



<b>DATE OF DETERMINATION</b>	Thursday 16 March 2017
<b>PANEL MEMBERS</b>	Sue Francis (Acting Chair), John Roseth, Louise Camenzuli, Luise Esling, Toni Zeltzer
<b>APOLOGIES</b>	Maria Atkinson
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Christies Conference Centre, 3 Spring Street Sydney, on Thursday 16 March 2017, opened at 10.30 pm and closed at 11.20am.

**MATTER DETERMINED**

**2016SYE119 – Inner West – DA307/2015/5** at 7-9 Ocean Street Woollahra (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 the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the Section 96 Modification as described in Schedule 1 pursuant to section 96 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

**REASONS FOR THE DECISION**

The reasons for the decision of the Panel were:






The Panel accepts the recommendation of the council staff and the conditions outlined in assessment report and further correspondence dated 27 February 2017.

The Panel noted that in the consideration in the original development application for the site there was significant concern from residences regarding increased traffic servicing in Woods Avenue. Accordingly, that development application required the closure of that crossover. The Panel does not consider the situation has not changed and requires retention of the closure of the crossover.

In relation to Trees 33 and 35, the Panel notes that to achieve zero noise impact on adjoining properties on the west these two trees will need to be removed. These trees are proposed to be replaced by seven mature native species, the panel considers this outcome is acceptable.

**CONDITIONS**

The Section 96 Modification was approved subject to the conditions in the Council Assessment Report and correspondence dated 27 February 2017.

PANEL MEMBERS		
 Sue Francis (Acting Chair)	 John Roseth	 Louise Camenzuli
 Toni Zeltzer	 Luise Esling	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYE119 – Woollahra – DA307/2015/5
2	PROPOSED DEVELOPMENT	Request to modify an existing development consent under Section 96(2) of the <i>Environmental Planning and Assessment Act 1979</i> involving internal and external modifications to the Emanuel Synagogue including changes to the design of the child care centre and sanctuary, relocation of the plant room, retention of the crossover to Woods Avenue, changes to fenestration and gates and new glazed roof over the lift and 'Kiddush Court'.
3	STREET ADDRESS	7-9 Ocean Street Woollahra
4	APPLICANT OWNER	Hamptons Property Services Lots 1-5 on DP185811: Emanuel Synagogue
5	TYPE OF REGIONAL DEVELOPMENT	Section 96 Modification
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 No. 55 – Remediation of Land</li> <li>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</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><i>Environmental Planning and Assessment Regulation 2000</i>: <ul style="list-style-type: none"> <li>Clauses 40-46 of the Environmental Planning and Assessment Regulation 2000</li> <li>Education and Care Services National Regulation</li> </ul> </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: 27 February 2017</li> <li>Amended Landscape Plan and Council Minutes provided 8 March 2017</li> <li>Late submission from council dated 15 March 2017</li> <li>Written submissions during public exhibition: nil submissions</li> <li>Verbal submissions at the panel meeting: <ul style="list-style-type: none"> <li>On behalf of the applicant – Rachel Condon, Ed Lipman, Michael Neustein</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing Meetings: 9 February and 16 March 2017</li> <li>Site Inspections: 9 February 2017</li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	As per the council assessment report