

## Parks, Reserves and Foreshores Referral Response

<b>Application Number:</b>	DA2020/0514
<b>Date:</b>	13/08/2020
<b>To:</b>	Anne-Marie Young
<b>Land to be developed (Address):</b>	Lot 2699 DP 752038 , 1 B Bolingbroke Parade FAIRLIGHT NSW 2094

### 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 proposal is for alterations and additions to an existing boat shed located at 1B Bolingbroke Parade, Fairlight. The proposed land adjoins West Esplanade Park that includes the public pathway as part of the Manly to Spit walk. Within West Esplanade Park public open space is located adjacent to the Manly Boatshed, and public access exists throughout the reserve and to the foreshore.

This Parks Referral responds to the assessment of impact or otherwise upon the public land owned and/or managed by Council. It is considered that public access and views to and through the reserve and to the foreshore is not impacted by the development, and this satisfies the objectives of Zone RE1 Public Recreation of the Manly Local Environmental Plan, and clause 6.9 Foreshore scenic protection area. Additionally, the recreational use of the proposal improves water based activities for the benefit of the public.

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**

#### **Working on and Access to 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.

#### **CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT**

#### **Protection of and/or removal of Trees on Land owned or managed by Council**

Unless identified by the development consent, 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.

Should any problems arise with regard to the existing trees on public land during the construction period, the applicant is to immediately Contact Council's Tree Services section and resolve the matter to Council's satisfaction.

Removal of the existing identified Cheese Tree requires:

- a) Written notification is to be provided to Council giving a minimum of 7 days notice prior to undertaking the removal of any tree(s) approved for removal,
- b) Removal of approved tree(s) 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.

### **Installation and Maintenance of Sediment and Erosion Control**

Prior to commencement of works on site, sediment and erosion controls must be installed for all land-based works along the immediate downslope of the works area, in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004). The erosion controls shall be maintained in an operational condition until the development activities have been completed and the site fully stabilised. Sediment shall be removed from the sediment controls following each heavy or prolonged rainfall period.

Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

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

### **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:

- i) access to and from the site during construction and demolition,
- ii) safety and security of the site, road and footpath area including details of proposed fencing, hoarding and lighting,
- iii) methods of loading and unloading machinery and building materials,
- iv) location of storage materials, excavation and waste materials,
- v) methods to prevent material being tracked off the site onto surrounding roadways, pathways, reserves and waterways,
- vi) erosion, sediment and dust control measures, and
- vii) 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 set out in the 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. 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.

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

### **Storage of Materials on Reserve owned or managed by Council Prohibited**

The dumping or storage of building materials, spoil, vegetation, green waste, or any other material in Land owned or managed by Council is prohibited, unless permission is sought for exceptional circumstances.

Reason: public safety and environmental protection.

### **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.

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