



Draft Woollahra Development Control Plan 2015 (Amendment 26)

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Acknowledgment of Country

Woollahra Council acknowledges that we are on the land of the Gadigal and Birrabirragal people, the Traditional Custodians of the land. We pay our respects to Elders past, present and emerging.

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Woollahra Development Control Plan 2015 (Amendment No 26)

Part 1 Preliminary

1.1 Background

Private outdoor recreation and exercise contributes to a healthy lifestyle and the enjoyment of residents. However, noise generated from people playing on sports courts in residential areas can sometimes impact on the acoustic privacy of adjoining neighbours. The associated fencing and lighting can also have detrimental amenity impacts.

The Woollahra Development Control Plan 2015 (Woollahra DCP 2015) does not currently contain any controls in relation to basketball courts on residential properties.

On 06 February 2023, the Environmental Planning Committee resolved in part (under delegation):

THAT Council notes and endorses the commentary provided by the Woollahra Local Planning Panel (WLPP) in terms of Council investigating new Development Control Plan (DCP) controls relating to basketball courts (including associated structures and facilities) and that a report on this matter will be prepared and tabled by Council's Strategic Planning Team to a future Environmental Planning Committee meeting.

This draft DCP seeks to amend section B3.7.4 - *Ancillary development* of the Woollahra DCP 2015, which addresses ancillary residential tennis court development. The amendment updates the objectives and controls to include basketball and sports courts, and ensures that the size, location and design of any court considers potential amenity impacts, and upholds excavation, tree and deep soil landscaping objectives.

1.2 Name of plan

This plan is the *Woollahra Development Control Plan 2015 (Amendment No 26)*.

1.3 Objectives of the plan

The objectives of the plan are:

- a) To provide recreational opportunities for playing tennis, basketball or other sports without compromising the amenity of adjoining and adjacent properties, or the desired future character or streetscape.
- b) To retain trees and vegetation of landscape value, and deep soil landscaped and private open space areas.
- c) To ensure that adequate provision has been made for the disposal of stormwater.

1.4 Land to which this plan applies

This plan applies to land within the Woollahra Municipality where chapter B3 - *General Development Controls* of the Woollahra DCP 2015 applies.

1.5 Relationship of this plan to the Act, Regulation and other plans or environmental planning instruments

This plan has been prepared under Part 3, Division 3.6 of the *Environmental Planning and Assessment Act 1979* and Part 2, Division 2 of the *Environmental Planning and Assessment Regulation 2021*.

Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014) applies to land to which this plan applies. In the event of an inconsistency between this plan and the Woollahra LEP 2014, the Woollahra LEP 2014 prevails.

1.6 Approval and commencement of this plan

This plan was approved by Woollahra Council on TBC and came into effect on TBC.

1.7 How this plan amends Woollahra DCP 2015

This plan amends Woollahra DCP 2015 in the manner set out in Part 2 of this plan.

Part 2 Amendments to Woollahra Development Control Plan 2015

This plan amends Woollahra DCP 2015 in the following manner:

Insertions – identified in blue and underlined

Deletions – ~~identified in red and strikethrough~~

Chapter A1 Introduction

2.1 Amendments to clause A1.1.9 Savings and transitional provisions relating to development applications

2.1.1 Insert at the end of the clause

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 26 to this DCP.

2.2 Amendments to clause A1.4 List of amendments

2.2.1 Insert at the end of the clause

Amendment	Date of approval and Commencement	Description of amendment
<u>No 26</u>	<u>Date approved – TBC</u> <u>Date commenced - TBC</u>	<u>Amend Chapter A1 by inserting additional savings and transitional provisions.</u> <u>Amend Part B, Chapter B3, section B3.7.4, 'ancillary development – tennis courts' to include basketball and sports courts, and ensure they are appropriately located and designed.</u>

Chapter B3 General Development Controls

2.3 Amendments to section B3.7.4 Ancillary development – tennis courts

2.3.1 Amend the title on page 62 to reference basketball and sports courts.

B3.7.4 Ancillary development – swimming pools, tennis, basketball and sports courts and outbuildings

2.3.2 Amend the title and replace the introduction to include specific reference to basketball courts and other sports courts, and more clearly articulate Council’s broad expectations regarding basketball and sports courts.

Tennis, basketball and sports courts

~~Tennis courts are rectangular recreational areas, approximately 24m x 11m, with a low net stretched across the centre. They are usually fenced to retain balls on the court during play.~~

Tennis courts, basketball courts and other sports courts typically comprise of a hard court surface and other associated structures such as a net, hoop, and lighting. When constructed or installed in the private open space of a residential dwelling, the court is often a modified size and fenced to contain balls on the court during play.

Private outdoor recreation and exercise contributes to a healthy lifestyle and the enjoyment of residents. However, noise generated from people playing on sports courts in a residential area can sometimes impact on the acoustic privacy of adjoining neighbours. The associated fencing and outdoor lighting can also have detrimental amenity impacts.

When a tennis court, basketball court, or other sports court is proposed, it is important that the size, location and design of the court considers potential amenity impacts, and the excavation, tree and deep soil landscaping objectives are met.

2.3.3 Amend the table title on page 63 to reference basketball and sports courts.

B3.7 External areas – 3.7.4 Ancillary development – tennis, basketball and sports courts

2.3.4 Amend the existing objectives, controls and figure for tennis courts (under section B3.7.4) to include basketball and other sports courts, and ensure that the design and location of such courts considers the amenity of neighbouring properties, the streetscape, and the desired future character of the area, so that impacts are minimised.

Objectives		Controls	
O1	To provide recreational opportunities for playing tennis, <u>basketball or other sports</u> without compromising the amenity of adjoining and adjacent properties, <u>or the desired future character or streetscape.</u>	C1	The tennis court level is a maximum of 1.2m above or below the existing ground level (refer to Figure 28).
		C2	The tennis court is: a) <u>located at the rear of the site; and</u> b) at least 1.5m from property

O2	To limit excavation.	boundaries (refer to example at Figure 28).
O3	To retain trees and vegetation of landscape value, deep soil landscaped area, and private open space areas .	C3 The court playing surface is made from a material that minimises light reflection.
O4	To ensure that adequate provision has been made for the disposal of stormwater.	C4 The height, and location and materials of court fencing, netting or other forms of ball containment does not unreasonably compromise: <ul style="list-style-type: none"> a) sharing of views from surrounding properties; or b) solar access to adjoining properties; or c) outlook from surrounding properties. C5 Fencing, netting or other forms of ball containment must comprise of a material which is a recessive colour. C6 Where flood court lighting is proposed, the lighting does must not unreasonably impact on the amenity of adjoining or adjacent properties. The lighting must be designed to comply with AS/NZS 4282: Control of the obtrusive effects of outdoor lighting. No private tennis, basketball, or sports court lighting must operate between 9.00pm and 7.00am and lights must, by automatic timer, switch off at the 9.00pm curfew. C7 The location of the tennis -court and associated works does not adversely impact on prescribed trees (refer to Chapter E3 Tree Management). C8 The court must not reduce the deep soil landscaped area, and the private open space areas below the minimum required for development, as specified in Section 3.7.1 Landscaped areas and private open space. C9 Surface water or runoff is disposed of by a drainage system that is connected to the main stormwater drainage system (refer to Chapter E2 Stormwater and Flood Risk Management).

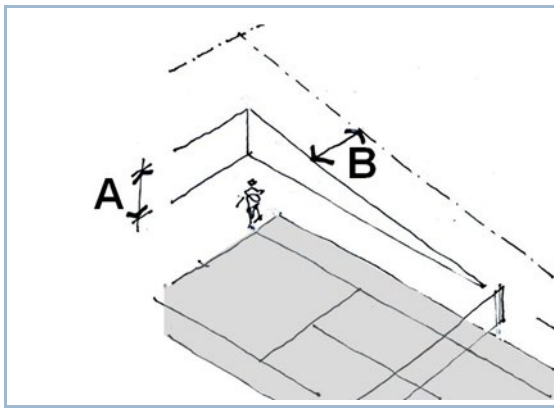


FIGURE 28

Provision of private tennis, [basketball](#) and [sports](#) courts on residential sites

A is to be a maximum of 1.2m

B is to be a minimum of 1.5m