



northern  
beaches  
council

**CONSENT NO: N0281/17**  
**ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979 (AS AMENDED)**  
**NOTICE TO APPLICANT OF DETERMINATION**  
**OF A DEVELOPMENT APPLICATION**

Applicant's Name and Address:

ATT: GINA HAY / ANITA ROYLE  
PROPERTY MANAGEMENT AND COMMERCIAL  
NORTHERN BEACHES COUNCIL  
PO BOX 882  
MONA VALE NSW 1660

Being the applicant in respect of Development Application No N0281/17

Pursuant to section 80(1) of the Act, notice is hereby given of the determination by Northern Beaches Council, as the consent authority, of Development Application No **N0281/17** for:

**Renovation of three (3) cabins, games room and the construction of a path and retaining wall**

**At: 1 B Currawong Beach, CURRAWONG BEACH NSW 2108 (Lot 7316 DP 1169919) 1 A Currawong Beach, CURRAWONG BEACH NSW 2108 (Lot 1 DP 166328)**

**Decision:**

The Development Application has been determined by the granting of consent based on information provided by the applicant in support of the application, including the Statement of Environmental Effects, and in accordance with

**Architectural Drawings and Plans:**

- **DA02 (Part site plan location photos and sediment control plan), Revision A, dated July 2017, prepared by Northern Beaches Council;**
- **DA03 (Development Application - Games Room Restoration), Revision A, dated July 2017, prepared by Northern Beaches Council;**
- **DA04 ('Games Room' building restoration details), Revision A, dated July 2017, prepared by Northern Beaches Council;**
- **DA05 (Development Application - 'Blue Tongue' cabin no 8), Revision A, dated July 2017, prepared by Northern Beaches Council;**
- **DA06 (Development Application - 'Blue Tongue' cabin no 8), Revision A, dated July 2017, prepared by Northern Beaches Council;**
- **DA07 (Development Application - 'Goanna' cabin no 2), Revision A, dated July 2017, prepared by Northern Beaches Council;**
- **DA08 (Development Application - 'Goanna' cabin no. 2), Revision A, dated July 2017, prepared by Northern Beaches Council;**
- **DA09 (Development Application - 'Kookaburra' cabin no 1), Revision A, dated July 2017, prepared by Northern Beaches Council;**
- **DA10 (Development Application - 'Kookaburra' cabin no 1), Revision A, dated June 2017, prepared by Northern Beaches Council;**
- **DA-LP01 (Currawong Landscape Proposals), Revision B, dated June 2017, prepared by PG – Place Management;**
- **CP01 (Part site plan), Revision A, dated September 2016, prepared by Northern Beaches Council;**



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- 2017-04-01 (Currawong Beach - Proposed Footpath and Retaining Wall Works - Development Application Plan - Cover), Revision A, dated 09/06/2017;
- 2017-04-02 (Currawong Beach - Proposed Footpath and Retaining Wall Works - Development Application Plan - General), Revision A, dated 09/06/2017;
- 2017-04-03 (Currawong Beach - Proposed Footpath and Retaining Wall Works - Development Application Plan - Design), Revision A, dated 09/06/2017;
- 2017-04-04 (Currawong Beach - Proposed Footpath and Retaining Wall Works - Development Application Plan - Design), Revision A, dated 09/06/2017;
- 2017-04-05 (Currawong Beach - Proposed Footpath and Retaining Wall Works - Development Application Plan - Retaining Wall Reconstruction), Revision A, dated 09/06/2017;

**Documentation:**

- Statement of Heritage Impact - Currawong Games Room and Cabins 1, 2 and 8, prepared by Heritage Advisory Services, dated July 2017;
- Environmental Impact Assessment, prepared by Kleinfelder, dated 26 June 2017;
- Geotechnical Risk Management Assessment Report, prepared by Crozier Geotechnical Consultants, dated 28 June 2017;
- NSW Rural Fire Service Letter, dated 08 November 2017.

as amended in red (shown clouded) or as modified by any conditions of this consent.

The reason for the imposition of the attached conditions is to ensure that the development consented to is carried out in such a manner as to achieve the objectives of the Environmental Planning and Assessment Act 1979 (as amended), pursuant to section 5(a) of the Act, having regard to the relevant matters for consideration contained in section 79C of the Act and the Environmental Planning Instruments applying to the land, as well as section 80A of the Act which authorises the imposing of the consent conditions.

Endorsement of date of consent **06-Feb-2018**

Mark Ferguson  
CHIEF EXECUTIVE OFFICER  
Per:



## Conditions of Approval

This consent is not an approval to commence building work. The works associated with this consent can only commence following the issue of the Construction Certificate.

Note: Persons having the benefit of development consent may appoint either a council or an accredited certifier as the principal certifying authority for the development or for the purpose of issuing certificates under Part 4A of the Environmental Planning and Assessment Act. When considering engaging an accredited certifier a person should contact the relevant accreditation body to ensure that the person is appropriately certified and authorised to act in respect of the development.

### A. Prescribed Conditions:

1. All works are to be carried out in accordance with the requirements of the Building Code of Australia.
2. A sign must be erected in a prominent position onsite only showing:
  - a) the name, address and telephone number of the Principal Certifying Authority for the work, and
  - b) the name of the principal contractor or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
  - c) that unauthorised entry to the work site is prohibited.

The sign must to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

3. This approval/consent relates only to the new work nominated on the approved consent plans and does not approve or regularise any existing buildings or structures within the property boundaries or within Council's road reserve.

### B. Matters to be incorporated into the development and maintained over the life of the development:

1. According to the Acid Sulfate Soils (ASS) Planning Map for the area, class 2 and 3 soils are excepted to occur in flat sandy/grassy areas from the beach to the rock shelves. Based on the risk factors around ASS, no excavation lower than 1m should occur in class 2/3 soils without having a management plan in place.

It is highly recommended that a preliminary assessment for ASS is undertaken to confirm whether the class 2/3 soils exist in these areas and whether a management plan is therefore required. The ASS guidelines and the ASS Planning Guidelines stipulate the matters to be assessed in a Preliminary Assessment for ASS.

2. At least two recorded sites "rock engraving" are identified in close vicinity to the proposed cottage redevelopments and are highly likely to be present within the proposed APZ 15m clearing zone (in rock shelf areas). The exact location of these sites is unknown. It appears that at least of one of the sites is denatured, given it displays the rock engraving in a

beach location with no rock. The second site to the south may be current location given it is displayed close to a rock shelf.

The Aboriginal Heritage Office (AHO), Northern Beaches Council must be contacted to determine the location, current condition and protection requirements for these sites. It may also be necessary to apply to Office of Environment & Heritage for a AHIMS permit if the AHO determines that the sites 'may' or 'will' be impacted by the proposed APZ works and/or bush regeneration works that may be implemented.

It is noted that two previous Aboriginal Cultural Heritage assessments were carried by Total earth Care and Archaeology and Heritage Consultants for a previous Development application (Eco Village). However, neither of these reports appear to have identified the registered sites and in fact the later consultant's report refers to the rock shelf areas as having 'low to nil potential for aboriginal sites'. Based on this finding, it is a requirement to get a second assessment from the AHO.

Assessment guidelines provided by the AHO stipulate that fire around overhangs, particularly known rock art sites need to be managed appropriately as fire management can cause damage to the art through smoke and heat. It appears from current onsite practices that the APZ area is already being managed in the understory using planned burning practices. Prior to any further hazard reduction burns the Aboriginal heritage issues should be identified and reviewed by the AHO, to establish the best form protection for the registered sites.

3. Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area, work is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with section 89A of the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the National Parks and Wildlife Act 1974.

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

4. If any Aboriginal Engravings or Relics are unearthed the Aboriginal Heritage Office (AHO) is to also be notified.

Aboriginal relics were already identified by an assessment report undertaken by Total Earth Care in 2010 for the previous DA application (Eco-village)- DA N0548/10. This report must be used to identify the location of relics if any form of excavation is required during the proposed works.

5. The recommendation of the risk assessment required to manage the hazards as identified in Geotechnical Report prepared by Crozier Geotechnical Consultants Pty Ltd, dated June 2017 are to be incorporated into the construction plans.

## 6. Asset Protection Zones

- A. At the commencement of building works, and in perpetuity, the area around the primary refuge (games room) and caretakers dwelling (overflow refuge) shall be managed as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' as follows:



- North, east and south: Inner Protection Area (IPA) for a distance of 60 metres; and,
- West: IPA for a distance of 55 metres.

B. At the commencement of building works, and in perpetuity, the area around each accommodation cabin shall be managed as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' as follows:

- North, east and south: Inner Protection Area (IPA) for a distance of 25 metres; and,
- West: IPA for a distance of 17 metres.

## 7. Water and Utilities

Changes to electricity or gas services shall comply with Section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

## 8. Evacuation and Emergency Management

A Bush Fire Emergency Management and Evacuation Plan shall be prepared consistent with 'Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014'. This shall provide for the closure of the facility on days of extreme or catastrophic fire danger rating or where directed by the NSW RFS District Office.

## 9. Design and Construction

- A. The proposed refuge (games room) shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas - 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
- B. New construction to cabins shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas - 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection' 2006'.
- C. The caretakers dwelling shall be upgraded to improve ember protection. This is to be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any sub floor areas, openable windows, vents, weep holes and eaves. External doors are to be fitted with draft excluders.

## 10.

- a) All structural elements below the Estuarine Planning level shall be of flood compatible materials.



- b) All structures must be designed and constructed to achieve a low risk of damage and instability due to estuarine hazard.
  - c) All electrical equipment, wiring, fuel lines or any service pipes and connections must be waterproofed to the Estuarine Planning level.
  - d) The storage of toxic or potentially polluting goods, materials or other products which may be hazardous or pollute floodwater is not permitted below the Flood Planning level.
11. Prior to the completion of works, all priority weeds are to be removed/controlled in accordance with the Biosecurity Act 2015. Environmental weeds are to be removed and controlled. Refer to Council's website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for noxious/environmental weed lists.
12. No environmental weeds are to be planted on the site. Refer to Council's website [http://www.pittwater.nsw.gov.au/environment/noxious\\_weeds](http://www.pittwater.nsw.gov.au/environment/noxious_weeds) for environmental weed lists.
13. A bush regeneration contractor is to be employed for the duration of the approved and/or required APZ clearing/burning works and any other preliminary works that may impact native vegetation and to ensure all bushland protection measures are carried out according to the conditions of consent.
- The contractor will provide certification that conditions relating to the following biodiversity management issues are upheld:
- 1. Any tree replacement plantings
  - 2. Native plant revegetation
  - 3. Selective management of fuels within the required APZ's
  - 4. Noxious and environmental weed management.
  - 5. Installation and maintenance of sediment fencing
14. Three (3) semi advanced *Angophora floribunda* (Rough Barked Apple) are to be planted onsite to replace tree # 29 which is approved for removal. Tree plantings that die or are removed must be replaced with another locally native canopy trees.
15. No building materials or other materials are to be placed on Bushland vegetation. Sediment is not to leave the site or enter areas of Bushland, estuarine, coastal or sea grass vegetation, and the appropriate sediment fencing is to be installed.
16. There shall be no damage to intertidal habitats including rocky shores, seagrass beds, salt marshes or mangroves.
17. Over the life of the development all declared noxious weeds under are to be managed / removed in accordance with the Noxious Weeds Act 1993. Environmental weeds are to be removed and/or controlled.
18. No environmental weeds are to be planted on the site.
19. No building materials or other materials are to be placed on foreshore / seagrass or other native vegetation. Sediment is not to leave the site or enter areas of seagrass or its habitat.



20. As part of the integrated stormwater management plan, suitably positioned stormwater quality improvement devices shall be installed and operated in accordance with Manufacturer's Specifications and associated operational guidelines.
21. The land is partly an identified landslip area. On-site infiltration systems are not permissible within the area shown as landslip affected.
22. As part of an integrated on-site stormwater management system, stormwater overflow from the rainwater tank is to be discharged into the adjacent coastal area with erosion minimisation facilities installed.
23. No storm water is permitted to enter the adjacent Ku-ring-gai Chase National Park from the site at any time during construction or post construction. All storm water is to be either managed on site or directed away from the adjacent National Park.
24. No sediment or soil be permitted to enter the adjacent National Park from the site at any time during construction or post construction.
25. No material of any kind be deposited in the adjacent National Park at any time.
26. Any spill of wastes, spoil or sediments into the adjacent National Park must be reported to NSW National Parks & Wildlife Service Northern Beaches Area office within 24 hours.
27. No access to the property for purposes of pre-construction, construction or post- construction activity from NSW National Parks & Wildlife Service Estate and land managed by Office of Environment & Heritage is permitted. Access can only occur if legally authorised prior to access by a written authority from NSW National Parks & Wildlife Service Ku-ring-gai Chase Area Manager and comply with park management objectives.
28. Land parts of the adjacent of the National Park are not to be used:
  - a) to access the development site;
  - b) to store materials, equipment, workers' vehicles or machinery
  - c) for maintenance access after development.
29. All natural landscape features, including natural rock outcrops, natural vegetation, soil and watercourses, are to remain undisturbed except where affected by necessary works detailed on approved plans.
30. In accordance with Northern Beaches Council's Pittwater Tree Preservation and Management Order, all existing trees as indicated on Survey Plan Prepared by **CMS Surveyors Pty Limited** Issue No DAs1/A dated multiple dates and final date 23/02/11 shall be retained except where Councils prior written consent has been obtained, or where after approval of the relevant Construction Certificate Application/s, trees stand within the envelope of approved buildings.
31. The natural ground levels of private open space areas are not to be altered.
32. A minimum of 200mm clearance is to always be maintained to the tree trunk from proposed bearers, joists and decking.



33. No water pollution shall result from the operation of any plant or equipment or activity carried out.
34. Noise from the operation of any plant or equipment at the premises shall comply with the noise provisions of the Protection of the Environment Operations Act, 1993.
35. All external glazing is to have a maximum reflectivity index of 25%.
36. New electrical connections are to be carried out using underground cabling.
37. A cautious approach to change of fabric is to be employed at the Games Room. Sound fabric is to be conserved and only deteriorated fabric is to be replaced with suitable materials to match the existing. The nominated heritage consultant must be involved with the detailed design and oversee the conservation works. A completion report for the Games Room, detailing the changes to fabric and conservation works, must be submitted for assessment and approval to the Heritage Council of NSW (or delegate) prior to the issue of an Occupation Certificate.

*Reason: To achieve best practice conservation and accord with the principles of the Burra Charter (to remove as much as necessary but as little as possible) to retain significant fabric.*

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

*Reason: To ensure completion of the works in accordance with the approved plans and to improve the approvals process through a better understanding of the implementation of conditions of approval.*

39. Any future works to the cabins on site should retain one cabin in its existing form, complete with separate water closet as noted in the conservation management plan by Graham Brooks and Associates (Feb 2015).

### **C. Matters to be satisfied prior to the issue of the Construction Certificate:**

Note: All outstanding matters referred to in this section are to be submitted to the accredited certifier together. Incomplete Construction Certificate applications / details cannot be accepted.

1. Submission of construction plans and specifications and documentation which are consistent with the approved Development Consent plans, the requirements of Building Code of Australia and satisfy all conditions shown in Part B above are to be submitted to the Principal Certifying Authority.
2. Prior to the issue of a Construction Certificate **and** prior to the commencement of any works on site, an application under section 60 of the Heritage Act 1977 must be submitted to and approved by the Delegate of the Heritage Council of NSW. To enable a thorough heritage impact assessment of some aspects of the proposal, the following information is to be provided with the s60 application for assessment and approval by the Heritage Council of NSW (or their delegate):

- a) Detailed information on the proposed vegetation removal to create an Asset Protection Zone.



*Reason: The SEE refers to vegetation removal to provide an Asset Protection Zone to the rear of the cabins, however it is not included in the scope of works nor has any impact assessment been provided. The scope of works is to be clarified and details of these works provided accordingly.*

- b) Detailed information on the proposed changes to windows and doors to 'comply with BAL 12.5'.

*Reason: It is understood that these modifications relate to bushfire safety, however without information about the required changes and exact details of what is proposed, a heritage impact assessment cannot be undertaken.*

- c) Detailed plans of the existing cabin and the proposed internal alterations to cabin 1 (Kookaburra), as well as justification and impact assessment of these works. Information on the proposed window screens and the areas of asbestos to be removed must be included.

*Reason: The works shown on the plans do not entirely correspond with those listed in the statement of Environmental Effects or those discussed in the statement of Heritage Impact. The scope must be clearly defined and indicated on the plans.*

- d) Information on the proposed kitchen, window screens and the areas of asbestos to be removed pertaining to Cabin 2 and Blue Tongue (Cabin 8).

*Reason: The works shown on the plans do not entirely correspond with those listed in the statement of Environmental Effects or those discussed in the statement of Heritage Impact. The scope must be clearly defined and indicated on the plans. It is noted that the kitchen fitouts are likely to be original and significant; consideration of minor change to achieve the desired amenity should be explored where possible.*

- e) Detail of the proposed colour palette including the blue external wall colour and the roof cladding colour.

*Reason: Whilst the proposal for blue walls and a ark, recessive roof are generally supported, detail of the colours proposed must be submitted for approval.*

- f) Detail of the proposed relocation of heritage foundations and BBQ related to the construction of the new concrete pathway, including the new proposed location and photographs of the existing fabric.

*Reason: No information or impact assessment has been provided for this work, nor are they identified in the scope of works.*

3. Prior to the issue of a Construction Certificate **and** prior to the commencement of any works on site, an Interpretation Strategy and Implementation Plan for Currawong Workers' Holiday Camp must be submitted for assessment and approval by the Heritage Council of NSW (or their delegate) with the s60 application. The approved interpretation is to be implemented prior to the issue of a Construction Certificate. The Interpretation Strategy and Implementation Plan must detail how information on the history and significance of Currawong Workers' Holiday Camp will be provided for the public, and must identify the types, locations, materials,



colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.

*Reason: Interpretation is an important part of every proposal for works at heritage places and should be clearly defined in an interpretation strategy to ensure that interpretation is cohesive and appropriate to convey the significance of the site.*

4. Prior to the issue of a Construction Certificate, the following modifications are to be made (in addition to any amendments required by conditions stipulated in Part B of the development consent), the architectural drawings are also to be amended to reflect the following modifications:

1. The design of the Cabin 1 addition is to be refined to create a clear visual separation between the new and old.

*Reason: Whilst the proposed addition is simple and modest, and respects the character of the cabin, it would alter the reading of the building as one of the Sectionit structures. Consideration should be given to extending the glazed louvres from floor to ceiling on both sides of the addition, or an alternate means of creating a separation employed.*

2. The louvres on the eastern elevation of the southern extension to Blue Tongue are to be extended from floor to ceiling.

*Reason: This glazed louvre is incompatible with the windows of the original dwelling. To remove this disharmony, the louvres should be extended from floor to ceiling which would have a secondary benefit of creating a clear visual separation between new and old.*

3. The new windows, creation of the kitchen servery, and the demolition of the external WC to Cabin 2 are not approved.

*Reason: These works impact significant, original fabric and are not required to allow the ongoing use of the place as holiday accommodation.*

4. The new western high window to Blue Tongue (Cabin 8) is not approved.

*Reason: This modification impacts significant, original fabric and is not required to allow the ongoing use of the place as holiday accommodation.*

5. The 'visual separation' and gas BBQs are not approved.

*Reason: These works are shown on DWG No. DA-LP01, although they are not identified in the scope of works and no detailed information has been provided. Insufficient information has been provided to enable an impact assessment of these elements of the proposal, if in fact they are proposed.*

5. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design and supervise the works to minimise impacts to heritage values. The nominated heritage consultant must



be involved in the selection of appropriate tradespersons, and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

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

6. The person having the benefit of this consent is required to notify the Principal Certifying Authority to ensure that the following critical stage inspections are undertaken, as required under clause 162A(4) of the Environmental Planning and Assessment Regulation 2000:
- a) after excavation for, and prior to the placement of, any footings, and
  - b) prior to pouring any in-situ reinforced concrete building element, and
  - c) prior to covering of the framework for any floor, wall, roof or other building element, and
  - d) prior to covering waterproofing in any wet areas, and
  - e) prior to covering any stormwater drainage connections, and
  - f) after building work has been completed and prior to any occupation certificate being issued in relation to the building.

To allow a Principal Certifying Authority to carry out critical stage inspections, at least 48 hours notice must be given before building work is commenced and prior to further work being undertaken.

7. Construction works approved by this consent must not commence until:
- a) Construction Certificate has been issued by a Principal Certifying Authority
  - b) a Principal Certifying Authority has been appointed and Council has been notified in writing of the appointment, and
  - c) at least 2 days notice, in writing has been given to Council of the intention to commence work.
8. In accordance with section 34 of the Building and Construction Industry Long Service Payments Act 1986, the applicant must pay a long service levy at the prescribed rate of 0.0035 of the total cost of the work to either the Long Service Payment Corporation or Council for any work costing \$25,000 or more.
9. Structural Engineering details relating to the development are to be submitted to the Accredited Certifier or Council prior to release of the Construction Certificate. Each plan/sheet is to be signed by a qualified practising Structural Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a corporate member and has appropriate experience and competence in the related field.
10. Prior to issue of the Construction Certificate, Form 2 of the Geotechnical Risk Management Policy for Pittwater (Appendix 5 of P21 DCP) is to be completed and submitted to the Accredited Certifier.
11. Details in the Construction Certificate are to reflect the recommendations/requirements of the NSW Rural Fire Service Letter, dated 08 November 2017.
12. A single tree (tree 29) is approved for removal as part of the works. Tree removal and pruning within the APZ is to be supervised by an AQF Level 5 Arborist.



13. Drainage plans including specifications and details showing the site stormwater management are to be submitted to the Accredited Certifier with the Construction Certificate application. Such details are to be accompanied by a certificate from (as appropriate) either a Licensed plumber or qualified practicing Civil Engineer with corporate membership of the Institute of Engineers Australia (M.I.E), or who is eligible to become a Corporate member and has appropriate experience and competence in the related field, that the stormwater management system complies with the requirements of section 3.1.2 Drainage of the Building Code of Australia Housing Provision and AS/NZS 3500.3.2 - Stormwater Drainage. The details shall include disposal of site stormwater (if the site is in a known slip area the stormwater disposal system must comply with the recommendations of a Geotechnical Engineers Report).

Note: Where Council is the Principal Certifying Authority 3 sets of plans/specifications are to be submitted.

14. The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining public properties and public infrastructure (including roads, gutter, footpaths, etc). A copy of the report must be provided to Council and any other owners of public infrastructure.
15. The external colours and materials are to be in accordance with the Schedule of Finishes submitted with the development application and/or in accordance with the section 60 approval from the Heritage Council of NSW. A satisfactory specification which achieves this shall be submitted to the Accredited Certifier or Council with the Construction Certificate application in the form of a *Schedule of Finishes*.
16. Any construction directly adjacent to the National Park must address requirements of the Guidelines for developments adjoining land managed by the Office of Environment and Heritage available at <http://www.environment.nsw.gov.au/protectedareas/developmentadjoiningdecc.htm>.

**D. Matters to be satisfied prior to the commencement of works and maintained during the works:**

Note: It is an offence to commence works prior to issue of a Construction Certificate.

1. Prior to the commencement of any works, an application under section 60 of the Heritage Act 1977 must be submitted to and approved by the Delegate of the Heritage Council of NSW prior to work commencing. Refer to Part C of the development consent for further details on information to be submitted with the s60 application.

*Reason: To meet legislative requirements.*

2. Prior to the commencement of any works, an Interpretation Strategy and Implementation Plan for Currawong Workers' Holiday Camp must be submitted for assessment and approval by the Heritage Council of NSW (or their delegate) with the s60 application. Refer to Part C of the development consent for further details on information to be submitted with the s60 application.

*Reason: Interpretation is an important part of every proposal for works at heritage places and should be clearly defined in an interpretation strategy to ensure that interpretation is cohesive and appropriate to convey the significance of the site.*



3. Significant built and landscape elements are to be adequately protected during the works from potential damage. The nominated heritage consultant is to be involved in the determination of appropriate protection systems. Protection systems must ensure historic fabric is not damaged or removed.

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

#### 4. HISTORICAL ARCHAEOLOGY

- A. The applicant shall submit a baseline archaeological assessment prepared by a suitably qualified and experienced historical archaeologist. This assessment should identify whether relics of local or state significance may be harmed by this activity and whether appropriate mitigation measures or alteration of the design should occur based on the significance of the relics which may be present. This assessment shall be submitted prior to works commencing on site.
- B. Following the receipt of the Archaeological Assessment, the Heritage Council of NSW or its delegate reserves the right to issue additional archaeological conditions to manage the archaeology. Matters such as (but not limited to) preparation of an archaeological excavation methodology and research design, fieldwork methodology, artefact analysis and final reporting may be included as part of these archaeological conditions.

*Reason: To appropriately manage archaeological resources.*

5. The hours of construction are restricted to between the hours of 7.00am and 5.00pm Monday - Friday and 7.00am to 1.00pm on Saturdays. No works are to be carried out on Sundays or Public Holidays. Internal building work may be carried out at any time outside these hours, subject to noise emissions from the building or works not being audible at any adjoining boundary.

Note: This condition does not apply in relation to Crown building work that is certified, in accordance with Section 116G of the Act, to comply with the technical provisions of the States building laws.

6. Any proposed demolition works shall be carried out in accordance with the requirements of AS2601-2001 The Demolition of Structures.

Amongst others, precautions to be taken shall include compliance with the requirements of the WorkCover Authority of New South Wales, including but not limited to:

- a) Protection of site workers and the general public.
- b) Erection of hoardings where appropriate.
- c) Asbestos handling and disposal where applicable.
- d) Any disused service connections shall be capped off.

Council is to be given 48 hours written notice of the destination/s of any excavation or demolition material. The disposal of refuse is to be to an approved waste disposal depot.

7. A stamped copy of the approved plans is to be kept on the site at all times, during construction.



8. A photographic archival recording of Currawong Workers' Holiday Camp must be prepared prior to the commencement of works. The recording is to capture the setting of the site, but focus on these elements that will be modified by the proposal. This recording must be in accordance with the NSW Heritage Division publications 'How to prepare archival records of heritage items' and 'Photographic Recording of Heritage Items using Film or Digital Capture'. The original copy of the archival record must be deposited with the Heritage Division, Office of Environment and Heritage, and an additional copy provided to Northern Beaches Council.

*Reason: To capture the condition and appearance of the place prior to, and during, modification.*

A copy of the archival records of each cabin should be submitted to Northern Beaches Council for record purposes and placed in their respective cabins in line with interpretation study, to ensure visitors can understand and appreciate the cabins as they were, and as they are to be in the future.

9. Protection fencing measures (including sedimentation fences) are to be installed in accordance with all approved plans. Protection measures are to be maintained for the duration of the works. Protection fencing that is no longer required is to be removed once all works are completed.
10. No fill is to be introduced in the area of native vegetation or habitat remaining on the site.
11. Sedimentation and erosion controls are to be effectively maintained at all times during the course of construction and shall not be removed until the site has been stabilised or landscaped to the Principal Certifying Authority's satisfaction.
12. Adequate measures shall be undertaken to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
13. The construction of the development and preparation of the site, including operation of vehicles, must be conducted so as to avoid unreasonable noise or vibration and not cause interference to adjoining or nearby occupations
14. Personnel with appropriate training, or demonstrated knowledge and experience in erosion and sediment control shall be responsible for supervising the installation and maintenance of approved erosion and sediment control measures – during and after construction and until the site has been restored to the satisfaction of council.
15. To minimise soil erosion and sediment movement during construction, the following measures shall be implemented.
  - Removal and/or disturbance of vegetation shall be confined to the basal area of the approved building, the site(s) of access ways, land extending a maximum of two metres beyond the outermost projection of the approved building and within a total of two metres of service trenches (that is the sum of the two sides to be a maximum of two metres).
  - Topsoil stripped from the construction site shall be stockpiled and protected from erosion until re-use during landscaping. Soil is to be retained within the property.
  - Stockpiles of construction and landscaping materials, and of site debris, shall be located clear of drainage lines and in such a position that they are protected from erosion and do not encroach upon any footpath, nature strip or roadway.
  - Final site spoil shall be disposed of to conform to the specifications and standards quoted and to any conditions of approval of those measures.



- Trenches shall be backfilled, capped with topsoil and compacted to a level at least 75 mm above adjoining ground level.
- Stormwater from roof areas shall be linked to a council approved stormwater disposal system immediately before placement of any roofing materials.
- Vehicular access shall be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where any sediment is deposited on adjoining roadways the same shall be removed by means other than washing. All material is to be removed as soon as possible and the collected material is to be disposed of in a manner that will prevent its mobilisation.
- Vehicular access paths shall be stabilised.
- All disturbed areas shall be progressively stabilised and/or revegetated so that no areas remain exposed to potential erosion damage for more than 14 days or other such period as may be approved after earthworks cease. All driveways and parking areas shall be stabilised with compacted sub-grade as soon as possible after their formation.

16. Waste materials generated through demolition, excavation and construction works are to be minimised by re-use on site, recycling or where re-use or recycling is not practical, disposal at an appropriate authorised waste facility. All waste removed by barge movement is to be secured to prevent any material from entering the waterway.

All waste dockets and receipts regarding demolition, excavation and construction waste are to be retained on site to confirm which facility received the material for recycling or disposal.

The ongoing operation of Recycling and Waste Management Services is to be undertaken in accordance with the Waste Management Plan.

17. The site must be fenced throughout construction and must comply with WorkCover New South Wales requirements and be a minimum of 1.8m in height.

18. Access to the site through an adjoining public park/reserve is prohibited without the written approval of the Council. In this regard a site management plan is to be submitted to, and approved by Council, prior to the issue of any Construction Certificate.

19. A clearly legible *Site Management Sign* is to be erected and maintained throughout the course of the works. The sign is to be centrally located on the main street frontage of the site and is to clearly state in legible lettering the following:

- a) The builder's name, builder's telephone contact number both during work hours and after hours.
- b) That no works are to be carried out in Council's Road Reserve without prior application and approval of a Road Opening Permit from Council.
- c) That a Road Opening Permit issued by Council must be obtained for any road openings or excavation within Council's Road Reserve associated with development of the site, including stormwater drainage, water, sewer, electricity, gas and communication connections. During the course of the road opening works the Road Opening Permit must be visibly displayed at the site.
- d) That no skip bins or materials are to be stored on Council's Road Reserve.
- e) That the contact number for Northern Beaches Council for permits is 9970 1111.

20. Fencing identifying native vegetation to be protected is to be provided around native vegetation as identified in Flora and Fauna Assessment. The fences are to be installed prior to the commencement of any work on the site. Fencing can be temporary but must not be installed in the structural root zones systems of any trees. No works, including utility



installations (e.g. water, sewer, telephone, drainage), are to be undertaken within 4 metres of the trunk of any such trees. If tree guards are required for individual trees it shall be a minimum 1200mm high at least four (4) metres from the base of the nominated tree/s and constructed from timber posts and rails or posts and suitable plywood panels.

21. No storage of building materials or building waste, excavated fill or topsoil storage is to occur within the dripline of trees shown on the approved landscape working drawing(s) as being retained or within protective fenced areas. Drainage is to be arranged such that fill, building materials or contaminants are not washed into protective fenced areas.
22. The developer or contractor will take all measures to prevent damage to trees and root systems during site works and construction activities including provision of water, sewerage and stormwater drainage services. In particular, works, erection of structures, excavation or changes to soil levels within 5 metres of the trunks of trees to be retained are not permitted, and the storage of spoil, building materials, soils or the driving or parking of any vehicle or machinery within 5 metres of the trunk of a tree to be retained, is not permitted.

NOTE: Trees that are part of an Endangered Ecological Community or are habitat for threatened species and endangered populations must comply with the requirements of the Threatened Species Conservation Act, 1995. Failure to do so may result in a penalty up to a maximum of \$250,000.00 and jail sentences.

Failure to comply with the requirements of the Pittwater 21 DCP Control B4.22 Preservation of Trees of Bushland Vegetation may result in a penalty up to a maximum of \$20,000.00.

23. In the event that any tree required to be retained is damaged during works on the site, the person acting upon this consent shall advise Council in writing within 48 hours of the damage being identified.
24. If any site excavation is required, topsoil which is to be used in later landscape works is to be stockpiled on site and stabilised during construction works. Stockpiles are to be stored outside of hazard areas and not located within the dripline of existing trees which are to be retained.
25. Demolition works must be carried out in compliance with *WorkCovers Short Guide to Working with Asbestos Cement* and Australian Standard AS 2601 2001 *The Demolition of Structures*. The site must be provided with a sign containing the words **DANGER ASBESTOS REMOVAL IN PROGRESS** measuring not less than 400mm x 300mm and be erected in a prominent visible position on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site and disposed to a lawful waste disposal facility. All asbestos laden waste, including flat, corrugated or profiled asbestos cement sheets must be disposed of at a lawful waste disposal facility. Upon completion of tipping operations the applicant must lodge to the Principal Certifying Authority, all receipts issued by the receiving tip as evidence of proper disposal.
26. Prior written approval of NSW National Parks & Wildlife Service Ku-ring-gai Chase Area Manager must be obtained prior to the construction of any retaining wall at the National Park boundary.
27. Vegetation, rock and soil within the adjacent National Park must not be disturbed without prior written approval of NSW National Parks & Wildlife Service Ku-ring-gai Chase Area office.



28. Any spill of wastes, spoil or sediments into the adjacent National Park must be reported to NSW National Parks & Wildlife Service Northern Beaches Area office within 24 hours.
29. No access to the property for purposes of pre-construction, construction or post- construction activity from NSW National Parks & Wildlife Service Estate and land managed by Office of Environment & Heritage is permitted. Access can only occur if legally authorised prior to access by a written authority from NSW National Parks & Wildlife Service Ku-ring-gai Chase Area Manager and comply with park management objectives.
30. Any construction directly adjacent to the National Park must address requirements of the Guidelines for developments adjoining land managed by the Office of Environment and Heritage available at <http://www.environment.nsw.gov.au/protectedareas/developmentadjoiningdecc.htm>.
31. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design and supervise the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons, and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

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

32. All work to significant fabric at Currawong Workers' Holiday Camp is to be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage items.

*Reason: To ensure works are undertaken using appropriate construction methods and techniques pertinent to the place.*

33. Protection of Existing Vegetation

Existing vegetation in the near vicinity of the proposed footpath and new retaining wall shall be protected as follows:

- i) vegetation protection shall be in accordance with AS4970-2009 Protection of Trees on Development Sites, with particular reference to Section 4
- ii) to minimise the impact on trees and vegetation to be retained and protected, no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained.
- iii) no tree roots greater than 50mm diameter are to be cut from protected trees and vegetation unless authorised by a qualified Arborist minimum AQF Level 5 on site
- iv) all structures are to bridge tree roots greater than 50mm diameter unless directed a qualified Arborist minimum AQF Level 5 on site
- v) should either or both iii) and iv) occur during site establishment and construction works, details shall be submitted by the Arborist to the Certifying Authority.

*Reason: To ensure compliance with the requirement to retain and protect significant planting on development sites, and protect the existing environmental amenity.*



#### **E. Matters to be satisfied prior to the issue of Occupation Certificate:**

Note: Prior to the issue of an Occupation Certificate the principal certifying authority is to ensure that Council's assets, including road, kerb and gutter and drainage facilities adjacent or near to the site have not been damaged as a result of the works. Where such damage has occurred, it is to be repaired to Council's written satisfaction prior to the issue of an Occupation Certificate or suitable arrangements put in place to effect those repairs at a future date to Council's written satisfaction. Should this process not be followed, Council will pursue action against the principal accredited certifier in relation to the recovery of costs to effect such works.

Note: It is an offence to occupy the building or part thereof to which this consent relates prior to the issue of an Occupation Certificate.

1. An Occupation Certificate application stating that the development complies with the Development Consent, the requirements of the Building Code of Australia and that a Construction Certificate has been issued must be obtained before the building is occupied or on completion of the construction work approved by this Development Consent.
2. Prior to the issue of the Occupation Certificate, a Heritage Architect is to certify to the satisfaction of the Principle Certifying Authority that the General Terms of Approval provided by NSW Office of Environment and Heritage – Heritage Division, dated 17 January 2018, have been satisfied.
3. Prior to the issue of an Occupation Certificate, certification by the appropriately qualified professional, that the proposed works have been satisfactorily carried out in accordance with the Statement of Heritage Impact or Conservation Management Plan, is to be provided to Council.
4. Prior to issue of the Occupation Certificate, Form 3 of the Geotechnical Risk Management Policy (Appendix 5 of P21 DCP) is to be completed and submitted to the Accredited Certifier.
5. An Accredited Bushfire consultant is to provide a certification to the Principal Certifying Authority confirming that the requirements of the NSW Rural Fire Service, dated 08 November 2017 have been complied with and satisfied.
6. Management of APZ's is to focus on removal of any weed species in preference to native species. Removal of Noxious and Environmental Weeds is to be undertaken and certified by a qualified bush regeneration contractor.
7. No tree hollows are to be removed on site. Where future tree pruning / removal requires impacts upon identified tree hollows (Ecological Impact Assessment, Kleinfelder 2017) this must be certified by an Ecological Consultant prior to removal.
8. The stormwater drainage system must be constructed and completed in accordance with the approved design and relevant Australian Standards.

A plan showing pipe locations and diameters of the stormwater drainage system, together with certification by a Licensed Plumber or qualified practicing Civil Engineer that the drainage system has been constructed in accordance with the approved design and relevant Australian Standards must be provided.



9. The applicant must prepare and submit a post-construction dilapidation report. The report must clearly detail the final condition of all property, infrastructure, natural and man-made features that were originally recorded in the pre-commencement dilapidation report. A copy of the report must be provided to Council, and any other owners of public infrastructure.
10. Restoration of all damaged public infrastructure caused as a result of the development to Council's satisfaction. Council's written approval that all restorations have been completed satisfactorily must be obtained and provided to the Private Certifying Authority with the Occupation Certificate application.
11. Prior to the issue of an Occupation Certificate, a completion report for the Games Room, detailing the changes to fabric and conservation works, must be submitted for assessment and approval to the Heritage Council of NSW (or delegate), in accordance with condition B36.

#### G. Advice:

1. Failure to comply with the relevant provisions of the *Environmental Planning and Assessment Act, 1979* (as amended) and/or the conditions of this Development Consent may result in the serving of penalty notices (on-the-spot fines) under the summary offences provisions of the above legislation or legal action through the Land and Environment Court, again pursuant to the above legislation.
2. Dial before you dig: Prior to excavation the applicant is advised to contact Australia's National Referral Service for Information on Underground Pipes and Cables telephone 1100 or [www.1100.com.au](http://www.1100.com.au)
3. It is the Project Managers responsibility to ensure that all of the Component Certificates/certification issued during the course of the project are lodged with the Principal Certifying Authority. Failure to comply with the conditions of approval or lodge the Component Certificates/certification will prevent the Principal Certifying Authority issuing an Occupation Certificate.
4. In accordance with Section 95(1) of the EPA Act 1979, this development consent lapses 5 years after the date from which this consent operates if the development is not commenced.
5. To ascertain the date upon which a consent operates, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979* (as amended).
6. Should any of the determination not be acceptable, you are entitled to request reconsideration under Section 82A of the Environmental Planning and Assessment Act, 1979. Such request to Council must be made in writing, together with appropriate fees as advised at the time of lodgement of such request, within 6 months of the determination.
7. If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act, 1979, gives you a right of appeal to the Land and Environment Court within 6 months of the date of endorsement of this Consent.
8. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Waters sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately stamped. For Quick Check agent details please refer to



northern  
beaches  
council

the web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then see Building Developing and Plumbing then Quick Check, or telephone 13 20 92.

9. This approval does not prejudice any action in respect of upgrading the building pursuant to the provisions of the Section 121B of the *Environmental Planning and Assessment (Amendment) Act, 1997*.
10. Gravel used onsite must be inert material such as quartz or sandstone. No blue metal or granite or other igneous material should be used as these release nutrients that can pollute waterways and contribute to weed plumes.
11. No site disturbance, development, clearing of native vegetation, planting of exotic vegetation, removal or destruction of bush rock, or other activities shall be carried out that adversely impacts on threatened species, endangered ecological communities or endangered populations or their habitat. Specifically, the Saltmarsh Endangered Ecological Community listed on NSW Threatened Species Conservation Act, 1995, has been recorded on this property.
12. Your attention is drawn to the powers of entry and inspection under s.148 of the Heritage Act 1977 for authorised persons. If entry and inspection are required, reasonable notice will be provided as per the Act. The owner could voluntarily agree to allow non-authorised persons, such as Heritage Division (Office of Environment and Heritage) staff who are acting in a supporting role to the authorised persons, to enter their property for the purpose of inspection. Owners may also voluntarily grant permission to take photograph, take samples or request records.

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