

## Parks, Reserves and Foreshores Referral Response

<b>Application Number:</b>	DA2020/0739
<b>Date:</b>	25/11/2020
<b>To:</b>	Lashta Haidari
<b>Land to be developed (Address):</b>	<p>Lot 13 DP 801798 , 62 May Road NARRAWEENA NSW 2099</p> <p>Lot 14 DP 801798 , 60 May Road NARRAWEENA NSW 2099</p> <p>Lot 15 DP 801798 , 58 May Road NARRAWEENA NSW 2099</p> <p>Lot 16 DP 801798 , 56 - 56 May Road NARRAWEENA NSW 2099</p> <p>Lot 17 DP 801798 , 54 - 54 May Road NARRAWEENA NSW 2099</p>

### 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

#### Additional Comment 25/11/2020

Following a meeting with the applicant's consultants Planner and Architect, Parks can support the application subject to the following conditions, which include removal of the stairs on the eastern side of the site and replacing with an extension of the planter and landscape treatment.

#### Original Comment

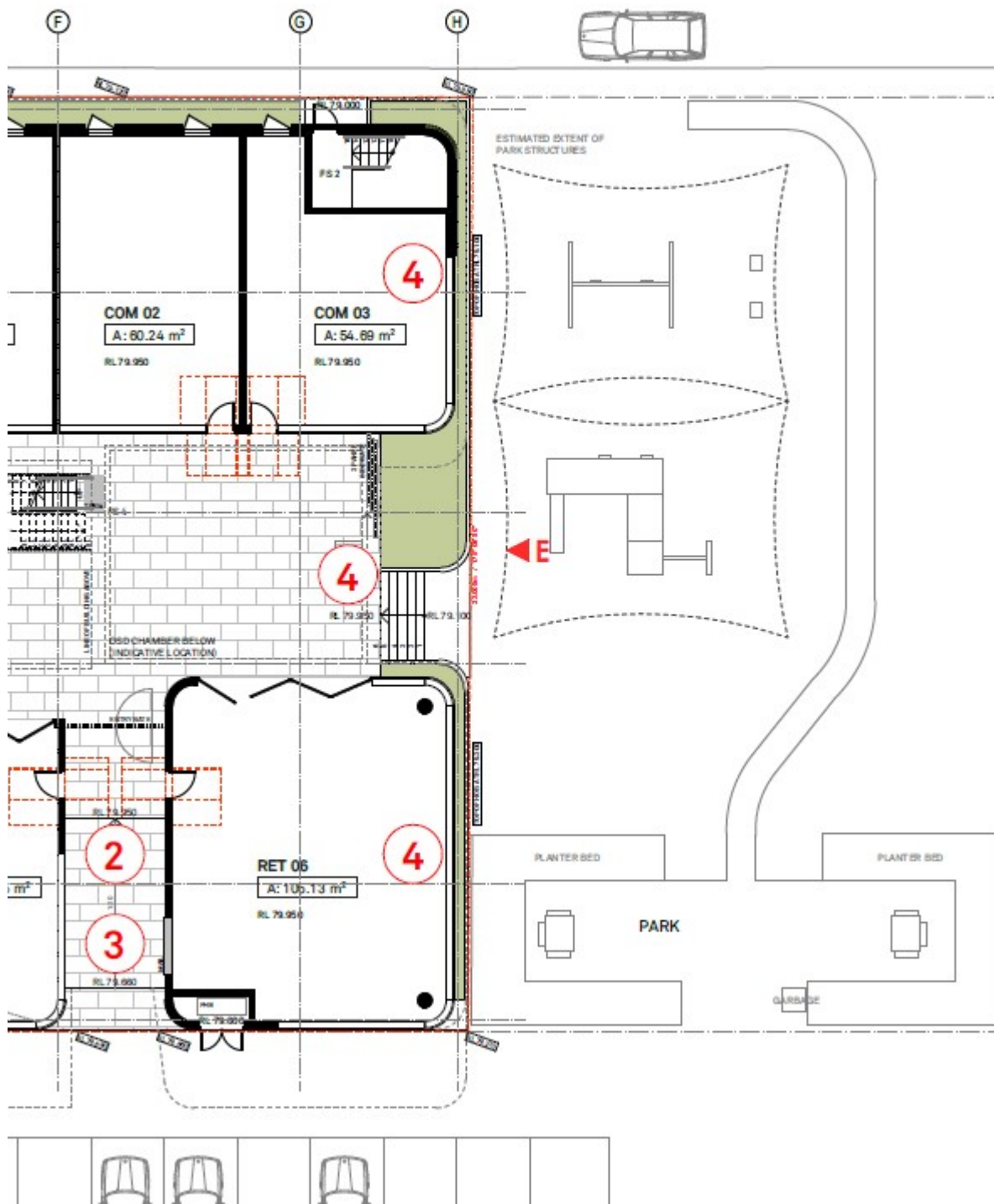
Parks reserves and Foreshores provided PLM comments regarding impacts on the adjoining park to the east of the site.

The proposal has not addressed the comments provided.

The access stairs to the park land into the children's playground, which is not acceptable as outlined previously. (See plan extract and PLM comments below)

The visual transition is also poor with minimal setback to the park.

At this stage, the proposal is not able to be supported.



PLM comments:

In principal, Parks has no issue with the development establishing a direct access into the adjacent May Reserve; however, the current entry/exit point in the plans does not fit with the existing infrastructure in the reserve.

If this access is something that the developer wants to pursue, then further discussion would be

required with the Parks team, to address issues such as:

- Entry/exit location on eastern side of development
- Reserve infrastructure location
  - o Shade sail locations
  - o Playground location
- Pedestrian/playground conflict
- Reserve landscaping

Developers should be ensuring they address part E7 of the DCP, requirements as follows:

#### Objectives

- To protect and preserve bushland adjoining parks, bushland reserves and other public open spaces.
- To ensure that development responds to its adjacent surroundings to preserve and enhance the natural qualities of the environment.
- Development on land adjoining open space is to complement the landscape character and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces.

#### Requirements

1. Development on land adjoining public open space is to complement the landscape character and public use and enjoyment of the adjoining parks, bushland reserves and other public open spaces.
2. Public access to public open space is to be maximised.
3. Buildings are to be located to provide an outlook to public open space, without appearing to privatise that space.
4. Development is to provide a visual transition between open space, bushland reserves or other public spaces and buildings, including avoiding abutting public open space with back fences.
5. Development is to protect views to and from public open space.
6. Development is to provide buffers for bushfire protection on private land, not on public land.
7. If the adjoining parks, bushland reserves or public open space contain bushland, development is not to threaten the protection or preservation of the bushland.
8. Development should be designed to maximise opportunities for casual surveillance of the public open space.
9. Development is to utilise landscaping or existing landscape elements to screen development.

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.

#### **Shoring of Council Property**

a) 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.

b) 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.

### **Amended Plans**

a) Plans are to be amended to delete the stairs and landing located on the eastern boundary of the site adjoining the public reserve.

b) The planter to the north of the stairs is to be extended across the area of the deleted stairs and landing.

c) Tree, shrub and groundcovers indicated on the Landscape Plan in the planter to the north are to be extended across the new planter.

d) Amended Plans are to be submitted to the Certifying Authority for approval prior to issue of a Construction Certificate.

Reason: Public safety

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

### **Works adjoining Council Land**

a) Prior to commencement of work, the property/reserve boundary is to be surveyed by a registered surveyor and such boundary is to be clearly marked on site.

b) 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.

c) This dilapidation report shall be submitted to Council and the Certifying Authority 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.

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

e) 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.

- f) Prior to commencement of works on site, appropriate public safety site management measures must be in place as the site adjoins a public park with playground equipment. Construction Management must address public safety and protection at all stages of the works and incorporate the following throughout demolition and construction:
- g) safety and security of the site, road and footpath area including details of proposed fencing, hoarding and lighting,
  - ii) methods of loading and unloading machinery and building materials,
  - iii) location of storage materials, excavation and waste materials,
  - iv) erosion, sediment and dust control measures, and
  - v) protection of the public from impacts of demolition, excavation and construction works.
- h) During works, the site management measures set out in the above must remain in place and be maintained until the completion of works.
- i) 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: Public Safety and to protect Council assets.

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

- a) Prior to commencement of works on site, sediment and erosion controls must be installed 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.
- b) 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.

#### **Works on Land owned or managed by Council.**

No works are to be carried out on Land owned or managed by Council without the written approval of the Council.

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: Protection of public assets, Public safety

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

#### **No Access through Land owned or managed by Council.**

- a) Site access is not approved for delivery of materials nor construction of the development through

adjacent Land owned or managed by Council.

b) The dumping or storage of building materials, spoil, vegetation, green waste, or any other material in Land owned or managed by Council is prohibited.

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

Note:

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, public safety.

### **Protection of trees**

a) Existing trees which must be retained

i) All trees not indicated for removal on the approved plans, unless exempt under relevant planning instruments or legislation

ii) Trees located on adjoining land

b) Tree protection

i) No tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.

ii) All structures are to bridge tree roots greater than 25mm diameter unless directed otherwise by a qualified Arborist on site.

iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.

iv) All tree pruning within the subject site is to be in accordance with relevant local planning controls and AS 4373 Pruning of amenity trees

v) All tree protection measures, including fencing, are to be in place prior to commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on and adjacent to the site.

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

### **Post Construction Dilapidation Report of Land owned or managed by Council.**

a) Rectification works to Council's assets shall be contained in a Post Construction Dilapidation report submitted to Council prior to the issue of the Occupation Certificate.

b) 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 All Temporary Structures/Materials and Construction Rubbish**

- a) 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.
- b) Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of any Occupation Certificate.

Reason: to protect reserve amenity and public safety.