





INNER WEST

DEVELOPMENT ASSESSMENT REPORT

Application No.	DA/2021/0449
Address	Glover Street LILYFIELD NSW 2040
Proposal	Removal of three dead or dying trees within Callan Park
Date of Lodgement	22/06/2021
Applicant	Brooke Morris
Owner	Health Administration Corp
Number of Submissions	Nil
Value of works	\$40,000.00
Reason for determination at Planning Panel	Heritage listed landscaping
Main Issues	Nil
Recommendation	Approval with Conditions
Attachment A	Recommended Conditions of Consent
Attachment B	Arborist Report
Attachment C	Statement of Heritage Significance



Figure 1. Locality Map

Subject Site		Objectors		↑ N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application for the removal of four (4) dead or dying trees within Callan Park in Rozelle.

The application was notified to surrounding properties and no submissions were received in response to the notification.

The application is considered suitable for approval, subject to the imposition of appropriate conditions as recommended in Attachment A. 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 was subsequently provided.

2. Proposal

This DA seeks approval for the removal of the following four (4) trees as shown in Figure 2:

- Tree TDT - *Pittosporum undulatum* (Native Daphne)
- Tree 44 - *Cinnamomum camphora* (Camphor Laurel)
- Tree 66 - *Cinnamomum camphora* (Camphor Laurel)
- Tree 70 - *Angophora floribunda* (Rough Barked Apple)



Figure 2. Location of trees proposed to be removed.

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.

Figures 3 – 4 below show the trees that are proposed to be removed.



Figure 3. Tree T44



Figure 4. Tree T66

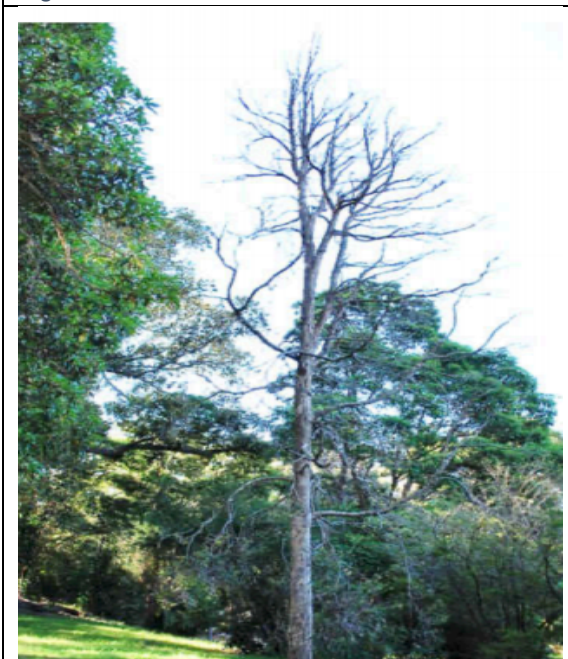


Figure 5. Tree T70

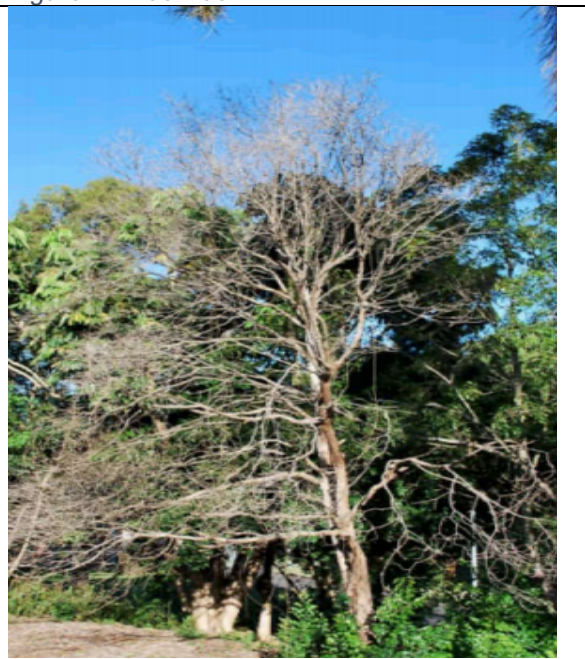


Figure 6. Tree TDT

4. Background

4(a) Site history

Subject Site

None relevant to this application.

Surrounding properties

None relevant to this application.

4(b) Application history

Date	Action
30/07/2021	E-mail sent to applicant with draft conditions for review.
02/08/2021	E-mail correspondence received from the applicant in which, they accept the draft 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*.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Acts, Regulations and Environmental Planning Instruments listed below:

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

The following provides further discussion of the relevant issues:

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

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

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

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

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

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

7 Development at Callan Park restricted

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

community facility means a facility (not being an educational facility or a health service) providing services to the community on a not-for-profit basis.

educational facility means a university or any other facility providing educational services on a not-for-profit basis but does not include a secondary school or a primary school.

The objects of the *Callan Park Act 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.*

Objects of the *Callan Park Act 2002*

The proposal involves the removal of four (4) trees, and as discussed below, is satisfactory with regard to heritage and landscaped impacts, subject to conditions. There are no proposed changes to use and no reduction of open space proposed. Further, subject to conditions, the proposal will not adversely affect the Broughton Hall Garden, Charles Moore Garden or Kirkbride Garden. As such, the proposal will comply with the relevant provisions under Clause 7 of the Act and achieve compliance with objects of the Act.

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

A Ministerial Waiver waiving the requirement under *SEPP 56* for the preparation of a Masterplan to accompany the DA has been provided.

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.

A detailed assessment by Council's Heritage Specialist of this application is provided below.

Heritage Listing:

The subject site at Callan Park / Rozelle Hospital, Kirkbride Way, Lilyfield, is located within the Callan Park Conservation Area and Buildings, which is listed on the State Heritage Register. The site also contains Middens, rock shelters and occupation sites (*Leichhardt LEP 2000*).

Heritage Significance:

The Kirkbride Block and Convalescent Cottages are major components of the former Callan Park Hospital for the Insane designed in 1877 by Colonial Architect James Barnet and Inspector General for the Insane Frederick Norton Manning. Of all large mental health facilities surviving in NSW, Callan Park Hospital for the Insane was the largest and the first to be designed from inception as a curative and therapeutic environment where a more humane attitude to mental health was practiced in line with the moral therapy and non-restraint models of care. It reflects the pinnacle of Manning's work in updating and expanding asylums within NSW to satisfy the environmental conditions required for moral therapy and non-restraint institutions. It is the finest example in NSW of an asylum of this type and period and in the twentieth century became a major example of modern custodial institution. The site was used continuously as a mental health care facility for over 115 years.

The location of the Kirkbride Block and the Convalescent Cottages on an elevated landform represents a site design of outstanding quality and sensitivity to the natural landscape. James Barnet designed the Kirkbride Block to sit on a ridge projecting north toward Iron Cove Bay. As a result of its elevated location and the incorporation of ha-ha walls along its perimeter the Kirkbride Block maintains extensive views over Iron Cove and the surrounding suburbs, which, on a clear day, extend to the Blue Mountains in accordance with the original design intent.

The massive form and roofscape of the building complex, in particular the well-detailed Victorian water tower, are visually prominent within the local area as an important landmark, reflecting the qualities consciously sought by Barnet in his design and siting of the complex.

Callan Park, generally, is a significant open space for the local community and beyond, particularly in the context of dense urban development within the surrounding areas. The Kirkbride Block is a significant monumental presence within this open space context. There are many community and sporting groups for whom the precinct holds importance.

Callan Park is important to the local Aboriginal community for its connections with long term land use and occupation on the shores and slopes of Iron Cove, demonstrated through a range of physical Aboriginal sites, the setting and social traditions connected to the landscape and some significant trees.

The Kirkbride Block and Convalescent Cottages, Callan Park, are of exceptional heritage significance for their historic, associative, aesthetic, social and research values, as well as their representativeness.

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

Heritage Comments:

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 apply to the proposal. The Kirkbride Block and Convalescent Cottages, Callan Park Conservation Management Plan prepared by GML Heritage, dated May 2020 also applies to the proposal.

The Statement of Heritage Impact prepared by ARCHITELLE, dated 28 April 2021, the Statement of Environmental Effects prepared by Que Consulting, dated 28 April 2021, the Standard Exemption 13: Self Assessment, prepared by Kirkbride Remediation Project Officer, dated 23 April 2021, the Section 60 Approval issued by Heritage NSW, dated 26 May 2021 and the Arborist Report prepared by Martin Peacock Tree Care, dated 15 December 2020, were reviewed as part of this assessment.

The proposal includes the removal of 4 trees within Callan Park. Three (3) trees are located within the Kirkbride Precinct 4 (T44, T66 and T70) and Tree TDT is located within the Brighton Hall Precinct 7.

A Self Assessment has been prepared by the Kirkbride Remediation Project Officer for the removal of trees T66, T70 and TDT under Standard Exemption 13: Vegetation. Trees T66 and T70 are identified in the Arborist Report as dying and Tree TDT was identified as dead. As stated in the Self Assessment, the removal of non-significant diseased, dying, dead and/or dangerous trees and new planting of species sympathetic to the item, do not require approval under subsection 57(1) of the Heritage Act 1977 if the works are undertaken in accordance with the above. Trees T66, T70 and TDT are not identified as having any heritage significance in the relevant conservation management plans.

Tree T44 - *Cinnamomum camphora* (Camphor Laurel) is located beside the Administration Building and main visitor entrance to the Kirkbride Complex, which is identified in the CMP as a building of exceptional heritage significance. The HIS states the tree is established, possibly planted around 1903, with a wide canopy that has made a positive contribution to the aesthetic value of the landscape setting of the Kirkbride Complex of buildings and in particular to its prominent entrance forecourt until recently.

This subject tree is characteristic of broad canopied shade trees that were commonly located as features to define entries or flank facades of important buildings in the late 1800's. These trees were often planted as individual specimens to be admired, rather

than in a group. Tree T44 has been identified as having high significance (Kirkbride Block and Convalescent Cottages Conservation Management Plan, 2020).

Tree T44 has been assessed in the Arborist Report as being at the end of its life (“almost dead”). Its poor condition is having an adverse impact on the significance of the both the tree itself and the landscape setting of the Kirkbride Complex. The HIS states the tree’s removal and planting a suitable replacement will mitigate the negative heritage impact.

The Arborist Report recommends that Tree 44 should be removed as the tree is almost dead. To maintain/enhance canopy cover and retain the landscape character of the site the Report recommends that advanced size (minimum 100 litre) replacement tree should be planted in the same location as Tree 44 following the removal of the tree stump. Suitable replacement trees recommended in the Report include *Brachychiton acerifolius* (Illawarra Flame Tree), *Ginkgo biloba* (Maiden Hair Tree) and *Liriodendron tulipifera* (Tulip Tree), which are supported by the condition recommended as part of the Section 60 approval from Heritage NSW. It is agreed that a suitable replacement tree will be an appropriate mitigating measure to reduce the impact of the removal of the dying tree.

The Section 60 approval recommends a photographic record to be undertaken prior to, and after works have been completed. This is supported as it is in accordance with Section 6.3.7: Recording of changes and specifically Policy 14: All changes to Callan Park should be carefully recorded from the 2011 CMP prepared by Tanner Architects.

Another condition recommended in the Section 60 approval is for unexpected archaeological relics which requires the applicant must notify the Heritage Council of NSW if unexpected archaeological deposits are discovered and work must cease in the affected area(s) which is supported.

It is recommended that a condition be included in the consent that contractors are to be advised of the heritage significance of the Kirkbride Block and Convalescent Cottages. 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.

Recommendation

The proposal is acceptable from a heritage perspective as it will have an acceptable impact on the heritage significance of Callan Park and its historic buildings, gardens and landscape features, and will conserve the State’s heritage providing the conditions recommended in the Section 60 Approval from Heritage NSW and the recommended condition outlined above are included in the consent to ensure that the proposal is consistent with the Callan Park CMP and to ensure that the proposal is in accordance with the *Heritage Act 1977*, the *Leichhardt LEP 2000*, the *Leichhardt DCP 2000* and the *Callan Park CMP 2011*.

Further to the above, the application has received concurrence from the Heritage Council of NSW for the removal of Tree 44, subject to the conditions outlined elsewhere in this report.

Given the above, the proposal is supported on heritage grounds, subject to conditions.

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

The proposed development complies with the requirements of the Regulation.

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

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

However, while historical documentation suggests that, although the entire Deposited Plan is listed as potentially contaminated, the actual location is adjacent to the former hospital buildings. Given that only minor soil disturbance will take place for the removal of the trees and new tree planting, and given that proposal will not change the use of the site, the proposed works raise no concerns with regard to land contamination.

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

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

- Clause 12 - Vision of Plan
- Clause 13 - General Objectives
- Clause 15 - Heritage Conservation
- Clause 16(1)-(5) - Heritage Items
- Clause 16(6) - Use of a Heritage Item
- Clause 16(7) - Development in the Vicinity of a Heritage Item
- Clause 16(8) - Conservation Areas
- Clause 27 - Community Use Objectives
- Clause 28 - Public Purpose Zone
- Clause 29 - Development of Land within the Public Purpose Zone
- Clause 33 - Foreshore Building Line
- Clause 34 - Foreshore access

As discussed in more detail in an earlier section of the report, the proposed works, subject to conditions, are supported on heritage grounds and the removal of the four (4) trees, as outlined below, subject to conditions, is supported. The proposal is considered to not result in adverse amenity impacts.

In summary, subject to recommended conditions, the proposal is considered to be 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 1977*):

- Leichhardt Development Control Plan 2000;
- Leichhardt Development Control Plan 36 – Notifications;
- Leichhardt Development Control Plan 38 – Avoid, Reuse, Recycle; and
- Leichhardt Development Control Plan 42 – Contaminated Land Management;

It is considered that the proposal, as recommended to be conditioned, will meet the intent of the above Development Control Plans; however, an assessment has been carried out to clarify compliance with LDCP2000.

5(c)(i) *Leichhardt Development Control Plan 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 A5.0 – Amenity
- Part A6.0 – Site Analysis
- Part A7.0 – Heritage Conservation
- Part A10.1.4 – Iron Cove Parklands
- Part C1.3 – Landscaping

As discussed in detail elsewhere in this report, the proposal is satisfactory with regard to heritage, subject to conditions, including photo archiving to capture the condition and appearance of the place prior to, and during, modification of the site.

The proposed removal of the four (4) trees is satisfactory, subject to conditions, as outlined elsewhere in this report.

As the proposal has acceptable heritage and landscaping outcomes, the proposal will meet the controls and objectives of the Leichhardt DCP 2000.

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 the *Leichhardt LEP 2000*. The proposed development is permissible on this site and the site is considered suitable for the proposed development as outlined in the assessment of the application.

5(f) *Any submissions*

The application was notified to surrounding properties for a period of 14 days. No submissions have been received.

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.

Heritage

Comments provided by Council's Heritage Specialist have been incorporated into the heritage discussion in Section 5 above. As discussed, no objections were raised, subject to recommended conditions.

Urban Forest

Council's Arborist raised no objections to the removal of the four (4) trees, subject to recommended conditions, including replacement planting noting that "these trees are either dead or at the end of their life with no prospect of remediation".

In addition, Council's Arborist has advised that "all tree work must be undertaken by a practicing Arborist" and that "the work[s] 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*" and that "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". These requirements have been included in Attachment A.

6(b) External

The Heritage Council of NSW has provided concurrence, subject to conditions, which have been included in Attachment A.

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, instruments and policies and will result in acceptable impacts for the locality for the reasons identified previously in this report. Accordingly, the application is recommended for approval, subject to the recommended conditions.

9. Recommendation

That the Inner West Local Planning Panel exercising the functions of the Council as the consent authority, pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979*, grant consent to Development Application No. DA/2021/0449 for the removal of four dead or dying trees within Callan Park at Glover Street, ROZELLE , subject to the conditions listed in Attachment A below.

Attachment A – Recommended conditions of consent

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
not stated	The report titled Arboricultural Assessment – Kirkbride & NGO Precincts, Callan Park	15/12/2020	Martin Peacock Tree Care
Revision 4	Statement of Environmental Effects	28/04/2021	que consulting
not stated	Statement of Heritage Impact Proposed Development to Callan Park, Lilyfield, NSW 2040	28/04/2021	Architelle

As amended by the conditions of consent.

GENERAL CONDITIONS

2. Tree Protection

All trees to be retained must not be damaged during works. Vehicles and plant must be located on existing hardstand areas where possible and clear of tree canopies to be retained. Where required, ground protection in accordance with AS4970 must be installed.

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.

Note - The locations of the trees and numbering is documented in the Arboricultural Impact Assessment prepared by Martin Peacock Tree Care dated 15 December 2020 and the Statement of Environmental Effects prepared by Que Consulting and dated 28 April 2021.

3. Works to Trees

Approval is given for the following works to be undertaken to trees on the site.

Tree/location	Approved works
Tree TDT - <i>Pittosporum undulatum</i> (Native Daphne) / near Building 502	Removal
Tree 44 - <i>Cinnamomum camphora</i> (Camphor Laurel) / main entrance to Kirkbride Complex	Removal
Tree 66 - <i>Cinnamomum camphora</i> (Camphor Laurel) / north east corner Kirkbride Complex	Removal
Tree 70 - <i>Angophora floribunda</i> (Rough Barked Apple) / embankment north of Kirkbride Complex	Removal

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*.

4. Photographic Archival Recording - Heritage Council

A photographic archival recording must be prepared prior to the commencement of 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.

5. Tree Planting Method - Heritage Council

The works including root barrier installation, planting method and protection measures are to be undertaken as described in section 3.1 of the Arboricultural Assessment – Kirkbride & NGO Precincts, Callan Park Prepared by Martin Peacock Tree Care, 15 December 2020.

6. Replacement Tree (T44) - Heritage Council

The replacement tree (T44) must be selected from the following species

- A) *Brachychiton acerifolius* (Illawarra Flame Tree)
- B) *Ginkgo biloba* (Maiden Hair Tree)
- C) *Liriodendron tulipifera* (Tulip Tree)

The tree selected for replacement tree must be a mature tree (minimum 100 litre) and must be planted in the same location as the removed tree.

7. Unexpected Historical Archaeological Relics - Heritage Council

If unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval 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.

8. Specialist Tradespersons - Heritage Council

All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

9. Site Protection - Heritage Council

Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

10. Compliance - Heritage Council

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.

11. Duration of Approval - Heritage Council

This approval will lapse five years from the date of the consent unless the building works associated with the approval have physically commenced.

12. Certification of Tree Planting

Within 30 days of the removal of any tree subject to this approval, a replacement tree shall be planted in accordance with the following -

Tree TDT - *Pittosporum undulatum* (Native Daphne) - Replacement tree to be in a 45 litre container and planted in the general vicinity of the removed tree. The replacement species to be *Backhousia citriodora* (Lemon Myrtle), *Melaleuca salicifolia* (Willow Bottlebrush) or *Xanthostemon chrysanthos* (Golden Penda).

Tree 44 - *Cinnamomum camphora* (Camphor Laurel) - Replacement tree to be in a 100 litre container (minimum) and planted in the same location (as close as possible) to the location of the removed tree. The stump and main roots of the removed tree must be ground to a depth that will allow for replanting. The species of the replacement tree to be *Brachychiton acerifolius* (Illawarra Flame Tree), *Ginkgo biloba* (Maiden hair Tree) or *Liriodendron tulipifera* (Tulip Tree).

Tree 66 - *Cinnamomum camphora* (Camphor Laurel) - Replacement tree to be in a 45 litre container and planted in the general vicinity of the removed tree. The replacement species to be *Brachychiton populneus* (Kurrajong) or *Jacaranda mimosifolia* (Jacaranda).

Tree 70 - *Angophora floribunda* (Rough Barked Apple). Replacement tree to be in a 45 litre container and planted in the general vicinity of the removed tree. The replacement species to be *Angophora costata* (Sydney Red Gum) or *Eucalyptus eximia* (Yellow Bloodwood).

- The trees must be planted by a qualified Arborist or Horticulturist.
- The trees must be in accordance with AS2303 'Tree stock for landscape use'.
- The replacement trees must be maintained and watered until they are established. If the trees are found dead or dying before they reach a height where they are protected by Council's Tree Management Controls, they must be replaced with the same species at the same size as conditioned.

DURING WORKS

13. Protection of heritage structures and areas

During the works, contractors are to be advised of the heritage significance of the Kirkbride Block and Convalescent Cottages. 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.

ADVISORY NOTES

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 Pruning or Removal (including root pruning/mapping)

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

Advice - Heritage Council

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.

Unexpected discoveries during works - Heritage Council

If during works under this approval, you unexpectedly discover a relic or believe you may have discovered an historical archaeological 'relic', notification is required under s146 of the Heritage Act 1977. If you believe you have unexpectedly discovered an Aboriginal object, notification is required under s89A of the National Parks and Wildlife Act 1974.

In these scenarios work must cease in the affected area(s) and the following notifications are required (a relic - the Heritage Council of NSW and an Aboriginal object – Heritage NSW). Additional assessment and approval may be required under the relevant legislation prior to works continuing in the affected area(s) based on the nature of the discovery.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Other Approvals may be needed

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

Failure to comply with conditions

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

Other works

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

Obtaining Relevant Certification

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

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

Permits from Council under Other Acts

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

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

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

Noise

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

Dial before you dig

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

Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.

Dial Prior to You Dig	1100 www.dialprior toyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diySAFE.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au
Waste Service - SITA	1300 651 116 www.wasteservice.nsw.gov.au
Environmental Solutions	
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	13 10 50 www.workcover.nsw.gov.au Enquiries relating to work safety and asbestos removal and disposal.

Attachment B – Arborist Report



Martin Peacock Tree Care
Arboricultural & Horticultural Consultancy

Attn: Brooke Morris
Kirkbride Remediation Project Manager
NSW Ministry of Health

15th December 2020

Re: Arboricultural Assessment – Kirkbride & NGO Precincts, Callan Park

1.0 Background

This document has been prepared on behalf of NSW Ministry of Health in relation to (3) trees located within the Kirkbride Precinct, and one tree located adjacent to building B502 within the NGO Precinct, at Callan Park, Rozelle.

The Kirkbride Precinct was previously managed by the University of Sydney and the trees located in this area are identified with a numbered tag. The tree within the NGO Precinct is not tagged. An aerial image showing the locations of all the trees covered by this report is contained within *Appendix A – Tree Location Plan*.

Martin Peacock Tree Care undertook a site visit on the 8th of December 2020 and assessed the subject trees in accordance with the industry standard, Visual Tree Assessment (VTA)¹ methodology. It should be noted that a detailed ecological assessment of the trees is outside of the scope of this report. A summary of the tree assessment is detailed in the tables below.

2.0 Tree Assessment Results – Kirkbride Precinct

Tree 44:

Tree Species	<i>Cinnamomum camphora</i> (Camphor Laurel)
Trunk Diameter (DBH)	1300mm
Height	14m
Radial Crown Spread (av.)	8m
Age Class	Senescent
Physiological Condition	Poor (dying)
Structural Condition	Fair
Useful Life Expectancy	<5 years
Landscape Value	High

¹ Mattheck & Broler 1994

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Tree 66:

Tree Species	<i>Cinnamomum camphora</i> (Camphor Laurel)
Trunk Diameter (DBH)	800mm
Height	12m
Radial Crown Spread (av.)	7m
Age Class	Senescent
Physiological Condition	Poor (dying)
Structural Condition	Fair
Useful Life Expectancy	<5 years
Landscape Value	Moderate

Tree 70:

Tree Species	<i>Angophora floribunda</i> (Rough Barked Apple)
Trunk Diameter (DBH)	250mm
Height	7m
Radial Crown Spread (av.)	3m
Age Class	Senescent
Physiological Condition	Poor
Structural Condition	Fair
Useful Life Expectancy	<5 years
Landscape Value	Moderate

3.0 Observations

3.1 Tree 44 *Cinnamomum camphora* (Camphor Laurel):

Tree 44 is a senescent specimen which is almost dead. Low volumes of small diameter epicormic shoots present in clumps in the extremities of the upper crown. It is likely that any epicormic shoots which develop in the lower crown are subject possum browsing. It is apparent that the tree is in a severe state of irreversible decline and can be expected to die over the short term.

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The root system of the tree has caused significant damage to the brick paved footpath immediately to the north and root pressure has caused minor displacement of the sandstone retaining wall of the heritage building to the west of the tree. Further damage to adjacent structures is unlikely as the declining condition of the tree should limit any significant root development.

The tree is located at the entry to the adjacent heritage listed building and the crown extends over the driveway to the east. As the dead branches in the crown desiccate, deadwood will begin to fall from the crown beginning with the smaller diameter branches. In the short term the risk posed by falling deadwood is low as the diameter of deadwood is likely to be small and the occupancy rate below the trees crown is low. However, over time as larger dead branches begin to fall the adjacent heritage building could be damaged.

No significant cavities were observed in the trunk or larger branches therefore it is assumed that the tree is of limited habitat value. A seedling phoenix palm is growing in the junction of first order branches which may indicate an internal pocket or column of decay is present in the trunk below.

Tree 44 should be removed as the tree is almost dead. To maintain/enhance canopy cover and retain the landscape character of the site an advanced size (minimum 100 litre) replacement tree should be planted in the same location as Tree 44 following the removal of the tree stump. *Cinnamomum camphora* (Camphor Laurel) were once widely planted as a specimen tree however the species has been found to be prone to self-seeding and is considered weedy in nature. Based on the above an alternative species should be selected as the replacement tree. A species with an upright or columnar habit would be most appropriate to reduce conflict with the heritage building in the long term. Suitable replacement trees include the following:

- *Brachychiton acerifolius* (Illawarra Flame Tree)
- *Ginkgo biloba* (Maiden Hair Tree)
- *Liriodendron tulipifera* (Tulip Tree)

Prior to planting the replacement tree, a 900mm deep root barrier should be installed to the rear of the sandstone retaining wall within the lawn area, to provide protection against future retaining wall/building damage by tree roots. The root barrier should set back from the rear of the retaining wall by 500mm (approx.) and the upper 20mm of the barrier should protrude above ground level to prevent overgrowth by tree roots. To promote successful establishment tree planting should be restricted to the winter season only. A 1m (minimum) radius tree ring comprising of a 75mm deep layer of composted woodchip mulch should be installed around the tree and supplementary watering provided as required during the establishment period to ensure the rootball of the tree does not dry out. Specific watering requirements should be determined by a qualified arborist/horticulturalist based on climatic conditions and periodic inspection of the tree during the establishment period.

3.2 Tree 66 *Cinnamomum camphora* (Camphor Laurel):

Tree 66 is a senescent specimen which is almost dead. A very low number of emergent epicormic shoots are developing on the lower trunk however it is expected that these shoots will either die off during the hot summer months or be subject to possum browsing and the tree will die completely.

It is apparent that the die back of the tree has been relatively recent as small diameter dead branches remain in the outer crown. As the dead branches in the crown desiccate, deadwood will

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begin to fall from the crown beginning with the smaller diameter branches. The southern side of the crown extends over the adjacent footpath and over time deadwood will begin to fall onto the footpath.

In the short term the risk posed by falling deadwood is low as the diameter of deadwood is likely to be small and the occupancy rate below the trees crown is low and there are no static targets (i.e. structures).

No cavities were observed in the trunk or larger branches therefore it is assumed that the tree is of limited habitat value.

Tree 66 should be removed as the tree is almost dead. To maintain/enhance the canopy cover at the site an advanced size (minimum 45 litre) replacement tree should be planted in the vicinity of Tree 66. *Cinnamomum camphora* (Camphor Laurel) were once widely planted as a specimen tree however the species has been found to be prone to self-seeding and is considered weedy in nature. Based on the above an alternative species should be selected as the replacement tree. Suitable replacement trees include the following:

- *Brachychiton populneus* (Kurrajong)
- *Zelkova serrata* (Japanese Elm)
- *Jacaranda mimosifolia* (Jacaranda)

Tree planting and aftercare during the establishment period should be undertaken in accordance with the methods detailed in point 3.1.

3.3 Tree 70 *Angophora floribunda* (Rough Barked Apple):

Tree 70 is a senescent specimen with major crown dieback. A small number of live branches remain in the lower crown however the cambium on the trunk is partially dead and beginning to split indicating the tree is likely to die over the short term. Wounding, presumably from mower/whipper snipper damage has partially girdled the base of the trunk and has likely created an entry point for pathogens which have caused the decline of the tree.

It is apparent that the die back of the tree has been relatively recent as small diameter dead branches remain in the outer crown. As the dead branches in the crown desiccate deadwood will begin to fall from the crown beginning with the smaller diameter branches. The risk posed by falling deadwood in the short to medium term is very low as the occupancy rate below the trees crown is low and there are no static targets.

No cavities were observed in the trunk or larger branches therefore it is assumed that the tree is of limited habitat value.

Tree 70 should be removed as the tree is almost dead. To maintain/enhance the canopy cover at the site an advanced size (minimum 45 litre) replacement tree should be planted in the vicinity of Tree 70. Suitable replacement trees include the following:

- *Angophora costata* (Sydney Red Gum)
- *Eucalyptus eximia* (Yellow Bloodwood)
- *Harpulia pendula* (Tulipwood)

-
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Tree planting and aftercare during the establishment period should be undertaken in accordance with the methods detailed in point 3.1.

4.0 Tree Assessment Results – NGO Precinct

Tree adjacent to Building B502:

Tree Species	<i>Pittosporum undulatum</i> (Native Daphne)
Trunk Diameter (DBH)	150mm
Height	5m
Radial Crown Spread (av.)	3m
Age Class	Dead
Physiological Condition	n/a
Structural Condition	n/a
Useful Life Expectancy	n/a
Landscape Value	n/a

5.0 Observations

5.1 Tree adjacent to Building B502:

The tree located in the garden bed adjacent to the southeast corner of Building B502 is a dead *Pittosporum undulatum* (Native Daphne). It would appear that the tree has been dead for some time as the bark on the trunk and larger branches is desiccating and falling away.

The tree is a small specimen and the risk posed by a whole tree or large diameter branch failure is low. However, as the tree is located adjacent to the building and footpath the tree should be removed.

No significant cavities were observed in the trunk or larger branches therefore it is assumed that the tree is of limited habitat value.

Following tree removal, to maintain/enhance the canopy cover at the site an advanced size (minimum 45 litre) replacement tree should be planted in the vicinity of the dead tree. Suitable replacement trees include the following:

- *Backhousea citriodora* (Lemon Myrtle)
- *Melaleuca salicina* (Willow Bottlebrush)
- *Xanthostemon chrysanthos* (Golden Penda)

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Tree planting and aftercare during the establishment period should be undertaken in accordance with the methods detailed in point 3.1.

Please do not hesitate to contact me if you have any questions.

Yours faithfully



Martin Peacock
BSc (hons.) Arboriculture (UK)
Higher National Diploma Arboriculture (UK)
National Diploma Horticulture (Arb.) (UK)
Diploma Horticulture (Landscape Design) (AUS)



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Appendix A – Tree Location Plan



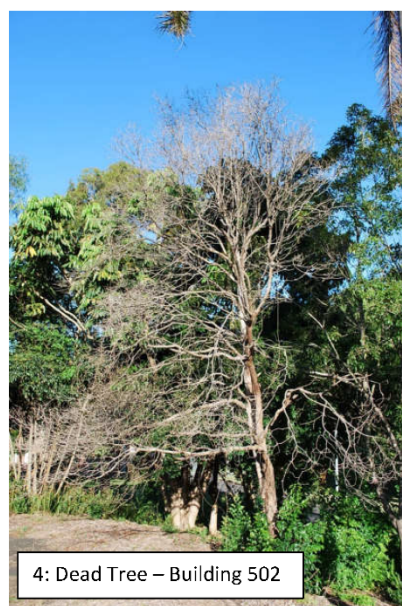
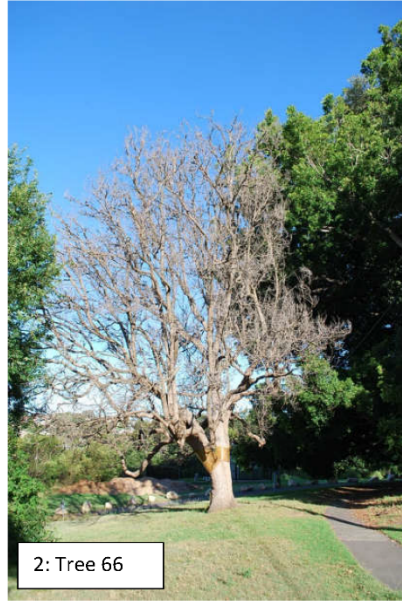
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Appendix B - Photographs



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Attachment C – Statement of Heritage Significance

DOCUMENTS RELATED TO THE CONSENT

1. Documents related to the consent

The development must be carried out in accordance with plans and documents listed below:

Plan, Revision and Issue No.	Plan Name	Date Issued	Prepared by
not stated	The report titled Arboricultural Assessment – Kirkbride & NGO Precincts, Callan Park	15/12/2020	Martin Peacock Tree Care
Revision 4	Statement of Environmental Effects	28/04/2021	que consulting
not stated	Statement of Heritage Impact Proposed Development to Callan Park, Lilyfield, NSW 2040	28/04/2021	Architelle

As amended by the conditions of consent.

GENERAL CONDITIONS

2. Tree Protection

All trees to be retained must not be damaged during works. Vehicles and plant must be located on existing hardstand areas where possible and clear of tree canopies to be retained. Where required, ground protection in accordance with AS4970 must be installed.

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.

Note - The locations of the trees and numbering is documented in the Arboricultural Impact Assessment prepared by Martin Peacock Tree Care dated 15 December 2020 and the Statement of Environmental Effects prepared by Que Consulting and dated 28 April 2021.

3. Works to Trees

Approval is given for the following works to be undertaken to trees on the site.

Tree/location	Approved works
Tree TDT - <i>Pittosporum undulatum</i> (Native Daphne) / near Building 502	Removal
Tree 44 - <i>Cinnamomum camphora</i> (Camphor Laurel) / main entrance to Kirkbride Complex	Removal
Tree 66 - <i>Cinnamomum camphora</i> (Camphor Laurel) / north east corner Kirkbride Complex	Removal
Tree 70 - <i>Angophora floribunda</i> (Rough Barked Apple) / embankment north of Kirkbride Complex	Removal

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*.

4. Photographic Archival Recording - Heritage Council

A photographic archival recording must be prepared prior to the commencement of 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.

5. Tree Planting Method - Heritage Council

The works including root barrier installation, planting method and protection measures are to be undertaken as described in section 3.1 of the Arboricultural Assessment – Kirkbride & NGO Precincts, Callan Park Prepared by Martin Peacock Tree Care, 15 December 2020.

6. Replacement Tree (T44) - Heritage Council

The replacement tree (T44) must be selected from the following species

- A) *Brachychiton acerifolius* (Illawarra Flame Tree)
- B) *Ginkgo biloba* (Maiden Hair Tree)
- C) *Liriodendron tulipifera* (Tulip Tree)

The tree selected for replacement tree must be a mature tree (minimum 100 litre) and must be planted in the same location as the removed tree.

7. Unexpected Historical Archaeological Relics - Heritage Council

If unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval 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.

8. Specialist Tradespersons - Heritage Council

All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

9. Site Protection - Heritage Council

Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

10. Compliance - Heritage Council

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.

11. Duration of Approval - Heritage Council

This approval will lapse five years from the date of the consent unless the building works associated with the approval have physically commenced.

12. Certification of Tree Planting

Within 30 days of the removal of any tree subject to this approval, a replacement tree shall be planted in accordance with the following -

Tree TDT - *Pittosporum undulatum* (Native Daphne) - Replacement tree to be in a 45 litre container and planted in the general vicinity of the removed tree. The replacement species to be *Backhousia citriodora* (Lemon Myrtle), *Melaleuca salicifolia* (Willow Bottlebrush) or *Xanthostemon chrysanthos* (Golden Penda).

Tree 44 - *Cinnamomum camphora* (Camphor Laurel) - Replacement tree to be in a 100 litre container (minimum) and planted in the same location (as close as possible) to the location of the removed tree. The stump and main roots of the removed tree must be ground to a depth that will allow for replanting. The species of the replacement tree to be *Brachychiton acerifolius* (Illawarra Flame Tree), *Ginkgo biloba* (Maiden hair Tree) or *Liriodendron tulipifera* (Tulip Tree).

Tree 66 - *Cinnamomum camphora* (Camphor Laurel) - Replacement tree to be in a 45 litre container and planted in the general vicinity of the removed tree. The replacement species to be *Brachychiton populneus* (Kurrajong) or *Jacaranda mimosifolia* (Jacaranda).

Tree 70 - *Angophora floribunda* (Rough Barked Apple). Replacement tree to be in a 45 litre container and planted in the general vicinity of the removed tree. The replacement species to be *Angophora costata* (Sydney Red Gum) or *Eucalyptus eximia* (Yellow Bloodwood).

- The trees must be planted by a qualified Arborist or Horticulturist.
- The trees must be in accordance with AS2303 'Tree stock for landscape use'.
- The replacement trees must be maintained and watered until they are established. If the trees are found dead or dying before they reach a height where they are protected by Council's Tree Management Controls, they must be replaced with the same species at the same size as conditioned.

DURING WORKS

13. Protection of heritage structures and areas

During the works, contractors are to be advised of the heritage significance of the Kirkbride Block and Convalescent Cottages. 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.

ADVISORY NOTES

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 Pruning or Removal (including root pruning/mapping)

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

Advice - Heritage Council

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.

Unexpected discoveries during works - Heritage Council

If during works under this approval, you unexpectedly discover a relic or believe you may have discovered an historical archaeological 'relic', notification is required under s146 of the Heritage Act 1977. If you believe you have unexpectedly discovered an Aboriginal object, notification is required under s89A of the National Parks and Wildlife Act 1974.

In these scenarios work must cease in the affected area(s) and the following notifications are required (a relic - the Heritage Council of NSW and an Aboriginal object – Heritage NSW). Additional assessment and approval may be required under the relevant legislation prior to works continuing in the affected area(s) based on the nature of the discovery.

Prescribed Conditions

This consent is subject to the prescribed conditions of consent within clause 98-98E of the *Environmental Planning and Assessment Regulations 2000*.

Other Approvals may be needed

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

Failure to comply with conditions

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

Other works

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

Obtaining Relevant Certification

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

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

Permits from Council under Other Acts

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

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

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

Noise

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

Dial before you dig

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

Useful Contacts

BASIX Information	1300 650 908 weekdays 2:00pm - 5:00pm www.basix.nsw.gov.au
Department of Fair Trading	13 32 20 www.fairtrading.nsw.gov.au Enquiries relating to Owner Builder Permits and Home Warranty Insurance.

Dial Prior to You Dig	1100 www.dialprior toyoudig.com.au
Landcom	9841 8660 To purchase copies of Volume One of "Soils and Construction"
Long Service Payments Corporation	131441 www.lspc.nsw.gov.au
NSW Food Authority	1300 552 406 www.foodnotify.nsw.gov.au
NSW Government	www.nsw.gov.au/fibro www.diySAFE.nsw.gov.au Information on asbestos and safe work practices.
NSW Office of Environment and Heritage	131 555 www.environment.nsw.gov.au
Sydney Water	13 20 92 www.sydneywater.com.au
Waste Service - SITA	1300 651 116 www.wasteservice.nsw.gov.au
Environmental Solutions	
Water Efficiency Labelling and Standards (WELS)	www.waterrating.gov.au
WorkCover Authority of NSW	13 10 50 www.workcover.nsw.gov.au Enquiries relating to work safety and asbestos removal and disposal.