

Parks, Reserves and Foreshores Referral Response

Application Number:	DA2023/0998
Proposed Development:	Alterations and additions to a Community Facility Crown land – Part Lot 2797 DP820312, Lot 1 DP909023 & Lots 21 to 23 Section 2 DP975183 – part Reserves D500403 and R64997 for Public Recreation – Freshwater Surf Life Saving Club.
Date:	12/10/2023
To:	Alex Keller
Land to be developed (Address):	Lot 1 DP 909023 , 9999 The Esplanade FRESHWATER NSW 2096

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

Parks, Reserves and Foreshores have assessed the application against the Coastal Land Plan of Management, General Community Use Plan of Management, Warringah Local Environmental Plan 2011, and the Warringah Development Control Plan 2011.

The Coastal Land Plan of Management identifies Surf Clubs "*...need for greater financial independence from Council*" which "*...will involve new and different ways of managing the existing buildings, including some expansion of the club buildings...*". Furthermore, it is outlined that "*...any new use for activities must be in keeping with the recreational values of the coast and must maintain an acceptable level of general community use of the buildings*". The Action Plan goes on to outline "*continue to liaise with Surf Life Saving Clubs to encourage increased and continuing broad community access to the buildings, and to undertake facility improvements...*" and "*in approving any extensions or modifications to the Surf Life Saving Club buildings consideration shall be given to; minimising the loss of open space; principles of shared use; no net loss of general community facilities; maintenance burden to Council and the community...*". Parks is satisfied the proposal is in line with the Coastal Land Plan of Management.

All surrounding public and Council assets utilised by the community shall be retained and protected during works. A pre-construction and post-construction dilapidation report is required. All public recreational open space and facilities utilised by the public (outside the identified construction footprint) are to remain open and accessible during works.

Temporary facilities shall be provided for public use from the commencement of construction until the completion of the works, subject to the imposed conditions.

The Construction Management Report under section 7.4 Pedestrian Movement does not outline how the NE-SW pedestrian connection behind the Surf Life Saving Club will be catered for during construction. The Construction Management Report shall provide information outlining how this highly utilised connection will be managed.

Parks questions how the normal operations of the Surf Club will function while the construction works are being completed. Should the Development Application be approved, consideration and explanation of the Surf Clubs continuing operations during the construction period shall be outlined, and if storage or temporary structures will be required for the Surf Clubs functioning requirements their locations shall be identified and submitted to Council for approval.

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

Amended Construction Management Report

The Construction Management Report under section 7.4 Pedestrian Movement does not outline how the NE-SW pedestrian connection behind the Surf Club will be managed during construction. The Construction Management Report shall outline the management of this highly utilised connection, and resolve any conflicts that arise from the proposed construction site layout plan.

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.

Furthermore, the following shall be included in the Construction Management Report:

- i) methods to prevent material being tracked off the site onto surrounding roadways,
- ii) dust control measures.

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

Reason: to protect the surrounding environment from the effects of the construction activities.

Provision of Temporary Facilities

Temporary toilet and changing facilities are to be provided for beach users from the commencement of construction until the completion of the Surf Life Saving Club works.

Reason: To ensure continued provision of community facilities.

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.

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 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 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.

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.

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

Post-Construction Dilapidation Report of the land under Council's care control, including photos of any damage evident at the time of inspection, must be submitted after the completion of works.

The report must:

- Compare the post-construction report with the pre-construction report,
- Clearly identify any recent damage and whether or not it is likely to be the result of the development works,
- Should any damage have occurred, the evidence of like for like replacement to the satisfaction of Council.

Copies must also be lodged with 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.

Details demonstrating compliance with this condition are to be submitted to the Principal Certifier prior to the issuing of an Occupation Certificate.

Reason: Protection of Council's assets.