

## **5 INFORMATION FOR CONSERVATION POLICY**

---

### **5.1 EXPLANATION**

Conservation policies and recommendations for their implementation are developed from an understanding of:

- the cultural significance of the place as a whole and the level of significance of the individual elements and physical fabric;
- the general condition and structural adequacy of the group of buildings and the grounds (discussed in Section 3 and Appendix A Inventory of Zones and Items );
- the client's requirements and potential future tenant needs;
- statutory and other external constraints; and
- possible new uses which are both feasible and compatible with the retention of the cultural significance of the whole place.

Constraints and opportunities from the cultural significance of the site are described in the following sections.

### **5.2 OPPORTUNITIES AND CONSTRAINTS ARISING FROM SIGNIFICANCE**

Callan Park has attained an exceptional level of cultural significance from several periods of its historical development. It is a complex site and should be preserved for the future by appropriate conservation works and by careful management to retain and enhance public appreciation of its significance and to increase its accessibility to the public. The place must again become a vital site through appropriate usage.

The site must be maintained in a condition which is consistent with its significance. A regular maintenance programme over the whole site is required. The landscape setting must be conserved and building deterioration must be slowed or halted and major items of repair must be carried out as soon as possible ensuring the retention of significant elements and fabric.

Significant views into the site, vistas within the site and views from the site must be maintained.

Development is regulated by the Callan Park (Special Provisions) Act 2002 (refer to section 5.3). Future development must respect and enhance the existing significant buildings in their essential landscape setting. Such development should only be allowed where it can be shown to play a benevolent role in the long term management and maintenance of the heritage items.

### **5.3 OPPORTUNITIES AND CONSTRAINTS ARISING FROM OWNER REQUIREMENTS**

#### **5.3.1 NSW Health**

The mental health facilities operated by NSW Health were removed from the site to Concord Hospital from 2002 in line with policies to locate mental health facilities with acute care hospital facilities. NSW Health also retains a policy of co-location that is, integration of the mentally ill into the community to avoid isolation in facilities like Callan Park. The Concord Centre for Mental Health commemorates mental health care at Callan Park through its Kirkbride, Manning and Broughton Units.

NSW Health currently holds the title to the site. However, 80% of the site is under the control of the Sydney Harbour Foreshores Authority. NSW Health has jurisdiction over the remaining 20%, which includes the NGO precinct (the former Broughton Hall Psychiatric Clinic site) and those parts occupied by NSW Ambulance and Sydney South West Area Health Service. NSW Health has a strong interest in ongoing mental health care at the site. The department's policy is for care only rather than residential accommodation, which is maintained through the NGO precincts.

Currently, many buildings on the site are not in use as a result of psychiatric facilities having been withdrawn from the site. The Kirkbride Block (Buildings B1-B119) is leased by the University of Sydney for use by the Sydney College of the Arts. In addition, the following organisations occupy a number of buildings within the Callan Park site:

- Aftercare (Buildings B135 and B136);
- Aftercare / VHCC / Sids&Kids (Buildings B124 and B125);
- Aftercare / Ranfurly Library (Building B501);
- Centre for Education and Workforce Development (Building B301);
- Construction Industry Drug and Alcohol Foundation (CIDAF) (Building B502);
- NSW Ambulance (Buildings B105, B108, B127, B233 and Buildings B1045 to B1048B inclusive);
- Arts NSW - NSW Writer's Centre (Building B213);
- Nurses' Accommodation (Buildings B106, B107, B396 to B399 inclusive);
- Rozelle Child Care Centre (Building B302 and B303);
- Sydney Harbour Foreshores Authority (B215);
- Sydney University – Sydney College of the Arts (Kirkbride Block);
- University of Tasmania (Buildings B101, B102, B103 and B104);
- We Help Ourselves (WHOS) (Buildings B121, B126, B128, B131, B132 and B192 to B199 inclusive).

NSW Health accepts that the title to the site will be transferred to a trust or other group or organisation. However, it would like to retain management of the health uses. NSW Health foresees the opportunity for the NGOs to be retained and the Council to partially manage the site.

NSW Health has an interest in retaining the section of the site occupied by NSW Ambulance and may consider redevelopment on that land, which may necessitate subdivision from the main Callan Park site. A request has been lodged with the NSW Department of Planning to approve the securing of buildings B220-222 and B296 for use by the NSW Ambulance Service.

One of the key constraints of the site that is evident to NSW Health is the maximum ten year leases, which restrict an organisation from investing financially into the site.

### **5.3.2 Leichhardt Municipal Council**

As a principal stakeholder of Callan Park, Leichhardt Municipal Council has a great interest in the ongoing management and functioning of the site. The Council is the consent authority under the Callan Park Act. Leichhardt Council jurisdiction over the planning controls relating to the site. It is aware of the challenges and opportunities the site presents and the fact that one of the best ways to preserve the site's significance is to ensure that land uses can be established on the site, thereby ensuring the use and maintenance of the site's buildings, landscapes and infrastructure.

Whilst Leichhardt Council has considered its position regarding Callan Park on numerous occasions, it has remained consistent over time. The Council favours the retention of mental health facilities at the site,

public access to open space and the establishment of a trust to manage the place. Callan Park is an important open space component of the local government area. The Act specifies that the care, control and management of any part of Callan Park can be contracted to the council or a trust, if the trust has agreed to undertake that care, control and management in accordance with the objects of this Act.

On 22nd October 2008 the Minister for Planning and the Minister for Education and Training announced the State Government was proposing a transfer of care, control and management of a section of Callan Park to Leichhardt Council through a 99 year lease. The precise terms of the proposed handover were and are still unknown. In the absence of a Masterplan for the site (as required by the Callan Park Act) and/or any proposal by the State Government to prepare a Masterplan, Leichhardt Council initiated the preparation of a Masterplan. Over the course of the following year Leichhardt Council worked to obtain copies of all the available existing background studies to assist and inform the Master Planning process. In cooperation with stakeholders Leichhardt Council developed a scoping document forming the basis of a Master Plan tender brief that was advertised in March 2010.

On 25th May 2010 Leichhardt Council resolved to appoint a consultant team lead by McGregor Coxall to develop a Master Plan for the entire 60.37 hectares of the Callan Park Site in accordance with the provisions of the Callan Park [Special Provisions] Act 2002 and State Environmental Planning Policy 56 – Sydney Harbour Foreshores and Tributaries. The master planning process has been innovative, seeking feedback and involvement from members of the community.

Council has particular concerns over the lack of essential maintenance and repairs across the site in past years. As a result, there is a noted gradual decline in the condition of the buildings, landscape and infrastructure on the site, which has led to gradual increase in the scope and cost of works required to return the buildings, landscapes and infrastructure to an acceptable standard.

The Master Plan was adopted by Council on 19 July 2011. It has been developed to address key aspects of the site, including biodiversity, built form and infrastructure, culture, energy, health and governance in a holistic fashion that recognises the site's heritage and natural significance.

## **5.4 PHYSICAL CONDITION AND INTEGRITY**

### **5.4.1 Existing Buildings and Structures**

Inspection of buildings undertaken during the preparation of the CMP has found that:

- the physical condition of the buildings at Callan Park varies from good to very poor, depending on whether or not they are occupied and how long ago they were vacated;
- not all of the unoccupied buildings are currently meeting the minimum standards of maintenance and repair that befit a place of State heritage significance;
- a number of buildings require measures to prevent damage from vandalism, such as boarding up openings and protecting areas of glazing;
- a number of buildings are in need of immediate works to reverse damage caused by water and vermin entering the buildings via damaged roofs or broken windows;
- It is possible that the interiors of unoccupied buildings are suffering from the effects of rising or lateral damp.

Buildings that need of urgent work to prevent further deterioration include:

- B401, B403 and B404, which are infested with cats and are suffering building failure such as collapsing verandah soffit linings.
- Buildings B506, B507 and B508 need to be made secure as windows have been broken and water and birds can enter interiors. As well, a large quantity of roof tiles are missing from B508, leaving it exposed to weather and vandalism.
- B130 (Broughton Hall) is in extremely poor condition.

#### 5.4.2 Flora and Fauna

Callan Park is highly significant because of the flora it contains. This ranges from plantings and landscaping associated with the various phases of hospital use to an area on the northern side of Callan Point and extending along the slopes above the southern end of King George Park (to the north of the Kirkbride platform), which is the only remnant bushland remaining in the Leichhardt Local Government Area. The relative heritage significance of cultural planting is evaluated elsewhere in this report.

A survey was undertaken by Tree Logic Pty Ltd for the Sydney Harbour Foreshores Authority to provide an analysis of the woody vegetation on the site for management purposes. 3,621 individual trees were assessed. It was concluded that the overall condition of the trees across the site was fair, with a minority of species exhibiting decline. The most prominent among the latter are Camphor Laurels (*Cinnamomum camphora*), Southern Mahogany (*Eucalyptus botryoides*) and Brush Box (*Lophostemon confertus*). The report highlights the diversity of species, many of which could be considered significant at local, state and potentially national level. The site is apparently at what is termed a “crossroad in terms of its future” and generally the site and trees have suffered through lack of maintenance. Woody weed species have been established and approximately 5% of trees may require removal because of poor condition.<sup>122</sup>

The fauna occupying the site consists of some 70 indigenous species, including several whose presence is, at a local level, endangered. Vulnerable species include the Superb Fairy Wren, Blue-tongued lizard, Tawny Frogmouth, Brown Goshawk and Buff-banded Rail. Clearly there is an integral relationship between flora and fauna that includes non-significant vegetation on the Hospital site so that any future work associated with landscaping will need to take this into account.

#### 5.4.3 Soil Contamination

This section of the CMP is based on the section on Contamination by Sydney Environmental & Soil Laboratory on pages 26 and 27 of the Callan Park Master Plan Report January 2011: Public Exhibition Draft prepared by McGregor Coxall and others.

The site has been the subject of several investigative reports on potential soil contamination. Several likely areas of contamination have been identified and include significant areas of fill and refuse disposal, scattered areas of what is termed “largely boiler ash disposal”, underground storage tanks and associated hydrocarbon contamination, groundwater contamination in the northern areas of fill and the possibility of asbestos in fill areas and scattering over the site. An underground storage tank was recently decommissioned.

Medium term actions that are suggested include avoidance of development on identified fill areas, covering areas identified with surface contamination and development of a long-term environmental management plan. In the longer term recommended actions include provision of guidance for works and

---

<sup>122</sup> Tree Logic, Tree Asset Registration Project, Callan Park, Lilyfield, Draft 1 March 2011, pp.1-2.

maintenance in areas identified as contaminated and uncontaminated to prevent cross contamination and clear communication of requirements to conduct intensive contamination investigations around heritage buildings and development areas.

## **5.5 EXTERNAL CONSTRAINTS**

### **5.5.1 Constraints Arising from the Australia ICOMOS Burra Charter**

The Australia ICOMOS Burra Charter (1999) is accepted by the Heritage Council of New South Wales as the main guide to conservation work and practices. The following are the relevant articles:

- Provision should be made for the continuing security and maintenance of significant items. (Articles 2 and 16)
- All conservation work should involve minimum interference to the existing fabric. (Article 3)
- The visual setting for significant items must be maintained and no new construction or other action which detracts from the heritage value of the item should occur. (Article 8)
- Fabric should be retained in situ unless moving it is the sole means of achieving its survival. (Article 9)
- Fabric from all periods should be recognised as contributing to the significance of the items and should be retained and conserved. (Articles 5, 13 and 15)
- Existing fabric should be recorded before disturbance occurs. (Article 27)
- Disturbance of fabric may occur in order to provide evidence needed for the making of decisions on the conservation of the place. (Article 28)
- The decision-making procedure and individuals responsible for policy decisions should be identified. (Article 26)
- Appropriate direction and supervision should be maintained at all stages of the work. (Article 27)
- A record should be kept of new evidence and future decisions. (Articles 27, 31 & 32)
- Copies of all reports and records should be placed in a permanent archive and made publicly available.(Article 32.2)
- Fabric of cultural significance already or subsequently removed should be kept in a secure repository. (Article 33)
- Such items should be professionally catalogued and protected.(Article 33)
- Adequate resources should be provided for conservation. (Article 34)

### **5.5.2 NSW State Government**

#### **NSW Heritage Act**

New South Wales Government Heritage Policy provides for a two-tiered heritage management system, whereby:

- The State Government (through the Heritage Council) is responsible for statutory control and management of heritage items of State significance. This is achieved through use of the State Heritage Register provisions of the Heritage Act 1977; and
- Local Government (through Councils) is responsible for the statutory control and management of heritage items of Local significance. This is achieved through use of heritage schedules in environmental planning instruments, under the Environmental Planning and Assessment Act 1979.

#### **The State Heritage Register**

Items are listed on the State Heritage Register by the Minister for Urban Affairs and Planning, on the recommendation of the Heritage Council. While nomination to the State Heritage Register may be made

by any individual or organisation, the Heritage Council is also commencing a process of systematic review of the heritage registers maintained by State Government agencies, heritage schedules in planning instruments and other listings such as those maintained by the Australian Heritage Commission, the National Trust and the Royal Australian Institute of Architects.

Items on the State Heritage Register are protected from various works and other activities, without Heritage Council consent. Application to undertake such works (excluding demolition, which is prohibited) are still made under Section 60 of the Act and would normally be made as part of an Integrated Development Assessment (IDA) application.

The Heritage Council has exempted minor maintenance and repairs from this approval process and has issued guidelines on these exemptions for owners of places on the State Heritage Register. Refer *Minimum Standards of Maintenance and Repair* and *Standard Exemption for works requiring Heritage Council Approval* in this section.

The Callan park Conservation Area & Buildings is an item of State significance, being listed on the State Heritage Register (Ref. No. 00818, Gazette No. 27, 2 April 1999). Broughton Hall and Callan Park House (Garry Owen House) are individually listed (Ref. Nos. 00831 and 00823, Gazette No. 27, 2 April 1999). Refer Appendix D – Heritage Inventory sheets.

### **Heritage Agreements**

The Minister may now enter into agreements with the owners of items on the State Heritage Register. The aim of a Heritage Agreement is to specify activities to be undertaken by the owner and financial and other benefits which may be provided by the State Government.

Heritage Agreements may include provisions for:

- financial or technical assistance;
- valuation review;
- restrictions on use;
- professional advice required for conservation work;
- standards for conservation works; and
- interpretation and public access

Heritage Agreements may attach to the title of the land, so that the obligations and benefits apply to both current and future owners.

A Heritage Agreement could be put in place to provide for the long term conservation of all or part of Callan Park.



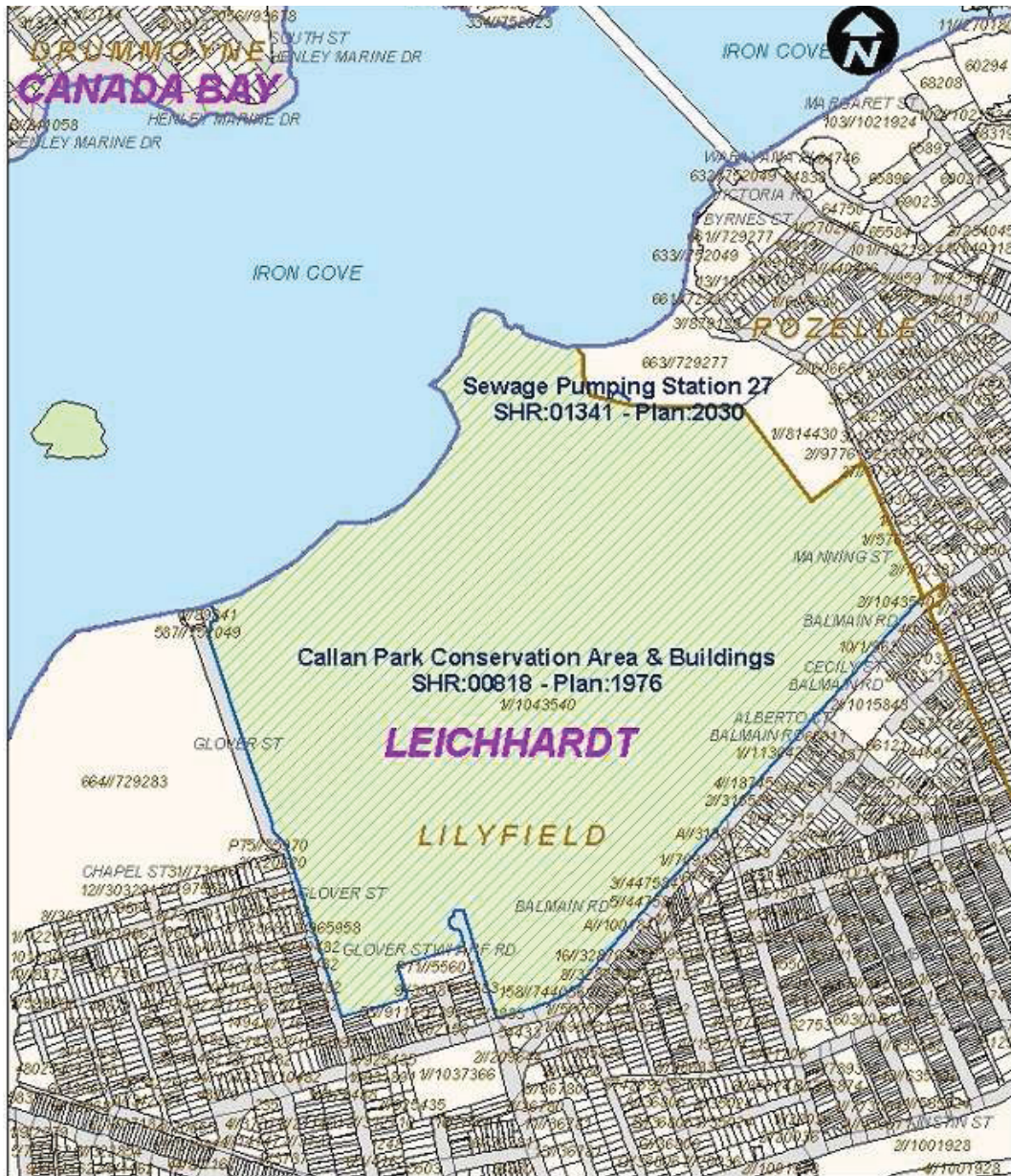


Figure 5-1 The State Heritage Register (SHR) listing boundary for the Callan Park Conservation Area. Source: SHR listing citation, Heritage Branch, NSW Department of Plan

It is a requirement of the master plan process that the site have a Conservation Management Plan endorsed by the Heritage Council. Section 38A of the Heritage Act also provides for the endorsement of a CMP prepared for a place included in the SHR. Endorsement of Conservation Management Plans by the Heritage Council is for a period of five years, after this the document is required to be reviewed and revised if necessary.

The Rozelle Hospital CMP, prepared in 2002 by Tanner & Associates, was endorsed by the Heritage Council on 6 March that year. The endorsement expired in 2007.

## 5.6 ARCHAEOLOGICAL RELICS

Under the Heritage Act, an excavation permit (or, alternatively, a gazetted exception) is required where excavation is proposed and there is reasonable knowledge or likelihood that disturbance or excavation of the land will result in a relic being discovered, exposed, moved, damaged or destroyed. In practice, this means that a permit will be required where any assessment or other information suggests the likely presence of buried relics and ground disturbance is proposed.

The Heritage Council is empowered to create exceptions to the 'relics' provisions through publication in the Gazette of exemptions for:

- relics or types of relics;
- specified kinds of disturbance or excavation; and
- disturbance or excavation of land in a specified location.

### 5.6.1 Minimum Standards of Maintenance and Repair

The Heritage Amendment Regulation 1999 sets out minimum standards with respect to maintenance and repair of buildings, works and relics that are listed on the State Heritage Register or are within a precinct that is listed on the Register. These minimum standards relate to:

- (a) the protection of the building, work or relic from damage or deterioration due to weather (including such matters as the weatherproofing of roof, doors and windows),
- (b) the prevention of and the protection of the building, work or relic from damage or destruction by fire,
- (c) security (including fencing and surveillance measures to prevent vandalism),
- (d) essential maintenance and repair (being maintenance and repair necessary to prevent serious or irreparable damage or deterioration).

If an item on the State Heritage Register is not being maintained and repaired to standards that are at least the minimum standards imposed by the regulations, the Heritage Council may give the owner of the building, work or relic an order to do or refrain from doing such things as are specified in the order so as to ensure that the building, work or relic is maintained and repaired to those standards.

### 5.6.2 Standard Exemptions for Works Requiring Heritage Council Approval

Standard exceptions apply to all items listed on the State Heritage Register. The purpose of the standard exemptions is to clarify for owners, the Heritage Office and local councils what kind of maintenance and minor works can be undertaken without needing Heritage Council approval. This ensures that owners are not required to make unnecessary applications for minor maintenance and repair. Council approval is still required however.



The approval of the Heritage Council is required for the uncovering of all archaeological relics over 50 years old. If an area has been assessed by an archaeologist as having low archaeological potential it is covered by Standard Exemption 4<sup>123</sup> and approval from the Heritage Council is not required.

### 5.6.3 Section 170 Register

Under Section 170 of the NSW Heritage Act, all government agencies are required to maintain a Heritage and Conservation Register of the Heritage Items which are owned or occupied by that statutory body. Items on the Section 170 register for Callan Park are identified in Appendix D, Heritage Inventory Sheets.

### Callan Park (Special Provisions) Act 2002

The principal legislation for Callan Park is the Callan Park (Special Provisions) Act 2002, the long title of which is An Act to preserve the public ownership of Callan Park; to protect its current features and restrict its future use; and for other purposes. Callan Park is defined in the Act as land at Rozelle comprised in Lot 1 Deposited Plan 807747 and all structures that are fixtures on the land. It should be noted that the present real property description of the site is Lot 1 Deposited Plan 1043540.

The objects of the Callan Park Act are:

- a) to ensure that the whole of Callan Park remains in public ownership and subject to public control;
- 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;
- c) to allow public access to that open space, including that foreshore, for public recreational purposes of both an active and a passive nature;
- d) to preserve the heritage significance of Callan Park, including its historic buildings, gardens and other landscape features;
- e) to impose appropriate controls on the future development of Callan Park.

Amongst other things, the Act describes how Callan Park (or parts of it), can be sold, transferred or leased. Management is limited to “the council of the local government area in which Callan Park is situated” (that is, Leichhardt Council) or a trust “prescribed by the regulations”. Leichhardt Council is the consent authority for development applications relating to Callan Park. Permissible development is confined to health facilities, educational or community facilities. Development is further restricted so that existing levels of open space are maintained; any new development is confined to redevelopment of existing buildings, which must not exceed their footprints and envelope sizes.

---

<sup>123</sup> Standard exemption 4 states: “Excavation for services and maintenance where this does not impact upon areas designated as archaeologically significant. This is only relevant to sites that have been the subject of an archaeological assessment and areas free of archaeological relics have been identified so works can proceed without a Section 60 application.”

The environmental planning instruments that applied to Callan Park prior to the commencement of the Act continue to apply to the site. These include Sydney Regional Environmental Plan No. 22 (SREP 22), State Environmental Planning Policy 56 (SEPP 56), the Heritage Act 1977 and Leichhardt Local Environmental Plan 2000. It should be noted that SEPP 56 and SREP 22 have been consolidated and replaced by the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

**SREP No. 22 For Parramatta River**

Pursuant to Division 3 of Part III of the Environmental Planning and Assessment Act 1979, a Sydney Regional Environmental Plan (REP) No.22 was made for the Parramatta River.

Callan Park is designated a Conservation Area in this REP check Name. In addition, two individual items of notable significance have been identified: Callan Park and European rock carvings.

**SEPP 56 – Sydney Harbour Foreshores and Tributaries**

The State Environmental Planning Policy No.56 – Sydney Harbour Foreshores and Tributaries (SEPP 56) has been prepared under the Environmental Planning and Assessment Act 1979 to coordinate the planning and development of specific areas of the Sydney Harbour foreshore.

Callan Park is listed on Schedule 1 of the SEPP 56 as a site of ‘State Significant Development’. The consent authority for Schedule 1 items is the Minister for Planning. Clause 11 of SEPP 56 provides that the Minister may require that a Master Plan is prepared for land within this Schedule, and it will be adopted by the Minister. This Conservation Management Plan forms an essential part of the planning process for inclusion in the site Master Plan which has been prepared by McGregor Coxall and others.

**SEPP 56 Guiding Principles**

All decisions made in the administration of the Act or an instrument under the Act relating to the planning and development of land to which this Policy applies are to take the following matters into consideration:

- (a) increasing public access to, and use of, land on the foreshore,
- (b) the fundamental importance of the need for land made available for public access, or use on the foreshore to be in public ownership wherever possible, particularly land that is within the foreshore area as defined in the *Sydney Harbour Foreshore Authority Act 1998*
- (b1) if public ownership of foreshore land is not possible, the use of appropriate tenure mechanism to safeguard public access to, and public use of, that land and to ensure the rights of public authorities to determine the design of, use of, and amenities on, the land over time.
- (c) the retention and enhancement of public access links between existing foreshore open space areas,
- (d) the conservation of significant bushland and other natural features along the foreshore, where consistent with conservation principles, and their availability for public use and enjoyment,
- (e) the suitability of the site or part of the site for significant open space that will enhance the open space network existing along the harbour foreshores,

(f)	the protection of significant natural and cultural heritage values including marine ecological values,
(g)	the protection and improvement of unique visual qualities of the harbour, its foreshores and tributaries,
(h)	the relationship between use of the water and foreshore activities,
(i)	the conservation of items of heritage significance identified in an environmental planning instrument or subject to an order under the <i>Heritage Act 1977</i> ,
(j)	the scale and character of any development, derived from an analysis of the context of the site,
(k)	the character of any development as viewed from the water and its compatibility and sympathy with the character of the surrounding foreshores.,
(l)	the application of ecologically sustainable development principles,
m)	the maintenance of a working-harbour character and functions by the recognition of key waterfront industrial sites or, at a minimum, the integration of facilities for maritime activities into development and, wherever possible, the provision of public access through these sites to the foreshore,
(n)	the feasibility and compatibility of uses and , if necessary, appropriate measures to ensure coexistence of different land uses,
(o)	increasing opportunities for water-based public transport.

### **Parramatta River Regional Park**

The establishment of Regional Parks by the State Government of NSW is in recognition of the need to protect urban bushland and regional open space. Regional Parks, a relatively new category of land added to the National Parks and Wildlife Act, are characteristically highly modified landscapes and are reserved primarily for cultural, recreational and social objectives. The regional parks aim to recognise the urban context, providing opportunities for facilities and activities that are not permitted in other categories of reserves in the national parks reserve system.

The Department of Health has agreed to transfer 1.5 hectares for use as a Regional Park, consisting of a foreshore strip approximately 10 metres wide. At this stage, no draft Plan of Management has been prepared by the National Parks and Wildlife Service, as the area of land available is not considered to be sufficient for the establishment of a Regional Park.

### **NSW National Parks and Wildlife Service**

The National Parks and Wildlife Act 1974 provides for the setting aside and management of land as: Nature Reserve, National Park, Regional Park, Historic Site, Aboriginal Area, State Recreation Area and State and Game Reserve.

Section 90 of the Act states that anyone who knowingly destroys or damages a relic, site or Aboriginal place without first obtaining written consent of the Director of National Parks and Wildlife is guilty of an offence against the Act.

The NSW National Parks and Wildlife Service has the responsibility to protect Aboriginal heritage sites under the National Parks and Wildlife Service Act. The Service maintains a site register, and a list of consultants experienced with Aboriginal relics, site identification and assessment.

In relation to Aboriginal sites the NPWS maintain a managerial role for sites within Park areas and “off park” sites they provide a custodial role. The NPWS will arrange involvement with the local Aboriginal community(s) for consultation in regard to the significance and management of the potential Aboriginal sites.

A section of Callan Park (the foreshore) has been offered to the National Parks & Wildlife Service to become a Regional Park. Significant Aboriginal sites have been identified within this area.

The Conservation Management Plan for Callan Point, Rozelle was prepared for the Callan Point Resource Management Group in 1999 to aid in the conservation of 2.5 acres of Callan Point headland adjoining King George Park. The plan has not to date been endorsed.

#### **5.6.4 Leichhardt Municipal Council – LEP 2000**

Callan Park is zoned ‘Public Purpose’ in the Leichhardt Municipal Council Local Environment Plan 2000. Public Purpose Zone enables land to be developed for public, community and cultural purposes. Development for the purpose of recreation areas is allowed without development consent. Development allowed only with consent includes educational establishments, hospitals, boarding houses, car parking, child care facilities and public amenities. Any other uses including residential, commercial office or retail uses would require a re-zoning the site. However, as stated above, the Callan Park (Special Provisions) Act only allows certain uses for the site.

Various elements within Callan Park are identified on the Leichhardt Council LEP as heritage items of local significance. Leichhardt Municipal Council will not consent to development on the site unless it obtains the concurrence of the NSW Heritage Council (refer to Appendix C for the Heritage Inventory Sheet).

While the site’s listing on Schedule 1 (State Significant Development) of SEPP 56 requires the Minister of Planning to be the consent authority, rather than the local council, the Callan Park Act identifies the local council as the consent authority.

#### **5.6.5 Register of the National Estate**

The entire Callan Park Conservation Area, bounded on the north west by Iron Cove, on the north east by Manning Road and on the south east by Balmain Road<sup>124</sup>, is listed on the Register of the National Estate. This listing indicates that the place is considered to be a significant part of the cultural and national environment of Australia. In addition, the following items are individually listed:

- Building B213, identified as Callan Park House (originally Garry Owen House);

---

<sup>124</sup> The south western boundary has not been defined.

- Building B399, identified as Former Attendant's Cottages (formerly Manning Street residence) and Gardens;
- Building B205, identified as original Gardener's Cottage (formerly Assistant Medical Superintendents Cottage);
- Building B211, identified as Industrial Therapy Unit;
- Buildings B1-B119 generally, Kirkbride Block;
- Former Main Gates, Balmain Road;
- Building B302, identified as The Lodge;
- Building B402, identified as Former Visitors Accommodation;
- Buildings B401 and B404, identified as former Wards 14 and 15;

(Refer to Appendix D, Heritage Inventory Sheets).

The Register of the National Estate was compiled by the (former) Australian Heritage Commission from 1976. It is now managed by the Australian Heritage Council. Following amendments to the Australian Heritage Council Act 2003 the Register of the National Estate was frozen on 19 February 2007. The register will continue as a statutory register until February 2012, after which time it will be maintained on a non-statutory basis as a publicly available archive. It has no legislative force for properties that are not under the jurisdiction of the Commonwealth Government.

#### **5.6.6 National Trust of Australia (NSW)**

The National Trust of Australia is a non-statutory, non-government organisation, however it has significant influence based on community support. The National Trust maintains a register of places and items of cultural significance and gives advice to government.

The Callan Park Conservation Area, including the foreshores and Leichhardt Park, is listed on the National Trust of Australia (NSW) Register. In addition, the following individual elements are listed:

- Building B403, identified as Former Callan Park Occupational Therapy Unit.;
- Main Gates, Balmain Road;
- Buildings B1-B119 generally, Kirkbride Block;
- Building B211, identified as the Industrial Therapy Unit (formerly Convalescent Ward) linked to the south west corner of Callan Park House;
- Building B302, identified as The Lodge (Assistant Director's Residence);
- Buildings B401 and B404, identified as Wards 14 and 15;
- Building B402, identified as original night nurses' quarters (formerly Visitors Accommodation 1965);
- Building B205, identified as original Gardener's Cottage (formerly Assistant Medical Superintendent's Cottage);
- Building B399, identified as Manning Street Residence (formerly Junior charge nurses' cottage 1965 and originally Attendant's cottages 1903);
- Building B213, Owen House (formerly Callan Park House).

(Refer to Appendix D, Heritage Inventory Sheets).



### **5.6.7 Building Code of Australia**

The Building Code of Australia (BCA) is concerned with establishing uniform building regulations across Australia. The BCA is implemented in New South Wales through the Local Government Act 1993. The main provisions of the BCA relate to structural requirements, fire resistance, access and egress (including provisions for disabled people), services and equipment, and health and amenity.

Callan Park contains numerous buildings which, in most cases, require attention and the addition of new services to upgrade them to Building Code of Australia standards.

In general, when considering the application of the BCA to heritage listed buildings, proposals must ensure that significant fabric and spatial qualities are not compromised, at the same time achieving compliance. When the final new use(s) of Callan Park and the individual buildings are decided an assessment of each of the buildings compliance with the Building Code of Australia will be required. This will assess each of the buildings against the life safety and fire protection objectives and principles of the Building Regulations, to identify aspects of possible deficiency and recommend the nature and extent of works considered necessary to rectify the deficiencies. It is also necessary to provide a reasonable and acceptable standard of occupant fire safety and fire protection for the significant building fabric.

The Fire Access and Services Advisory Panel (FASAP) of the NSW Heritage Branch of the Office of Environment and Heritage is available for consultation on ways of achieving appropriate fire safety, access, services and occupational health and safety provisions without detracting from the significance and integrity of heritage places.