

Parks, Reserves and Foreshores Referral Response

Application Number:	DA2022/0145
Proposed Development:	Demolition works and construction of a mixed-use development comprising a residential flat building and shop top housing, basement parking, lot consolidation and torrens title subdivision
Date:	09/02/2023
To:	Adam Susko
Land to be developed (Address):	Lot CP SP 32072 , 812 Pittwater Road DEE WHY NSW 2099 Lot CP SP 32071 , 4 Delmar Parade DEE WHY NSW 2099

Reasons for referral

This application seeks consent for any application on land or land being adjoining or adjacent to any parks, reserves, beaches, or foreshore

And as such, Council's Parks, Reserves and Foreshores officers are required to consider the likely impacts of the proposal.

Officer comments

Amended Plans Comment

Trees to be removed outside of the site are located in the road reserve, rather than within Stony Creek Reserve. As such, no objections to removal with regard to Parks issues are raised. Landscape requirements for replanting along the road reserve boundary are noted and supported.

Issues regarding building setback and transition to the reserve and potential overshadowing are still of concern, however conditions have been provided if consent is to be granted.

Original comment

The Tree Removal Plan indicates removal of trees within the reserve, which is not supported.

The proposal does not provide adequate spatial or landscape transition to the reserve, proposing sheer walls virtually to the boundary.

The shadow diagrams do not indicate the extent of new shadowing on the reserve. This has implications for user amenity and impacts on vegetation currently growing on site.

The proposal is therefore not able to be supported.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Parks, Reserves and Foreshores Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Shoring of Council Property

Should the proposal require shoring to support land owned or managed by Council, owner's consent for the encroachment onto the affected property owner shall be provided with the engineering drawings. Council approval is required if temporary rock anchors or other construction measures are to be used within Council Land.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure that owners consent is obtained for ancillary works and to ensure the protection of adjoining properties and land owned or managed by Council.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Works on Land Owned or Managed By Council

No works are to be carried out in the Stony Range Regional Botanic Garden.

Note: Separate approval from Council is required for access driveways, paths, stairs, connections to underground utilities (stormwater, gas, sewer, electricity, telecommunications etc.) and landscaping works on land owned or managed by Council.

Reason: To protect the land owned or managed by Council.

Dilapidation Report of Land Owned or Managed by Council

A Pre-Construction Dilapidation Report shall contain a survey of pre-existing land features including photographic record of the land under Council's care control and management adjoining the development, detailing the physical condition of items such as, but not exclusively limited to, physical assets such as crossovers, driveways, footpaths, utilities, furniture, play equipment, trees, gardens, lawn areas, bushland and any rock outcrops.

This Pre-Construction Dilapidation Report shall be submitted to Council and the Certifying Authority prior to commencement of works.

Any damage to these assets during the works must be replaced like for like to the satisfaction of Council and the Certifying Authority.

The applicant may be held liable to any damage to public infrastructures in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition. In this regard, where required, the damage deposit lodged by the applicant may be used by Council to repair such damage on Council's property.

Reason: Protection of Council's assets.

Removal of Trees in Land Owned or Managed by Council

Prior to the commencement of work:

- a) written notification is to be provided to Council giving a minimum of 7 days notice prior to undertaking the removal of any trees approved for removal,
- b) removal of approved trees is to be undertaken by a qualified Arborist with minimum level 5 AQF qualifications with suitable public liability insurance.

Reason: Management of public environmental assets.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

No Access Through Land Owned or Managed by Council

Site access is not approved for delivery of materials nor construction of the development through the Stony Range Regional Botanic Garden.

Reason: Public safety, landscape amenity and tree protection.

Storage of Materials on Land Owned or Managed by Council Prohibited

The dumping or storage of building materials, spoil, vegetation, green waste or any other material in the Stony Range Regional Botanic Garden is prohibited.

Reason: Public safety and environmental protection.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

Removal of All Temporary Structures/Materials and Construction Rubbish

Once construction has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences/bunds are to be removed from the site.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To protect reserve amenity and public safety.