

Landscape Referral Response

Application Number:	DA2024/0499
Date:	05/05/2025
Proposed Development:	Demolition works and construction of three residential flat buildings
Responsible Officer:	Adam Croft
Land to be developed (Address):	<p>Lot 1 DP 213608 , 120 Frenchs Forest Road West FRENCHS FOREST NSW 2086</p> <p>Lot 2 DP 213608 , 118 Frenchs Forest Road West FRENCHS FOREST NSW 2086</p> <p>Lot 14 DP 25713 , 11 Gladys Avenue FRENCHS FOREST NSW 2086</p> <p>Lot 24 DP 25713 , 116 Frenchs Forest Road West FRENCHS FOREST NSW 2086</p>

Reasons for referral

This application seeks consent for the following:

- Construction / development works within 5 metres of a tree or
- New residential works with three or more dwellings. (RFB's, townhouses, seniors living, guesthouses, etc). or
- Mixed use developments containing three or more residential dwellings.
- New Dwellings or

Officer comments

The proposal is supported with regards to landscape issues.

Additional Information Comment 05/05/25:

The amended reports and plans are noted.

The concerns raised in the referral comments dated 11/12/24 have generally been addressed, and as such landscape referral is supportive of the proposal subject to the imposed conditions. The planting proposal generally represents an "*urban forest*" and is "*making a feature of the forest*" which is sought under the desired future character of the DCP.

A Project Arborist shall be engaged to supervise all work in the tree protection zone of trees to be retained. All on slab landscape planters shall meet the ADG soil depth requirements.

Additional Information Comment 11/12/24:

The amended reports and plans are noted.

Landscape referral remains unsupportive due to the following concerns:

- The balconies proposed in the front 3.5 metre setback of Building A are not supported. This front setback should "...be landscaped and free of any structures, basements, car parking or site facilities other than driveways, mail boxes, garbage storage areas and fences" as outlined in WDCP 5.2.3 and 5.2.8. The 3.5 metre setback is required to be primarily landscaped area to allow for planting to help soften the scale of the development.
- The western side setback of Building A and the eastern side setback of Building B are compromised where egress stairs are located. Building A and B are 7 storeys and the areas around the egress not having any significant planting is not an acceptable solution. It is noted the desired future character is for an "urban forest" and "making a feature of the forest" which necessitates significant tree planting between built forms. Greater tree planting in these areas will help offset the large tree (12 metre height and above) canopy loss proposed.
- The Arboricultural Impact Assessment (AIA) does not provide justification for the removal of tree 4 other than that the encroachment is 11.5%. This encroachment almost meets the minor encroachment threshold of 10% so unless otherwise justified tree 4 shall be retained. Complete root investigations if necessary.
- The AIA shows tree 33a with a 0% tree protection zone encroachment. The plans show encroachment into the tree protection zone and structural root zone by balcony and stairs. Further comment is to be provided by the Arborist as this tree shall be retained.
- Trees 78, 79, 82, and 83 are proposed for removal. The Survey Plan shows tree 83 located on the neighbouring property and as such it must be retained unless owners consent is provided for its removal. Trees 78, 79, and 82 are co-located on the boundary, therefore owners consent is required from the neighbouring property owner for their removal, otherwise they must be retained. No concerns are raised with the removal of these trees should owners consent be provided; however, it is noted that the adjoining property owner does not have any obligation to consent and may choose to not provide an agreement. If these trees are to be retained their retention shall be supported by commentary from the Arborist.
- Continue the mass planting (minimum 2.5 metre width) behind the the structure shown in the eastern setback communal open space between Building B and Building C.
- Clarification is required for the bin storage area layout and structure on the Gladys Avenue frontage. The Traffic Impact Assessment shows swept paths for a Council waste truck entering the property (Attachment 4 sheet 2 of 9). From conversations with Council's Waste Services team it is understood that the waste truck will not be required to access the property, rather a wheel in wheel out service will be provided with the truck parked on Gladys Avenue. If the wheel in wheel out service is provided the 'trafficable turf' and waste truck parking area shown on the plans will not be required and shall be replaced with mass planting (including at least one additional large tree). This planting will soften any proposed structure when viewed from Gladys Avenue and help establish a landscape setting for this frontage, as required under WDCP.

Original Comment:

Clarification is required for the bin storage area layout and structure on the Gladys Avenue frontage. The Traffic Impact Assessment shows swept paths for a Council waste truck entering the property (Attachment 4 sheet 2 of 13). From conversations with Council's Waste Services team it is understood that the waste truck will not be required to access the property, rather a wheel in wheel out service will be provided with the truck parked on Gladys Avenue. Landscape referral notes Council's Waste Services request for more information on the bin storage area structure. If the wheel in wheel out service is provided the 'trafficable turf' area shown on the plans will not be required and shall be replaced with mass planting (including one additional tree). This planting will soften any proposed structure when viewed from Gladys Avenue and help satisfy the landscape requirements under the WDCP.

Trees 82 and 83 are proposed for removal. The Survey Plan shows tree 83 located on the

neighbouring property and as such it must be retained unless owners consent is provided for its removal. Tree 82 is co-located on the boundary, therefore owners consent is required from the neighbouring property owner for its removal, otherwise it must be retained. If these trees are to be retained their retention shall be supported by commentary from the Arborist.

Landscape referral is generally supportive of the overall landscape proposal subject to the following amendments:

- The structure shown in the eastern setback communal open space between Building B and Building C shall be relocated to allow a continuation of planting along the eastern boundary in the available deep soil area,*
- Substitute 1 x *Acmena smithii* to the north of Building A with 1 x *Angophora costata*,*
- Substitute 3 x *Acmena smithii* to the east of Building B with 3 x *Angophora costata*.*

Landscape referral notes the request for further information by Council's Bushland and Biodiversity team, and as such further comment regarding trees will be provided upon receipt and review of this information.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Landscape Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

On Slab Landscape Planters

a) Details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed method of waterproofing and drainage to all planters over slab, over which soil and planting is being provided. Landscape treatment details shall be submitted to the Certifier prior to the issue of the Construction Certificate indicating the proposed soil type, planting, automatic irrigation, and services connections.

b) The following soil depths are required to support planting: 200mm for turf; 300-450mm for groundcovers; 500-600mm for shrubs; 800mm for small trees; 1000mm for medium trees; and 1200mm for large trees.

c) Design certification shall be submitted to the Certifier by a qualified Structural Engineer, that the planters are designed structurally to support the 'wet' weight of landscaping (soil, materials and established planting).

Reason: To ensure appropriate soil depth for planting and ensure waterproofing and drainage is installed.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Project Arborist

a) A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged prior to any commencement of works on site to provide tree protection measures in accordance with AS 4970-2009 Protection of trees on development sites, and any recommendations of an approved

Arboricultural Impact Assessment.

- b) The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment, and in particular:
- i) tree protection measures and works under sections 5 Tree Protection Plan, 6 Recommendations, and 7 Construction Hold Points for Tree Protection,
 - ii) the construction of the path near trees 1, 2, 3, and 4.
- c) All tree protection measures specified must:
- i) be in place before work commences on the site, and
 - ii) be maintained in good condition during the construction period, and
 - iii) remain in place for the duration of the construction works.
- d) The Project Arborist shall provide certification to the Certifier that all tree protection measures under AS 4970-2009 have been satisfied, and the recommendations listed for the protection of the existing tree(s) have been carried out satisfactorily to ensure no impact to the health of the tree(s). Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Note: any potential impact to trees as assessed by the Project Arborist will require redesign of any approved component to ensure existing trees upon the subject site and adjoining properties are preserved and shall be the subject of a modification application where applicable.

Reason: Tree protection.

Tree Removal Within the Property

- a) This consent approves the removal of existing prescribed trees on the subject site as identified in the approved Arboricultural Impact Assessment.
- b) A qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.

Reason: To enable authorised development works.

Tree Removal Within the Road Reserve

- a) This consent approves the removal of existing trees within the road reserve as listed below:
- i) tree 89 - *Liquidambar styraciflua*.
- b) A qualified AQF level 5 Arborist shall identify these trees on site and tag or mark prior to removal.
- c) Removal of the approved tree/s by the applicant in the road reserve shall only be undertaken by a Council approved tree contractor. Details of currently approved tree contractors can be obtained from Northern Beaches Council's Trees Services business unit prior to removal.

Reason: Public liability.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and Vegetation Protection

- a) Existing trees and vegetation shall be retained and protected, including:
- i) all trees within the site not approved for removal, including trees and vegetation nominated for retention on the approved Plans,
 - ii) all trees and vegetation located on adjoining properties,

iii) all trees and vegetation within the road reserve unless otherwise approved for removal.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with AS 4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture,
- iv) no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,
- v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture on site,
- vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
- vii) should either or all of v) or vi) occur during site establishment and construction works, an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist/Project Arborist to the Principal Certifier,
- viii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of AS 4970-2009 Protection of trees on development sites,
- ix) the activities listed in section 4.2 of AS 4970-2009 Protection of trees on development sites, shall not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site,
- x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with AS 4373-2007 Pruning of amenity trees,
- xi) the tree protection measures specified in this clause must: be in place before work commences on the site, be maintained in good condition during the construction period, and remain in place for the duration of the construction works.

c) The Principal Certifier must ensure that:

- i) If activated, the arboricultural works listed in a) and b) are undertaken and certified by an Arborist/Project Arborist as complaint to AS 4970-2009 Protection of trees on development sites, and any recommendations of an approved Arboricultural Impact Assessment.

Reason: Tree and vegetation protection.

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

Landscape Completion

- a) Landscape works are to be implemented in accordance with the approved Landscape Plan(s) (drawings Landscape Plan 1, Landscape Plan 2, Landscape Plan 3 - Roof revision M by Conzept Landscape Architects dated 23/04/25), and inclusive of the following conditions:
 - i) landscape works are to be contained within the legal property boundaries,
 - ii) planting shall be installed as indicated on the approved Landscape Plan(s) unless otherwise imposed by any conditions,
 - iii) all tree planting shall meet the requirements of AS2303 – Tree Stock for Landscape Use; be planted into a prepared planting hole, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established; and located either within garden bed or

within a prepared bed within lawn,

iv) all tree planting in the front setback adjacent to Building A shall be installed at least 2.5 metres from the building, and all tree planting in the front setback adjacent to Building B shall be installed at least 3 metres from the building,

v) mass planting shall be installed in a garden bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch,

vi) substitute all *Rhaphiolepis* species with a suitable alternative.

b) Prior to the issue of an Occupation Certificate, details (from a landscape architect, landscape designer or qualified horticulturalist) shall be submitted to the Principal Certifier, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

Condition of Retained Vegetation

a) Prior to the issue of an Occupation Certificate, a report prepared by an Arborist/Project Arborist with minimum AQF Level 5 in arboriculture shall be submitted to the Principal Certifier, assessing the health and impact on all existing trees required to be retained on the approved Plans or as listed in the Arboricultural Impact Assessment, including the following information:

i) compliance to any Arborist recommendations for tree protection generally and during excavation works,

ii) extent of damage sustained by vegetation as a result of the construction works,

iii) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: Tree and vegetation protection.

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

Landscape Maintenance

a) If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components.

b) Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting.

c) If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan(s) and any conditions of consent.

d) A maintenance activity schedule for on-going maintenance of planters on slab shall be incorporated to monitor and replenish soil levels as a result of soil shrinkage over time.

e) The approved landscape planted areas, whether containing lawn, gardens or planters shall in perpetuity remain as planting under the development consent, and shall not be replaced with any hard paved surfaces or structures.

Reason: To maintain local environmental amenity.