

Ref	Summary of issue	Response
	Submission by Kambala School	
	Clause 2.6 Arrival and Departure (Control 5)	
1	<p><u>Internal driveway</u> Concern regarding practicality of providing an internal driveway on the site (contrary to providing sufficient open space).</p> <p>Alternative suggestion to propose drop-off/pick-up zones at school perimeters during peak periods, accompanied by a Traffic and Pedestrian Management Plan (TPMP). Include parent and staff rosters to facilitate safe traffic arrangements.</p>	<p>NO CHANGE</p> <p>Kerbside pickup/drop off zones have adverse impacts for the surrounding community in terms of reduced parking capacity, traffic congestion and increased risk to pedestrian safety. Management of onstreet pickup/drop off zones also requires a greater level of resources from Council and the school to enforce parking restrictions and safely implement the associated Traffic and Pedestrian Management Plan.</p> <p>Ideally the pickup/dropoff area should be located on site. This is consistent with objective (vii) of the Draft DCP, which seeks to minimise the impact on the surrounding community.</p> <p>Several recent school developments have implemented pickup/dropoff areas in new parking and hard stand areas without great alterations to the scope of works. These designs are examples of an efficient use of the site, and are evidence that such facilities can be implemented in large scale developments.</p> <p>If an internal driveway is not possible or practical, and an alternative solution is more appropriate (such as a bus layby or pick up/drop off zone), sufficient justification should be provided within the TPMP to support this position.</p>
	Submission by Scots College	
	Clause 2.6 Arrival and Departure (Control 5)	
2	<p><u>Major development and internal driveway</u> The definition of ‘major development’ is too broad. A small increase in student numbers would require the provision of an internal driveway. Larger development (such as redevelopment of the sports precinct) would also trigger this requirement. This is inequitable and unreasonable.</p> <p>A more reasonable requirement is to limit the requirement to “new educational establishments only or educational establishments that propose to increase student numbers by more than 50%”.</p>	<p>CHANGE</p> <p>Delete the second sentence in Requirement R1, and remove the two examples of ‘major development’.</p> <p>It is difficult to define ‘major proposal’ as the provision for an internal pickup/drop off area is determined on a case by case basis depending on factors such as:</p> <ul style="list-style-type: none"> • cost of development works; • scope of proposed construction; • practicality of constructing the internal driveway • surrounding road network. <p>The cases identified as ‘major proposal’ in the Draft DCP are examples only, but we recognise that an increase in student numbers may not be the best indicator. We therefore propose to remove the second line in clause R1, and not provide examples.</p>
3	<p><u>Bus layby area is more reasonable</u> The current School and College DCP (1995) only requires a bus layby area where ‘site characteristics allow’. This is more reasonable than the provisions within the Draft DCP.</p>	<p>NO CHANGE</p> <p>The current School and College DCP 1995 does not only require a bus layby area where ‘site characteristics allow’. On page 7 of the current DCP there is also a requirement that: “<i>A layby area adjacent to the principal entry gates or an internal driveway should be provided, to the satisfaction of the Council, for the picking-up and dropping-off of students before and after school, where necessary and/or possible.</i>”</p>

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		<p>Ideally the pickup/dropoff area should be located on site. This is consistent with objective (vii) of the Draft DCP, which seeks to minimise the impact on the surrounding community.</p> <p>Several recent school developments have implemented pickup/dropoff areas in new parking and hard stand areas without great alterations to the scope of works. These designs are examples of an efficient use of the site, and are evidence that such facilities can be implemented in large scale developments.</p> <p>The Draft DCP requirement for an internal driveway should be retained.</p> <p>If an internal driveway is not possible or practical, and an alternative solution is more appropriate (such as a bus layby or pick up/drop off zone), sufficient justification should be provided within the TPMP to support this position.</p>
	Clause 2.7 Parking and Servicing (Control 1)	
4	<p><u>Excessive car parking rates</u> Off-street parking rate of 1 space / 100m² does not consider where additional floor area is added to an existing school site, with no increase in staff/students.</p> <p>The rate is excessive for a school that is centrally located and well served by public transport.</p> <p>It is recommended that alternative parking requirements are considered, and reducing parking rates would encourage a reduction in the demand for the use of private vehicles and support an increase in public transport.</p>	<p>NO CHANGE</p> <p>The off-street car parking rate of 1 space per 100m² was publicly exhibited and approved as part of the Woollahra Parking Development Control Plan. This plan came into force on 23 March 2011.</p> <p>Clear observations show that the majority of schools within the municipality create a high demand for parking. The demand is high enough to produce a notable difference to onstreet parking availability after school hours, or during school holidays. The application of this parking rate is appropriate and consistent with objectives (ii) and (vii) in Section 1.5, which seek to minimise parking impacts on the surrounding community.</p>
	Clause 2.7 Parking and Servicing (Control 6)	
5	<p><u>Excessive bicycle parking rates</u> The bicycle parking rates are excessive and unnecessary. The topography and a lack of dedicated bicycle paths make cycling to the campus difficult and dangerous. Scots College does not recommend cycling.</p> <p>The majority of students are dropped-off/picked up by carers, or use public transport. The dedicated bicycle parking spaces would be underutilised, and would be an inappropriate use of space.</p>	<p>CHANGE</p> <p>Replace the word “must” in Control 6 by the word “should”.</p> <p>The Woollahra Bicycle Strategy 2009 reports on results of a survey conducted with Schools in the municipality. Whilst the schools do not object to students riding to school, they did report that the numbers were low, primarily due to road safety.</p> <p>To recognise this concern and identify that the bicycle parking rates are recommendations only, the word “must” in Control C6 is replaced by the word “should”.</p>

Ref	Summary of issue	Response
	Submission by Cranbrook School	
	<p>Multiple references The following three issues were referred to in multiple points in the submission.</p>	
6	<p><u>Consideration of vistas and views</u> Clause 1.2 Context: Paragraph 4 Clause 1.5 Objectives: iii Clause 2.2 Siting of development Objective 3 Clause 2.2 Siting of development Control 4 Clause 2.4 Heritage Conservation Control 2</p>	
	<p>There are multiple points raising concerns that access to vistas and views should not be considered a matter of right (contrary to the principal of view sharing), and should only be considered if the vista or view is significant or substantive.</p>	<p>CHANGE We recognise that when assessing view loss from private properties, access to vistas and views should not be considered a right. This would be contrary to the principle of view sharing as set out by the Land and Environment Court in <i>Tenacity Consulting v Warringah Council (2004)</i>.</p> <p>However, a key objective of the DCP is to protect those vistas and views available from the public domain. The significance of these vistas and views will be assessed on a case-by-case basis.</p> <p>Having considered the submission, we recognise that a control specifying that views and vistas should be “enhanced” or “opened up” could be onerous and unreasonable.</p> <p>The following changes are proposed:</p> <p>Clause 1.2 Context: Delete reference to “views and vistas” in the last line of paragraph four.</p> <p>Clause 1.5 Objective iii) Insert additional text: <u>Protect views and vistas from the public domain and encourage view sharing</u></p> <p>Clause 2.2 Siting of development: Delete objective 3. To protect and enhance existing views and vistas from public and private spaces. Replace with two objectives <u>O4: To protect existing views and vistas from the public domain;</u> <u>O5: To ensure the size and location of buildings allow for the sharing of views from surrounding residences.</u></p> <p>Delete control 4: Site new development so that significant views and vistas are maintained. Replace with two controls: <u>O4: Site new development to maintain views and vistas from the public domain;</u></p>

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		<p><u>O5: Site new development to enable a sharing of views with surrounding residences.</u></p> <p>Clause 2.4 Heritage Conservation Delete Control 2: Siting of new development should not detract from the heritage item and should preserve existing views and vistas to and from the item; Replace with two objectives: <u>Control 2: Siting of new development should not detract from the heritage item;</u> <u>Control 3: Siting of new development should preserve existing views to and from the item from the public domain, and enable a sharing of views to and from the item from surrounding residences.</u></p> <p>Delete current Control C3: The siting of new development should seek to ‘open up’ new views of vistas to a heritage item, especially from public places.</p>
7	<p><u>Reference to State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)</u> Clause 1.4 Land and development to which this DCP applies Clause 1.7: Applications to which this DCP applies Clause 1.8.2 : Relationship to the Act, the Regulation and other plans and policies Clause 1.8.3: State policies</p>	
	<p>There are multiple points requesting additional references to the ISEPP, and its overarching provisions.</p> <p>It is most likely that development will be carried out under the ISEPP and not the LEP, which brings into question the status of the DCP. This submission questions whether the Draft DCP can be given any weight when determining a DA under the ISEPP.</p>	<p>NO CHANGE</p> <p>Reference to the ISEPP is made in clause 1.1: <i>Introduction</i> and clause 1.8.2: <i>Relationship to the Act, the Regulation, and to other plans and policies</i>. Further reference to the ISEPP would be unnecessary duplication.</p> <p>We recognise that the ISEPP permits a variety of development associated with educational establishments as exempt and complying development. Notwithstanding the ISEPP, educational establishments are encouraged to work with Council in the design and planning stages of proposed development. Both these points are made in Clause 1.1 <i>Introduction</i>.</p> <p>Section 74C of the <i>Environmental Planning and Assessment Act 1979</i> identifies that a planning authority may prepare a development control plan to provide more detailed provisions to achieve the purpose of an environmental planning instrument (including a SEPP). The ISEPP further identifies in Cl 32(3) of Division 3 that: <i>“If there is an inconsistency between a standard referred to in subclause (2) and a provision of a development control plan, the standard prevails to the extent of the inconsistency.”</i> This clause implies that the ISEPP anticipates that a DCP may be prepared in relation to development under a SEPP.</p>

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		A council may use its DCP when considering a development application for an educational establishment. However, if there is an inconsistency between a standard in the SEPP and the DCP, then the standard prevails.
8	<p><u>Inappropriate use of the term ‘Open Space’</u> Clause 1.5 Objective v), viii), Clause 1.5 Objectives Clause 2.5 Open Spaces (Heading) Clause 2.5 Open Space Objectives 1-3 and Controls 1-5 Clause 2.8 Planting, fencing and hard surfaces Objective 2</p>	
	<p>The use of the term “Open space” is not appropriate in the context of an educational establishment (it is usually only applied to residential development). The definition is inflexible and imposes unrealistic restrictions on development of an educational establishment.</p> <p>Spaces have different functions for teaching and related purposes. This is reflected in the Schools Facilities Standards – Landscape Standard version 22/03/02 (which is referenced in the Infrastructure SEPP). The standard divides schools into 9 distinct zones or areas. The terminology contained within the standards should be reflected in the DCP. In particular the term “open space” should be replaced with the term “functional zone”</p> <p>It is noted that none of the quoted definitions derive from the EPAA, SI or WLEP 1995: Open Space, Playgrounds and Sports fields or courts. The School Standards identifies appropriate definitions, and should be reflected within the DCP.</p>	<p>NO CHANGE</p> <p>The Infrastructure SEPP identifies the following documents that the consent authority must take into consideration before determining a development application</p> <ul style="list-style-type: none"> a) <i>School Facilities Standards—Landscape Standard—Version 22</i> (March 2002), b) <i>Schools Facilities Standards—Design Standard</i> (Version 1/09/2006), c) <i>Schools Facilities Standards—Specification Standard</i> (Version 01/11/2008). <p>The standards contained within the <i>School Facilities Standards—Landscape Standard</i> are a guide only. There is no requirement for a local authority to copy any of the references or standards into the DCP.</p> <p>The Draft DCP uses plain English terms such as open space, playgrounds and sports fields or courts that are easily understood by the community. Definitions are identified to assist interpretation of the objectives and controls.</p>
	Clause 1.2 Context – Paragraph 2	
9	<p><u>Perceived negative impacts</u> Amend paragraph to identify that any negative impacts arising from educational establishments are to be appropriately minimised.</p>	<p>CHANGE</p> <p>Delete paragraph 2 in Clause 1.2 Context and replace with the following: <i>Educational establishments have an important function in their community but their functional requirements result in buildings that are different to the built form of residential development. Therefore new developments for educational establishments need to take into account adjoining residential uses to ensure that their ongoing operations (including</i></p>

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		<p><i>traffic and parking) will have minimal impacts on the amenity of the surrounding community.</i></p> <p>Proposed wording as suggested by the submission.</p>
	Clause 1.2 Context – Paragraph 4	
10	<p><u>Function of open space</u> Paragraph refers to open playing fields, but does not recognise the prime purpose of open playing fields and playgrounds is to serve as functional teaching spaces. Amended wording suggested.</p>	<p>NO CHANGE It is not necessary to amend this paragraph to identify that parts of an educational establishments provide functional teaching spaces. It is inherent that all facilities in an educational establishment have the potential to provide functional teaching spaces.</p>
	1.8.5 Other Woollahra DCPs, policies and codes.	
11	Typographical error where reference is made to clause 1.9 in lieu of 1.10.	<p>CHANGE Amend typographical error in Clause 1.8.5 to refer to 1.10.</p>
	2.2 Siting of development: Objective 1	
12	<p><u>Objective contains two concepts</u> The objective has two unrelated components: to protect and promote open spaces and then to protect and promote access to sunlight in relation to the site and adjacent land. This should be written as two separate objectives. <i>O1 To protect and promote the Entrance Zone, Street Frontage Zone, Passive Zone and Boundary Zones in educational establishments.</i> <i>O1A To ensure that there adequate sunlight access within the site and neighbouring land.</i></p>	<p>CHANGE Amend Objective 1 in Clause 2.2 Siting of development by separating into two objectives. <i>O1) To protect and promote open spaces</i> <i>O2) To protect and promote sunlight access in relation to the site and on neighbouring land.</i></p> <p>We recognise that the objectives should be separated, whilst maintaining the reference to open space.</p>
	2.3 Building and urban design Control 1	
13	<p><u>Differing built forms</u> Educational establishments result in “different built forms to residential development”. Recognise this by replacing the words ‘compatible with’ with the words ‘sympathetic to’. To allow the functional requirements of an establishment, whilst also introducing a built form that will be harmonious with nearby and adjoining residential development. This approach is also consistent with the controls for heritage conservation.</p>	<p>CHANGE Delete the word “compatible” in Control 1 in Clause 2.3 and replace with the word “consistent”.</p> <p>We recognise that due to the different requirements of educational establishments, the word ‘compatible’ should be replaced by a more appropriate term. Having considered the proposed amendment, and that the control is to apply to all school buildings (and not just items in heritage conservation areas) the term “consistent” is proposed.</p>

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	2.3 Building and urban design Control 3	
14	<p><u>Flexible design to facilitate community uses</u> The prime function of educational establishments is to meet the learning needs of students, and to ensure that the environment promotes the health and well-being of students. In addition, private schools must ensure that schools buildings/facilities are cost effective and within their budget. Control should be reworded to reflect this, amended wording suggested. <i>C3 Development of educational establishments should consider flexibly designed buildings to facilitate, where possible and practical, future use by the wider community.</i></p>	<p>CHANGE Insert objective <i>O3: To encourage flexibly designed buildings which are capable of being used for a variety of purposes.</i></p> <p>This control encourages design flexibility, and would not over ride the primary objective of designing educational establishments that meet the learning needs of the students.</p> <p>However, we identify that there is no objective in Clause 2.3 Building and Urban Design which encourages the provision of flexibly designed buildings.</p> <p>A new objective regarding flexibly designed buildings is proposed.</p>
15	2.7 Parking and Servicing Control 1	
	<p><u>Parking controls not to apply to existing facilities</u> Control should only relate to new developments for educational establishments thereby recognising the unique site conditions and constraints faced by existing educational establishments. Requested that the words “for new developments” is included.</p>	<p>NO CHANGE Additional floorspace usually results in an increased need for parking, whether this additional floorspace is proposed at an existing or new educational establishment. Using additional floorspace to calculate parking generation rates is a common approach in the municipality.</p>
16	2.7 Parking and Servicing Control 4	
	<p><u>Excessive tertiary facilities parking requirements</u> The parking requirement for tertiary facilities is overly ambitious. There are no tertiary facilities other than HMAS Watson which would result in a large portion of students using private vehicles and requiring parking for the duration of classes.</p>	<p>NO CHANGE The proposed car parking requirement for tertiary facilities has regard to the fact that as tertiary students are older, they are more likely to have access to a car, and therefore require car parking.</p>
17	2.7 Parking and Servicing Control 6	
	<p><u>Ability to provide bicycle parking</u> The word “must” should be replaced with the word “should” – as it may not always be possible to satisfy the rate or to provide in a central location that has changed rooms and showers.</p>	<p>CHANGE The word “must” will be replaced with the word “should” in Control 6 in Clause 2.7 Parking and Servicing.</p> <p>To identify that the bicycle parking rates are recommendations only, the word “must” in Control C6 is replaced by the word “should”.</p>

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18	<p>Clause 2.8 Planting, fencing and hard surfaces Objective 5 Clause 2.8 Planting, fencing and hard surfaces Controls 6 & 7.</p>	
	<p><u>Purpose of planting and fencing</u> The prime purpose of fencing is to provide security, safety and, in some cases, privacy for students from predatory behaviour, e.g where students may be changing for sport. References to security, safety and privacy should be included in all relevant objectives and controls.</p>	<p>NO CHANGE The purpose of planting and fencing is not limited to providing security and safety. Other purposes include the delineation of a site boundary, or assisting in screening a blank building façade. However, it is not possible or practical to list every purpose of planting and fencing.</p> <p>The purpose of these objectives and controls is to encourage planting and fencing which enables open spaces and existing vistas and views to contribute to the public domain and therefore the community.</p>
19	<p>2.9 Community Use Control 1</p>	
	<p><u>Impacts of a community use</u> Implication that the use must not have any effect on the community. Amended wording identified: <i>C1 It must be demonstrated that any adverse impacts on adjacent properties from the use of an educational establishment for a community use can be mitigated to an acceptable level or appropriate standard.</i></p>	<p>CHANGE Delete Control 1 in Clause 2.9 Community Use and replace with the following: <i>C1: Any adverse impacts on adjacent properties from the use of an educational establishment must be minimised.</i></p> <p>We recognise that the current control implies that there must be no impacts on adjacent properties from the community use of an educational establishment. Control amended.</p>
20	<p>2.11 Sustainability Control 1</p>	
	<p>Typographical error where reference should be to ‘NatHERS’ and not ‘NABERS’.</p>	<p>NO CHANGE NABERS is the correct acronym. NABERS (the National Australian Built Environment Rating System) is a commercial and residential tool which rates a commercial office, hotel or residential building on the basis of its measured operational impacts on the environment.</p> <p>Whilst, NATHERS (Nationwide House Energy Rating Scheme) is a residential tool which provides a framework that allows various computer software tools to rate the potential energy efficiency of homes.</p>