



Urban Planning Committee

Agenda: *Urban Planning Committee*

Date: *Monday 9 July 2012*

Time: *6.00pm*

Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Recommendation only to the Full Council (“R” Items)

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic matters, such as:-
 - Town Planning Objectives; and
 - major planning initiatives.
- Matters not within the specified functions of the Committee.
- Matters requiring supplementary votes to Budget.
- Urban Design Plans and Guidelines.
- Local Environment Plans.
- Residential and Commercial Development Control Plans.
- Rezoning applications.
- Heritage Conservation Controls.
- Traffic Management and Planning (Policy) and Approvals.
- Commercial Centres Beautification Plans of Management.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.

Delegated Authority (“D” Items)

- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of the Minutes of its Meetings.
- Any other matter falling within the responsibility of the Urban Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.
- Statutory reviews of Council's Delivery Program and Operational Plan.

Committee Membership:

7 Councillors

Quorum:

The quorum for a committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

5 July 2012

To: Her Worship The Mayor, Councillor Susan Wynne ex-officio
Councillors Malcolm Young (Chair)
Chris Howe
Sean Carmichael
Lucienne Edelman
Nicola Grieve
Ian Plater
David Shoebridge

Dear Councillors

Urban Planning Committee Meeting – 9 July 2012

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Urban Planning Committee** to be held in the **Thornton Room (Committee Room), 536 New South Head Road, Double Bay, on Monday 9 July 2012 at 6.00pm.**

Gary James
General Manager

Additional Information Relating to Committee Matters

Site Inspection

Other Matters

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence Note Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 25 June 2012	1
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Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	Draft Educational Establishments Development Control Plan 2012 – 1197.G	2
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Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 25 June 2012**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 25 June 2012 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Urban Planning Committee Meeting of 25 June 2012 be taken as read and confirmed.

Les Windle
Manager - Governance

Item No: R1 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 report on the public exhibition of the Draft Educational Establishments Development Control Plan 2012.
To obtain the Council’s approval of the Draft Educational Establishments Development Control Plan 2012.

Recommendation

- A. That the Draft Educational Establishments Development Control Plan contained in **Annexure 5** of the report to the Urban Planning Committee meeting of 9 July 2012 be approved.
- B. That the Educational Establishments Development Control Plan 2012 come into effect on the date notice of the approval is published in the Wentworth Courier.

1. Background

Educational establishments play an important role in the Woollahra Municipality. They provide a place to learn whilst also providing community meeting points, sporting facilities and employment.

Woollahra’s educational establishments are surrounded by residential areas, and there is a need to balance the requirements of the school or college with the amenity of the surrounding community.

The existing Schools and College DCP was approved in 1995 and Council requested that it be reviewed and updated. In response, we prepared the Draft Educational Establishments Development Control Plan 2012 (Draft Plan).

The key changes provided in the Draft Plan seek to:

- protect open space by removing minimum open space requirements and retain all existing open areas;
- update traffic and parking measures so that all major new developments will require a traffic and pedestrian management plan;
- amend building setback controls to maintain the amenity of adjoining development with regards to privacy, noise and overshadowing;
- ensure new developments maintain significant views and vistas;
- encourage the use of sustainable design and materials whilst maintaining heritage conservation;
- encourage the community use of educational establishments facilities.

The proposed changes were reported to the Urban Planning Committee on 27 February 2012, and on 12 March 2012 the Council resolved:

- 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, subject to the following changes:*

1. *Objective “ix”. of Section 1.5 Objectives being amended to read “encourage community uses of educational establishments that do not unreasonably impact on surrounding residents;”*
 2. *The definition of Open space in Section 1.9 Definitions being amended to read “is the area on the establishment which is used for playgrounds, sport fields or for green or landscaped areas and may include associated structures and vegetation.”*
- 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.*

A copy of the report to the Urban Planning Committee on 27 February 2012 can be found at **Annexure 1**.

2. Public exhibition

The Draft Plan was placed on exhibition from 9 May 2012 to 8 June 2012, consistent with the requirements set out in the *Environmental Planning and Assessment Act 1979* (the Act) and the *Environmental Planning and Assessment Regulation 2000* (Regulation). A copy of the Draft Plan as exhibited is attached at **Annexure 2**.

The exhibition material comprised—

Draft DCP and supporting information:

- Draft Educational Establishments DCP 2012
- Information brochure
- Explanatory note
- Woollahra Development Control Plan for School and College Development (1995)
- Woollahra Local Environmental Plan 1995

Council reports and resolutions

- Council resolution of 12 March 2012
- Report to the Urban Planning Committee 27 February 2012
- Council resolution of 13 February 2012
- Urban Planning recommendation of 30 January 2012
- Report to the Urban Planning Committee 30 January 2012
- Council resolution of 25 June 2007
- Report to the Urban Planning Committee 12 June 2007

Notice of the public exhibition was placed in the Wentworth Courier editions of 9 May, 16 May, 23 May, 30 May and 6 June 2012.

A letter dated 8 May 2012 was sent to 18 educational establishments located in the municipality inviting their submission.

The exhibition took place in the Council’s main offices in Double Bay, within the Customer Service Area. Copies of the Draft Plan were available free of charge.

The Draft Plan and other exhibition material were also placed on the Council’s website for the duration of the exhibition period. Forty-five different users accessed the primary webpage during the exhibition period.

3. Submissions

Council received three submissions to the exhibition of the Draft Plan. These submissions were received from:

- Kambala School 7/06/2012
- Scots College (prepared by JBA Planning) 8/06/2012 and 15/06/2012
- Cranbrook School (prepared by Universal Planning Services Pty Ltd) 15/06/2012

A copy of the submissions is provided in **Annexure 3**. The issues identified within these submissions have been summarised, and a detailed response provided. These can be found in **Annexure 4**.

The key issues identified in the submissions are:

- Unreasonable requirement to provide an internal driveway
- Excessive parking and bicycle parking rates
- Lack of reference to *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP)
- Inappropriate use of the term “open space”
- Inappropriate referencing to vistas and views

Having considered these submissions 14 changes are proposed to the Draft Plan, and are summarised in Table 1 below. The amended Draft Educational Establishments DCP 2012 incorporating these changes is provided in **Annexure 5**. Deletions are shown with ~~strikethrough~~ and additional text is underlined.

Table 1: Changes to the Draft Educational Establishment DCP 2012

	Clause	Amendment
1	1.2 Context	Delete paragraph 2 and replace with proposed text
2	1.2 Paragraph 4	Delete reference to “ <i>vistas and views</i> ”
3	1.5 Objectives (iii)	Delete “ <i>protect views and vistas</i> ” and replace with “ <i>protect views and vistas from the public domain and encourage view sharing</i> ”
4	1.8.5	Correct reference
5	2.2 Siting of development	Separate objective 1 into two objectives
6	2.2 Siting of development	Delete objective 3, and replace with two objectives <i>O4: To protect existing views and vistas from the public domain;</i> <i>O5: To ensure the size and location of buildings allow for the sharing of views from surrounding residences.</i>
7	2.2 Siting of development	Delete, control 4 and replace with <i>C4: Site new development to maintain views and vistas from the public domain;</i> <i>C5: Site new development to enable a sharing of views with surrounding residences.</i>
8	2.3 Building and urban design	Insert new objective 3: “ <i>To encourage flexibly designed buildings which are capable of being used for a variety of purposes;</i> ”
9	2.3 Building and urban design	Control 1: delete “ <i>compatible</i> ” and replace with “ <i>consistent</i> ”
10	2.4 Heritage Conservation	Delete Control C2 and replace with the following two objectives. <i>C2 Siting of new development should not detract from the heritage item;</i> <i>C3 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.</i>
11	2.4 Heritage Conservation	Delete Control 3.

	Clause	Amendment
12	2.6 Arrival and departure	Requirement 1: delete the examples of major development
13	2.7 Parking and servicing	Control 6: delete “ <i>must</i> ” and replace with “ <i>should</i> ”
14	2.9 Community Use	Delete Control C1 and replace with “ <i>Any adverse impacts on adjacent properties from the use of an educational establishment must be minimised</i> ”

4. Conclusion

The Draft Plan was prepared and exhibited in the manner required by the Act and Regulation. Three submissions were received.

We have considered the submissions and recommend that Council approves the Draft Plan subject to the 14 amendments identified in section 3 above. The amended version of the Draft Plan incorporating these changes is provided for Council to approve in **Annexure 5**.

If approved, the plan will then come into effect on the date notice of the approval is published in the Wentworth Courier.

Allan Coker
Director Planning and development

Chris Bluett
Manager Strategic Plannin

Anne White
Senior Strategic Planner

Annexures

1. Report to Urban Planning Committee meeting on 27 February 2012
2. Draft Educational Establishments Development Control Plan 2012 as exhibited
3. Submissions
4. Responses to the issues identified within the submissions
5. Draft Educational Establishments Development Control Plan 2012 as amended and recommended for approval (with deletions shown as strikethrough and additions underlined)

**POLITICAL DONATIONS DECISION MAKING FLOWCHART
FOR THE INFORMATION OF COUNCILLORS**

