

**Educational
Establishments
Development
Control Plan 2012**

Date of commencement: 22 August 2012

Repealed by WDGP2015 on 23/05/15

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Part 1: Preliminary

1.1 Introduction

This Development Control Plan (Plan) aims to achieve the rational and orderly development of educational establishments within the Municipality of Woollahra. This plan advocates a balance between providing buildings to meet the educational needs of the community, whilst protecting the amenity of the location and minimising impacts on the neighbouring land.

Council recognises that *State Environmental Planning Policy (Infrastructure) 2007* permits as exempt and complying development a variety of development associated with educational establishments. Notwithstanding the Infrastructure SEPP, issues such as conservation of important buildings, siting of development, building design, open space, arrival and departure, car parking, student numbers, servicing, noise, community use of facilities, planting, fencing and energy efficiency are important to the functioning of educational establishments and their relationship to the general community. Educational establishments are therefore encouraged to work with Council officers in the design and planning stages of proposed development.

1.2 Context

Educational establishments have a significant role to play in the Woollahra Municipality. They provide a learning forum whilst also providing community meeting points, sporting facilities and employment. At the time of this DCP's approval, there were 17 educational establishments in Woollahra that occupy around 3% of all land.

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 new developments and their ongoing operations (including traffic and parking) will have minimal impacts on the amenity of the surrounding community.

Woollahra's school buildings are significant contributors to the quality of the built environment, and often make a considerable contribution to the quality of the public domain. A number of schools contain heritage items, and established schools are a great source of cultural and heritage significance.

Open playing fields, playgrounds and trees provide attractive aspects onto and through educational establishments. Where physical access is provided, the open space is a valuable shared community asset. Even when the facility cannot be publicly accessed, these spaces can be important contributors to the quality of the public and private domain.

1.3 Name of this DCP

This Plan is called the **Educational Establishments Development Control Plan 2012**.

1.4 Land and development to which this DCP applies

This DCP applies to all land in the Woollahra Municipality.

This DCP applies to all development for an educational establishment that requires consent under the Woollahra Local Environmental Plan.

1.5 Objectives

The objectives of this DCP are to:

- i. establish Council's policy for development relating to educational establishments;
- ii. encourage well designed educational establishments that balance the requirements of students and staff, with the amenity of the adjacent properties;
- iii. protect views and vistas;
- iv. protect and conserve heritage conservation areas, and heritage items located on or adjacent to an educational establishment;
- v. encourage all schools to provide sufficient open spaces on site, and protect existing open spaces;
- vi. encourage a safe, efficient and co-ordinated traffic network, which considers all users;
- vii. ensure sufficient on-site car parking is provided;
- viii. ensure high quality landscaping;
- ix. encourage community uses of educational establishments that do not unreasonably impact on surrounding residents;
- x. ensure appropriate overland flow, on site detention and reuse of stormwater;
- xi. minimise the generation of waste;
- xii. encourage innovation and efficient use of resources in the design and function of educational establishments.

1.6 Approval and commencement

This DCP was approved by Woollahra Municipal Council on 13 August 2012 and came into force on 22 August 2012.

1.7 Applications to which this DCP applies

Except as provided in clause 1.10 this DCP applies to development applications, applications to modify development consents under section 96 of the *Environmental Planning and Assessment Act 1979* (the Act) and applications for review under section 82A of the Act which are made to Woollahra Council as the consent authority on or after the commencement of this DCP.

1.8 Relationship to the Act, the Regulation, and to other plans and policies

- 1.8.1 *Environmental Planning and Assessment Act 1979* (Act) and the *Environmental Planning and Assessment Regulation 2000* (Regulation). This DCP has been prepared under Part 3, Division 6 of the Act and Part 3 of the Regulation.
- 1.8.2 *State Environmental Planning Policy (Infrastructure 2007)* applies to infrastructure across NSW, including educational establishments. The SEPP identifies certain works that may be carried out with or without consent. Development consent is required for other types of alterations and additions which are not exempt or complying development or development without consent under the SEPP.
- 1.8.3 *State Policies*. State environmental planning policies may apply to the land to which this DCP applies. Where this occurs the statutory provisions of those policies and plans prevail over this DCP.

- 1.8.4 Woollahra Local Environment Plan 1995 (WLEP). WLEP applies to the land to which this DCP applies. WLEP is a statutory instrument that contains specific provisions relating to the land use, building height, heritage impact and building density. The provisions of WLEP prevail over this DCP. This DCP contains more detailed provisions than the WLEP.
- 1.8.5 Other Woollahra DCPs, policies and codes. In the event of inconsistency between this DCP and other development control plans, policies and codes, this DCP prevails unless otherwise specified in this DCP or in the other plans, policies and codes. Except as provided in clause 1.10, this DCP repeals the Woollahra DCP for Schools and College Development which came into force on 21 June 1995.

1.9 Definitions

In this DCP certain terms have the meaning defined in the Act, the Standard Instrument and in the Woollahra LEP 1995.

<i>Educational establishment</i>	means a building or place used for education (including teaching), being (a) a school, or (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.
<i>Open space</i>	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.
<i>Playgrounds</i>	are external spaces used by students during play and break times, and may be partly covered by shade structures.
<i>School</i>	means a government or non-government school within the meaning of the <i>Education Act 1990</i> .
<i>Sports fields or courts</i>	are any open spaces, open to the air, used for sport and physical education and includes outdoor courts such as tennis or netball courts.
<i>Streetscape</i>	means the combination of elements that create the urban form and character of that street, including in the public domain elements such as kerbs and pavements, landscaping and street furniture, and private domain elements fronting the street such as building facades, awnings, gardens and the like.

1.10 Savings and transitional provisions

Woollahra Development Control Plan for School and College Development (1995) continues to apply (in respect of land to which this DCP applies) to development applications, applications to modify consents under section 96 of the Act, and applications for the review of determinations under section 82A of the Act, that were made prior to but not determined by or on the date of commencement of this DCP.

Part 2: Development controls

2.1 Introduction

In assessing development applications for educational establishments Council will consider each of the matters listed below, and each matter must be addressed by an applicant. The response to these matters, plus any other relevant statutory and policy matters, will be considered by Council when assessing the acceptability of the development.

For each matter, specific objectives are given together with the controls to achieve those objectives. Alternative ways to achieve the stated objectives, will be considered when, in the opinion of Council, the outcome is better in terms of the impact on the public domain or adjacent properties than strict compliance with the stated controls.

2.2 Siting of development

Objectives

- O1 To protect and promote open spaces;
- O2 To protect and promote sunlight access in relation to the site and on neighbouring land;
- O3 To protect and promote the amenity of the public domain;
- O4 To protect and enhance existing views and vistas from public spaces;
- O5 To protect existing views and vistas from private spaces.

Controls

- C1 Street setbacks are to meet the minimum setback requirements that are applicable to the adjoining properties as contained in the relevant DCP;
- C2 Non street fronting rear and side setbacks of the building must be setback:
 - to maintain the amenity of the adjoining development taking into account privacy and noise generation;
 - so that sunlight is provided:
 - to 50% or 35sqm (with minimum dimension 2.5m), whichever is smaller of the main ground level private open space of adjacent properties; and
 - for a minimum of two hours between 9am and 3pm on June 21;
- C3 Where existing educational establishments overshadow greater than that specified in C2, sunlight access is not to be further reduced;
- C4 Site new development so that significant views and vistas are maintained.

2.3 Building and urban design

Objectives

- O1 To encourage buildings with a high standard of architectural design, materials and detailing appropriate to the building type and location;
- O2 To encourage buildings which positively contribute to the streetscape and character of the location;

- O3 To encourage flexibly designed buildings which are capable of being used for a variety of purposes;
- O4 To physically integrate the educational establishment into the surrounding neighbourhood, whilst protecting acoustic and visual privacy.

Controls

- C1 Development is to be consistent with nearby and adjoining residential development in terms of scale, bulk, site coverage, character and materials;
- C2 Development must provide visual privacy to adjoining properties by appropriate design, vegetative screening, window and door offset, location of external areas such as roof top terraces, screening devices, separation distances and other mechanisms;
- C3 Development of educational establishments should be flexibly designed to facilitate future use by the wider community;
- C4 The development is to have a clearly distinguishable street entry point which contributes to the streetscape of which it is a part.

2.4 Heritage conservation

Objectives

- O1 To protect buildings, works, relics, or places of heritage significance which form part of, or which are in the vicinity of an educational establishment;
- O2 To ensure that new development is sympathetic to the heritage significance of heritage items and, where applicable, is sensitive to the streetscape qualities of heritage conservation areas.

Controls

- C1 New development should respond sympathetically to the heritage significance of items and heritage conservation areas in terms of architectural style and design, colours, materials, proportions and scale;
- C2 Siting of new development should not detract from the heritage item;
- 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.

Requirements

- R1 As part of a development application relating to, or in the vicinity of, a heritage item the Council may require the submission of a heritage impact statement or conservation management plan or both.

2.5 Open spaces

Objectives

- O1 To protect and retain existing open spaces;
- O2 To encourage the provision of additional open spaces where the existing open space on site is deficient;
- O3 To ensure that new educational establishments provide adequate open spaces to cater for the active and passive needs of students.

Controls

- C1 Existing open spaces are to be retained;
- C2 Vehicle access and parking is not permitted on any part of the site considered as open space;
- C3 New educational establishments and major development of existing establishments must provide open spaces and maximise the use of existing open spaces having regard to an overall plan for the siting, amenity impacts, usability and accessibility of such spaces;
- C4 Playgrounds must be provided on site. Playgrounds must contain suitably designed meeting, seating, shade and play equipment to meet the relevant requirements of the Australian Standards;
- C5 Sports fields are, where possible, to be provided on site.

2.6 Arrival and departure**Objectives**

- O1 To provide a safe and effective circulation network that prioritises pedestrians and provides for cars, disabled access, emergency vehicles and servicing vehicles;
- O2 To minimise conflict between vehicles and pedestrians, particularly at entrances;
- O3 To encourage staff and students to use public transport;
- O4 To minimise the impact of students arriving and departing on the surrounding community.

Controls

- C1 Pedestrian access is to be provided to all frontages that adjoin the public domain. All pedestrian access must be segregated from vehicular access with clearly defined paths;
- C2 Pedestrian areas are to be provided at key entry points to accommodate concentrations of pedestrians e.g. parents pick up time;
- C3 Equitable access is to be provided in accordance with the requirements of Council's Access DCP;
- C4 New educational establishments must provide an internal driveway for vehicles that are picking-up and dropping-off students;
- C5 Major development of existing establishments should wherever feasible provide an internal driveway for vehicles that are picking-up and dropping-off students.

Requirements

- R1 Any major proposal must as part of the development application, provide a traffic and pedestrian management plan (TPMP).

The objective of the TPMP is to identify potential impacts to the surrounding road network, specifically in relation to pedestrian safety and vehicle traffic, and to recommend a course of action to address these impacts. The TPMP is to be prepared by a suitably qualified traffic consultant.

The report must address at a minimum:

- (a) The age and number of students;
- (b) Measures to enhance pedestrian safety when entering or crossing roads;
- (c) Pedestrian desire lines;
- (d) Public buses, school buses and lay-by areas;

- (e) Measures to encourage the use of sustainable means of transport;
- (f) Strategies to discourage students from driving to school;
- (g) Strategies to minimise the impact of students arriving and departing (such as staggering school start and finish times and minimising the use of amplified devices);
- (h) The numbers and type of vehicles used to transport students to and from school;
- (i) An analysis of the surrounding road network;
- (j) Provision of drop off/pick up areas;
- (k) Parking (see section 2.7).

2.7 Parking and servicing

Objectives

- O1 To provide the required off-site parking for staff, visitors, delivery/service/emergency vehicles and tertiary students, while having regard to pedestrian safety;
- O2 To provide parking spaces for people with a disability;
- O3 To provide bicycle parking;
- O4 To ensure that all servicing, including that associated with a community use of the site, is sufficient and does not negatively impact on the neighbourhood.

Controls

- C1 All car parking and servicing arrangements (including proposals for a community use) are to be provided in accordance with the Woollahra Parking Development Control Plan including Parking Rates (as well as rates for Off-street loading and servicing facilities);
- C2 The design of parking on-site and servicing must comply with all the relevant Australian Standards;
- C3 Provisions are to be made on-site for service and emergency vehicles;
- C4 In addition to parking for staff and visitors, on site car parking for students is to be provided at tertiary institutions and is to be provided at a rate of one car space per 10 students¹;
- C5 Parking for disabled persons should be provided at a minimum rate of one car space per 50 car spaces or part thereof. The design and location of this parking is to comply with the relevant Australian Standard;
- C6 Secondary Schools and Tertiary education establishments should provide dedicated secure bicycle parking at the following rates:
 - 5% of staff numbers;²
 - 10% of full time student numbers;
 at a central location with associated changing rooms and showers;
- C7 Any excess or shortfall from the above requirements in **C1-C6** will be considered with regard to the alternatives proposed by a qualified traffic consultant. To justify any variation from the Council's requirements, traffic reports should assess the requirement for parking generated by staff and students based on; the educational establishments location; catchment and proximity to public transport and use rates.

¹ Rates taken from *AusRoads Part 11 – Brisbane City Council* (Feb 2008)

² Rates taken from *the NSW Planning Guidelines for Walking and Cycling Dec 2004*

2.8 Planting, fencing and hard surfaces

Objectives

- O1 To conserve existing landscaping which contributes to the streetscape;
- O2 To promote a high standard of new landscape treatments that are co-ordinated with the local streetscape, building design and open spaces;
- O3 To provide landscaping that provides shade for play, screening of buildings, an improved microclimate, soil stabilisation, and visual quality;
- O4 To protect or enhance indigenous wildlife populations and habitat through appropriate planting of indigenous vegetation species;
- O5 To encourage planting and fencing which enables open spaces and existing vistas and views to contribute to the public domain;
- O6 To conserve fences and gates having heritage significance.

Controls

- C1 All significant trees on the site are to be retained;
- C2 Development must not damage significant trees located on land adjoining the site;
- C3 Existing green or vegetated areas which contributes to the 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);
- C4 Landscaping shall respond to adjoining developments and local streetscape character;
- C5 Plant species shall be chosen that support indigenous fauna;
- C6 Planting or fencing should not be used to block significant views or open spaces from adjacent public domain or private property;
- C7 50% transparent fencing should be used to facilitate views and vistas of open spaces from the public domain.
- C8 Existing fences identified as having heritage significance are to be preserved. New development in the vicinity of these fences should respond to the heritage significance with a sympathetic design and finish.

2.9 Community use

Objectives

- O1 To encourage the-use of school facilities by the wider community;
- O2 To minimise the adverse effects of community use of an educational establishment on the amenity of the adjacent properties.

Controls

- C1 Any adverse impacts on adjacent properties from the use of an educational establishment must be minimised.

Requirements

- R1 Development applications for a community use of an educational establishment must be accompanied by a Plan of Management;
- R2 A Plan of Management is to be prepared by a suitably qualified individual and must address the objectives listed above, the proposed operations as well as the following issues:
- (a) pedestrian and vehicular access;
 - (b) parking and servicing;
 - (c) capacity;
 - (d) hours of operation;
 - (e) lighting;
 - (f) noise;
 - (g) security and safety.

2.10 Stormwater and waste disposal**Objectives**

- O1 To control stormwater quality and quantity and avoid discharge impacts on adjoining properties and natural waterways;
- O2 To minimise water consumption and encourage water conservation through the safe retention and reuse of stormwater;
- O3 To reduce waste disposal, encourage recycling and ensure the appropriate handling, storage and management of waste.

Controls

- C1 Proposal's must ensure that the Stormwater Disposal mechanisms are in accordance with Council's Stormwater Drainage and Flood Risk Management DCP;
- C2 Provide garbage and recycling facilities in accordance with Council's Waste Not DCP;
- C3 Provide facilities in kitchens and canteens to encourage the composting of materials;
- C4 Minimise water usage and encourage rain water collection, use and storage and encourage water recycling.

2.11 Sustainability**Objectives**

- O1 To reduce energy demand by designing buildings that do not depend on mechanical heating or cooling and that are naturally lit and ventilated;
- O2 To promote environmentally sustainable design.

Controls

- C1 Development must be designed to provide for best practice environmentally sustainable design outcomes as may be established through the Green Star Certificate Rating system or NABERS or a similar tool.

Examples of environmentally sustainable design include:

- Wherever possible, incorporate passive solar design principles in building design to avoid the need for additional heating and cooling;

- All buildings should be designed to achieve natural ventilation;
- Alternative low emission and renewable energy sources;
- Wherever possible (and where there is no negative impact on the significance of a heritage item or heritage conservation area) roof-top solar energy panels are to be installed;
- Where appropriate green roofs are encouraged;
- Windows are to be suitably shaded to restrict summer sun whilst permitting winter sun;
- Utilise recycled and/or low embodied energy building materials;
- Minimise excavation.

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