

Item No: R Recommendation to Council
Subject: **DRAFT EDUCATIONAL ESTABLISHMENTS DEVELOPMENT CONTROL PLAN 2012**
Author: Anne White – Senior Strategic Planner
File No: 1197.G
Reason for Report: To obtain Council’s decision to exhibit the Draft Educational Establishments Development Control Plan 2012.

Recommendation

- A. That the Draft Educational Establishments Development Control Plan as contained in **Annexure 3** of the report to the Urban Planning Committee meeting on 27 February 2012, be placed on public exhibition.
- B. That a report on the submissions to the Draft plan be prepared and presented to the Urban Planning Committee following the public exhibition process.

1. Background

The current Development Control Plan (DCP) for School and College Development came into force on 21 June 1995. This plan applies to development within the municipality that involves private or public schools and colleges.

To respond to new impacts arising from schools, we have prepared a Draft Educational Establishments Development Control Plan 2012 (Draft DCP). This Draft DCP was presented to a meeting of the Urban Planning Committee (UPC) on 12 December 2011. The Draft DCP was then reported to the UPC on 30 January 2012 (this report is attached at **annexure 1**). At this meeting the protection of open areas within existing educational establishments was discussed at length. As a result of these discussions, a number of amendments to the content of the Draft DCP were considered and the Committee recommended the following:

- A. *That the Draft Educational Establishments Development Control Plan as contained in **Annexure 5** of the report to the Urban Planning Committee meeting on 30 January 2012, be placed on public exhibition with the amendments listed in Part C below.*
- B. *That a report on the submissions to the Draft plan be prepared and presented to the Urban Planning Committee following the public exhibition process.*
- C. *That the following amendments be incorporated in the Draft Educational Establishments Development Control Plan for public exhibition:*

Section 1.9 Definitions

- *The term “Significant Open Area” be changed to “Significant Open Space” in this Section and wherever it appears in the Draft DCP.*
- *The term “Open area” be changed to “Open space” in this Section and wherever it appears in the Draft DCP.*
- *The definition of “Open space” be reworded to show that the intent of Council is to protect green open space.*

Section 2.5 Open space (changed from Open area)

- *Control C1 be amended to read:*
“Existing open spaces are to be retained, particularly those which contribute to the amenity of the surrounding location, including those significant open spaces identified in Annexure 1.

Section 2.9 Community use

- *Objective O1 be amended to read:*
“To encourage the use of school facilities by the wider community.”
- *Original Objective O2 be reinstated and to read:*
“To minimise the adverse effects of community use of an educational establishment on the amenity of the adjacent properties.”

Section 2.11 Sustainability

- *Objective O1 be amended to read:*
“To reduce energy demand by designing buildings that do not depend on mechanical heating or cooling and that are naturally lit and ventilated.”
- *The third dot point of Control C1 be amended to read:*
“Wherever possible (and where there is no negative impact on the significance of a heritage item or heritage conservation area) roof-top solar energy systems are to be installed.”
(Note: Solar energy system means any of the following systems:
 - (a) A photovoltaic electricity generating system,*
 - (b) A solar hot water system,*
 - (c) A solar air heating system.)*
- *Inclusion under Control C1 the following additional dot point:*
“Alternative low emission and renewable energy sources.”

Annexure 1 Significant Open Spaces (changed from Significant Open Areas)

- *Inclusion of Cranbrook Junior School including Dangar Playing Fields as a Significant Open Space.*

On 13 February 2012 Council resolved:

That the Draft Educational Establishment Development Control Plan as contained in Annexure 5 of the report to the Urban Planning Committee meeting on 30 January 2012, be deferred, and a further report submitted to the Urban Planning Committee implementing the recommendation from the meeting on 30 January 2012.

2. Amending the Draft Educational Establishments DCP 2012

At the UPC meeting on 30 January 2012 the protection of existing open areas within educational establishments was discussed at length.

Having considered all the comments and recommendations it is understood that Councillors wish to protect all open spaces within our educational establishments, and not to limit this protection to those open areas which could be considered as significant. In order to remove the existing hierarchical approach, we recommend the removal of all references to the term “significant open area”. This also includes the removal of Annexure 1- Significant Open Areas which maps these areas.

At the UPC meeting on 30 January 2012 Councillors recommended that the term “open area” be changed to “open space” wherever it appears in the Draft DCP. This change has been made to the revised Draft DCP.

Concern was expressed that the definition of “open space” is not broad enough. It is understood that Councillors want to include additional areas in this definition. This would be achieved by including a reference to “green open space”. The Kincoppal foreshore bushland was used as the primary example to illustrate this point.

We have concerns with how the term “green open space” will be interpreted. For example, will a narrow grassed area or a flower bed be interpreted as “green open space”?

As an alternative to introducing the term green open space, we recommend the following definition:

Open Space *is the area on the establishment which is used for playgrounds or sport fields and may or may not include associated structures and vegetation.*

We also suggest that green or vegetated areas of significance can be further protected by amending Control C3 in **Part 2.8: Planting, fencing and hard surfaces** in the following manner:

C3 Existing green or vegetated areas which contribute to the streetscape public realm must be retained. These areas include, but are not limited to Kincoppal (foreshore bush-land), Vaucluse Public School (open space adjacent to Cambridge Avenue) and Glenmore Public School (vegetated strip adjacent to Glenmore Road).

The other issues raised at the UPC meeting 30 January 2012 are identified in **annexure 2**, along with a comment on how we respond to these matters in the Draft DCP. The alterations arising from the UPC meeting are identified in the Draft DCP (**annexure 3**).

3. Conclusion

The Draft DCP has been amended to respond to Council’s concerns regarding the protection of all open spaces on school land. If Council resolves to exhibit the Draft DCP contained in **annexure 3**, a statutory exhibition process will be commenced.

We recommend that Council resolves to exhibit the Draft Educational Establishment DCP as set out in **annexure 3**.

Allan Coker
Director Planning and Development

Chris Bluett
Manager Strategic Planning

Anne White
Senior Strategic Planner

Annexures

1. Report to UPC 30 January 2012
2. Recommendation from UPC 30 January 2012
3. Draft Educational Establishment DCP 2012