

**ITEM 6. DEVELOPMENT APPLICATION: 27 HUGHES STREET POTTS
POINT - WAYSIDE CHAPEL**

FILE NO: D/2008/912

SUMMARY

Date of Submission: 04 June 2008
(Additional information received 25 June 2008 and
20 August 2008)

Applicant: Tone Wheeler, Environa Studio

Proposal Summary: The proposal is for the demolition of three (3)
buildings on the 'Wayside Chapel' site to be replaced
with a four (4) storey building. The remaining building
is to undergo alterations and additions.

The new building will provide enhanced facilities for
the continuation of youth services, counselling
services, crisis support, bath house facilities for the
homeless, low cost meals for the homeless and those
on low incomes, exhibition space, areas for spiritual
gatherings and administrative space for off-site
services including outreach services.

Summary: The proposal was originally considered by Council on
04 August 2008. At the request of the applicant,
Council resolved to defer determination to allow for
further public consultation.

The proposal has a 2.48:1 FSR (max permissible
2.5:1) and a 12.2 metre height (max permissible 12
metres). The new building will not have any
detrimental impact on the amenity of the surrounding
area by way of overshadowing or loss of significant
views.

Fourteen (14) submissions were received in respect of
the original proposal, primarily concerned about anti-
social behaviour of clients and overflow of people
from the forecourt onto the street.

To address this issue, the applicant proposes specific
design measures to reduce the existing forecourt area
being used for sleeping and installation of CCTV
monitored by the on-site resident caretaker.

Summary (cont):

Public consultation occurred on the 30 July 2008 and the 19 August 2008. Issues discussed at these meetings included;

- View loss due to the form of the plant room;
- Waste management on site;
- Management of the centre, including anti-social behaviour of the Chapel's clients and use of the existing front courtyard.

From this, the form and location of the plant room was altered and waste management areas were identified in the amended plans, elevations and photomontage at Attachment A. There was also general agreement between the applicant and residents that an increase in permanent staff would provide a better outcome in relation to anti-social behaviour than either a wall around the courtyard or the provision of an internal courtyard.

The resulting conditions were subsequently amended;

- Condition 1 – Approved Development was amended to include the revised plans;
- Condition 3 was included requiring consultation between the residents and the Chapel within the first six months; and
- Condition 5 – Hours of Operation – Minor Development was amended to further clarify the hours of operation for the site.

The development application is recommended for approval, subject to the amended conditions.

Development Controls:

The following planning controls may apply.

- (i) South Sydney Local Environmental Plan 1998 (Gazetted 28 April 1998, as amended)
- (ii) South Sydney Development Control Plan 1997 – Urban Design (in force on 2 July 1997, as amended)
- (iii) City of Sydney Notification of Planning and Development Applications Development Control Plan 2005 (date of commencement – 18 May 2005)

- Development Controls (cont):**
- (iv) Development Control Plan No. 11 – Transport Guidelines for Development 1996 (Adopted 8 May 1996)
 - (v) City of Sydney Access Development Control Plan 2004 (in force on 28 June 2004)
 - (vi) City of Sydney Signage and Advertising Structures Development Control Plan 2005 (commenced 28 March 2005)
 - (vii) City of Sydney Development Contributions Plan 2006 (August 2006)

- Attachments:**
- A - Plans, elevations and photomontage
 - B - Report to the Planning Development and Transport Committee on 28 July 2008

RECOMMENDATION

It is resolved that consent be granted subject to the following conditions:

SCHEDULE 1A

Approved Development/Design Modifications/Covenants and Contributions/Use and Operation

Note: Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2008/912 dated 04 June 2008 and the following drawings:

Drawing Number	Architect	Date
01 Issue A	Environa Studio	30 May 2008
02 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
03 Issue A	Environa Studio	30 May 2008
04 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
05 Issue A	Environa Studio	30 May 2008
06 Issue A	Environa Studio	30 May 2008
07 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
08 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
09 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
10 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
11 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
12 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008

Drawing Number	Architect	Date
13 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
14 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
15 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
16 Issue A	Environa Studio	30 May 2008
17 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
18 Issue A	Environa Studio	30 May 2008
19 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008
20 Issue A Issue B	Environa Studio	30 May 2008 19 August 2008

and as amended by the conditions of this consent:

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

(2) DESIGN DETAILS (MAJOR DEVELOPMENT)

The design details of the proposed building facade including all external finishes, colours and glazing must be in accordance with the materials schedule and sample board, and specifications prepared by Environa Studio dated 30 May 2008, including information on materials and finishes provided in the following drawings:

Drawing Number	Architect	Date
12 Issue A Issue B	Environa Studio	30 May 2008 18 August 2008
13 Issue A Issue B	Environa Studio	30 May 2008 18 August 2008
14 Issue A Issue B	Environa Studio	30 May 2008 18 August 2008

(3) **PUBLIC CONSULTATION**

Within the first six (6) months of receiving an Occupation Certificate, a Neighbourhood Consultative Committee should be established, involving both members of the buildings within a 25m radius of the site and the Chapel's staff, to ensure that management related impacts (including, but not limited to anti-social behaviour, noise and amenity for surrounding residents) from the premises are being managed satisfactory. The Committee is to meet on a six (6) monthly basis.

(4) **APPROVED DESIGN ROOF - TOP PLANT**

(5) **SIGNS/GOODS IN THE PUBLIC WAY**

(6) **HOURS OF OPERATION – MINOR DEVELOPMENT**

The hours of operation are restricted as follows:

Wayside Chapel	8.00am to 6.00pm Sundays
Youth Centre	9.00am to 9.00pm Monday to Saturday
Nomad Café	9.00am to 9.00pm seven (7) days
Op Shop	8.30am to 4.30pm Monday to Friday 8.30am to 12.30pm Saturday
Day to Day Living	9.00am to 5.00pm Monday to Friday
Offices	9.00am to 9.00pm Monday to Friday
Church Hall (and foyer space)	9.00am to 11.00pm seven (7) days
Meeting Rooms	9.00am to 11.00pm seven (7) days
Counselling Services	24 hours seven (7) days

<i>Space</i>	<i>Location</i>	<i>Hours of Opening</i>	<i>Days</i>
<i>Reception</i>	<i>Level 1</i>	<i>0800 - 1800</i>	<i>7 Days</i>
<i>Forecourt</i>	<i>Level 1</i>	<i>Closed to the public between 2300 - 0800</i>	<i>7 Days</i>
<i>Wayside Chapel</i>	<i>Level 1</i>	<i>0800 – 2300</i>	<i>7 Days</i>
<i>Op Shop</i>	<i>Level 1</i>	<i>0800 – 1700</i>	<i>Monday to Saturday</i>
<i>Coffee Shop</i>	<i>Level 1</i>	<i>0800 – 2300</i>	<i>7 Days</i>
<i>Crisis Centre</i>	<i>Level 1</i>	<i>0800 – 2300</i>	<i>7 Days</i>
<i>Youth Centre</i>	<i>Level 2</i>	<i>0800 – 2300</i>	<i>7 Days</i>
<i>Church Hall</i>	<i>Level 2</i>	<i>0800 – 2200 (Cleared by 2300)</i>	<i>7 Days</i>
<i>Day to Day Living</i>	<i>Level 3</i>	<i>0800 – 2300</i>	<i>7 Days</i>
<i>Office Space</i>	<i>Level 3</i>	<i>0700 – 2100</i>	<i>7 Days</i>
<i>Meeting Rooms</i>	<i>Level 3</i>	<i>0800 – 2200 (Cleared by 2300)</i>	<i>7 Days</i>
<i>Outdoor Chapel</i>	<i>Level 3</i>	<i>0800 – 2200</i>	<i>7 Days</i>
<i>Office Space</i>	<i>Level 4</i>	<i>0700 – 2100</i>	<i>7 Days</i>
<i>Telephone Counselling Services</i>	<i>Doors Closed</i>	<i>24 Hours</i>	<i>7 Days</i>

(7) ACCESS AGREEMENT

Details outlining the access agreement between the owner(s) of the Wayside Chapel and the owner(s) of 25 Hughes Street are to be provided to Council prior to the issue of a Construction Certificate.

(8) ROOF TERRACES

Access to all roof terraces is to be restricted to staff only via a “swipe card” access system and in accordance with the hours of operation specified in Condition 7.

(9) ROOF TERRACES – PLANT SPECIES SELECTION

The plant species selected for use on the green roof are to be no more than two (2) metres in height.

(10) RESTRICTION ON USE OF MEETING ROOMS AND THEATRE

The use of these premises is to be associated with an activity held by the Wayside Chapel. The theatre and meeting rooms are not be made available for independent use by private organizations unless approved by a separate development application.

(11) REMOVAL OF GRAFFITI

(12) NO SPRUICKING/AMPLIFIED NOISE

(13) SHOP FRONTS

(14) SECURITY MANAGEMENT PLAN

Prior to a Construction Certificate being issued, a Security Management Plan, which specifies security patrol, surveillance and other security and response methods and security management of the public and private domain within and surrounding the site must be submitted to and approved by Council. The approved plan must be implemented during operation of the use.

(15) NO SPEAKERS OR MUSIC OUTSIDE

(16) MANAGEMENT AND OPERATION PLAN

(a) An amended "Management and Operation Plan" is to be submitted to the satisfaction of Council prior to the issue of a Construction Certificate. The amended "Management and Operation Plan" shall also include the following details:

- (i) Specific information regarding the duties of the caretaker.
- (ii) The hours when the caretaker will monitor the closed-circuit television.
- (iii) The caretaker will monitor the closed-circuit television after hours seven (7) days per week.
- (iv) Implementation and maintenance of sensor lighting on Orwell Lane.
- (v) That all clients and users of the chapel. Meeting rooms and theatre will be formally notified, where practical, through written correspondence one week prior to their attendance at any event within the premises that no on-site parking is available and that public transport should be used to gain access to the site.

(b) The use must always be operated / managed in accordance with the approved "Management and Operation Plan" Plan dated 30 May 2008, to the satisfaction of Council.

(17) PUBLIC TRANSPORT STRATEGY

The use must always be operated / managed in accordance with the Public Transport Strategy, received by Council on the 25 June 2008.

(18) WASTE AND RECYCLING

All waste storage and collection for the Wayside Chapel is to occur in accordance with the article 'Waste + Recycling' provided by the client to Council. This article was received by Council on the 25 June 2008.

(19) SURVEILLANCE CAMERAS

(20) WASTE AND RECYCLING COLLECTION

(21) CARE OF BUILDING SURROUNDS

(22) NEIGHBOURHOOD AMENITY

(23) INTRUDER ALARM

(24) PROVISION OF BICYCLE PARKING

- (a) Details of the provision of eight (8) bicycle parking facilities to be provided on site are to be submitted to the satisfaction of Council prior to the issue of a Construction Certificate.
- (b) The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities.

(25) SOLAR PANELS

Details illustrating the angle and design of the photovoltaic and solar thermal panels, including details of their reflectivity, are to be provided to the satisfaction of Council prior to the issue of a Construction Certificate.

(26) NOISE - USE (GENERAL)

(27) NOISE - MECHANICAL PLANT AND EQUIPMENT

(28) EXTERNAL LIGHTING

SCHEDULE 1B

Prior to Construction Certification/Commencement of Work/Health and Building

Note: Prior to the issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority (whether Council or a private accredited certifier) illustrating compliance with the relevant requirements of the Building Code of Australia (and a copy forwarded to Council where Council is not the certifying authority). If Council is to be the certifying authority, please contact the Building Unit to discuss the requirements prior to submission of the application for construction certificate.

(29) STRUCTURAL INTEGRITY OF RETAINED FAÇADE (as amended)

Prior to the commencement of any works on the site, a Structural Engineers report, giving details of the proposed Façade Retention System for No 29 Hughes Street, prepared by a suitably qualified structural engineer experienced in dealing with heritage buildings must be submitted for the approval of Council. The report must explain how the façade is to be retained, supported and not undermined by the proposed development and give details of any intervention such works will have on the facade fabric. Details of all temporary supports and hoardings must also to be provided.

(30) ARCHAEOLOGICAL DISCOVERY DURING EXCAVATION

(31) HERITAGE - ARCHIVAL PHOTOGRAPHIC DOCUMENTATION

Prior to the issue of a Construction Certificate or commencement of demolition works, whichever is the earliest, an archival photographic recording of the theatre (with the dividing false floor removed), as well as of the other buildings to be demolished on the site, is to be prepared to Council's satisfaction. The photographic record is to be in accordance with the NSW Heritage Office guidelines titled 'Photographic Recording of Heritage Items using Film or Digital Capture'. One copy of the record is to be submitted to Council to be lodged with Council's Archives.

The form of the recording is to be as follows:

- (a) A4 format.
- (b) Placed in an appropriate archival folder.
- (c) The Development Application number is to be noted on the front of the folder and in the report.
- (d) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record.
- (e) Each negative, slide or digital image is to be cross referenced to a photographic catalogue and photographic base plans.
- (f) Written confirmation that the Council reserves the right to use the photographs for its own purposes and genuine research purposes is also to be included.
- (g) Include scaled drawings of the existing theatre.
- (h) Include a chronological history of the theatre.

A film based recording is to include the use of black and white archival quality 35mm photographic film, archivally processed and numbered negatives stored in archival sheets or envelopes, archivally processed proof (contact) sheets, labelled and cross referenced to the catalogue sheets, colour transparencies numbered, labelled and cross referenced to catalogue sheets and base plans and stored in archival slide sheets.

A digital based recording is to include thumbnail image sheets with reference numbers cross referenced to catalogue sheets and processed on A4 size archival photographic paper using archivally stable inks, a CD or DVD containing electronic images saved as TIFF files with associated metadata and cross referenced to catalogue sheets.

(32) HERITAGE - MURALS

The two murals in the theatre are to be professionally photographed to reproduction standard prior to the commencement of works on the site.

(33) HERITAGE - MOVABLE HERITAGE

The memorials and movable heritage related to the theatre and the Life Education Programme are to be recorded and relocated in public areas, such as within the foyers of the new building. This is to include the photographic reproductions of the two murals. The location of these items is to be shown on drawings, submitted to Council's satisfaction, prior to the issue of a construction certificate.

(34) HERITAGE - PROVISION OF SERVICES

New services in the existing buildings are to be placed as unobtrusively as possible with minimum intervention to the original/significant fabric.

(35) HERITAGE - DETAILS TO BE RETAINED OR REINSTATED

- (a) The small front bracketed awning at No. 31 Hughes Street, shown on photographs submitted with the development application, has been removed and needs to be reinstated matching the original detailing. Details are to be shown on drawings to Council's satisfaction, prior to the issue of a construction certificate.
- (b) The existing bracketed awning at No. 29 Hughes Street is to be retained and conserved.
- (c) Salvageable significant building fabric, such as timber joinery and the like is to be, where possible, salvaged during demolition works and made available to appropriate dealers rather than be scrapped.

(36) HERITAGE - FACADE AND INTERNAL MAKE GOOD

- (a) The face brickwork of the external elevations of existing building at No. 31 Hughes Street and the façade of No. 29 is not to be rendered, painted or coated.
- (b) The brickwork of the new parapet to No. 29 Hughes Street is to match that of the rest of the façade in terms of colour, texture and detailing.
- (c) All new internal and external finishes and works of making good of No. 31 and the façade of No. 29 Hughes Street shall match the existing original work adjacent in respect of materials used, detailed execution and finished appearance.

- (d) The existing shingles below the sill level of the enclosed first floor balcony at No 29 Hughes St, where possible are to be retained, or replaced with matching timber shingles.
- (e) The width of the new windows to the front enclosed balcony at No 29 Hughes Street should match those of the existing bay windows. Details of these timber framed windows are to be shown on drawings to Council's satisfaction prior to the issue of a construction certificate.

(37) SIGNS

- (a) Details of any new signage on site are to be provided to the satisfaction of Council prior to the issue of a Construction Certificate.
- (b) The existing signage on the front elevation of the building is to be removed.

(38) WASTE AND RECYCLING MANAGEMENT - COMMERCIAL

(39) NO DEMOLITION PRIOR TO A CONSTRUCTION CERTIFICATE

(40) DEMOLITION, EXCAVATION AND CONSTRUCTION MANAGEMENT

(41) EROSION AND SEDIMENT CONTROL – BETWEEN 250 AND 2,500SQM

(42) DILAPIDATION REPORT – MINOR

(43) ROAD OPENING PERMIT

(44) LANDSCAPING OF THE SITE

(45) SYDNEY WATER CERTIFICATE (NEW DEVELOPMENT)

(46) FOOTPATH DAMAGE BANK GUARANTEE

(47) APPLICATION FOR HOARDINGS AND SCAFFOLDING ON A PUBLIC PLACE

(48) BARRICADE PERMIT

(49) ALIGNMENT LEVELS

(50) STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT

(51) GREY-WATER TANK

A separate Section 68 Application (of the Local Government Act) shall be submitted to Council for approval prior to the issue of a Construction Certificate.

(52) RAINWATER TANK

Separate details of the proposed rainwater tank including details of the use and operation of the rainwater system are to be submitted to Council prior to the issue of a Construction Certificate.

- (53) STRUCTURAL CERTIFICATION FOR DESIGN – BCA (ALL BUILDING CLASSES)**
- (54) STRUCTURAL CERTIFICATION FOR EXISTING BUILDING – MINOR (ADDITIONS)**
- (55) BCA COMPLIANCE - ALTERATIONS AND ADDITIONS - UPGRADE OF WHOLE OR PART OF BUILDING IS REQUIRED (CC REQUIRED)**
- (56) ACCESS FOR PERSONS WITH DISABILITIES – CIRCULATION SPACE TO AND WITHIN BUILDINGS.**

- (a) In accordance with Council's Access Development Control Plan 2004, the proposed building layouts and designs must comply with Australian Standard 1428.1: General requirements for access - New building works, including:
 - (i) corridor/door widths and circulation spaces at doorways (clause 7);
 - (ii) fully glazed doors and walls including sidelights (clause 7.5); and
 - (iii) door handle and light switch positions/design (clause 11).
- (b) Prior to the issue of an Occupation Certificate, certification from an appropriately qualified person must be submitted to the principal certifying authority confirming compliance with this condition.

(57) ACCESS FOR PERSONS WITH DISABILITIES – Fit out of “Youth Space”

- (a) Prior to the issue of a Construction Certificate, details of the proposed method of achieving compliance with the provisions of AS1428.3 (1992) 'Requirements for children and adolescents with physical disabilities, to and within the proposed “Youth” space indicated on level 2 of the existing building, is to be submitted to the principal certifying authority and a copy provided to Council, and;
- (b) Prior to the issue of an Occupation Certificate, certification from an appropriately qualified person must be submitted to the principal certifying authority confirming compliance with this condition.

(58) BCA - NEW BUILDINGS WORKS - CLASS 2-9 BUILDINGS

(59) MAXIMUM FIRE COMPARTMENT SIZE

Details of Fire compartment areas are to be submitted with any future application for issue of a Construction Certificate, and should be maintained under the maximum 2000 sq metre as recommended under Table E2.2b of the BCA, otherwise such spaces must be protected in accordance with the requirements Specification E2.2b or Specification E2.2c, as necessary.

(60) ANNUAL FIRE SAFETY STATEMENT FORM

(61) FIRE SAFETY CERTIFICATE TO BE SUBMITTED

(62) CERTIFICATION OF GEOTECHNICAL INSPECTION

- (63) GLAZING – COMPLIANCE WITH AUSTRALIAN STANDARD**
- (64) SURVEY**
- (65) SURVEY CERTIFICATE AT COMPLETION**
- (66) CONSTRUCTION AND FITOUT OF FOOD PREMISES**
- (67) FINAL INSPECTION (FOOD PREMISES)**
- (68) GREASE TRAP (FOOD PREMISES)**
- (69) FOOD PREMISES DATA BASE**
- (70) NOTIFY NSW FOOD AUTHORITY**
- (71) MECHANICAL VENTILATION**

SCHEDULE 1C

DURING CONSTRUCTION/PRIOR TO OCCUPATION/COMPLETION

- (72) OCCUPATION CERTIFICATE TO BE SUBMITTED**
- (73) DEDICATION OF LAND**

The owner(s) of the site are to dedicate for road purposes, free of cost to Council, a splay corner of approximately 1.5 metres by 1.5 metres at the intersection of the alignments of Hughes Street and Orwell Lane, on the assumption that the affected part of the site can be used in calculation of the floor area of the development. This land is to be dedicated prior to the issue of an Occupation Certificate.

- (74) PROTECTION OF STREET TREES DURING CONSTRUCTION**
- (75) COVERING OF LOADS**
- (76) VEHICLE CLEANSING**
- (77) LOADING AND UNLOADING DURING CONSTRUCTION**
- (78) NO OBSTRUCTION OF PUBLIC WAY**
- (79) USE OF MOBILE CRANES**
- (80) SURVEY CERTIFICATE AT COMPLETION**
- (81) STREET NUMBERING – SINGLE DWELLINGS/MINOR DEVELOPMENT**

SCHEDULE 2

The prescribed conditions in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000 apply to the development.

(82) The prescribed conditions are as follows:

- (a) The work must be carried out in accordance with the requirements of the *Building Code of Australia* (As in force on the date the application for the relevant construction certificate is made).
- (b) This condition does not apply to:
 - (i) the extent to which an exemption is in force under Clause 187 or 188, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) or the *Environmental Planning and Assessment Regulation 2000*; or
 - (ii) the erection of a temporary building.

(83) In the case of residential building work for which the Home Building Act 1989 requires that there be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force.

BACKGROUND

1. The proposed demolition of three (3) buildings on the 'Wayside Chapel' site to be replaced with a four (4) storey building was considered by Council on 4 August 2008 where it was resolved:

That consideration of this matter be deferred, as requested by the applicant, in order to respond to comments of the residents.

2. Further plans were submitted showing a change in the form of the plant room to reduce the perceived overall height of the building envelope and to indicate the location of waste storage areas. A copy of the plans, elevations and photomontage is at Attachment A.
3. Fourteen (14) submissions were received in response to the notification of the original proposal. The residents were primarily concerned about the anti-social behaviour of the Chapels clients in the courtyard fronting Hughes Street. Concern was also raised about the height of the proposed plant room with attached solar panels.
4. A copy of the planning officer's report to the Planning Development and Transport Committee on 28 July 2008 (excluding attachments which are superseded by amended plans) is at Attachment B.

CONSULTATION MEETINGS

5. On 30 July 2008 an initial public consultation meeting was held between some of the local residents and the applicant. It was agreed by all parties present that another community consultation take place at a later date to allow the applicant to revise the plan of management and possibly make design changes to the plant equipment on the roof top as well as investigate the feasibility of providing a ground floor internal courtyard.
6. The application was again discussed at a community consultation held on site on 19 August 2008. Several issues were discussed, including:
 - (a) view loss of the city skyline for residents within the immediately adjoining Byron Hall residential flat building as a result of the form of the plant room in order to support solar tube panels on the roof;
 - (b) where and how waste management would occur; and
 - (c) anti-social behaviour and clients lingering in the front courtyard. Several suggestions were made including the provision of a large wall around the existing front courtyard and/or the provision of an internal courtyard within the chapel.
7. By the end of the meeting there was general appreciation that the architect had reasonably amended the plans at the roof top level to lower the height and form of the plant room (see figures 1 and 2) and solar tube panels and that adequate provision had been made for waste management. This included identifying areas for waste and recycling storage within the building as well as identifying Hopes Lane for waste storage prior to collection by contractor. These have been outlined and identified on the amended plans submitted 20 August 2008.

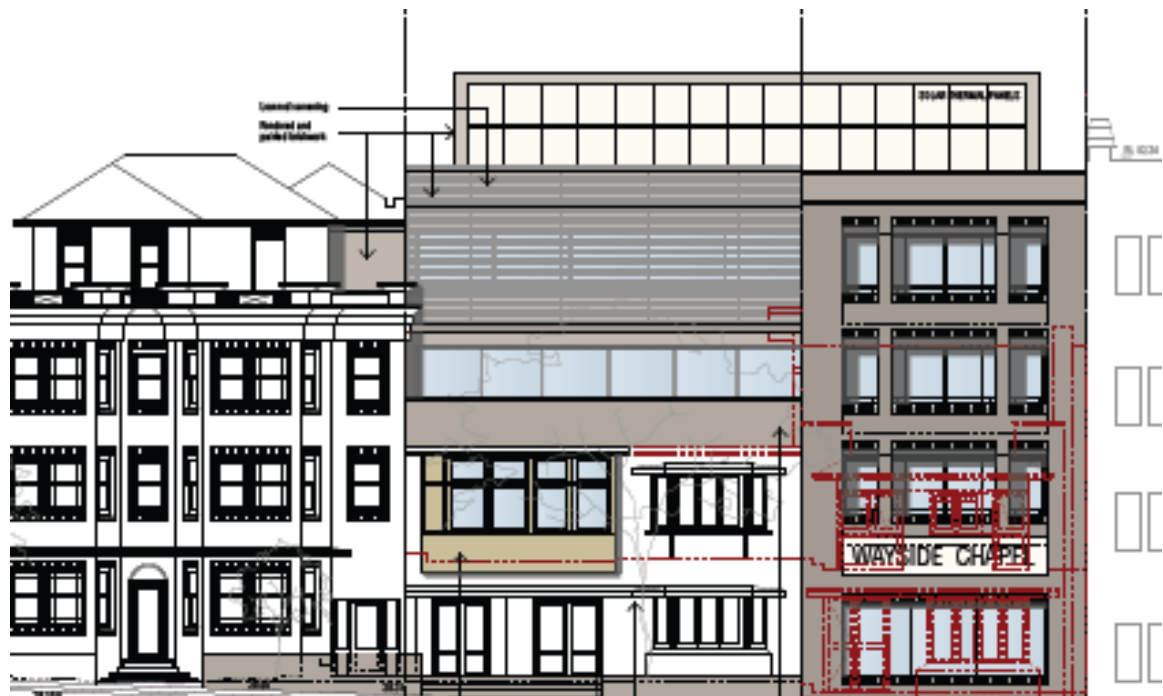


Figure 1 Original proposal with solar panels placed on the side of a raised triangular plant room.

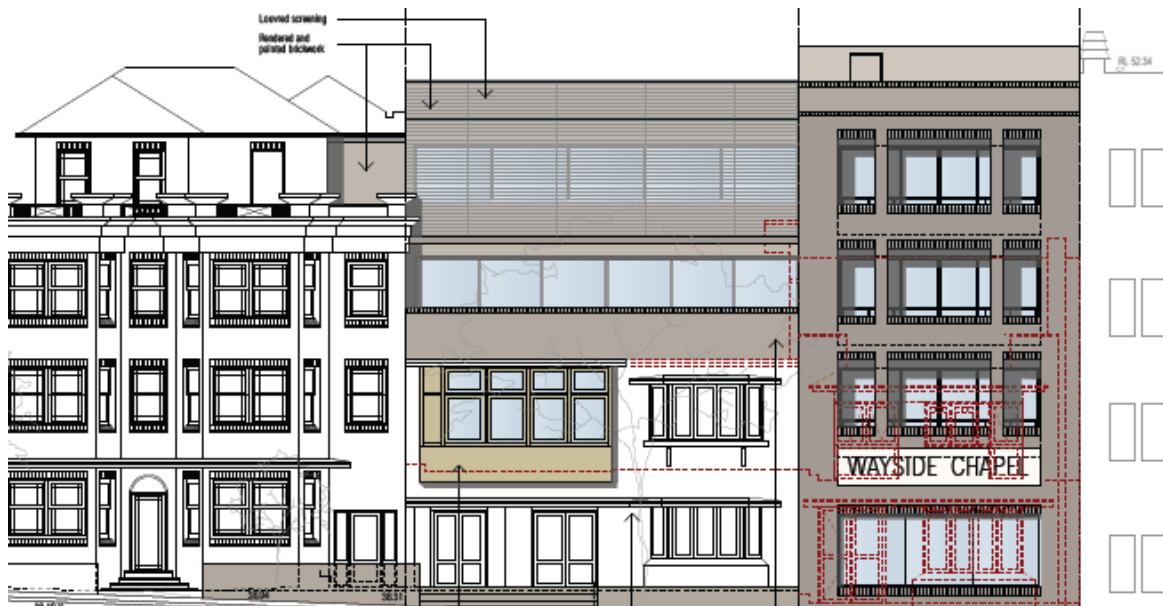


Figure 2 Plant room reduced in size and massed to the west of the roof. Solar panels set in rows below the level of the parapet.

8. It was also generally agreed that constructing a wall to surround the front courtyard would not be a satisfactory way to respond to noise / anti-social behaviour from the people who chose to sit in the courtyard for varying lengths of time. Such a wall would not prevent noise escaping above and affecting residents in Byron Hall who live in an elevated position relative to the courtyard. The wall would also not enhance the visual appearance of the site and would create a potentially dangerous area – as it would not have the benefit of casual surveillance from the street.
9. The applicant also outlined how it would be physically impossible to provide an internal courtyard at the ground floor level for people to smoke and socialise owing to the fact that the site area is relatively small and the existing internal layout being designed in a very compact and efficient way just to house all the necessary facilities on the ground floor.
10. Instead the applicant submitted that an increase in permanent staff as well as the provision of more facilities inside the chapel would be the most effective way to prevent people lingering in the existing front courtyard.
11. It is recommended that a condition be included in the Notice of Determination requiring consultation between the Chapel and the local community on a six monthly basis to address any concerns within the community and to encourage an ongoing rapport between the local community and the Chapel.
12. During public consultation, the issue of CCTV for Orwell Place was raised. As Orwell Place is outside of the boundary of the site, and Hopes Lane to the rear of the Wayside Chapel is blocked via security gates, CCTV for Orwell Place will not form part of the consent for this Development Application.

COUNCIL'S INVOLVEMENT WITH THE WAYSIDE CHAPEL

13. Council's Homelessness Unit provided information outlining the services Council provides both directly and indirectly for the Wayside Chapel as follows:
 - (a) the Council provides extensive street cleansing in the adjacent areas;
 - (b) Council's Public Space Liaison Officer visits the area weekly, or as required, to engage with people on the streets around responsible behaviour;
 - (c) the Wayside Chapel has access to multiple grants from the City through grants programs; and
 - (d) the Council, jointly funded with Housing NSW, provides counselling and living skills programs for clients at Wayside and case management to a number of people who access the service.

SECTION 79C ASSESSMENT

14. Beside the above matters, the original assessment, found in the report at Attachment B, is still relevant and is applicable to the revised proposal the subject of this report.

CONCLUSION

15. The proposal generally satisfies the relevant planning instruments. The changes made by the applicant will reduce the overall perceived height of the building and reduce any view loss for residents of Byron Hall.
16. Through the public consultation sessions between the applicant, local residents and Council, all significant planning issues were reasonably addressed and suitable outcomes achieved.
17. It is recommended that the application be approved, subject to the changes outlined above.

GIOVANNI CIRILLO

Director City Planning and Regulatory Services

(Meagan Kanaley, Planner)