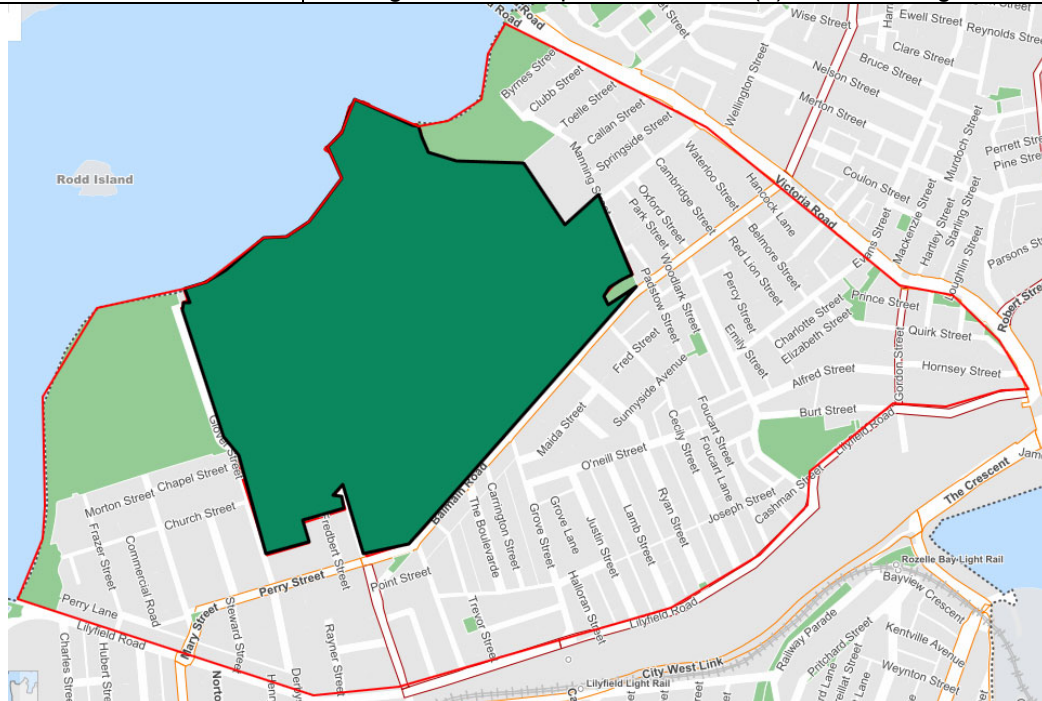




INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	D/2019/268
Address	Callan Park/ Rozelle Hospital Glover Street, ROZELLE NSW 2039
Proposal	A Classical Music Event - <i>"Classics at Callan Park"</i> - for up to 1000 people within the grounds of Callan Park to occur on Saturday 23 November 2019 between the hours of 5:00pm - 8:00pm with bump-in at 10:00am and bump-out at 10:00pm
Date of Lodgement	16 July 2019
Applicant	Inner West Council
Owner	Health Administration Corporation
Number of Submissions	Three (3) submissions (1 supporter, 1 objector and 1 comment)
Value of works	Nil
Reason for determination at Planning Panel	Council as Applicant
Main Issues	<ul style="list-style-type: none"> • Heritage • Traffic and parking • Noise control • Security and emergency management
Recommendation	Approval
Attachment A	Recommended conditions of consent
Attachment B	Plans of proposed development
Attachment C	Heritage Statement of Significance
Attachment D	Heritage NSW exemption under s.57(2) of the Heritage Act 1977



LOCALITY MAP

Subject Site		Objectors		N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application for a free Classical Music Event for up to 1000 people within the grounds of Callan Park at Rozelle, to occur on Saturday 23 November 2019 between the hours of 5:00pm - 8:00pm with bump-in at 10:00am and bump-out at 10:00pm.

The application was notified in accordance with Council's notification policy for 14 days until 16 August 2019 and three (3) submissions were received. Only one (1) submission objects to the proposal. The issues raised are:

- Traffic and parking during the event
- Carrying out a detailed clean-up after the event to remove all litter

The applicant is Inner West Council, and accordingly the application was referred to Planning Urban Earth Pty Ltd (town planning consultants) to carry out an independent assessment of the application.

The application is considered suitable for approval subject to the imposition of appropriate conditions.

2. Proposal

'Classics at Callan Park' is a free community event delivered by Inner West Council. It is a biennial outdoor musical concert. The event focuses on the local community with an emphasis on performances by local artists within the Local Government Area (LGA).

Previously, the event has taken place at the rear of the Kirkbride complex* within Callan Park, but the event has outgrown the 500 person capacity of that space. Council now seeks consent to use a new venue within Callan Park that will allow the event to reach a larger number of local residents. The estimated attendance for the 2019 event is expected to be between 800 - 1000 people.

There will be no food or market stalls (and therefore no licensed areas) on-site and all patrons will be encouraged to bring a waste free picnic. This streamlines the bump-in and bump-out processes and limits the time required for these activities. No permanent physical works are proposed.

2019 proposed date	Saturday 23 November 2019
Concert Hours	5:00pm to 8:00pm
Entertainment Profile	Free Community Music Event
Audience Profile	800 to 1,000 people - All ages, predominately local residents
Bump in (set-up) commence	10:00 am on Saturday 23 November 2019
Finishing time	8:00pm on Saturday 23 November 2019
Bump out (pack-up) finish	10:00pm on Saturday 23 November 2019

* - The Kirkbride complex sits on a high ridge on the site to the north east of Garryowen's grounds. It is a grand sandstone complex of buildings and courtyards, surrounded by walls. The complex was completed in 1885 for the government-run Callan Park Psychiatric Hospital. This complex has more recently been used by Sydney University as a campus of the Sydney College of the Arts.

3. Site Description

The Callan Park Hospital was formerly a psychiatric institution located in the grounds of Callan Park, a large site on the shores of Iron Cove in Lilyfield. From 1994, the facility was known as Rozelle Hospital. In April 2008, all Rozelle Hospital services and patients were transferred to Concord Hospital.

The Callan Park Hospital site is identified as a heritage item and various buildings and landscaping within Callan Park are listed on the State Heritage Register. The site is also located in Callan Park Conservation Area and the distinctive neighbourhood of Iron Cove Parklands.

The Callan Park (Special Provisions) Act, 2002 restricts future uses of the site to health, tertiary education and community uses.

The adjoining properties consist of various uses such as residential, commercial and public purposes.

The location of the area to be occupied for the Classics at Callan Park is identified in **Figure 1** below.

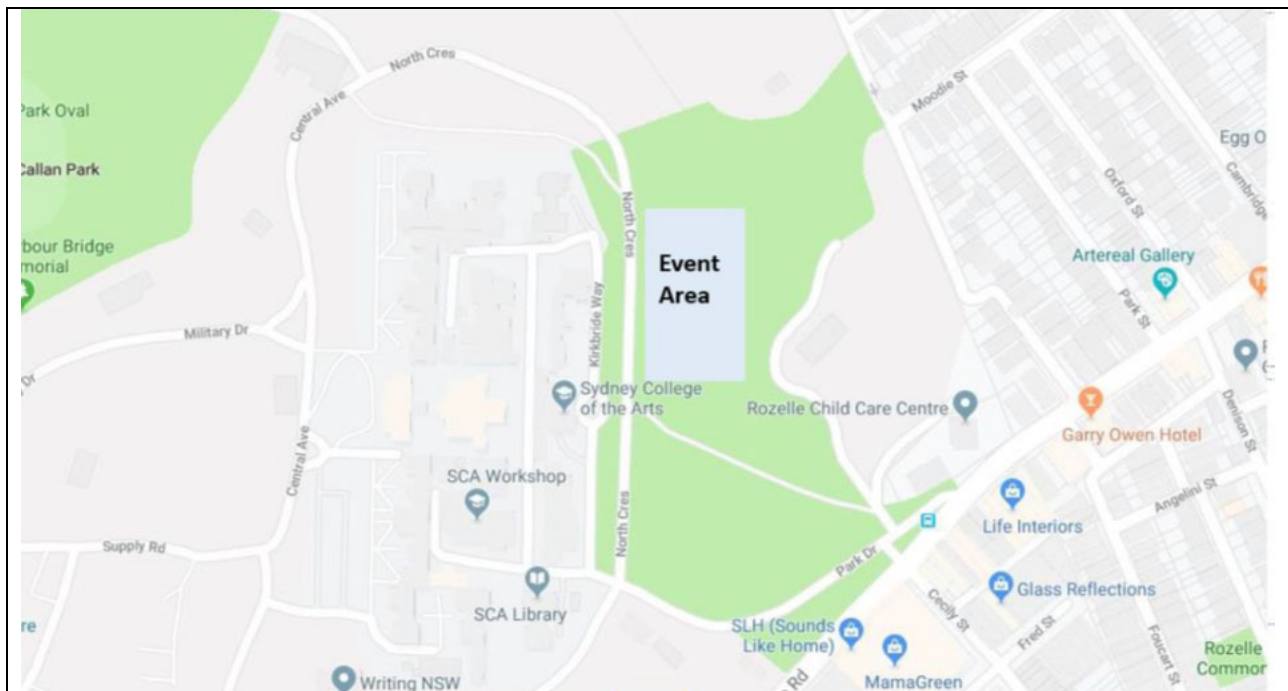


Figure 1: Classics at Callan Park Event Area (refer also to locality map on Page 1 of this report)

4. Background

4(a) Site history

The following application outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Date	Application Details	
28.01.2010 Approved	D/2009/533	Music and arts festival inside the courtyard areas of the Sydney College of the Arts (Kirkbride complex) held on 31 January 2010 from midday to 11.30pm.
09.11.2010 Approved	D/2010/296	Upgrade of pedestrian and cycle path of Iron Cove Bay Run through Callan Park, between Glover St and King George V Park (includes new path, tree removal, landscaping works and pedestrian bridge along foreshore)
13.01.2011 Approved	D/2010/535	A temporary music and arts festival inside the courtyard area and main entrance road of Sydney College of the Arts campus - inside Callan Park
21.12.2011 Approved	D/2011/481	Music and arts festival from 27 Jan to 5 Feb 2012 with the Music festival to be held on 5 February 2012 - Approved
12.06.2012 Approved	D/2012/54	Undertake playing field upgrade works to Glover Street fields in Callan Park and associated infrastructure and road works. Works include drainage, irrigation, returfing, installation of 6 floodlight poles, erect perimeter fencing, provide new access stairs, removal of trees, and associated supporting works.
11.12.2012 Approved	M/2012/181	Section 96 application to modify D/2012/54 which approved playing field upgrade works. Modifications including amendments to flood light configuration to 6 poles in new positions and the installation of batting fences to allow baseball to be played on the ground - Approved
04.01.2013 Approved	D/2012/466	Arts and music festival. The event shall consist of an art exhibition and a one-day music concert.
29.01.2013 Approved	D/2012/504	Upgrade of Balmain Road playing field including levelling site, installation of underground irrigation drainage, new floodlight towers and refurbish existing toilet block.
03.12.2013 Approved	D/2013/366	Arts and music festival. An event involving an art exhibition and a one-day music concert for 12,000 patrons.
11.11.2014 Approved	D/2014/352	Arts and music festival for 12,500 patrons (<i>Laneway Festival</i>), involving temporary stages and ancillary structures (including market stalls) to be held: <ul style="list-style-type: none"> • within Kirkbride Hall and lawn area and Pleasure Gardens (in front and to the east of Kirkbride Hall); and • the College of Arts courtyards. Attendees restricted to over 18 years of age as the event proposed to be licensed to serve alcohol (provision of 8 bar areas). Consent granted for the Music Festival to occur for a maximum 3 year period from 2015-2017.
25.01.2016 Approved	M/2015/200	Modification of Development Consent D/2014/352 to amend Condition 7(c)(ii) relating to setbacks of temporary structures to tree branches.
22.12.2017 Approved	M/2017/145	Modification of Development Consent D/2014/352 to extend the festival dates for a further three years, being 2018, 2019 and 2020.

Surrounding properties

None relevant to this application.

4(b) Application history

Not applicable

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 Acts, Regulations and Environmental Planning Instruments listed below:

- Heritage Act 1977
- Callan Park (Special Provisions) Act 2002
- Environmental Planning and Assessment Regulation 2000
- State Environmental Planning Policy No. 56 – Sydney Harbour Foreshores and Tributaries
- State Environmental Planning Policy No 55—Remediation of Land
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Leichhardt Local Environmental Plan 2000

The following provides further discussion of the relevant issues:

5(a)(i) *Heritage Act 1977*

The *Heritage Act, 1977*, Part 3: Heritage conservation and Clauses 15: Objectives and 16: General Provisions for the development of land from the Leichhardt LEP 2000 and Parts A7.0: Heritage and A10.1: Lilyfield from the Leichhardt DCP 2000 are relevant to the assessment of the proposed development.

A detailed assessment of the heritage aspects of this application is provided by Council's Heritage Specialist in **Section 6** of this report.

The proposal is supported subject to the conditions below to ensure the development is in accordance with the *Heritage Act, 1977*, the Leichhardt LEP 2000 the Leichhardt DCP 2000.

Any exemption issued by Heritage NSW under Section S.57(2) of the NSW Heritage Act has been submitted to Council.

5(a)(ii) *Callan Park (Special Provisions) Act 2002 and State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries*

The *Callan Park (Special Provisions) Act 2002* and State Environmental Planning Policy No 56—Sydney Harbour Foreshores and Tributaries (SEPP 56) are to be read together to address the permissibility of the proposed development.

The site is the subject of the Callan Park Act 2002. Section 7(1) of the Callan Park Act 2002 states that:

“The provisions of environmental planning instruments that apply to Callan Park are the provisions of those instruments that so applied immediately before the commencement of this Act, subject to this section.”

In light of the above, the proposal has been assessed against the planning controls that applied to the site immediately before the commencement of the Act, including the Leichhardt Local Environmental Plan 2000 (and Leichhardt Development Control 2000 and Leichhardt Development Control Plan No. 38) and State Environmental Planning Policy No. 56.

Clause 7 of the Act restricts development at Callan Park as follows:

7 Development at Callan Park restricted

- (1) The provisions of environmental planning instruments that apply to Callan Park are the provisions of those instruments that so applied immediately before the commencement of this Act, subject to this section.
- (2) The consent authority for development applications relating to land within Callan Park is the council of the local government area within which the land is situated, despite any other Act or any environmental planning instrument.
- (3) Development may be carried out at Callan Park, with development consent, for the purpose of health facilities and educational or community facilities, but development for the purpose of retirement villages is prohibited at Callan Park.
- (4) State Environmental Planning Policy No 5—Housing for Older People or People with a Disability does not apply to Callan Park.
- (5) Buildings must not be erected at Callan Park outside the footprints or building envelopes of the buildings that existed immediately before the commencement of this Act. However, this subsection does not prevent the erection of temporary structures.
- (6) Consent must not be granted for any development at Callan Park if the development would result in:
 - (a) less open space at Callan Park than existed immediately before the commencement of this Act, or
 - (b) an increase in the total floor area of all buildings that existed at Callan Park immediately before the commencement of this Act.
- (7) Development at Callan Park must not adversely affect the Broughton Hall Garden, Charles Moore Garden or Kirkbride Garden.
- (8) In determining a development application, the consent authority must take into consideration the objects of this Act in addition to all other matters that are required to be taken into consideration.
- (9) In this section:
community facility means a facility (not being an educational facility or a health service) providing services to the community on a not-for-profit basis.
educational facility means a university or any other facility providing educational services on a not-for-profit basis but does not include a secondary school or a primary school.

The objects of the Callan Park Act as set out in section 4 are:

- (a) to ensure that the whole of Callan Park remains in public ownership and subject to public control, and
- (b) to ensure the preservation of the areas of open space at Callan Park that were in existence immediately before the commencement of this Act, and that extend to and include the foreshore of Iron Cove on the Parramatta River, and
- (c) to allow public access to that open space, including that foreshore, for public recreational purposes of both an active and a passive nature, and
- (d) to preserve the heritage significance of Callan Park, including its historic buildings, gardens and other landscape features, and
- (e) to impose appropriate controls on the future development of Callan Park.

The site is listed in Schedule 1 (Sites of State or Regional Significance) under SEPP 56 and clause 11(1) of SEPP 56 requires:

- (1) Development consent must not be granted for development that relates to development on land to
 - (a) there is a master plan for the land, and
 - (b) the consent authority has taken the master plan into consideration, and
 - (c) the development is consistent with the master plan,

And clause 11(5) sets out:

(5) This clause does not apply to minor development specified in Schedule 3.

The proposed development of a music festival (temporary use) is considered permissible under the provisions of this Act and SEPP 56 as:

- The proposed music festival may be considered as a **community facility** under section 7(9) of the Act, and if so, it is to be conducted by Inner West Council on a not-for-profit basis.
- There is a master plan for Callan Park, however, the proposal is considered **minor development** under Schedule 3 of SEPP 56, paragraph (f) as follows:
 - (f) the use of public domain for any **temporary structure or event**, including the exhibition of an art work, **a performance, a festival or special promotion**, if the proposed structure or event is to be installed for, or to take place over, a period of not more than 30 days, whether consecutive or not, in any period of 12 months and the requirement for a Master Plan therefore does not apply.
- Temporary structures are permissible under section 7(5) of the Act.
- The proposed development is in accordance with the stated objectives of the Act (as listed above).

5(a)(iii) Environmental Planning and Assessment Regulation 2000

The proposed development complies with the requirements of the Regulation.

5(a)(iv) State Environmental Planning Policy No. 55 – Remediation of Land -

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. SEPP 55 requires that remediation works must be carried out in accordance with a Remediation Action Plan (RAP) as approved by the consent authority and any guidelines enforced under the Contaminated Land Management Act 1997.

Parts of the site have been the subject of fill in the past and there is some potential that this material could be contaminated. However, while historical documentation suggests that although the entire Deposited Plan is listed as potentially contaminated, the actual location is more likely to be adjacent to the former hospital buildings (i.e. not in the location of the proposed development), and a consequence of early furnace disposal activities.

The proposed development does not require the removal of soil from the site and given that there is no change of use involved, and the specific temporary nature of the proposal, it is not considered that a Phase 1 assessment is required.

5(a)(v) Leichhardt Local Environmental Plan 2000

The proposal has been assessed under the following relevant clauses of the Leichhardt Local Environmental Plan 2000 as they apply to the proposed development:

- Clause 12 - Vision of Plan
- Clause 13 - General Objectives
- Clause 15 - Heritage Conservation
- Clause 16(1)-(5) - Heritage Items
- Clause 16(6) - Use of a Heritage Item
- Clause 16(7) - Development in the Vicinity of a Heritage Item
- Clause 16(8) - Conservation Areas
- Clause 27 - Community Use Objectives

- Clause 28 - Public Purpose Zone
- Clause 29 - Development of Land within the Public Purpose Zone
- Clause 31 - Temporary use of land
- Clause 34 - Foreshore access

To comply with the intent and objectives of the above clauses, conditions have been recommended with the aim of ensuring that:

- the proposed Festival use and associated temporary structures will have acceptable impacts on the heritage significance of the site, and hence, any heritage items in the vicinity and the Conservation Area in general; and
- any likely adverse impacts on the amenity of the locality with respect to noise, traffic and parking, crowd control and waste management are mitigated.

5(b) Draft Environmental Planning Instruments

There are no relevant Draft Environmental Planning Instruments.

5(c) Development Control Plans

The application has been assessed against the relevant Development Control Plans listed below (that were in force prior to gazettal of the Callan Park Act 1977):

- Leichhardt Development Control Plan 2000
- Leichhardt Development Control Plan No.32 – Design for Equity of Access
- Leichhardt Development Control Plan 36 – Notifications
- Leichhardt Development Control Plan 38 – Avoid, Reuse, Recycle
- Leichhardt Development Control Plan 42 – Contaminated Land Management;
- Sydney Harbour Foreshores and Waterways Development Control Plan 2005.

It is considered that the proposal as recommended will meet the intent of the above Development Control Plans; however, the following assessment has been carried out to clarify compliance with LDGP2000, Leichhardt Development Control Plan No.32 and Leichhardt Development Control Plan No.38.

- **Leichhardt Development Control Plan 2000**

The proposal has been assessed against the following controls of the Leichhardt Development Control Plan 2000 (LDGP 2000):

- Part A1.0 – General Information;
- Part A2.0 – Urban Framework Plans;
- Part A3.0 – Principles of Ecological Sustainable Development;
- Part A4.0 – Urban Form and Design;
- Part A5.0 – Amenity;
- Part A6.0 – Site Analysis;
- Part A7.0 – Heritage Conservation;
- Part A10.1.4 – Iron Cove Parklands;
- Part C1.5 – Site Facilities;
- Part C3.1 – Noise and Vibration Generation; and
- Part C3.4 – Working Hours.

Part A5.0 – Amenity

Subject to the recommended conditions relating to noise control, traffic and waste management, it is considered that the proposal will meet the objectives of Part A5.0 of the LDGP2000.

Part C3.1 and C3.4 – Noise and Vibration Generation and Working Hours

An acoustic report has not been submitted to support this application, however the Statement of Environmental Effects states that noise levels from concert activities will be monitored by Council Officers with monitoring devices at regular intervals at the border of the park site. If excessive noise is noted, the levels will be adjusted immediately.

The site layout places the stage facing away from the majority of residents neighbouring the park, significantly reducing noise impact on local residents.

The event will involve classical music only, which does not involve bass and drum elements that are generally, the source of noise issues for residents.

The Event Manager's contact number will be given to Council's 24-hour Emergency after hours hotline staff, in order to be made aware of any complaints. The 24-hour Emergency number will be included on the event website should any residents wish to contact Council event organisers (who will be on site).

All residents in the vicinity of Callan Park, including local businesses within the Callan Park site will be notified by a letter drop-off 2 weeks prior to the event.

In the absence of an acoustic report, Council's Environmental Health Division have recommended suitable noise management controls as conditions of consent to safeguard any potential amenity impacts on the surrounding neighbours. The recommended conditions are similar to those previously imposed on the consent for the Laneway Festival (D/2014/352) (refer to **Section 6** of this report).

- [Leichhardt Development Control Plan No.32 – Design for Equity of Access](#)

A condition has been recommended requiring that an Access Management Plan be developed to ensure that equitable access is provided for disabled persons, including the provision of facilities. The proposal as recommended raises no issues that will be contrary to Leichhardt Development Control Plan No.32.

- [Leichhardt Development Control Plan No.38 – Waste](#)

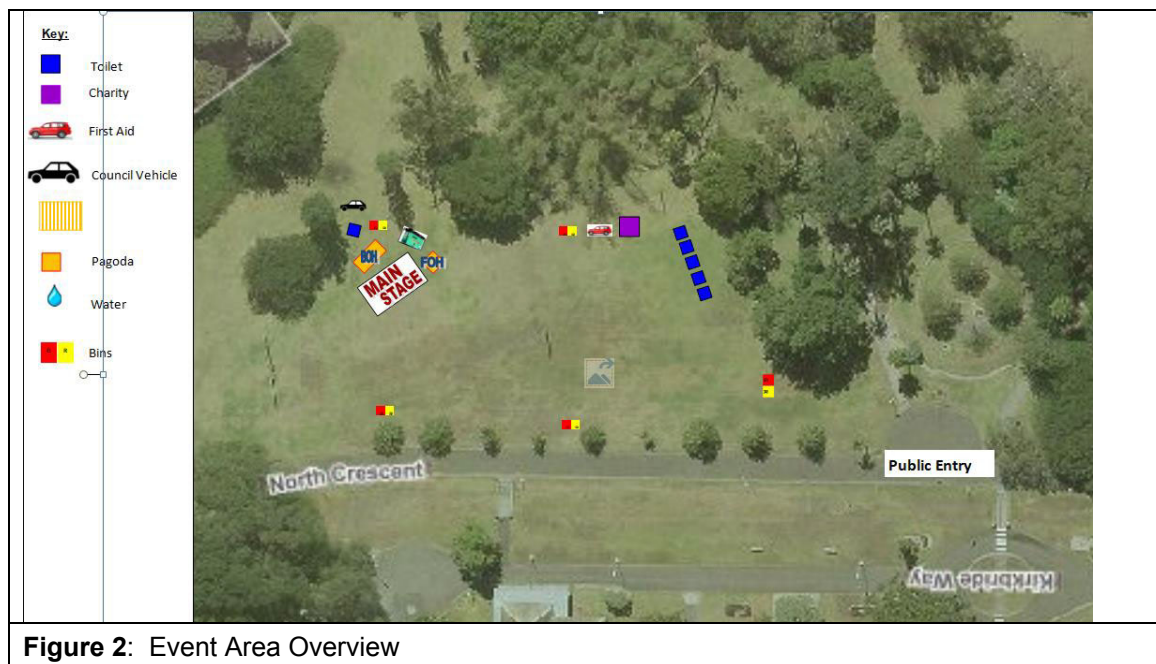
The proposed development does not propose that food vendors or alcohol will be served at the event.

It is proposed that this be a glass free event and that waste packaging / food waste /cans will be from picnics brought by event attendees. Patrons will be advised to take their rubbish off site and staff will clear the site post-event.

Number of waste stations that will be provided:

- 10 x 240L Garbage Bins
- 10 x 240L Recycling Bins

Waste station locations are identified on the submitted site map (refer to **Figure 2**).



Conditions are recommended requiring that:

- The cost of any clean-up within Callan Park shall be borne by the applicant (i.e. Council);
- The areas external and adjacent to Rozelle Hospital site must be maintained in a clean and tidy condition to the satisfaction of Council's Streetscape and Fleet Operations Manager, and
- A Council Officer as directed by Council's Streetscape and Fleet Operations Manager shall inspect the site at 5:00pm on the Monday after the event to ensure the clean-up has been carried out in accordance with the Waste Management Plan for the site and advise Council's Compliance Section of any breaches of the consent and any required follow-up action.

5(d) The Likely Impacts

The application is accompanied by the following reports:

- Security & Crowd Management Plan
- Emergency Management Plan

Both of these Plans work together to ensure that people attending the event are safe and the event is well managed. Achieving these objectives will go a long way towards mitigating any adverse impacts upon the surrounding neighbourhood.

It is intended that Council will use the services of Constant Security Services Pty Ltd (licensed under the *Security Industry Act 1997*) for security and crowd management. This company has provided this service to Council previously and Council intends to engage Constant Security Services for the following events:

- Dulwich Hill Village Fair
- Summer Hill Neighbourhood Feast
- Marrickville Festival
- Carols by Candlelight
- Bairro Portuguese Food & Wine Fair
- Australia Day

- Carnival of Cultures
- Movies In The Park
- Celebrate 2044
- Bluesfest

The Security Management Plan is intended for the use of security staff, event management and specific stakeholders for the purpose of knowing event specific security & crowd management details and each stake holder's responsibilities for the event from a security perspective.

The Emergency Management Plan has been prepared internally by Council as a policy document for any organised event, and it acknowledges Council's responsibility to provide an environment that is safe and without risk to health whilst undergoing any event engaged activity.

The development of the plan considered the following key elements of safety:

- Health and safety of patrons and staff at Inner West Council events
- Prevention or mitigation of hazards, through active risk management
- Education of employees and contractors involved in the event, in relation to hazards that exist and procedures to be adopted in the event of an emergency.
- Reviews of safety management arrangements, Safe Work Methods and amendment of plans when necessary.
- Management of emergencies including incident prevention, management and escalation
- Provision of assistance and information to the residents, businesses, employee's, emergency services, and any other associated stakeholders.

A Traffic Management Plan prepared by Council's Events Team accompanies this application. Inner West Council will engage 3 security officers from Constant Security to be on-site for the duration of the event. Security staff will form part of the Traffic Management Plan, managing traffic at the entry to the site as well as production vehicles within the site. It is proposed that the security officers will be located at three potential road entries to the site to direct vehicles to alternative areas. These locations will be

- Intersection of Balmain Rd/Park Drive,
- Intersection of Cottage Way/Callan Street,
- Intersection of Cottage Way/unnamed road – see security map (no.4) below for exact locations.

These positions will ensure that no patron vehicles will access the site.

Council Events staff will be on-site from the beginning of bump-in to the end of bump-out to oversee all suppliers.

It is noted that the scale of this event is modest, and the duration is quite short when compared to other events that have been held on this site. Council's Development Engineer has advised (refer to **Section 6**) that the proposed development is not required to be considered by the Local Traffic Committee and that it can be supported subject to the following:

- No designated parking areas or parking restrictions will be supported on Council's roads or land.
- The TMP indicates that motorists will be directed to King George Park. This is not supported as WestConnex has recently started works near that area and have removed a significant number of parking spaces from the adjacent residential streets.
- Notification of nearby residents is required particularly those impacted by less available parking.

5(e) The suitability of the site for the development

The site is within the Public Purpose zone under LLEP 2000. The proposed development is permissible on this site. Provided that any adverse effects on adjoining properties are minimised, this site is considered suitable to accommodate the proposed development, and this has been demonstrated in the assessment of the application.

5(f) Any submissions

The application was notified for a period of 14 days to surrounding properties until 16 August 2019. A total of three (3) submissions were received but only one (1) submission objects to the proposed development.

The concern raised in the submission objecting to the proposal is that surrounding streets will be “*clogged with cars*” during the event and that there be a detailed clean-up after the event to remove all litter from the streets.

These issues have been discussed in this report and suitable conditions have been recommended to minimise the objector’s concerns.

5(g) 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. The proposal is not contrary to the public interest.

6 Referrals

6(a) Internal

The application was referred to the following internal sections:

<p>Development Engineer</p>	<p>The site is a flood control lot; however, no flood risk management plan is required as the proposal is outside the 100 year flood extents.</p> <p>There is no requirement for the proposal to go to the Traffic Committee. No objections are raised against the proposed development subject to the following:</p> <ol style="list-style-type: none"> 1) No designated parking areas or parking restrictions will be supported on Council’s roads or land. 2) The TMP indicates that motorists will be directed to King George Park. This is not supported (see 1. above) as WestConnex has recently started works near that area and have removed a significant number of parking spaces from the adjacent residential streets. 3) Notification of nearby residents is required particularly those impacted by less available parking (refer to 2. above). 4) Landowner approval is required to close Callan Park. 5) Police approval should be sought. <p><i>Planner’s comments:</i> <i>Landowner’s approval has been provided by the Health Administration Corporation for the lodgement of this application.</i> <i>This application was referred to the NSW (see to Section 6(b) below).</i></p>
<p>Heritage</p>	<p><u>Heritage Listing:</u> The subject site at Callan Park / Rozelle Hospital, Kirkbride Way, Lilyfield, is located within the Callan Park Conservation Area and Buildings, listed on the State Heritage Register. The site also contains Middens, rock shelters and occupation sites (Leichhardt LEP 2000).</p>

Heritage Significance:

The Statement of Significance for the Callan Park Conservation Area is available from the Office of Environment & Heritage, heritage database website at:

<https://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>

The subject area is located within Zone 3: Kirkbride Entrance Garden and Embankment to King George Park, as identified in the Callan Park CMP. The heritage significance of this zone is reiterated below:

The zone's primary significance is its historic and aesthetic value. It demonstrates the landscape design and character which was an integral part of the original Callan Park Asylum design. Its historic value is in illustrating landscape design of the period, particularly in relation to attitudes toward the care of the mentally ill and the work of Charles Moore. Its aesthetic value is as a mature Victorian landscape, as a context for the Kirkbride Block and as a major component in the local streetscape. The tall tree canopies are an important element on the skyline in views across the site and from Iron Cove.

Later developments are intrusive elements in the original design, but some have minor significance.

The embankment's significance is as part of the overall setting for the Kirkbride Block forming a rugged, undeveloped picturesque foreground.

The site is also located in a Conservation Area and the distinctive neighbourhood of Iron Cove Parklands.

Heritage Comments:

The Heritage Act, 1977, Part 3: Heritage conservation and Clauses 15: Objectives and 16: General Provisions for the development of land from the Leichhardt LEP 2000 and Parts A7.0: Heritage and A10.1: Lilyfield from the Leichhardt DCP 2000 applies to the proposal.

The Heritage Impact Statement dated 29 August 2019, the Statement of Environmental Effects, n.d., and Traffic Management Plan, n.d., all prepared by council's Events Team and the Callan Park Conservation Management Plan (CMP) prepared by Tanner Architects, dated September 2011, were reviewed as part of this assessment. An Exemption from Heritage NSW for the proposed event was issued on 11 July 2019 and was also reviewed. No additional conditions were imposed as part of the exemption in addition to the standard conditions.

The proposal includes a community music event that was previously held within the Kirkbride Block. It is proposed to be relocated to the north of the Kirkbride Block as the former location can only accommodate 500 people and the popularity of the event has outgrown this area. The proposed location for the event is within the vicinity of the Kirkbride Block, the Kirkbride Entrance Garden and Embankment to King George Park and the sunken garden. It is estimated the event will attract 800 to 1,000 patrons. It is anticipated that the majority of patrons will come from surrounding suburbs and marketing will predominantly be focussed on local residents. It is anticipated patrons will travel on foot, bicycle and public transport.

The event is proposed on Saturday 23 November 2019, from 5.00pm to 8.00pm, with bump-in at 10.00am and bump-out at 10.00pm. There will be no food or market stalls onsite and patrons will be encouraged to bring a waste free picnic. The event is free, and no permanent physical works are proposed.

The landscape analysis in the CMP states the Kirkbride Entrance Garden forms the main public approach to the Kirkbride Block and large Port Jackson Figs are remnants of the former entrance avenue, are a major component of the garden. A central feature on the axis with the main entrance to the Kirkbride building is the former sunken garden, now grassed over, through the stonework is still visible.

The Kirkbride Block is of historic, aesthetic and social / cultural significance. The Kirkbride Entrance garden, planted in the 1920's, is of significance as a representative 1920's layer of design overlaying the earlier gardens, though its heritage significance is diminished with the loss of associated flower gardens. Its existing character intrudes on the earlier garden. The sunken garden, 1903 – 1920's, is of significance as it represents the visual focus and structural form of the original design and as a complete work by patients reflecting their participation in gardening as therapy.

The HIS has demonstrated the event complies with Clause 16 of the Leichhardt LEP 2000. In particular, the HIS states the proposed event:

is external to, and does not involve, the Kirkbride Block;

- will not be close to any of the heritage buildings or landscape features in Callan Park;
- trees and gardens within the vicinity of the event and the Sunken Garden will be fenced off;
- temporary structures will be clear of tree canopies and will not be located where structures could damage or endanger any building fabric;
- there will be no pegging into the ground;
- all temporary structures are to be setback a minimum 1.5m from tree trunks;
- temporary line-marking spray will be used to mark out the location of where structures are to be placed;
- electrical leads and lights will not be installed within the canopy or on the trunk of any tree;
- no buildings, structure or features will be used as supporting points during the course of the event;
- no pruning or damage to tree canopies as a result of the installation of temporary structures which are to be located in order to avoid any trees; and
- there is no standing of parking for event related vehicles on any lawn and site landscaping/garden areas.

The Traffic Management Plan states that the limited on-site parking will strictly be used for crew and VIPs. No parking will be communicated to patrons through media and a security person will be placed on the gate to advise drivers accordingly. These vehicles will park in the carpark behind the Kirkbride Block. A drop off zone will be provided for patrons with limited mobility. Limited parking behind the Kirkbride Block will be provided for these vehicles. Approximately 8 vehicles are estimated requiring access to the site prior to and after the event. A designated bicycle area will be provided next to the event site. The HIS states there will be signage and staff to guide and ensure guests follow the path from the entrance to Callan Park to the event site and to ensure the VIP and crew parking is controlled.

The HIS concludes that heritage impacts are minimal and mitigated and that no documented Aboriginal or European archaeological surface or sub-surface sites will be affected, no above ground heritage buildings will directly affected by the staging of the event and that appropriate measures are to be implemented throughout the duration of the event to ensure that any potential impacts on the cultural heritage values of the site are avoided and / or minimised to acceptable levels.

The proposed community music event is in accordance with the relevant policies of the CMP. In particular:

- The event is supported by the Friends of Callan Park which is consistent with Policy 22 of the CMP;
- The proposed event is in accordance with Policy 56 of the CMP as the proposed layout, access to, and within the site, for the event proposes to make use of the existing access layout; and
- Policy 90 which requires that structural elements, e.g. the sunken garden, are conserved.
- The proposal will enhance the public appreciation of Callan Park by educating guests of its significance through marketing and stage announcements during the event.

	<p><u>Recommendation</u></p> <p>The proposal is acceptable from a heritage perspective as it will not detract from the heritage significance of Callan Park and its historic buildings, gardens and landscape features, and will conserve the State's heritage. In particular:</p> <ul style="list-style-type: none"> • no documented Aboriginal or European archaeological surface or sub-surface sites will be affected by the proposed Festival; • no above ground heritage buildings or items will be directly affected by the staging of the event; • the short duration of the event and the controlled access within the site will have no foreseeable lasting impacts on Callan Park; • appropriate measures are to be implemented throughout the duration of the event to ensure any impacts on cultural heritage values are avoided; and • Callan Park has been available for use as a major community space to celebrate and commemorate cultural diversity through conservation, artistic events and recreation for a considerable period of time, and the use of parts of the park for the staging of the event will represent a continuation of its historic use. <p>The proposal is supported subject to the recommended conditions to ensure the development is in accordance with the Heritage Act, 1977, the Leichhardt LEP 2000 the Leichhardt DCP 2000.</p>
Environmental Health	<p>Approval is supported subject to recommended conditions addressing the following matters:</p> <ul style="list-style-type: none"> • Temporary Food Stalls • Light Spill • Noise • Complaint Management • Plan of Management for Licensed Premises <p><u>Planner's comments:</u> <i>Although temporary food stalls and licensed areas are not proposed, these recommended conditions are included for consistency with other consents given for festivals.</i></p>
Building	<p>Council run event for classical music, no objections to proposal. Standard event and activity conditions to be imposed.</p>
Landscape/Urban Forests	<p>A site inspection was undertaken on 29 August 2019</p> <p>The following plans and documents have been reviewed:</p> <ul style="list-style-type: none"> • Statement of Environmental Effects prepared by Inner West Council Events Team <p>Conditions are provided to mitigate impacts to trees, soft and hard landscape elements and turf.</p> <p>Provided that any structures to be erected (i.e. stage and stalls) are clear from the canopy of any tree and that pegging is not undertaken within the Tree Protection Zone (TPZ) of any tree the impact to the existing trees is likely to be minimal.</p> <p>All other trees shall be protected from damage during the works by way of adequate setbacks and consent conditions.</p> <p>The impacts of vehicular movements on the existing turf and ground surfaces are to be mitigated by the installation of ground protection (during vehicular movements) matting that is suitable for the proposed loads and vehicle types e.g. geotextile cloth, mulch and rumble boards/plates.</p>

6(b) External

The application was referred to the NSW Police (Leichhardt Police Area Command) who advised that as this is a Council organised event, there are no objections or required conditions.

NSW Ministry of Health, on behalf of Health Administration Corporation, have provided landowner's consent for this application.

Heritage NSW have provided an exemption from the need for approval under the *Heritage Act 1977* under section 57(2) of the Act.

7. Section 7.11 Contributions

Section 7.11 contributions are not payable for the proposal.

8. Conclusion

The Development Application has been assessed in accordance with section 4.15 of the Environmental Planning and Assessment Act 1979, the Heritage Act 1977 and the Callan Park Act 2002 and all relevant instruments and policies. Subject to the recommended conditions in **Attachment A**, the proposal satisfies the objectives of the above Acts and instruments and policies and will result in acceptable impacts for the locality for the reasons identified previously in this report. Accordingly, the application is recommended for approval, subject to the recommended conditions.

9. Recommendation

That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, grant consent to Development Application No. D/2019/268 for a Classical Music Event for up to 1000 people within the grounds of Callan Park to occur on Saturday 23 November 2019 between the hours of 5:00pm - 8:00pm with bump-in at 10:00am and bump-out at 10:00pm, subject to the conditions listed in Attachment A below:

Attachment A – Recommended conditions of consent

Conditions of Consent

1.

Development must be carried out in accordance with Development Application D/2019/268 and the following plans and supplementary documentation, except where amended by the conditions of this consent.

Document Title	Prepared By	Document Date
Site Plan (Unnumbered)	Inner West Council	Undated
Statement of Environmental Effects Incorporating a Waste Management Plan	Inner West Council Events Team	Undated
Heritage Impact Statement	Inner West Council Events Team	Undated
Heritage Exemption	Heritage NSW	11.07.2019
Traffic Management Plan	Inner West Council Events Team	Undated
Security & Crowd Management Plan	Constant Security Services Pty Ltd	15.04.2019
Emergency Management Plan	Inner West Council	26.08.2019

In the event of any inconsistency between the approved plans and supplementary documentation, the conditions will prevail.

No construction works shall be undertaken prior to the release of a Construction Certificate.

2.

This approval grants consent for the “Classics at Callan Park” Music Festival to occur for one event at Callan Park for on Saturday 23 November 2019 in accordance with the following:

2019 proposed date	Saturday 23 November 2019
Concert Hours	5:00pm to 8:00pm
Entertainment Profile	Free Community Music Event
Audience Profile	800 to 1,000 people - All ages, predominately local residents
Bump in commence	10:00 am on Saturday 23 November 2019
Finishing time	8:00pm on Saturday 23 November 2019
Bump out finish	10:00pm on Saturday 23 November 2019

Any future event will need to be the subject of a separate development application.

3.

To ensure the development is constructed in accordance with appropriate standards, the development is required to be carried out in accordance with all relevant Australian Standards.

Details demonstrating compliance with the relevant Australian Standards are to be submitted to the Certifying Authority prior to the issue of a Construction Certificate.

4.

The event organiser / the person responsible for enacting this consent shall bear all costs associated with having Council Officers in attendance at the site during the bump-in and bump-out periods and on the day of the event, as required by this consent.

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	CONDITIONS TO BE COMPLIED WITH PRIOR TO THE EVENT BEING HELD AND DURING THE EVENT
5.	<p>A notification letter shall be distributed at least ten (10) days prior to the event, to at least all properties located;</p> <ul style="list-style-type: none"> • North of Lilyfield Road • East of Glover and Emmerick Streets • West of Gordon Street and Victoria Road • South of Iron Cove <p>The notification letter is to include but not limited to:</p> <ul style="list-style-type: none"> • Site plan • Description of the event • Time the event starts and finishes • Description of the proposed measures that will be implemented to minimise noise from the event • Name and mobile phone number of the Applicant or Nominated event representative for any complaints lodged before, during and or after the event. The site contact person must be available to respond to any enquiries for the entire duration of the event. <p>A copy of the notification letter is to also be forwarded to Inner West Council.</p>
6.	Prior to the issue of a Construction Certificate, the Certifying Authority must be provided with details demonstrating that any lighting of the premises complies with Australian Standard AS4282:1992: Control of Obtrusive Effects of Outdoor Lighting.
7.	The maximum number of patrons on the site associated with the event at any time shall not exceed 1,000 people , subject to NSW Police or Council approval. The event organiser / person responsible for enacting the consent must ensure counters are used to confirm patron numbers are not exceeded.
8.	No temporary food businesses are to operate at the event.
9.	Temporary structures such as stages and stalls are to be setback from tree canopies by a minimum distance of 1.5 metres. No tree canopy is to be damaged or pruned as a result of the installation of temporary structures - toilets etc... to be located accordingly. Where this is not possible, trunk, branch and root protection are to be implemented by a suitably qualified professional who shall have as a minimum, Level 5 (Diploma) certification in Arboriculture under the Australian Qualification Framework (AQF) in accordance with AS4970—Protection of trees on development sites.
10.	All trees and garden beds, including the Sunken Garden, within the vicinity of the event must be fenced off.
11.	Temporary line-marking spray must be used to mark out the location of where temporary structures are to be placed.
12.	No buildings, structure or features are to be used as supporting points during the course of the event.
13.	Temporary structures such as toilets are to be setback from tree trunks by a minimum distance of 1 metre.
14.	A dedicated cleaner shall be allocated to ensure continual service, cleaning and maintenance of the event toilets to minimise blockages and spills, and ensure adequate water supply, toilet paper and liquid soap at all times.
15.	Temporary structures must be clear of tree canopies and must ensure they will not be

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	located where they could damage or endanger any building fabric.
16.	No pruning or damage to tree canopies will result of the installation of temporary structures which are to be located to avoid any trees.
17.	Spiking, staking and pegging of temporary structures is not permitted within the Tree Protection Zone (as defined by AS4970—Protection of trees on development sites) of any existing tree.
18.	Electrical leads, lights or signage must not be installed within the canopy or on the trunk of any tree.
19.	No standing of parking for event related vehicles on any lawn and site landscaping/garden areas.
20.	Where there is potential for ground surfaces to be damaged (i.e. where vehicular movements occur to allow loading and unloading to erect temporary structures such as the stage, where significant pedestrian movements are proposed at the main entry / exit, toilets, etc), ground surface protection matting shall be installed, and shall be suitable for the proposed loads and vehicle types – any damaged grassed areas are to be replaced at the applicant's cost.
21.	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 <i>Protection of the Environment Operations Act 1997</i> and Regulations, NSW EPA Noise Policy for Industry and NSW EPA Noise Guide for Local Government.
22.	The LA10 noise level emitted from the premises, measured between the hours of 7am and 12 midnight, is not to exceed the background noise level in any octave band frequency (centred on 31.5Hz to 8 kHz inclusive) by more than 5 dB, when measured at the boundary of any adjoining residence.
23.	The maximum noise levels for the event from are 65dB(A) and 85dB(C) when measured at any residential boundary. The maximum noise level is an absolute noise level from the event not a statistical L10 or arithmetic average of maximum levels.
24.	<p>A complaints register shall be maintained and provided to Council Officers, Environmental Protection Authority Officers and Police Officers upon their request. The complaints register is to include:</p> <ul style="list-style-type: none"> • Contact details of all complainants • Time and date the complaint is received • Description of the complaint • Description of the activities occurring which gave rise to the complaint • Action taken to resolve the issue/complaint. <p>The complaints register is to be provided to Inner West Council within the next business day after the event.</p>
25.	No designated parking areas or parking restrictions will be supported on Council roads or land. Patrons are not to be directed to park at King George Park as work in this area for WestConnex has removed a significant number of parking spaces from the adjacent residential streets.
26.	<p>Regarding waste control and management:</p> <p>a) Compliance with the Waste Management Plan referenced in this consent is required with respect to pre-event, during-event, and post-event waste control and management;</p>

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	<p>b) Staff shall be provided at the nominated access / exit point prior to gates opening, during the event and post event, advising patrons upon entry and exit to use the garbage bins provided;</p> <p><u>Notes:</u></p> <ul style="list-style-type: none"> • The cost of any clean-up within the site shall be borne by the applicant; and • The areas external and adjacent to the site must be maintained in a clean and tidy condition to the satisfaction of Council's Streetscape and Fleet Operations Manager, or else the applicant will be required to reimburse Council for any extraordinary cleaning costs.
27.	<p>The recommendations of the Security & Crowd Management Plan and Emergency Management Plan referenced in Condition 1 shall be implemented during the event. Compliance with the following general crowd and security control measures are also required:</p> <p>a) The event organiser / person responsible for enacting the consent shall provide adequate security for the event in accordance with the international requirements ISO 31000:2009 and shall provide the contact numbers for the supervisor to Council, the Police and Road and Maritime Services in case of urgent need. The Security Company shall be briefed to ensure that regular patrols are undertaken for the surrounding streets after the conclusion of the event to ensure proper patron behaviour. Security shall be present throughout the whole of the event including setting up and dismantling of the event. External patrols shall be undertaken to ensure the acceptable behaviour of patrons attending the event and when entering and leaving the event.</p> <p>b) Adequate security staff shall be on hand to prevent overcrowding of any event areas. Any directions provided by Council staff, NSW Police and / or emergency services on the day shall be followed.</p> <p>c) Additional security staff be provided from 8:00pm to ensure patrons leave the venue and access transport in a safe manner.</p> <p>c) Access for emergency vehicles shall be maintained through the side streets and main streets in the case of emergency. The best method of achieving this shall be determined by liaison with NSW Fire Brigades and the NSW Ambulance Service.</p>
28.	<p>Compliance with the Traffic and Transport Management Plan shall occur on the day of the event; except where modified by these conditions of consent.</p> <p>a) Traffic management shall be implemented at the applicant's cost;</p> <p>b) An adequate number of Traffic Controllers are to be put in place at all vehicular entry points into Callan Park during the Festival;</p> <p>c) Temporary facilities such as skip bins and cool rooms shall not block roadways;</p> <p>d) Liaise with Transport NSW to ensure train and light rail services operate at full capacity (no rail close downs).</p>
29.	<p>Prior to the event, access for disabled persons and an Access Management Plan be developed to ensure that equitable access is provided for disabled persons, including the provision of facilities. Temporary accessible toilets are to be provided at a ratio of 1:15 and there is an accessible path of travel to the temporary accessible toilets.</p>
30.	<p>No building work is approved other than temporary structures;</p>

	<p>a) All structures shall be adequately secured to the ground against wind forces to protect the public safety. Temporary structures shall be checked on-site by qualified engineers to be suitable for purpose;</p> <p>b) All structures and amusement devices shall be registered with Workcover as required, and inspection on the installation shall be carried out by a certified engineer with satisfactory certificates provided to Council no later than the morning of the event.</p>
31.	The event shall be a smoke free event with the exception of clear demarcated and restricted of smoking areas that are located away from audience viewing areas.
32.	The event organiser shall be responsible for the conduct of the event and shall hold and provide evidence of public liability insurance for the event to the value of \$20,000,000.
33.	A Council Officer as directed by Council's Streetscape and Fleet Operations Manager, shall inspect the site at 5:00pm on the Monday after the event to ensure the clean-up has been carried out in accordance with the Waste Management Plan for the site and advise Council's Compliance Section of any breaches of the consent and any required follow-up action.
34.	Should any of Council's property and/or the environment sustain damage during the course of the event, the damage shall be reported to Manager of Parks and Streetscapes as soon as practicable to ensure that the damage is repaired within seven days of the date of the event. The work is to be undertaken at Council's direction and at the applicant's cost.

Advisory notes

Storage of Materials on public property

The placing of any materials on Council's footpath or roadway is prohibited, without the prior consent of Council.

Toilet Facilities

The following facilities must be provided on the site:

- a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
 - b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
- Facilities must be located so that they will not cause a nuisance.

Infrastructure

The developer must liaise with the Sydney Water Corporation, Ausgrid, AGL and Telstra concerning the provision of water and sewerage, electricity, natural gas and telephones respectively to the property. Any adjustment or augmentation of any public utility services including Gas, Water, Sewer, Electricity, Street lighting and Telecommunications required as a result of the development must be undertaken before occupation of the site.

Other Approvals may be needed

Approvals under other acts and regulations may be required to carry out the development. It is the responsibility of property owners to ensure that they comply with all relevant legislation. Council takes no responsibility for informing applicants of any separate approvals required.

Failure to comply with conditions

Failure to comply with the relevant provisions of *the Environmental Planning and Assessment Act 1979* and/or the conditions of this consent may result in the serving of penalty notices or legal action.

Other works

Works or activities other than those approved by this Development Consent will require the submission of a new Development Application or an application to modify the consent under Section 4.55 of the *Environmental Planning and Assessment Act 1979*.

Obtaining Relevant Certification

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, such as (if necessary):

- a) Application for any activity under that Act, including any erection of a hoarding.
- b) Application for a Construction Certificate under the *Environmental Planning and Assessment Act 1979*.
- c) Application for an Occupation Certificate under the *Environmental Planning and Assessment Act 1979*.
- d) Application for a Subdivision Certificate under the *Environmental Planning and Assessment Act 1979* if land (including stratum) subdivision of the development site is proposed.
- e) Application for Strata Title Subdivision if strata title subdivision of the development is proposed.
- f) Development Application for demolition if demolition is not approved by this consent.
- g) Development Application for subdivision if consent for subdivision is not granted by this consent.
- h)

Permits from Council under Other Acts

Where it is proposed to occupy or carry out works on public roads or Council controlled lands, the person acting on this consent must obtain all applicable Permits from Council in accordance with Section 68 (Approvals) of the *Local Government Act 1993* and/or Section 138 of the *Roads Act 1993*. Permits are required for the following activities:

- a) Work zone (designated parking for construction vehicles). Note that a minimum of 2 months should be allowed for the processing of a Work Zone application.
- b) A concrete pump across the roadway/footpath
- c) Mobile crane or any standing plant
- d) Skip bins
- e) Scaffolding/Hoardings (fencing on public land)
- f) Public domain works including vehicle crossing, kerb & guttering, footpath, stormwater, etc.
- g) Awning or street verandah over footpath
- h) Partial or full road closure
- i) Installation or replacement of private stormwater drain, utility service or water supply

Contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. A lease fee is payable for all occupations.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997* and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Amenity Impacts General

The use of the premises must not give rise to an environmental health nuisance to the adjoining or nearby premises and environment. There are to be no emissions or discharges from the premises, which will give rise to a public nuisance or result in an offence under the *Protection of the Environment Operations Act 1997* and Regulations. The use of the premises and the operation of plant and equipment must not give rise to the transmission of a vibration nuisance or damage other premises.

Dial before you dig

Contact "Dial Prior to You Dig" prior to commencing any building activity on the site.

Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.
Dial Prior to You Dig	1100 www.dialprior.toyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diysafe.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au
Waste Service - SITA Environmental Solutions	1300 651 116 www.wasteservice.nsw.gov.au
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	13 10 50 www.workcover.nsw.gov.au Enquiries relating to work safety and asbestos removal and disposal.

Attachment B – Plans of proposed development



Attachment C – Statement of Heritage Significance

Heritage Impact Statement

Classics at Callan Park 2019

Venue: Callan Park, Rozelle.

Date/Time: Saturday 23 November 2019 - 5pm-8pm

Estimated Attendance: 800-1,000 pax

Prepared by Inner West Council Events Team

Heritage Impact Statement

Callan Park Statement of Significance

Callan Park has a significant social, cultural and environmental heritage. A variety of statements of significance have been provided for the place since (and prior to) it's listing on the SHR. A succinct example is provided by Tanner and Associates Pty Ltd (CMP 2002). In summary:

'The site as a whole has very high levels of social significance and has special associations for the local and broader community, both as an open space resource and for its cultural and aesthetic value. The vistas across the expanse of open space, the exceptional heritage buildings and their generous surrounds, and the presence of the foreshore are part of this. Localities such as the Broughton Hall Garden, Kirkbride Garden and Charles Moore Garden are valued as places and space adjacent to heritage buildings. Scale of community and cultural uses range from the community garden to Sydney College of the Arts.'

Callan Park Heritage Listings

The Callan Park Conservation Area (including its buildings and other component parts) is listed on a range of heritage registers as summarised below.

List or Register (s) = statutory (c) = community	Item name	Year Inscribed
Heritage Act - State Heritage Register Listing No # 00818 (s)	Callan Park	1999
Heritage Act – S.170 State Agency Heritage Register # 16/5/4/1006 (s)	Callan Park	1992
National Trust Register # 6912 (c)	Callan Park Conservation Area	1978
* Register of the National Estate #1674 (s)	Callan Park Conservation Area	1978
Leichhardt Local Environmental Plan 2013	Callan Park Conservation Area	2000
Sydney Regional Environmental Plan # 22 (SREP 22 – Parramatta River)	Callan Park	1990
Department of Health S.170 Register #16/5/4/1000	Rozelle Hospital	1992

Registers marked (*) area closed and no longer in use, but are retained as historical references

Heritage Assessment Methodology

The following statutory Acts and Plans have been used to prepare the Heritage Impact Statement.

The Callan Park (Special Provisions) Act 2002

The Callan Park (Special Provisions) Act 2002 is a site-specific piece of legislation which includes various provisions relating to the control and management of Callan Park. One of the provisions of this Act is that the environmental planning instruments which apply to Callan Park are those that were applicable when the Act was passed in December 2002. The primary environmental planning instruments that apply in this regard to Callan Park are *State Environmental Planning Policy 56 – Sydney Harbour Foreshores and Tributaries (SEPP 56)*,

Sydney Regional Environmental Plan No 22 – Parramatta River (SREP 22), and Leichhardt Local Environmental Plan 2013 (LEP).

The Callan Park Act 2002 determines how the place is to be used and managed, and limits permitted land use on the site to health, community and education facilities. The Act also limits land use and the application of some environmental planning instruments and in doing so overriding certain provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act). Nevertheless, as a SHR Item, the NSW Heritage Act 1977 applies to Callan Park.

Leichhardt Local Environmental Plan 2013

The Leichhardt LEP 2013 is still in force and establishes environmental planning objectives, land use controls and heritage considerations for the Callan Park site which is zoned for Public Purpose' under the Act. The objective of this zone is: *'to facilitate the equitable provision and improve the range, quality and distribution of community and cultural facilities and services to meet the needs of residents, workers and visitors.'*

Clause 16 of the LEP contains provisions relating to heritage conservation, under which an identified heritage item may be used for any purpose subject to development consent and consideration of certain matters.

NSW Heritage Act 1977

Callan Park is listed on the State Heritage Register (SHR) and is subject to the relevant provisions of the NSW Heritage Act 1974 relating to SHR items. The NSW Heritage Council is the approvals body for works to places listed on the SHR.

The NSW Heritage Act 1977 (as amended) is the principal legislation that provides statutory protection for non-Indigenous (European) heritage and the requirements for its management in NSW. The administration of the Act is overseen by the NSW Heritage Branch and is guided by the NSW Heritage Council in their regulatory role as part of the NSW Department of Planning and Infrastructure.

Conclusions and Heritage Impact Statement

Heritage Exemption – NSW Heritage Act 1977

The Classics at Callan Park event will fall under the Standard Exemption 7 - Minor Activities with Little or No Adverse Heritage Impact due to the below measures that will be implemented:

- The event will not be close to any heritage items including buildings and plantings in Callan Park.
- Temporary structures are to be clear of the canopy of any tree and will not be located where structures could damage or endanger any building fabric.
- There will be no pegging into the ground.
- All temporary structures are to be setback from tree trunks by a minimum distance of 1.5m.

- Electrical leads and lights are not to be installed within the canopy or on the trunk of any tree
- No buildings, structure or features will be used as supporting points during the course of the event
- No tree canopies are to be damaged or pruned as a result of the installation of temporary structures which are to be located in order to avoid any trees.
- There is no standing of skip bins or cool rooms and long-term parking of event related vehicles on any lawn and site landscaping/garden areas.

A Section 57 Heritage Exemption has been applied for and approved by the NSW Heritage Council.

Statement of Heritage Impact

This Statement concludes that the heritage impacts of Classics at Callan Park are minimal and can be managed and mitigated.

- No documented Aboriginal or European archaeological surface or sub-surface sites will be affected by the proposed event.
- No above-ground heritage buildings or items will be directly affected by the staging of the event.
- Appropriate measures are to be implemented throughout the duration of the event to ensure any potential impacts upon the cultural heritage values of the site are avoided and/or at best are minimised to acceptable levels.

Attachment D – Heritage NSW exemption under s.57(2) of the Heritage Act 1977



Premier
& Cabinet

Our ref: DOC19/583281

Olivia Wilson-Zarganis
Inner West Council
7-15 Wetherill Street
LEICHHARDT NSW 2040

olivia.wilson-zarganis@innerwest.nsw.gov.au

Dear Ms Wilson-Zarganis,

Re: Exemption notification for the holding of a classical music event on 23rd November 2019 at Callan Park Conservation Area & Buildings – State Heritage Register item n°00818.

The proposed works outlined above have been assessed, and an exemption from the need for approval under the *Heritage Act 1977* has been granted under section 57(2) of the Act. This endorsement does not remove the need to obtain any approval or permits that may be required from other Local or State government authorities.

Please note that there are standard conditions that apply to all exemptions, these can be found in the document *Standard Exemptions for works requiring Heritage Council approval 2009* www.environment.nsw.gov.au/resources/heritagebranch/heritage/StandardExemptions.pdf

If you have any questions please contact Gary Hinder, Heritage Assessment Officer, at Gary.Hinder@environment.nsw.gov.au or on 9873 8547.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Adrian'.

Adrian Hohenzollern
Senior Team Leader Customer Strategies
Heritage NSW
Department of Premier and Cabinet
11 July 2019