

Resolution of Local Planning Panel

6 September 2023

Item 3

Development Application: 5010 Sydney Place, Woolloomooloo - D/2022/431

The Panel granted consent to Development Application Number D/2022/431 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(2) DESIGN MODIFICATION – APT RELOCATION

The proposed APT is not approved to be installed in the currently proposed location.

The proposed APT is to be relocated to the eastern side of the basketball court entrance gates on Sydney Place, adjacent to the retaining wall between Sydney Place and the basketball court.

A plan showing the precise location of the relocated APT is to be submitted to and approved by Council's Area Planning Manager prior to the issue of a Construction Certificate.

The submitted plan must provide dimensions confirming the precise location of the APT to comply with the following:

- The distance between the nearest part of the APT and the most eastern side of the basketball court entry gates is to be 2 metres.
- A ~~600mm~~ ***1000mm*** clearance is to be provided between the north rear elevation of the APT and the adjacent retaining wall between the basketball courts and Sydney Place.

Reason

To require the proposed APT to be situated to a more suitable and appropriate location on Sydney Place.

(10) HOURS OF OPERATION

(a) The approved base hours of operation of the facility are from sunrise to 9:00pm.

(b) Notwithstanding (a) above, a trial period is granted for the operation of the facility from 9:00pm to sunrise for a period of twelve months.

Remaining conditions to be renumbered accordingly.

Reasons for Decision

The application was approved for the following reasons:

- (A) The development, subject to conditions, serves the public interest as it will provide an essential community facility serving an outdoor recreation area and will enhance the amenity of the local area.
- (B) The relocation of the facility as outlined in Condition 2 addresses residents' concerns about security, lighting and amenity.
- (C) The proposal satisfies the objectives of the Environmental Planning and Assessment Act 1979, in that, subject to the imposition of appropriate conditions as recommended, it achieves the objectives of the planning controls for the site for the reasons outlined in the report to the Local Planning Panel.
- (D) The development, subject to conditions, is consistent with the objectives of the RE1 Public Recreation zone under the Sydney Local Environment Plan 2012.
- (E) Appropriate conditions are recommended to ensure the proposed development does not adversely impact upon the heritage significance of nearby sites.
- (F) Appropriate conditions are recommended to ensure the proposed development will be effectively maintained and kept clean.
- (G) The development accords with the objectives of relevant planning controls.
- (H) Subject to recommended conditions of consent, the development satisfies the Design Excellence provisions pursuant to Clause 6.21C of the Sydney Local Environmental Plan 2012.
- (I) The public interest is served by the approval of the proposal, as additional information to the development application has addressed the matters raised by the City and the community, subject to recommended conditions.
- (J) Condition 2 was amended to enable access for servicing of the facility.
- (K) Condition 10 was added to address residents' concerns.

Carried unanimously.

D/2022/431