



INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA201900325
Address	96 Illawarra Road, Marrickville
Proposal	Section 4.55 modification to Development Application No. 383/94 dated 18 November 1994 to increase the hours of the premises and carry out alterations to the building.
Date of Lodgement	8 May 2019
Applicant	Michael Kotis
Owner	Atlas Hall Pty Ltd.
Number of Submissions	14 submissions
Value of works	\$20,000
Reason for determination at Planning Panel	Number of submissions
Main Issues	Amenity impacts
Recommendation	Approved subject to trial period for extended hours
Attachment A	Recommended modified conditions of consent
Attachment B	Plans of proposed development
Attachment C	Plan of Management
Attachment D	Statement of Heritage Significance
Attachment E	Original Determination Notice (DA 383/94)



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application for minor alterations to the former Marrickville Council Town Hall building to facilitate an increase to the operating hours for an existing community facility (the Greek Atlas Cultural and Community Centre or “Atlas Club”) at 96 Illawarra Road, Marrickville.

The building is listed as a State heritage item. As a result, the application was referred to the Heritage Council of NSW, who raised no objection to the proposal subject to conditions.

The application was notified in accordance with Council's Notification Policy and 14 submissions were received.

The development is generally consistent with the aims and objectives of the *Marrickville Local Environmental Plan 2011* (MLEP 2011) and the Marrickville Development Control Plan 2011 (MDCP 2011).

The potential impacts to the surrounding environment, which mainly relate to the amenity of neighbouring residences, have been considered as part of the assessment process.

The assessment of the application demonstrates that, subject to the recommended conditions, the proposed works and extension of operating hours will have minimal impact on the locality. These impacts can be monitored on a trial basis and if they are found to be unsatisfactory, the premises will revert to existing approved hours of operation.

2. Proposal

The proposal seeks consent to modify Development Application No. 383/94 dated 18 November 1994 to increase the operational hours of an existing community facility and carry out minor alterations to the premises. Details of the proposal are as follows:

Extension of operational hours:

Approved hours	Proposed modified hours	
<i>External & Internal</i>	<i>External</i>	<i>Internal</i>
Monday to Friday: 9:00am to 8:00pm	Monday to Sunday: 11:00am to 8:00pm	Monday to Sunday: 9:00am to 10:00pm
Saturday to Sunday: 9:00am to 5:00pm	Public Holidays: 11:00am to 8:00pm	Public Holidays: 9:00am to 10:00pm
Public Holidays: 9:00am to 5:00pm		

Alterations to former Marrickville Town Hall Building & grounds

- Installation of ‘magnetite’ double glazed windows to all thirteen (13) windows servicing the first floor hall; and
- Provision of 2m-high, acoustically rated fence along a portion of the western and southern boundaries of the site.

Note: The original consent did not include a restriction via condition of patron numbers or enforce the effective management of the facility through a Plan of Management (POM) condition. Therefore, additional conditions are included in the recommendation to limit patron numbers to ensure satisfactory acoustic amenity impacts and manage the facility's operation. These matters are discussed in further detail within this report.

3. Site Description

The subject site is located on the south-western corner of Illawarra Road and Council Street, facing the intersection with Thompson Street. The site consists of one irregularly-shaped allotment with a total area of approximately 678sqm. The lot is legally described as Lot 96 DP 813630.

The property has a primary frontage of 16.795 metres to Illawarra Road and a secondary frontage of 47.25 metres to Council Street.

The site supports a part one and part two-storey building, which was the former Marrickville Council Town Hall. The adjoining properties support predominantly residential uses of a low to medium scale. The site is listed as a heritage item (item no. 194) under the *Marrickville Local Environmental Plan 2011* (MLEP 2011) and is also listed on the NSW State Heritage Register (No. 00573).

4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site.

Subject Site

Application	Proposal	Decision & Date
Development Application No. 383/94	Use the existing building as a women's library with associated meeting rooms and a tea room involving minor alterations.	Approved 18 November 1994
DA200800498	To demolish part of the rear of the premises and carry out alterations and additions to erect a new single storey wing to the rear of the former town hall and provide a driveway from Council Street and 3 off street parking spaces at the rear of the property.	Approved 11 March 2009
DA200800498.01	Under Section 96 of the Environmental Planning and Assessment Act to modify Determination No. 200800498 dated 11 March, 2009 to demolish the rear section of the building along Council Street and reconstruct external wall and chimney and carry out alterations to the approved layout of the premises.	Approved 6 April 2010

4(b) Application history

Upon lodgement of the application to modify Development Application No. 383/94 for an extension of trading hours to an existing community facility, an administrative error was made by Council whereby DA200800498 was nominated incorrectly as the application to be modified.

As a result, the application was re-notified to ensure the correct application number was exhibited to surrounding residents.

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter / Additional Information
3 May 2019	Applicant lodged
31 May 2019 to 18 June 2019	Application notified.
30 July 2019	Additional information requested by the Heritage Council of NSW including internal elevations of the Town Hall.
8 August 2019	Additional information requested including a revised Acoustic Report.
15 August 2019	Additional information submitted including internal elevations of the Town Hall.
11 September 2019	Additional information including revised Acoustic Report.
9 October 2019 to 29 October 2019	Application re-notified under correct application number.

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

5(a)(i) Marrickville Local Environment Plan 2011 (MLEP 2011)

The application was assessed against the following relevant clauses of the *Marrickville Local Environment Plan 2011* (MLEP 2011):

Control	Proposed	Compliance
Clause 2.3 Zone objectives and Land Use Table <i>R2 Low Density Residential</i>	The proposal satisfies the clause as follows: <ul style="list-style-type: none"> The application seeks to modify the approved operating hours for an approved community facility, which is permissible with consent in the R2 Low Density Residential zone and the approved use remains consistent with the relevant objectives of the zone. 	Yes
Clause 5.10 Heritage conservation	The proposal achieves the objectives of this clause as follows:	Yes

	<ul style="list-style-type: none"> Given the minor nature of the works, the heritage significance of the item remains largely unaffected and as a result will be conserved in accordance with the objectives of the Clause; The application submitted a Heritage Impact Statement, which satisfactorily demonstrates that the proposal achieves the relevant objectives of the Clause; and The application was referred to the NSW Heritage Council and no objection was raised to the proposal, subject to conditions of consent which have been included in the recommendation. 	
--	--	--

5(b) Draft Environmental Planning Instruments

The application has been assessed against the relevant Draft Environmental Planning Instruments listed below:

- Draft Marrickville Local Environmental Plan 2011 (Amendment 4)

Draft Marrickville Local Environmental Plan 2011 (Amendment 4) (the Draft LEP Amendment) was placed on public exhibition commencing on 3 April 2018 and accordingly is a matter for consideration in the assessment of the application under Section 4.15(1)(a)(ii) of the *Environmental Planning and Assessment Act 1979*.

The amended provisions contained in the Draft LEP Amendment are not relevant to the assessment of the application.

5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Marrickville Development Control Plan 2011 (MDCP 2011).

Part of MDCP 2011	Compliance
Part 2.6 – Acoustic and Visual Privacy	Yes - see discussion below.
Part 2.8 – Social Impact	Yes - see discussion below.
Part 2.9 – Community Safety	Yes - see discussion below.
Part 2.10 – Parking	Yes - see discussion below.
Part 8 – Heritage	Yes (refer to LEP discussion above).
Part 9.13 – Precinct 13 (Henson Park Precinct)	Yes - see discussion below.

(i) Part 2.6 Acoustic and Visual Privacy

Part 2.6 of MDCP 2011 contains objectives and controls relating to acoustic and visual privacy including matters relating to aircraft noise, general acoustic privacy, visual privacy, air conditioning, and impacts of rail and road noise or vibration.

The proposed extension of operating hours has the potential to impact on the acoustic privacy of the surrounding residential area. Part 2.6 does not include specific provisions for

community facilities. In any case, an Acoustic Report prepared by an acoustic engineer accompanies the application.

The report outlines that the determination notice for the original application did not include a restriction on patron numbers. As a result, nominated patron numbers have been provided and assessed against the relevant legislative noise criteria to ensure the use generally and the extended trading hours will have an acceptable impact on the acoustic amenity of the surrounding area. The summarised findings of the report are as follows:

- *A maximum number of 120 patrons (90 internal and 30 external) was assessed against the relevant legislative noise criteria and it was found [subject to the upgrading of the Town Hall windows with the nominated glazing and features and provision of acoustic boundary fencing], the extended trading hours will have an acceptable impact on the acoustic amenity of the surrounding residential area.*

Further, a Plan of Management (POM) was provided with the application which nominates the following management restrictions on the use of the premises to support the physical measures outlined above:

- *Restriction of any form of entertainment or amplified music within the outdoor areas at any time; and*
- *On-going monitoring of patron numbers by Committee members and volunteers of both the internal and external areas to ensure the nominated limits are not breached.*

The application has been reviewed by Council's Environmental Health team. Subject to the above measures, it is considered the proposed extension of operating hours will have an acceptable impact on the acoustic amenity of the surrounding properties.

Notwithstanding, to monitor the performance of the facility during the extended trading hours, a one (1) year trial period condition has been included within the recommendation. If it is found by way of substantiated complaints that the extended operating hours result in adverse amenity impacts, the trial period will not be extended and the facility will revert to its existing hours of operations.

(ii) Part 2.8 Social Impact

Part 2.8 of the MDCP 2011 contains objectives and controls relating to the social well-being of the community and the management of social impacts caused by development.

A Social Impact Comment (SIC) accompanied the application in accordance with Part 2.8, which outlined the activities undertaken at the facility. Based on this document, it appears the activities provided at the facility provide positive benefits to the community. As outlined previously, an Acoustic Report and POM were provided with the application that included measures to manage the potential negative effects of the extension to operating hours on the amenity of the surrounds, which will be monitored during a trial period.

Given the above, subject to conditions included in the recommendation, it is considered the proposed extension of operating hours will not entail an adverse social impact.

(iii) Part 2.9 Community Safety

Part 2.9 of MDCP 2011 contains objectives and controls relating to community safety.

The majority of the provisions within Part 2.9 relate to new development or major alterations and additions. As the alterations are considered minor and do not affect the principal entrances of the building or passive surveillance from the building to the public domain, it is considered the existing level of community safety provided by the facility remains unaffected by the proposal. In addition, the application was referred to the NSW Police and no objection was raised to the extension of operating hours, subject to a one (1) year trial period.

In light of the above, it is considered the proposal will have a satisfactory impact on community safety.

(iv) Part 2.10 Parking

Part 2.10 contains objectives and controls relating to the provision of parking to service development.

The provision of parking was assessed under the original application. In addition, it is noted subsequent applications relating to alterations and additions to the premises included the provision of parking spaces within the rear of the site.

Further, it is acknowledged that as the subject application does not propose any additional gross floor area (or additional patron capacity). Therefore, as per the relevant provisions of Part 2.10, additional parking is not required to be provided. Moreover, it is considered that the provision of additional parking within the grounds of the site may not be appropriate; as it would reduce the curtilage of the heritage listed former Town Hall building and adversely impact its setting as viewed from the surrounding area including the public domain.

Notwithstanding the above, a Traffic Impact Assessment report was provided with the application, which provided an analysis of the impact of the extended operating hours on the local traffic and parking network, which is summarised below:

- Given the local nature of the existing community use, it is considered that a significant portion of its users live within the surrounding neighbourhood and currently access the site on foot.
- The subject site is located within close proximity to multiple public bus stops, which provide access to surrounding suburbs, commercial centres and the Sydney Central Business District.
- During weekdays, the existing approved hours of operation permit the facility to operate until 8:00pm. At this time it assumed that the majority of surrounding residents would have arrived home from their places of employment. Therefore, the extension in operating hours will not result in an additional demand for on-street parking during peak evening periods.
- On weekends, it is acknowledged that additional demand on the on-street parking network will occur between the extended hours of 5:00pm to 10:00pm. Therefore, a parking analysis was undertaken and it was found that a minimum of 133 unused spaces within 250m walking distance of the subject site were available on Saturday evenings between 5:00pm to 8:30pm, after which the amount of on-street parking available increases.

- Given the extension to the existing operating hours occur predominately outside peak times on both weekdays and weekends, the local road network can readily cater for the minor increase in demand.

In light of the above, it is considered that the proposed extension of operating hours will have a satisfactory impact on the surrounding parking and traffic network.

(v) Part 9.13 - Precinct 13 (Henson Park)

Part 9.13 contains objectives and controls relating to the desired future character of the Henson Park Precinct (Precinct 13), which the subject site is located within. The proposal satisfies the relevant provisions of Part 9.13 as follows:

- Given the minor nature of the alterations proposed and the heritage significance of the historic Town Hall building, the site will remain visibly unaltered and therefore protected, preserving an important historic part of the Henson Park precinct.

Given the above, the existing and desired future character of the Henson Park Precinct will remain unaffected by the proposal.

5(d) Section 4.55 of the Environmental Planning and Assessment Act

Under Section 4.55 of the *Environmental Planning and Assessment Act 1979*, the consent authority, when considering a request to modify a Determination, must:

- a) be satisfied that the development as modified is substantially the same development as the development for which consent was originally granted;
- b) consult with any relevant authority or approval body;
- c) notify the application in accordance with the regulations;
- d) consider any submissions made; and
- e) take into consideration the matters referred to in Section 4.15 as are of relevance to the development the subject of the application.

The development being modified is substantially the same development as the development for which consent was originally granted, namely a community facility.

The NSW Heritage Council were consulted and General Terms of Approval (GTAs) were issued.

The application was notified in accordance with the regulations and Council's policy, which is discussed further within this report. The submissions received have been considered.

The relevant matters under Section 4.15 have been considered within this report.

5(e) Submissions

The application as submitted was notified in accordance with the MDCP 2011 to surrounding properties. In response, thirteen (13) submissions were received. In addition, as discussed under Section 4(b) above, due to an administrative error the application was re-notified under the correct application number (the development description and address was correct on the original exhibition material – only the DA number was incorrect). In response, one (1) further submission was received.

Key matters raised within the submissions received are addressed within the table below and have been grouped to avoid repetition.

Issue	Comment
Acoustic impacts	This matter is addressed under Section 5(c)(i).
Traffic and parking impacts	This matter is addressed under Section 5(c)(iv).
Heritage impacts	This matter is addressed under Section 5(a)(i).
Community safety	This matter is addressed under Section 5(c)(iii).
Illegal operation of a café, which included the service of alcohol Concern was raised with respect to the operation of an illegal café, which included the service of alcohol on the site.	This concern is not strictly relevant to the subject application. In any case, Council's Development Compliance Unit investigated this matter and advice has been received that it has been resolved. Also, as outlined further within this report, no objection was raised by Council's Development Compliance Unit and the NSW Police with respect to the extension of operating hours.
Support for upgrade to windows Support was provided for the upgrading of the windows within the former Town Hall building to mitigate acoustic impacts.	Noted.

5(f) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

As outlined within this report, if it is found the adverse impacts resulting from the extension of hours are not appropriately managed during the trial, the continuation of the extension will not be supported and the premises will revert to existing hours of operations.

6 Referrals

6(a) Internal

The application was referred to the following internal sections and issues raised in those referrals have been discussed within this report.

Section	Advice
Environmental Health	No objection raised, subject to conditions relating to acoustic mitigation measures.
Development Compliance	No objection raised
Development Engineering	No objection raised.

6(b) External

The application was referred to the following external bodies and issues raised in those referrals have been discussed within this report.

External body	Advice
NSW Police	No objection raised, subject to 12 month trial period for the extended operating hours.
NSW Heritage Council	No objection raised, subject to conditions.

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions or 7.12 levies are not payable for the proposal.

8. Conclusion

As outlined within this report, the proposal generally complies with the relevant aims and objectives contained in the MLEP 2011 and MDCP 2011, subject to conditions. The development should not result in any significant impacts on the amenity of adjoining premises, subject to the effective management of the facility. However, the management of the facility is to be monitored during the recommended trial period and if during this time, its management is found to be unsatisfactory, the trial will not be continued and the facility will revert to existing approved hours of operation.

9. Recommendation

- A. That the Inner West Local Planning Panel, as the consent authority pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application No. DA201900325 to modify Development Application No. 383/94 dated 18 November 1994 under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 so as to undertake minor works and extend the existing operating hours for the facility in on a trial basis for one (1) year at 96 Illawarra Road, Marrickville subject to the modified conditions listed in Attachment A below.

Attachment A – Recommended modified conditions of consent

Recommended modified conditions of consent

A. THAT the application under Section 4.55 of the Environmental Planning and Assessment Act 1979 to modify Development Application No. 383/94 dated 18 November 1994 be **APPROVED** and a modified Determination be issued with the Determination being modified in the following manner:

(i) THAT the following conditions being amended to read:

1. The development being carried out substantially in accordance with Plan No. 93.326 S.02, S.03, S.04, S.05 and details submitted to Council on 12th September, 1994, **and Drawing: Floor Plans, Drawing No. DA01, Revision: A, dated 3/5/18, by: Weir Phillips Heritage** with the application for development approval and as amended by the following conditions.

Reason: To confirm the details of the application as submitted by the applicant.

(Modified under DA201900325)

1A. **The recommendations contained in Section 6 of the acoustic report prepared by Renzo Tonin & Associates, reference TK758-01F01 Acoustic Assessment (r2) dated 10 September 2019 must be implemented.**

(Condition added under DA201900325)

5.

(i) The hours of operation being restricted to between the hours of 9.00am to 8.00 pm Mondays to Fridays, and 9.00am to 5.00pm Saturdays, Sundays and Public Holidays.

(ii) **For a period of not more than twelve (12) months from the date of issue of DA201900325, the hours of operation being restricted to as follows:**

- **Internal areas: Monday to Sunday: 9:00am to 10:00pm (including public holidays).**
- **External areas: Monday to Sunday: 11:00am to 8:00pm (including public holidays)**

(iii) **A continuation of the extended hours will require Council's approval under the Environmental Planning and Assessment Act 1979 by a new modified application which is to be lodged at least 3 months prior to the expiry of the trial period.**

(Modified under DA201900325)

Reason: To confirm the hours of operation as requested.

7A. **Prior to the issue of a Construction Certificate, amended plans must be submitted to the Certifying Authority demonstrating the recommendations contained in Section 6 of the acoustic report prepared by Renzo Tonin & Associates, reference TK758-01F01 Acoustic Assessment (r2) dated 10 September 2019 are incorporated into the design of the proposal.**

(Condition added under DA201900325)

- 9A. *Prior to the issue of an Occupation Certificate, the Certifying Authority must be provided with an acoustic report prepared by suitably qualified acoustic consultant which demonstrates and certifies that noise and vibration emissions from the development comply with the relevant provisions of the Protection of the Environment Operations Act 1997, NSW Environment Protection Authority's Industrial Noise Policy and Noise Control Manual and conditions of Council's approval, including any recommendations of the acoustic report referenced in the conditions of the approval. The acoustic report is to be prepared by a suitably qualified and experienced acoustic consultant and any recommendations must be consistent with the approved plans.*

(Condition added under DA201900325)

- 9B. *The proposed use of the premises and the operation of all plant and equipment must not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 and Regulations, NSW EPA Noise Policy for Industry and NSW EPA Noise Guide for Local Government.*

(Condition added under DA201900325)

- 9C. *There is to be no entertainment in the form of amplified music on any part of the outdoor area at any time.*

All doors and windows to the community centre are to be kept closed (except to allow for Ingres/egress) during operation.

The number of patrons using the interior community centre is restricted to 120 persons at any time.

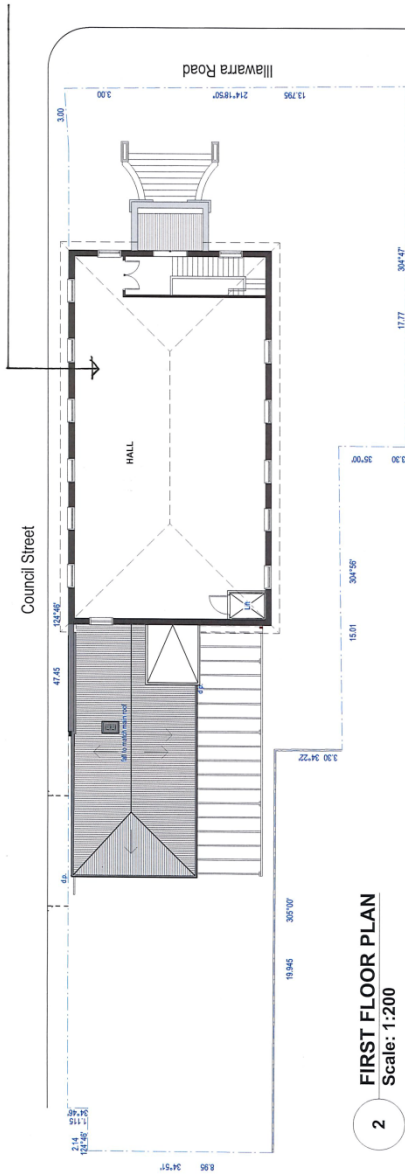
The number of patrons using the external area is restricted to 30 persons at any time.

(Condition added under DA201900325)

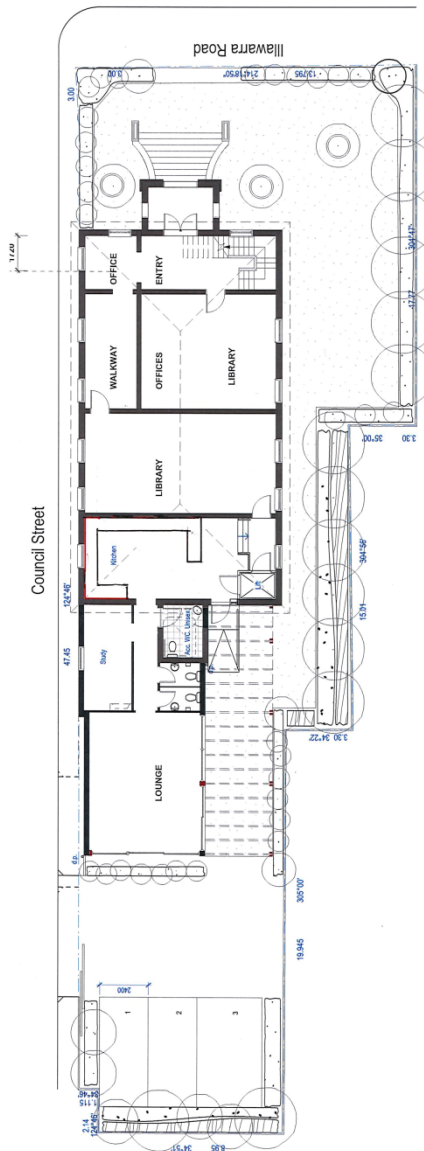
- 9D. *The operation of the premises complying at all times with the approved Plan of Management (Title: For the Management of Operations At Greek Atlas Cultural and Community Centre – 96 Illawarra Road, Marrickville). The Plan of Management is not to be further amended without the prior written approval of the Council. If there is any inconsistency between the Plan of Management and the conditions of this consent, the conditions of consent shall prevail to the extent of that inconsistency.*

Attachment B – Plans of proposed development

NOTE:
 10 STAIN 'MAGNETITE'
 ACOUSTIC FOAM BE GLAZING TO
 INSIDE OF ALL THIRTEEN
 WINDOWS OF HALL AS PER
 ATTACHED SPECIFICATION &
 ACOUSTIC REPORT



2 FIRST FLOOR PLAN
 Scale: 1:200



1 GROUND FLOOR PLAN
 Scale: 1:200

**Weir
 Phillips
 Heritage**

NO	DATE	CONTRACT NO.	
1	13/07/95	1377	
2	13/07/95	1377	
3	13/07/95	1377	
4	13/07/95	1377	
5	13/07/95	1377	
6	13/07/95	1377	
7	13/07/95	1377	
8	13/07/95	1377	
9	13/07/95	1377	
10	13/07/95	1377	
11	13/07/95	1377	
12	13/07/95	1377	
13	13/07/95	1377	
14	13/07/95	1377	
15	13/07/95	1377	
16	13/07/95	1377	
17	13/07/95	1377	
18	13/07/95	1377	
19	13/07/95	1377	
20	13/07/95	1377	
21	13/07/95	1377	
22	13/07/95	1377	
23	13/07/95	1377	
24	13/07/95	1377	
25	13/07/95	1377	
26	13/07/95	1377	
27	13/07/95	1377	
28	13/07/95	1377	
29	13/07/95	1377	
30	13/07/95	1377	
31	13/07/95	1377	
32	13/07/95	1377	
33	13/07/95	1377	
34	13/07/95	1377	
35	13/07/95	1377	
36	13/07/95	1377	
37	13/07/95	1377	
38	13/07/95	1377	
39	13/07/95	1377	
40	13/07/95	1377	
41	13/07/95	1377	
42	13/07/95	1377	
43	13/07/95	1377	
44	13/07/95	1377	
45	13/07/95	1377	
46	13/07/95	1377	
47	13/07/95	1377	
48	13/07/95	1377	
49	13/07/95	1377	
50	13/07/95	1377	
51	13/07/95	1377	
52	13/07/95	1377	
53	13/07/95	1377	
54	13/07/95	1377	
55	13/07/95	1377	
56	13/07/95	1377	
57	13/07/95	1377	
58	13/07/95	1377	
59	13/07/95	1377	
60	13/07/95	1377	
61	13/07/95	1377	
62	13/07/95	1377	
63	13/07/95	1377	
64	13/07/95	1377	
65	13/07/95	1377	
66	13/07/95	1377	
67	13/07/95	1377	
68	13/07/95	1377	
69	13/07/95	1377	
70	13/07/95	1377	
71	13/07/95	1377	
72	13/07/95	1377	
73	13/07/95	1377	
74	13/07/95	1377	
75	13/07/95	1377	
76	13/07/95	1377	
77	13/07/95	1377	
78	13/07/95	1377	
79	13/07/95	1377	
80	13/07/95	1377	
81	13/07/95	1377	
82	13/07/95	1377	
83	13/07/95	1377	
84	13/07/95	1377	
85	13/07/95	1377	
86	13/07/95	1377	
87	13/07/95	1377	
88	13/07/95	1377	
89	13/07/95	1377	
90	13/07/95	1377	
91	13/07/95	1377	
92	13/07/95	1377	
93	13/07/95	1377	
94	13/07/95	1377	
95	13/07/95	1377	
96	13/07/95	1377	
97	13/07/95	1377	
98	13/07/95	1377	
99	13/07/95	1377	
100	13/07/95	1377	

Level 19, 100 William Street, Sydney NSW 2000
 T: 02 8919 5317 W: www.weirphillips.com.au E: heritage@weirphillips.com.au

Attachment C- Plan of Management

PLAN OF MANAGEMENT

FOR THE MANAGEMENT OF OPERATIONS AT
GREEK ATLAS CULTURAL AND COMMUNITY
CENTRE

96 ILLAWARRA ROAD, MARRICKVILLE

TABLE OF CONTENTS

- SECTION 1: Overview
- SECTION 2: Hours of Operation
- SECTION 3: Operational Control – Outdoor Garden
- SECTION 4: Operational Control – Indoors
- SECTION 5: Management of Outdoor Areas
- SECTION 6: Amenity of Neighbourhood
- SECTION 7: Noise
- SECTION 8: Waste & Recycling Collection
- SECTION 9: Care of Building Surrounds
- SECTION 10: Patron Behaviour
- SECTION 11: Staff & Patron Safety
- SECTION 12: Video Surveillance
- SECTION 13: Signage
- SECTION 14: Amendments

SECTION 1: Overview

1. (a) This plan of management establishes performance criteria for the operations of the Greek Atlas Cultural and Community Centre, at 96 Illawarra Road, Marrickville.
(b) All Committee members and volunteers at the Centre are to be made aware of this plan.

SECTION 2: Hours of Operation

2. (a) Subject to paragraph 2(b) below, the Centre may operate between 9:00am and 10:00pm, Monday to Sunday.
(b) The hours of operation of the outdoor areas, including the garden, to be between 11:00am and 8:00pm, seven days a week.
(c) No public entertainment, speakers or other amplification equipment is to be provided within the outdoor area unless specific approval from Inner West Council for special events.
(d) Restriction on operating hours does not prevent committee members or volunteers being present on the premises at any time.

SECTION 3: Operation Controls – Outdoor Areas

3. (a) The maximum number of persons permitted to use the outdoor area at any time is 30.
(b) The Committee or volunteers are to make regular patrols of the outdoor area to monitor and ensure that the maximum number of people is not exceeded at any one time and to prevent noise emission to neighbouring properties.
(c) The Committee or volunteers shall ensure that all persons are removed from the outdoor area in accordance with the approved hours of operation.
(d) Speakers must not be installed (see Section 2, paragraph (c)).

SECTION 4: Operational Control - Indoors

4. (a) The maximum number of patrons permitted to use the indoor areas at any time is 120.
- (b) Consumption of food or drink is not permitted on the first floor.
- (c) The Committee and volunteers are to make regular patrols to monitor and ensure that the maximum number of patrons is not exceeded at any one time and are to move-on any persons who are improperly behaving as to prevent noise emission to neighbouring properties.

SECTION 5: Management of Outdoor Areas

5. The types of activities that may take place in the outdoor areas are:
 - smoking
 - dining
 - board games e.g. chess, backgammon, etc.
 - socialisingOn special functions, it may include a portable BBQ.

SECTION 6: Amenity of Neighbourhood

6. (a) Signs will be placed in clearly visible positions within the outdoor area requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.
- (b) The Committee/volunteers are to ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. The Committee/volunteers are responsible for the control of noise and litter generated by patrons of the premises and are to ensure that patrons leave the vicinity of the premises in an orderly manner.

SECTION 7: Noise

7. The LA10 noise level emitted from the use must not exceed the background noise level (LA90) in any Octave Band Centre Frequency (31.5Hz to 8KHz inclusive) by more than 5dB between the hours of 9:00am and 11:00pm when assessed at the boundary of any affected residence.

SECTION 8: Waste and Recycling Collection

8. (a) J.J. Richards & Sons Pty Ltd has the contract for the collection of waste and recycling material.
(b) Waste material is collected on a weekly basis and recycling material is collection on a monthly basis.
(c) The bins are placed on the footpath the night before the collection and then taken back on the morning after the collection.

SECTION 9: Care of Building Surrounds

9. In addition to Council's street sweeping and cleansing operations, the Committee/volunteers of the Centre shall ensure that the surrounds of the building, including pavements and gutters, are always to be kept clean and free of litter.

SECTION 10: Patron Behaviour

10. The Committee/volunteers shall take reasonable steps to control the behaviour of the patrons of the Centre as they enter and leave the premises, To effect this, the Committee/volunteers shall, except in the case of emergency, ensure all patrons access into and egress from the Centre shall be confined to the Illawarra Road gate, and

the gate to Council street is not to be used as an exit/entry point for patrons of the Centre, except in the event of an emergency.

SECTION 11: Staff and Patron Safety

11. (a) The Committee/volunteers shall be well acquainted with the Plan of Management to enable them to ensure an appropriate standard of behaviour is maintained at the centre.
- (b) The people in charge shall direct the volunteers to:
- bring to the notice of the patron in charge, any person who is not well behaved.
 - monitor the behaviour of patrons in the vicinity of the Centre and encourage them to leave its vicinity a quiet and orderly way.

SECTION 12: Video Surveillance

12. (a) All video equipment shall be maintained in working condition with any repairs or maintenance required being carried out as quickly as is reasonably possible.
- (b) Video surveillance shall operate when the Centre is open and for not less than 30 minutes after closing time.
- (c) Records from the video surveillance tapes will be preserved for at least 21 days after which time they may be reused or destroyed.
- (d) Records from the video surveillance will be made available to police of council officers on receipt of a written request.

SECTION 13: Signage

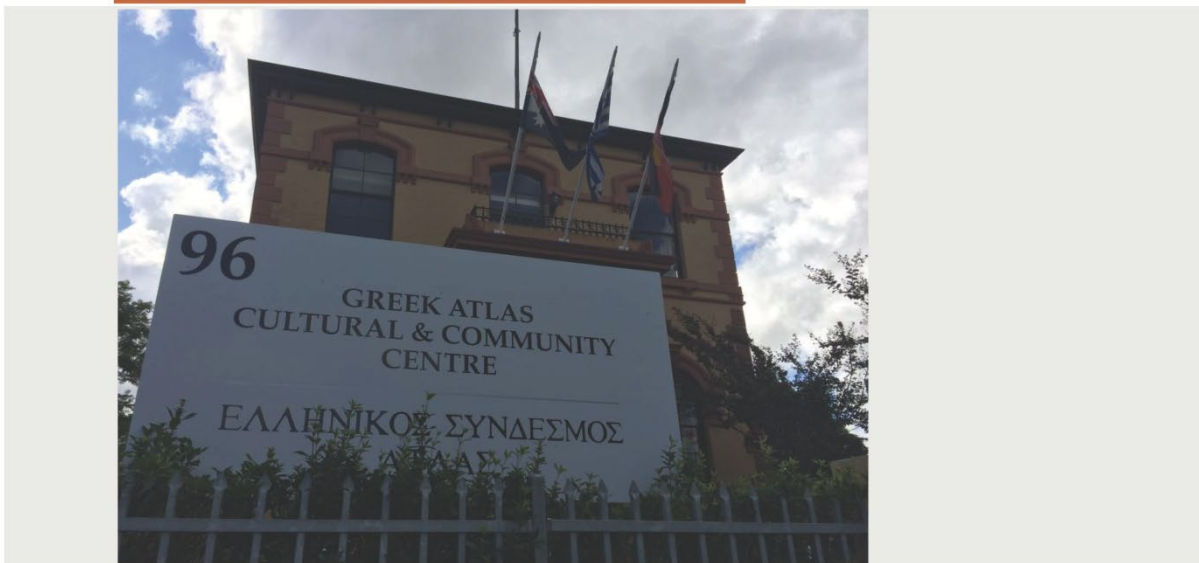
13. No signs, including banners (other than exempt of complying sign under Council's exempt and complying DCPs) shall be displayed on the exterior of the Centre without prior consent from Council.

SECTION 14: Amendments

14. If, as a result in circumstances, it is reasonable or desirable to amend this plan for the better management of the Centre, that amendment shall be made only with the consent of the Inner West Council's director of planning or his/her delegate or the officer nominated the Inner West council, which consent shall not be unreasonably withheld.

Attachment D- Statement of Heritage Significance

HERITAGE IMPACT STATEMENT



Greek Atlas League Community and Cultural Centre
96 Illawarra Road
Marrickville

**Weir
Phillips**
Heritage
and Planning

Level 19, 100 William Street
Woolloomooloo NSW 2011
Phone: (02) 8076 5317

May 2019

	CONTENTS	PAGE
1.0	INTRODUCTION	1
1.1	Preamble	1
1.2	Authorship	1
1.3	Limitations	1
1.4	Methodology	1
1.5	Physical Evidence	1
1.6	Documentary Evidence	2
1.6.1	General References	2
1.6.2	Heritage Listing Sheets	2
1.6.3	Planning Documents	2
1.7	Site Location	2
2.0	BRIEF OUTLINE OF THE HISTORICAL DEVELOPMENT	3
2.1	Original Occupation	3
2.2	The Former Town Hall	3
2.2.1	General History	3
2.2.2	Area of Proposed Works: First Floor	4
3.0	SITE ASSESSMENT	6
3.1	The Site	6
3.2	The Building	6
3.2.1	Exterior	6
3.2.2	Interior	8
3.3	The Surrounding Area	10
4.0	ASSESSMENT OF SIGNIFICANCE	10
4.1	Summary of Heritage Listings	10
4.2	Heritage Items in the Vicinity of the Site	10
4.3	View Corridors	10
4.4	Statement of Significance	10
5.0	SCOPE OF WORKS	11
6.0	EFFECT OF WORK	11
7.0	CONCLUSION	12

1.0 INTRODUCTION

1.1 Preamble

This Heritage Impact Statement for the Greek Atlas League Community and Cultural Centre at No. 96 Illawarra Road, Marrickville, New South Wales has been prepared to accompany a s.455 Application for the installation of double glazing to thirteen windows at first floor level.

The site is located within the Inner West Council Area. The principal planning control for the site is the *Marrickville Environmental Plan 2011 (LEP 2011)*. The site is listed as a heritage item of State significance by Schedule 5 Part 1 of the *LEP 2011*, where it is identified as the 'Former Marrickville Town Hall, including interiors' (194). Under Part 5.10 of the *LEP 2011*, a heritage management document is submitted with the Development Application to assess the likely impacts on the Conservation Area. The appropriate heritage management document in this instance is a Heritage Impact Statement (HIS).

The site is also listed on the State Heritage Register under the auspices of the *NSW Heritage Act 1977*. The works require a s.57(2) Application to be made to the NSW Heritage Council. It is proposed that the works fulfil the requirements for approval under Standard Exemption No.: 7: Minor Activities with Little or no Adverse Impact on Heritage Significance.

This statement is designed to be read in conjunction with the Conservation Management Plan (CMP) for the site:

- Orwell & Peter Phillips Architects, *Former Marrickville Town Hall Conservation Management Plan*. Unpublished plan dated October 2005.

The Conservation Management Plan (CMP) is hereafter referred to as the *CMP 2005*.

This HIS has been prepared at the request of the owners on the building, Atlas Hall Pty Ltd.

1.2 Authorship

This HIS has been prepared by Alice Fuller, B.Appl.Sc.(CCM), M.Herit.Cons.(Hons.) and James Phillips, B.Sc.(Arch.), B.Arch., M.Herit.Cons.(Hons.), of Weir Phillips Heritage and Planning.

1.3 Limitations

An detailed site history was not provided for. The brief history contained in this statement was compiled from the readily available sources listed under Section 1.6 below.

No archaeological assessment was carried out on the site.

1.4 Methodology

This assessment has been prepared with reference to the *NSW Heritage Manual update Assessing Heritage Significance (2001)*.

1.5 Physical Evidence

A site visit was carried out in May 2018. Unless otherwise stated, the photographs contained in this assessment were taken by Weir Phillips Heritage and Planning. These photographs are supplemented with additional images, provided by the Greek Atlas League, as accredited.

1.6 Documentary Evidence

1.6.1 General References

- Marrickville Town Hall, c.1922. Inner West Library.
- Orwell & Peter Phillips Architects, *Former Marrickville Town Hall Conservation Management Plan*. Unpublished CMP dated October 2005.

1.6.2 Heritage Listing Sheets

- *Marrickville Town Hall (former)*, No. 96-106 Illawarra Road, Marrickville. State Heritage Inventory Database No.: 5045101. State Heritage Register.
- *Marrickville Town Hall (former), including interiors*, No. 96 Illawarra Road, Marrickville. State Heritage Inventory Database No.: 2030142. State Heritage Inventory.

1.6.3 Planning Documents

- *Marrickville Development Control Plan 2011*.
- *Marrickville Local Environmental Plan 2011*.

1.7 Site Location

No. 96 Illawarra Road, Marrickville is located on the north western side of Illawarra Road to the south of Council Street (Figure 1). The site is identified as Lot 961 D.P. 813630. For the purposes of this statement, the Council Street boundary is referred to as the northern boundary.

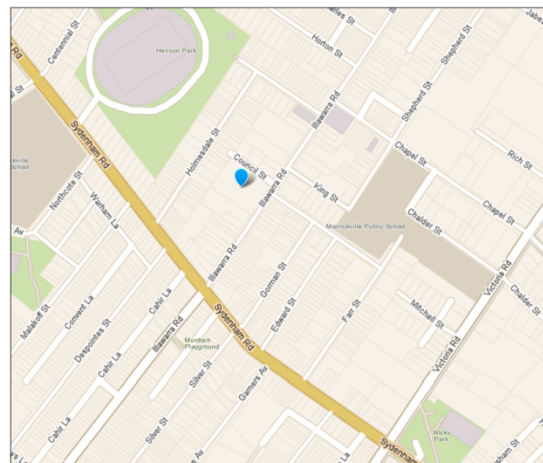


Figure 1:
Site Location
Whereis.

2.0 BRIEF OUTLINE OF THE HISTORICAL DEVELOPMENT

2.1 Original Occupation

While an Aboriginal history has not been provided for, it is acknowledged that the Inner West Council area is located within the traditional lands of the Gadigal and Wangal people.

2.2 The Former Town Hall

2.2.1 General History

Refer to the *CMP 2005* for an in-depth history. The following is provided by the Executive Summary of that document:

'The former Marrickville Town Hall in Illawarra Road was completed in 1879 as a single storey building, possibly designed by Despointes Bros., Architects. In 1882, Blacket & Son Architects prepared drawings for extending the building and adding a second storey. These alterations were completed in 1882, and the building then served as the Town Hall until a new Town Hall in Marrickville Road was opened in 1922. The building was then sold to the NSW Department of Education for use as a Junior Technical School for the nearby Marrickville Public School. It was used as part of the school until 1985, and the building has been vacant since that time. The site was transferred to the NSW Department of Housing in 1988, and part of the land was used for pensioner housing, which was constructed in 1991.'

Figure 2 provides a photograph of the building in c.1922.



Figure 2:
Marrickville Town
Hall, c.1922.
Inner West Library.

In December 1986, fire damaged the rear section of the then vacant building. A weatherboard section to the rear was removed in 1991, at the same time that the southern part of the site was re-developed for pensioner housing. In 2000, temporary structural bracing was added to the northern wall of the rear wing, addressing Council Street. The parapet at the top of this wall was removed and the components stored.

In 2006, the site was sold to Atlas Hall Pty Ltd, on behalf of the Greek Atlas League of New South Wales. Works have been carried out to the building in order to create a cultural community centre. The most recent approvals are as follows:

- DA204/1994: Women's library with associated meeting rooms and tea rooms involving minor alterations.
- DA 498/2008: Demolish part of the rear of the premises and carry out alterations and additions to erect a new single storey wing to the rear of the former Town Hall and provide a driveway from Council Street and three off street car parking spaces to the rear. This approval was later modified by a s96 Application (DA 498/2008/1).

The above DAs were subsequently executed. The restoration works to the building was awarded the Marrickville Medal in 2012.

2.2.2 Area of Proposed Works: First Floor

The first floor was part of the addition to the original building designed by Blacket & Son in 1882. The works were carried out by Peter Hill in 1883. Figure 3 reproduces floor plans held by the State Library of NSW. The first floor plan is on the right hand side.

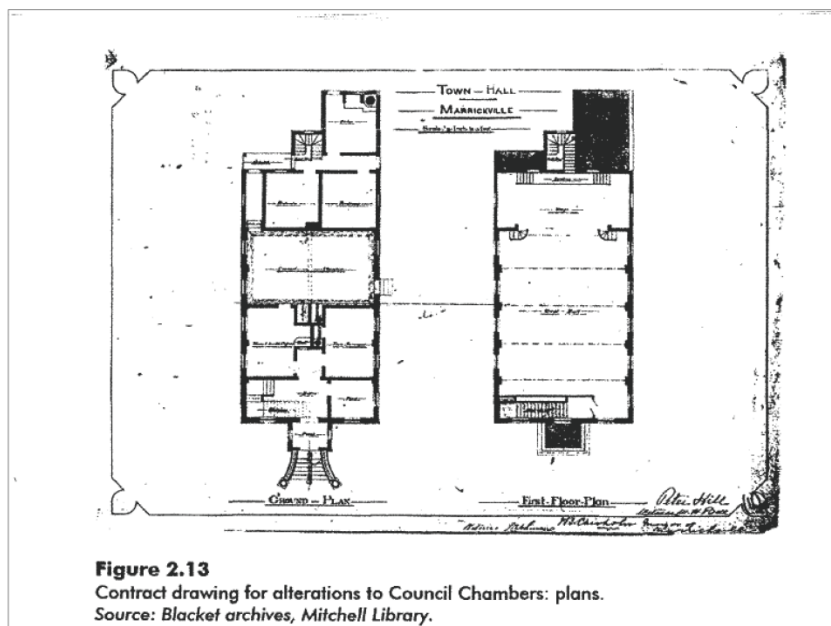
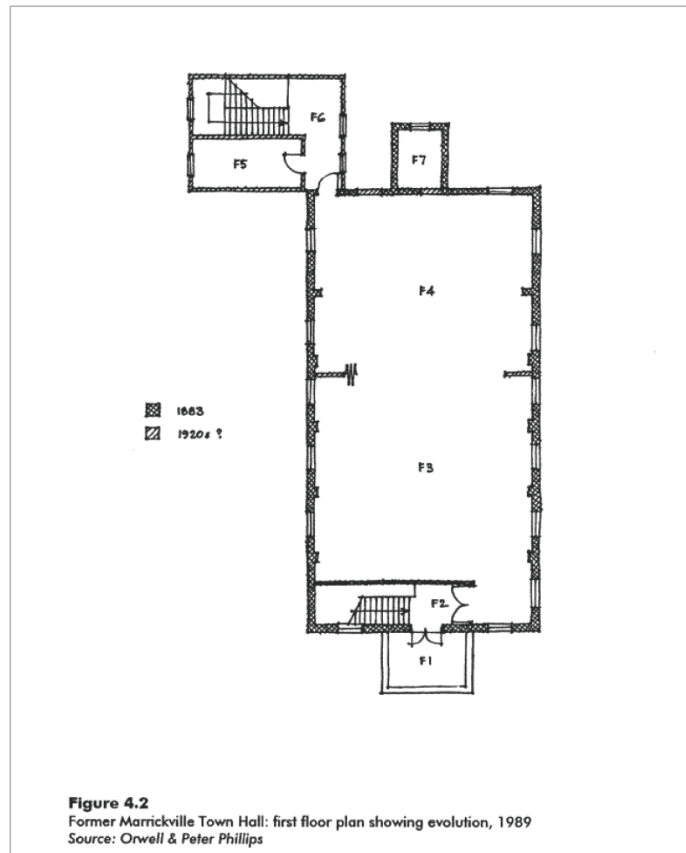


Figure 3: Contract Drawings, undated.
CMP 2005.

The first floor has been altered over time as use changed from Council Chamber, to School to Community building. Figure 4 reproduces a floor plan from the CMP 2005, which sets out the evolution of this level. Since this plan was prepared, a lift has been installed in the corner of F4 closest to the staircase.



	WCs (possibly 1923).	below.
F1	Built 1883 as balcony over porch.	Blacket papers
F2	Built 1883 as stair and vestibule.	Blacket papers
F3	Built 1883 as part of great hall. Central wall and folding doors added 1923	Blacket papers, physical evidence
F4	Built 1883 as part of 'great hall'. Stage demolished after 1916 (probably 1923); door to F6 added 1923.	Blacket papers, physical evidence, photograph 1916. See Note 3 below.
F5	Built 1923. Demolished 1990.	Physical evidence, photograph 1916
F6	Built 1923 as stairs. Demolished 1990.	Physical evidence, photograph 1916
F7	Built 1883 as stairs, presumably blocked up in 1923 following construction of new stair.	Blacket papers, physical evidence

Note 3 states: "The photograph of the Mayoral Election, 1916, appears to be taken from the stage, which would have been demolished before the larger rear stairs were added. It is probable that the stage was demolished and the stairs were built after the Department of Education took over the building in 1922.

Figure 4: Diagram showing the evolution of the first floor.
CMP 2005.

3.0 SITE ASSESSMENT

3.1 The Site

The site is only briefly described for the purposes of this statement, given that the works for which approval are sought are internal only. It is noted that the curtilage for the State Heritage Register listing includes the adjoining lot to the south, being Lot 962 D.P. 813630. Refer to Figure 5.



Figure 5: Aerial photograph of the Site.
SIX Maps.

For the purposes of this statement, the Council Street boundary is referred to as the northern boundary. The site has a northern boundary of 47.45m, an eastern boundary (to Illawarra Road) of 13.795m, a western (rear) boundary of 8.95m and a stepped southern boundary of 49.135m. The site area is 694sqm. The building on the site occupies the majority of the site area. It is setback from Illawarra Road and from its southern boundary, providing for a landscape courtyard. There are three onsite parking spaces to the rear of the building accessed from Council Street.

3.2 The Building

3.2.1 Exterior

The exterior of the building is only briefly described, given that the works for which approval is being sought are internal only.

The former Town Hall is a free standing two storey rendered masonry and painted brick building in the Victorian Italianate Style. The rectangular form of the building is broken by a single storey entrance porch to the front and a stairwell and single storey addition to the rear. The principal roof is hipped and clad in corrugated metal. The principal elevation is the Illawarra Road (eastern) elevation. Refer to Figures 6 to 9



Figure 6:
Illawarra Road
elevation.



Figure 7:
Council Street elevation.

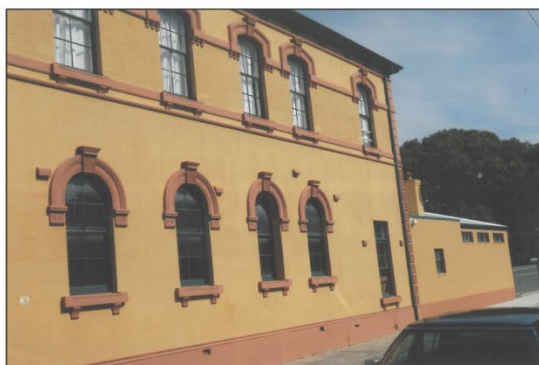


Figure 8:
Council Street elevation.



Figure 9:
Rear (western)
elevation.

3.2.2 Interior

The only parts of the interior described for the purposes of this statement is the first floor hall (F3 and F4 in Figure 4 above) in which it is proposed install double glazing to the windows.

The first floor hall has painted brick walls and a timber floor. The roof trusses are exposed and the timber ceiling is timber lined. There is a raised stage at the western end and a small timber lined enclosure containing a lift in the south western corner. There are rendered masonry pilasters with decorative capitals at intervals along the side walls. There are timber framed double hung windows along the side walls. These windows have four panes to each sash; the upper sash is arched. The windows have profiled timber architraves.

According to the *CMP 2005*, most of the window frames are original; the sashes, however, are thought to date from the 1920s. The original sashes did not have glazing bars. Repairs and replacement of missing pieces (three sill moulds in the southern wall), as well as new glazing where required, was carried out after 2005.¹

Figures 10 to 13 illustrate the hall.



Figure 10:
Hall looking north west.
Greek Atlas League.

¹ See Scope of Conservation Works in Appendices of the *CMP 2005*.



Figure 11:
Hall looking north west,
showing the roof
structure.
Greek Atlas League.



Figure 12:
Council Street side of
the wall.
Greek Atlas League.



Figure 13:
Detail of windows and
pilasters.
Greek Atlas League.

3.3 The Surrounding Area

The surrounding area is not described for the purposes of this statement, given that no external works are proposed.

4.0 ASSESSMENT OF SIGNIFICANCE

4.1 Summary of Heritage Listings

No. 96 Illawarra Road, Marrickville.

- Is listed on the State Heritage Register under the auspices of the NSW *Heritage Act 1977*. The listing reads 'Marrickville Town Hall (former),' No. 96-106 Illawarra Road, Marrickville (00573). The listing boundary is Lot 961 and 962 D.P. 813630.
- Is listed as a heritage item of state significance by Schedule 5 Part 1 of the *LEP 2011*. The listing reads 'Former Marrickville Town Hall, including interiors,' No. 96 Illawarra Road, Marrickville (194). The listing boundaries are: Lot 961 D.P. 813630.

The site is:

- Not located within a Conservation Area as defined by Schedule 5 Part 2 of the *LEP 2011*.

4.2 Heritage Items in the Vicinity of the Site

Heritage items in the vicinity of the site are not identified for the purposes of this statement, given that the works are internal only and will have no impact on heritage items in the vicinity.

4.3 View Corridors

View corridors are not identified for the purposes of this statement, given that the works are internal only.

4.4 Statement of Significance

The State Heritage Register listing sheet provides the following statement of significance for the site:

'The building is the oldest civil building in Marrickville and the fourth oldest Town Hall in Sydney. It is important for its association with the development and rise of local government in Sydney. It provides an important physical record of the early history of the municipality from its origins as a small village. It demonstrates the early pattern of Australian local politics. Completed 1879 the 2nd storey extension of 1883 incorporated the existing building into a landmark of great aesthetic value.'²

The State Heritage Inventory listing sheet provides the following statement of significance for the site:

'The former Marrickville Town Hall is the oldest civic building still standing in Marrickville and the fourth oldest surviving in Sydney. Its presence is a physical record of the history and development of the area, both in its location, which marks the original civic precinct at the centre of the Marrickville village, and in its construction in two stages as the municipality became larger and more wealthy. Its disposal by Council

² *Marrickville Town Hall (former)*, No. 96-106 Illawarra Road, Marrickville. State Heritage Inventory Database No.: 5045101

and use as a school reflect both the shifting of the municipal centre of activity and the expansion of education in the area.

The building is aesthetically significant as a good example of the Victorian Free Classical style. It is associated with the well-known architectural firm of Blacket & Son, later Blacket Bros, founded by Edmund Blacket and carried on by his sons Arthur and Cyril. The design of the alterations, attributed to Cyril Blacket, ingeniously incorporated the earlier building into an imposing local landmark.

The building is likely to have local social significance to pupils and teachers who occupied it between 1923 and 1985.

Marrickville Town Hall holds a significant position within the municipality of Marrickville. The building's significance lies as much in its social associations as in its aesthetic appeal. A building of historic community and political interest, Marrickville Town Hall is identified with by various groups and individuals within the community. These social associations, along with its stately design and prominent location make Marrickville Town Hall a landmark within the municipality.³

These statements are adopted for the purposes of this assessment.

5.0 SCOPE OF WORKS

The following should be read in conjunction with the Acoustic Report prepared by Renzo Tonin & Associates and dated 11 March, 2019.

It is proposed to upgrade all thirteen windows in the first floor hall to achieve a minimum acoustic rating of R_w25 by installing a secondary Magnetite System (4.5mm acrylic panel) spaced 100mm away from the existing window.

6.0 EFFECT OF WORK

Prior to considering the impact on the proposed works the reasons why the proposed works are required need to be understood. The proposed works are required because the Community Centre is seeking to extend their hours of operation. Operational noise emitted by patrons within the auditorium was predicted to exceed applicable noise criteria.

The option of installing thicker glass into the existing window frames was discounted on the basis of the level of invention that would be required. The sash weights, for example, would likely need alteration to accommodate the additional weight.

The proposed works will have little impact on the significance of the site for the following reasons:

- The proposed works support an appropriate use for the building. Use as a community centre is identified as an appropriate use under Policy 3.2 of the *CMP 2005*.
- The double glazing will not be visible when standing outside of the building.
- The significant window joinery will be retained in-situ and will not need to be removed for the works to be carried out.

³ *Marrickville Town Hall (former), including interiors*, No. 96 Illawarra Road, Marrickville. State Heritage Inventory Database No.: 2030142.

-
- The frame of the Magnetite System is slender. The windows (including the architraves) will remain clearly visible when standing within the hall. The existing joinery will remain the dominant window element.
 - Minimal fixings to achieve a safe connection and acoustic seal will be used. These fixings and seal can be readily reversed at a later date and the fabric repaired.
 - This system has been successfully used in other heritage buildings, for example No. 5 Martin Place, Sydney.
 - The proposed works will not alter the overall character of the building. The massing and scale is retained; no new openings will be installed; and no significant architectural elements will be concealed from view. There will be no impact on the ability to understand its historic and aesthetic significance.

7.0 CONCLUSION

This HIS has considered a proposal for the installation of double glazing to thirteen first floor windows at No. 96 Illawarra Road, Marrickville. The proposed works support the use of the building as a community centre, which is an appropriate use. The works will have no impact on the ability to understand the historic and aesthetic significance of the building and no impact on how it presents to the public domain. The proposed works retain the existing windows, which will remain clearly visible behind the Magnetite System, when viewed from within the hall. The proposed works are reversible.

Given the above, it is submitted the proposed works fulfil the requirements for approval under Standard Exemption No.: 7: Minor Activities with Little or no Adverse Impact on Heritage Significance.

Attachment E- Original Determination Notice (DA 383/94)

D2580.2640

DETERMINATION NO. 1571918th November, 1994

Architectural Projects Pty Ltd
Studio 45, 61-89 Buckingham Street
SURRY HILLS NSW 2010

Dear Sir/Madam

**ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 ("THE ACT")
NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION**

Pursuant to Section 92 of the Act, notice is hereby given of the determination by Council of Development Application No 383/94 to use the existing building as a women's library with associated meeting rooms and a tea room involving minor alterations relating to property situated at:

96-106 ILLAWARRA ROAD, MARRICKVILLE (HENSON WARD)

In determining this application, Council considered all matters listed under Section 90 of the Act that were relevant to the Development Application.

The Development Application was determined by the granting of **CONSENT** subject to the following conditions:

1. The development being carried out substantially in accordance with Plan No. 93.326 S.02, S.03, S.04, S.05 and details submitted to Council on 12th September, 1994, with the application for development approval and as amended by the following conditions.
Reason: To confirm the details of the application as submitted by the applicant.
2. The area surrounding the building to be landscaped and treated in accordance with the building's Conservation Policy in order to improve and enhance its setting. The provision of car parking to the rear of the building should be investigated, if considered compatible with the heritage character of the building and its setting. A development application outlining any proposals in this regard is to be submitted to and approved by Council prior to commencement of works.
Reason: To improve and enhance the heritage significance of the building and its setting.
3. A separate application being submitted to, and approved by, Council prior to the erection of any advertisements or advertising structures.
Reason: To ensure the compliance of any advertisements or advertising structures with the requirements of Council's Advertising Code and Ordinance 55.
4. All loading and unloading in connection with the use being carried out wholly within the property.
Reason: To prevent use and obstruction of the adjacent public thoroughfare.

5. The hours of operation being restricted to between the hours of 9.00am to 8.00 pm Mondays to Fridays, and 9.00am to 5.00pm Saturdays, Sundays and Public Holidays.
Reason: To confirm the hours of operation as requested.
6. The machinery to be installed on the premises being restricted to photocopiers, computers and telephones, with no additional machinery being installed without the prior approval of Council.
Reason: To confirm the details of machinery as submitted with the application.
7. A Building Application being submitted to Council in the prescribed manner, including plans and specifications, complying with the provisions of the Building Code of Australia, with particular reference to:
- (i) Building is classified as a Class 9b building in Type B Construction in accordance with the requirements of the Building Code of Australia.
Reason: To ensure compliance with building classification schedule of the Code.
- (ii) An application for building approval is to be submitted to Council and approved prior to the commencement of any new building works. The building application is to specify all necessary details regarding the materials to be used in the construction, especially proposed office partitions, internal book shelves, fittings and fixtures.
Reason: To comply with the requirements of the Local Government Act 1993.
- (iii) All existing fire emergency service installations, eg. Sprinkler systems, fire hose reels and emergency lighting provisions are not altered or disconnected during or following building works without the prior approval of Council.
Reason: To ensure the existing fire safety of occupants within the building during and after building works.
- (iv) All existing required egress doors and paths of travel to egress doors are not to be blocked or closed off during or following building works without the prior approval of Council.
Reason: To ensure adequate occupant egress safety from the building at all times.
- (v) Compliance with the provisions of the Building Code of Australia, in particular Part C for Type B construction and the requirements of Specifications C1.1.
Reason: Compliance with the Building Code of Australia.
- (vi) Compliance with the provisions of Part C1.10 of the Building Code of Australia in regard to Early Fire Hazard Indices
Reason: To ensure the fire safety of the building and its occupants.
- (vii) Any new construction is to comply with the egress requirements as prescribed by the Building Code of Australia and in particular, Part D1 "Provision for Escape", Part D1.4, D1.5 and D1.6.
Reason: To ensure the escape provisions of the Building Code are complied with.
- (viii) All new exits are to comply with Part D2 construction requirements of the Building Code of Australia and in particular, Part D2.8, D2.9, D2.13, D2.14 and D2.15.
Reason: To ensure all exits are constructed in accordance with the Code.

- (ix) In accordance with E1.6 of the Building Code of Australia, portable fire extinguishers shall be installed in the building to comply with the requirements of Australian Standard AS 2444. Details of the type and location of extinguishers are to be confirmed with Council prior to installation. Installation and maintenance of fire extinguishers shall comply with AS 2444.
Reason: To ensure the fire safety of the building and occupants.
- (x) A system of emergency lighting shall be provided in the building to comply with the requirements of E4.2 of the Building Code of Australia. Details of the design shall be submitted to Council for approval prior to installation.
Reason: To ensure the fire safety of the building and occupants.
- (xi) Illuminated exit signs complying with Australian Standard “AS 2293 Emergency Evacuation Lighting in Buildings” and E4.8 of the Building Code of Australia must be installed over each required exit.
Reason: To provide adequate directions for egress from the building.
- (xii) Access for disabled people is to be provided to the building in accordance with the requirements of Clause 3.2 of the Building Code of Australia.
Reason: To ensure that the building complies with the requirements of the Building Code of Australia.
- (xiii) A proposed demolition works are not to prevent the safe egress from the building by building occupants. In this regard any alternative egress pathways that are required to be provided during the course of demolition/construction are to be approved by Council prior to any changes to paths of travel within the building.
Reason: To protect the occupants of the building from any unnecessary danger in case of an emergency during the course of construction.
Reason: To advise the applicant of the necessity of submitting a Building Application, and of Council’s requirements in that regard, for the proposed development.
8. Compliance with the requirements included in paragraphs (c), (e), (g), (h), (n), (p), (q), (r), (s), (v), (w) and (x) of the Standard Town Planning Conditions, annexed hereto, all of which paragraphs shall be deemed to be included in, and form part of, the conditions attached to this Consent.
Reason: As per the reasons specified on the annexure.
9. Compliance with the requirements included in paragraphs 1(i), 3(a) of the Standard Engineering conditions, annexed hereto, all of which paragraphs shall be deemed to be included in, and form part of, the conditions attached to this Consent.
Reason: As per the reasons specified on the annexure.

The approval is effective and operates from the endorsed date of consent as shown below (Section 93 of the Act). This approval will lapse unless the proposed development is commenced in accordance with Section 99 of the Act.

Under Section 97 of the Act you may, within twelve (12) months of receipt of this notice, appeal to the Land and Environment Court if you are dissatisfied with the Council’s determination.

All conditions imposed by Council by Council must be observed. Breach of a condition is a breach of the Act and may also constitute an offense.

Please address any enquiries concerning this Consent to the Development & Environmental Services Division of Council.