

Item 6.**Development Application: 2 Princes Highway, Alexandria - D/2023/806**

File No.: D/2023/806

Summary

Date of Submission:	14 September 2023 amended plans submitted 15 December 2023
Applicant:	Mr Glenn Merry
Architect/Designer:	Tonkin Zulaikha Greer Architects
Owner:	Council of the City of Sydney
Planning Consultant:	Urbis Pty Ltd
Heritage Consultant:	Tonkin Zulaikha Greer Architects
Cost of Works:	\$10,557,323
Zoning:	RE1 Public Recreation
Proposal Summary:	<p>Approval is sought for the stabilisation and preservation of the former brick kilns within Sydney Park and renewal of the surrounding area including new landscaping, paving and services.</p> <p>The application is referred to the Local Planning Panel for determination as the site is owned by the City of Sydney Council.</p> <p>The application was referred to Sydney Metro and Transport for NSW for comments as the site sites within 25m of the Sydney Metro tunnel alignment and is adjacent to a classified Road being Princes Highway. No objections were raised by either department. Standard conditions are recommended.</p> <p>The application has been amended to address issues identified by Council during assessment, in particular:</p> <ul style="list-style-type: none">• Tree impacts;• Lack of Landscape details; and

- Additional information regarding heritage conservation.

The application was amended on 15 December 2023 and addressed all concerns.

Summary Recommendation: The development application is recommended for deferred commencement approval.

- Development Controls:**
- (i) Sydney Local Environmental Plan 2012
 - (ii) Sydney Development Control Plan 2012
 - (iii) SEPP (Resilience and Hazards) 2021
 - (iv) SEPP (Industry and Employment) 2021
 - (v) SEPP (Transport and Infrastructure) 2021
 - (vi) SEPP (Biodiversity and Conservation) 2021

- Attachments:**
- A. Recommended Conditions of Consent
 - B. Selected Drawings

Recommendation

It is resolved that pursuant to Section 4.16(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application Number D/2023/806 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The proposal complies with the relevant controls of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (B) The proposal represents an appropriate development for the site, will enable important stabilisation and restoration work to heritage significant fabric and improve public access and use of the site.
- (C) The proposal satisfies design excellence provisions.
- (D) The proposal is in the public interest because it is consistent with the objectives of the RE1 - Public Recreation zone and improves the use of an important historical and community precinct.

Background

The Site and Surrounding Development

1. The site has a legal description of Lot 1 in DP 610642, known as 2 Princes Highway, Alexandria. It is irregular in shape with area of approximately 11,285sqm. It has a primary street frontage of approximately 76m to Princes Highway and a secondary street frontage to Sydney Park Road. The site is located close to the intersection of Princes Highway, Sydney Park Road and King Street.
2. The site is located within the north-western corner of Sydney Park and contains several buildings and structures including;
 - four chimneys;
 - two large patent kilns;
 - three down draught kilns and the remnants of a further down draught kiln; and
 - machinery equipment from a former mill building located on the site.
3. The surrounding area is characterised by a mixture of land uses including:
 - North: St Peters Train Station to the northwest accessed from the western side of Princes Highway and a 7 storey residential flat building along the northern side of Sydney Park Road.
 - South and east: Sydney Park including playgrounds and car parks.
 - West: Mixed use shop top housing and commercial premises along the western side of Princes Highway.
4. The site is a local heritage item known as *Former Bedford Brickworks group including chimneys, kilns and grounds*.
5. The site is located within the *Sydney Park Residential Edge* locality and is identified as being subject to flooding.
6. A site visit was carried out on 23 October 2023. Photos of the site and surrounds are provided below:



Figure 1: Aerial view of site and surrounds



Figure 2: Site as viewed from the corner of Princes Highway and Sydney Park Road. The image shows chimney 1 and Hardy Patent kiln.



Figure 3: Chimneys 2, 3 and 4 and Hoffman Kiln and Crushing Mill as viewed from Sydney Park



Figure 4: Existing through site link between Sydney Park and Princes Highway and on to St Peters Station



Figure 5: Temporary stabilisation works to reduce further collapse of kilns



Figure 6: Entrance façade to Down Draught 2 showing the dilapidated state of the building



Figure 7: Existing awning along Prices Highway of Hardy Patent Kiln

History Relevant to the Development Application

Design Advisory Panel (DAP)

7. Prior to the lodgement of the subject Development Application, the concept design and proposal were taken to the Design Advisor Panel (DAP) for comments. DAP made several recommendations including exploring whether sections of the kilns could be made accessible for the public as part of the heritage interpretation experience and improving access around the area to allow for future outdoor uses of the area for community events. The panel also noted that lighting design should be a key component in determining the success of the precinct, however, advised of ensuring a sensitive approach be taken when designing the lighting, restricting the use of multicoloured lighting.

Heritage Works

8. The following applications are relevant to the current proposal:
 - **HWC/2016/67** –was granted on 2 May 2016 for remedial maintenance works to stabilise chimneys 2 and 4.

Amendments

9. Following a preliminary assessment of the proposed development by Council Officers, a request for additional information and amendments was sent to the applicant on 23 November 2023 and included the following:

Heritage

- A request for further details regarding works to stabilise the brick kilns arches.
- A floor plan detailing the design of floors, pathway and gardens and demonstrates proposed materials.
- Plans and details of the proposed lighting system.
- Elevation plans are to be updated showing the retention of any historical signage and mesh to the fire holes to prevent vermin and rubbish.
- A comprehensive maintenance plan.

Landscaping

- Reasons for the removal of several trees.
- Further details are required to demonstrate the proposed trees to be removed are unable to be transplanted to a different location within the precinct.
- An updated Tree Management Plan.
- Location of footings for structures and the locations of permeable pavements within the precinct are to be shown on plans.
- Details are to be provided on whether crushed brick will be incorporated into the design.
- The location of footings for signage, conduits for electrical reticulation in landscaped areas are to be demonstrated.
- The legend on the landscape plan is to be updated to confirm the design, materials of all walls, edges and ensure all proposed edges, surface finishes, structures, furniture and fixtures are nominated.

Trees

- The proposal achieves 31% canopy coverage which does not comply with the required 50% target for iconic parks. Additional tree plantings should be explored to increase the canopy coverage.
- The proposed level of pruning of Tree 15 located within proximity to the proposed reinstatement of the parapet of the Hoffman Kiln could result in significant impacts to the trees health. It is recommended that alternatives be explored for the reinstated roof to ensure impacts are minimised to the tree.
- The submitted landscape plan has not specified the container size for the proposed trees.

10. The applicant responded to the request on 15 December 2023, and submitted the following information.
 - amended architectural plans;
 - amended landscape plans; and
 - further details on the required tree.
11. On 11 January 2024, a request for additional information and amendments was sent to the applicant and included the following:
 - Impacts to Tree 22 are significant and additional information and amendments to the proposed works schedule.
 - Delay of construction of the awning adjacent to the tree is recommended to allow the tree to recover from all other construction impacts.
12. The applicant responded on 22 January 2024 and agreed to the staged construction of works within close proximity of Tree 22.

Proposed Development

13. The application seeks consent for the following:

Excavation

- Excavation around the buried ends of Down Draught Kilns to install sub soil drainage and root barrier to retained trees;
- Localised excavation for new concrete footings associated with the new structural steel frames required to stabilise the brickwork to the Down Draught Kilns; and
- Service trenching excavation, to update the stormwater management system.

Demolition

- Localised removal of sub ground arched brick ventilation flues, limited to locations where they intersect with the new structural steel frames proposed around the Down Draught Kilns;
- Localised removal of some badly damaged brickwork arches within the Hardy Patent and Hoffman Kilns where existing arch propping makes it too dangerous to maintain the arch and stabilise the structure;
- Removal of temporary timber propping and supports on the southern facade of Down Draught 1;
- Removal of modern security fencing, metal and timber bollards throughout the site;

- Removal of the existing switchboard and associated cabling currently stored in Down Draught 1;
- Removal of light fittings and poles;
- Removal of redundant services pits, cabling and conduit routes; and
- Removal of existing brick pier and low brick wall at the carpark entry, south of the Hoffman Kiln.

Conservation Works

- Conservation of the external brickwork of the kilns including crack repair, removal of biological growth, repointing and application of anti-graffiti coating;
- Localised reconstruction of missing and/or unstable external brickwork as required;
- Construction of structural steel framing around the perimeter of the Down Draught Kilns to stabilise the external brickwork including new concrete footings and fixings into the brickwork; and
- A range of methods are proposed to support the internal brick arches in Down Draught 2, Hardy Patent and Hoffman Kilns in their current condition including timber propping and bonding the arches to a new concrete slab over.

Alterations and Additions

Down Draught Kilns

- Install new root barrier and sub soil drainage to rear of Down Draught Kilns 1 and 2. Retain levels;
- Construction of new roofs based on an interpretation of historic photographs with perforated metal screens at the gable ends and in between the roof framing along the eaves;
- New entry gates to each kiln; and
- New reversible, independent floors.

Hardy Draught Kilns

- New galvanised corrugated wall cladding and roof sheeting to replace the existing where it has corroded, profile to match existing;
- New lower-level awning across the northern end of the kiln with a vaulted section over the central flue projection; and
- New metal screens within the wicket openings to match the new ground levels.

Hoffman Kiln

- Reconstruction of demolished elements based on an interpretation of historical photographs and drawings including:

- Corrugated lower-level awnings and roof.
- Hardwood timber trusses.
- Upper level cladding in vertical corrugated metal sheeting and window openings.
- New facade on Princes Highway to interpret a 'section through the building' with perforated metal screens on the upper level.
- New entry gates.

Movable heritage items

- Shaped bricks found within the down draught kilns are proposed to be retained for repair of arched openings;
- Conservation of remnant industrial archaeology within the precinct including the shale Crushing Plant, Colonial Boiler and Mill Base Plate; and
- Moveable heritage items associated with the former Bedford Brickworks currently stored within Down Draught 2 and at the City of Sydney Nursery Depot are proposed to be retained on site;
 - Larger heritage items are proposed to be incorporated into an interpretive display.
 - Small or fragile items unsuitable for external display will be stored in the Kilns.

Heritage Interpretation and Signage

- New 'Sydney Park' sign at the corner of Princes Highway and Sydney Park Road;
- Relocation of existing park sign along the main path including review of the interpretive panel;
- Interpretive signage integrated into the design of new gates and screen naming each kiln;
- Historical timeline adjacent to the remnants of Down Draught Kiln 5 including description of the brickmaking process; and
- Interpretive display of the large pulley wheels associated with the Processing Plant.
- Proposed signage zones include the following:
 - Historical timeline, Down Draught Kiln 5 (FR1).
 - Location: North elevation of Down Draft Kiln 5
 - Size: 7.7m x 0.26m
 - Illumination: Not illuminated

- Hoffman Kiln, building identification signage (LE4).
 - Location: Princes Highway elevation
 - Size: 2.15m x 0.150m
 - Illumination: Not illuminated
- Down Draft Kilns, building identification signage.
 - Down Draft Kiln 1 (LE1):
 - Location: Southern elevation
 - Size: 1.9m x 0.15m
 - Illumination: Not illuminated
 - Down Draft Kiln 2 (LE2):
 - Location: Southern elevation
 - Size: 2.15m x 0.15m
 - Illumination: Not illuminated
 - Down Draft Kiln 3 (LE3):
 - Location: Western elevation
 - Size: 1.97m x 0.15m
 - Illumination: Not illuminated

Landscape

- Reinstatement of original ground plane at the northern entry forecourt, including removal of existing trees.
- Interpretation of the former Processing Plant building as a landscape feature including a sloped lawn, feature tree and adjacent planting.
- Reinstatement of hard landscape treatments throughout the Brick Kilns Precinct including:
 - Decomposed granite throughout the site and surrounding existing structures.
 - Salvaged bricks to mark the footprints of the demolished down draught kilns and the former Oil Bund building in the ground plane.
 - Brick paving to interpret the connection of the underground flues to Chimney 1 and 3.

- Weathered steel banding with cut out text to interpret the footprints of ancillary structures associated with the Processing Plant.
- Weathered steel banding to interpret the former railway track that connected the clay pits with the Processing Plant.
- New concrete footpath adjacent the Processing Plant.
- Brick Pit Memory Garden to interpret the edges of the former clay pits and reinstate the Sydney Turpentine Ironbark Forest.
- Landscaped swale and retention basins along the eastern boundary of the site to manage runoff from the amphitheatre hill.
- Removal of 25 existing trees proximate to existing structures and/or recommended for removal by the arborist.
- 26 new trees and planting throughout the site, including two new trees in the entry forecourt.
- Existing car park ingress driveway to be reduced in width from 6.2m to 5.2m.

Services

- Construction of new LV pillar on Sydney Park Road and application to increase the capacity of the mains connection.
 - New switchboard adjacent Down Draught 2.
 - Provision for power to the Down Draught Kilns and a power outlet adjacent the Oil Bund stage.
 - Upgrade of existing lighting within the entry forecourt to comply with current codes.
 - Feature lighting of the kilns and remnant machinery.
 - Upgrade of existing stormwater system including installation of new grated trench drains, new inlet and junction pits.
 - New entry threshold to Down Draught Kilns to suit the new plaza levels and installation of threshold drains.
 - New irrigation system connected to the existing tank and recycled water line located to the south of the site.
14. Plans and elevations of the proposed development are provided overleaf.



Figure 8: Proposed site plan

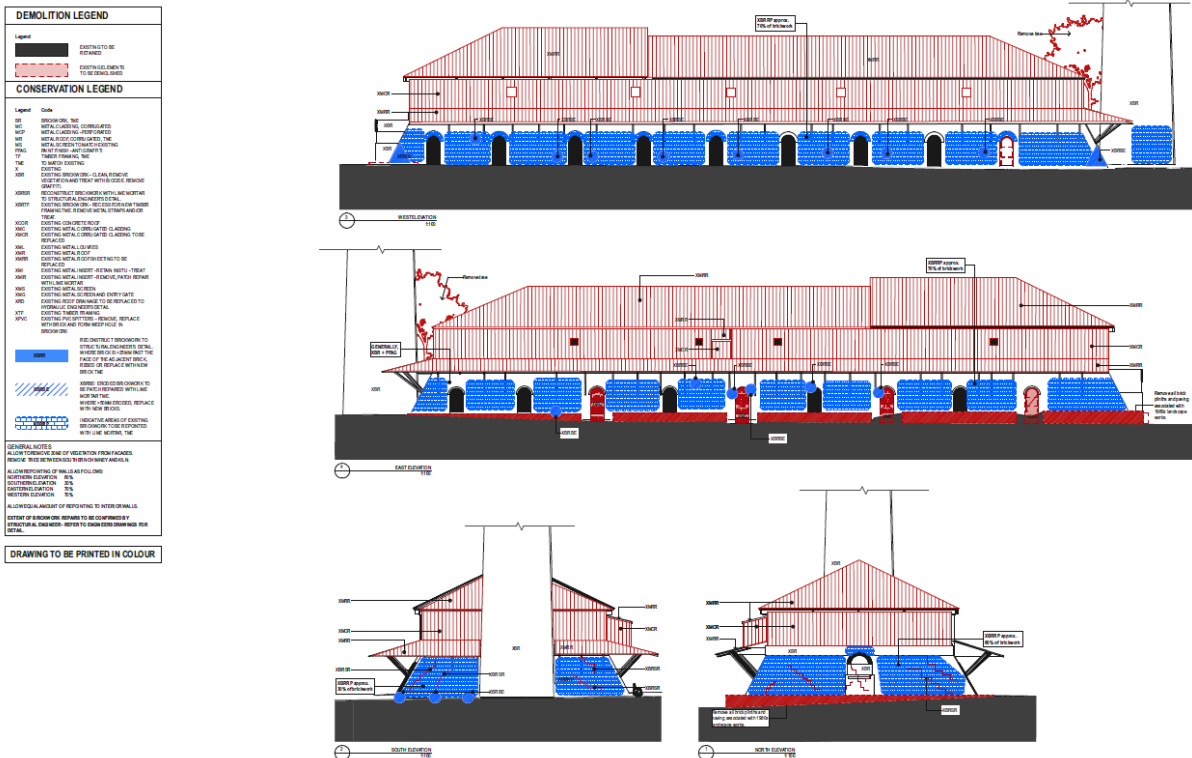


Figure 9: Proposed Hardy Patent Kiln Conservation Elevations

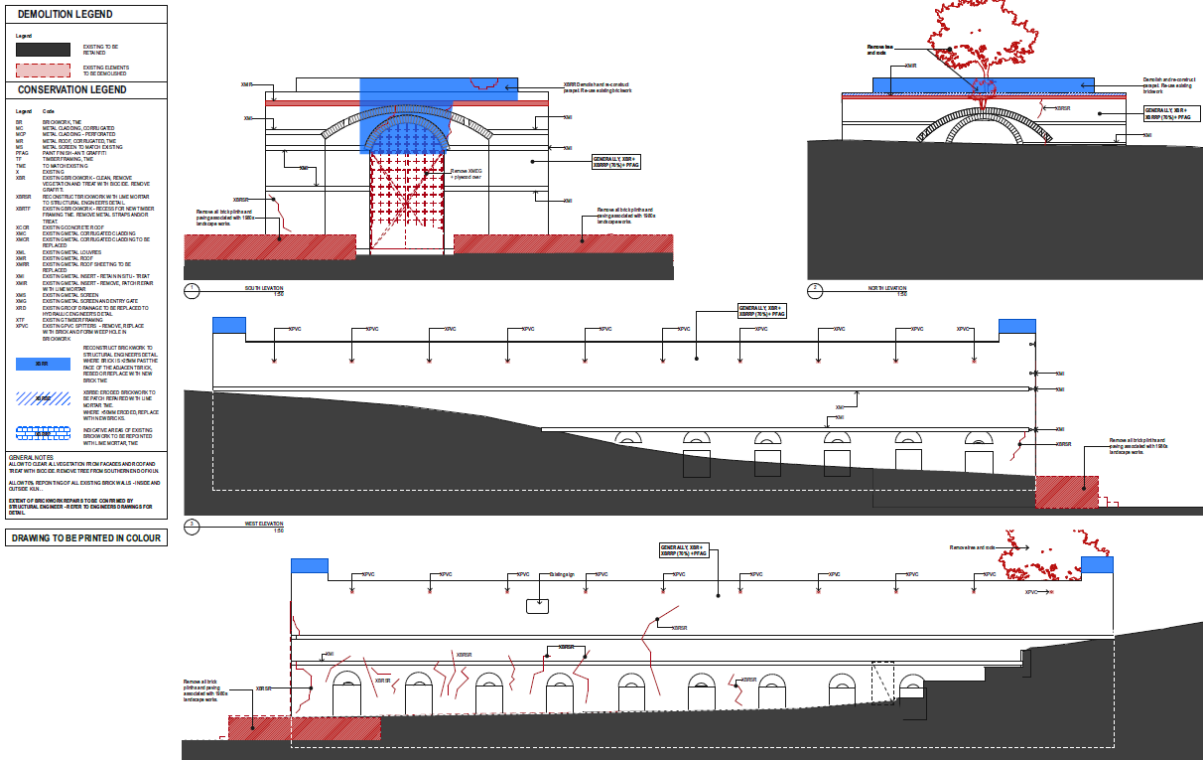


Figure 12: Proposed Down Draught Kiln 2 Conservation Elevations

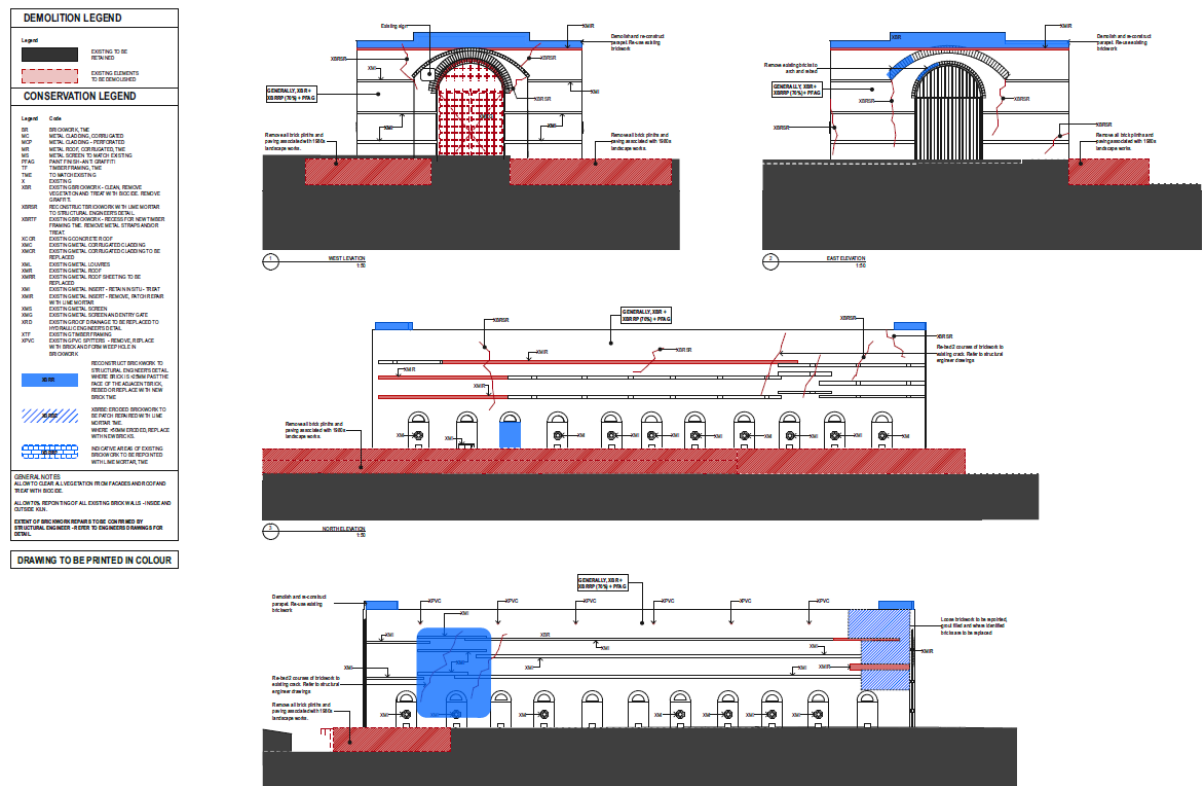


Figure 13: Proposed Down Draught Kiln 3 Conservation Elevations

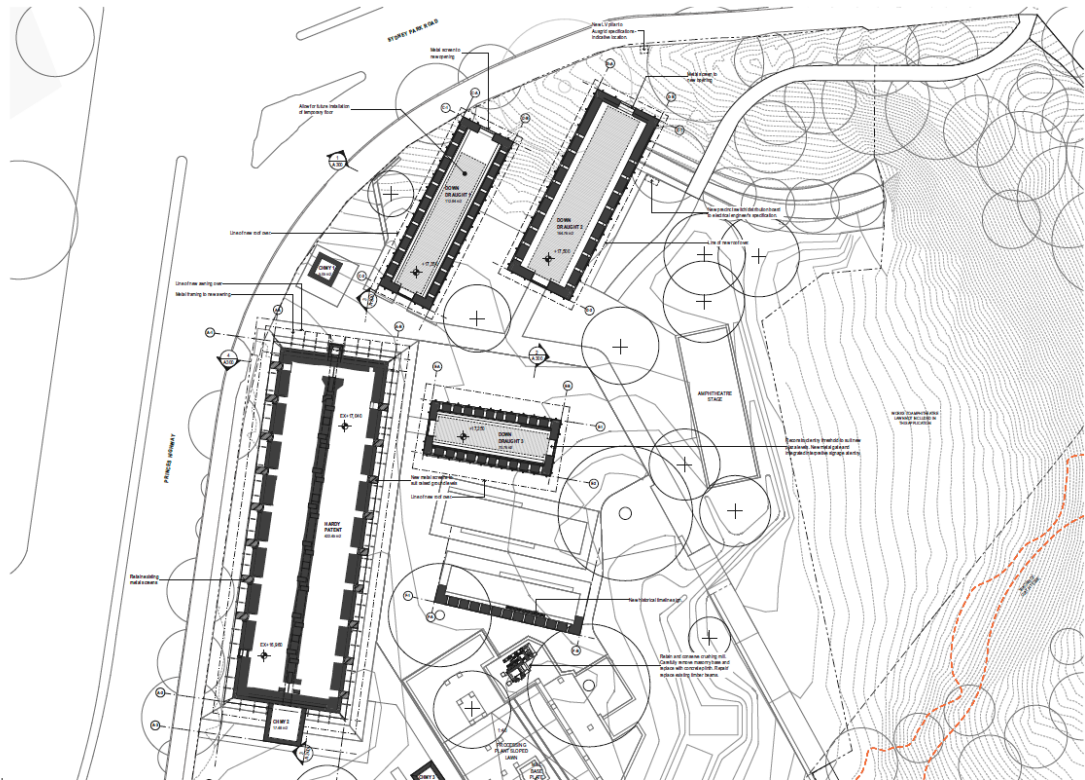


Figure 14: Proposed Ground Floor Plan - North

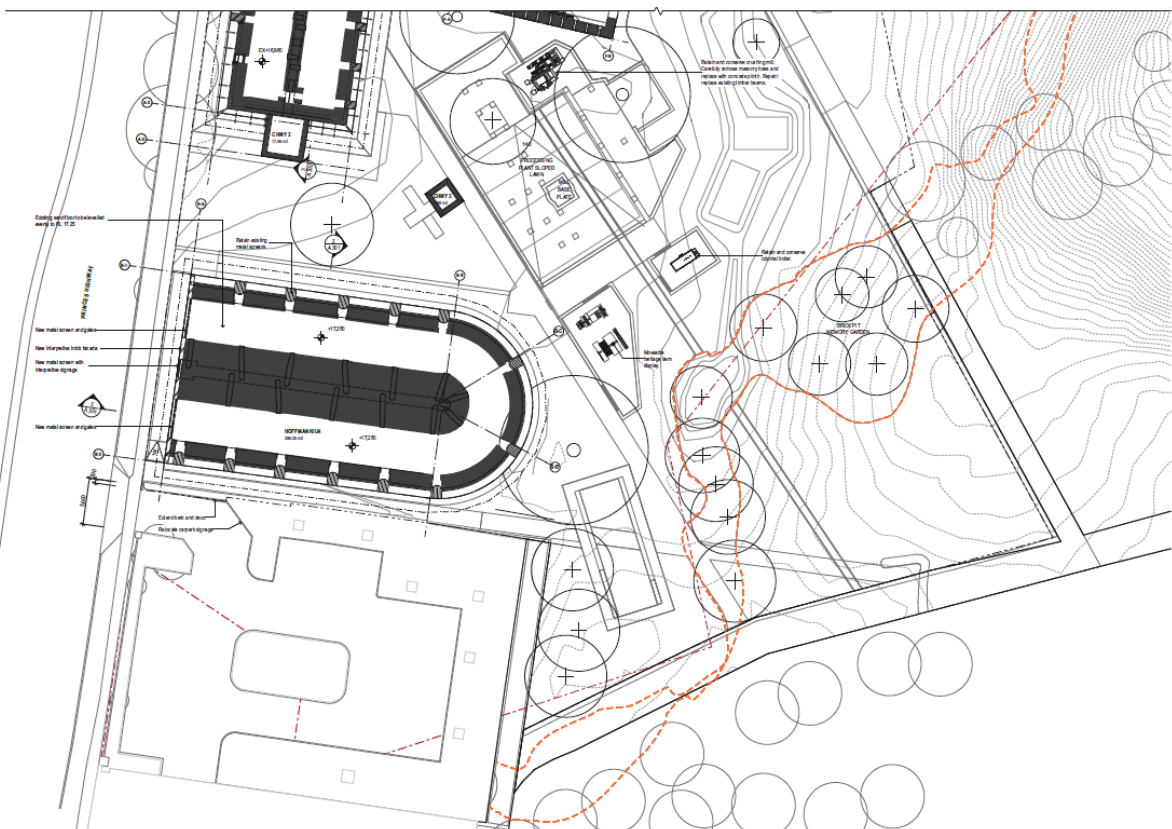


Figure 15: Proposed Ground Floor Plan - South

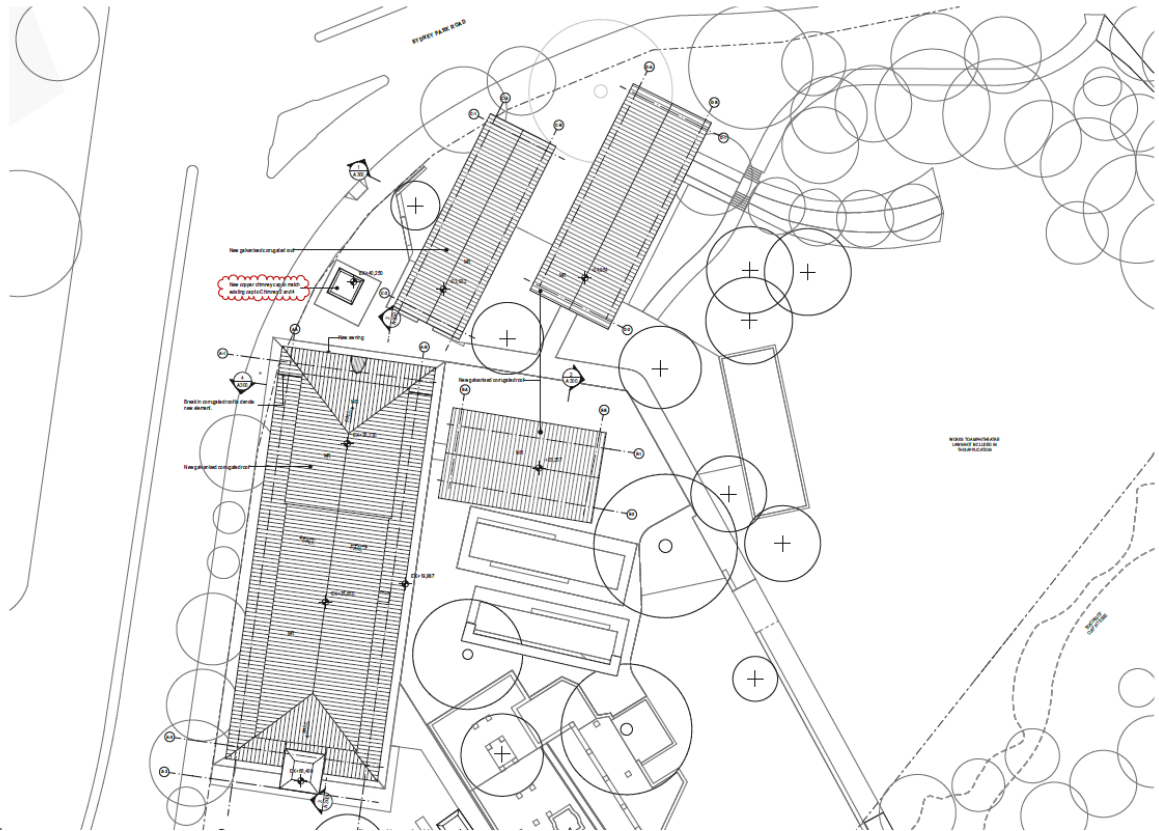


Figure 18: Proposed Roof Plan - North

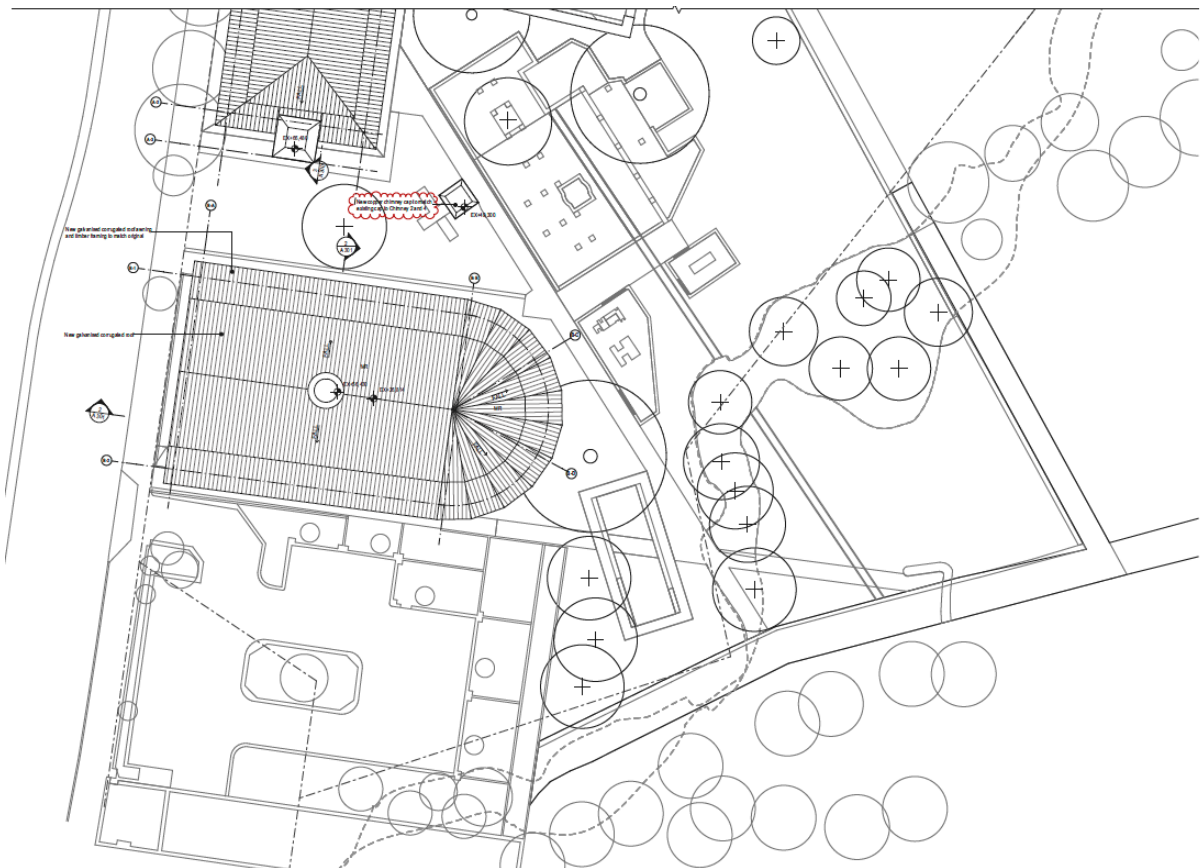


Figure 19: Proposed Roof Plan - South



Figure 22: Proposed Photomontage of the whole site looking northwest towards Princes Highway



Figure 23: Proposed Photomontage showing proposed landscape areas and conserved mechanical equipment



Figure 24: Proposed Photomontage showing proposed paving and conserved kilns allowing for easy and safe access to the area

Assessment

15. The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

State Environmental Planning Policies

State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land

16. The aim of SEPP (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.
17. The NSW EPA declared Sydney Park to be significantly contaminated land (Declaration Number 20181108; Area Number 3433) under section 11 of the CLM Act on 25 February 2019, due to the presence of methane and carbon dioxide at the site associated with the decomposition of landfilled wastes. Sydney Park is subject to a Voluntary Management Proposal (VMP) (N20191729) which sets out commitments for ongoing assessment, monitoring and management of landfill gas at the site.
18. The submitted Detailed Environmental Site Investigation states that the subject site was largely unaffected by past landfilling practices undertaken at the larger Sydney Park and has been endorsed by the Site Auditor.

19. Stage 1 and Stage 2 Contamination Assessments (Preliminary and detailed Environmental Site Investigation) identify that the site can be made suitable for the proposed development.
20. An Interim Advice, prepared by NSW Site Auditor Andrew Lau has been submitted which considers the findings of the Detailed Site Investigation, dated 26 July 2023. The Auditor 'accepts the overall conclusions and recommendations of the Detailed Environmental Site Investigation provided by the consultant (TTC,2023), and considers that the site can be made suitable for the proposed development subject to the following:
 - (a) Completion of data gap investigations
 - (b) Long term management of landfill gas to be detailed in a CEMP and LTEMP
 - (c) Specific inclusions for the CEMP and LTEMP
21. The Council's Health Unit is satisfied that, subject to conditions, the site can be made suitable for the proposed use.
22. As both the Detailed Environmental Site Investigation and Interim Audit Advice state that the site can be made suitable for the proposed development, the City's Health Unit are satisfied that the proposal can comply with the relevant legislation and guidelines and have recommended that a deferred commencement condition be imposed. This condition requires that the additional investigations as outlined in subsection 34 above be provided to the Site Auditor for further review. If the investigations conclude that a Remediation Action Plan is required, this is to be submitted to the City's Area Planning Manager for approval prior to the issue of a Construction Certificate. The City's Health Unit also recommends several other conditions of consent including a Site Audit Statement, hazardous Materials Survey and Land Remediation (if a RAP is required) to ensure compliance with the remediation measures outlined, and for Council to be notified should there be any changes to the strategy for remediation. Any remediation is required to be undertaken in accordance with the Contaminated Land Management Act 1997.

State Environmental Planning Policy (Industry and Employment) 2021 – Chapter 3 Advertising and Signage

23. The aim of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage is to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.
24. The proposed signage (restricted to wayfinding, building identification signs and heritage interpretation information only) has been considered against the objectives of the policy and an assessment against the provisions within the assessment criteria set out in Schedule 1 is provided in the table below.

Provision	Compliance	Comment
1. Character of the area	Yes	The proposed signage is generally consistent with the character of the area, subject to conditions.

Provision	Compliance	Comment
2. Special areas	Yes	The proposed signage does not detract from the amenity or visual quality of the locality, Sydney Park or the <i>Former Bedford Brickworks group including chimneys, kilns and grounds</i> , subject to conditions.
3. Views and vistas	Yes	The proposed signage does not obscure or compromise any important views. It does not dominate the skyline and has no impact on the viewing rights of other advertisers.
4. Streetscape, setting or landscape	Yes	The proposed signage is of an appropriate scale, proportion and form and provides a positive contribution to the streetscape and setting of the area.
5. Site and building	Yes	The scale, proportion and positioning of the proposed signage is acceptable, and the materiality is compatible with the finishes and colours of the building.
6. Associated devices and logos	Yes	Not applicable.
7. Illumination	Yes	Not applicable
8. Safety	Yes	The proposed signage will not reduce the safety for pedestrians, cyclists or vehicles on public roads or areas.

25. The proposed signage is consistent with the objectives of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage as set out in Clause 3.1 and satisfies the assessment criteria specified in Schedule 5.

State Environmental Planning Policy (Transport and infrastructure) 2021 – Chapter 3

Division 15, Subdivision 2: Development in or adjacent to rail corridors and interim rail corridors

Clause 2.99 – Excavation in, above, below or adjacent to rail corridors

26. The application is adjacent to the Sydney Metro City and South West rail corridor and was subsequently referred to Sydney Metro (delegated from Transport for NSW) (TfNSW) for comment. Sydney Metro recommend conditions which are included in the Notice of Determination.

Division 17, Subdivision 2: Development in or adjacent to road corridors and road reservations

Clause 2.119 – Development with frontage to classified road

27. The application is subject to Clause 2.119 of the SEPP as the site has frontage to Princes Highway which is a classified road.
28. The proposed development satisfies the provisions of Clause 2.119 subject to conditions of consent, as the existing access to the site is retained and the efficiency and ongoing operation of the classified road will not be adversely affected by the development, subject to the recommended conditions of consent.

Sydney Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 2 (Vegetation in Non Rural Areas) 2017

29. The proposal includes the clearing of vegetation in a non-rural area and as such is subject to this SEPP.
30. The SEPP states that the Council must not grant consent for the removal of vegetation within heritage sites or heritage conservation areas unless Council is satisfied that the activity is minor in nature and would not impact the heritage significance of the site.
31. The application was referred to the City's Tree Management Unit for assessment who support the proposal and have recommended several conditions of consent.

Local Environmental Plans

Sydney Local Environmental Plan 2012

32. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 is provided in the following sections.

Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	The site is located in the RE1 Public Recreation zone. The proposed development is permissible with consent in the zone. The proposal generally meets the objectives of the zone.

Part 4 Principal development standards

Provision	Compliance	Comment
4.3 Height of buildings	Yes	The site is not subject to a maximum height of buildings control. The proposal includes a new roof over the Hoffman Kiln to a height of 9.7m. The proposal also includes the installation of a copper chimney cap to chimney 3 to match existing caps on

Provision	Compliance	Comment
		chimneys 1 and 2 and 4, resulting in a minor height increase. The proposal will not result in an increase to the existing maximum height established by Chimney 1 of 49m.
4.4 Floor space ratio	Yes	The site is not subject to a floor space ration control. The proposal does not seek additional gross floor area.

Part 5 Miscellaneous provisions

Provision	Compliance	Comment
5.3 Development near zone boundaries	Yes	The proposal seeks to conserve existing structures and improve the useability of the area and will not result in impacts to neighbouring zones.
5.3A Development below ground level in Zone RE1	Yes	The proposal involves excavation to a maximum depth of 3.5m for stabilisation works around Down Draft Kilns 1 and 2. The proposal does not seek to establish a basement or useable spaces below ground. Therefore, the Clause does not apply.
5.10 Heritage conservation	Yes	The site is a local heritage item known as <i>Former Bedford Brickworks group including chimneys, kilns and grounds</i> (I27). The proposed development will not have detrimental impact on the heritage significance of the heritage item. See further details in the 'Discussion' section below.

Part 6 Local provisions – height and floor space

Provision	Compliance	Comment
Division 4 Design excellence		
6.21 Design excellence	Yes	The proposed development is of a high standard and uses materials and detailing which are compatible and respect the site's heritage significance

Provision	Compliance	Comment
		<p>and will contribute positively to the character of the area.</p> <p>Proposed works seek to allow for improved access and use of the space for the public through high quality public domain and landscape works whilst rectifying structural issues to conserve the significant historical collection of buildings.</p> <p>The submitted Materials and Samples schedule does not provide adequate information and does not specify exact colours and materials proposed as per the City's requirements.</p> <p>Given the size of the precinct, a condition is recommended requiring a Materials and Samples Board to be submitted for approval.</p> <p>The development therefore achieves design excellence.</p>

Part 7 Local provisions – general

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
Other land uses	Yes	<p>The proposal includes a decrease in width of the existing car park ingress driveway from 6.2m to 5.2m.</p> <p>The proposal does not seek to alter the number of car parking spaces within the existing car park to the south of the site.</p>
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	The site is located on land with class 5 Acid Sulfate Soils. The application does not propose works requiring the preparation of an Acid Sulfate Soils Management Plan.
7.15 Flood planning	Yes	The site is identified as being subject to flooding across most areas of the site.

Provision	Compliance	Comment
		<p>Whilst the provision does not apply as no additional floor space is proposed, due to the nature of the site, an assessment has been undertaken.</p> <p>The application proposes development at or below the flood planning level. A flood report accompanies the application and has been reviewed by the City's Public Domain unit and Water Assets Team. The flood report demonstrates that the proposed upgrade of the stormwater system and increase in footpath levels improves the level of flooding across the site.</p> <p>Conditions are recommended to ensure the stormwater drainage design complies with the City's Stormwater Drainage Manual.</p>

Development Control Plans

Sydney Development Control Plan 2012

33. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

Section 2 – Locality Statements

34. The site is located within the Sydney Park Residential Edge locality. The proposed development seeks to conserve and reenergise the historic brick kilns, allowing greater access and use of the precinct for the public. The proposed development is in keeping with the unique character and the design principles of the locality.

Section 3 – General Provisions

Provision	Compliance	Comment
3.5 Urban Ecology	Yes	The proposed development will have an impact on several trees. See further details in the 'Discussion' section below.
3.7 Water and Flood Management	Yes	The site is identified as being on flood prone land. See discussion under section 7.15 above.
3.9 Heritage	Yes	The site is a local heritage item known as <i>Former Bedford Brickworks group</i>

Provision	Compliance	Comment
		<p><i>including chimneys, kilns and grounds (I27).</i></p> <p>Refer to "Discussion" section below.</p>
3.11 Transport and Parking	Yes	<p>The proposal may result in a minor increase of users as a result of the conservation works and improved access to the site. The site is located within close proximity to various transport nodes including buses along Princes Highway and St Peters Train Station. Existing car parks located adjacent to the site to the south along Princes Highway and to the east on Sydney Park Road ensures adequate parking for visitors. As such, impacts are considered to be minor.</p>
3.12 Accessible Design	Yes	<p>The proposal includes an upgrade to existing pathways across the site to improve access for all abilities. The application does not seek consent for the use of internal areas of buildings, however any future application will need to comply with access requirements of the NCC.</p>
3.13 Social and Environmental Responsibilities	Yes	<p>The proposed development improves passive surveillance across the site, removes blind spots, increases lighting and improves access around the site.</p>
3.14 Waste	Yes	<p>A condition is recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney Guidelines for Waste Management in New Development.</p>
3.16 Signage and Advertising	Yes	<p>The proposed development includes the provision of 9 signage zones.</p> <p>The proposed signage types consist of:</p> <ul style="list-style-type: none"> • 3 wayfinding signs located at: <ul style="list-style-type: none"> • Princes Highway frontage adjacent to Chimney 1. • At the eastern entrance to the precinct between Down

Provision	Compliance	Comment
		<p>Draught 3 and the proposed amphitheatre stage.</p> <ul style="list-style-type: none"> • Existing car park sign located adjacent to the car park. • 5 building identification signs located at: <ul style="list-style-type: none"> • Hoffman kiln (Princes Highway elevation). • Down Draft Kiln 1 (Southern elevation). • Down draft Kiln 2 (Southern Elevation). • Down Draft 3 (Western and eastern elevations). • Interpretive signage at: <ul style="list-style-type: none"> • 1 Historical Timeline sign on the northern elevation of Down Draft Kiln 5. <p>A signage strategy has been submitted.</p> <p>The proposal does not seek approval for detailed signs which will be subject to a separate development application.</p>

Discussion

Heritage:

35. The proposal has been assessed by the City's Heritage Specialist who supports works to conserve and activate the precinct. The proposal seeks to undertake sensitive conservation works to allow for the precinct to be safely accessed by the community. Proposed works including the stabilisation of chimneys and kilns, repair and replacement of roofs and public domain and landscape upgrades conserves remaining heritage fabric and appropriately reinterprets elements that have been lost.
36. The Heritage Specialist has assessed the proposed conservation methodology and supports the recommended approach. Several conditions are recommended including: the submission and approval of a heritage interpretation plan: photographic archival documentation: archaeological assessment to be submitted and approved: and the use of a heritage consultant throughout the construction period.

Trees:

37. The proposal includes the removal of 25 trees from the precinct. The majority of these trees are located within the through-site-link connecting the princes Highway to Sydney Park. The footpath is to be upgraded and levels increased to allow for improved access, reduce existing flooding and safeguard existing buildings and as a result, requires trees to be removed. Other trees proposed to be removed are located within proximity to the roofs of kilns and will require significant pruning. The removal of these trees has been assessed and is supported by the City's Tree Management Unit.
38. The proposal includes the planting of 26 new trees. Most of these trees are in areas that allow for significant canopy and root growth. The Tree Management Unit has recommended several conditions to ensure adequate protection of trees to be retained and appropriate care and maintenance for new trees, including after the completion of site works.
39. As per the City's Urban Forest Strategy 2023, Sydney Park is classified as an "Iconic Park" which includes a target of a minimum of 50% canopy cover. The proposal includes a canopy cover of 31% to meet the target within 20 years from completion of construction. While the application does not meet the required 50% canopy cover, the site forms part of the overall Sydney Park area and cannot be assessed in isolation. The guideline considers site specific conditions and overarching documents and policies (such as master plans, Conservation Management Plans). For the brick kiln site, the main considerations include;
 - (a) coordination with the Conservation Management Plans and master plans;
 - (b) conservation and protection of the heritage built form; and
 - (c) heritage interpretation.

In addition, access and circulation with the broader park precinct, and existing trees has led to the proposal providing the optimum locations and numbers of new trees.

40. The Planting schedule of the overall Sydney Park Precinct continues in line with the Urban Forest Guideline and the subject proposal will assist in achieving the 50% target. Therefore, the proposal is considered acceptable.
41. Tree 22, located close to Hoffman Kiln, is required to undergo significant pruning to allow for adequate clearance for the new roof and associated scaffolding. The Tree Management Unit has identified concerns with the proposed extent of pruning which will result in approximately 15% of the trees total crown volume being removed. Removing such a large quantity of the canopy, in addition to the root pruning could reduce the trees life expectancy significantly. To minimise the sudden and significant impacts associated with root pruning and canopy pruning, a condition is recommended requiring the pruning of Tree 22 must be undertaken as two stage process based on a Pruning Specification prepared by the Project Arborist. The pruning works must be limited to those works required for clearance to the building and awning and not for access during construction. The construction of the awning is recommended to be deferred to the final stages of the overall park construction.

Landscape:

42. The proposal includes significant landscaping in conjunction with improved pedestrian footpaths, new plantings and improved open spaces. The submitted landscape plan has been assessed and is supported by the City's Landscape officer.

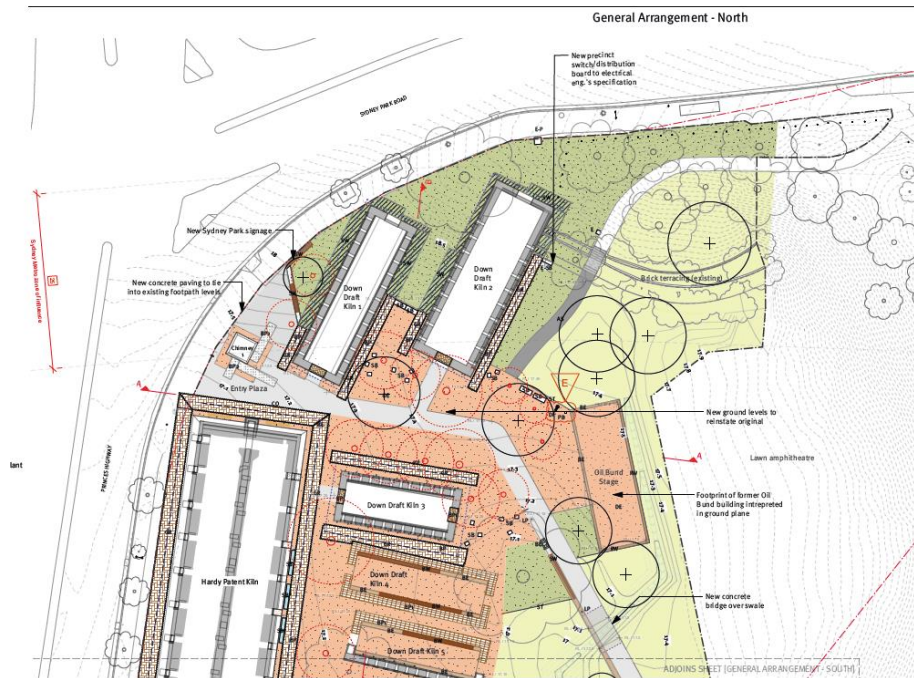


Figure 25: Proposed General Arrangements Plan for the north of the site. The plan shows proposed tree plantings and new footpaths, including the through-site-link.

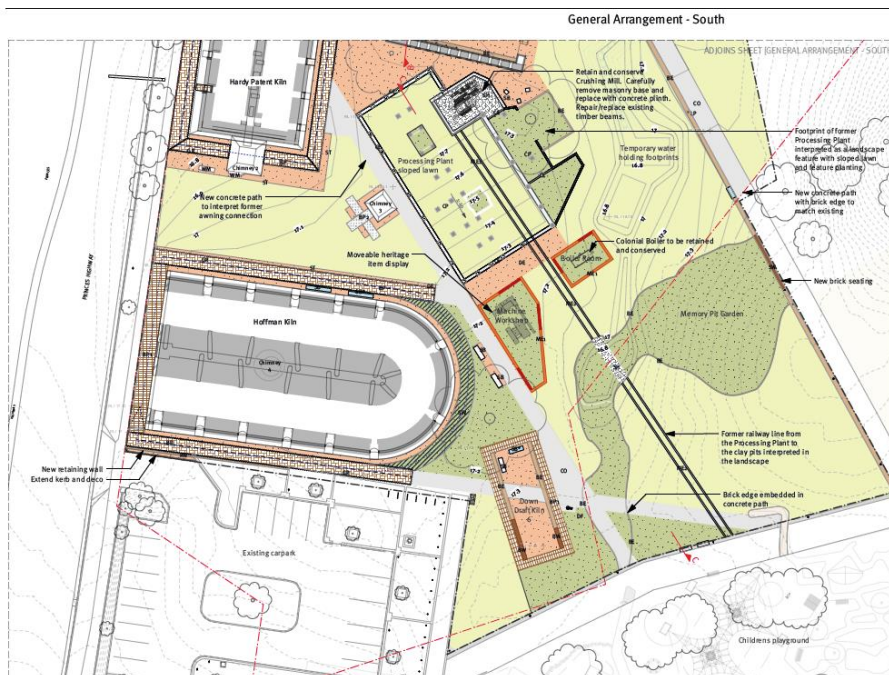


Figure 26: Proposed General Arrangements Plan for the south of the site

Consultation

Internal Referrals

43. The application was discussed with Council's:
 - (a) Environmental Health Unit;
 - (b) Heritage and Urban Design Unit;
 - (c) Public Domain Unit;
 - (d) Transport and Access Unit;
 - (e) Landscape Unit; and
 - (f) Tree Management Unit.
44. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.
45. See further details under the sub-heading 'Contamination' in the 'Discussion' section above.

External Referrals

Transport for NSW

46. Pursuant to Clause 2.119 of the SEPP (Transport and infrastructure) 2021, the application was referred to Transport for NSW (TfNSW) for comment.
47. Comments were received on 10 November 2023. No conditions were recommended.

Sydney Metro

48. Pursuant to Clause 2.99 of the SEPP (Transport and infrastructure) 2021, the application was referred to Sydney Metro as delegated from Transport for NSW (TfNSW) for comment.
49. Comments were received on 21 December 2023. Conditions of consent were recommended which are included in the Notice of Determination.

Advertising and Notification

50. The proposed development was notified for a period of 28 days, between 25 September 2023 and 24 October 2023, in accordance with the City of Sydney Community Participation Plan 2023 and as required by the regulations as the development is defined as "council related development". A total of 282 properties were notified and five (5) submissions were received.
51. The submissions raised the following issues:

- (a) **Issue:** The internal spaces should be made accessible for art and community events.

Response: The subject application is for conservation and restoration works to the buildings and to make the surrounding areas accessible to the public. The intent is to allow for possible future uses to be explored which could include community events such as markets, art exhibitions and the like.

Financial Contributions

Contribution under Section 7.11 of the EP&A Act 1979

52. The development is not subject to a Section 7.11 development contribution as it is a type of development listed in Table 2 of the City of Sydney Development Contributions Plan 2015 and is excluded from the need to pay a contribution.

Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012

53. As the development is development for purposes other than residential accommodation that will result in the creation of less than 60 square metres of gross floor area, the development is excluded and is not subject to a Section 7.13 affordable housing contribution.

Relevant Legislation

54. Environmental Planning and Assessment Act 1979.

Conclusion

55. The proposal is recommended for deferred commencement as it generally complies with the relevant controls of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012, provides a land use compatible with the locality and does not result in significant environmental impacts to the site or neighbouring sites.

ANDREW THOMAS

Executive Manager Planning and Development

Shaun de Smeth, Specialist Planner