

1. Executive Summary

This report is an assessment of the application submitted to Council for the upgrade of the Wharf Road carpark, additional public domain works, and associated works, including removal of 52 trees and remediation of the site at Callan Park at Callan Park, Glover Street Lilyfield.

The application was notified to surrounding properties and seven (7) submissions were received in response to the initial notification.

The main issues that have arisen from the application include:

Impact to Heritage Item.

The proposal, including the impacts on the heritage items, is considered to be satisfactory, and therefore, the application is recommended for approval, subject to recommended conditions as listed in Attachment A of this report. Given that the application is a Crown application, recommended conditions of consent were referred to the applicant for endorsement and their endorsement to the conditions in Attachment A has been provided.

2. Proposal

This application seeks consent for the construction of a new carpark and public domain improvements at Callan Park. The proposed works involve:

- Demolition of Building 511;
- A new carpark and upgrades to part of Wharf Road. The carpark footprint is concentrated along Wharf Road and Military Drive and will require site grading. A total volume of 686.722m3 cut is proposed which will be utilised as fill where possible. Fill will consist of up to 1139.358m3 of material. An excess 452.635m3 of fill will be required;
- Improvements to the existing roundabout at the end of Military Drive;
- The construction of a kiss and ride, accessible parking bay and loading zone to the north of Building 497 adjacent to Waterfront Drive Sporting Ground;
- Perpendicular (90 degree) parking along the eastern side of Wharf Road;
- A pedestrian footpath along the eastern side of Wharf Road;
- Separate managed access from Wharf Road to the NGO Precinct 4;
- Removal of trees:

Fifty-two (52) trees are proposed to be removed, and sixty four (64) to be retained under this application.

- Wharf Road Carpark Trees The proposed Wharf Road carpark area contains seventy-one (71) trees. Forty-four (44) trees are proposed for removal; and
- Shoulder Parking Trees The proposed shoulder parking areas on Wharf Road and Military Drive contain forty-five (45) trees and two (2) trees, plus six (6) specimens within a group of trees are proposed for removal; and
- Remediation of the site.

The proposal is one of a number of applications that have been lodged and approved to carry out public domain improvement works at Callan Park – see Section 4 of this report for further details in this regard.

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.

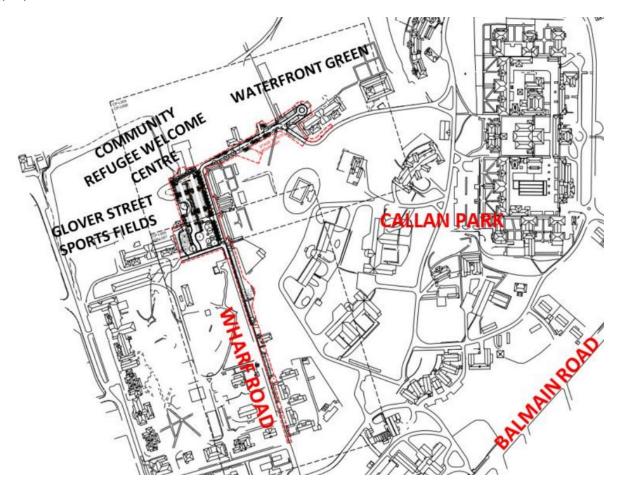


Figure 1: Location plan showing location of subject site relative to Callan Park

The site subject of the proposed works is located in the northern and central parts of Callan Park. The Wharf Road carpark is located west of Wharf Road, east of the Glover Street Sports Fields and south of Building 504 (the Community Refugee Welcome Centre). The proposed road upgrades, landscape and public domain improvements are centred around the Wharf Road and Military Drive intersection, extending south and east, respectively. The site is shown in the image above outlined in red and is generally defined by:

- Glover Street Sporting Ground (to the West)
- Waterfront Green (to the North)
- The Inner West Council Community Refugee Welcome Centre (to the north)
- Cluster of existing trees (to the south)

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

Application	Proposal	Decision & Date
PDA/2021/0040	Stage 1 works at Callan Park comprising; 1. Remove buildings 505,514; 2. Remediate demolition areas and re-turf; 3. Treat any contamination; 4. New accessible amenities block; 5. New turf, paths and picnic facilities; 6. New tree planting	Advice issued 07/04/2021
DA/2021/0161	Demolition of Buildings 505 and 514 at Callan Park and associated landscaping and fencing.	Approved 27/07/2021
DA/2021/1082	Maintenance, repair, conservation, and upgrade (including demolition of intrusive elements) to buildings 497 and 512 in Callan Park; and change the of use of these buildings to community facilities	
DA/2021/1316	Callan Park Waterfront Green amenities building works including construction of a new accessible public toilet cladded in timber with a floating slanted roof to connect to existing underground services and infrastructure (formerly servicing demolished Building 505)	Approved 23/09/2022
MOD/2022/0215	Section 4.55(2) Modification of Development Consent DA/2021/0325 which approved Stage 1B Waterfront Green works at Callan Park, including site remediation. Modifications include: additional canopy tree planting and landscaping; new sandstone seating and picnic tables and benches throughout the site; reconfiguration of access stairs to sports oval; provision of sloping lawn in place of originally proposed headland mound; deletion of stairs and retaining wall to north of Cane Room; and inclusion of access ramp and stair detail to Refugee Welcome Centre	Approved 13/10/2022

4(b) Application history

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

Date	Discussion / Letter / Additional Information	
23/01/2023	 Email to applicant seeking clarification of the following: Whether there is any reduction of open space from the proposed works. Clarification whether the proposed boom gates means the 	
31/01/2023	parking space would be paid parking. Applicant's e-mail confirming that the car park use is to be free of charge and that the gate is there to give GSP the option to close the car park at night or other occasions for safety reasons.	
06/02/2023	Applicant's e-mail provided calculations that confirms there is no reduction of open space from the proposed works and the applicant outlined their intention to provide additional information in relation to contamination management in response for clarification regarding data gaps in the submitted Remediation Action Plan.	
19/09/2023	Long-term Environmental Management Plan and an "Update to Contaminated Land Assessment and Management Works and Achievement of Land Use Suitability - Upgrade of Wharf Road Carpark and Additional Public Domain Works, Callan Park" prepared by Consara Pty Ltd, dated 19 September 2023 submitted to Council for assessment	
17/10/2023 - 27/10/2023	Council and applicant correspondence exchanges regarding the endorsement of recommended conditions.	

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* (*EPA Act 1979*).

5(a) Environmental Planning Instruments

The subject site is a deferred site under the *Inner West Local Environmental Plan 2022*, and Leichhardt LEP 2000 and related Leichhardt DCP 2000 still applies to the subject site.

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
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- Leichhardt Local Environmental Plan 2000

The following provides further discussion of the relevant issues:

5(a)(i) Callan Park (Special Provisions) Act 2002

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

7 Development at Callan Park restricted

- (1) Repealed.
- (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 following purposes on a not-for-profit basis—
 - (a) arts and culture facilities,
 - (b) community facilities,
 - (c) educational facilities,
 - (d) food and drink premises,
 - (e) health facilities.

Note—

Development may be carried out for a purpose referred to in this subsection only on a not-for-profit basis and not on a commercial basis.

- (3A) However, development for the following purposes is prohibited at Callan Park—
 - (a) function centres,
 - (b) hotels,
 - (c) retirement villages.
- (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.
- (5A) Subsection (5) does not prevent the erection of the following outside the footprints or building envelopes of the existing buildings—
 - (a) accessibility or safety structures,
 - (b) amenities blocks,
 - (c) 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 2002 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 proposal, as discussed below, is satisfactory with regard to impact to heritage considerations subject to conditions.

With regard to whether there is a reduction of open space - Buildings 505 and 514 were demolished as part of the Stage 1A Waterfront Green works (DA/2021/1316), resulting in an increase in open space areas of 1,114m2 and 852m2 respectively. Building 511 is proposed for demolition under this application, which contributes a further 291m2 to the overall quantum of open space in the park.

The demolition of building 505 and 514 and the proposed demolition of Building 511 creates a surplus in open space area compared to the open space at Callan Park existed immediately before the commencement of The Callan Park Act.

As there are no proposed changes to use, no additional floor space or buildings, or reduction of open space, the proposal will comply with the relevant provision under Clause 7 of the act in particularly Clause(7)(6)(a) and (b) and achieve compliance with objects of the Act.

Therefore, proposal raises no issues that will be contrary to the above provisions and objectives of the *Callan Park Act 2002*.

5(a)(ii) 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 are relevant to the assessment of the proposed development.

The subject site at Glover Street, Lilyfield, is located within the Callan Park Conservation Area and Buildings, which is listed on the NSW State Heritage Register (SHR No.00818). The site also contains Middens, rock shelters and occupation sites (*Leichhardt LEP 2000*).

The subject site and Building B511 are located in Zone 5: Central Slope Precinct, as identified in the 2011 Callan Park Conservation Management Plan (CMP). The heritage significance for Garry Owen House is mapped as exceptional in the CMP and the written significance is reiterated below:

The zone's most important value is its aesthetic significance in providing a broad landscape setting for the Kirkbride Block (in particular the northern end of the zone). This has been compromised by the modern development. The former gardener's cottage, B205, is of historic and aesthetic significance as part of the original design of the Kirkbride Block and because of its picturesque siting and its good design and workmanship.

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

The Callan Park (Special Provisions) Act 2002, 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 drawings prepared by Tyrrell Studio, dated 4 May 2022, the Heritage Impact Statement prepared by Greater Sydney Parklands, dated May 2022, the Arborists Impact Assessment Report, dated 6 April 2022 and the Aboriginal Due Diligence Assessment, prepared by Biosis, dated 19 April 2021, were reviewed as part of this assessment.

The proposal includes demolition of Building B511, the upgrade of the Wharf Road carpark, additional public domain works, and associated works, including removal of 52 trees and remediation of the site at Callan Park. The HIS lists the proposed works as follows:

- A new carpark and upgrades to part of Wharf Road;
- Demolition of Building 511;
- Improvements to the existing roundabout at the end of Military Drive;
- The construction of a kiss and ride, accessible parking bay and loading zone to the north of Building 497 adjacent to Waterfront Drive Sporting Ground;
- Perpendicular (90 degree) parking along the eastern side of Wharf Road;
- A pedestrian footpath along the eastern side of Wharf Road; and
- Separate managed access from Wharf Road to the NGO Precinct 4.

Approval is required for the proposed works from the Heritage Council of NSW and from the Inner West Council. It is understood that an application has been lodged under Section 60 of the *Heritage Act 1977*. Approval to undertake works to a State significant heritage item needs to be granted under section 63 of the Act.

The Aboriginal Due Diligence Assessment states that the field investigation did not identify any new Aboriginal sites or objects. The assessment states the study area has been subject to disturbance and has low potential to contain intact or substantial archaeological deposits. It also identifies that the proposed development is contained to areas of existing disturbance and that there is low potential for Aboriginal archaeological sites to occur within the study area.

Based on the above, a condition is included in the recommendation for unexpected findings requiring that in the event unexpected archaeological deposits or Aboriginal objects are found during the works covered by this approval, work must cease in the affected area(s) and the Office of Environment & Heritage must be notified.

Building B11

Building B511 proposed to be demolished, was the former Sports and Social Club – Repatriation Film Hall Building 31. It was constructed in 1930 and added to in 1935. Building B511 is identified as having low heritage value under the Callan Park Conservation Management plan.

There is an inconsistency between the Guidelines and the Policies of the CMP for Building B11. The Guidelines for B511 state:

"Retain and conserve according to Burra Charter principles. Adaptive reuse should be sympathetic to the building. Undertake repairs to timber section and repaint. Repair broken windows and ensure building is vermin and weather proof. Repoint brickwork."

Policy 47 under Section 6.4: General Treatment of the Fabric of the CMP, states the following for items of low significance:

"Remove, retain or remodel, add compatible new construction, minimising adverse impact on fabric of exceptional or high significance and having the least possible impact on fabric of moderate significance. Improvements are required which will contribute to the overall significance, aesthetic quality and functioning of Callan Park."

Demolition of Building B511 is generally acceptable as the CMP policies will prevail over the guidelines. A condition is included in the recommendation requiring that a photographic record be made of Building 511 prior to its demolition so that there is a record of the building.

Car Park

The proposal includes the removal of approximately 51 spaces along the waterfront and the construction of a new carpark with 71 spaces to the west of Wharf Road. The General Guidelines for conservation and new development in the CMP states the following with respect to car parking:

"Car parking is to be permitted in association with the use of most buildings, however parking should be provided in discrete areas where it is not visible from any of the major view points of the significant buildings and their grounds. All parking areas are to be landscaped."

The location of the centralised carpark is in accordance with the above requirements.

Tree Removal

It is proposed to remove 52 trees from the site, including Crepe Myrtle, Native Daphne, Oleander, Chinese Nettle Tree, African Olive, Box Elder, Grey Ironbark, River She oak, Turpentine, River Sheoak, Bangalay, Cheese Tree, Jessamine, Cocos Palm and Cypress Pine on the subject site.

The Landscape Analysis for Zone 5 states that some planting and development in this zone has obscured views, or is intrusive on views, toward the sandstone Kirkbride buildings. The HIS states the proposal will retain the significant trees on the site and will include future landscaping and planting that is consistent with the Landscape Structure Plan that will enhance the landscape character and setting of this part of Callan Park. It notes that no plantings of heritage value are proposed to be removed, only woody weeds and trees assessed as unhealthy.

Figure 2-24 of the CMP indicates memorial poplar rows planted to the eastern side of the proposes carpark (between 1914-1945). These had been removed by 1986.

Historical aerials of the site indicate that the landscaping has significantly changed since 1943. The larger trees that remain are being retained as part of the works. The removal of the trees will improve views across the site and will result in the removal of trees with low significance. Based on the above, the proposed removal of 52 trees is acceptable as the trees do not contribute to the significance of Callan Park.

View lines

The CMP describes Zone 5: Central Slope, as:

"The northern part of the zone is prominent in views into and out of the Kirkbride Block and the southern part of the zone is visible in views from the knoll."

The proposal is generally consistent with the Views and Spaces policies as the demolition of the Building B511 and the removal of the trees to accommodate the carpark will open up views within, and through the site.

Section 3.7: Visual Analysis in the CMP identifies important internal views within Callan Park. It states:

"The largely undeveloped Central Slope Precinct (Zone 5) allows the site to be viewed both from Balmain Road to the south and Iron Cove and land to the north. Its open character is significant to the appreciation of the site from external views and within."

Policy 65 identifies that significant views to the site and views within the site should be conserved or re-instated.

"The original design intent for views from Garry Owen, Kirkbride and the former convalescent cottages (Buildings B401 and B404) across the slopes to Iron Cove has been obscured through inappropriate massing of vegetation and should be recovered."

The removal of the non-significant trees is acceptable as this will re-establish and assist in recreating and defining site lines across the site.

Because of the heritage rich location of the site within Callan Park, it is recommended a condition be included in the consent requiring the protection of significant original fabric of the existing buildings, war memorials and landscape elements in Zone 5. Equipment laydown

areas and contactor vehicles must be located away from the heritage structures and areas of heritage significance to minimise any potential impact to the external or internal fabric. Contactor's vehicles must not be parked near heritage structures or landscaped areas which could inadvertently be damaged.

The proposal is acceptable from a heritage perspective as it will not detract from the heritage significance of Callan Park, subject to the conditions recommended to ensure the development is in accordance with Clause 5.10 Objectives 1(a) and (b) in the *Leichhardt LEP 2000* and the relevant objectives and controls in the Leichhardt DCP 2000.

The application also requires concurrence from the Heritage Council. Heritage Council of NSW. The Heritage Council have considered the integrated development application and in accordance with Section 4.47 of the Environmental Planning and Assessment Act 1979, general terms of approval have been given subject to the conditions in Attachment A (also see Attachment D).

5(a)(iii) State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Section 4.16 (1) of the SEPP requires the consent authority not consent to the carrying out of any development on land unless:

- "(a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose."

The subject site was identified as having a moderate to high likelihood of contamination given its historical use as part of the Rozelle Hospital and age of the derelict structures occupying the land. Accordingly, a Detailed Site Investigation (DSI) for the subject land has been prepared by Cardno in support of Stage 2A. The investigation revealed fill materials with elevated B(a)P TEQ and asbestos, both friable as well as non-friable within soil samples. The fill materials are considered to pose a potential health risk to current site users as well as on-site construction and maintenance workers, however, do not pose a potential health risk to future users upon completion of the proposed development. The identified asbestos requires a thorough visual inspection and removal of any asbestos containing material identified by a competent person.

A Remediation Plan (RAP) has been prepared by Cardno to guide the remediation and management of impacts during the proposed works phase. The remediation strategy involves the demolition and removal of Building 511 and off-site disposal of demolition waste, combined with on-site containment of the impacted fill embankment/encapsulation area.

A Long-term Environmental Management Plan and an "Update to Contaminated Land Assessment and Management Works and Achievement of Land Use Suitability - Upgrade of Wharf Road Carpark and Additional Public Domain Works, Callan Park" prepared by Consara Pty Ltd, dated 19 September 2023 was provided to Council as part of the assessment.

Subject to the recommendations of these reports being implemented and a Construction Environmental Management Plan prepared and implemented as recommended in the reports, the areas of the site which is the subject of the proposed works are assessed as being suitable for its current and future open space and recreational land uses. Conditions are included in the recommendation to ensure compliance with the documentation provided.

5(a)(iv) State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 10 Sydney Harbour Catchment

The SEPP provides planning principles, development controls and matters for consideration which apply to the subject development proposal.

It is considered that the carrying out of the proposed development is generally consistent with the objectives of this part and would not have an adverse effect on environmental heritage, the visual environmental, the natural environment and open space and recreation facilities for the following reasons:

- The appearance of the development as viewed from the harbour is compatible with surrounding development;
- The development does not further restrict access to foreshore land and will protect existing views to the water.

In summary, it is considered that the subject proposal satisfies the objectives of the SEPP, subject to compliance with the recommended conditions, the development will not detract from the scenic quality of the foreshore and will not have a negative impact on the future character of the locality as visible from the water. It is noted that this chapter was repealed by the State Environmental Planning Policy Amendment (Water Catchments) 2022 as at 21 November 2022. Section 6.65 allows for a savings a provision that applications lodged before the commencement of this policy shall continue to be subject to the former provisions. Notwithstanding this, the SEPP Amendment (Water Catchments) 2022 does not alter the outcome of the assessment of the subject application

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 (Leichhardt LEP 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 33 Foreshore Building Line
- Clause 34 Foreshore access

As discussed in more detail in an earlier section of the report, the proposal is one of a number of applications that have been lodged and approved relating to carry out public domain improvement works at Callan Park, and the proposed works that are supported on heritage grounds subject to conditions, do not involve removal of any high value trees and will be conditioned to ensure retention and protection of more significant trees to be retained, and will not result in adverse amenity impacts.

Although the site is affected by flooding the Flood Advice report by Cardno advises that there are no offsite impacts created by the proposed works and therefore the works are satisfactory in terms of Flooding.

In summary, subject to recommended conditions, the proposal is considered to satisfy the provisions of *Leichhardt LEP 2000*.

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 2002*):

- 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

It is considered that the proposal as conditioned will meet the intent of the above Development Control Plans; however, an assessment has been carried out to clarify compliance with the Leichhardt Development Control Plan 2000 (Leichhardt DCP 2000).

5(c)(i) Leichhardt Development Control Plan 2000 (Leichhardt DCP 2000)

The proposal has been assessed against the following relevant controls of the Leichhardt DCP 2000 listed below:

- 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 C1.3 Landscaping
- Part C3.1 Noise and Vibration Generation

<u>Part A4.0 – Urban Form and Design and Part A10.1.4 – Iron Cove Parklands and Part C1.3</u> – Landscaping

Car Parking Provision

The concept of closing Waterfront Drive to vehicular traffic is supported. This Waterfront section of Callan Park is only area of the entire 7km Bay Run which is subject to unregulated vehicle movements and conflict between pedestrians and cars. The removal of vehicles from this area will also enable the transformation of this high profile area into a public open space and parkland increasing the opportunity for community recreational use and enjoyment.

The closure will result in the removal of approximately 51 spaces from the Waterfront section but the proposed new Wharf Road car park provides 71 spaces, three of which will be disability compliant. A mini bus drop off point has also been provided to support ongoing use of the Refugee Welcome Centre and Recreational Hall. It is noted that the plans also include an additional 2 accessible spaces, 2 loading zones, and 2 drop off bays outside B497/Waterfront Sports, and 3 drop off bays along Military Drive.

In addition, there are 23 new 90 degree spaces along Wharf Road. Only one loading zone is required for Waterfront Sports.

The proposed car parking works are supported as they will provide a net gain in parking as well as limit parking to the edges of the parkland along Wharf Road. This will encourage people to walk to central and active recreational open space areas and limit the potential for recreational conflict. This will also facilitate the future upgrade of the Callan Park section of the Iron Cove Bay Run for pedestrian and cycle use as well as support the proposed Waterfront green space which has been planned for the foreshore zone. The car parking design is considered to be a design which recognises the need for safe passage for destination parking and is consistent of the heritage value of the parkland. The landscaping proposal will also complement the park and its surrounds as well create additional interest, shade and habitat for biodiversity.

Reorganisation of the Existing Road Network

In its current format the park is dominated by roads that transect through the park and provide little connection with the key landscape features. Modern parklands place the movement of pedestrians and cyclists as a key overarching principal with car and service vehicle access limited to key drop off and parking points which support overall use of the park as a whole. The road network as it currently stands can be viewed as intrusive to the site as a whole.

The re-organisation of the road network is supported. The proposed and modified landscape and pedestrian plan is supported. The proposal requires some small tweaking around new infrastructure proposals to support park users with disabilities and the elderly (namely ensuring park furniture is DDA compliant). Such facilities are needed to support recreation generally within the park and provide access for all. The reorientation of the road network is supported as it will address broader objectives of reducing car use, promoting cycling and public transport, improving environmental sustainability and stewardship and significantly increasing open space values. This will also facilitate the planning and design for future circulation within the parkland which is designed to direct visitors to key designations. Where roads are removed these are being replaced with accessible pathways.

The proposal contained within the DA comply with the Callan Park (Special Provisions) Act 2002 and importantly ensure that the park is enhanced for future public enjoyment in accordance with the principal objects of the Act which are, in summary to:

- ensure that Callan Park remains in public ownership;
- preserve open space;
- allow public access for active and passive public recreation;
- preserve its heritage significance.

In summary the proposed works are considered to be satisfactory. Council's Parks and Recreation Section requests that reconsideration be given to the Park furniture notably F2 (proposed park benches) and that accessibility issues are considered for the elderly. Benches should have both arms and back rests. A condition is included in the recommendation to address this.

With regard to the proposed removal of the trees, the application was referred to Council's Urban Forest team and the following comments were provided:

<u>"An Arboricultural Impact Assessment (AIA) report prepared by Martin Peacock Tree Care and dated 6 April, 2022 has been submitted with the application.</u>

The AIA was prepared in relation to the Stage 2 A of the Waterfront Green development that includes the demolition of a building, a carpark and shoulder parking bays, road and footpath upgrades and landscaping.

One hundred and sixteen (116) trees or groups of trees located within the scope of works have been assessed in the AIA. A few existing trees that will be impacted have not been included in this assessment as they were included in the assessment and conditions relating to a previous DA (DA/2021/0325) that included an AIA prepared by Martin Peacock Tree Care, dated 3 September, 2021.

The proposal includes the removal of fifty two (52) trees or groups of trees and the retention of sixty four (64) trees or groups of trees. There are no high value trees proposed for removal. The proposed tree planting is extensive and includes Corymbia citriodora (Lemon Scented Gum), Corymbia maculata (Spotted Gum), Angophora costata (Sydney Red Gum) and Melaleuca species that will increase canopy cover.

A detailed pruning specification and Tree Protection Plan is required prior to CC. Tree Protection specifications have been included in the AIA however a plan is required to be included in the Construction Management Plan and all construction plan sets.

The Landscape Documentation Stage 2A prepared by Tyrell Studio and dated 04/05/22 is generally supported.

Concerns are raised in relation to the recommendations in the Remediation Action Plan (RAP) prepared by Cardno (Santec) and dated 2 May 2022. The recommended stripping of topsoil may not be able to be undertaken within the TPZ of trees to be retained. It is recommended that the Soil Remediation Consultant and the Project Arborist liaise and prepare a detailed RAP for the areas that are within the TPZ of any tree to be retained. Works that will impact the ongoing viability of the trees will not be supported."

Having regard to the above, the proposed removal of trees are supported and conditions requiring a Tree Protection Plan is included in the recommendation to ensure the trees proposed to be retained will not be adversely impacted by the development. The following condition will be also be imposed to ensure the viability of the trees being retained:

The Certifying Authority is to be provided with a detailed Soil Remediation Plan, approved by the Project Arborist, that details the remediation within the TPZ of trees to be retained. The plan must be developed in liaison with an AQF Level 5 Arborist and must demonstrate that the trees will remain viable and structurally sound.

Part A7.0 – Heritage Conservation

As discussed in more detail in an earlier section of the report addressing *The Heritage Act,* 1977, the proposal is satisfactory with regard to heritage considerations subject to the imposition of conditions included in the recommendation.

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that, subject to the recommended conditions, the proposal will have minimal impact in the locality.

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. This site is considered suitable for 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 28 days to surrounding properties between 12 July 2022 until 10 August 2022. Seven (7) objections of the application have been received. The issues raised in the objections are summarised below:

Issues in relation to design of car parking/impact to Heritage item

<u>Comment</u>: The proposed car parking arrangements had been reviewed by Council's Heritage, Development Engineering and Park and Recreation sections and is considered to be satisfactory with regard to safety and its impact to the heritage and character of Callan park. The application also required concurrence from the Heritage NSW who raised no objection to the proposal.

Friends of Callan Park (FOCP) does not support a boom gate at the car park which could suggest that the carpark would be paid parking - as proposed by the Greater Sydney Parklands at Parramatta Park

<u>Comment</u>: Greater Sydney Parklands have confirmed that the car park use is to be free of charge and that the gate is there to give Greater Sydney Parklands the option to close the car park at night or other occasions for safety reasons.

FOCP is in favour of encouraging people coming to Callan Park to use public transportation as much as possible particularly on the weekends. FOCP has repeatedly recommended a small bus, specific to the site, which would move around the site in a constant loop and would be a distinct advantage for public use. FOCP hopes that Council — as lease holder — and sporting clubs are already encouraging their members to carpool as often as possible. Comment: This is outside the scope of this development application but is noted.

FOCP encourages Greater Sydney Parklands to construct modest speed reducing elements on Wharf Road as part of this plan.

<u>Comment</u>: The submission had been sent to the applicant but no further amendments to this application are proposed.

Concerned that the current proposal for replacement carparking is wholly inadequate to meet the needs of our Club members and the wider community who use Callan Park

<u>Comment</u>: The submission had been sent to the applicant but no further amendments to this application have been proposed. However, the proposed car parking is considered to be an improvement to the quantum of carparking spaces currently available and in a more suitable location.

Many residents of Lilyfield, Leichhardt, Annandale, and Rozelle don't want ANY cars in Callan Park/Not consistent with the 2011 Master Plan.

<u>Comment</u>: The 2011 Master Plan had not been formally adopted and therefore is not a matter of consideration for this application. The proposed car parking/vehicle access is considered to be an appropriate proposal to meet the needs of the local community. The subject proposal is part of a number of recent developments that increases the amount of open space and landscaped area by the demolition of existing buildings and there is no reduction in open space/landscaped areas.

This green buffer MUST retain the line of trees on the western flank by Foundation House, the Moreton Bay Fig in the middle, the jacaranda and several spruce and other in its south-east corner

<u>Comment:</u> The proposed trees to be removed are considered to be of low retention value and conditions will be recommended to ensure the remaining trees proposed to be retained are adequately protected during construction.

The current mature trees between the spots would end up getting cut down and or not replaced to expand even more parking over time, and there would be murmurings about eating up even more parkland with wider roads and more parking spots instead of grass and other soft green surfaces. The current parking allocations up Wharf Rd would erode i.e., expand over time and Wharf Rd would end up being widened and trees chopped down (or not replaced) for parking, including this 90- degree concept extending along other roadways in Callan Park, slowly eroding its character.

<u>Comment</u>: The trees proposed to be removed under the current application are considered to be of low-retention value. Any future removal of trees will be subject to a development application that will be assessed on its own merits.

The green grass immediately south of Cottage Way on Wharf Rd (i.e., in the ambulance territory not GSP territory and opposite Aldersgate) should be repatriated to the GSP and left as green grass for big-event overflow parking capacity eg Orange Markets or once-a-season performance events in Callan Park or football finals in Callan Park.

Comment: This is outside the scope of this application.

The entry to the proposed carpark should NOT be off Riverside Drive, eroding Broughton Hall privacy and sanctuary character as it does as it does. It should go in a loop from the unnamed road next north (that leads into Foundation house) and parking should be at 90-degree angles to its entrance.

<u>Comment</u>: The application had been reviewed by the NSW Heritage Council as well as Council's heritage specialist and both conclude that the proposed parking arrangement does not result in adverse impacts to Callan Park.

No more carparks henceforth EVER in Callan Park needs to be enshrined in some documented overarching plan or principles.

Comment: This is outside the scope of the development application.

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/officers and issues raised in those referrals have been discussed in section 5 above.

Heritage

Heritage specialist's comments had been incorporated into the heritage discussion in section 5 above. No objections subject to recommended conditions.

<u>Health</u>

No objections subject to standard conditions.

Urban Forest

Urban Forest's comments had been incorporated into the Removal of trees/planting of new trees heritage discussion in section 5 above. No objections subject to recommended conditions.

Parks and Recreation

Park and Recreation section's comments had been incorporated into the assessment in relation to Part A10.1.4 – Iron Cove Parklands and Part C1.3 – Landscaping.

Building Certification

No objections subject to conditions.

Community Services/Social Planning

No objections.

6(b) External

The Heritage Division of the Office of Environment and Heritage have provided concurrence subject to conditions (refer to attachment D)

7. Section 7.11 Contributions/7.12 Levy

Section 7.11 contributions / 7.12 levies 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, the proposal satisfies the objectives of the above Acts and instruments and policies and will result in acceptable impacts on the site and the locality for the reasons identified previously in this report. Accordingly, the application is recommended for approval, subject to the recommended conditions.

9. Recommendation

A. 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. DA/2022/0449 for the upgrade of the Wharf Road carpark, additional public domain works, and associated works, including removal of 52 trees and remediation of the site at Callan Park at Callan Park, Glover Street, Lilyfield subject to the conditions listed in Attachment A below.

Attachment A - Recommended conditions of consent

CONDITIONS OF CONSENT

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

All work shall comply with the information contained within:

a. Landscape drawings, prepared by Tyrrell Studio as listed below:

Dwg No.	Dwg Title	Date	Rev
Project Name: Landscape drawings, prepared by Tyrrell Studio as listed below:			
CP-L000	COVER SHEET	04.05.2022	05
CP-L001	DRAWING LIST	04.05.2022	05
CP-L002	LEGEND	04.05.2022	05
CP-L003	LOCATION PLAN	04.05.2022	05
CP-L004	SITE PLAN: SHEET 1 OF 2	04.05.2022	05
CP-L005	SITE PLAN: SHEET 2 OF 2	04.05.2022	05
CP-L006	SURVEY PLAN: SHEET 1 OF 2	04.05.2022	05
CP-L007	SURVEY PLAN: SHEET 2 OF 2	04.05.2022	05
CP-L101	DEMOLITION PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L102	DEMOLITION PLAN: SHEET 2 OF 4	04.05.2022	05
CP-L103	DEMOLITION PLAN: SHEET 3 OF 4	04.05.2022	05
CP-L104	DEMOLITION PLAN: SHEET 4 OF 4	04.05.2022	05
CP-L105	TREE MANAGEMENT PLAN: SHEET 1 OF 4	04.05.2022	05

CP-L106	TREE MANAGEMENT PLAN: SHEET 2 OF 4	04.05.2022	05
CP-L107	TREE MANAGEMENT PLAN: SHEET 3 OF 4	04.05.2022	05
CP-L108	TREE MANAGEMENT PLAN: SHEET 4 OF 4	04.05.2022	05
CP-L111	GENERAL ARRANGEMENT PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L112	GENERAL ARRANGEMENT PLAN: SHEET 2 OF 4	04.05.2022	05
CP-L113	GENERAL ARRANGEMENT PLAN: SHEET 3 OF 4	04.05.2022	05
CP-L114	GENERAL ARRANGEMENT PLAN: SHEET 4 OF 4	04.05.2022	05
CP-L121	GRADING PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L122	GRADING PLAN: SHEET 2 OF 4	04.05.2022	05
CP-L123	GRADING PLAN: SHEET 3 OF 4	04.05.2022	05
CP-L124	GRADING PLAN: SHEET 4 OF 4	04.05.2022	05
CP-L141	PLANTING PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L142	PLANTING PLAN: SHEET 2 OF 4	04.05.2022	05
CP-L143	PLANTING PLAN: SHEET 3 OF 4	04.05.2022	05
CP-L144	PLANTING PLAN: SHEET 4 OF 4	04.05.2022	05
CP-L145	SCHEDULE: PLANTING PALETTE	04.05.2022	05
CP-L146	SCHEDULE: TREE SPECIES PALETTE	04.05.2022	05
CP-L201	SECTION: WHARF ROAD CARPARK 1	04.05.2022	05
CP-L202	SECTION: WHARF ROAD CARPARK 2	04.05.2022	05

CP-L203	SECTION: WHARF ROAD CARPARK 3	04.05.2022	05
CP-L204	SECTION: WHARF ROAD CARPARK 4	04.05.2022	05
CP-L205	SECTION: MILITARY DRIVE	04.05.2022	05
CP-L206	SECTION: MILITARY DRIVE AT CANE ROOM	04.05.2022	05
CP-L301	SCHEDULE: PAVING PALETTE	04.05.2022	05
CP-L302	SCHEDULE: FURNITURE PALETTE	04.05.2022	05

- b. Report: Statement of Heritage Impact, Proposed Wharf Road Carpark and Upgrades of Military Drive Callan Park, prepared by Dominic Steele Consulting Archaeology, dated 23 May 2022.
- c. Report: Statement of Environmental Effects, STAGE 2A WORKS CALLAN PARK UPGRADE OF WHARF ROAD CARPARK AND ADDITIONAL PUBLIC DOMAIN WORKS, prepared by APP Corporation, dated June 2022.
- d. Report: Long-term Environmental Management Planprepared by Consara Pty Ltd, dated 19 September 2023.
- e. "Update to Contaminated Land Assessment and Management Works and Achievement of Land Use Suitability - Upgrade of Wharf Road Carpark and Additional Public Domain Works, Callan Park" prepared by Consara Pty Ltd, dated 19 September 2023.
- f. Report: Arboricultural Impact Assessment Report Waterfront Green Stage 2A Callan Park Rozelle, STAGE 2A WORKS - CALLAN PARK UPGRADE OF WHARF ROAD CARPARK AND ADDITIONAL PUBLIC DOMAIN WORKS, prepared by Martin Peacock Tree Care, dated 6 April 2022.

DESIGN CHANGE

2. Design Change

Prior to the commencement of works, the plans must be amended, demonstrating the following:

a. Park furniture to be amended to have both arms and back rests.

FEES

3. Security Deposit - Custom

Prior to the commencement of works including demolition works, the Certifying Authority must be provided with written evidence that a security deposit and inspection fee has been paid to Council to cover the cost of making good any damage caused to any Council property or the physical environment as a consequence of carrying out the works and as surety for the proper completion of any road, footpath and drainage works required by this consent.

Security Deposit:	\$38,962.00
Inspection Fee:	\$350.00

Payment will be accepted in the form of cash, bank cheque, EFTPOS/credit card (to a maximum of \$10,000) or bank guarantee. Bank Guarantees must not have an expiry date.

The inspection fee is required for the Council to determine the condition of the adjacent road reserve and footpath prior to and on completion of the works being carried out.

Should any of Council's property and/or the physical environment sustain damage during the course of the demolition or construction works, or if the works put Council's assets or the environment at risk, or if any road, footpath or drainage works required by this consent are not completed satisfactorily, Council may carry out any works necessary to repair the damage, remove the risk or complete the works. Council may utilise part or all of the security deposit to restore any damages, and Council may recover, in any court of competent jurisdiction, any costs to Council for such restorations.

A request for release of the security may be made to the Council after all construction work has been completed.

The amount nominated is only current for the financial year in which the initial consent was issued and is revised each financial year. The amount payable must be consistent with Council's Fees and Charges in force at the date of payment.

GENERAL CONDITIONS

4. Contamination - Remedial Action Plan

The site is to be remediated and validated in accordance with the recommendations set out in the Remedial Action Plan, prepared by Cardno (NSW/ACT) Pty Ltd reference 80221023_R006_CallanPark_WR&MD_RAP_Rev0.docx dated 2 May 2022, The Long-term Environmental Management Plan and the "Update to Contaminated Land Assessment and Management Works and Achievement of Land Use Suitability - Upgrade of Wharf Road Carpark and Additional Public Domain Works, Callan Park" prepared by Consara Pty Ltd, dated 19 September 2023 the Contaminated Land Management Act 1997 and Chapter 4 - Remediation of Land of the State Environmental Planning Policy (Resilience and Hazards) 2021.

5. Tree Protection

No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during works unless specifically approved in this consent or marked on the approved plans for removal.

Prescribed trees protected by Council's Management Controls on the subject property and/or any vegetation on surrounding properties must not be damaged or removed during works unless specific approval has been provided under this consent.

Any public tree within five (5) metres of the development must be protected in accordance with Council's *Development Fact Sheet—Trees on Development Sites*.

Unless specifically approved no activities, storage or disposal of materials taking place beneath the canopy of any tree (including trees on neighbouring sites) protected under Council's Tree Management Controls at any time.

All prescribed trees nominated for retention are to be retained and protected in accordance with the conditions of consent or approved Tree Protection Plan throughout the development (note: tree numbers must correspond with approved Tree Protection Plan if conditioned).

Details of the trees must be included on all Construction plans and shall be annotated in the following way:

a. Green for trees to be retained;

- b. Red for trees to be removed;
- c. Blue for trees to be pruned; and
- d. Yellow for trees to be transplanted.

NOTE: Reference should be made to the Arboricultural Impact Assessment Report prepared by Martin Peacock Tree Care and dated 6th April 2022 for tree numbering and locations and trees nominated for retention.

6. Works to Trees

Approval is given for the following works to be undertaken to trees on the site after commencement of works:

Tree/location	Approved works
All trees nominated for removal in the AlA prepared by Martin Peacock Tree Care and dated 6 April, 2022. Trees 4, 9, 11-45, 54-56, 65-67, I, 78, 80, 204 (6 trees).	

Removal or pruning of any other tree (that would require consent of Council) on the site is not approved and shall be retained and protected in accordance with Council's *Development Fact Sheet—Trees on Development Sites*.

7. Erosion and Sediment Control

Prior to the issue of a commencement of any works (including any demolition works), the Certifying Authority must be provided with an erosion and sediment control plan and specification. Sediment control devices must be installed and maintained in proper working order to prevent sediment discharge from the construction site.

8. Waste Management Plan

Prior to the commencement of any works (including any demolition works), the Certifying Authority is required to be provided with a Recycling and Waste Management Plan (RWMP) in accordance with the relevant Development Control Plan.

9. Works Outside the Property Boundary

This development consent does not authorise works outside the property boundaries on adjoining lands.

10. SITE PROTECTION

Significant built and landscape elements are to be protected from potential damage during site preparation and during construction. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed. Individual tree protection requirements shall be determined through consultation between the Project Manager and the Project Arborist prior to installation.

11. MOVABLE HERITAGE

Prior to demolition of building 511, a suitably qualified heritage consultant must prepare a schedule of any potential movable items of significance inside the building. All identified items must be salvaged and stored in an appropriate location on site to be included in an interpretation plan by others.

12. PHOTOGRAPHIC ARCHIVAL RECORDING

A photographic archival recording of building 511, which must include a measured drawing of the building based on information provided by a surveyor, must be prepared prior to the commencement of demolition works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW, Department of Planning and Environment.

13. UNEXPECTED FINDS

The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

14. ABORIGINAL OBJECTS

Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the National Parks and Wildlife Act 1974. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

15. COMPLIANCE

If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

16. SECTION 60 APPLICATION

An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

17. PROJECT ARBORIST

A suitably qualified Project Arborist (AQF - Level 5) must be nominated for this project. The Project Arborist must provide input into tree protection measures, provide a detailed schedule of pruning, provide heritage information to be imparted to all arborists and tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. During the site establishment stage the Project Arborist must provide a detailed assessment of the pruning requirements for crown lifting of trees 1, 110, 114, 126 and 177 (plus any additional trees). The Project Arborist must prepare any Pruning Specification and submit this to Inner West Council for approval and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

PRIOR TO ANY DEMOLITION

18. Hoardings

The person acting on this consent must ensure the site is secured with temporary fencing prior to any works commencing.

If the work involves the erection or demolition of a building and is likely to cause pedestrian or vehicular traffic on public roads or Council controlled lands to be obstructed or rendered inconvenient, or building involves the enclosure of public property, a hoarding or fence must be erected between the work site and the public property. An awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling onto public property.

Separate approval is required from the Council under the *Roads Act 1993* to erect a hoarding or temporary fence or awning on public property.

19. Construction Traffic Management Plan - Detailed

Prior to the commencement of works including demolition works, the Certifying Authority, must be provided with a detailed Construction Traffic Management Plan (CTMP), prepared by an

appropriately qualified Traffic Management Consultant with Transport for NSW accreditation. The Certifying Authority must approved by the CTMP prior to the commencement of any works, including demolition. The Certifying Authority must ensure that the CTMP instructs vehicles to use State and Regional and Collector Roads to the maximum extent with the use of Local Roads as final approach to the development site via the most suitable direct route.

The following matters should be addressed in the CTMP (where applicable):

- a. Description of the demolition, excavation and construction works;
- Site plan/s showing the site, roads, footpaths, site access points and vehicular movements;
- Size, type and estimated number of vehicular movements (including removal of excavated materials, delivery of materials and concrete to the site);
- d. Proposed route(s) from the arterial (state) road network to the site and the proposed route from the site back to the arterial road network;
- e. Impacts of the work and vehicular movements on the road network, traffic and pedestrians and proposed methods to safely manage pedestrians and construction related vehicles in the frontage roadways;
- f. Any Traffic Control Plans (TCP's) proposed to regulate traffic and pedestrian movements for construction activities (such as concrete pours, crane installation/removal etc.):
- g. Proposed hours of construction related activities and vehicular movements to and from the site;
- h. Current/proposed approvals from other Agencies and Authorities (including Roads and Maritime Services, Police and State Transit Authority);
- i. Any activities proposed to be located or impact upon Council's road, footways or any public place;
- j. Measures to maintain public safety and convenience;
- k. Any proposed road and/or footpath closures;
- I. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
- m. Locations of work zones (where it is not possible for loading/unloading to occur on the site) in the frontage roadways accompanied by supporting documentation that such work zones have been approved by the Local Traffic Committee and Council;
- Location of any proposed crane and concrete pump and truck standing areas on and off the site (and relevant approvals from Council for plant on road);
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
- p. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
- On-site parking area for employees, tradespersons and construction vehicles as far as possible;

- Proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period; and
- s. How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.
- t. Swept Paths for the proposed construction vehicles to demonstrate that the needed manoeuvres can be achieved without causing any nuisance.

20. Construction Fencing

Prior to the commencement of any works (including demolition), the site must be enclosed with suitable fencing to prohibit unauthorised access. The fencing must be erected as a barrier between the public place and any neighbouring property.

PRIOR TO COMMENCEMENT OF WORKS

21. Dilapidation Report - Pre-Development - Minor

Prior to the commencement of works including demolition works,, the Certifying Authority must be provided with a dilapidation report including colour photos showing the existing condition of the Wharf Road footpath, Kerb & gutter and road pavement from Balmain Road to the end of the public road reserve.

22. Stormwater Drainage System

Prior to the commencement of works including demolition works, the Certifying Authority must be provided with stormwater drainage design plans incorporating Stormwater Quality Improvement Measures, certified by a suitably experienced Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that the design of the site drainage system complies with the following specific requirements:

- a. The design must be generally in accordance with Pavement and Stormwater Plans Sheets 01 to 03 and Pavement and Stormwater Detail Plans Sheets 01 to 03 prepared by Cardno, as amended to comply with the following;
- Stormwater runoff from all surface areas within the property must be collected in a system of gutters, pits and pipelines;
- c. The plans, including supporting calculations, must demonstrate that the post development flows for the 100 year ARI storm are restricted to the pre development flows for the 5 year ARI storm event in accordance with Section E1.2.3 (C2 and C3) of Council's DCP2013;

- d. Details of overland flowpaths must be detailed on the plans in the event of blockage or failure of the stormwater system;
- e. The design must make provision for the natural flow of stormwater runoff from uphill/upstream properties/lands;
- f. Stormwater quality improvement devices or measures must be installed such that stormwater flows leaving the site meet the following environmental targets:

Pollutant	Baseline Annual Pollution Load (kg/ha/yr)	Retention Criteria
Gross Pollutants, including trash, litter and vegetation matter greater than 5mm	500	90% reduction of average annual load
Total Suspended solids, including sediment and other fine material less than 5mm	900	85% reduction of average annual load
Total Phosphorous	2	65% reduction of average annual load
Total Nitrogen	15	45% reduction of average annual load
Hydrocarbons (Oil and Grease)		90% reduction of average annual load – no visible discharge
Toxicants		100% containment of toxicants

- A WSUD Strategy Report supported by a MUSIC model (including .sqz file) must be provided to ensure the treatment measures proposed meet Council's water quality targets
- A detailed WSUD maintenance plan outlining how all elements of the water quality treatment facility will be maintained and to record annual inspections/maintenance works to be undertaken.

23. Parking Facilities

Prior to the commencement of works including demolition works, the Certifying Authority must be provided with plans certified by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) demonstrating that the design of the vehicular access, off-street parking facilities and associated vehicle standing areas comply with Australian Standard AS/NZS 2890.1-2004 Parking Facilities: Off-street car parking, Australian Standard AS 2890.2-2018 Parking Facilities: Commercial vehicle facilities and AS/NZS 2890.6-2009 Parking facilities: Off-street parking for people with disabilities and the following specific requirements:

- a. The layout and minimum dimensions of any standing area comply with clause 2.4 of AS/NZS 2890.1-2004 such that:
 - Car spaces adjacent to obstruction 150mm or greater are increased in width by an additional 300mm; End spaces are provided with an additional 1m aisle extension; and
 - ii. End spaces are provided with an additional 1m aisle extension.
- b. The vehicle egress is designed such that there are no obstructions to lines of sight, along with the footpath and the roadway for drivers of egressing vehicles.

24. Light Spill

Prior to the issue of a commencement of works, 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.

25. Construction Methods to Minimise Impact on Trees

Prior to the commencement of works, the Certifying Authority must be provided with details certified by a suitably qualified Arborist (AQF Level 5) demonstrating that the footings of any structure within a Tree Protection Zone (TPZ) of a tree to be retained will utilise tree sensitive construction techniques (such as isolated pier or pier and beam construction) if woody roots that are not approved for pruning and that cannot be damaged are encountered.

Prior to the issue of a commencement of works, the Certifying Authority must verify that no proposed underground services are located beneath the canopy of any prescribed tree/s located on the subject site and adjoining sites (including trees located within the public domain) unless certified as being satisfactory by the Project Arborist.

26. Tree Protection Plan

Prior to the commencement of works, the Certifying Authority must be provided with a detailed site-specific Tree Protection Plan (TPP) prepared by a AQF5 Consultant Arborist. The TPP is to be prepared in accordance with the protection specifications included in the AIA prepared by Martin Peacock and dated 6 April, 2022.

The tree protection measures contained in the TPP must be shown clearly on the Construction drawings, including the Construction Management Plan.

The Certifying Authority must ensure the construction plans and specifications submitted fully satisfy the tree protection requirements identified in the TPP.

All tree protection measures as detailed in the approved Tree Protection Plan must be installed and certified in writing as fit for purpose by the Project Arborist.

27. Paving/Decking Within the Vicinity of Trees

Prior to the issue of the commencement of works, the Certifying Authority must be provided with detailed plans, certified as being suitable by the Project Arborist, demonstrating that the pavement works within the TPZ of any tree to be retained will be constructed in a way so as minimise the impact to the trees. When preparing an area for paving/pavement with the TPZ radius, the soil surface must not be skimmed or excavated. The new surface and subgrade must be established at grade.

28. Soil Remediation TPZ Plan

Prior to the commencement of works -

The Certifying Authority is to be provided with a detailed Soil Remediation Plan, approved by the Project Arborist, that details the remediation within the TPZ of trees to be retained. The plan must be developed in liaison with an AQF Level 5 Arborist and must demonstrate that the trees will remain viable and structurally sound.

29. Tree Pruning Specification

Prior to the commencement of works, the Certifying Authority is to be provided with a Pruning Specification, prepared by an AQF Level 5 Arborist, that details all proposed pruning. The report must include marked up images of the branches to be removed, branch diameters and an estimate of total canopy to be removed. It should be noted that only minor pruning (less than 10% of canopy and branches up to 80mm in diameter) is likely to be be approved.

30. Sydney Water - Tap In

Prior to the commencement of works, the Certifying Authority is required to ensure approval has been granted through Sydney Water's online 'Tap In' program to determine whether the development will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met.

Note: Please refer to the web site http://www.sydneywater.com.au/tapin/index.htm for details on the process or telephone 13 20 92

31. Construction Environmental Management Plan

The demolition and construction components of the Proposed Works be managed through the implementation of an appropriately prepared Construction Environmental Management Plan (CEMP). The CEMP will set out the environmental management measures that are required to be implemented during the Proposed Works in order to manage identified risks to site personnel and the environment to ensure that:

- a. Comprehensive control measures are implemented to prevent the migration of known and potentially contaminated materials or waters off-site or within the DA Site;
- Works that require disturbance of natural soils, bedrock or known or potentially contaminated fill materials are undertaken in a manner that protects the health of the workers and users of the DA Site;
- c. Any known or potentially contaminated materials excavated from the DA Site are appropriately stored, handled and, where required, either beneficially re-used or placed under a suitable surface treatment on the DA Site or within GSP approved areas within areas of Callan Park managed by GSP or disposed of off-Site;
- d. Imported materials can be demonstrated to satisfy the appropriate requirements for use on the DA Site; and
- e. Any unexpected surface or sub-surface conditions are appropriately managed in accordance with the relevant guidelines, regulation and legislation.

A copy of this report is to be provided to the Certifying Authority and Council prior to the commencement of works.

DURING DEMOLITION AND CONSTRUCTION

32. Contamination - New Evidence

Any new information revealed during demolition, remediation or construction works that have the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Certifying Authority.

33. Imported Fill Materials

All imported fill on the site shall be validated as Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM), in accordance with NSW Environment Protection Authority guidelines, 'Consultants Reporting on Contaminated Sites' (August 2011) to ensure the imported fill is suitable for the proposed land use.

All fill imported onto the site shall be validated by either one or both of the following methods:

- a. Imported fill be accompanied by documentation from the supplier which certifies that
 the material is not contaminated based upon analyses of the material for the known
 past history of the site where the material is obtained; and/or
- Sampling and analysis of the fill material be conducted in accordance with NSW Environment Protection Authority's Sampling Design Guidelines (September 1995).

34. Protection of Significant Fabric

Significant original fabric of the existing buildings, war memorials and landscape elements in Zone 5, is to be protected during site preparation and construction works from potential damage. Significant original fabric is not to be removed. Equipment laydown areas and contactor vehicles must be located away from the heritage structures and areas of heritage significance to minimise any potential impact to the external or internal fabric. Contactor's vehicles must not be parked near heritage structures or landscaped areas which could inadvertently be damaged. Protection measures are to be specified in the construction management plan. Details of the protection plan must be reviewed and certified by an appropriately qualified and experienced heritage architect.

35. Inspections by Project Arborist

The trees to be retained must be inspected, monitored and treated by the Project Arborist during and after completion of development works to ensure their long-term survival. Regular inspections and documentation from the Project Arborist (within 3 days of the inspection/supervision) to the Certifying Authority are required at the following times or phases of work:

Tree No./ Botanical/ Common Name/ Location	Time of Inspection	Key stage/ Hold point
Refer to Arboricultural Impact Assessment prepared by Martin	Prior to commencement of works	 Inspection and sign off installation of tree protection measures.
Peacock Tree Care and dated 6th April, 2022 for trees to be retained. Trees 1, 2, 5, 6, 7, 8, 10, 47, 48, 49, 50, 51, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68, 69, F, G, H, 75, 76, 77, 79, 81A-I, 87, 88, 89, 90, 105, 110, 114, 117,	During Works	Supervise all site preparation and demolition works within the TPZ; Supervise all works inside or above the TPZ including approved TPZ soil remediation; Supervise all excavation, fill, trenching works, landscaping works and

118, 119, 126, 127, 133, 134, 178, 199, 200, 201, 202, 203, 204 (6 trees only) and QQ.	tree/planting replenishment within the TPZ; • Supervise all tree work.
	And:
	 In accordance with the approved Tree Protection Plan and in accordance with the tree protection specifications in the AIA prepared by Martin Peacock Tree Care and dated 6 April 2022.

Recommendations to ensure the tree/s long term survival must be carried out immediately upon receipt of the report. Council may request copies of the compliance reports at any time during the works.

Note - The location, depth and type (product specification) of any fill within a TPZ must be approved in writing prior to installation, by the Project Arborist.

36. Canopy and Root Pruning

Canopy pruning must be undertaken in accordance with the approved Pruning Specification under the supervision of the Project Arborist. .

37. Limited Root Pruning

No tree roots of 30mm or greater in diameter located within the TPZ radius of the trees to be retained may be severed or injured in the process of any works during the construction period unless approved in writing by the Project Arborist prior to being undertaken:

If tree roots less than 30mm diameter are required to be severed for the purposes of constructing the approved works, they must be cut cleanly using a sharp and *fit for purpose tool*. The pruning must be undertaken by a practicing Arborist.

Note - The TPZ radius is detailed for each tree in Section 6.1 of the AIA prepared by Martin Peacock Tree Care and dated 6th April, 2022.

Note - Sections of existing kerbs must be left intact where tree roots are integrated into, or relying upon, the kerb and where structural roots are likely to be damaged during removal.

38. Construction Hours - Class 2-9

Unless otherwise approved by Council, excavation, demolition, construction or subdivision work must only be permitted during the following hours:

- a. 7:00am to 6.00pm, Mondays to Fridays, inclusive (with demolition works finishing at 5pm);
- 8:00am to 1:00pm on Saturdays with no demolition works occurring during this time;
 and
- c. at no time on Sundays or public holidays.

Works may be undertaken outside these hours where they do not create any nuisance to neighbouring properties in terms of dust, noise, vibration etc. and do not entail the use of power tools, hammers etc. This may include but is not limited to painting.

In the case that a standing plant or special out of hours permit is obtained from Council for works in association with this development, the works which are the subject of the permit may be carried out outside these hours.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, to prevent risk to life or environmental harm.

Activities generating noise levels greater than 75dB(A) such as rock breaking, rock hammering, sheet piling and pile driving must be limited to:

- a. 8:00am to 12:00pm, Monday to Saturday; and
- b. 2:00pm to 5:00pm Monday to Friday.

The person acting on this consent must not undertake such activities for more than three continuous hours and must provide a minimum of one 2 hour respite period between any two periods of such works.

"Continuous" means any period during which there is less than an uninterrupted 60 minute respite period between temporarily halting and recommencing any of that intrusively noisy work.

PRIOR TO COMPLETION OF WORKS

39. Public Domain Works

Prior to the use of the carpark and carspaces subject of this approval, the Certifying Authority must be provided with written evidence from Council that the following works on the Road

Reserve have been completed in accordance with the requirements of the approval under Section 138 of the Roads Act 1993 (Road Opening Permit) including:

- a. The restoration of the road pavement and footpath damaged during the works required for the new installation:
- b. The footpath and road restorations works shall be in accordance Council's Standard Plans and finishes for the area; and
- c. Other works subject to the Roads Act 1993 approval.

All works must be constructed in accordance with Council's standards and specifications and AUS-SPEC#2-"Roadworks Specifications".

40. Parking Signoff

Prior to the use of the carpark and carspaces subject of this approval, the Certifying Authority must be provided with certification from a qualified practising Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that the off street parking facilities have been constructed in accordance with the development consent and relevant Australian Standards and the following has been implemented within the property.

 The car park has been completed, line marked and all signage relating to car parking erected.

41. Dilapidation Report - Post-Development

Prior to the use of the carpark and carspaces subject of this approval, the Certifying Authority must be provided with a second Dilapidation Report addressing the public infrastructure identified in approved predevelopment dilapidation report, including a photographic survey, structural condition and CCTV inspections which was compiled after the completion of works. As the report details public infrastructure, a copy is to be furnished to Council at the same time.

42. Operation and Management Plan

Prior to the use of the carpark and carspaces subject of this approval, the Certifying Authority must be provided with an Operation and Management Plan has been prepared and implemented for the on-site detention and/or on-site retention facilities and stormwater quality improvement device(s). The Plan must set out the following at a minimum:

a. The proposed maintenance regime, specifying that the system is to be regularly inspected and checked by qualified practitioners; and

b. The proposed method of management of the facility, including procedures, safety protection systems, emergency response plan in the event of mechanical failure, etc.

43. Works as Executed - Site Stormwater Drainage System

Prior to the use of the carpark and carspaces subject of this approval, the Certifying authority must be provided with Certification by a suitably qualified Civil Engineer who holds current Chartered Engineer qualifications with the Institution of Engineers Australia (CPEng) or current Registered Professional Engineer qualifications with Professionals Australia (RPEng) that:

- a. The stormwater drainage system has been constructed in accordance with the approved design and relevant Australian Standards; and
- b. Works-as-executed plans of the stormwater drainage system certified by a Registered Surveyor, to verify that the drainage system has been constructed and stormwater quality improvement device(s) installed in accordance with the approved design and relevant Australian Standards have been submitted to Council. The works-as-executed plan(s) must show the as built details in comparison to those shown on the approved drainage plans. All relevant levels and details indicated must be marked in red.

44. Contamination - Disposal of Soil

Prior to the commencement of works, the Certifying Authority must be provided with a validation report confirming that all off site disposal of soil has been classified, removed and disposed of in accordance with the NSW DECC Waste Classification Guidelines, Part 1: Classifying Waste (EPA 2014), Protection of the Environment Operations (Waste) Regulation 2014 and the *Protection of the Environmental Operations Act 1997*.

45. Certification of Tree Planting

Prior to the completion of works, the Certifying Authority and Council are to be provided with evidence certified by the Project Arborist that the tree planting has been undertaken in accordance with the Landscape Documentation prepared by Tyrell Studio (Issue 5) and dated 04/05/22.

The trees must to conform to AS2303—Tree stock for landscape use and be in a minimum container size of 100 litres at planting.

If the trees are found faulty, dead or dying before they reach dimensions where they are protected by Council's Tree Management Controls, they must be replaced in accordance with the approved plans and this condition.

46. Project Arborist Certification

Prior to the issue of the completion of works, the Certifying Authority is to be provided with certification from the Project Arborist the requirements of the conditions of consent related to the landscape plan and the role of the project arborist have been complied with.

ON-GOING

47. Operation and Management Plan

The Operation and Management Plan for the on-site detention and/or on-site retention and/or stormwater quality improvement devices, must be implemented and kept in a suitable location on site at all times.

ADVISORY NOTES

Permits

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 veranda over the footpath;
- h. Partial or full road closure; and
- i. Installation or replacement of private stormwater drain, utility service or water supply.

If required contact Council's Road Access team to ensure the correct Permit applications are made for the various activities. Applications for such Permits must be submitted and approved by Council prior to the commencement of the works associated with such activity.

Insurances

Any person acting on this consent or any contractors carrying out works on public roads or Council controlled lands is required to take out Public Liability Insurance with a minimum cover of twenty (20) million dollars in relation to the occupation of, and approved works within those lands. The Policy is to note, and provide protection for Inner West Council, as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public property.

Arborists standards

All tree work must be undertaken by a practicing Arborist. The work must be undertaken in accordance with AS4373—Pruning of amenity trees and the Safe Work Australia Code of Practice—Guide to Managing Risks of Tree Trimming and Removal Work. Any works in the vicinity of the Low Voltage Overhead Network (including service lines—pole to house connections) must be undertaken by an approved Network Service Provider contractor for the management of vegetation conflicting with such services. Contact the relevant Network Service Provider for further advice in this regard.

Tree Protection Works

All tree protection for the site must be undertaken in accordance with Council's *Development Fact Sheet—Trees on Development Sites* and AS4970—*Protection of trees on development sites*.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within Sections 69-86 of the Environmental Planning and Assessment Regulations 2021.

Notification of commencement of works

At least 7 days before any demolition work commences:

- a. The Council must be notified of the following particulars:
 - the name, address, telephone contact details and licence number of the person responsible for carrying out the work; and
 - ii. the date the work is due to commence and the expected completion date; and
- b. A written notice must be placed in the letter box of each directly adjoining property identified advising of the date the work is due to commence.

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.

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;
- Application for a Construction Certificate under the Environmental Planning and Assessment Act 1979;
- 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; or
- g. Development Application for subdivision if consent for subdivision is not granted by this consent.

Disability Discrimination Access to Premises Code

The Disability Discrimination Act 1992 (Commonwealth) and the Anti-Discrimination Act 1977 (NSW) impose obligations on persons relating to disability discrimination. Council's determination of the application does not relieve persons who have obligations under those Acts of the necessity to comply with those Acts.

National Construction Code (Building Code of Australia)

A complete assessment of the application under the provisions of the National Construction Code (Building Code of Australia) has not been carried out. All building works approved by this consent must be carried out in accordance with the requirements of the National Construction Code.

Notification of commencement of works

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the PCA (not being the council) has given the Council written notice of the following information:

- a. In the case of work for which a principal contractor is required to be appointed:
 - i. The name and licence number of the principal contractor, and
 - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
- b. In the case of work to be done by an owner-builder:
 - i. The name of the owner-builder; and
 - If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

Dividing Fences Act

The person acting on this consent must comply with the requirements of the *Dividing Fences Act 1991* in respect to the alterations and additions to the boundary fences.

Noise

Noise arising from the works must be controlled in accordance with the requirements of the *Protection of the Environment Operations Act 1997.*

Lead-based Paint

Buildings built or painted prior to the 1970's may have surfaces coated with lead-based paints. Recent evidence indicates that lead is harmful to people at levels previously thought safe. Children particularly have been found to be susceptible to lead poisoning and cases of acute child lead poisonings in Sydney have been attributed to home renovation activities involving the removal of lead based paints. Precautions should therefore be taken if painted surfaces are to be removed or sanded as part of the proposed building alterations, particularly where children or pregnant women may be exposed, and work areas should be thoroughly cleaned prior to occupation of the room or building.

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 131441

Corporation

www.lspc.nsw.gov.au

1300 552 406 **NSW Food Authority**

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 131 555

Heritage

www.environment.nsw.gov.au

Sydney Water 13 20 92

www.sydneywater.com.au

Waste Service

Environmental Solutions

SITA 1300 651 116

www.wasteservice.nsw.gov.au

Water Efficiency Labelling and www.waterrating.gov.au

Standards (WELS)

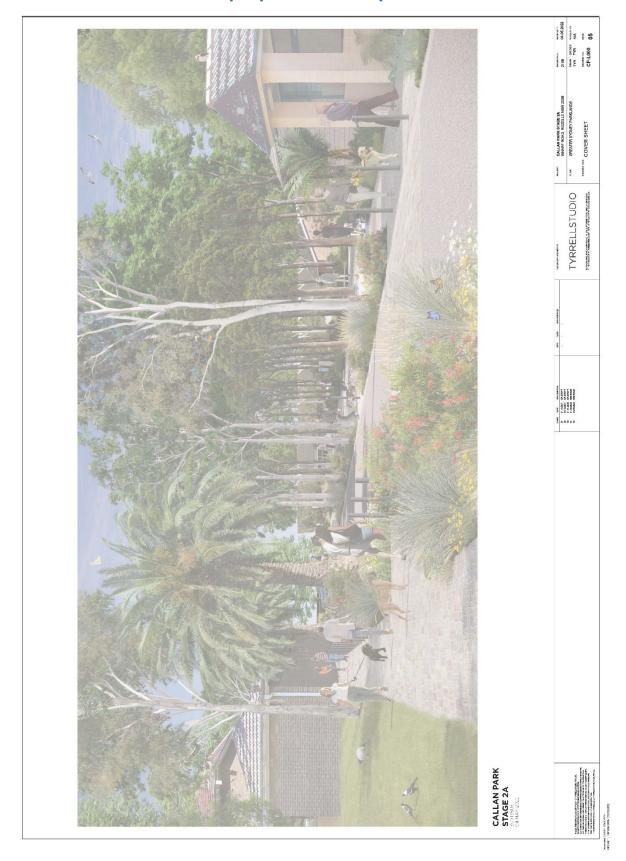
WorkCover Authority of NSW 13 10 50

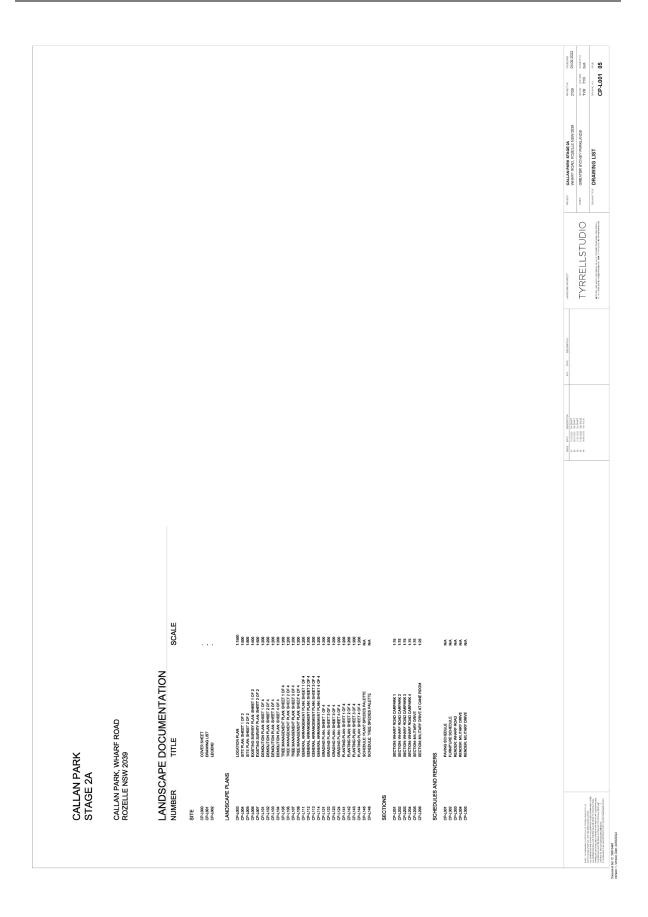
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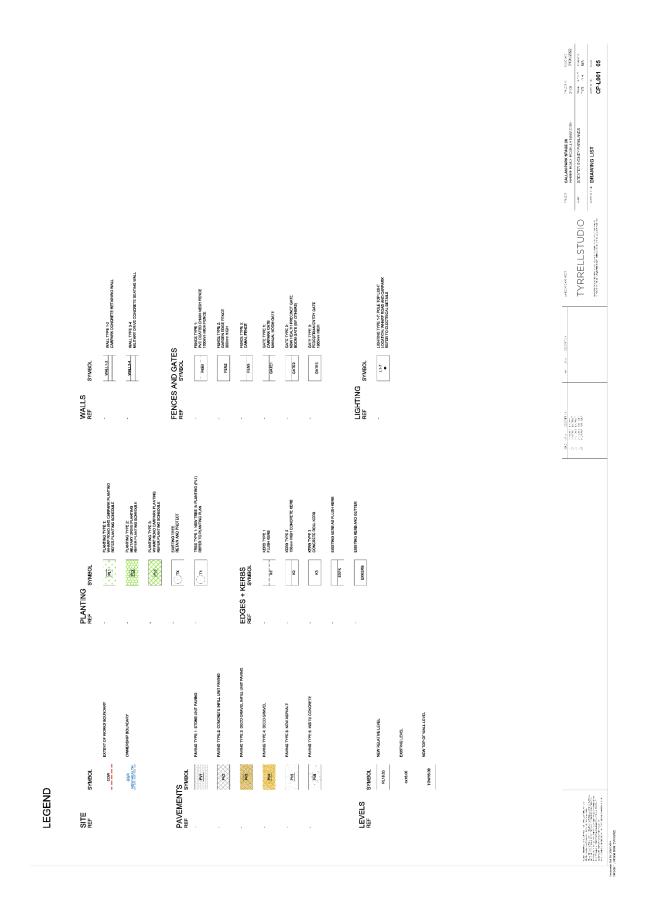
Enquiries relating to work safety and asbestos

removal and disposal.

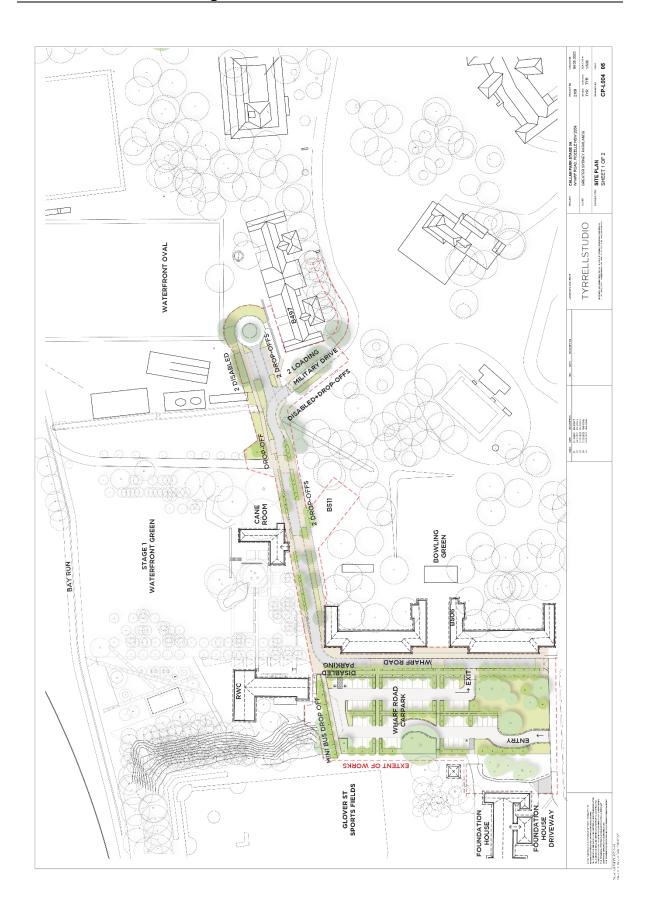
Attachment B – Plans of proposed development

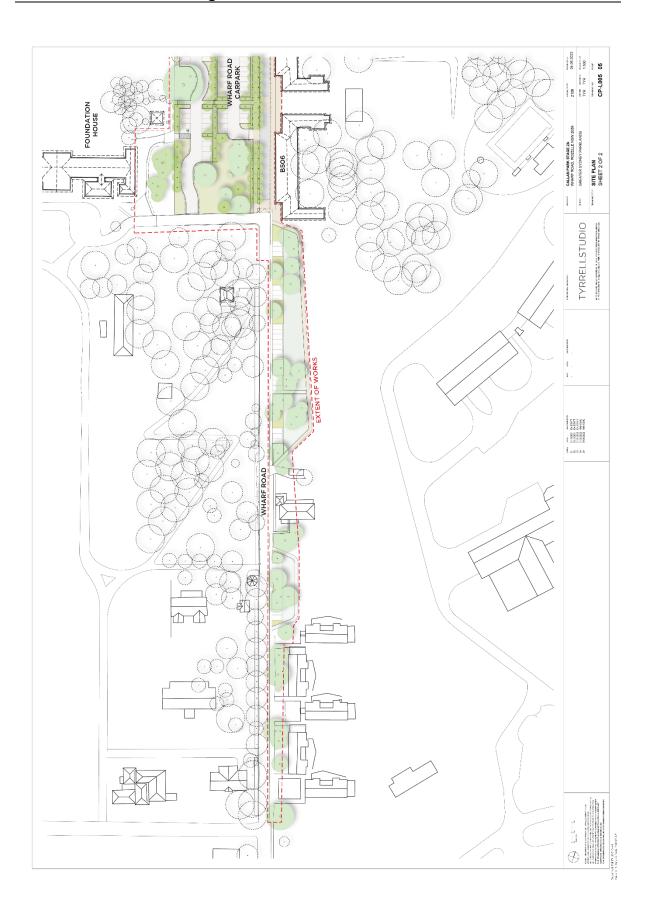






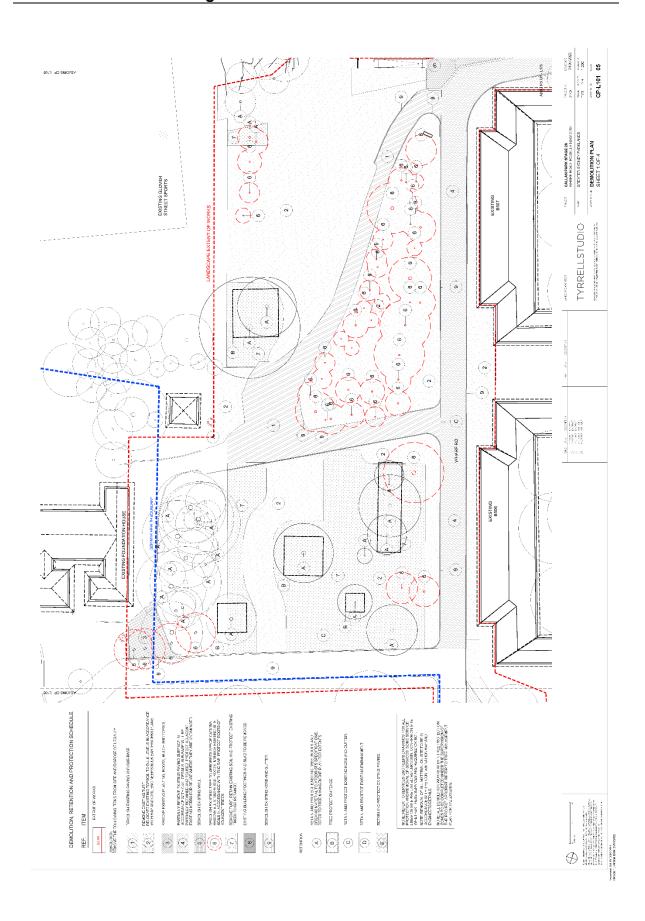


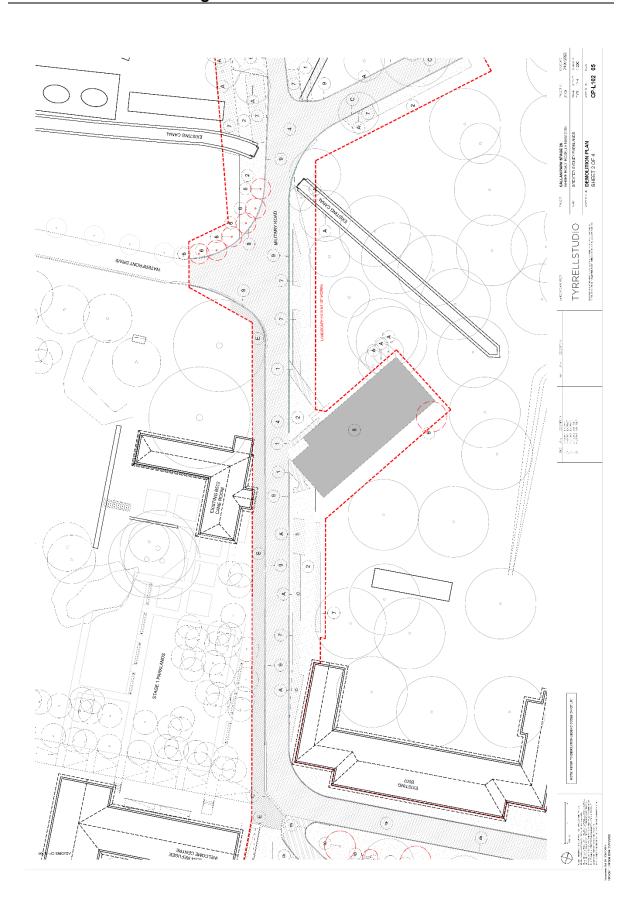


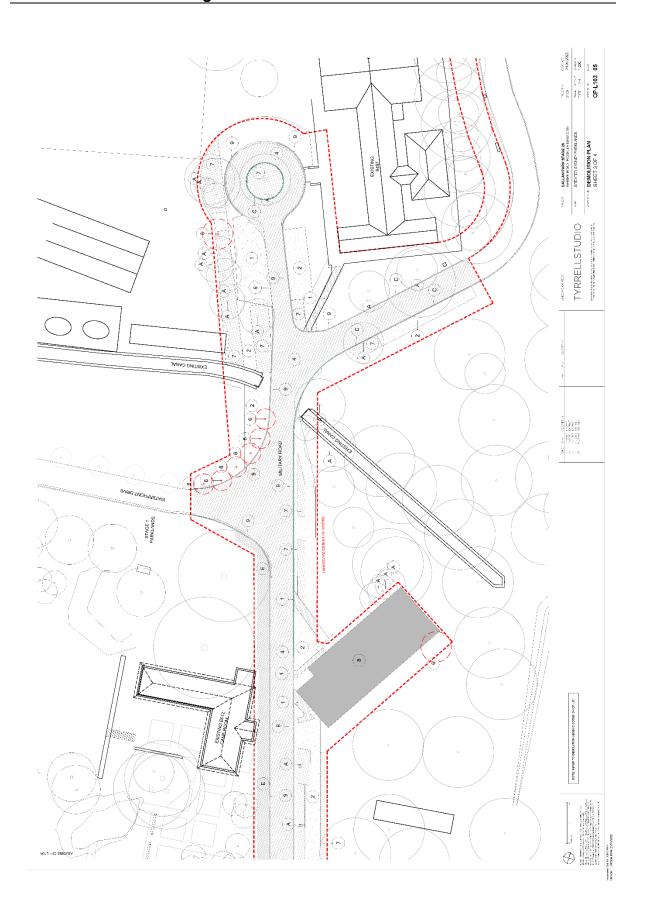


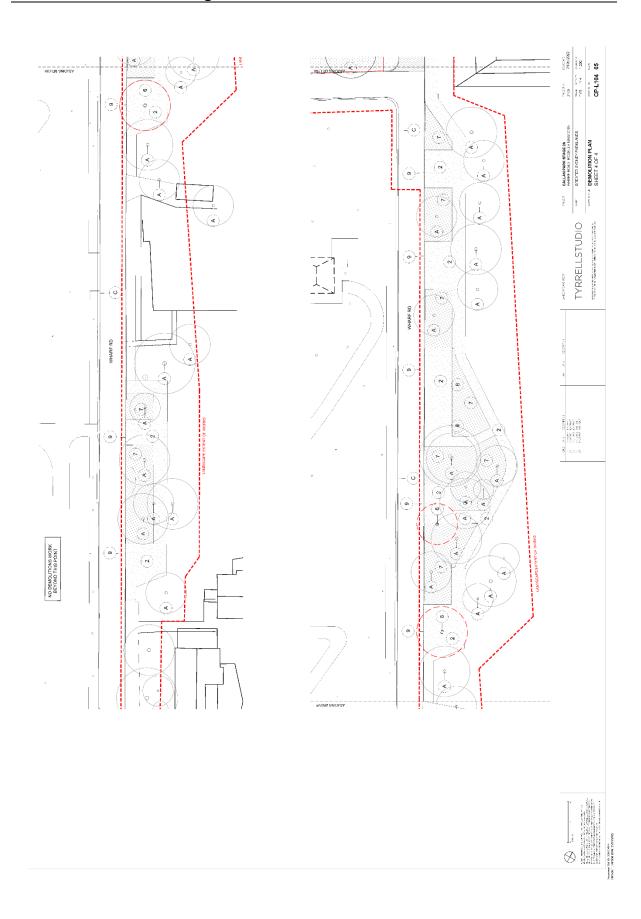


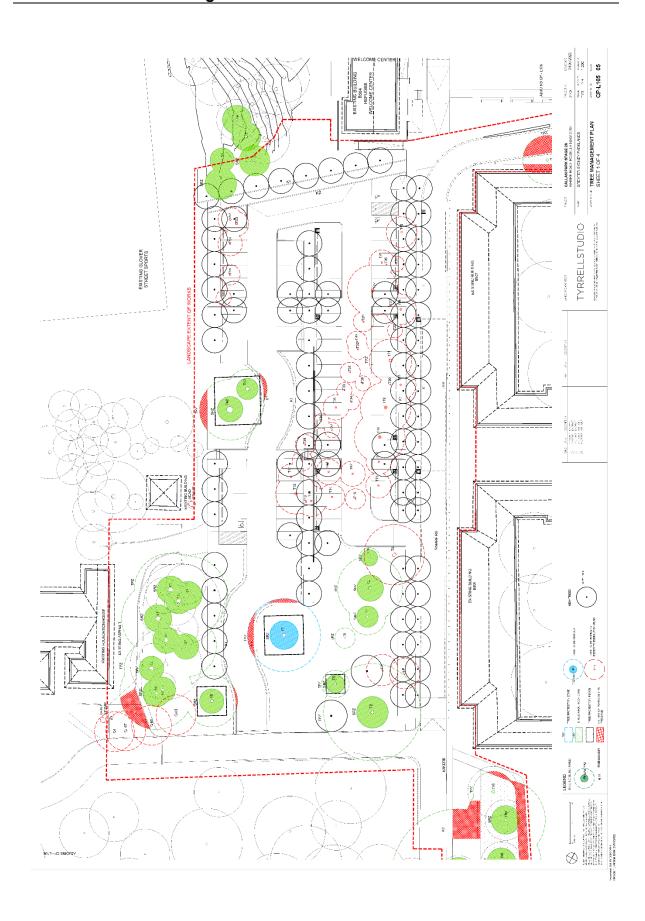


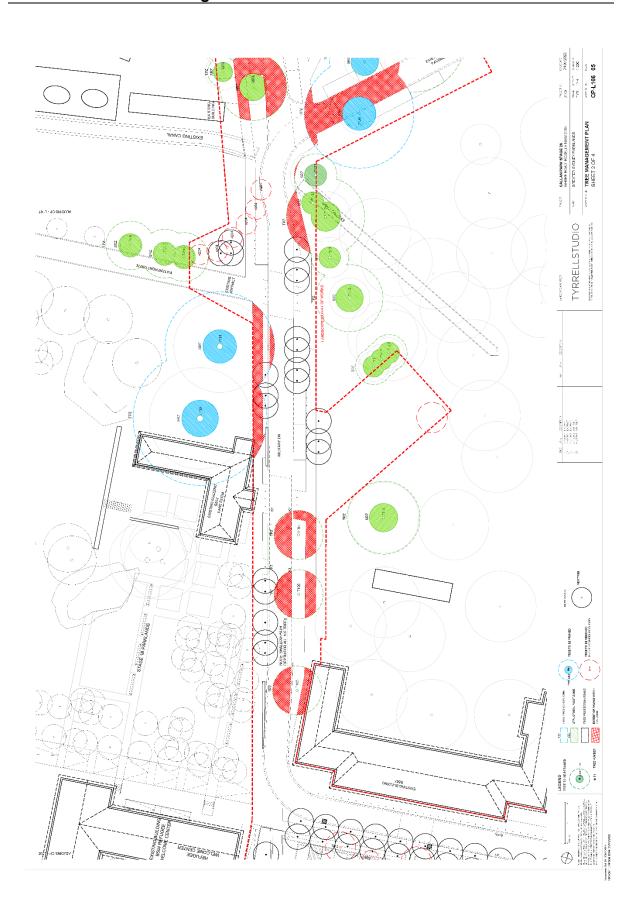




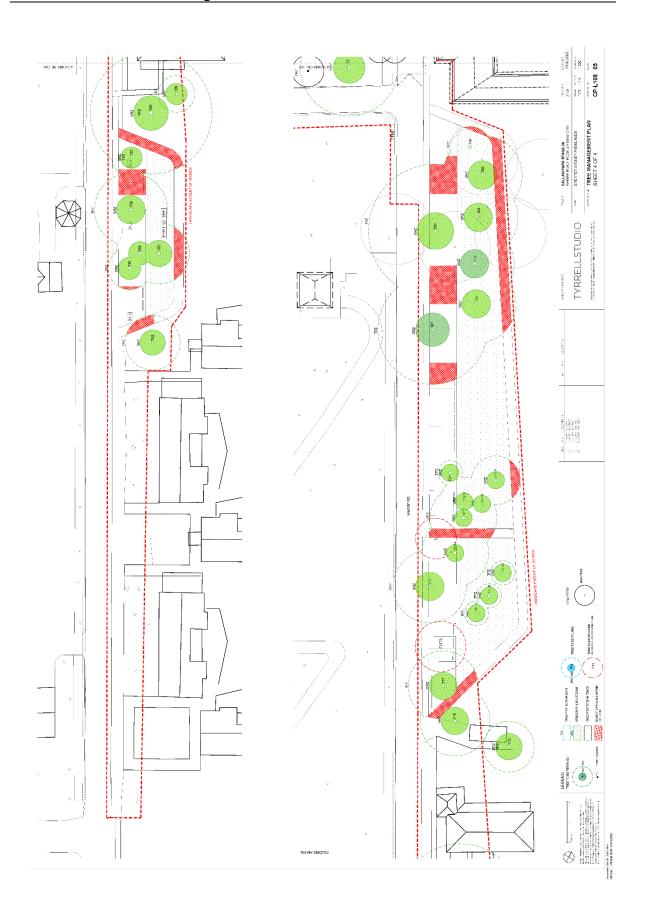


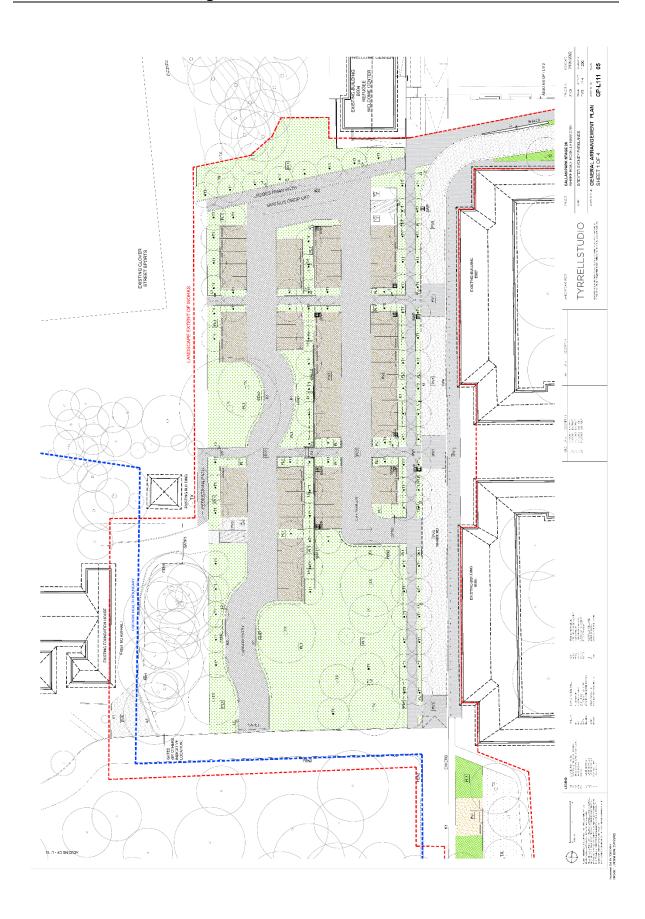


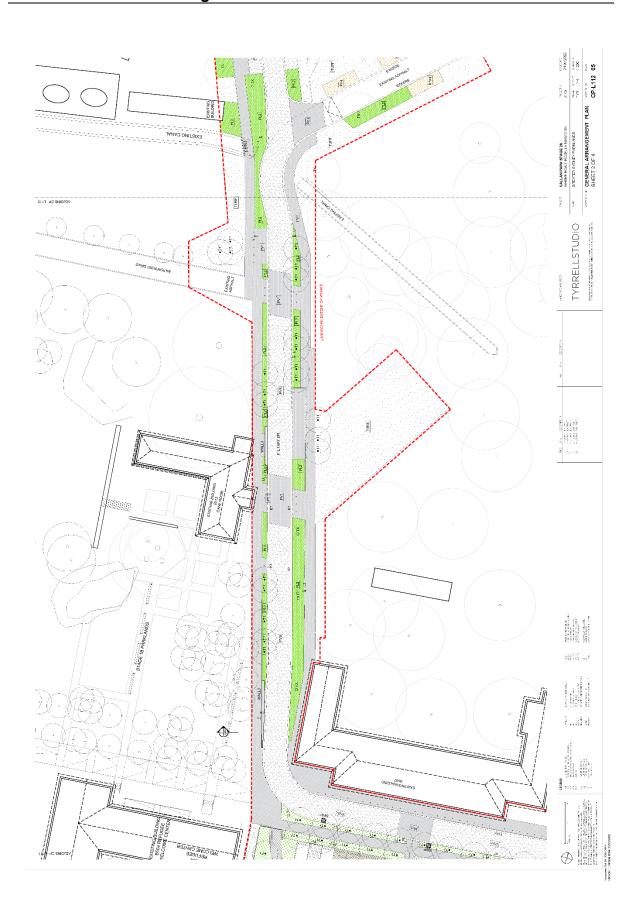




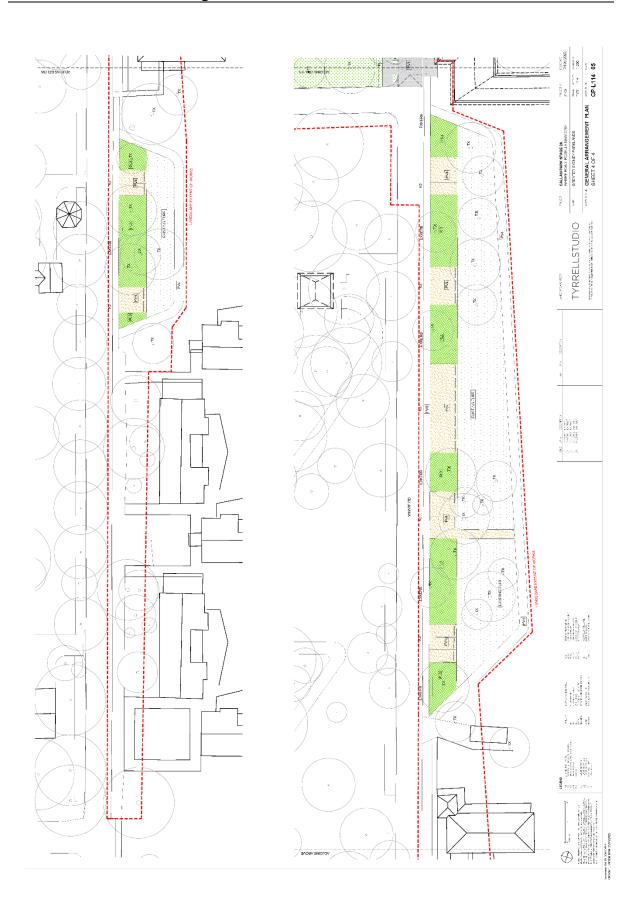


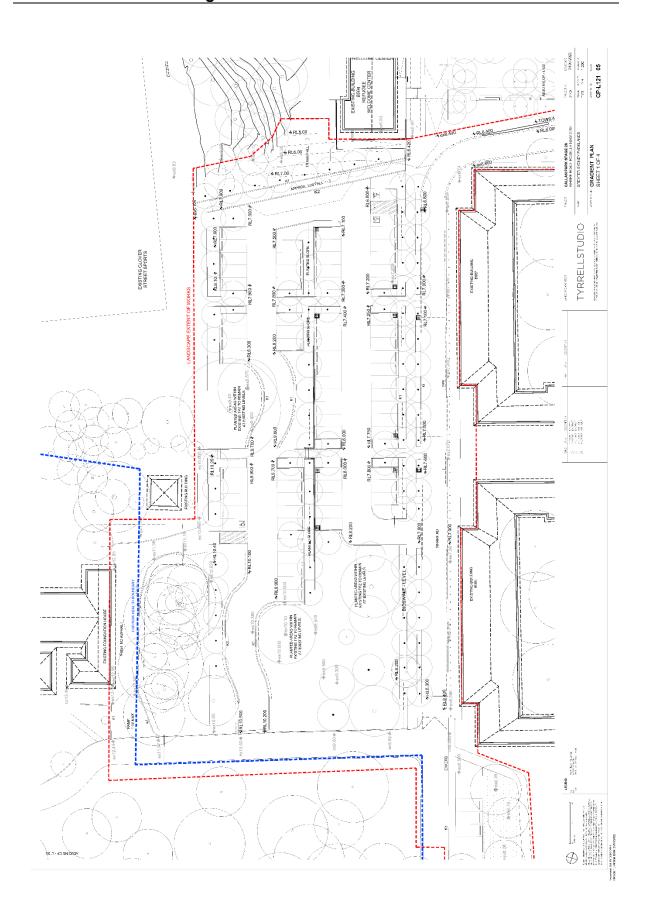


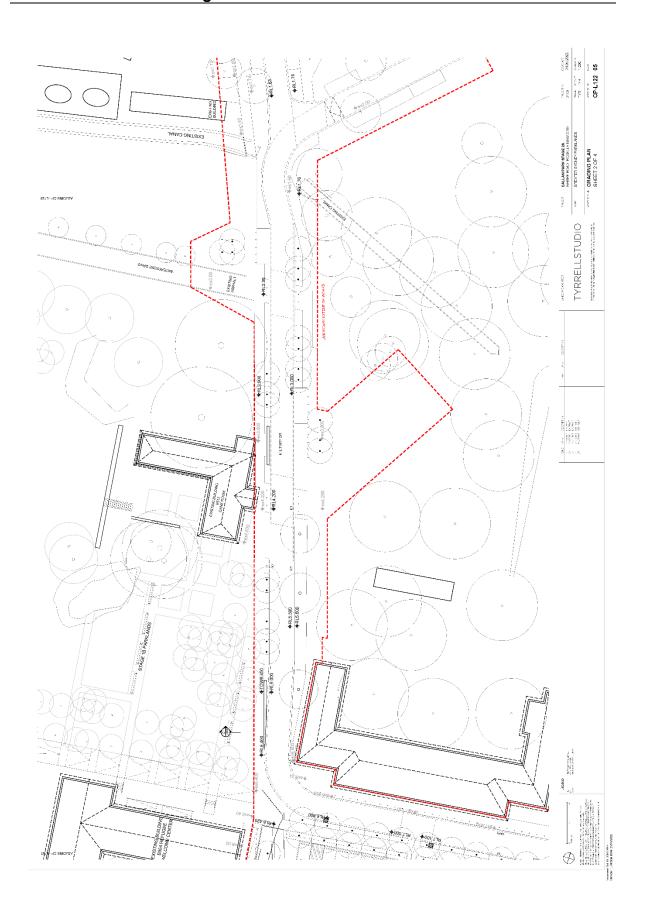


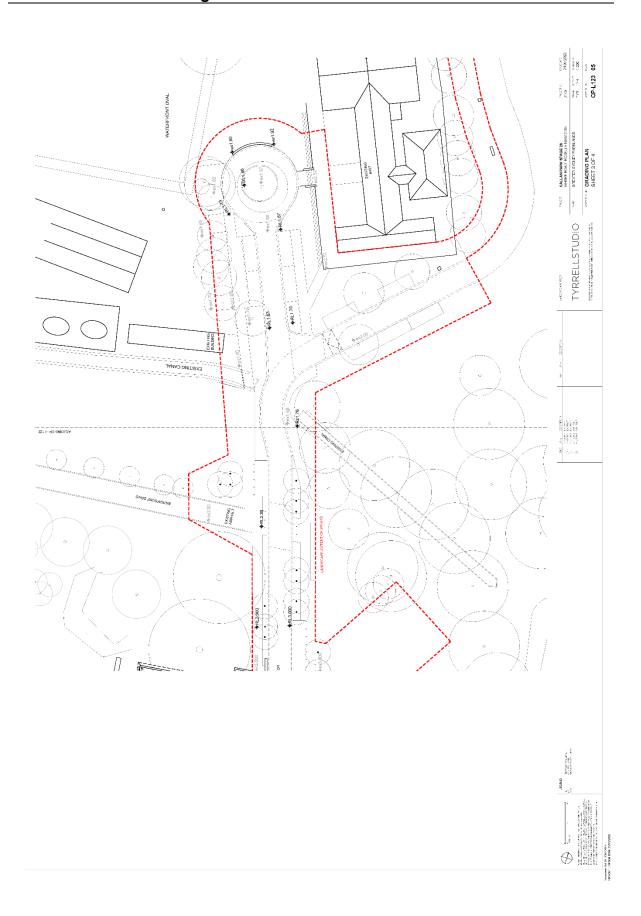


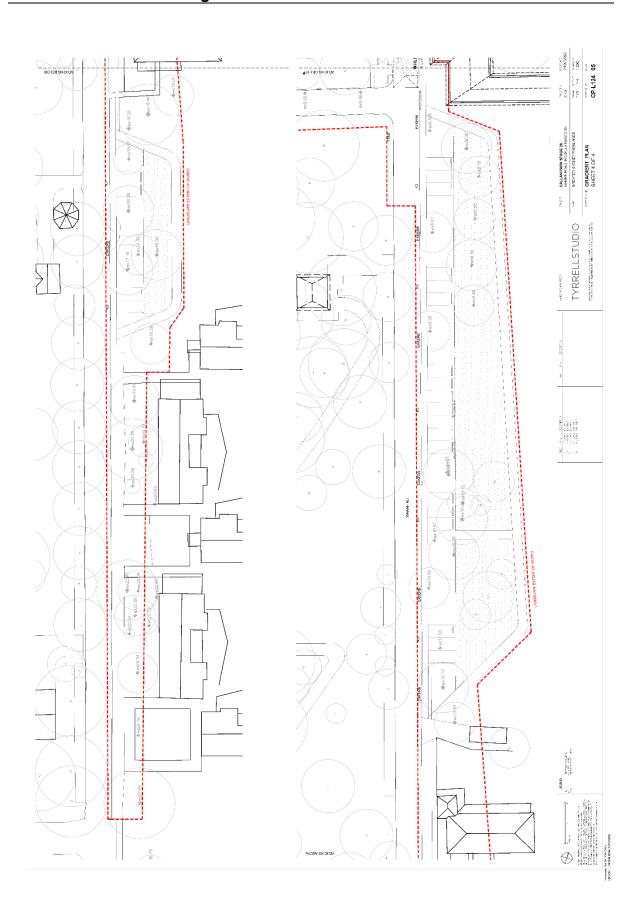




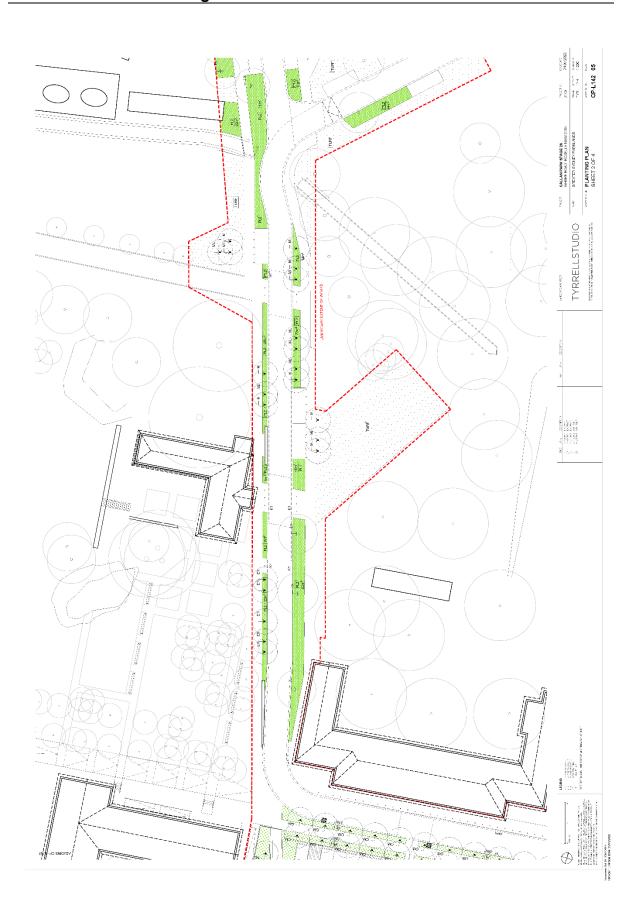


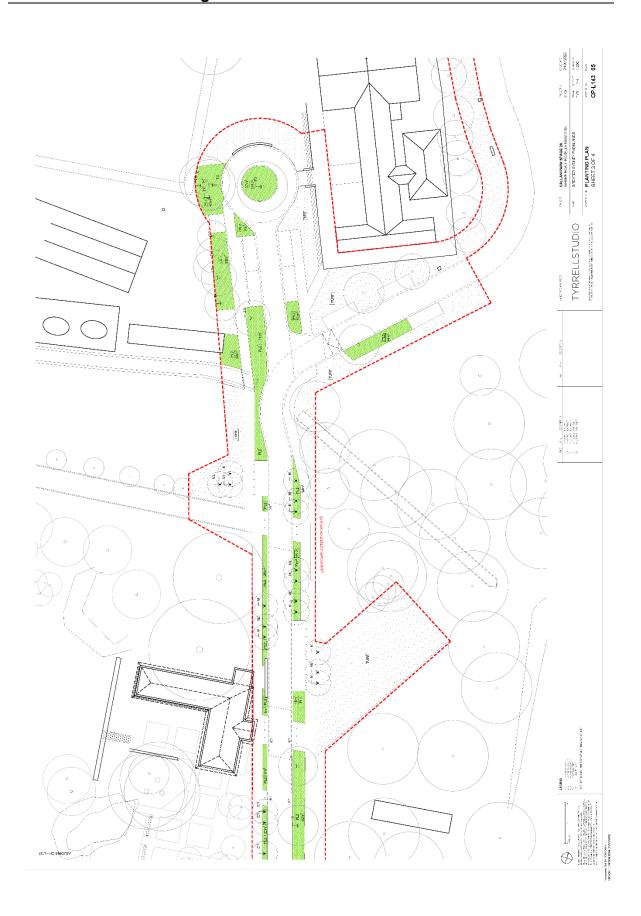


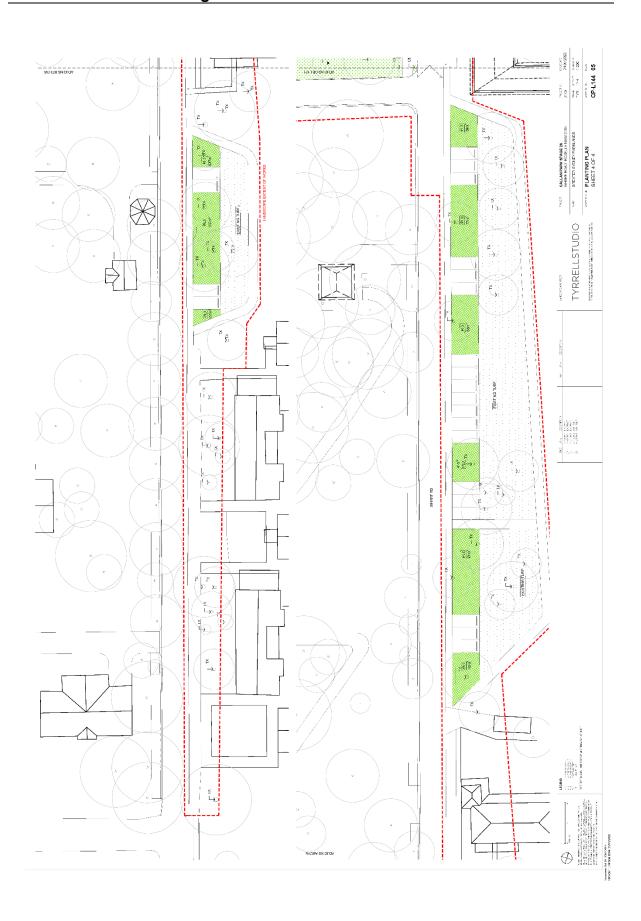


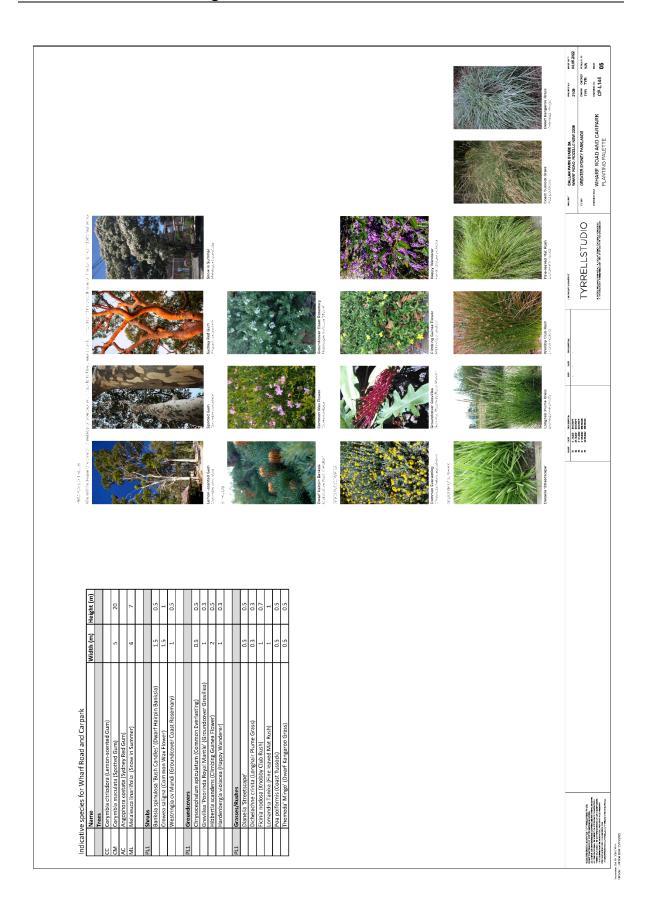


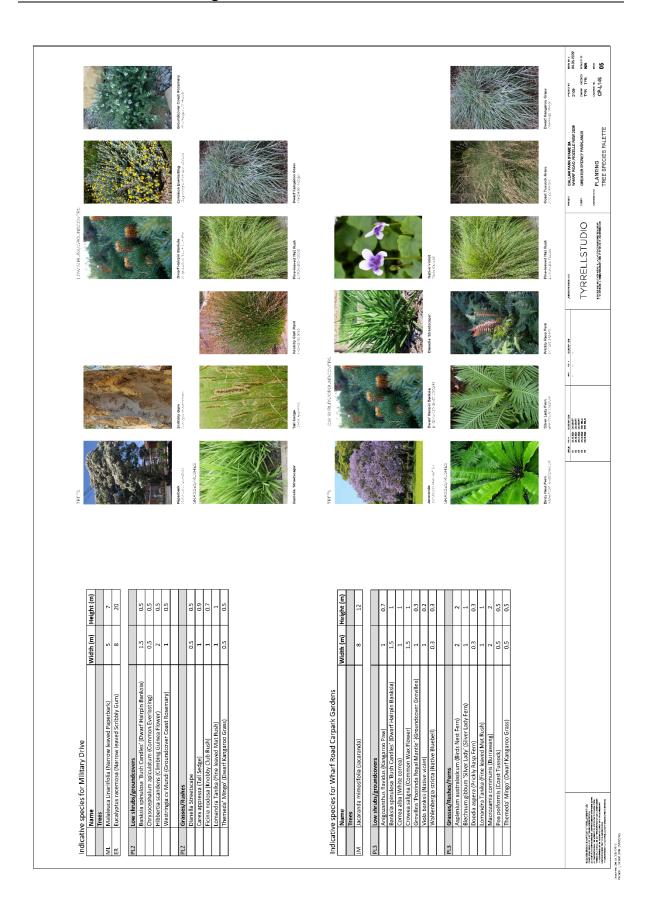










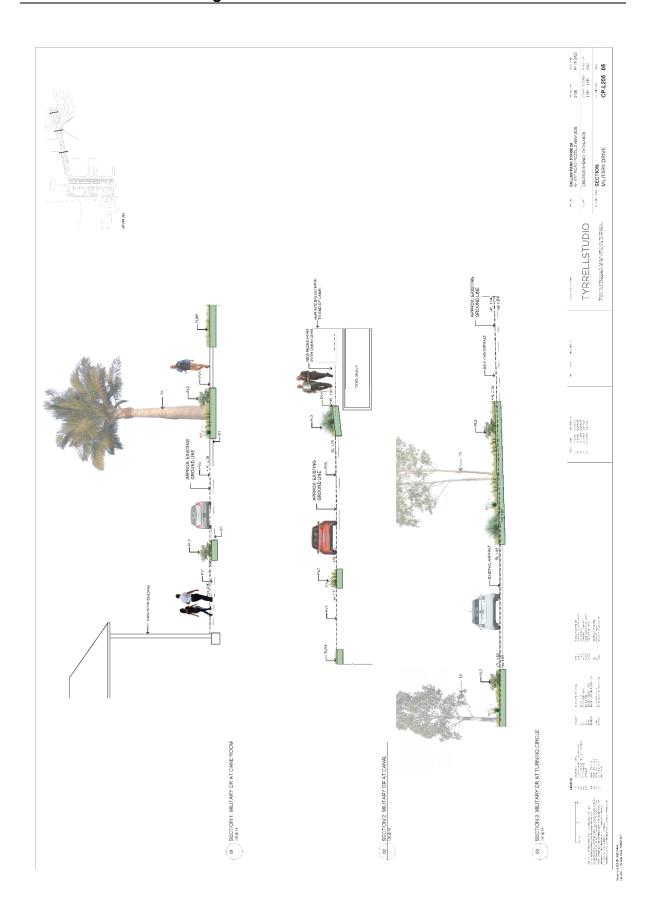






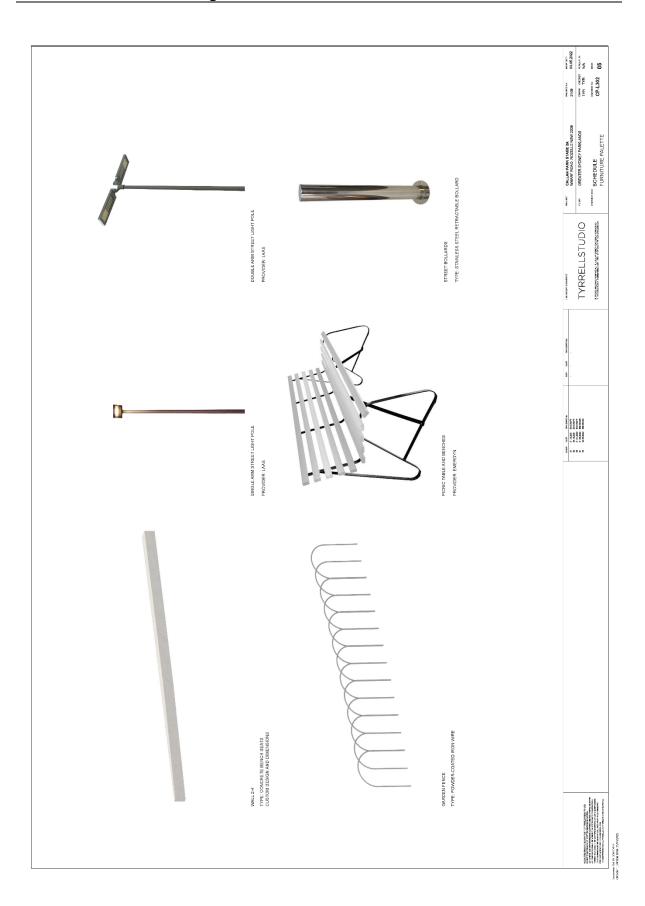












WHARF ROAD CARPARK
View down Wharf Road and carpark looking towards Iron Cove
and Glover Street Sports Field.

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Attachment C- Statement of Heritage Significance

Rozelle Hospital site, created as one unit in 1976, comprises two major mental health facilities, each of which was developed using an existing mansion house set within expansive landscaping. As a whole, and as two component parts, Rozelle Hospital can demonstrate it has heritage significance to the people of NSW.

The Rozelle Hospital site contains the fabric of two grand Victorian gentlemen's estates and is able to demonstrate the pastoral character of the period. The original relationship between Callan Park Conservation Area and Buildings' Garry Owen House (later Callan Park) and Broughton Hall has been retained and their grounds are still interpretable and intact. These grounds became the sites of the mental health institutions that adopted their respective names.

Rozelle Hospital demonstrates two major changes in mental health in NSW. It contains original architecture and landscaping of both hospitals. The buildings associated with the former Callan Park mental hospital are of exceptional significance, in particular the Kirkbride Block.

Its landscaped spaces and landmark buildings have contributed visually and socially to the local area for over 100 years. The foreshore areas of the site are significant as rare open space elements. Callan Point is considered to be the most important Aboriginal archaeological site remaining on the southern shores of Sydney Harbour. Callan Point also contains rare examples of pre-European vegetation and unique European rock carvings.

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. (Tanner & Associates, 2002)

Kirkbride Block is significant as the collaborative work of three prominent figures in the late 19th century, James Barnet, Charles Moore and Frederick Norton Manning, as the largest remaining mental institution in NSW and as the first to be designed as a curative and therapeutic environment. The landscape design and setting of Kirkbride is vital and paramount to the design and philosophy of 'moral therapy' treatment evidenced in the intimate design of courtyards through to the long vistas over the hospital grounds and surrounding country. The landscape cannot be separated from the buildings and performs an equal and active function in the creation of the therapeutic environment. It is highly significant that much of the original fabric, character and setting for this major Victorian period design remain intact within a highly developed inner-city locality.

Callan Park House (former Garry Owen House), as an impressive early and mid-Victorian residence is one of the oldest remaining houses in the district. It has strong associations with the early history of the Rozelle area. It is an important visual landmark element within the hospital. (State Heritage Inventory)

Rozelle Hospital grounds are of historic and social significance at a state level in their association with the establishment of two hospitals, Callan Park and Broughton Hall, demonstrating two major changes in mental health in NSW. These changes, and changing ideas in garden design, are reflected in the grounds. The grounds are of historic and social significance in their evidence of patient involvement.

The grounds of the former Callan Park area of Rozelle Hospital are of historic significance on a national level as an integral element of the first hospital for the insane which was designed based on moral therapy principles and built in the one campaign. They are a direct application of the moral therapy principles of psychiatric care in the landscape. They are associated with: Dr Frederick Norton Manning, Inspector General for the Insane; James Barnet, Colonial Architect; and Charles

Document Set ID: 38213129 Version: 1, Version Date: 18/10/2023 Moore, Director of the then Botanic Gardens, Sydney. (Now the Royal Botanic Gardens, Sydney) (Read, S., pers.comm., 2004)

Broughton Hall Psychiatric Clinic gardens are of historic significance on a regional level in their demonstration of the views of Dr Sydney Evan Jones on the value of gardens in the care of the mentally ill. The form and character of the original garden setting for Broughton Hall, noted in its time, is still evident.

Rozelle Hospital is of historic significance on a regional level in that it contains rare surviving 19th century gentlemen's estates, associated with the development of the area. Garryowen House and surrounds demonstrate, in part, the pastoral character of the estate period.

Rozelle Hospital grounds are of aesthetic significance on a regional level in that they demonstrate a high level of creative achievement. The former Callan Park Mental Hospital is an accomplished work of architecture and landscape design. Broughton Hall grounds exhibit a combination of structures of oriental inspiration with horticultural richness, and some rare plant species such as rose apple, durobby or watermelon tree, Syzygium moorei.

Rozelle Hospital grounds are of aesthetic significance in that they reflect the natural landform which was the setting for the original development of the site and surrounding suburbs and contain rare examples on a local level of remnant natural areas and Aboriginal cultural sites. It is of both aesthetic and social significance because it contributes visually and socially to the local identity and sense of place.

Rozelle Hospital grounds are of social significance on a regional level in that they provide public recreational and open space within an intensively developed urban environment.

Rozelle Hospital grounds are of scientific significance on a regional level for their horticultural significance. They are of scientific significance for their archaeological value of their rock engravings and Aboriginal middens. (National Trust, 1994)

Document Set ID: 38213129 Version: 1, Version Date: 18/10/2023

Attachment D – Heritage Council General Terms of Approval



HMS Application ID: 1973 Your ref: CNR-47533 DA/2022/0449

Eric Wong Council Officer Inner West Council PO BOX 14 PETERSHAM NSW 2049

By email: eric.wong@innerwest.nsw.gov.au

Dear Mr Wong

HERITAGE COUNCIL OF NSW – GENERAL TERMS OF APPROVAL INTEGRATED DEVELOPMENT APPLICATION

Address: Balmain Road LILYFIELD NSW 2040

SHR item: Callan Park Conservation Area and Buildings, SHR no. 00818

Proposal: CNR-47533 DA/2022/0449

Upgrade of the Wharf Road carpark and additional public domain

works.

IDA application no: HMS ID 1973, received 11 November 2022

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above integrated development application. In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the following general terms of approval are granted:

APPROVED DEVELOPMENT

- 1. All work shall comply with the information contained within:
 - a) Landscape drawings, prepared by Tyrrell Studio as listed below:

Dwg No	Dwg Title	Date	Rev	
Project Name: Landscape drawings, prepared by Tyrrell Studio as listed below:				
CP-L000	COVER SHEET	04.05.2022	05	
CP-L001	DRAWING LIST	04.05.2022	05	
CP-L002	LEGEND	04.05.2022	05	
CP-L003	LOCATION PLAN	04.05.2022	05	
CP-L004	SITE PLAN: SHEET 1 OF 2	04.05.2022	05	
CP-L005	SITE PLAN: SHEET 2 OF 2	04.05.2022	05	
CP-L006	SURVEY PLAN: SHEET 1 OF 2	04.05.2022	05	
CP-L007	SURVEY PLAN: SHEET 2 OF 2	04.05.2022	05	
CP-L101	DEMOLITION PLAN: SHEET 1 OF 4	04.05.2022	05	

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CP-L102	DEMOLITION PLAN: SHEET 2 OF 4	04.05.2022	05
CP-L103	DEMOLITION PLAN: SHEET 3 OF 4	04.05.2022	05
CP-L104	DEMOLITION PLAN: SHEET 4 OF 4	04.05.2022	05
CP-L105	TREE MANAGEMENT PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L106	TREE MANAGEMENT PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L107	TREE MANAGEMENT PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L108	TREE MANAGEMENT PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L111	GENERAL ARRANGEMENT PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L112	GENERAL ARRANGEMENT PLAN: SHEET 2 OF 4	04.05.2022	05
CP-L113	GENERAL ARRANGEMENT PLAN: SHEET 3 OF 4	04.05.2022	05
CP-L114	GENERAL ARRANGEMENT PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L121	GRADING PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L122	GRADING PLAN: SHEET 2 OF 4	04.05.2022	05
CP-L123	GRADING PLAN: SHEET 3 OF 4	04.05.2022	05
CP-L124	GRADIENT PLAN: SHEET 4 OF 4	04.05.2022	05
CP-L141	PLANTING PLAN: SHEET 1 OF 4	04.05.2022	05
CP-L142	PLANTING PLAN: SHEET 2 OF 4	04.05.2022	05
CP-L143	PLANTING PLAN: SHEET 3 OF 4	04.05.2022	05
CP-L144	PLANTING PLAN: SHEET 4 OF 4	04.05.2022	05
CP-L145	SCHEDULE: PLANTING PALETTE	04.05.2022	05
CP-L146	SCHEDULE: TREE SPECIES PALETTE	04.05.2022	05
CP-L201	SECTION: WHARF ROAD CARPARK 1	04.05.2022	05
CP-L202	SECTION: WHARF ROAD CARPARK 2	04.05.2022	05
CP-L203	SECTION: WHARF ROAD CARPARK 3	04.05.2022	05
CP-L204	SECTION: WHARF ROAD CARPARK 4	04.05.2022	05
CP-L205	SECTION: MILITARY DRIVE	04.05.2022	05
CP-L206	SECTION: MILITARY DRIVE AT CANE ROOM	04.05.2022	05
CP-L301	SCHEDULE: PAVING PALETTE	04.05.2022	05
CP-L302	SCHEDULE: FURNITURE PALETTE	04.05.2022	05

- Report: Statement of Heritage Impact, Proposed Wharf Road Carpark and Upgrades of Military Drive Callan Park, prepared by Dominic Steele Consulting Archaeology, dated 23 May 2022
- c) Report: Statement of Environmental Effects, STAGE 2A WORKS CALLAN PARK UPGRADE OF WHARF ROAD CARPARK AND ADDITIONAL PUBLIC DOMAIN WORKS, prepared by APP Corporation, dated June 2022
- d) Report: Arboricultural Impact Assessment Report Waterfront Green Stage 2A Callan Park Rozelle, STAGE 2A WORKS CALLAN PARK UPGRADE OF

WHARF ROAD CARPARK AND ADDITIONAL PUBLIC DOMAIN WORKS, prepared by Martin Peacock Tree Care, dated 6 April 2022.

EXCEPT AS AMENDED by the conditions of this approval:

PROJECT ARBORIST

2. A suitably qualified Project Arborist (AQF - Level 5) must be nominated for this project. The Project Arborist must provide input into tree protection measures, provide a detailed schedule of pruning, provide heritage information to be imparted to all arborists and tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. During the site establishment stage the Project Arborist must provide a detailed assessment of the pruning requirements for crown lifting of trees 1, 110, 114, 126 and 177 (plus any additional trees). The Project Arborist must prepare any Pruning Specification and submit this to Inner West Council for approval and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SITE PROTECTION

3. Significant built and landscape elements are to be protected from potential damage during site preparation and during construction. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed. Individual tree protection requirements shall be determined through consultation between the Project Manager and the Project Arborist prior to installation.

Reason: To ensure significant fabric including vegetation is protected during construction.

MOVABLE HERITAGE

4. Prior to demolition of building 511, a suitably qualified heritage consultant must prepare a schedule of any potential movable items of significance inside the building. All identified items must be salvaged and stored in an appropriate location on site to be included in an interpretation plan by others.

Reason: To protect and manage movable heritage items.

PHOTOGRAPHIC ARCHIVAL RECORDING

5. A photographic archival recording of building 511, which must include a measured drawing of the building based on information provided by a surveyor, must be prepared prior to the commencement of demolition works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW, Department of Planning and Environment.

Reason: To capture the condition and appearance of the place prior to and after demolition.

UNEXPECTED FINDS

6. The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

ABORIGINAL OBJECTS

7. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the National Parks and Wildlife Act 1974. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

 If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

SECTION 60 APPLICATION

 An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

Advice

Section 148 of the *Heritage Act 1977* (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

Right of Appeal

If you are dissatisfied with this determination, section 70A of the Act gives you the right of appeal to the Land and Environment Court.

If you have any questions about this correspondence, please contact James Quoyle, Senior Assessments Officer, at Heritage NSW on 9873 8612 or James.Quoyle@environment.nsw.gov.au.

Yours sincerely

'Michael Ellis.

Michael Ellis
Manager Assessments
Heritage NSW
Department of Planning and Environment

As Delegate of the Heritage Council of NSW
24 January 2023