

# Waverley Council

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## **ADDITIONAL ITEM FOR CONSIDERATION**

### **DEVELOPMENT CONTROL COMMITTEE MEETING**

**23 APRIL 2013**

**THE FOLLOWING ADDITIONAL ITEM IS SUBMITTED FOR THE  
COMMITTEE'S CONSIDERATION**

**D-1304.15  
RESCISSION MOTION – Boot Factory (A08/1326)**

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This matter was last considered by Council at its meeting held on 16 April 2013. Subsequently, the following Notice of Rescission was submitted by Crs Kanak, Masselos and Strewe:

“We, the undersigned, give notice of our intention to rescind the decision made by Council at its meeting on 16 April 2013 regarding Item 1304.12.10 – - Boot Factory.

Crs Kanak, Masselos and Strewe”.

*A copy of the Minute Extract from the Council Meeting held on 16 April 2013 is attached.*

*A copy of the report dated 9 April 2013 from the Director, Corporate & Technical Services previously considered by Council at its meeting held on 16 April 2013 is also attached.*

**Recommendation:** That Council determine the Rescission Motion.

# **This is a Minute Extract from the Waverley Council Meeting held on 16 April 2013**

**1304.12.10**

**Boot Factory (A08/1326)**

Report dated 9 April 2013 from the Director, Corporate and Technical Services about the Boot Factory building at 27-29 Spring Street, Bondi Junction.

**MOTION / DECISION (Betts / Guttman-Jones)**

That Council approves commencement of the process for urgent demolition of the Boot Factory building located at 27-29 Spring Street, Bondi Junction.

**Division**

**For the Motion:** Crs Betts, Burrill, Cusack, Goltsman, Guttman-Jones, Kay and Mouroukas.

**Against the Motion:** Crs Kanak, Masselos and Strewe.

## REPORT TO COUNCIL

### Boot Factory (A08/1326)

Report dated 9 April 2013 from the Director, Corporate and Technical Services about the Boot Factory building at 27 Spring Street, Bondi Junction.

**Recommendation:** That Council approves commencement of the process for urgent demolition of the Boot Factory building located at 27-29 Spring Street, Bondi Junction.

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### Purpose of Report

To update Council on the current condition of the Boot Factory following a reassessment of the building by Council's consultant engineer from the Building Diagnosis, and to recommend demolition of the building.

### Background

Councillors will recall the previous reports detailing structural problems in the Boot Factory building and arrangements to relocate the community group occupants based on safety concerns dating back to early 2008.

In 2008, Council was advised of major structural issues with the building and approval was given to close the building, relocate the community tenants into alternate Council accommodation, and temporary make safe works were undertaken. The relocation and make safe works undertaken have cost over \$220,000 to date.

The make safe works provided a short term solution only and after 'mothballing' in 2010, ongoing annual inspections with make safe works are necessary primarily from a safety aspect for public areas around the building.

### Current condition and deterioration

In late 2012, a further inspection was carried by the Building Diagnosis Centre with the following observations made:

1. The outward bowing of the front facade masonry wall has increased at the first and second floor junctions.
2. Cement render dislodgement is occurring and is falling to the ground as a result.
3. Cracking has increased to the internal face of the second floor level wall above and below windows.
4. The steel tie rods installed in March 2010 connecting both the front and rear walling have become extremely loose and possibly detached due to tension stresses caused by the bowing outward wall movements. (3 on the 1<sup>st</sup> floor and 4 on the 2<sup>nd</sup> floor and 1 behind stairwell door have moved 100mm.)
5. Water penetrating through the non-waterproofed external perimeter masonry brick wall has increased.
6. A strong musty moist odour lingers throughout the interior. This damp condition is a concern as termite activity will increase.

## REPORT TO COUNCIL

### Comment

The Boot Factory building continues to deteriorate. Council will recall options to carry out major upgrade works were essentially ruled out because:

- The high cost of the works,
- The fact that they would simply result in a building that is still non compliant with the BCA and Australian Standards and therefore has little if any real value in terms of being able to be re-let as reasonable business or community accommodation, and
- There will be continuing deterioration requiring major works every 10 years.

Annual recurrent costs including engineering consultancy fees, pest and termite protection, perimeter mesh fence hire and security patrols of around \$25,000 continue which does not account for any further make safe works required.

If we continue along the present course, the building will continue in a theoretically “mothballed” but unsafe state suffering further deterioration with demolition being inevitable in any scenario as the building is completely beyond repair. Although BSP is going through the process of seeking quotes to address the issues outlined in point 4 above, it is clear that further expenditure on make safe works cannot be justified when it is known that any and all options for “restoration” of the building or re-creation of some of its heritage aspects would necessarily involve demolition.

On 8<sup>th</sup> April 2013, in the light of the Swanson St wall collapse in Melbourne and the death of three people, further contact was made with Council’s consultant. He has responded as follows:

“In summary, the Boot Factory building is in structurally unsafe condition as the brick walls have continued to settle and rotate outwards and inwards, including increased cracking since installing temporary wall supports in recent years. Our \$1,000,000 + estimate to repair the building, is not a rebuild nor modernisation, nor to make compliance with NCC 2013 BCAv1. Sydney’s unprecedented rains and winds would continue to have a detrimental effect on the shell structure including continue to allow water to penetrate the structural timber floor beams including the already unsatisfactory foundations. As it is not economically viable, and includes more structural bracing as time progresses, **demolishing the Boot Factory building now will provide a safer adjacent community.**”

The Boot Factory is again due for a structural re-assessment by the consultant. In that process we will raise the question of whether the safety fencing perimeter needs to be extended given the prospect of a worst case scenario building collapse. This may result in the closure of the entire courtyard and installation of a hoarding along the Mill Hill colonnade access. If it proves necessary, immediate action will be taken to provide acceptable levels of public safety.

While it is a regrettable step the only viable option is to proceed to immediate demolition of the building. A photographic study of the building will be carried out for historical purposes with appropriate advice from Council’s heritage officer. If required, some materials or features from the building can be dismantled and stored for future inclusion in any new development on the site. All necessary approvals will be sought through a DA process.

## REPORT TO COUNCIL

### Heritage conservation and community involvement

The Boot Factory is listed as a heritage item in the Waverley LEP. The statement of significance for the building reads:

*Former industrial building restored by Council and now leased. Operated as a footwear manufacturer between 1892 and 1969. Acquired by Council in 1984 and restored at that time. A long-lived industrial building and the sole remnant of 19th century industrial architecture in this area.*

In accordance with advice provided by the Director of Council's Department of Planning & Environment, any proposal to demolish the building will need to be accompanied by an independent heritage and conservation report indicating the relative heritage values and how its significance can be recognised in other ways if demolition is to be approved given it is listed in the LEP.

The proposed development application for demolition will meet these requirements.

In addition, Council's Communications Unit has been working with BSP to develop appropriate communications and community interaction on this matter.

### Conclusion

In the interests of public safety, Council cannot afford to delay a decision any longer and approval to commence urgent demolition needs to be resolved.

### Analysis

**Financial:** Demolition costs of \$200,000 are estimated.

**Delivery Plan:** Accords with Direction G7 – Council maintains sound safety and risk management practices to protect the community and our employees.

**Consultation:** A communications and community involvement plan has been developed to engage people in working with Council to preserve and curate heritage aspects of the building.

**Timeframe:** Steps to undertake demolition will proceed following Council approval.

**Recommendation:** That Council approves commencement of the process for urgent demolition of the Boot Factory building at 27-29 Spring Street, Bondi Junction.

Bronwyn Kelly  
**Director, Corporate & Technical Services**

*Authors: Steve Gillett, Fiona Chan and Greg Worner*