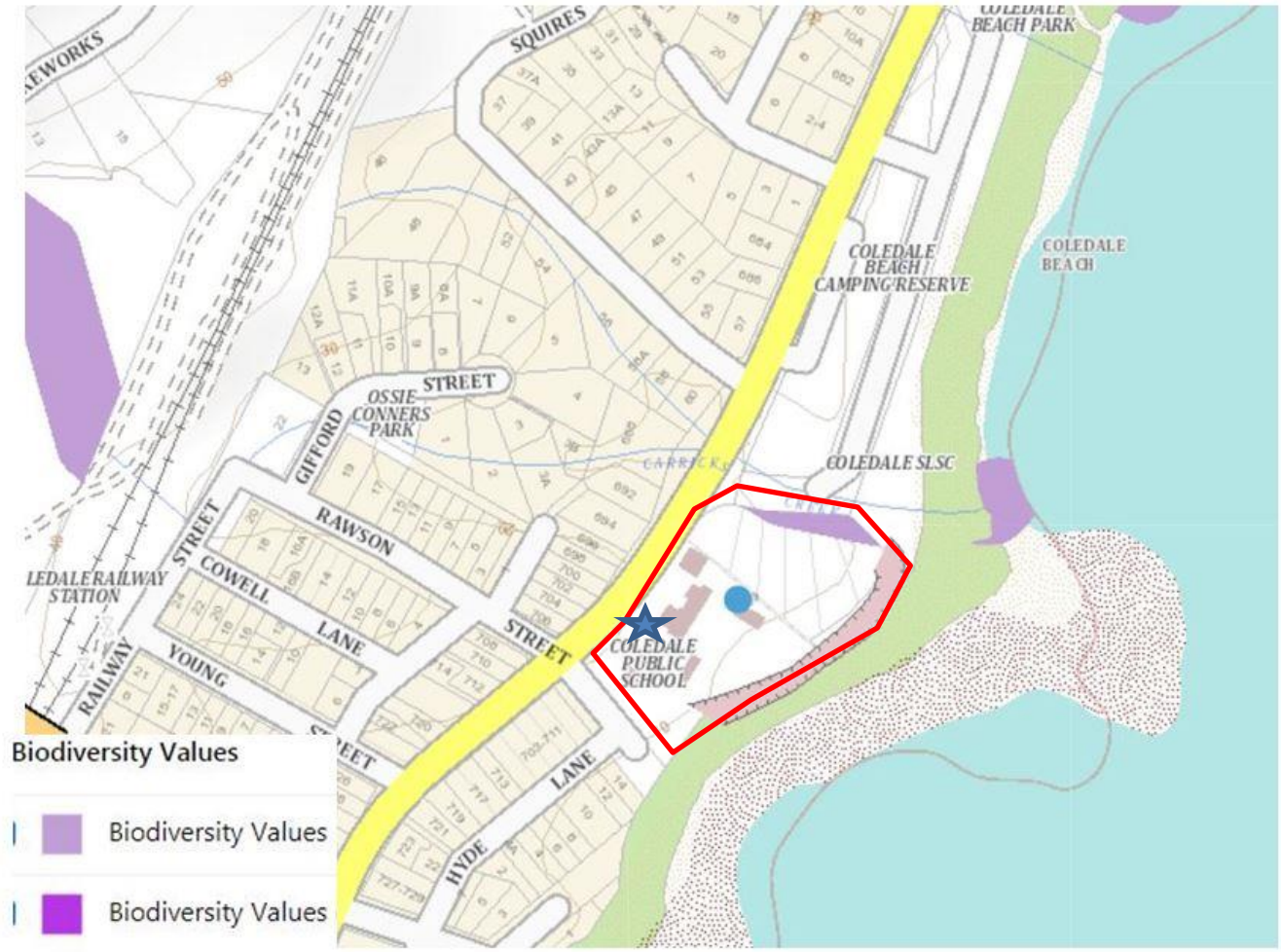


Figure 7: Extract from NSW Biodiversity Values Map (star indicates works footprint)

5.7 Heritage Act 1977

The Heritage Act 1977 contains provisions relating to the protection of items of heritage significance or items of potential significance. The integrated development provisions are triggered by development of items listed in the State Heritage Register or to which an interim heritage order applies. No such items are located on the school site.

Section 139 of the Act requires that an Excavation Permit is required prior to undertaking any development which involves excavation of land where there is reasonable cause to expect that a relic will be discovered or disturbed. There is no reasonable cause on this site to expect that a relic would be discovered and further assessment is not required.

5.8 Roads Act 1993

Section 138 of the NSW Roads Act 1993 requires the consent of the appropriate roads authority for any works or activities in a public road reserve.

No road works are proposed and further assessment is not required.

6 Section 4.15 Assessment

6.1 (a)(i) The provisions of any Environmental Planning Instrument

As outlined in Section 5.0 the proposal has been prepared in light of the relevant environmental planning instruments.

6.2 (a)(iii) The Provisions of any Development Control Plan

The proposal has been prepared having regard for relevant DCP requirements, refer Section 4.0.

6.3 (b) The Likely Impacts of That Development

Environmental Responsibility and Land Capability

Ecological Values

The site has been developed for educational purposes and the proposed works do not require vegetation removal. The development will therefore generate no impact on the biodiversity values of the site.

Scenic Values

The minor development proposed is limited to excavation and installation of signage and the works will not impact the scenic aesthetics of the site. This will be assisted through the potential for placing time restrictions on the operation of the sign.

Acoustic Impact

Signage proposed will generate no additional acoustic impacts.

Tree Preservation and Management

Vegetation removal is not required to facilitate construction of the proposed development.

Erosion Prevention and Sediment Control

Minor excavation and ground disturbance will be required however the works will not require significant erosion and sediment control.

Appropriate erosion and sediment controls will be employed during construction to ensure spoil generated will be removed and disposed of in accordance with the Blue Book.

Energy Efficiency / Sustainability

Proposed signage will have no impact on the existing sustainability of the site.

Overshadowing

The proposed development will generate no adverse overshadowing impacts to surrounding development.

Privacy

Signage will generate no adverse impacts on nearby residents.

Social Impact & Economic Impact

The proposed development will generate short term construction benefits for local tradespeople and suppliers. The improved school facilities will better assist with the delivery of education and social benefits.

Overall, it is considered that the proposal will generate positive ongoing social and economic impacts.

Heritage

There are no known European heritage items on or near the site, refer to LEP heritage discussion in Section 5.2 for further information.

There are no known Aboriginal objects or Aboriginal places recorded on or near the site. An AHIMS search (refer Appendix C) was undertaken which confirmed that no known sites of significance have been registered in a 200m vicinity of the subject land.

Infrastructure and On-site Services

The site is serviced by power, telecommunication, sewer and water. No changes to existing stormwater design or other services are proposed.

Transport, Access, Parking and Servicing

There will be no changes to car park, pedestrian or vehicle access to the site. The proposal will not increase student or teacher capacity and will not generate additional traffic movements.

The site will continue to be accessed via Lawrence Hargrave Drive

The proposed development will not cause any adverse traffic or parking issues.

Amenity

The proposal will not cause any inappropriate impacts for neighbours and is consistent with the amenity of the area.

6.4 (c) The Suitability of the Site for the Development

The Statement of Environmental Effects has determined that there are no constraints that would restrict the development proposed. The site is therefore suitable for the development proposed.

6.5 (e) Public Interest

The public interest is best served by promoting sustainable development that is rational, orderly and economic. The proposal will generate positive social, environmental and economic benefits. Accordingly, the proposal is considered to be in the public interest.

7 Conclusion

The Statement of Environmental Effects has been prepared addressing relevant matters outlined in section 4.15 of the Environmental Planning and Assessment Act, 1979 and satisfies all relevant planning legislative requirements.

Our assessment of the proposal confirms:

- The subject site is suitable for the proposed development and will not result in any significant or adverse overshadowing, acoustic, privacy or amenity issues;
- The design and built form of the proposed development has been articulated to complement the streetscape and surrounding locality; and
- The development will facilitate additional employment opportunities during and after construction.

The proposal represents rational, orderly, economic and sustainable use of the land and should therefore be supported.

Appendix A – Site Plans

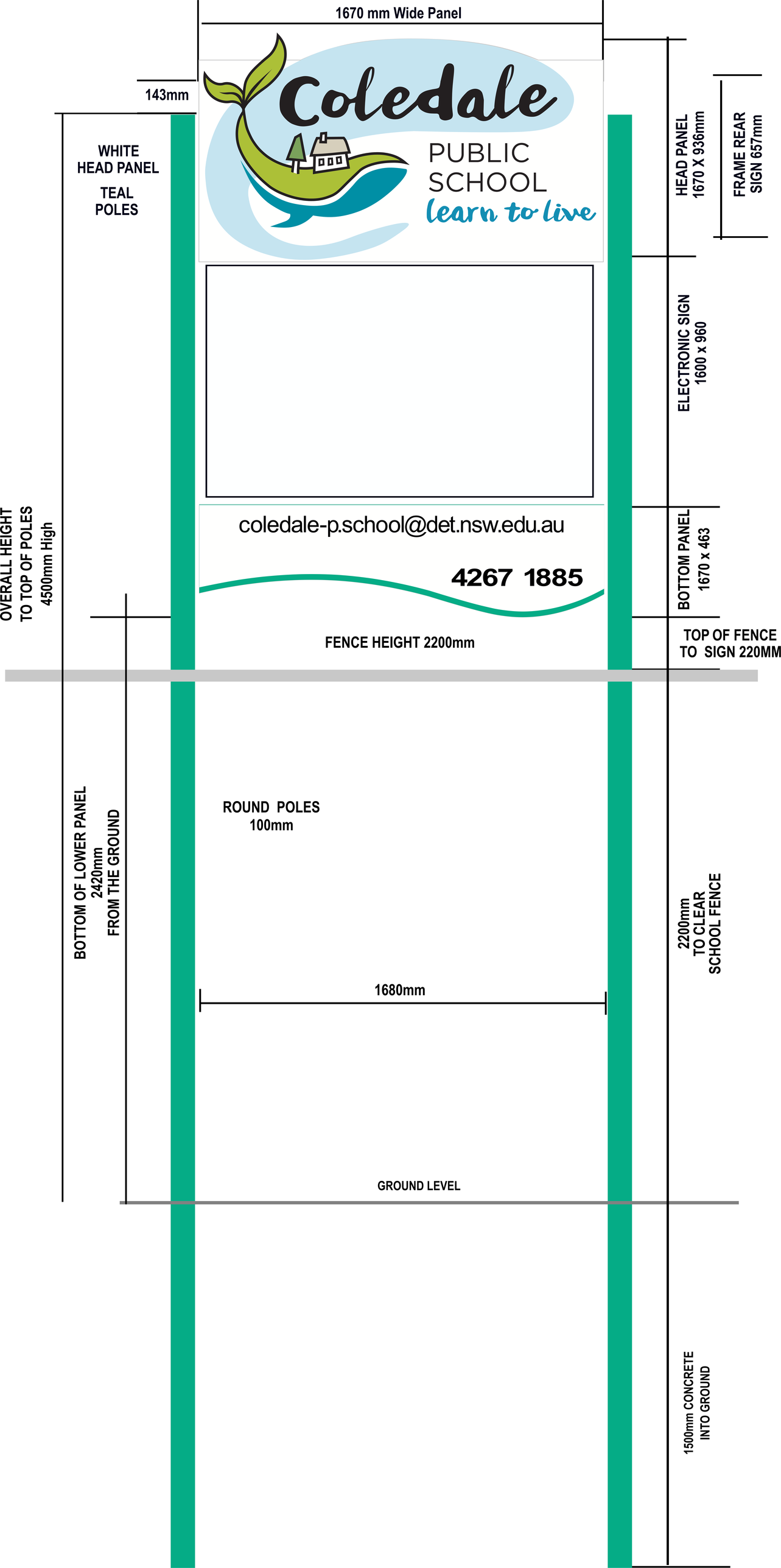
1587 - Coledale Public School

Site Plan (12250)

1:782

Printed: 23-Oct-2018

Appendix B – Signage Plan


1670 mm Wide Panel
143mm
Coledale
PUBLIC
SCHOOL
learn to live
WHITE
HEAD PANEL
TEAL
POLES
HEAD PANEL
1670 X 936mm
FRAME REAR
SIGN 657mm
ELECTRONIC SIGN
1600 x 960
coledale-p.school@det.nsw.edu.au
4267 1885
BOTTOM PANEL
1670 x 463
OVERALL HEIGHT
TO TOP OF POLES
4500mm High
FENCE HEIGHT 2200mm
TOP OF FENCE
TO SIGN 220MM
ROUND POLES
100mm
BOTTOM OF LOWER PANEL
2420mm
FROM THE GROUND
2200mm
TO CLEAR
SCHOOL FENCE
1680mm
GROUND LEVEL
1500mm CONCRETE
INTO GROUND

Appendix C – AHIMS Search

AHIMS Web Services (AWS)
Search Result

Your Ref/PO Number : Coledale Public

Client Service ID : 631860

Ben Miller

Date: 20 October 2021

Studio 5, 78 York Street
East Gosford New South Wales 2260

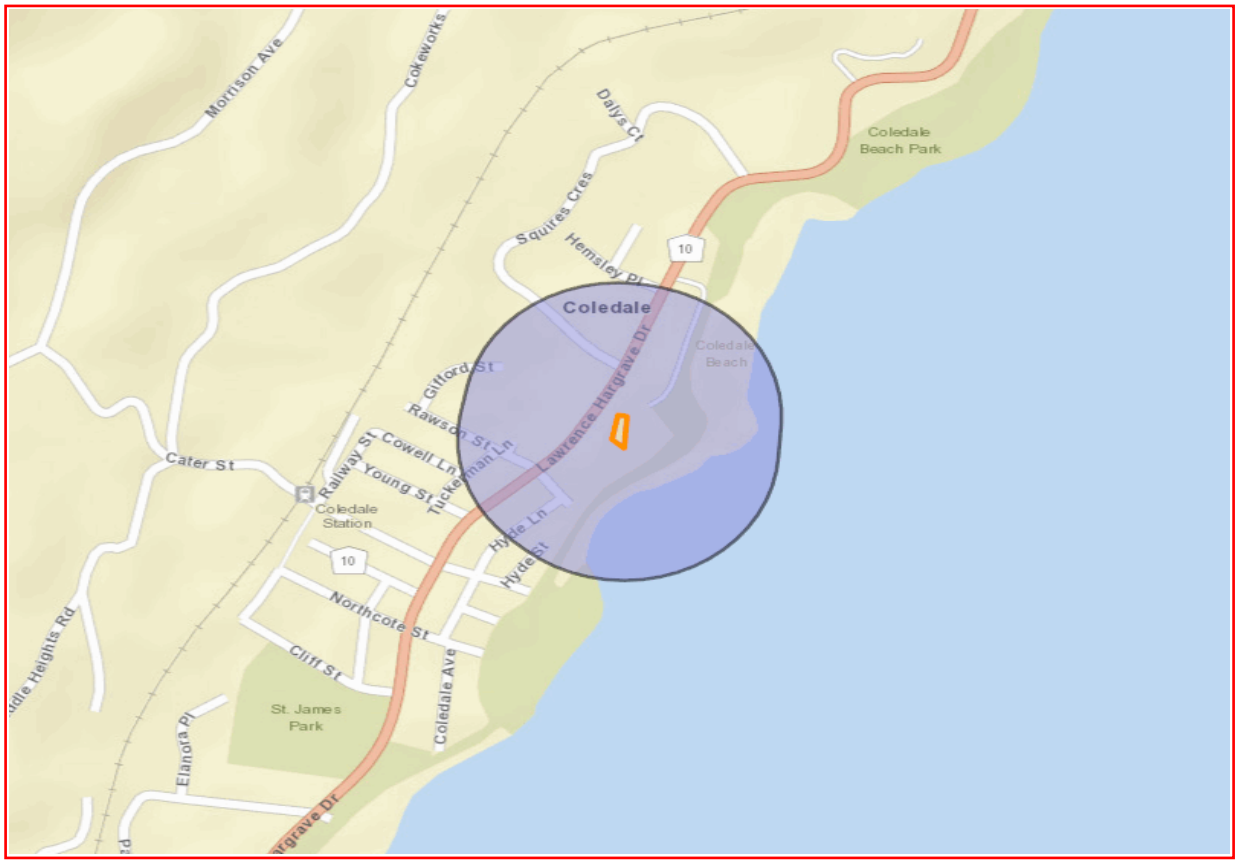
Attention: Ben Miller

Email: ben@brs.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 2, DP:DP19066, Section : - with a Buffer of 200 meters, conducted by Ben Miller on 20 October 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	**Aboriginal sites are recorded in or near the above location.**
0	**Aboriginal places have been declared in or near the above location. ***

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the NSW Government Gazette (https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

Attachment 3

NSW GOVERNMENT | Education

27 October 2021

The General Manager
Wollongong City Council
Locked Bag 8821
WollongongDC
NSW 2500

Attn: Brigit Mathai - Development Project Officer

Dear Ms. Mathai

RE: DA-2021/384 - Signage - LED signage board - Coledale Public School, 699 Lawrence Hargrave **Drive, Coledale - Draft Conditions of Consent**

Thank you for the opportunity to provide feedback on the draft conditions of consent.

Council is advised that the proposed development is Crown Development and that the provisions of Division 4.6 and Section 6.28 of the *Environmental Planning and Assessment Act 1979* apply. All references to 'Principal Certifier' are references to 'Cro wn Certifier' with certificates issued under Section 6.28 of that Act.

SINSW wishes to make proposed modifications to the draft conditions as provided in Attachment 1.

If you require any additional information, please feel free to contact Adam Morgan on 0457 239 519, or via email adam.morgan15@det.nsw.edu .au

Yours sincerely

Jrk

Digitally signed by Adam Morgan
Date: 2021.10.27
17:24:09 +11'00'

Adam Morgan
Asset Services Officer
School Infrastructure NSW

Attachment 1- Response to Revised Conditions

Condition Number	SINSW Comment	
Condition Sb	Replace 'Principal Certifier' with 'Crown Certifier'.	
Condition 6	Replace 'Principal Certifi er' with 'Crown Certifier'.	
Condition 7	Replace 'Principal Certifier' with 'Crown Certifier'.	
Condition 8	Replace 'Occupation Certificate' with 'Crown Certificat e' given t at an occupation certificate is not required for crown development.	
Condition 11	Replace 'Principal Certifier' with 'Crown Certifier '.	

ATTACHMENT 4: CONDITIONS

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 Crown 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 Crown 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 Crown 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 Crown 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 6.00 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.

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

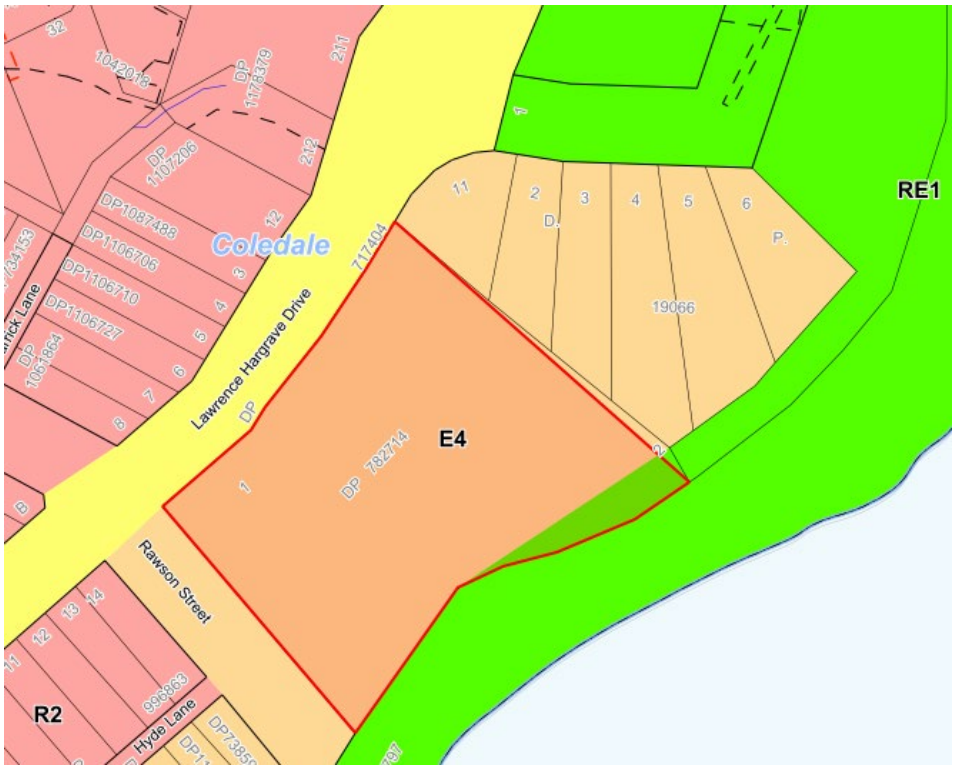


Figure 2: WLEP 2009 zoning map

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
1. Impacts of illuminated LED signage Concerns that illumination will have impacts to residents, neighbourhood and natural environment, distractions to traffic and dangerous to drivers.	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. 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. 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. Proposal is considered worthy to support being within the school compound displaying school community information.
2. Operating hours and information displayed	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.
3. Incorrect information withing the Statement of Environmental Effects (SOEE) and lack of Management Plan	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.
4. Signage unnecessary, waste of resources and out of place	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.

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

<u>Clause 2.2 – zoning of land to which Plan applies</u>

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.

Clause 7.6 Earthworks

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.

Clause 7.7 Foreshore building line

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.

2.2 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT

N/A

2.3 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

CHAPTER C1 – ADVERTISING AND SIGNAGE

8 General requirements for advertising signs and structures

8.1 Advertising Signage must relate directly to lawful use of the land

The sign is to advertise school related activities. Satisfactory.

8.2 Design and Location

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.

8.3 Proportion

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 is10m^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)	
9. Pole or pylon signs will generally not be permitted upon a site located within a residential zone. However, a pole or pylon sign may be permitted, in special cases where: (a) The proposed sign is for advertising of an existing approved business; and (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 (c) The maximum advertising area of the sign is 2m2 and the maximum height of the sign is 2 metres, above ground level.	The proposed pole sign is within a residential zone, however it is considered satisfactory as it is: sited within the grounds of a public school and is intended for the advertising of school activities, not likely to cause adverse impacts on streetscape character or loss of residential amenity, and 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.	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)

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

Not applicable

<u>93 Fire safety and other considerations</u>

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

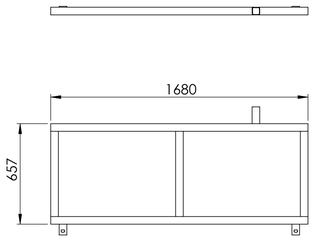
2 Conditions

1587 - Coledale Public School

Site Plan (12250)

1:782

Printed: 23-Oct-2018



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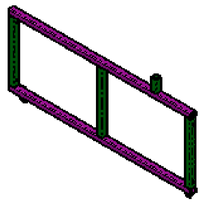
QTY: 1



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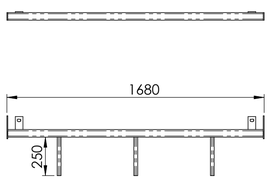

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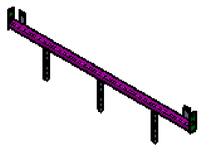
QTY: 1



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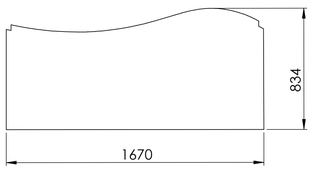

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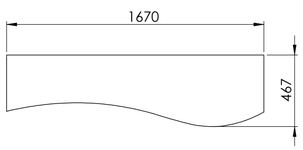
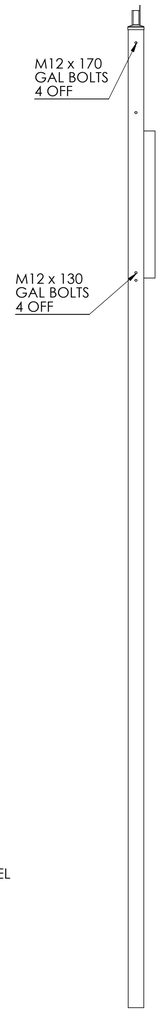
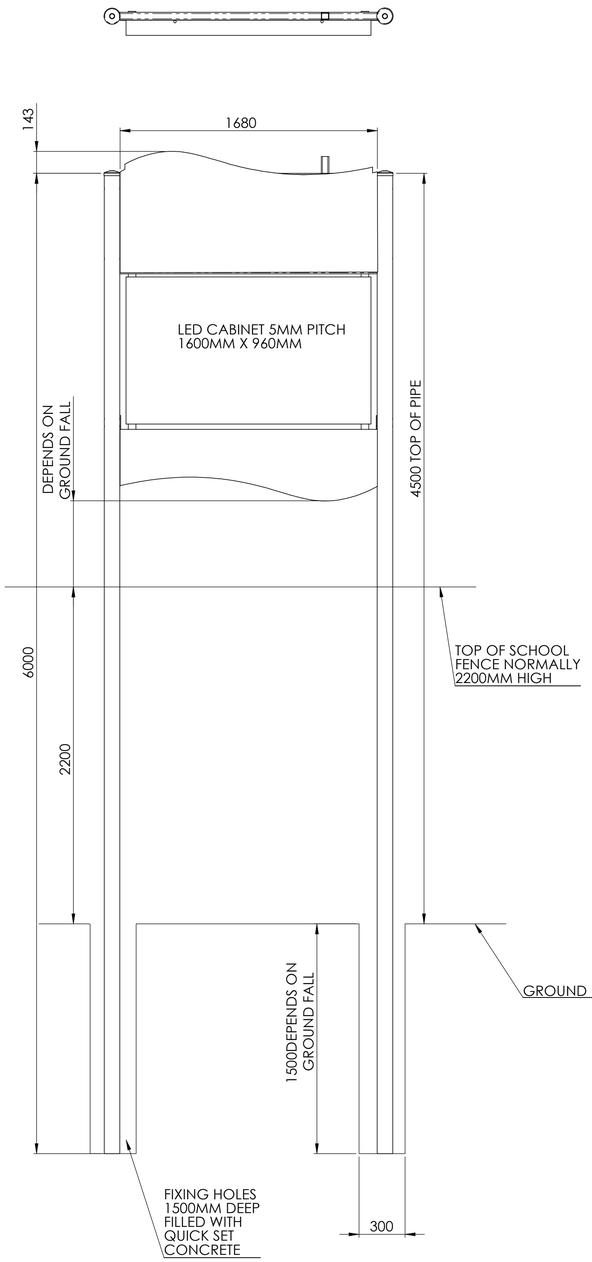
MTL 1.6MM ALUMINIUM
QTY 1

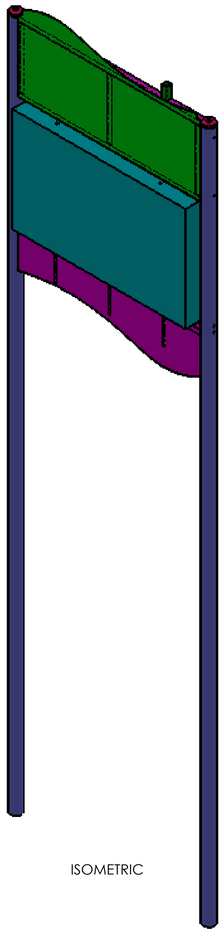


BOTTOM HEADER PANEL
MTL 1.6MM ALUMINIUM
QTY 1

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







ISOMETRIC

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TITLE: COLEDALE PUBLIC SCHOOL
LED SIGN FRAME

DRG No: 20210721

A1

SCALE:	DATE:	DRN:	CHKD:		REV:
1:20	21/07/2021	JOHN			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.

Attachment 6

From: Adam Morgan
Sent: Thursday, 4 November 2021 12:10 PM
To: Brigit Mathai
Subject: RE: DA-2021/384; Coledale Public School, 699 Lawrence Hargrave Drive, COLEDALE

[EXTERNAL EMAIL] This email was sent from outside of Wollongong City Council – be cautious, particularly with links and attachments.

Hi Brigit,

Confirming the details provided below are satisfactory for the panels review;

Noted,
Councils consideration to the operational hours of between 7am and 6pm. Confirmed by the school as reasonable, thank you.

As per our conversation the terminology of 'Occupation Certificate' in Clause 9 meaning the provision of communication to council that the works are completed.

Thank you for your ongoing support,

Regards
Adam

From: Brigit Mathai <BMathai@wollongong.nsw.gov.au>
Sent: Monday, 1 November 2021 9:29 AM
To: Adam Morgan <Adam.Morgan15@det.nsw.edu.au>
Subject: RE: DA-2021/384; Coledale Public School, 699 Lawrence Hargrave Drive, COLEDALE

[External Email] This email was sent from outside the NSW Department of Education. Be cautious, particularly with links and attachments.

Hi Adam,

Thanks for sending the additional information. Accordingly I have prepared a supplementary report and revised the conditions for the Panel submission.

Could you please confirm the revised conditions are acceptable which will be attached to the Addendum Report.

Please note the change in recommended operating hours. Based on your request for operation of the sign between 7am to 6pm (winter days) and to 7pm (summer days) and the Panel's comment for hours of operation to be 7am to 5pm Council considers a reasonable compromise could be operational hours of between 7am and 6pm.

Regards,

wollongong
city of innovation

Brigit Mathai
Development Project Officer
Post Locked Bag 8821 Wollongong DC NSW 2500
Phone +61 2 4227 7111 ● Fax +61 2 4227 7277

Email council@wollongong.nsw.gov.au ● www.wollongong.nsw.gov.au
Our Values SUSTAINABLE COURAGE RESPECT INTEGRITY ONE TEAM

From: Adam Morgan <Adam.Morgan15@det.nsw.edu.au>
Sent: Thursday, 28 October 2021 8:45 AM
To: Brigit Mathai <BMathai@wollongong.nsw.gov.au>
Cc: Ben Miller <ben@brs.com.au>; Tony Timpano <Antonio.Timpano1@det.nsw.edu.au>
Subject: DA-2021/384; Coledale Public School, 699 Lawrence Hargrave Drive, COLEDALE

[EXTERNAL EMAIL] This email was sent from outside of Wollongong City Council – be cautious, particularly with links and attachments.

Good Morning Brigit,

Please find the amended submission document to support the development application; DA-2021/384; Coledale Public School, 699 Lawrence Hargrave Drive, COLEDALE. LED signage.

Thank you for your consideration in this matter.

Kind Regards

Adam Morgan
Asset Services Officer | Southern NSW AMU
0457239519 | adam.morgan15@det.nsw.edu.au | education.nsw.gov.au

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I acknowledge the homelands of all Aboriginal people and pay my respect to Country.

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