

15 February 2022

Mr Gavin Butler
President
Newport Residents Association

Email: gebutler@aapt.net.au

Our Ref: 2022/090021

Dear Mr Butler

DA2020/1756 – 351 Barrenjoey Road, Newport

Thank you for your letter dated 24 January 2022 addressed to Councillor's Amon, Korzy and Gencher. Please find responses to the concerns raised.

1. The second level (third storey) addressing Barrenjoey Road continues to ignore the DCP Newport Masterplan 5.5.2 to incorporate the required minimum 3m (letter continued.....).

Comment: The proposed side setback is addressed under Clause D10.9 Pittwater DCP in detail within the Assessment Report provided to the Northern Beaches Local Planning Panel (NBLPP) and considered to be acceptable from a town planning and urban design perspective warranting flexibility to the application of the DCP given the site orientation and building separation requirements under the Apartment Design Guidelines. It is noted the majority of the northern-eastern boundary is setback well in excess of the DCP requirement at 7.225m. The design of the top floor has been endorsed by the Design Review Sustainability Panel and Council's urban designer.

2. Some height limits still exceeds the DCP & LEP. Whilst the plans have made an allowance down to 8.5m in the centre of Robertson Road that allowance does not go back far enough at the north-western end and needs to be at 8.5m for the total Lot as per the diagram Figure 5.5.2 Height on page 51 of the Newport Masterplan (letter continued.....).

Comment: The assessment report deals with the height breach making an assessment of the applicant's Clause 4.6 request for variation, which was accepted by the Northern Beaches Local Planning Panel in the granting of consent to the application.

3. There is a major breach of the setback rules adjacent to the Anglican Church and Post Office. The required DCP 6m rear setback for deep soil planting, FSR control and desired relationship to adjacent properties is NIL!!! - completely ignored (letter continued.....).

Comment: The site is a corner allotment and therefore the north-western boundary is treated as a side setback, as discussed in detail in the assessment report.

4. Under the Newport Masterplan Item 4.7.1 Streets –states succinctly: “Design Robertson Road to be able to be closed off to vehicle traffic for special events that open the whole street and associated public plaza to pedestrians.” (letter continued.....).

Comment: Council or the NSW Police are able to instigate temporary road closures without the imposition of a specific condition on the development consent. Appropriate notification of affected persons would be required prior to the closure. The proposed design does not restrict the ability for Council to undertake road closures for a short term event. Conditions have been imposed to facilitate a future option to remove vehicular access from Robertson Rd whilst allowing the reasonable development of the site in accordance with the current planning controls and Newport Masterplan which nominated vehicular access off Robertson Road.

Should you require any further information or assistance in this matter, please contact my office on 8495 6451.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Robinson', written in a cursive style.

Peter Robinson
Executive Manager, Development Assessment