


Statement of Environmental Effects

Development Application – Alterations & Additions to a Hotel

Newport Arms Hotel, 1 Kalinya Street, Newport

Submitted to Pittwater Council
On Behalf of Merivale Group

Report Revision History

Revision	Date Issued	Prepared by	Reviewed by	Verified by
Draft	20/01/16	Alice Finn <i>Project Planner</i>	Stephen Kerr <i>Executive Director</i>	
Final	22/01/16	Alice Finn <i>Project Planner</i>	Stephen Kerr <i>Executive Director</i>	Stephen Kerr <i>Executive Director</i>

This document is preliminary unless approved by a Director of City Plan Strategy & Development.

CERTIFICATION

This report has been authorised by City Plan Strategy & Development, with input from a number of other expert consultants, on behalf of Merivale Group. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

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Appendix	Document	Prepared by
1.	Site Survey	True North Surveys
2.	Proposal plans	Akin Creative
3.	Heritage Statement	CPH
4.	Geotechnical Assessment & Forms	Crozier Geotechnical Consultants
5.	Cost of Works Estimate	Kingsgrove Construction
6.	Stormwater Conceptual Management Plan and Letter	Northern Beaches Consulting Engineers Pty Ltd

1. Executive Summary

This Statement of Environmental Effects (SEE) has been prepared for Merivale Group by City Plan Strategy and Development Pty Ltd (CPSD) to accompany a Development Application (DA) to Pittwater Council. The site is located at No. 1 Kalinya Street, Newport and occupied by the Newport Arms Hotel.

The proposal is for the construction of a new single storey pavilion style structure. The pavilion is to be located toward the rear of the beer garden and adjacent to the onsite open car park. The structure will comprise the following:

- A roof area spanning 141.85m²;
- One masonry wall with timber framed glazed windows along the south eastern elevation spanning a length of 20.44m; and,
- A total width of 6.94m.

This SEE has been prepared pursuant to Section 78A of the *Environmental Planning and Assessment Act, 1979* and Clause 50 of the *Environmental Planning and Assessment Regulation, 2000*. It will:

- describe the proposed development and its context;
- assess the proposal against the applicable planning controls and guidelines; and
- assess the potential environmental impacts and mitigation measures.

The application does not propose to vary any development standard within the Pittwater Local Environmental Plan 2014 (PLEP 2014) and is otherwise consistent with the controls in the Pittwater Development Control Plan 2014 (PDCP 2014).

The SEE concludes this proposal, on balance, satisfies each of the matters for consideration in section 79C of the Act.

2. The Site and Context

2.1 The Site

The site is located at No. 1 Kalinya Street, Newport and comprises Lot 1 in Deposited Plan (DP) 72587. The site is located on the western side of Kalinya Street, as shown at Figure 1 below.



Figure 1: Aerial photograph of the site outlined in red and shaded yellow (Source: SIX Maps).

The allotment is of irregular shape and has an area of 1.04ha.

2.2 Description

The site has two street frontages onto Queens Parade and Kalinya Street and comprises the Newport Arms Hotel.

The main building of the Newport Arms Hotel fronts onto Kalinya Street whilst other outdoor and semi-enclosed dining/bar areas are positioned behind. Hotel car parking is located within the southern portion of the site.

2.3 Context and Surrounding Land Uses

Newport is located within the Pittwater Local Government Area (LGA). The suburb of Newport is bounded by Bilgola Plateau to the north and Mona Vale to the south.

Queens Parade to the north and Kalinya Street to the east comprise various land uses including residential, commercial and recreational. Old Mangrove Bay is directly to the west of the site. The Newport Ferry Wharf is at the end of Queens Parade.

The figures below illustrate the surrounding development along Queens Parade and Kalinya Street.



Figure 2: View east, toward the 2 storey mixed use development to the east (Source: Google Earth). Figure 3: View south, toward the corner of Kalinya Street and Beaconsfield Street (Source: Google Earth).



Figure 4: View north east, toward the car park opposite the site off Kalinya Street (Source: Google Earth).



Figure 5: View south west, toward the corner of Kalinya Street and Queens Parade (Source: Google Earth).



Figure 6: View north west, toward the corner of Kalinya Street and Queens Parade (Source: Google Earth).



Figure 7: View north, toward the existing development to the north, opposite the subject site along Queens Parade (Source: Google Earth).



Figure 8: View west, along Queens Parade, toward the bay Newport Ferry Wharf (Source: Google Earth).

3. Description of the Development

3.1 Overview

The scope of works is described on the plans prepared by Akin Creative Architects, and in summary comprises a new single storey pavilion with:

- A roof area spanning 141.85m²;
- Clerestory windows within the roof form;
- A single masonry wall on the south-easternelevation with timber framed glazed windows along the south eastern elevation spanning a length of 20.44m; and,
- A total width of 6.94m.

3.2 Detailed description

In detail, the DA consists of the following works (we note that some of the described works may not strictly require development consent but are included for completeness):

Table 1: Detailed description of the proposal.

Element	Size	Materials
Roof	141.85m ²	Metal Steel truss to engineering specification
Clerestory windows	13.55m in length and 0.4m in width	Weather proof glass
Wall	20.44m in length and 2.9m in height on the south east elevation	Masonry
Glazed windows along the wall	Covering a total area of 28. 61m ²	Timber framed glass
Columns	3.2m high	Decorative column bracing

3.3 Documentation

The Statement has been prepared with regard to the drawings by Akin Creative Architects and the following documents and reports which accompany the application:

- Survey Plan by True North Surveys;
- Heritage Impact Statement by City Plan Heritage;
- Conceptual Stormwater Management Plan & Stormwater Drainage Letter by Northern Beaches Consulting;
- Geotechnical Assessment and Forms by Crozier Geotechnical Consultants; and
- Cost of Works Estimate by Kingsgrove Consulting.

CPSD has relied on the information in these reports, prepared by professionals in their field, for the preparation of this SEE.

4. Statutory Planning Considerations

4.1 Overview

The relevant statutory framework considered in the preparation of this report comprises:

- Environmental Planning and Assessment Act, 1979;
- Environmental Planning and Assessment Regulation 2000;
- State Environmental Planning Policy No. 55;
- Pittwater Local Environmental Plan 2014.

Where relevant, these controls are addressed below.

4.2 Environmental Planning and Assessment Act 1979

4.2.1 Section 79C of EP&A Act 1979

Section 79C (1) of the *Environmental Planning and Assessment Act, 1979* (“the Act”) as amended specifies the matters which a consent authority must consider when determining a development application. The relevant matters for consideration under Section 79C of the Act are addressed in the Table below.

Table 2: Section 79C(1)(a) considerations

Section	Comment
Section 79(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Section 4 .
Section 79C(1)(a)(ii) Any draft environmental planning instrument	An amendment to the PLEP 2014 has been approved by the Department of Planning & Environment which includes the site in Schedule 5 of the LEP as a Heritage Item of Local Significance. The amendment is yet to be gazetted and is with the RPA for implementation. Refer to Section 6.3.4 .
Section 79C(1)(a)(iii) Any development control plan	Consideration of relevant the development control plan is discussed in Section 5 .
Section 79C(1)(a)(iiia) Any planning agreement	N/A
Section 79C(1)(a)(iv) Matters prescribed by the regulations	Refer to Section 4 .
Section 79C(1)(a)(v) Any coastal zone management plan	Not relevant to this application.
Section 79C(1)(b) - (e)	Refer to Section 6 .

4.2.2 Section 91 Integrated Development

This section of the Act defines integrated development as matters which require consent from Council and one or more approvals under related legislation. In these circumstances, prior to granting consent Council must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development.

The proposal is located within 40m of waterfront land. Therefore, the proposed development will require a controlled activity approval from the NSW Office of Water and is classified as Integrated Development pursuant Section 91(2) of the Water Management Act 2000.

4.3 State Environmental Planning Policies

4.3.1 State Environmental Planning Policy No 55 - Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Contaminated Lands (SEPP 55) establishes State-wide provisions to promote the remediation of contaminated land.

Clause 7 of the SEPP 55 requires that a consent authority must not grant consent to a development if it has considered whether a site is contaminated, and if it is, that it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.

In response these matters we note that:

- Table 1 of the Department of Planning's Planning Guidelines for Contaminated Lands identifies land activities which may cause contamination. The Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites, issued in 1992 by the Australian and New Zealand Environment and Conservation Council and the National Health and Medical Research Council, also contains a table listing examples of land uses that might result in land contamination.

Neither of these documents identifies Hotel development of any form as being a possible cause of land contamination.

- The accompanying Heritage Impact Statement (HIS) states that the construction date of the present Hotel was between 1880 and 1881, meaning that the site has been used as a Hotel for around 135 years. The proposed development does not intend to alter the existing Hotel land use.

Consequently we are satisfied that the above information is sufficient for Council to be satisfied that the site is not contaminated without the need for a Stage 1 preliminary site investigation report.

4.4 Pittwater Local Environmental Plan 2014

Zoning and permissibility

The zoning of the subject site is zoned B2 Local Centre pursuant to the PLEP 2014 as shown in Figure 11.

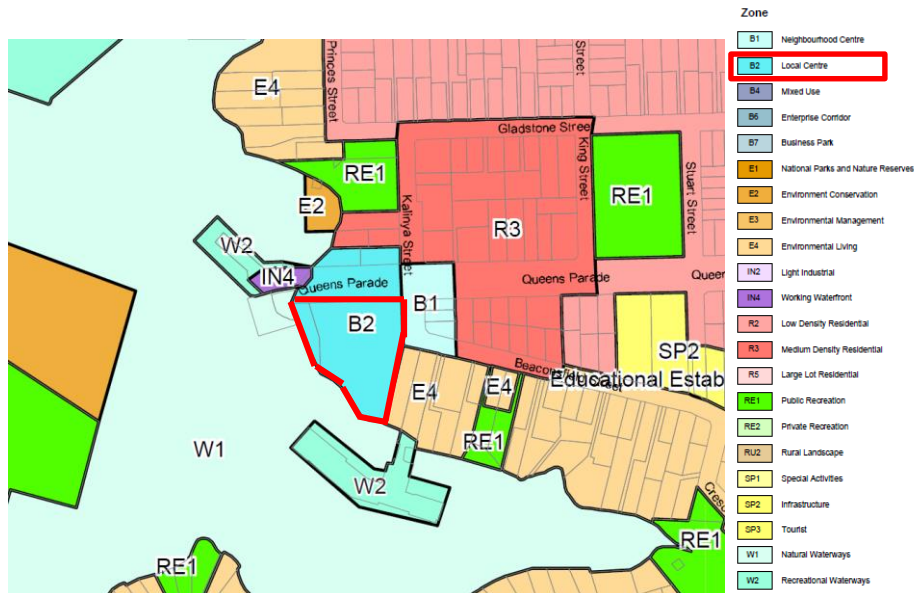


Figure 11: Extract of PLEP land zoning map identifying site zoned B2 Local Centre zone (approximate sit boundary outlined in red) (Source: PLEP 2014).

The land use table for the subject site indicates that the following uses are permissible within the zone:

Amusement centres; Boarding houses; Car parks; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental protection works; Function centres; Home-based child care; Home industries; Horticulture; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Sex services premises; Shop top housing; Signage; Tourist and visitor accommodation; Veterinary hospitals.

The proposed development is permissible as “commercial premises” within the zone under PLEP 2014.

Zone objectives

Clause 2.3(2) of the Plan provides that Council must have regard to the zone objectives when determining a development application. The objectives for the "B2 Local Centre" zone are:

- a) *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- b) *To encourage employment opportunities in accessible locations.*
- c) *To maximise public transport patronage and encourage walking and cycling.*
- d) *To provide healthy, attractive, vibrant and safe local centres.*
- e) *To strengthen the role of centres as places of employment.*
- f) *To provide an active day and evening economy.*
- g) *To provide for residential uses above street level where they are compatible with the characteristics and uses of the site and its surroundings.*

This proposal is consistent with these objectives.

Remaining PLEP 2014 provisions

The remaining provisions within the PLEP 2014 that may be relevant to this project are addressed in the following Table:

Table 3: Compliance with the PLEP 2014

Clause	Comment	Comply
Clause 4.3 Height of buildings	The maximum building height is shown as 8.5m on the Building Heights Map. The height of the proposed pavilion is 4.6m above existing ground level.	Yes
Clause 4.4 FSR	There is no floor space ratio applying to the site.	N/A
Clause 5.10 Heritage	Under the current PLEP 2014, the site is not a heritage item. However Council's Planning Proposal to amend Schedule 5 and the Heritage Maps of the PLEP 2014 identifies the site as Heritage Item 2270476. The site is not located in a heritage conservation area. The application is accompanied by a Heritage Impact Statement. Further analysis of heritage considerations is provided at section 6.3.4 below.	Yes

5. Non-Statutory Considerations

5.1 Pittwater 21 Development Control Plan

Consideration of compliance and/or consistency with the relevant provisions within the Pittwater 21 DCP is provided in the table below. The Table of Compliance shows that the proposed development generally complies with the relevant controls in the DCP, or if not it is consistent with the objectives.

The following parts of this DCP are relevant to this proposal:

- Volume 1: A4 Localities;
- Volume 2: Part B – General Controls; and Part C – Design Criteria for Business Development; and,
- Volume 3: Newport Locality; and Waterways Locality.

Table 4: DCP Compliance table.

Section	Complies?
Part B	
1.1 – Heritage Conservation Heritage items, heritage conservation areas and archaeological sites listed in Pittwater Local Environmental Plan 2014	Under the current PLEP 2014, the site is not a heritage item. However Council’s Planning Proposal to amend Schedule 5 and the Heritage Maps of the PLEP 2014 identifies the site as Heritage Item 2270476. Refer to the Heritage Impact Statement by CPH at Appendix 3 for further details. The proposal will not adversely impact the Heritage Significance of the site.
3.1 – Landslip Hazard	Yes – refer to the attached Geotechnical Assessment at Appendix 4 for further details. The proposal will not adversely impact on the landslip hazard area at the site.
3.6 – Contaminated Land and Potentially Contaminated Land	Yes – refer to Section 4.3.1. The land is not likely to be contaminated.
5.1 – Water Management Plan	Yes – refer to the attached Conceptual Stormwater Management Plan and Stormwater Drainage Letter at Appendix 6 for further details. The proposal will not have an adverse impact on existing stormwater drainage patterns at the site.
4.19 – Estuarine Habitat	N/A – no works are proposed to take place below the High Mean Water Mark.
4.20 – Protection of Estuarine Water Quality	N/A – no works are proposed to take place below the Mean High Water Mark.
5.1 – Water Management Plan	Yes – given the areas to be developed will not change any surfaces on the site from pervious to impervious, a water management plan is not necessary. As such, the proposed development will not have any impact on the integrated water management approach existing at the site.

5.2 – Wastewater Disposal	N/A – no change is proposed to any current waste water management at the site.
5.3 – Greywater Reuse	N/A – no change is proposed to any current greywater management at the site.
5.4 – Stormwater Harvesting	N/A – it is not proposed to harvest stormwater for the purposes of the proposed development.
6 – Access and Parking	N/A – No change is proposed.
8.1 – Construction and Demolition – Works in the Public Domain	N/A – the proposed works are not within the public road reserve.
Part C	
2.1 – Landscaping	Yes – no change is proposed to existing landscaping. Landscaping is proposed for aesthetic purposes along the north eastern edge of the structure. This is shown on the architectural drawings.
2.3 – Awnings	N/A – the proposal does not involve awnings.
2.5 – View Sharing	Yes – there will be no adverse impact upon existing views.
2.8 – Energy and Water Conservation	N/A – not required for minor alteration or addition works.
2.20 – Public Road Reserve – Landscaping and Infrastructure	N/A – the proposed works are not within the public road reserve.
2.21 – Food Premises Design Standards	Yes – no mechanical ventilation systems are proposed.
Part D	
10.1 – Character as viewed from a public space	Yes – the proposed development does not have a greater value of \$1 million.
10.4 – Building Colours and Materials	N/A – no change proposed.
15.18 – Seawalls	N/A – the development does not involve seawalls.
15.19 – Dredging	N/A – the development does not involve dredging.

6. Environmental Impact Assessment

6.1 Overview

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under section 79C of the Act.

6.2 Context and Setting

The context and setting of the development site is described in Section 2 above. This proposal will have a satisfactory relationship with its local context as the proposed works are minor and are associated with the existing Hotel use.

The proposed works are located toward the rear of the beer garden and adjacent to the onsite open car park. The works will be a significant distance from the nearest residential uses close by as illustrated on the below map in Figure 12.



Figure 12: Annotated aerial photograph of the proposed works and relationship to residential land uses.

The proposed improvements do not change the intensity of use of the overall site and there will be negligible if any amenity associated impacts on residential land uses.

Suitable arrangements will be in place for the collection and disposal of stormwater as demonstrated at **Appendix 6**.

The proposal accords with key controls in the PLEP 2014 and the DCP. The proposal acknowledges and properly responds to the values of the heritage conservation area in which it is located, as discussed at Section 6.3.4.

6.3 Built Environment

6.3.1 Height, Bulk and Scale

There is no change to the current building height at the site.

There are no adverse outcomes for the amenity of adjacent sites due to the new single storey pavilion.

The physical characteristics of the proposal ensure the new works do not detract from the prevailing built form character of the locality, which includes a predominance of two storey developments within Kalinya Street.

6.3.2 Setbacks and Building Separation

No change is proposed to building setbacks.

6.3.3 Public domain

No impacts on the public domain will result given:

- The building maintains its current interface with public areas allowing the original development to remain as the dominant visual element;
- There is to be no alteration to the existing landscape and fencing treatment to Kalinya Street and Queens Parade.

6.3.4 Heritage

Under the current PLEP 2014, the site is not a heritage item. However Council's Planning Proposal to amend Schedule 5 and the Heritage Maps of the PLEP 2014 identifies the site as Heritage Item 2270476.

The application is supported by a Heritage Impact Statement (HIS) at **Appendix 3**. In summary, the statement provides a detailed description of the site and its history and an assessment of significance of the site relative to guidelines within the NSW Heritage Manual. Arising from that process the HIS provides the following Statement of Significance for the site:

"The heritage significance of the Newport Arms Hotel has been identified as predominately consisting of social significance as the site no longer retains any built elements pertaining to the original Newport Arms Hotel building. The proposed new pergola structure for use as a Seafood Bar therefore will not impact on the significance of the site as it involves only minimal intervention into non-original fabric.

The subject building has continuously been used as a pub since 1880. The proposed new Seafood Structure not only ensures an upgrade in facilities, but also ensures the site continues to operate as a pub by providing amenities for the public which promote the use of the site by patrons. The social significance of the site therefore will be maintained and enhanced under the proposal."

The HIS provides an assessment of the potential impacts of the proposal relative to criteria and considerations within Pittwater LEP 2014 and DCP 2014. The outcomes of that analysis result in the following conclusion:

"It is concluded that the minor works involving the development of a new pergola for use as a Seafood Bar towards the south western area of the beer garden, will have no impact on the heritage significance of the Newport Arms Hotel for the reasons explained above. It is believed that the proposed works will improve the amenity of the building whilst also ensuring retention of the beer garden and the significance of the site. The works will also ensure the hotel continues to operate as a public bar.

The works are deemed acceptable from a heritage perspective and are consistent with the Statement of Significance and Recommended Management guidelines set out in the State Heritage Inventory form for the site.”

The site is not located in a heritage conservation area.

6.3.5 Building and Construction

Compliance with the BCA will be demonstrated with the Construction Certificate documentation.

It is anticipated that Council will address construction management by way of its standard conditions within any consent notice.

6.4 Natural Environment

6.4.1 Landscape

No change is proposed to the existing landscaping at the site. It is proposed to include low-scale planter landscaping along the north eastern edge of the pavilion for aesthetic purposes, as shown in Figure 13.

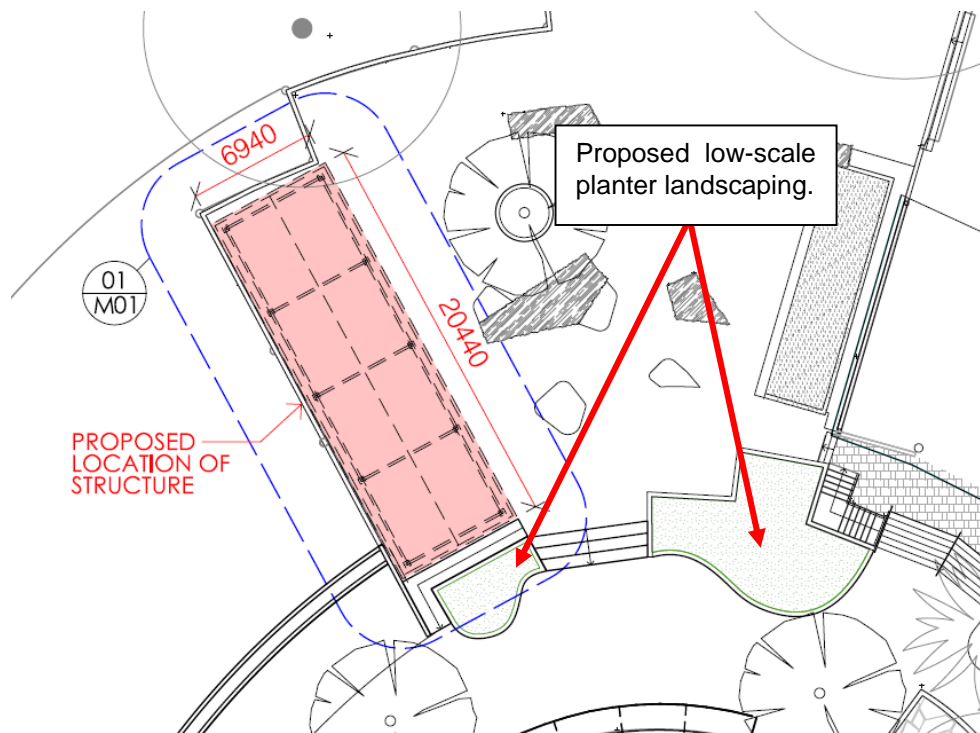


Figure 13. Proposed low-scale planter landscaping.

6.4.2 Water Management

The proposed development will not impact stormwater management at the site.

6.4.3 Soil Management

Contamination

Potential soil contamination is addressed at section 4.3.1.

Excavation

No excavation is proposed.

Erosion control

Erosion and sedimentation control details will be provided to comply with any requirements nominated by Council in any consent notice.

6.4.4 Air and Microclimate

Some dust is anticipated during the construction period. This impact can be managed through measures such as wetting down work areas/stockpiles, stabilising exposed areas, preventing material tracking out onto public roadways, covering loads on all departing trucks and working to weather conditions. The proposal is otherwise not expected to give rise to any long term or adverse impacts on local or regional air quality.

6.5 Movement and Access

6.5.1 Transport

The site has convenient access to public transport via multiple bus services.

6.5.2 Car parking

No change is proposed to the existing car parking arrangements.

6.6 Site Suitability

The site has been historically used for hotel purposes. The proposed minor works to improve the amenity of the site for this purpose do not alter the suitability of the site for this use.

6.7 Social and Economic Effects

No adverse outcomes have been identified.


The Newport Arms Hotel is something of a social institution in the area. This proposal that will enhance the hotel facilities on the site will assist in maintaining this role into the future.

7. Conclusion


This Statement of Environmental Effects (SEE) has been prepared for Merivale Group by City Plan Strategy and Development Pty Ltd (CPSD) to accompany a Development Application (DA) to Pittwater Council for the construction of a new pavilion structure at the existing Newport Arms Hotel at No. 1 Kalinya Street, Newport.

This Statement has undertaken an environmental assessment of this proposal consistent with the matters for consideration in the Environmental Planning and Assessment Act 1979. The potential for impacts upon the natural and built environments and the need for any necessary mitigation measures are identified in Statement. It is concluded this development will only have positive, or neutral effects.

On balance we are satisfied that the beneficial improvements to the customer facilities on the site and lack of associated impacts means that approval of the development is in the public interest.




Appendix 1: Site Survey




Appendix 2: Proposal plans




Appendix 3: Heritage Statement



Appendix 4: Geotechnical Assessment & Forms



Appendix 5: Cost of Works Estimate



Appendix 6: Stormwater Conceptual Management Plan and Letter