Development Consent Conditions

Folder /DA No: DA/581/2019

Property: 50 Pine Avenue, LITTLE BAY NSW 2036

Proposal: Demolition of existing sandstone cross at front of Nurses’ Memorial Chapel to allow for reuse of the sandstone blocks in a new memorial on eastern side of the chapel. (Integrated development) consent is also required from the Office of Environment and Heritage. (Heritage item).

Recommendation: Approval

GENERAL CONDITIONS
The development must be carried out in accordance with the following conditions of consent.

These conditions have been applied to satisfy the relevant requirements of the Environmental Planning & Assessment Act 1979, Environmental Planning & Assessment Regulation 2000 and to provide reasonable levels of environmental amenity.

Approved Plans & Supporting Documentation
1. The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council’s approved stamp, except where amended by Council in red and/or by other conditions of this consent:

<table>
<thead>
<tr>
<th>Plan</th>
<th>Drawn by</th>
<th>Received by Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Layout Plan</td>
<td>Unknown</td>
<td>30/10/2019</td>
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</table>

2. Prior to commencement of works, contractors must be briefed on the heritage nature of the Prince Henry Hospital Site, including subject site.

3. The sandstone cross is to be carefully dismantled to reduce any further damage to the sandstone blocks, and existing damage is to be cautiously patched where possible, or finished in manner which will retain as much sandstone as is possible.

4. An Archival Photographic Recording of the cross in the context of views, vista’s and the church be undertaken.

5. A digital photographic archival recording of the cross in the context of views, vista’s and the church shall be prepared and submitted to and approved by Council’s Director City Planning, in accordance with Section 80A (2) of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the development. This recording shall be in
accordance with the NSW Heritage Office 2006 Guidelines for Photographic Recording of Heritage Items using Digital Capture. Two digital copies (DVD or USB) of the archival recording is to be submitted to Council for deposit in the Local History Collection of Randwick City Library and Council’s own records incorporating the following:

- A PDF copy of the archival record incorporating a detailed historical development of the site, purpose of the archival recording, copyright permission for Council to use the photographs for research purposes, photographic catalogue sheet cross-referenced to the base floor and site plans showing the locations of archival photographs taken, and index print of the photographs;

- Digital copies of the archival photographs in JPEG and TOIFF formats.

6. Photographic interpretation of the gate house and the cross is to be incorporated into the site through historic images and signage.

7. Methodology of the proposed landscape installation is required and any other associated elements such as paving, reuse of existing plaques, and location and detail of interpretative material. Methodology shall be prepared and submitted to and approved by Council’s Director City Planning, in accordance with Section 80A (2) of the Environmental Planning and Assessment Act 1979 prior to a construction certificate being issued for the development.

HERITAGE CONSULTANT

8. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee 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.

SPECIALIST TRADESPERSONS

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

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

SITE PROTECTION

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

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

INTERPRETATION STRATEGIES

11. A brief interpretation strategy must be prepared in accordance with the Heritage NSW publication ‘Interpreting Heritage Places and Items Guidelines’ (2005) and submitted for approval to the Heritage Council of NSW (or delegate).
The interpretation strategy must outline the history of the sandstone and indicate the location of a small interpretation panel/plaque on site and its method of fixing.

The interpretation shall be implemented prior to the completion of works and issue of an Occupation Certificate.

Reason: Interpretation is an important part of every proposal for works at heritage places.

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

12. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

ABORIGINAL OBJECTS

13. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the National Parks and Wildlife Act 1974 (as amended). Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. 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.

COMPLIANCE

14. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

SECTION 60 APPLICATION

15. An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning & Assessment Act 1979, Environmental Planning & Assessment Regulation 2000, or other relevant legislation and Council's policies. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

The requirements and provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000, must be fully complied with at all times.
Failure to comply with these requirements is an offence, which renders the responsible person liable to a maximum penalty of $1.1 million. Alternatively, Council may issue a penalty infringement notice (for up to $3,000) for each offence. Council may also issue notices and orders to demolish unauthorised or non-complying building work, or to comply with the requirements of Council's development consent.

A2 This determination does not include an assessment of the proposed works under the Building Code of Australia (BCA) and other relevant Standards. All new building work (including alterations and additions) must comply with the BCA and relevant Standards and you are advised to liaise with your architect, engineer and building consultant prior to lodgement of your construction certificate.

A3 In accordance with the requirements of the Environmental Planning & Assessment Act 1979, building works, including associated demolition and excavation works (as applicable) must not be commenced until:

- A Construction Certificate has been obtained from an Accredited Certifier or Council,
- An Accredited Certifier or Council has been appointed as the Principal Certifying Authority for the development,
- Council and the Principal Certifying Authority have been given at least 2 days notice (in writing) prior to commencing any works.

A4 A Local Approval application must be submitted to and be approved by Council prior to commencing any of the following activities on a footpath, road, nature strip or in any public place:

- Install or erect any site fencing, hoardings or site structures
- Operate a crane or hoist goods or materials over a footpath or road
- Placement of a waste skip or any other container or article.

For further information please contact Council on 9093 6971.

A5 Prior to commencing any works, the owner/builder should contact Dial Before You Dig on 1100 or www.dialbeforeyoudig.com.au and relevant Service Authorities, for information on potential underground pipes and cables within the vicinity of the development site.
Section 148 of the Heritage Act 1977 (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.