

<b>DATE OF DETERMINATION</b>	2 February 2024
<b>DATE OF PANEL DECISION</b>	1 February 2024
<b>DATE OF PANEL MEETING</b>	30 January 2024
<b>PANEL MEMBERS</b>	Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, Mary-Lou Jarvis and Toni Zeltzer
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held by teleconference on 30 January 2024, opened at 2.30pm and closed at 3.09pm.

#### **MATTER DETERMINED**

PPSSEC-291 – Woollahra – DA477/19/2 – 30 Alma Street, Paddington – Partial enclosure of the multi-use courts with provision of a rock-climbing wall on the northern side of the multi-use courts roof supporting structure; Design Modification of the main pedestrian entry from Glenmore Road; Relocation of 3 skylights from the north portion of the southern grandstand roof to the southern portion; Refinement to the approved materials and finishes; Amendment to Condition A.8 to remove the requirement for an additional fence inside the boundary of the property (as described in Schedule 1).

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

#### **Application for modification of consent**

The Panel determined to approve the modification application pursuant to section 4.56 of the *Environmental Planning and Assessment Act 1979*.

The decision was 3:2 in favour, against the decision were Mary-Lou Jarvis and Toni Zeltzer.

#### **REASONS FOR THE DECISION**

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

Mary-Lou Jarvis and Toni Zeltzer disagreed with the majority decision only with respect to their opposition to allowing the removal of the 3m high security fence, 1m back from the boundary with the Sydney Water culvert.

They support their objection in this way:- From a planning perspective, it is conceivable to design a permeable fence one metre from the boundary that allows any flood water to move through and still provides a barrier for improved amenity to neighbouring residents and an increased level of security to the applicant, in consideration of the current geopolitical situation.

While Crs Jarvis and Zeltzer acknowledge the 'in principle' agreement by the applicant to the Paddington Greenway along the Sydney Water culvert, the added 1m distance from that boundary will in time facilitate the delivery of the Greenway.

#### **CONDITIONS**




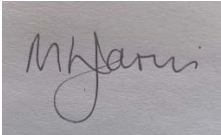

The Development Application was approved subject to the conditions in the Council Assessment Report.

## CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel notes that issues of concern included:

- Incompatibility of wall, gate and signage design
- Traffic and parking impacts
- Vegetation impacts
- Amenity impacts – acoustic, lighting, graffiti, security
- Construction and operational impacts
- Clarity regarding architectural plans and proposal
- Notification, advertising and community consultation

The majority of the Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report. The majority of the Panel notes that in addressing these issues appropriate conditions have been imposed.

PANEL MEMBERS	
 Carl Scully (Chair)	 Amelia Thorpe
 Alice Spizzo	 Mary-Lou Jarvis
 Toni Zeltzer	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-291 – Woollahra – DA477/19/2
2	PROPOSED DEVELOPMENT	Partial enclosure of the multi-use courts with provision of a rock-climbing wall on the northern side of the multi-use courts roof supporting structure; Design Modification of the main pedestrian entry from Glenmore Road; Relocation of 3 skylights from the north portion of the southern grandstand roof to the southern portion; Refinement to the approved materials and finishes; Amendment to Condition A.8 to remove the requirement for an additional fence inside the boundary of the property
3	STREET ADDRESS	30 Alma Street, Paddington
4	APPLICANT/OWNER	Hakoah Club Ltd/Sydney Jewish Community Centre
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.56 Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>Woollahra Local Environmental Plan 2014</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Woollahra Development Control Plan 2015</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council Assessment Report: 16 January 2024</li> <li>Written submissions during public exhibition: 10</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Council assessment officer – George Fotis</li> <li>On behalf of the applicant – Aaron Sutherland and Robert Woolf</li> </ul> </li> <li>Total number of unique submissions received by way of objection: 10</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Preliminary Briefing: 26 October 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Carl Scully (Chair)</li> <li><u>Applicant representatives</u>: Rob Woolf, Phillip Wolanski, Aaron Sutherland, Dennis Rabinowitz and Sam Au</li> <li><u>Council assessment staff</u>: Valdis Aleidznas</li> <li><u>Department staff</u>: Carolyn Hunt, Louisa Agyare and Lisa Ellis</li> </ul> </li> </ul>

		<ul style="list-style-type: none"><li>• Site inspection: 30 January 2024<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Carl Scully (Chair), Mary-Lou Jarvis and and Toni Zeltzer</li><li>○ <u>Council assessment staff</u>: George Fotis and Robert Woolf</li></ul></li><li>• Final briefing to discuss council’s recommendation: 30 January 2024<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, Mary-Lou Jarvis and Toni Zeltzer</li><li>○ <u>Council assessment staff</u>: George Fotis</li><li>○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis</li></ul></li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report