

ITEM 5. OWNER'S CONSENT AND PROPOSED LEASE OF AIRSPACE OVER BURRAHPORE LANE WOOLLOOMOOLOO**FILE NO: S056034****SUMMARY**

The Society of St. Vincent De Paul proposes to lodge a development application for the minor refurbishment of the Mathew Talbot Hostel at 2 Corfu Street and refurbishment of 99 Forbes Street, Woolloomooloo, which includes the construction of a pedestrian footbridge over Burrahpore Lane to connect the existing hostel service to a proposed new educational facility at 99 Forbes Street. The proposed footbridge will have a positive social impact by improving security, reducing pedestrian movements at ground level and reducing the number of people congregating on the surrounding streets.

In this regard, the Society of St. Vincent De Paul is seeking owner's consent to the development application for the construction of the footbridge and approval to the necessary lease for the occupation of part of Burrahpore Lane, Woolloomooloo by the footbridge.

RECOMMENDATION

It is resolved that:

- (A) Council grant owner's consent for the lodgement of the development application for the construction of the footbridge;
- (B) Council grant a lease, pursuant to Section 149 of the Roads Act 1993, to the Society of St. Vincent De Paul for the occupation of part of Burrahpore Lane in stratum by a single level footbridge, as shown on the plan at Attachment A to the subject report;
- (C) the lease be for a term of 20 years, and subject to the conditions contained in the schedule shown at Attachment C to the subject report; and
- (D) annual rental at \$1 is subject to the Society of St. Vincent De Paul's contribution to the Walla-Mulla 'beautification' programme and 99 Forbes Street will be made available for community group meetings to the satisfaction of the Chief Executive Officer.

ATTACHMENTS

Attachment A: Location Plan

Attachment B: Footbridge Structural Plan

Attachment C: Schedule of Conditions

BACKGROUND

1. Mathew Talbot Hostel is located at 2 Corfu Street, Woolloomooloo and currently provides crisis accommodation, meals, community services and health assistance for homeless persons. The Hostel has been operated since 1965 and is owned by the Society of St. Vincent De Paul.
2. The Society of St. Vincent De Paul recently purchased 99 Forbes Street, Woolloomooloo with the intention to provide recreational activities and educational programs for the patrons of the Mathew Talbot Hostel.
3. The Buildings at 2 Corfu and 99 Forbes Streets are separated by Burrahpore Lane as shown on Attachment A.
4. The Society of St. Vincent De Paul lodged a development application for the construction of the footbridge over Burrahpore Lane connecting the roof terrace of the Mathew Talbot Hostel with level three of 99 Forbes Street.
5. The proposed footbridge consists of a single stratum area of approximately 8.05 square meters and will be constructed of light materials including glass facade and anodized aluminium framing as shown on Attachment B.
6. Under Section 3.4 of Central Sydney DCP 1996, new overpasses are discouraged. However, in exceptional circumstances, new overpasses over service lanes may be considered by the consent authority. From a planning and urban design perspective, pedestrian overpasses are actively discouraged on public streetscapes or visually prominent areas. In this case, the bridging of Burrahpore Lane is considered acceptable and an exceptional circumstance (as per Section 3.4 of the DCP), as the service lane is not visually prominent in any way, or part of a locally significant streetscape, and infrequently used for pedestrian and traffic purposes.
7. Further, the granting of land owner's consent will allow the fuller assessment and consideration of the structure above the lane as part of a publicly exhibited DA process, which will also be referred to the Planning Development and Transport Committee (no delegation to staff exists for the erection of a bridge).
8. The proposed footbridge will have a number of benefits to the community such as:
 - (a) the bridge assists in getting people off the street and establishes a managed and controlled connection between the two buildings;
 - (b) additional lighting beneath the bridge will improve security, visual and amenity impacts within Burrahpore Lane; and
 - (c) it will reduce the number of patrons of the Hostel congregating outside the buildings.
9. The Society of St. Vincent De Paul requested a 20 year lease at a nominal rent of \$1 per annum. However, this would be subject to a contribution to the Walla-Mulla 'beautification' program and 99 Forbes Street being available for other community group meetings to the satisfaction of the Chief Executive Officer.

KEY IMPLICATIONS

10. The provision of a pedestrian footbridge may have some benefit for patrons of the services of the Matthew Talbot Hostel as it allows egress to both buildings, and to internal smoking areas, without the need for clients to cross the road or to smoke on the footpaths. However, further measures that discourage patrons of Matthew Talbot from congregating on footpaths should also be developed and implemented in conjunction with development of the footbridge to assist with the expected increased patronage of services that a second building will bring. Consideration should also be given to developing strategies to manage those not accessing the service who may be socially disruptive.
11. The entering into a lease will formalise the occupation of part of Burrahpore Lane by the pedestrian footbridge.

FINANCIAL IMPLICATIONS

12. It is noted that there is no commercial benefit to the Society's adjoining properties. The 'works in kind' will benefit the City by landscaping works as well as access to meeting venue in Woolloomooloo.

RELEVANT LEGISLATION

13. Council, as Roads Authority, may grant a lease above or below a road pursuant to Section 149 of the Roads Act 1993 for a term not exceeding 99 years with approval of the Director of Planning.
14. Pursuant to Section 23 of the Environment Planning and Assessment Act 1979 and by Instrument of Delegation dated 9 March 1995, the Director of Environmental Planning has delegated to the Council of the City of Sydney all of the functions conferred or imposed on the Director by Section 149 of the Roads Act 1993.

OPTIONS

15. Council could refuse to provide consent and grant of lease, in which case the problems of negative social impact and improved security could not be resolved.

JOHN BARBELER

Director Corporate Services

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