

DETERMINATION AND STATEMENT OF REASONS
SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	10 April 2025
DATE OF PANEL DECISION	9 April 2025
DATE OF PANEL MEETING	9 April 2025
PANEL MEMBERS	Carl Scully (Chair), Alice Spizzo, Susan Francis, Toni Zeltzer and Lucinda Regan
APOLOGIES	Susan Budd
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 26 March 2025.

MATTER DETERMINED

PPSSEC-352 - Woollahra - DA2024/376/1 - 29-53 Victoria Road, Bellevue - Demolition of the existing outdoor swimming pool of Scots College and construction of a new swimming pool and associated facilities including pool plant room, spectator seating and storage area (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 inspection listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report. The Panel notes the proposal seeks to replace the existing pool and ancillary equipment in accordance with the existing operating hours, but to improve spectator facilities. The Panel notes that the proposal will improve the amenity of the spectator area and sound attenuation from the pool.

CONDITIONS

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

- Delete Condition F.28
- Insert new Condition D.16 Replacement/Supplementary trees which must be planted, to update the table as follows:

D.16 Replacement/Supplementary trees which must be planted

While site work is being carried out, any replacement or supplementary tree must be grown in accordance with Tree stock for landscape use (AS 2303). The following replacement tree must be planted in deep soil landscaped area and maintained in a healthy and vigorous condition. If the replacement tree is found to be faulty, damaged, dying or dead before it attains a size whereby it becomes a prescribed tree in accordance with Chapter E.3 of

Council's Development Control Plan, it must be replaced with another of the same species, which complies with the criteria outlined below.

Species/Type	Planting Location	Container Size/Size of Tree (at planting)	Minimum Dimensions at Maturity (metres)
<i>Corymbia maculata</i> (Spotted Gum)	Within the senior school campus as detailed on the construction plans	100L	12 x 10
<i>Brachychiton acerifolius</i> (Illawarra Flame Tree)	Within the senior school campus as detailed on the construction plans	100L	10 x 6

Condition Reason: To ensure the provision of appropriate replacement planting.

- Amend Condition H.1 Approved Hours – Use of the Outdoor Swimming Pool, to read as follows
A.1 Approved Hours – Use of the Outdoor Swimming Pool

The outdoor swimming pool is to be used only during the daytime hours of 6am to 6pm, Monday to Saturdays, for swimming and water polo training and games. No spectators are permitted prior to 7am.

Notes:

- This condition does not apply to activities such as cleaning.
- This condition does not apply to the use of the pool by less than 10 persons at one time.
- This condition does not restrict the operation of noise pollution laws.

Condition Reason: This is to mitigate amenity impacts upon the neighbourhood

- Insert new Condition H.7 Outdoor Lighting – Sports Lighting, which reads as follows:

H.7 Outdoor Lighting – Sports Lighting

During the occupation and ongoing use, outdoor sports lighting must generally comply with AS/NZS 4282: Control of the obtrusive effects of outdoor lighting. The maximum luminous intensity from each luminaire must not exceed the level 1 control relevant under Table 2.2 of AS 4282.

The maximum illuminance and the threshold limits must be in accordance with Table 2.1 of AS 4282.

No sports lighting must operate after 11pm and must, by automatic timer, switch off at the 11.00pm curfew.

The intensity of light provided to the sporting area must comply with AS2560 and relevant parts to this Australian Standard.





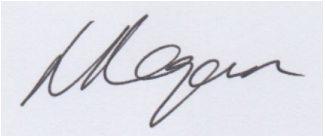
Condition Reason: To control the obtrusive effects of outdoor lighting, to limit the hours of use to protect the amenity of neighbours and to maintain safe conditions for sporting activities.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- Adverse amenity impacts, including uncertainty in terms of proposed number of water polo games and hours of use
- Adverse traffic impacts (ongoing use, parking and construction related access)

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

PANEL MEMBERS	
 Carl Scully (Chair)	 Alice Spizzo
 Susan Francis	 Toni Zeltzer
 Lucinda Regan	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-352 - Woollahra - DA2024/376/1
2	PROPOSED DEVELOPMENT	Demolition of the existing outdoor swimming pool of Scots College and construction of a new swimming pool and associated facilities including pool plant room, spectator seating and storage area
3	STREET ADDRESS	29-53 Victoria Road, Bellevue
4	APPLICANT/OWNER	The Scots College The Presbyterian Church NSW Property
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Planning Systems) 2021 Woollahra Local Environmental Plan 2014 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Woollahra Development Control Plan 2015 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council Assessment Report: 26 March 2025 Written submissions during public exhibition: 3 Total number of unique submissions received by way of objection: 3
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 27 February 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Susan Budd, Toni Zeltzer and Lucinda Regan <u>Council assessment staff</u>: Mario D'Alessio and Max Moratelli <u>Department staff</u>: Carolyn Hunt and Lisa Ellis Site inspection: 09 April 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Toni Zeltzer and Lucinda Regan <u>Council assessment staff</u>: Mario D'Alessio and Max Moratelli <u>Applicant representatives</u>: Peter Moulds and Valentina Bortecchia Applicant Briefing: 09 April 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Susan Francis, Toni Zeltzer and Lucinda Regan <u>Council assessment staff</u>: Mario D'Alessio and Max Moratelli

		<ul style="list-style-type: none">○ <u>Applicant representatives</u>: Rachael Helsham, Sarah Horsfield, Andrew Hobbs• Final briefing to discuss Council’s recommendation: 09 April 2025<ul style="list-style-type: none">○ <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Susan Francis, Toni Zeltzer and Lucinda Regan○ <u>Council assessment staff</u>: Mario D’Alessio and Max Moratelli○ <u>Department staff</u>: Carolyn Hunt and Ilona Ter-Stepanova
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report