
NON-BINDING MEMORANDUM OF UNDERSTANDING

THIS NON-BINDING MEMORANDUM OF UNDERSTANDING is made the day of 2007

Between

MINISTER ADMINISTERING THE CALLAN PARK (SPECIAL PROVISIONS) ACT 2002 of Parliament House, Sydney, New South Wales

(Minister)

And

THE UNIVERSITY OF SYDNEY of

(University)

And

SYDNEY HARBOUR FORESHORE AUTHORITY of Level 6, 66 Harrington Street, The Rocks, New South Wales

(Foreshore Authority)

BACKGROUND

- A. The Minister administers Callan Park under the Act.
- B. The University seeks to expand its current activities on the Callan Park site and the Minister agrees to consider and explore the potential for this within the context of the Callan Park Act 2002.
- C. The Minister wishes to appoint Foreshore Authority to undertake the preparation of a Masterplan for Callan Park.
- D. The parties have agreed to continue negotiations on the basis of the principles set out in this non-binding memorandum of understanding in relation to Callan Park and the preparation of a Masterplan.
- E. The parties recognise Callan Park is a State asset of community/heritage/cultural and natural landscape/foreshore open space significance.

THE PARTIES AGREE AS FOLLOWS:

1. Definitions and Interpretation

1.1 In this non-binding memorandum of understanding, unless the context otherwise requires:

- (a) Act means the *Callan Park (Special Provisions) Act 2002*.

- (b) **Callan Park** means the land at Rozelle comprised in Lot 1, Deposited Plan 1043540, including all structures that are fixtures on that land.
- (c) **Masterplan** means a masterplan for Callan Park within the meaning of SEPP 56.
- (d) **The University of Sydney** shall include a controlled entity thereof.

2. Term

This non-binding memorandum of understanding will continue until the earlier of five years from the date of this non-binding memorandum of understanding or the date it is terminated by any of the parties in writing.

3. The Act and Callan Park

- 3.1 The parties acknowledge the provisions of the Act.
- 3.2 The parties acknowledge that Callan Park is currently owned by the Health Administration Corporation, and that such ownership may be transferred to the Sydney Harbour Foreshore Authority.
- 3.3 The parties acknowledge that the University currently leases from the Health Administration Corporation the buildings at Callan Park known as the "Kirkbride Block" pursuant to lease which commenced January 1997 for a term of 99 years and see merit in the incorporation of these buildings into a more substantial and coherent campus.
- 3.4 The parties acknowledge that there are other parts of Callan Park which are currently leased or on tenancies:
 - (a) NSW Ambulance headquarters and training facility;
 - (b) Ministry of the Arts (NSW Writer's Centre);
 - (c) The Sydney College of the Arts (University of Sydney);
 - (d) Commonwealth Veterans Care Group;
 - (e) Child Care Centre;
 - (f) Other non-government organisations.
- 3.5 The parties will seek advice from the Health Administration Corporation with respect to the remaining tenancies.

4. Proposed Lease to University

- 4.1 Subject to agreement being reached with the University, the Minister would use reasonable endeavours to procure the grant of a 99 year lease to the University of a substantial and coherent part of Callan Park, at nominal rent and for use for higher education purposes, in accordance with *The University of Sydney Act 1989* and the

Masterplan including, without limitation, for learning and teaching, research, student campus accommodation, broader community education, student participation in extra curricular activities, social development and cultural and sporting activities.

- 4.2 The University acknowledges that a proposed lease would reserve rights to the public for pedestrian access through Callan Park on terms similar to the terms of public access through the University's Camperdown campus.
- 4.3 The parties acknowledge the University has a requirement that expansion of its activities must create a coherent campus environment.

- 4.4 The University would agree to permit Leichhardt Council to have use by Council or the public of the playing fields within Callan Park for organised sports, subject always to the University's reasonable requirements for use of the playing fields and provided that Leichhardt Council would accept responsibility for costs of any improvements required by it such as lighting, change rooms and security and for ensuring public liability insurance is obtained and for an equitable contribution to the maintenance of the playing fields and any such improvements.
- 4.5 The University would agree to negotiate with Leichhardt Council for construction of multi-purpose sporting fields including synthetic finishes.
- 4.6 The parties acknowledge that the proposed lease must:
 - (a) recognise and clearly articulate the University's right to use and develop the site in accordance with *The University of Sydney Act 1989 and the Callan Park Act 2002*;
 - (b) recognise and clearly articulate the University's right to sublease or licence discrete sites and buildings for uses associated with the University's educational use. Any such sublease, or licence, issued by the University for commercial uses that are not an integral part of the University's principle educational activities may be subject to commercial terms;
 - (c) agree and clearly articulate any commitments to protect the indigenous values of the site, in particular along the shoreline to Iron Cove; the natural and cultural landscape and the cultural heritage values of the site;
 - (d) agree and clearly articulate a commitment to public access to foreshore open space at all times.
- 4.7 The parties acknowledge that the proposed lease would contain performance specifications for occupation (including floorspace to be occupied for higher education purposes within an agreed period of time) and maintenance of Callan Park.

5. Masterplan

- 5.1 The Minister will appoint the Foreshore Authority to prepare a Masterplan for Callan Park as soon as practicable after the date of this Deed. Foreshore Authority will consult with the University in preparing the Master plan.
- 5.2 The parties acknowledge that in preparing the Masterplan, there will need to be an extensive consultation process involving, but not limited to, the University of Sydney; Leichhardt Council; the Central and South West Sydney Area Health Service; the Department of Health; the NSW Ambulance Service; various non-Government organisations with long to medium term tenancy aspirations; the Department of Planning including the Heritage Office; the member for Balmain and various community representatives covering a range of community interests.
- 5.3 In preparing a Masterplan for Callan Park, Foreshore Authority will have regard to the following:
- (a) existing leases of parts of Callan Park;
 - (b) the dedication of foreshore open space for public access at all times;
 - (c) encouragement of community access to Callan Park generally;
 - (d) preservation of the heritage significance of Callan Park and the buildings, other structures and gardens situated in Callan Park; and
 - (e) use of the site for higher education purposes.
- 5.4 In undertaking the preparation of a Masterplan for Callan Park, Foreshore Authority will at its cost and in consultation with the University undertake each of the following:
- (a) a building condition audit of all buildings and other structures situated within Callan Park - other than those currently leased to the University; and
 - (b) an audit of public infrastructure and public open space within Callan Park.

6. Legal Costs

Each party will pay its own legal costs in relation to this non-binding memorandum of understanding.

7. Governing law

This non-binding memorandum of understanding will be governed by and construed in accordance with the laws of the State of New South Wales.

8. Counterparts

This non-binding memorandum of understanding may consist of one or more counterpart copies. All counterparts of this non-binding memorandum of understanding when taken together constitute the one document.

9. Press Release

9.1 The parties agree:

- (a) To consult on the manner and timing of the public release of this MOU and/or details of any negotiations between the parties.

9.2 For the purposes of this non-binding memorandum of understanding, the relevant parties for contact are as follows:

- (a) for the Minister:

[Insert contact]

Telephone: (02)

Facsimile: (02)

Email:

- (b) for the University:

Professor

Telephone: (02)

Facsimile: (02)

Email:

- (c) for Foreshore Authority:

Diana Talty, Executive Director, Major Projects

Telephone: (02) 9240 8574

Facsimile: (02) 9240 8877

Email: talty@shfa.nsw.gov.au

Executed as a Deed.

SIGNED for and on behalf of)
[MINISTER] by its authorised delegate)
in the presence of:)

Witness

Authorised Delegate

Print Name
SIGNED for and on behalf of **THE**)
UNIVERSITY OF SYDNEY by its)
authorised delegate in the presence of:)

Print Name

Witness

Authorised Delegate

Print Name
SIGNED for and on behalf of **SYDNEY**)
HARBOUR FORESHORE)
AUTHORITY by its authorised delegate)
in the presence of:)

Print Name

Witness

Authorised Delegate

Print Name

Print Name

[10]



NEW SOUTH WALES

The Hon Frank Sartor MP

Minister for Planning
Minister for Redfern Waterloo
Minister for the Arts

Comments required
ASAP.

#7506

FACSIMILE COVER SHEET

To: <u>Vice Chancellor Gavin Brown</u>	From: <u>Leanne Copping</u>
Fax: <u>9351 4596</u>	Subject: <u>Media release re Callan Park</u>
Date: <u>26 June 2007</u>	Number of pages <u>3</u> (inc. cover sheet)

Dear Vice Chancellor,

Further to your recent telephone conversation with the Minister, the following pages contain a copy of the media release that our office will be releasing this afternoon following the Minister's announcement of the non binding MOU with the University during Question Time in Parliament. *(Question Time from 2.15pm)*

Please let me know if you have any suggestions for changes to the release. I can be reached on telephone 9230 3455.

Regards,

Leanne Copping
Leanne Copping
Policy Adviser

VC OK'd.
CGC advised VC by phone.

*CGC
J26/6*

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- Public access to the foreshore open space would be maintained.

The Masterplan will address the preservation of the site's heritage and the dedication of foreshore open space for public access.

The Memorandum of Understanding will be made publicly available, when it is formalised.

The *Callan Park Act* guarantees that the site remain in public ownership and restricts land use at the site to mental health or education facilities.

DRAFT

[11]



NEW SOUTH WALES

The Hon Frank Sartor MP

Minister for Planning
Minister for Redfern Waterloo
Minister for the Arts

Date Received
26 JUN 2007
7508
Vice-Chancellor's Office

FACSIMILE COVER SHEET

To: Chris Coffey From: Leanne Copping
Fax: 9351 4596 Subject: Statement to Parliament re Callan Park
Date: 26 June 2007 Number of pages 7 (inc. cover sheet)

Chris,

Further to our last telephone conversation, the following pages contain a copy of the Statement that the Minister will be making during Question Time in State Parliament this afternoon.

Please let me know if you have any suggestions for changes to this. I can be reached on telephone 9230 3455.

Regards,

Leanne Copping
Leanne Copping
Policy Adviser

*No comment necessary.
CJC
26/6*

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I thank the Honourable Member for her close interest in this issue and for lobbying so hard to ensure her community's views are heard.

Mr Speaker

Sydney is fortunate to have both a fantastic lifestyle and a varied history.

A few iconic sites across the city represent both those sides of our character ...

... and Callan Park is one of those few.

That's why the NSW Government is carefully exploring options for the site's future.

Early next year ... a major chapter in the site's history will close when NSW Health relocates specialist mental health services to a new facility at Concord Hospital.

The purpose-built 174-bed Concord site will allow hard-working staff to provide an appropriate level of care to mental health patients.

But it leaves a hole at Callan Park which must be filled to secure the site's long-term future at the heart of the local community.

Firstly ... we must work within the boundaries of the Callan Park Act of 2002.

The Act guarantees that the site remain in public ownership and restricts use at the site to mental health or education facilities.

The Government is also committed to preserving the site's significance as a major open public space in the region.

We recognise the value of sites such as Callan Park in the lifestyle of hardworking Sydney residents.

That's why the State Plan sets targets of increasing the use of sporting and recreation facilities.

So we have been searching out new possibilities for the site ... which are consistent with the legislation and leave the gates open to the local community.

I can inform Members that our search has led to one option which could achieve both these goals.

I can confirm that the lemma Government is in discussions with the University of Sydney over a proposal to expand its existing presence at Callan Park.

We hope to sign a non-binding Memorandum of Understanding with the University in the very near future.

Dedication of that open space would be addressed through a Masterplan ...

... as well as preservation of the site's heritage and other important issues.

Mr Speaker

The Memorandum of Understanding will be made publicly available ... when it is formalised.

This will be an inclusive public process.

Callan Park is a community asset.

And the community is entitled to a say in the site's future.

At the invitation of the Member for Balmain ...

I personally visited the site on 5 May this year to better understand its scale ... heritage buildings ... existing uses ... and open space.

And we will continue discussions with Leichhardt Council ... the local member ... and residents as this process moves forward.

Mr Speaker

Callan Park has a long history and the Government is determined it will have a long future in the Inner West.



The University of Sydney

NSW 2006 AUSTRALIA

ABN 15 211 513 464

Professor Gavin Brown AO FAA CorrFRSE
Vice-Chancellor and Principal

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22 February 2008

Director, Urban Assessments
Department of Planning
GPO Box 39
Sydney NSW 2001

Dear Sir or Madam

Submission in Support of the Callan Park Draft Land Use Plan

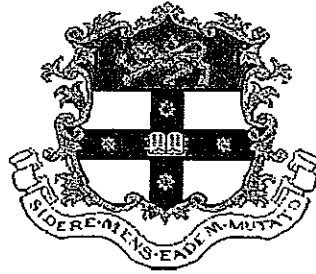
I am pleased to enclose a submission on behalf of the University of Sydney in support of the Draft Land Use Plan for Callan Park. You will be aware that, during the last six months, the University has been actively engaged in discussions with representatives of the NSW Planning Ministry, Sydney Harbour Foreshore Authority, NSW Health and the community about the potential future use of Callan Park by the University.

Those discussions are reflected in the attached submission.

If you have any questions regarding these matters, please contact the Pro-Vice-Chancellor (Campus Infrastructure & Services), Professor Richmond Jeremy, at r.jeremy@usyd.edu.au or 9351 3245.

Yours sincerely

Professor Don Nutbeam
Acting Vice-Chancellor



Submission by
The University of Sydney
in response to
the Draft Land Use Plan for
Callan Park

February 2008

SUMMARY

The University is pleased to have this opportunity to provide a response to the Minister for Planning regarding the draft Land Use Plan (LUP) for Callan Park.

The University of Sydney is a leader in the Australian Higher Education sector with an international reputation for outstanding teaching, and research excellence. This reputation is underpinned by the University's commitment to provide an exceptional academic and social experience for its students. The quality of our campuses and of our infrastructure management is critically important in ensuring that we continue to achieve these goals. The commitment of the University to enhancing its campuses to fulfil this mission is demonstrated by the 'Campus 2010' plan and its implementation and expected completion by 2008-9.

During the last seven months, the University has participated in the community consultation program relating to Callan Park, including workshops, concept presentations, and group discussions. This has led to the generation of the draft Land Use Plan, which includes the potential for the use of Callan Park as a parkland campus of the University of Sydney. The University has found these consultations to be open and engaging, providing useful input into the University's own planning processes. The University would like to thank the Minister's representatives, the members of the community and the consultant teams who have all contributed to the consultation program.

The draft Land Use Plan supports the potential use of Callan Park as a University campus, and provides important building parameters which may guide the subsequent development of a campus. The University recognises that the heritage significance of the Kirkbride buildings, and the important landscape elements are to be preserved.

The University recognises the many different expectations of stakeholders in the development of the Land Use Plan, which, by and large, provides a useful accommodation of many of these expectations.

The University believes that the creation of a new parkland campus at Callan Park would provide a uniquely valuable and lasting contribution to the City of Sydney for the benefit of the entire community. The University notes that the Economic and Social Impact Assessment by Hill PDA Consulting concludes that the proposed Land Use Plan will "improve the vitality and character of the site and surrounding area" and "generate new employment opportunities suited to a range of ages and skills". The University also notes the conclusions about ensuring "a socially responsible primary occupier of the site who will seek to preserve and enhance the existing built and landscape heritage of the site".

The University notes that there are some outstanding matters, not yet fully addressed by the Land Use Plan. The University seeks assurance in regard to a number of issues, and these are addressed in the remainder of this paper.

One area of particular concern for the community, and also for the University, is the matter of care and control of the major playing fields on the northern boundary of the site adjacent to Iron Cove. This is a matter of considerable importance to the University, as from its perspective, a coherent and viable campus includes the provision of sufficient open space and playing fields for students, as well as the provision of accommodation and teaching and research facilities. The University recognises the desire and need of the community for

improved access to quality playing fields, and seeks a solution to accommodate this need as far as practicable. Accordingly, the University has prepared a specific submission and proposals regarding the future improvement and management of these playing fields for the benefit of all, and looks forward to discussions with Leichhardt Council and Sydney Harbour Foreshore Authority on these proposals.

A second matter of general concern to the University, and to users of the Callan Park site, is that of site contamination. The information available regarding contamination is not yet adequate, notwithstanding the identified risks of significant contamination with asbestos, heavy metals and hydrocarbons, including potential contamination of groundwater. Accurate and comprehensive determination of the severity of contamination across the site is a matter of urgent importance, as it may well impact upon any application of the Land Use Plan.

There are a number of issues of detail in the Land Use Plan about which the University seeks to provide comment if the site is to be developed successfully as a university campus. The University would wish to emphasise that these matters are mostly matters of detail, rather than matters of fundamental principle, yet the University considers it desirable to resolve these issues at this time, in order to avoid uncertainty in the future.

The submission that follows is a considered response to specific issues of concern or requiring clarification. The annex provides the detailed submission and proposals regarding the future improvement and management of these playing fields referred to above.

SPECIFIC ISSUES FOR RESPONSE

STATEMENT OF INTENT

The University considers that the development of a coherent, viable and integrated campus at Callan Park, would offer the City of Sydney and the State of New South Wales an extraordinary opportunity to take advantage of the particular characteristics of the site, including its open space and topography. To that end, if a campus were to be developed, the University would seek to do so in ways that are sympathetic to the landscape, in accord with the principles of the LUP. Notwithstanding this intent, the draft LUP contains a number of definitive statements, which imply firm pre-commitments to construct certain facilities or undertake other activities which may not be necessary or desirable and upon which no decision has yet been taken by any party. The University requests that such categorical statements be replaced by statements of intent and desirability, where appropriate, in the final document.

A specific example in section 1.4 of the inappropriate use of definitive statements throughout the draft LUPs is the statement that "heritage buildings will be adapted to be reused to higher education purposes". Such adaptive reuse will depend upon feasibility or otherwise, and it may be that other uses, including public and community uses, are more appropriate for some heritage buildings. The significance of the heritage buildings is also undefined in this statement.

Another example is the statement on page 5 that "the University of Sydney has indicated that it has sufficient funds for the necessary adaptive reuse and restoration works at Callan Park". The

University is not aware how this statement came to be in the LUP and considers it inappropriate, as the University is yet to ascertain the final cost of the works required. The University considers that the restoration of the various important heritage buildings is a critical task, as will be the on-going maintenance of those buildings. At the time of writing, the University is examining the likely scope and magnitude of the work required and the cost of such works and the contribution that the University can afford to make towards such works.

The University requests that the terminology be less prescriptive so as to encourage innovative design and some flexibility in adaptive reuse of heritage buildings. The University is committed to achieving a high quality parkland campus and restoration of heritage buildings but requires reasonable flexibility in achieving that vision.

The University is mindful that future development proposals will be subject to appropriate community consultation on the background of the LUP.

ACCOMMODATION

The University recognises the preference of the community that permanent accommodation on the site be avoided. The University is grateful for the acceptance of the concept of student accommodation on the site. The University requests, however, that the provisions of 6.1.4 be amended to allow limited accommodation by visiting academics, and the provision of short term accommodation for new academic staff members looking to find permanent accommodation in Sydney. The University anticipates that such short-term accommodation would be for a period of not more than 12 months.

In addition, it is possible that the University may wish to develop new College-style accommodation at Callan Park, which would require permanent accommodation of a small number of staff specifically involved in the management and care of such Colleges and the pastoral care of student residents. The University would therefore request appropriate amendment of 6.1.4. With that exception, the University does not consider that permanent accommodation of staff would be appropriate for the site. This is consistent with the University's policy at its other campuses.

CONCEPT DESIGN

The University is presently undertaking early concept design consultation, with a view to developing two or three concept design scenarios for a potential campus at Callan Park, in accord with the principles of the draft LUP. Whilst Hassell architects have proposed certain building envelopes and footprints within each of the precincts, both the University and Hassell recognise that there is some flexibility needed in these parameters. Accordingly, the University would not wish the illustrative footprints for new buildings, as provided by Hassell, to be regarded as indicative of the rectilinear form of building footprints, which of course will be subject to further concept design. The University recognises the concerns expressed by community members about the built form of any new campus and believes that significant further consultation with a range of stakeholders will be required before any particular campus plan and built form is decided upon.

CONTAMINATION

The University is concerned that there may be significant undiscovered contamination of the site. The University's concerns are reinforced by the report, presented by HLA Envirosciences Pty Ltd in October 2007. The report from HLA Envirosciences clearly states that documentation of the contamination across the site, as previously undertaken by Coffey Geosciences, is inadequate to quantify the extent and nature of contamination on the site.

The University requests that a detailed and comprehensive contamination survey and evaluation of the entire site be conducted as a matter of urgency. This is of particular importance in relation to the waterfront precinct, where there has been uncontrolled landfill in past years and where there is real potential for significant groundwater contamination.

NGO PRECINCT

At time of writing, it is the University's understanding that New South Wales Health will be responsible for the care and management of the buildings in the NGO precinct and Broughton Hall. This of course includes the heritage listed Broughton Hall Gardens.

Whilst the University would be committed to the restoration and maintenance of the heritage gardens around Kirkbride and its curtilage, the University would seek clear and firm commitment by New South Wales Health to undertake restoration and maintenance of the heritage elements in the NGO precinct. Specifically, the University would wish the buildings in the NGO precinct and the Broughton Hall Gardens to be restored and maintained to a condition comparable to those in precincts controlled by the University, in order to ensure contiguity and quality of built form, heritage and landscape environments.

TRAFFIC AND PARKING

The University seeks to reduce the impact of motor vehicles upon all its campuses, and wishes to apply the same principle to Callan Park. The University notes that the LUP states that there will be minimal motor vehicle usage of the site, but does not believe it is feasible to define the term minimal. The University would propose that the concept be of "controlled motor vehicle usage" and "limited vehicular access"; be aligned with the principle of seeking to separate pedestrian and motor vehicle traffic ways; and be directed towards promoting the site as a pedestrian and bicycle environment.

The University appreciates the concerns of the community regarding the potential impact on street parking, and wishes to support the concept of containment of parking within the site. Where practicable, and economically feasible, the University would seek to utilise underground parking, but does not consider that such a requirement should be mandatory for all new parking, as the overall cost may not make this a viable option in all cases. There will of course remain a need for vehicle access for deliveries and servicing of buildings and functions, as well as access and parking for disabled persons and those with limited mobility.

CONSERVATION MANAGEMENT

The University notes the contribution of the 2002 Conservation Management Plan to the present LUP. In general, the University is supportive of the principles of the Conservation Management Plan, but would note that some elements of the 2002 Conservation Management Plan are not consistent with the proposed use as a university campus. This is a specific issue with relation to the proposed parkland campus precinct, where the 2002 plan would actively preclude much building development.

In order to avoid potential confusion, the University requests that the LUP be amended to note that new development would seek to be in accord with the spirit of the 2002 Conservation Management Plan, rather than including the definitive statement that all new development would be in accord with the letter of that plan. As any future development would be the subject of planning, council and community review, there would be reasonable opportunity for future assessment of any development proposals against the spirit of the Conservation Management Plan. Furthermore, the University would intend to work collaboratively with Tanner Architects, the authors of the 2002 Plan, regarding the heritage conservation of Kirkbride and other important elements on the campus.

The University considers that the history and identity of the Callan Park campus are fundamental to the creation of a successful campus. The University looks forward to the opportunity to integrate the past history of the campus into its future development.

SPORTING FIELDS

As stated previously, the University is willing to build one new oval and significantly upgrade three other fields (refer to the attached submission for the upgrade and management of playing fields). Whilst the LUP identifies two fields on Balmain Road it would appear from the University's initial investigation that this area would support only one sports field, hence one new oval 'E' and upgrade of ovals 'C', 'D' and a combined 'F' and 'G'.

The University has engaged Bligh Voller Nield to provide specialist advice on the issue of sports fields generally and their recommendation will form the basis of further discussion with SHFA and Council.

In addition to providing much needed facilities for cricket, soccer and football, the University is also willing to assist in the provision of facilities for hockey incorporating an artificial playing surface. Whilst some community feedback has indicated concern about all-weather playing surfaces, it should be acknowledged that such surfaces are necessary for all first grade, national and international standard hockey games.

Notwithstanding the desire to maintain the maximum amount of open space at Callan Park, it would seem judicious to avoid precluding the construction of a hockey field at Callan Park, which would be of enormous benefit to the community as well as the University. It is noteworthy that there is a major shortage of hockey fields of first grade standard in the Sydney metropolitan area, and particularly in the inner west. Based upon the preliminary investigations into contamination, the construction of a synthetic surface may represent an effective method of capping contaminated lands. The University considers that this issue should be discussed with Leichhardt Council.

TREE AND LANDSCAPE MANAGEMENT

The University recognises the importance of a number of heritage gardens and heritage trees across the Callan Park site. The University would seek to develop a landscape management plan for the precincts under its care and control, and to seek to preserve the green nature of Callan Park. In preparing such a management plan, the University would have due regard to the 2002 Conservation Management Plan. The University would expect New South Wales Health to do the same for the NGO precinct.

The statement in section 5.2 that the University proposes an extensive sculpture garden requires modification. The University considers that the provision of sculpture throughout the campus would be a very desirable objective, but has yet to determine the nature, extent, cost and form of such a landscape contribution. The University requests deletion of the word 'extensive' as this term is undefined. The University also recognises the advice from community members about issues of vandalism and will need to develop an appropriate security approach, so that any such sculpture and landscape features are maintained in good condition for the enjoyment of all.

NEW DEVELOPMENT

In section 6.1.7 a number of design principles are enunciated for the proposed building precincts. These principles may be rather too prescriptive, and in particular, the principle that all new building should be "located within existing building footprints where possible" is unnecessarily restrictive and should be removed. This statement is essentially antithetical to the principle that the existing building footprints are not well distributed across the site, are indeed haphazard, and do not allow the creation of a coherent, integrated and innovative built form in the environment.

The University notes the quantum and distribution of space allocation across the precincts and also is pleased to note that there is some flexibility in space allocation between precincts. The University is particularly pleased that changes in building footprint and the mix of space allocation has resulted in the preservation of green space across the campus.

CAR PARKING

The proposed parking controls would permit the University 780 spaces in the parkland campus and 300-spaces in the Church Street/Glover Street Precinct. Thus the total is 1080 spaces at Callan Park. The University suggests a small increase in parking spaces and requests an increase of the rate in the Church/Glover Precinct from 1.0 per 100m², to 1.2 per 100m², to give 360 spaces and an increase in the parkland campus precinct from 1.2 per 100m² to 1.5 per 100m² to give 975 spaces and a total of 1335 on the Callan Park campus of the University. Vehicles for servicing, loading, deliveries etc should be additional to these allowances.

The University is sensitive to the community concerns about traffic and parking and would prefer to be in a position to offer some increase in parking on the campus, rather than have overflow onto local streets. The requested increase in parking would have little effect on

vehicle movements in the surrounding streets (see the conclusions of the Arup Traffic Management Report) but would remove demand for on-street parking.

SPECIFIC ISSUES FOR CLARIFICATION AND FURTHER DISCUSSION

The University has engaged independent expert review of the draft LUP and includes the following comments, which arise from that review.

6.1 Land Use Plan Design Principles

6.1.1 Cultural Heritage

The 2002 Conservation Management Plan (CMP) is said to require reviewing and updating. The University supports the general principles of the 2002 CMP. While it may need re-endorsement by the Heritage Council, we believe a revised CMP should be based on the 2002 CMP. The values and assessments of the 2002 CMP should be retained in any future version.

For instance, the CMP recommends removal of so-called 'intrusive', 'low-value' and 'neutral' heritage buildings. We support this view. We support the LUP principle to investigate whether so-called 'moderate' heritage buildings can be retained. We support the LUP principle to preserve the heritage curtilage and landscape setting to significant heritage buildings.

As noted above, the University is concerned that the 2002 CMP was prepared with a different outcome for Callan Park in mind and is therefore at odds with some of the planning described in the current LUP. The references in the current LUP to the 2002 CMP therefore need to be amended, so as to avoid inadvertent conflict or unintended obstacles to the realisation of the campus vision.

6.1.2 Foreshore Edge

We support the principle to create a Foreshore that is open to the public.

6.1.3 Open Space and Landscape Setting

It is stated of open space that it should be, "configured in a way that is clearly public and there is no perceived alienation of public space" (p38). We find this principle to be generally laudable, but practically difficult to achieve in every case. Whoever manages the ovals, be it the the University or Council, will need some small areas, such as for landscape maintenance, that are not appropriate for public access. Accordingly we do not support the inference of this LUP Principle that all areas are to be publicly accessible. The University suggests that this principle be amended to reflect public access to as much of the campus as is practical and responsible.

6.1.4 Retention of Existing Site Users

We support the stated principle that Callan Park should be retained as a, "public resource for community, education and health uses". (p38)

6.1.5 Views and Visual Character

Whilst supportive of the stated principle, “reinstate the historic visual link between Broughton Hall and the Kirkbride Block....” (p39) this is unlikely to be achieved in any meaningful way, regardless of whether one wants to, because the canopies of existing trees and the topography largely block views between the two buildings. The University considers that a significant campus design challenge will be to create a landscape and built form linkage between Kirkbride and Broughton Hall.

6.1.6 Natural Features & Consolidated Open Space.

The stated principle, “Retain significant mature trees....” offers no definition of what is meant by ‘significant’. We recommend that the principle should refer to significant trees defined by the CMP and having regard to the condition and health of these trees. The University is committed to the maintenance and good health of the tree canopy on its campuses. Whilst the University may remove trees for reasons of safety or good management, as well as for necessary construction; the University wishes to maintain the tree canopy at Callan Park and would undertake a replanting program, according to expert arborist advice and in concert with a landscape management plan for the campus.

6.1.7 Proposed New Buildings

The University notes that the boundaries of the various precincts are not precisely defined, nor are the delimiters of the RL transitions in the parkland campus. The University wishes to avoid ambiguity, which could result in either inadvertent limitation of built form or inappropriate construction envelopes.

The University would expect to review the boundaries of the precincts and the RL zone delimiters in concert with the topography of the site, before finalisation of the LUP, in order to ensure that the vision of the campus and the intent of the LUP can be practically realised.

The stated objective limits development to three precincts. We are concerned that the Parkland Campus Precinct is not coterminous with the Kirkbride Curtilage Precinct (6.2.3). In particular, the LUP is confusing because it indicates in Section 6.1.7 that development may only occur in the Parkland Campus west of Gary Owen Drive; however in Section 6.2.3 it indicates development may occur east of Gary Owen Drive to a height of RL 40.0.

The Parkland Campus precinct (Figure 6.1.7) does not match the limits of the Parkland Campus Precinct shown in Fig 6.2 and, consistent with our previous comments regarding flexibility, the University does not agree to development being limited to the Parkland Campus area shown in Figure 6.1.7.

The University requests that this discrepancy in the LUP be amended by illustrating a Parkland Campus Precinct that matches the area extent shown in Fig. 6.2 and reiterated in Fig. 6.2.3 where development at RL.40.0 is permitted.

6.1.9 Pedestrian Access and Public Transport.

We support the Objectives and Principles articulated for pedestrian access and public transport.

6.1.10 Ecologically Sustainable Development

We note that the Fig. 6.1.10 does not match the limits of precincts shown in Fig. 6.2. We recommend that Fig. 6.1.10 is amended to show the extent of Precincts shown in 6.2.

6.2 Precincts

6.2.2 Waterfront Precinct

The University would require a cooperative arrangement with the entity that controls the Waterfront Precinct in order to manage access, maintenance and security.

6.2.3 Kirkbride Curtilage Precinct

We note that the stated principle, “ensure that any new building occurs generally within existing building envelopes...” (p45) contradicts the statements on page 40 that calls for consolidation of building sites. We recommend that the conflict be resolved through rectification of the statement on page 45.

We note that the stated Principle, “Preserve the parkland setting and views of Kirkbride from both Balmain Road and Iron Cove” should qualify that only existing views be preserved because in reality the topography and existing canopies of trees obstruct most of these views.

Further, we request that views from Iron Cove be specifically identified as those from the Iron Cove Foreshore.

We note that the stated Principle, “....open space... results in no alienation of open space” is not a realistic principle, for reasons stated previously.

We note that the stated Principle, “Ensure all parking for the Precinct is accommodated within the Precinct” would require surface parking around Kirkbride. We recommend that this Principle be revised to include, “or within the adjacent Parkland Campus Precinct”. In practice, underground parking beneath new buildings in the Parkland campus precinct would serve Kirkbride well and the University desires the removal of on grade parking on its campuses.

We note that the table identifying Minimum Provision of Open Space 92% should exclude space internal to Kirkbride (the courtyards).

6.2.4 Parkland Campus Precinct

General

(1) Three heritage buildings are circumscribed by a new ‘Indicative Heritage Curtilage’. The curtilages reduce the buildable footprint of the Precinct. We believe it is possible for new University buildings to be responsibly designed closer to the three heritage buildings than the curtilage would permit. The University requests discussion with the planning team regarding these proposed curtilages.

(2) A new Landscape Setting zone (Fig 6.2.9, page 52) underlies the RL 40.0 building zone. The effect of the Landscape Setting is ambiguous. The University will likely find objections from planners who say that a Landscape Setting zone means landscape, not building, and thus the RL.40 zone is reduced by 27% percent. The University requests that the Landscape Setting Zone is removed from where it overlaps the RL 40.0 Zone, as this is an unnecessary impost upon potential future development. The University remains committed to the preservation of Kirkbride and to its position within the larger campus, but considers the apparently arbitrary and undefined delineation of this Landscape Setting Zone to be ill-founded.