

Memorandum

Date 29 October 2015

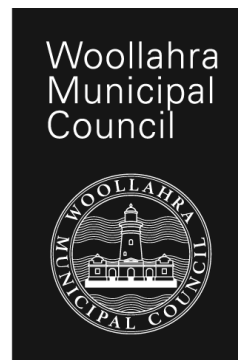
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2015SYE101 Woollahra

To Joint Regional Planning Panel – Sydney East Region

CC

From Mr Simon Taylor

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Since the finalisation of the JRPP report for the above matter, correspondence has been received from several neighbouring objectors, the applicant and from Council's Development Control Committee (DCC). Comment is provided below in relation to the issues raised.

1) SUBMISSIONS

Further submissions have been received from:

- 1) Sharni Langi of 1/1 Ocean Street, Woollahra
- 2) Hayley Killigrew and Richard Sweeting of 6/1 Ocean Street, Woollahra
- 3) Lucy Whittle at 9/1 Ocean Street, Woollahra (2 objections)
- 4) Peter N. Larkin of 11/1 Ocean Street, Woollahra
- 5) Hamish MacDonald of 14/1 Ocean Street, Woollahra
- 6) Deb Hook of 4/3 Ocean Street, Woollahra
- 7) Georgina Hart of 79/8-14 Fullerton Street, Woollahra
- 8) Mark Zagora of no address specified
- 9) Dr Ron Desiatnik of no address specified
- 10) Mikala Haberfield of no address specified
- 11) Cathy Thompson of 15 Maas Street, Cromer
- 12) Louise Thurgood-Phillips (President) and Jeffrey B Kamins (Senior Rabbi) at Emanuel Synagogue

With the exception of the following, the content of these submissions are contained in the original assessment report:

- *Inconsistent mechanical ventilation running times*

At the meeting of the DCC, a discrepancy was raised in the assessment report relating to the operation of the air conditioning units within the plant room to the southern Sanctuary building and

as imposed in Condition I4 and I5. To clarify, the air conditioning units are not to operate between the hours of 10pm and 8am. This is noted in **Conditions I4 and I5**.

- *Signage required at the entrance*

It is recommended that a condition be added requiring signage at the Ocean Street pedestrian entrance to the Synagogue advising congregants to consider neighbouring residents when moving to and from the site. See **Condition F9**.

- *Council's Traffic Engineer does not support the application*

This was noted in the original assessment report. The proposal was considered to be acceptable when considering all aspects of the development.

- *There is no substance to the Transport Management Plan*

Further details are required prior to the issue of a Construction Certificate.

- *The use of the site is expanded to accommodate concerts, art exhibitions and weddings and this has not been addressed in the report*

The architectural plans nominate various uses that are not inconsistent with the existing use as a place of public worship. The application does not relate to a commercial operation.

- *Landscaping on the western boundary will not provide for sufficient acoustic protection*

The landscaping has not been relied upon for acoustic attenuation.

- *Assessment report does not adequately address the impacts*

The above comment is noted.

- *The reduction in the size of the building is inadequate*

The above comment is noted.

- *The acoustic stacks should be relocated*

Subject to a lowering in height in **Condition C1**, the location of the acoustic stacks are acceptable.

- *Why are there time limitations on the use of the mechanical plant*

Time limitations are placed on plant operation because the findings of the acoustic report

- *I will be discouraged from visiting the area as parking and traffic congestion will make it very unattractive to shop on Queen Street and to attend play groups at the Holdsworth Centre*

The proposal is considered to be acceptable on traffic and parking grounds.

- *There will be no measurable increase in traffic*
- *There is a landscape plan that will screen the building*
- *Sound attenuation will be improved*

- *The sanctuary is lower in height than the previously approved DA*

The above comments are noted.

- *The applicant referred to a 'screen' which would provide acoustic privacy from the proposed plant rooms*

There is no screen, however, landscaping is to be established along the length of the western boundary. Of the species, 7 x NSW Christmas Bush and 3 x Rough Tree Fern will extend to a height of 6m and 5m respectively at full maturity. The remaining vegetation will not project above the side fencing. Due to the length of time that these trees will take to grow, they have not been relied upon for acoustic or visual privacy purposes.

- *Confirmation of the content of the plant/store rooms*

This issue was raised in a submission arising from the notification period and it was noted that specific plant details were not required at DA stage when subject to compliance with the findings of the acoustic report.

- *Confirmation of the set back of the plan rooms from the western boundaries*

The plant room will be setback 2.6m from the western boundary.

- *Confirmation of the hours of operation of the site, including religious services and concerts, with particular interest in the Southern Sanctuary building*

Aside from the operating hours of the child care centre, there is currently no limitation upon the hours of use of the overall Synagogue site. The Senior Rabbi and President of the Emanuel Synagogue have noted that the congregants conclude at about 8pm at the latest. Whilst there is some merit in applying such a condition on acoustic privacy grounds, it is considered unnecessary as it would for any other place of worship. The application of such a condition is at the discretion of the JRPP.

- *Changing the street parking limits to ensure a more advantageous situation for residents*

This issue was discussed at the meeting of DCC but remains outside the scope of this application.

2) APPLICANT SUBMISSION

The applicant disputes the following recommended conditions. Comment is included below:

- *Condition C1(a): Exclusive of the two skylights, the height of the Sanctuary building to the south of the Temple Emanuel is to be lowered by a minimum of 1.5m to a maximum RL 80.85 at its southern end and a maximum RL 82.35 at its northern end*

The applicant argues that a landscape screen along the western boundary will reduce dominance impacts but acknowledges that a reduction in height should be provided. A general 0.4m reduction in height is proposed before raking down to RL 80.85 at the southern end.

This satisfactorily resolves overshadowing issues to properties in Wallis Street but does not adequately address dominance impacts or the relationship of the building to the Temple Emanuel.

For these reasons, the condition is maintained. Any modification to this condition is at the discretion of the JRPP.

- *Condition C1(b): The setback of the Sanctuary building to the north of the Temple Emanuel from the eastern boundary with 14 Waimea Avenue is to be increased to a minimum of 9.0m at both levels*

The applicant disputes the basis of this condition in relation to impacts upon the canopy of existing trees and heritage impact, arguing that the trees were inaccurately located on the landscape plan. Council does not concur with these findings and the condition is maintained. Any modification to this condition is at the discretion of the JRPP.

- *Condition C1(c): The plant rooms to the west of the Sanctuary building to the south of the Temple Emanuel are to be limited to a maximum height of 5.5m (RL 78.4)*

The applicant requires an additional 1.5m height to accommodate ductwork to the Sanctuary level. Whilst the condition was intended to provide this flexibility, additional height brings about potential bulk issues when viewed from the properties in Ocean Street. It is noted that the RL reference is incorrect and **Condition C1(c)** is amended accordingly. Any further modification to this condition is at the discretion of the JRPP.

- *Condition C1(d): The stain glass windows from all elevations of the Neuweg Synagogue are to be installed in the western elevation of the Sanctuary building to the south of the Temple Emanuel*

The applicant argues that as the Neuweg sanctuary will not be demolished until after the new mid-sized sanctuary is completed, then the stain glass windows should be installed in the small sanctuary building. On construction practicality grounds, Council does not object to this change. **Condition C1(d)** is modified accordingly.

- *Condition C1(e): Notwithstanding (d) above, any remaining windows to the western elevation of the first floor of the Sanctuary building to the south of the Temple Emanuel are to be fixed and obscure*

The applicant asserts that ‘due to the intention to encourage natural ventilation into the space, we request the opportunity to introduce openings in the west, south as well as eastern walls subject to acoustic attenuation of same.’

Natural ventilation to the interior of the southern Sanctuary building is supported. However, it is contrary to the findings of the acoustic report which established its findings based on windows being shut during services. It is also not supported by Council’s Environmental Health Officer who states that the theoretical acoustic attenuation cannot be applied to an open window. Any modification to this condition is at the discretion of the JRPP.

- *Condition C1(l): The redundant crossovers to Woods Avenue and Ocean Street are to be removed*

The applicant notes that vehicular access via Woods Avenue will be retained on an intermittent basis. However, the ramp leading from Woods Avenue has a width of 2.1m which is less than a standard B85th percentile car. As such, vehicular access was assumed to be removed and the condition applied. Any modification to this condition is at the discretion of the JRPP.

3) OTHER DISCREPANCIES

The submitted landscape plan specifies a staff break out area along the western side of the child care centre that is not noted on the architectural plans. The positioning of this area is considered to be appropriate on the basis that there is a maximum of 11 child care staff and at any one time, the majority of staff will be otherwise occupied with supervision of children (indoors and outdoors), pick up and drop off, office activities and management. The number of staff in the break out area at any one time is considered to be low. There is also an internal staff room. No additional provisions are required on acoustic or visual amenity grounds.

Condition C1(n) requires the provision of two separate waste storage areas as they were not noted on the architectural plans. A bin store is, however, located to the west of the child care centre on the submitted landscape plan. It is assumed that it will be used for the entire Synagogue site.

However, with respect to a reduction in plant area in Condition C1(c), to minimise potential acoustic and practical issues with bin movement and to allow for greater education opportunities for children, the waste store is to be relocated to two separate locations. **Condition C1(n)(iv)** deletes reference to this bin store.

Condition C1(z) is added to ensure that the break out area is specified on the architectural plans.

Condition C1(q) incorrectly refers to ‘the elevated first floor walkway projecting west of the eastern elevation of the Sanctuary Building’ rather than the east. This is to be modified accordingly.

4) RECOMMENDED CHANGES

Condition C1(d) is modified:

- d) The stain glass windows from all elevations of the Neuweg Synagogue are to be installed in the Small Sanctuary and Library to the north of the Temple Emanuel.

Condition C1(n)(iv) is added:

- (iv) The deletion of any reference to a bin store to the west of the Sanctuary building to the south of the Temple Emanuel as noted on landscape plan number 110

Condition C1(q) is modified:

- q) The elevated first floor walkway projecting east the of the eastern elevation of the Sanctuary building to the north of the Temple Emanuel is to be deleted in its entirety and a privacy screen is to be established to the eastern edge of the balcony

Condition C1(z) is added:

- z) The staff break out area detailed on the landscape plan is to be specified on the architectural plans.

Condition F9 is to be added:

F.9 Pedestrian Entrance Signage

Signage is to be installed and maintained at the Ocean Street pedestrian entrance advising residents not to loiter at the entrance gate and to consider neighbouring residents when arriving and departing by keeping noise to a minimum.

The third paragraph of Condition I4 is modified:

Mechanical equipment is not to run between the hours of 10pm to 8am.

The second paragraph of Condition I5 is modified:

Mechanical equipment is not to run between the hours of 10pm to 8am.

Simon Taylor
Assessment Officer