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RE: DA2020/1756 - 353 Barrenjoey Road NEWPORT NSW 2106

SUBMISSION: DA 2020/1756 351 & 353 Barrenjoey Rd NEWPORT

This DA appears to ignore, almost totally, all the community feedback - and NBC formal assessments - of the immediately prior DA for this site. There are just so many aspects of this DA that do not comply with the Newport Village Masterplan, including, heights, set-backs from boundaries, overshadowing of community areas, lack of integration of retail spaces with public areas plus many, many more broader infringements on the core outcomes set down for the overall village's evolution and for Robertson Road in particular.

If the developer and his architects had wished to show any synergy with the Newport community, the simple step of designing AROUND the mature native tree ADJACENT to their property in Robertson Rd would have afforded a simple demonstration.

Thanks to NBC reacting to expressed community concern regarding this tree and trimming out the damaged canopy from two lightning strikes, the tree has never looked healthier nor more attractive as a key focal point in this pedestrian-oriented thoroughfare. From Sawtell on the NSW north coast to Waikiki in Hawaii, I have seen community - and business - attracting developments where an existing mature tree becomes the element by which that area of the town or village is known and labelled.

To embrace this advantage and design the tree into the development, it starts to address one of the requirements of the Masterplan: to integrate the retail spaces and their commercial use into the public spaces which they abut.

But no, as with the preceding DA, this DA 2020/1756 seeks not only to remove all five trees within their own site but also this tree - by far the most significant - which is in the adjacent community domain.

Indeed, this tree has persisted for many decades, co-existing with surrounding built infrastructure, including both pavement and buildings. There are Land and Environment Court of NSW precedents that acknowledge the importance of an individual, indigenous tree as a critical part of a plant community and this tree exemplifies that description.

Proposing the destruction of this tree is emblematic of this DA's overall rejection of the widely endorsed constructive template, which is the Newport Village Masterplan.

Moving on to the wider points of the DA's impertinence to and indeed apparent ignorance of the Masterplan, it becomes a matter of where to stop! Rather than spell out the text of the many excerpts from the document, with which Council's planning staff will be familiar, let me

just itemise some of the sections:

- Item 3.4.1 Land Uses: (ii), (iv) and (viii)
- Item 3.4.2 Role and Identity: (i) and (ii)
- Item 3.4.3 Pedestrian & Cycle Network: (x)
- Item 3.4.5 Public Areas: (iii)
- Item 4.2 Open Space (the whole Item)
- Item 4.6 Land Uses: segment 4 and segment 5
- Item 4.7.1 Streets
- Item 5.2 Subdivision and Amalgamation

(Anyone reading this without access to the Masterplan document, the link is:

https://files.northernbeaches.nsw.gov.au/sites/default/files/P21_DCP_-_Volume_4_-_Amendment_22.pdf#page=163)

A key point from the Masterplan worthy of further emphasis is:

"Shop fronts will be largely transparent, with large openings, connecting directly with the footpath areas, to contribute to a sense of permeability."

The proposal for the Robertson Rd frontage totally flies in the face of this requirement as it incorporates multiple barriers to any attempt to "connecting directly with the footpath area", and actively repels any contribution to "a sense of permeability".

In summary, this proposal, if implemented, will invalidate both the material benefit and the spirit of the Newport Masterplan. A proposal which prevents integration of the private retail space into the communal space AND commands vehicular access - for the entire life of the building - via Robertson Rd, not only inhibits the existing community facility of Robertson Rd BUT it also destroys the gazetted future of Robertson Rd as the key communal hub and community plaza for Newport village.

There are some pieces of land within Newport village which can only be developed to community expectation and designated purpose, by consolidating sites from Barrenjoey Rd through to Foamcrest Ave. This is the most critical of those sites, to have a DA imposed upon it, so far this century.

If this DA has made one contribution to our community, it is that it has brought into critical focus, the need for an OVERALL PLAN for the Robertson precinct to be IMPLEMENTED, not just gazetted.

Council Planning has excused some of developers' past actions in thumbing their noses to the village's Masterplan, on the basis that Council cannot extend that degree of control over privately held land, no matter how recently it has been purchased. However, in this instance, there is a piece of real estate over which Council holds major control and that is Robertson Road itself and its pavements. Notice has been given more than a decade ago that Robertson Road is to be turned into a pedestrian plaza. Declare a date for this execution NOW and immediately instigate the processes to make it happen.

If the future of Newport village and its reliant community means anything in terms of town planning, this current DA must be rejected. It should not proceed, even in an amended form, until the site can be serviced with a Foamcrest Ave frontage and incorporated into an INTEGRATED development for the whole ROBERTSON PLAZA precinct.

Yours in community consultation,

Peter Middleton

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