

## Parks, Reserves and Foreshores Referral Response

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| <b>Application Number:</b>             | Mod2023/0146  |
| <b>Proposed Development:</b>           | Modification of Development Consent DA2019/1522 granted for consolidation of two lots into one, demolition works and construction of a dwelling house including a swimming pool |
| <b>Date:</b>                           | 19/06/2023  |
| <b>To:</b>                             | Maxwell Duncan  |
| <b>Land to be developed (Address):</b> | Lot 2 DP 7391 , 43 Beach Road COLLAROY NSW 2097<br>Lot 1 DP 300846 , 41 Beach Road COLLAROY NSW 2097  |

### 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

The property adjoins the public reserve downslope. New stormwater works are proposed through public land, and as such conditions shall be imposed to ensure the public land is returned to its existing condition. Existing trees and vegetation will be impacted by the proposed works, therefore appropriate protection measures shall be implemented during works. New conditions shall be added as part of this modification.

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 THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

#### Working and Access on Reserves Permit

Works (undertaken by principal contractors working without Council supervision) on land owned or managed by Council require a "Working on Reserves" permit prior to commencement. Applications can be obtained from Council's website or the Parks and Recreation business unit.

Reason: Public safety and the protection of Council infrastructure.

#### Construction Management Plan - Council Assets

Prior to commencement of works on site, appropriate environmental site management measures must be in place and incorporate the following throughout demolition and construction:

- access to and from the site during construction and demolition,
- safety and security of the site, including details of proposed fencing,
- methods of loading and unloading machinery and building materials,
- location of storage materials, excavation and waste materials,
- methods to prevent material being tracked off the site onto surrounding roadways,
- erosion, sediment and dust control measures, and

g) protection of existing trees and vegetation including the tree protection zone, in accordance with AS 4970-2009 Protection of Trees on Development Sites.

During works, the site management measures listed above must remain in place and be maintained until the completion of works.

Construction materials must not be stored on Land owned or managed by Council unless approval is provided by Council. Safe pedestrian access free of trip hazards must be maintained at all times on or adjacent to any public access routes connected to land owned or managed by Council.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site.

### **Dilapidation Report of Land Owned or Managed by Council**

A dilapidation report established at the commencement of the works shall contain a survey of pre-existing land features including a 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, trees, garden areas, lawn areas, foreshore vegetation, and existing ground levels.

This dilapidation report shall be submitted to Council and the Certifier prior to commencement of works, and shall be the basis for rectification of any damage to Council's assets as listed in the Post Construction Dilapidation report submitted prior to the issue of the Occupation Certificate.

Any damage to these assets during the works must be replaced like for like to the satisfaction of the Certifier, and shall be subject to acceptance by Council.

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.

### **Protection of Trees on Land Owned or Managed by Council**

Unless identified by the development consent, existing trees on Council Land shall be protected in accordance with AS4970- 2009 Protection of trees on development sites, with particular reference to Section 4, with no ground intrusion into the tree protection zone and no trunk, branch nor canopy disturbance unless authorised and under supervision of the Project Arborist.

Reason: Tree protection and management.

## **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

### **Protection of Council's Public Assets**

Any damage to Council's public assets shall be made good by the applicant, and/or the contractor, to the satisfaction of Council.

Council's public assets include, but is not limited to, the following: road, kerb and gutters, crossovers, crossings, paths, grass verge, open space and associated elements such as furniture, recreational facilities and the like, within the meaning of the Local Government Act 1993.

Existing trees shall be protected in accordance with AS4970-2009 Protection of Trees on Development

Sites, with particular reference to Section 4, with no ground intrusion into the tree protection zone and no trunk, branch nor canopy disturbance.

Reason: To protect and/or restore any damaged public asset.

## **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 Certifier prior to the issue of an Occupation Certificate.

Reason: To protect reserve amenity and public safety.

### **Condition of Trees on Land Owned or Managed by Council**

Prior to the issue of any relevant Occupation Certificate, a qualified Arborist is to certify that:

- a) All trees on public land have been adequately maintained, that there has been no net deterioration in health and condition, and that any remedial work complies with AS 4970-2009 Protection of trees on development sites, and AS 4373-2007 Pruning of amenity trees.

Reason: Tree and public asset management.

### **Post-Construction Dilapidation Report of Land Owned or Managed by Council**

Rectification works to Council's assets shall be contained in a Post Construction Dilapidation report submitted to Council, and an on site inspection completed by Council for sign off prior to the issue of the Occupation Certificate. Reinstatement planting to all disturbed areas, with like for like species, shall be installed and documented in the report and signed off on site.

The applicant is liable for 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.

## **ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES**

### **Landscape Maintenance**

All reinstatement planting shall be maintained to the satisfaction of Council until established.

Reason: To maintain local environmental amenity.