

Landscape Referral Response

Application Number:	DA2025/1240
Date:	12/09/2025
Proposed Development:	Demolition works and construction of a dual occupancy and strata subdivision
Responsible Officer:	Phil Lane
Land to be developed (Address):	Lot 1 DP 23720 , 102 Prince Charles Road FRENCHS FOREST NSW 2086

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 for strata subdivision and for the construction of dual occupancy dwellings, that are permitted under State Environmental Planning Policy (Housing) 2021, clause 166 Development permitted with development consent. The site is not located within the low and mid rise housing zone and thus development controls under the Warringah Council DCP apply including: D1 Landscaped Open Space and Bushland Setting; E1 Preservation of Trees or Bushland Vegetation; E2 Prescribed Vegetation; and C1 Subdivision.

A minimum landscaped area of 40% and more is provided as identified in the Statement of Environmental Effects and the plans, and this is subject to verification by the Assessing Planning Officer.

There are no prescribed trees impacted by the development proposal and existing tree and shrub hedge retention is noted on the Landscape Plan. It is noted one small tree (exempt) at the rear of the property requires removal and no concerns are raised. The Landscape Plan includes additional planting without detailed information and conditions shall be imposed to ensure the landscape setting outcomes are in accordance with WDCP control D1 objectives, including

- To enable planting to maintain and enhance the streetscape.
- To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.
- To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.
- To enhance privacy between buildings.

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

Amended Landscape Plan

An Amended Landscape Plan, prepared by a suitably qualified professional, shall be issued to the Principal Certifier prior to the issue of a Construction Certificate to include the following details:

- a) all existing trees and hedges nominated for retention
- b) nominate all new tree planting species, to be at least a minimum of four in total, as selected from Northern Beaches Council's Native Plant Species Guide - Frenchs Forest Ward, or Council's Tree Guide; to achieve at least 6.0 metres height at maturity; located at least 3.0 metres from buildings and other trees or more, and at least 1.5 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn
- c) nominate location of mass planting at minimum 1metre intervals for shrubs of a minimum 200mm container size at planting or as otherwise scheduled if greater in size, and at 4 plants per metre square for groundcovers of a minimum 140mm container size at planting or as otherwise scheduled if greater in size
- d) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces.

Certification shall be submitted to the Principal Certifier that these amendments have been documented.

Reason: Landscape amenity.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Protection of Existing Street Trees

All existing street trees in the vicinity of the works shall be retained during all construction stages, and the street trees fronting the development site as shown on the Survey Plan shall be protected by tree protection fencing in accordance with Section 4 of AS4970-2025 Protection of trees on development sites. As a minimum the tree protection fencing for street trees fronting the development site shall consist of standard 2.4m panel length to four sides and in accordance with Australian Standard 4687-2007 Temporary Fencing and Hoardings, unless otherwise directed by an Arborist with minimum AQF Level 5 in arboriculture. All fencing shall be located to allow for unrestricted and safe pedestrian access upon the road verge.

All street trees within the road verge are protected under Northern Beaches Council development control plans, except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking, or removal of any tree(s) is prohibited. No excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of street trees.

Reason: Street tree protection.

Tree and Vegetation Protection

- a) Existing trees and vegetation shall be retained and protected, including:
 - i) all prescribed trees within the site, or otherwise existing trees 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.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with AS4970-2025 Protection of trees on development sites
- ii) the following arboricultural requirements shall be adhered to unless authorised by an Arborist with minimum AQF level 5 qualifications: existing ground levels shall be maintained within the tree protection zone of trees to be retained; removal of existing tree roots at or >25mm (Ø) diameter is not permitted; 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; and structures are to bridge tree roots at or >25mm (Ø) diameter
- iii) the activities listed in section 4.2 of AS4970 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
- iv) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with AS4373 Pruning of amenity trees
- v) the tree protection measures specified in this clause 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.

The Principal Certifier must ensure that:

- c) The arboricultural works listed in a) and b) are undertaken as compliant to AS4970 Protection of trees on development sites.

Reason: Tree and vegetation protection.

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

Landscape Completion

Landscape works are to be implemented in accordance with the approved Amended Landscape Plan, and inclusive of the following conditions:

- a) landscape works are to be contained within the legal property boundaries
- b) tree, shrub and groundcover planting shall be installed as indicated on the approved Amended Landscape Plan, unless otherwise imposed by conditions
- c) all tree planting shall be a minimum pre-ordered planting size of 75 litres or as otherwise scheduled if greater in size; meet the requirements of Australian Standard AS2303 - Tree Stock for Landscape Use; planted into a prepared planting hole 1m x 1m x 600mm depth generally, backfilled with a sandy loam mix or approved similar, mulched to 75mm depth minimum and maintained, and watered until established; and shall be located at least 3.0 metres from buildings and other trees or more, at least 1.5 metres from common boundaries; and located either within garden bed or within a prepared bed within lawn
- d) mass planting shall be installed in garden beds prepared with a suitable free draining soil mix and minimum 75mm depth of mulch
- e) all proposed tree planting shall be positioned in locations to minimise significant impacts on neighbours in terms of blocking winter sunlight to living rooms, private open space and where the proposed location of trees may otherwise be positioned to minimise any significant loss of views from neighbouring and nearby dwellings and from public spaces.

Prior to the issue of an Occupation Certificate, details 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.

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

Landscape Maintenance

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. 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. 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 Amended Landscape Plan and any conditions of consent.

The approved landscape area 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.