

Memo

Planning & Place Division

To: Annelise Tuor
Chair, Northern Beaches Local Planning Panel

From: Peter Robinson
Executive Manager, Development Assessment

Date: 8 February 2022

Subject: Additional Submissions – Deferred Item 4.2 – NBLPP Meeting 15 December 2022

Record Number: 2022/073842

Dear Panel,

Since the deferral of Item 4.2 at the meeting of 15 December 2022, there have been four (4) further public submissions regarding the proposed development directed to both Northern Beaches Council and the Northern Beaches Local Planning Panel (NBLPP). In summary, the submissions raise the following items:

- ***The assessment of the applicant has not followed due process as a significant amendment was made, the removal of one (1) level of basement parking, and the application was not renotified.***

Comment:

During the assessment of the applicant and as a result of the recommendations of Design Sustainability Advisory Panel and in consultation with Council's Traffic Engineer, Council received an amended plan removing one (1) level of basement parking from the proposal. The Northern Beaches Council Community Consultation Plan (CPP) states that notification is not required for '*amended applications (received during the DA process) where in the opinion of Council, such change would result in a lesser or reduction of environmental impacts*'.

The removal of a basement level was considered by Council to result in a lesser environmental impact with regards to building sustainability, site disturbance and furthermore not considered to result in adverse traffic implications. The removal of the basement parking is addressed within the assessment report provided to the NBLPP. Therefore, the assessment has followed due process and is consistent with the notification requirements of the CPP.

- ***The Newport Masterplan should be revised with the assistance of an urban designer and be amended to include features such as; single level retail on Robertson Road, avoiding underground parking on Robertson Road, planned arcades, relocate Australia Post to the southern side of Robertson Road to the existing carpark site and create a public square,***

reposition and restore St Michaels Church, underground parking beneath the existing carpark of Foamcrest Avenue.

- ***Robertson Road precinct should be preserved as a community area. A comprehensive plan should be devised which includes both 349 and 351 Barrenjoey Road, Council's Carpark off Foamcrest Avenue which encompasses all the properties into one village centre.***

Comment:

The application has been assessed against the current Newport Masterplan, Pittwater 21 DCP and Pittwater LEP 2014 and found to be consistent with the objectives of the masterplan, having regard to the site constraints and opportunities for this particular development. A comprehensive assessment is made against the current Newport Masterplan and relevant DCP controls within Council's Assessment Report to the NBLPP.

There is currently no draft amendment to the Masterplan or Draft DCP amendment in place and therefore, the Panel (and Council's assessment staff) can only consider the Masterplan that is currently in force. The requested amendments to the Masterplan as described above are not a matter for consideration of the Panel in the determination of the current application.

In summary, the additional submissions do not change Council's recommendation of the proposed development or cause any additional recommended conditions to address the issues raised.

Peter Robinson

Executive Manager Development Assessment