

3 December 2025



Nicole Yip
22 Akora Street
FRENCHS FOREST NSW 2086

Dear Nicole,

Development Application No: DA2025/1545 for Construction of a retaining wall at 22 Akora Street FRENCHS FOREST.

An assessment has been undertaken of your application. The assessment has found that it is unsatisfactory in its current form for the reasons identified below:

- **Insufficient information**

The following information/documentation is required to complete the assessment of the application:

1. Landscaping

Council's Landscape officer has reviewed the proposal and provided the following comment:

A tree is located in the eastern neighbouring property in close proximity to the works. Northern Beaches Council's Development Application Lodgement Requirements outlines that any works within 5 metres of existing trees, irrespective of property boundaries, requires the submission of an Arboricultural Impact Assessment. An Arboricultural Impact Assessment, prepared by an Arborist with minimum AQF Level 5 in arboriculture, is required to determine the existing trees significance, what impact the proposed works will have to existing trees and the appropriate tree protection measures. An Arboricultural Impact Assessment shall be conducted in accordance with Council's DA Lodgement Requirements and subject to AS4970-2025 Protection of trees on development sites general requirements under 2.2.5 Arboricultural Impact Assessment and specifically 2.2.6 Tree Protection Specifications and Tree Protection Plan, for the protection of the trees.

Further assessment can be completed upon receipt of more information.

Options available to the Applicant

Council is providing you with two (2) options to progress your application:

1. Prepare and submit further supporting information/amendments to address the above issues. Please carefully read the below advice if you choose this option.



2. Request that the current proposal proceed to determination in its current form, which may result in refusal of the application.

Please advise of your selected option by responding **within 7 days of the date of this letter** by email sent to council@northernbeaches.nsw.gov.au marked to the attention of the assessment officer. Should Council not receive your response by this date, Council will determine the application in its current form.

Submitting further information/amendments

Council will offer **one** opportunity to provide feedback on conceptual amendments addressing the issues raised in this letter. We strongly request that you contact the assessment officer directly for a 'without prejudice' discussion on your proposed resolution of the issues and the submission requirements **before** lodging any documentation on the NSW Planning Portal.

Conceptual amendments must be provided to Council for feedback **within 14 days of the date of this letter**. If conceptual amendments are deemed sufficient, we will then provide you with a timeframe upon which an amended application is to be lodged on the NSW Planning Portal (generally 14 days).

Please ensure that the amended/additional information submitted on the NSW Planning Portal is a genuine attempt to resolve the issues as Council will generally not seek any further information/amendments after that point. Council will proceed to assess and determine the application based on the submitted information without further consultation. Whilst we will provide feedback on your conceptual amendments in good faith, this cannot guarantee the approval of the amended application.

As part of any amended application, it may be necessary to update your supporting documentation (e.g., BASIX certificate, bushfire report, geotechnical report, etc.). Failure to do so may affect Council's ability to determine the application favourably.

Please ensure that any amendments are accompanied by a summary/schedule of amendments cover sheet.

Council reserves its right under section 37 of the *Environmental Planning and Assessment Regulations 2021* not to accept any information/amendment if it is not considered to be a genuine attempt to resolve the issues. In which case, Council will inform you that the changes have not been accepted and the application will proceed to be determined.

This process has been established to ensure an efficient and responsible level of service which meets the requirements of the Department of Planning and Environment's *23A Guidelines on withdrawal of Development Applications 2023*, Ministerial Orders *Statement of Expectations 2021* and the *Development Assessment Best Practice Guide 2017*.

As per the requirements of section 36 of the *Environmental Planning and Assessment Regulation 2021*, you are advised that this application was accepted on 23/10/2025 and 41 days in the assessment period have now elapsed.



This letter will be released on Council's webpage as part of the application's documentation.

Should you wish to discuss any issues raised in this letter, please contact Kye Miles on 1300 434 434 during business hours Monday to Friday.

Yours faithfully

Kye Miles
Principal Planner

A handwritten signature in blue ink, appearing to be 'Kye Miles', written over a light blue rectangular background.