

HMS Application ID: 7230

Mr Greg Abbott
NSW National Parks & Wildlife Service
PO Box 35
KIRRAWEE NSW 2232
By email: greg.abbott@environment.nsw.gov.au

Dear Mr Abbott

APPLICATION TO MODIFY S60 APPROVAL

for works to Kamay Botany Bay National Park (North and South) and Towra Point
Nature Reserve
State Heritage Register No. 01918

Address: Cape Solander Drive, KURNELL NSW 2231
Proposal: Kamay Botany Bay National Park, Kurnell Master Plan Stage 1 - Construction of
a new visitor centre and associated infrastructure
**Section 65A
application no:** HMS ID 7230, received 17/09/2024

I refer to your application under Section 65A of the Heritage Act 1977 (the Act) to modify the approved
Section 60 application (HMS ID 4676).

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the modified
proposal and found it to be substantially the same as the approved Section 60 application.

Your application for modification is approved under section 65A of the Heritage Act 1977. The revised
conditions are below (with amendments shown by striking through text or new text in **bold italics**):

APPROVED DEVELOPMENT

1. All work shall comply with the information contained within:
 - a) Architectural drawings, prepared by Neeson Murcutt + Neille, (Kamay Botany Bay
National Park, Kurnell, Visitors Centre and Meeting Place Precinct, Master Plan Stage 1),
as listed below:

Drawing No	Drawing Title	Date	Revision
S60.0	Cover Sheet	March 2023	01

S60.1	Site Plan	15/03/2023	01
S60.2	VC Demolition Plan	15/03/2023	01
S60.3	VC Ground Level Plan	15/03/2023	01
S60.4	VC Roof Level Plan	15/03/2023	01
S60.5	VC Elevations	15/03/2023	01
S60.6	VC Elevations	15/03/2023	01
S60.7	VC Sections	15/03/2023	01
S60.8	Amenities Plan, Elevations and Sections	15/03/2023	01
S60.9	Site Diagrams	15/03/2023	01
S60 Heritage	Archaeological Potential	27/01/2022	-

- b) Landscape Drawings prepared by Taylor Cullity Lethlean, (D2101_Kamay Master Plan Stage 1 Tender), as listed below:

Drawing No	Drawing Title	Date	Revision
L001	Title Page	25/08/2023	-
L002	Schedules	25/08/2023	-
L004	Key Plan	25/08/2023	-
L101	Demolition 1 of 8	25/08/2023	-
L102	Demolition 2 of 8	25/08/2023	-
L103	Demolition 3 of 8	25/08/2023	-
L104	Demolition 4 of 8	25/08/2023	-
L105	Demolition 5 of 8	25/08/2023	-
L106	Demolition 6 of 8	25/08/2023	-
L108	Demolition 7 of 8	25/08/2023	-
L109	Demolition 8 of 8	25/08/2023	-
L201	Setout Plan 1 of 8	25/08/2023	-
L202	Setout Plan 2 of 8	25/08/2023	-

L203	Setout Plan 3 of 8	25/08/2023	-
L204	Setout Plan 4 of 8	25/08/2023	-
L205	Setout Plan 5 of 8	25/08/2023	-
L206	Setout Plan 6 of 8	25/08/2023	-
L208	Setout Plan 7 of 8	25/08/2023	-
L209	Setout Plan 8 of 8	25/08/2023	-
L301	Surface 1 of 8	25/08/2023	-
L302	Surface 2 of 8	25/08/2023	-
L303	Surface 3 of 8	25/08/2023	-
L304	Surface 4 of 8	25/08/2023	-
L305	Surface 5 of 8	25/08/2023	-
L306	Surface 6 of 8	25/08/2023	-
L308	Surface 7 of 8	25/08/2023	-
L309	Surface 8 of 8	25/08/2023	-
L401	Grading 1 of 8	25/08/2023	-
L402	Grading 2 of 8	25/08/2023	-
L403	Grading 3 of 8	25/08/2023	-
L404	Grading 4 of 8	25/08/2023	-
L405	Grading 5 of 8	25/08/2023	-
L406	Grading 6 of 8	25/08/2023	-
L408	Grading 7 of 8	25/08/2023	-
L409	Grading 8 of 8	25/08/2023	-
L501	Planting 1 of 8	25/08/2023	-
L502	Planting 2 of 8	25/08/2023	-
L503	Planting 3 of 8	25/08/2023	-
L504	Planting 4 of 8	25/08/2023	-

L505	Planting 5 of 8	25/08/2023	-
L506	Planting 6 of 8	25/08/2023	-
L508	Planting 7 of 8	25/08/2023	-
L509	Planting 8 of 8	25/08/2023	-
L550	Planting Schedules	25/08/2023	-
L600	Commemoration Flat Sections	25/08/2023	-
L602	Visitor Centre Sections	25/08/2023	-
L603	Cricket Pitch Sections	25/08/2023	-
L604	Whales Boardwalk Sections	25/08/2023	-
L605	Timber Bridge Sections	25/08/2023	-
L651	Teaching and Learning Garden	25/08/2023	-
L652	Visitor Centre Eastern Terrace	25/08/2023	-
L653	Fire Track Walk	25/08/2023	-
L700	Paving Details	25/08/2023	-
L701	Boardwalk Sections	25/08/2023	-
L704	Fence Details	25/08/2023	-
L705	Fence Details	25/08/2023	-
L706	Planting Details	25/08/2023	-
L710	Fixtures Details	25/08/2023	-
L711	Furniture Details	25/08/2023	-
L712	Furniture Details	25/08/2023	-
L715	Furniture Details	25/08/2023	-
L716	Boardwalk Details	25/08/2023	-
L717	Typical Boardwalk Details	25/08/2023	-
L718	Typical Boardwalk Details	25/08/2023	-
L719	Boardwalk Module Details	25/08/2023	-

L720	Whale Boardwalk Base plan	25/08/2023	-
L721	Whale Boardwalk Details	25/08/2023	-
L722	Whale Boardwalk Details	25/08/2023	-
L723	Whale Boardwalk Details	25/08/2023	-
L724	Whale Boardwalk Details	25/08/2023	-
L725	Whale Boardwalk Details	25/08/2023	-
L726	Whale Boardwalk Details	25/08/2023	-
L727	Whale Boardwalk Details	25/08/2023	-
L728	Whale Boardwalk Details	25/08/2023	-
L729	Bridge Details	25/08/2023	-
L730	Bridge Details	25/08/2023	-
L731	Bridge Details	25/08/2023	-
L732	Bridge Details	25/08/2023	-

- c) Drawings for Foreshore Revetment Works prepared by Oculus, (Kamay Revetment Wall Works - Draft for Tender), as listed below:

Drawing No	Drawing Title	Date	Revision
L000	Cover Sheet	01/03/2023	D2
L010	Survey Plan	01/03/2023	D2
L100	General Arrangement Site Plan	01/03/2023	D1
L200	General Arrangement Plan Sheet 1 of 3	01/03/2023	D2
L201	General Arrangement Plan Sheet 2 of 3	01/03/2023	D2
L202	General Arrangement Plan Sheet 3 of 3	01/03/2023	D2
L204	Transition Zone Detail Plan	01/03/2023	D2
L205	Stairs Detailed Plan	01/03/2023	D2
L300	Setout Plan Sheet 1 of 3	01/03/2023	D2
L301	Setout Plan Sheet 2 of 3	01/03/2023	D2

L302	Setout Plan Sheet 3 of 3	01/03/2023	D2
L400	Sections	01/03/2023	D2
L401	Sections	01/03/2023	D2
L402	Sections	01/03/2023	D2
L801	Landscape Details	02/03/2023	D1
L802	Landscape Details	02/03/2023	D1
-	Materials and Finishes Schedule	28/03/2023	-

- d) Civil drawings prepared by Northrop, (Kamay Botany Bay National Park, Kurnell (21 Cape Solander Drive, Kurnell NSW 2231) Civil Engineering Package), as listed below:

Drawing No	Drawing Title	Date	Revision
C01.01	Cover Sheet, Drawing Schedule and Locality Plan	21/04/2023	07
C01.11	Specification Notes - Sheet 01	21/04/2023	07
C01.12	Specification Notes - Sheet 02	21/04/2023	07
C01.21	General Arrangement Plan	21/04/2023	07
C02.01	Sediment and Soil Erosion Control Plan - Sheet 01	21/04/2023	06
C02.02	Sediment and Soil Erosion Control Plan - Sheet 02	21/04/2023	06
C02.03	Sediment and Soil Erosion Control Plan - Sheet 03	21/04/2023	07
C02.11	Sediment and Soil Erosion Control Details	21/04/2023	07
C03.11	Bulk Earthworks Cut to Fill Plan - Sheet 01	21/04/2023	05
C03.12	Bulk Earthworks Cut to Fill Plan - Sheet 01	21/04/2023	05
C03.13	Bulk Earthworks Cut to Fill Plan - Sheet 02	21/04/2023	06
C03.21	Bulk Earthworks Cut to Fill Sections - Sheet 01	21/04/2023	05
C04.01	Siteworks and Stormwater Management Plan - Sheet 01	21/04/2023	06

C04.02	Siteworks and Stormwater Management Plan - Sheet 02	21/04/2023	06
C04.03	Siteworks and Stormwater Management Plan - Sheet 03	21/04/2023	06
C04.04	Siteworks and Stormwater Management Plan - Sheet 04	21/04/2023	06
C04.05	Siteworks and Stormwater Management Plan - Sheet 05	21/04/2023	07
C04.06	Siteworks and Stormwater Management Plan - Sheet 06	21/04/2023	07
C04.07	Siteworks and stormwater Management Plan - Sheet 07	21/04/2023	06
C04.08	Siteworks and Stormwater Management Plan - Sheet 08	21/04/2023	07
C05.31	Stormwater Details - Sheet 01	21/04/2023	07
C05.32	Stormwater Details - Sheet 02	21/04/2023	06
C06.01	Creek Plan and Longitudinal Section	21/04/2023	06
C06.11	Creek Cross Section - Sheet 01	21/04/2023	06
C06.12	Creek Cross Section - Sheet 02	21/04/2023	06
C06.21	Creek Details - Sheet 01	23/03/2023	04
C06.22	Creek Details - Sheet 02	23/03/2023	04
C07.01	Siteworks Setout Control Plan - Sheet 01	21/04/2023	05
C07.02	Siteworks Setout Control Plan - Sheet 02	21/04/2023	05
C07.03	Siteworks Setout Control Plan - Sheet 03	21/04/2023	05
C07.04	Siteworks Setout Control Plan - Sheet 04	21/04/2023	05
C07.05	Siteworks Setout Control Plan - Sheet 05	21/04/2023	05
C07.06	Siteworks Setout Control Plan - Sheet 06	21/04/2023	05
C08.01	Loop Path Centreline Long Sections - Sheet 01	21/04/2023	04
C08.02	Loop Path Centreline Long Sections - Sheet 02	21/04/2023	04

C08.03	Loop Path Centreline Long Sections - Sheet 03	21/04/2023	04
C08.11	Typical Road Cross Section	21/04/2023	04
C08.21	Road Longitudinal Section	21/04/2023	03
C08.31	Road Cross Sections - Sheet 01	21/04/2023	03
C08.32	Road Cross Sections - Sheet 02	21/04/2023	03
C10.11	Retaining Wall Elevations - Sheet 01	21/04/2023	03
C11.01	Pavement, Signage and Linemarking Plan - Sheet 01	21/04/2023	06
C11.02	Pavement, Signage and Linemarking Plan - Sheet 02	21/04/2023	06
C11.03	Pavement, Signage and Linemarking Plan - Sheet 03	21/04/2023	07
C13.01	Details - Sheet 01	21/04/2023	07
C13.02	Details - Sheet 02	21/04/2023	05
C13.03	Details - Sheet 03	21/04/2023	07
C14.01	Turning Path Plan - Sheet 01	21/04/2023	06
C14.02	Turning Path Plan - Sheet 02	21/04/2023	06
C14.03	Turning Path Plan - Sheet 03	21/04/2023	07
C15.01	Services Coordination Plan - Sheet 01	21/04/2023	07
C15.02	Services Coordination Plan - Sheet 02	21/04/2023	07
C15.03	Services Coordination Plan - Sheet 03	21/04/2023	08
C15.04	Services Coordination Plan - Sheet 04	21/04/2023	08

- e) Report: Proposed Stage 1 Master Plan Works for the Construction of a New Visitors Centre and Ancillary Infrastructure at the Meeting Place Precinct Kamay Botany Bay National Park, Kurnell, NSW, Heritage Impact Statement, prepared by John Oultram Heritage & Design, dated November 2023;
- f) Report: Master Plan Stage 1: Visitor Centre and Meeting Place Precinct. Kamay Botany Bay National Park Kurnell NSW Historical Archaeological Assessment and Future Works Impact Mitigation and Management Strategy, prepared by Dominic Steele Consulting Archaeology, dated September 2023.

As amended by the following documentation provided with Section 65A HMS ID 7230 :

- g) Drawings for Kamay Revetment Wall Works prepared by Oculus, (Kamay Revetment Wall Works - 100% for tender), as listed below:**

Drawing No	Drawing Title	Date	Revision
L000	Cover Sheet	21/02/2024	D5
L010	Survey Plan	07/11/2023	D4
L100	General Arrangement Site Plan	21/02/2024	D4
L200	General Arrangement Plan Sheet 1 of 3	21/02/2024	D5
L201	General Arrangement Plan Sheet 2 of 3	21/02/2024	D5
L202	General Arrangement Plan Sheet 3 of 3	21/02/2024	D5
L203	Transition Zone Detail Plan	21/02/2024	D5
L204	Stairs Detailed Plan	21/02/2024	D5
L300	Setout Plan Sheet 1 of 3	07/11/2023	D4
L301	Setout Plan Sheet 2 of 3	07/11/2023	D4
L302	Setout Plan Sheet 3 of 3	07/11/2023	D4
L400	Sections	21/02/2024	D5
L401	Sections	07/11/2023	D4
L801	Landscape Details	07/11/2023	D3
L802	Landscape Details	07/11/2023	D3
L700	Construction Management Plan	21/02/2024	D5
L-SP-001	Landscape Technical Specification	07/11/2023	A

- h) Drawings for Kamay Foreshore Works Botany Bay National Park Sutherland Shire, NSW prepared by Consult Marine , as listed below:**

Drawing No	Drawing Title	Date	Revision
001	Title Page, Locality Plan & Drawing List	07/09/2023	B
012	General Notes Sheet 2	07/09/2023	B
013	General Notes Sheet 3	07/09/2023	B

014	General Notes Sheet 4	07/09/2023	B
101	General Arrangement Plan - Existing Features - West Sheet 1	16/02/2024	C
102	General Arrangement Plan - Existing Features - East Sheet 2	16/02/2024	C
201	General Arrangement Plan - Extent of Works - West Sheet 1	16/02/2024	C
202	General Arrangement Plan - Extent of Works - East Sheet 2	16/02/2024	C
251	Footing Long Section	07/09/2023	A
301	Seawall Sections	07/09/2023	B
302	Seawall Details	16/02/2024	C
303	Transition Details	16/02/2024	C
304	Miscellaneous Details	07/09/2023	A
305	Stair Sections and Details	16/02/2024	C
306	Walkway Sections and Details	16/02/2024	C

- i) **Report: Heritage Impact Assessment, Appendix A - Modified Revetment Works, prepared by John Oultram Heritage & Design.**

EXCEPT AS AMENDED by the conditions of this approval:

HERITAGE CONSULTANT

2. 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

3. 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

4. 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.

HERITAGE INTERPRETATION PLAN

5. An interpretation plan 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) prior to the commencement of interpretation works.
6. The interpretation plan must detail how information on the history and significance of Kamay and its moveable heritage items will be provided for the public, and make recommendations regarding public accessibility, activities, signage (entry, wayfinding and interpretive signs) and lighting. The plan should respond to and convey significant Aboriginal and non-Aboriginal cultural heritage values of the place as recognised by any relevant Conservation Management Plans and National Heritage listing and State Heritage Register listing. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
7. The approved interpretation plan must be implemented prior to the issue of an occupation certificate.

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

PHOTOGRAPHIC ARCHIVAL RECORDING

8. A photographic archival recording must be prepared for works affecting significant elements of the site prior to commencement of works/ during works/ at the completion of works. This recording must be in accordance with the Heritage NSW publication '**Photographic Recording of Heritage Items using Film or Digital Capture**' (2006). The digital copy of the archival record must be provided to Heritage NSW.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

UNEXPECTED FINDS

9. The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics or any other buried fabric such as works not identified in *Master Plan Stage 1: Visitor Centre and Meeting Place Precinct. Kamay Botany Bay National Park Kurnell NSW Historical Archaeological Assessment and Future Works Impact Mitigation and Management Strategy*, prepared by Dominic Steele Consulting Archaeology, dated September 2023 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: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. **This** is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project.

ABORIGINAL OBJECTS

10. 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. 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

11. 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.

DURATION OF APPROVAL

12. This approval will lapse five years from the date of the consent unless the building works associated with the approval have physically commenced.

Reason: To ensure the timely completion of works

ADVISORY

All work under this approval must also be in accordance with any approval issued for the proposed Master Plan Stage 1 works under the National Parks and Wildlife Act 1974.

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.

Right of appeal

If you are dissatisfied with this determination appeal may be made to the Minister under section 70 of the Act.

It should be noted that an approval under the Act is additional to that which may be required from other Local Government and State Government Authorities in order to undertake works.

Stamped documents

Any stamped documents (e.g. approved plans) for this application are available for the Applicant to download from the Heritage Management System at <https://hms.heritage.nsw.gov.au> under 'My Completed Applications.'

If you have any questions about this correspondence, please contact Shikha Jhaldiyal, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely



Rajeev Maini
Manager, SHR Approvals
Heritage NSW

Department of Climate Change, Energy, the Environment and Water

As Delegate of the Heritage Council of NSW

23/10/2024

cc: Sutherland Shire Council