

Statement of Environmental Effects

Development Application

351-353 Barrenjoey Road, Newport

21 October 2019



PREPARED BY

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PROJECT PARTICULARS

Project No. 2019054

Client DevelopmentLink Pty Ltd

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		Name/Position	Signature
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In the event that this document is not signed, this is not representative of a final version of the document, suitable for assessment purposes.

RELIANCE ON CONSULTANT INFORMATION

As part of undertaking this project, Hamptons has relied on the professional advice provided by third party consultants. No responsibility is taken for the accuracy of the information relied upon by these consultants assisting the project. It is assumed that each of the consultants has made their own enquiries in relation to technical matters forming part of their expertise.



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1. INTRODUCTION

Hamptons Property Services (Hamptons) has been retained by Development Link Pty Ltd (the Applicant) in relation to the development application (DA) for the site known as 351-353 Barrenjoey Road, Newport, herein referred to as the site.

The development application is for demolition of the existing buildings and ancillary structures across the site, excavation for basement parking and associated building services and construction of shop-top housing comprising 8 ground floor retail units and 14 residential apartments located above.

The purpose of the development application is to utilise the economic opportunity of the site that is afforded by the relevant environmental planning controls, while improving upon the appearance of the existing built form, with an architecturally designed shop top housing development in the core commercial area of Newport. The architectural composition will provide a contemporary response to the locality, while having adequate regard for adjoining land uses, including their form and layout.

Photomontage 1: The proposed development at 351-353 Barrenjoey Road, Newport at the corner with Robertson Road



The proposal also seeks to provide a strong contribution to urban consolidation, with the implementation of 14 apartments, in an area that is well serviced by public transport, particularly bus services, directly proximate to the site, as well as local facilities and services.

The site is located in B2 Local Centre Zone, pursuant to the Pittwater Local Environment Plan 2014 (LEP) and the use, as shop top housing, is permissible with consent under this planning instrument. Shop top housing is defined as:

shop top housing means one or more dwellings located above ground floor retail premises or business premises.
Note.

Shop top housing is a type of **residential accommodation**—see the definition of that term in this Dictionary.

The proposed development has been discussed with Northern Beaches Council (NBC) planning staff, through their formal pre-development application process.

This report provides the following:

- a description of the site and the locality surrounding this;
- a detailed description of the proposed development;
- the proposal's response to the relevant environmental planning controls; and
- conclusions and recommendations relating to the proposal.

This report has been prepared with the assistance of the following technical reports, prepared by specialist disciplines, as set out below.

Table 1: Consultant Disciplines accompanying the application

Discipline	Consultant
Surveyor	Adam Clerke Surveyors Pty Ltd
Architecture	Crawford Architects
Landscape	Site Image
Stormwater & Flooding	Demlakian Consulting Engineers
Traffic & Parking	Transport & Traffic Planning Associates
Construction Management	SBMG Pty Ltd
Accessibility	Accessible Building Solutions
Geotechnical & Site Investigation	Asset Geotechnical
BASIX	Damien OToole Town Planning Pty Ltd
Photomontage & Modelling	Architectural Images Pty Ltd
BCA Report	Dix Gardiner
Waste Management	Crawford Architects Pty Ltd



Discipline	Consultant
Arborist	Damian Green

We trust that the enclosed information is sufficient for Council's consideration of the matter and look forward to working with Council during assessment of the development application.



2. THE SITE & ITS LOCALITY

The site is located at 351-353 Barrenjoey Road, Newport, on the corner of Barrenjoey Road and Robertson Road. The legal description of the land is Lot 64 in Deposited Plan 1090224 and Lot 65 and 66, Section 5 in Deposited Plan 6248.

A location plan and aerial plan are below with the site outlined in red. The site is a corner shaped allotment with a total site area of 1,313m². The primary frontage to Barrenjoey Road is 26.44m in length, with the secondary street frontage, to Robertson Road 45.975m.

Site Summary & Constraints

The following table provides specific details pertaining to the site.

Table 2: Site Details

Descriptor	Details	
Property Address	No. 351-353 Barrenjoey Road, Newport	
Legal Description	Lot 64 in Deposited Plan 1090224	
	Lot 65 and 66, Section 5 in Deposited Plan 6248	
Site Area	1,313 m ² (approx.)	
Site Boundaries	North	31.015 m
	East	45.475 m
	South	26.44 m
	West	45.975 m
Slope Direction	North to south	
	North-west to north-east	
Fall of Land (M)	1.5 m – 2 m	
Existing Use	Retail and residential	
Critical Habitat	No	
Conservation Area	No	
Coastal Protection	No	
Mine Subsidence	No	
Road Widening or Realignment	No	
Hazard Risk Restriction	No	



Descriptor		Details
Flood Planning		Yes, Development on the land or part of the land is subject to flood related development controls.
Acquisition		No
Contribution Plans		Yes, Pittwater Section 94 Plan for residential development applies to the land.
Biodiversity Land	Certified	No
Native Clearing	Vegetation	No
Bushfire Prone Land		No
Property Vegetation Plan		No
Contamination		

Note. The aforementioned information is taken from the Section 10.7 (2) & (5) Certificate, Certificate No.2019/1158 dated 1 March 2019 and 2019/1052 dated 25 February 2019.

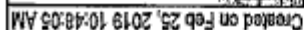
Figure 1: Site location (Source: <https://maps.six.nsw.gov.au/>)



Figure 2: Aerial photograph of subject site (Source: <https://maps.six.nsw.gov.au/>)



Statement of Environmental Effects – 351-353 | Barrenjoey Road | Newport



Existing Site Improvements



The subject site contains an existing two and three storey building fronting Barrenjoey Road, which is used for retail purposes at the ground floor and residential uses on the upper levels.

Photograph 1: View of subject site (southern facade) fronting Barrenjoey Road.



Photograph 2: View of existing site, looking west, showing the existing three storey form thereon, with ground floor retail



Photograph 3: (above) View of existing site, taken from western boundary, looking south, towards existing two storey structures with vacant land area to the rear, accessible from Robertson Road

The building form drops away to a single storey behind the principal form. To the south of the principal form at the rear northern boundary of the site, as well as a shed on the eastern side.

Existing planting is located on the western property boundary, with a mature eucalypt and there is also an existing tree within Lot 66. All other planting is located along the Barrenjoey Road street frontage, adjacent the site boundary, but not contained therein.



Photograph 4: View of garage and single storey building, adjacent the property driveway, located at the northern end of the site



Photograph 5: View looking west, of subject site, facing Barrenjoey Road



Photograph 6: View of subject site, looking north-west towards the site, from the middle of Barrenjoey Road, showing existing three storey form



Photograph 7: Australia Post Office, abutting the northern boundary of the site with frontage to Foamcrest Avenue



Photograph 8: View looking south along Robertson Road, towards Barrenjoey Road, demonstrating character of street, including localised street tree planting



Photograph 9: View further north, looking south along Robertson Road, showing frontage of Australia Post Office to Foamcrest Avenue



Photograph 10: Intersection of Robertson Road and Foamcrest Avenue, to the north of the site



Photograph 11: View of Newport Anglican Church, located to the north of the site at the boundary interface



Photograph 12: View of existing building, directly adjoining the eastern boundary of the subject site, forming part of SP 21521



Photograph 13: Localised retailing to the west of the site, fronting Barrenjoey Road



Photograph 14: View of retailing over a two and three storey form, on the southern side of Barrenjoey Road, proximate to the site



Photograph 15: View of southern side of Barrenjoey Road, with third storey of developments recessed from the principal street frontage



Photograph 16: Pedestrian access from northern to southern side of Barrenjoey Road, via controlled intersection arrangements (pedestrian only)



Photograph 17: View
looking east along
Barrenjoey Road



Photograph 18: View
looking east along
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Photograph 19: Existing dwelling composition along Foamcrest Avenue, including relatively dense street tree planting



Photograph 20: Existing dwelling composition along Foamcrest Avenue, including relatively dense street tree planting

Physical Site Conditions

Soil Conditions

The Flora and Fauna Assessment has identified that the site is located on Newport soil landscape, which is characterised by undulating plains and rolling rises of Holocene sands that mantle other soil materials or bedrock.

Geology

The geology comprising the site is generally of alluvial soils comprising silty to peaty quartz sand, silt and clay¹. Subject to further site investigations, it is however, likely that elsewhere across the site there will be some sandy topsoils and fill, with residual clay overlying bedrock, anticipated to be mudstone, sandstone and shale.²

¹ Preliminary Geotechnical Assessment, AssetGeo, 23 July 2019, Page 2

² Preliminary Geotechnical Assessment, AssetGeo, 23 July 2019, Page 2

Slope of the Land

The overall ground slope is identified as between 1° and 2° .³ The site is not identified as being subject to any geotechnical risk or hazard.

Geotechnical Hazard

W	Geotechnical Hazard H1
AE	Geotechnical Hazard H2

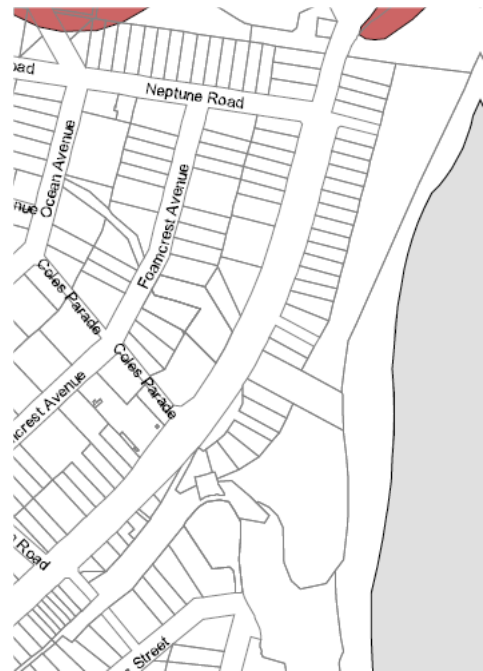
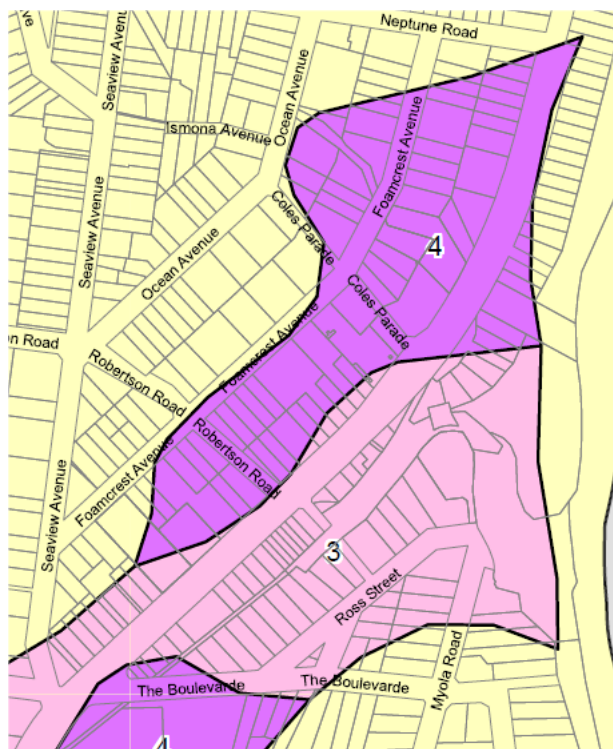


Figure 4: Geotechnical Hazard Map

Acid Sulphate Soils (ASS)



The subject site is identified as containing Class 3 and 4 ASS.

Acid Sulfate Soils

1	Class 1
2	Class 2
3	Class 3
4	Class 4
5	Class 5

Figure 5: Acid Sulfate Soils

Water Courses & Groundwater

The watercourse and groundwater conditions are defined as follows:

Based on the previous boreholes drilled nearby the site, groundwater was observed in those boreholes at depths of 1.1m to 7.9m bgl. Continuity with the seawater level is anticipated,

³ Preliminary Geotechnical Assessment, AssetGeo, 23 July 2019, Page 2

with fluctuations in level likely to be buffered below tidal fluctuations by the intervening soils. It is highly likely to be saline.⁴

Threatened Flora & Fauna Species

There are no threatened flora or fauna species located on the site.

Six native and exotic tree species were identified on the site, as evidenced in the Figure below.



Figure 6: Native and exotic trees identified on the subject site⁵

Of the trees identified on the site, Trees 2-6 are less than five (5) metres in height and are not covered by Northern Beaches Council tree preservation requirements.

⁴ Preliminary Geotechnical Assessment, AssetGeo, 23 July 2019, Page 3

⁵ Aboricultural Impact Assessment Report, Damien Green, Page 4

Road Network Conditions & Access

The site is accessible from Robertson Road, which is located on the western boundary of the site. Access is not available to the site from Barrenjoey Road.

In terms of road hierarchy, that which surrounds the site is summarised on the figure below.

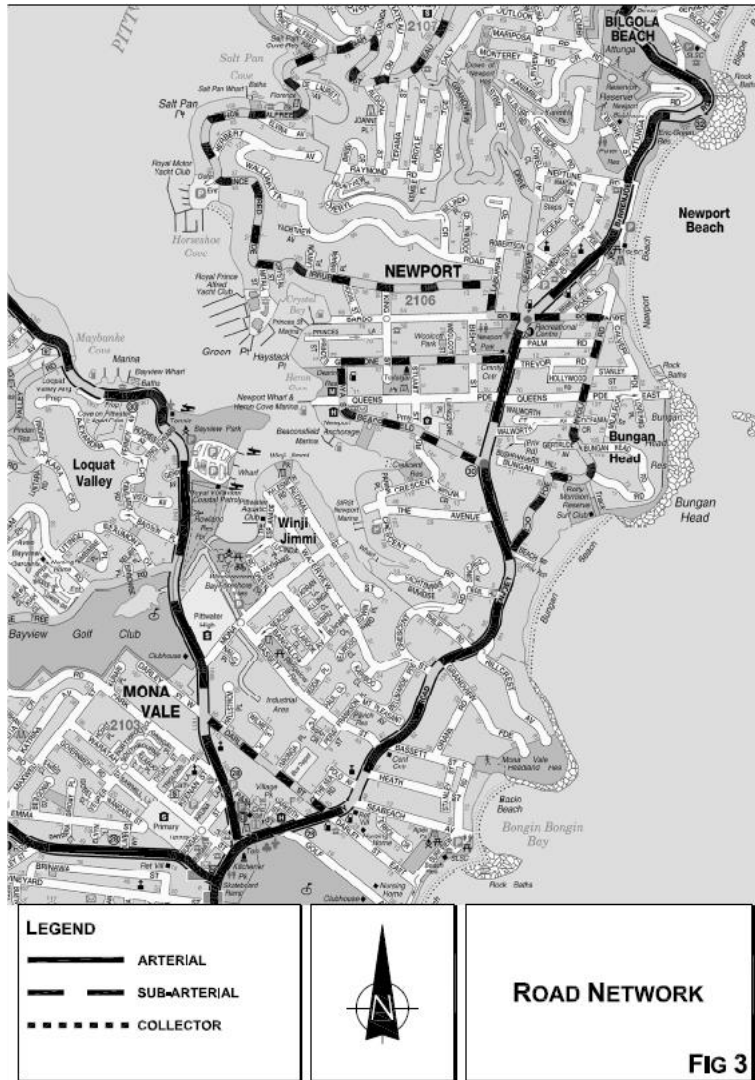
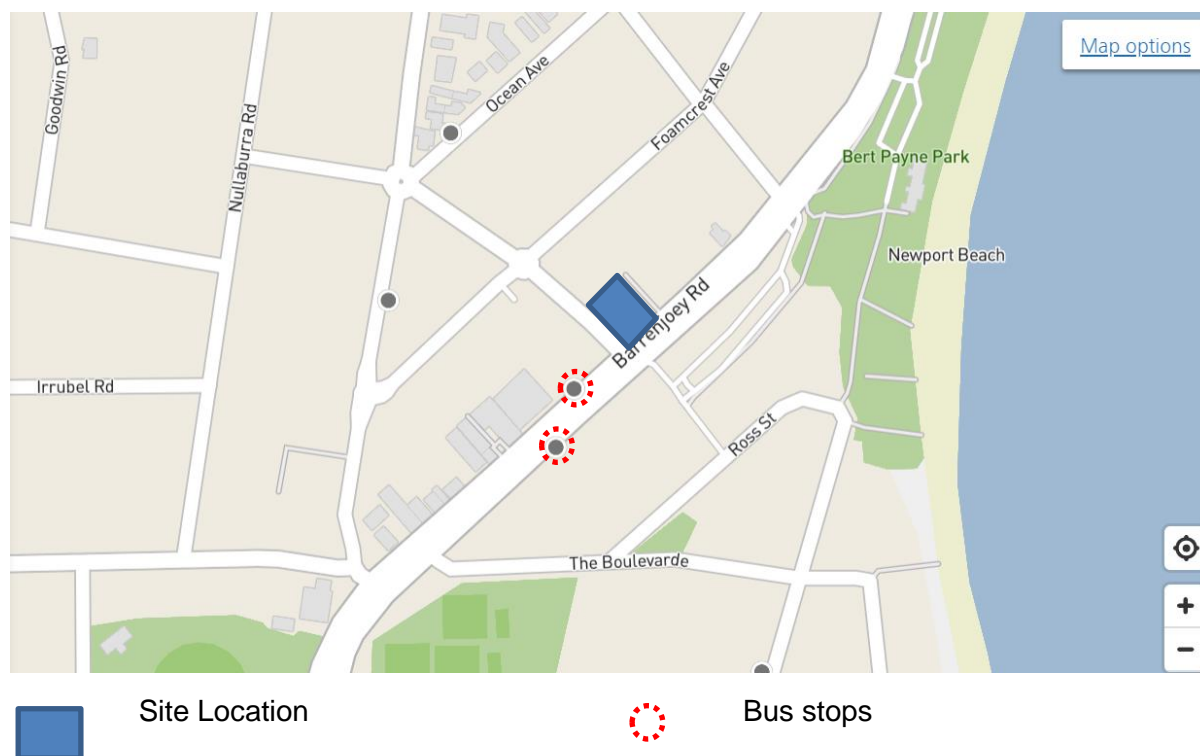


Figure 7: Road Hierarchy in the vicinity of the subject site (Source: TTPA Pty Ltd)

The site is highly accessible in terms of public transport, with a bus stop located within 200 m walking distance of the site, on both the northern and southern sides of Barrenjoey Road. This provides services heading both east and west, to Avalon, Palm Beach and Manly (#199), Narrabeen (#713N) and Wynyard (L90).

Figure 8: Public transport routes within the vicinity of the site

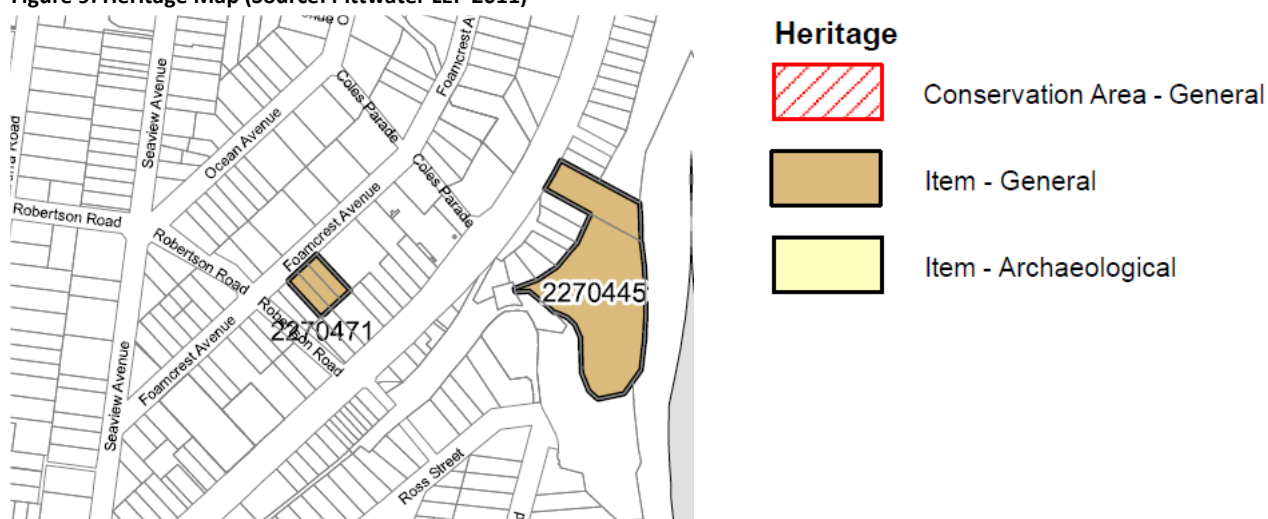


Heritage

The subject site is not a listed heritage item, nor is it located in a heritage conservation area.

The site is located adjacent a heritage item, known as Newport Uniting Church (**Error! Reference source not found.**) and as shown in the heritage conservation map, which forms part of the Pittwater LEP 2014.

Figure 9: Heritage Map (Source: Pittwater LEP 2011)



Context Surrounding the Site

In terms of the site context, the locality is characterised by a mixture of residential and commercial uses, the latter of which are found predominately aligning Barrenjoey Road, as well as a smaller degree of activity along Robertson Street, which directly aligns the western boundary of the site. Built form, as evidenced previously, comprises single, through to three storey buildings, generally with the upper levels of higher buildings set back from the street frontage.

The context of the site is described in the Newport Commercial Centre:

Diversity rather than uniformity of building type and style is a desirable part of the existing character and is encouraged to continue. Strategies to achieve this include modulating buildings in both the vertical and horizontal plane, and enabling a variety of fenestration, awning treatments and roof forms. This diversity, including the mix of new and remodelled buildings, will be unified by the streetscape and public domain treatments.

At the topmost level of buildings, setbacks to front, sides and rear will break down the overall scale of the street, support view sharing, and will also provide useable roof terraces and garden areas. Views from the upper slope down and across the roofscape will be significantly improved by thoughtful roof design. The permeability of the centre will be further improved by both protecting and creating views through and between buildings.

Building orientation, internal layouts, the location and design of balcony and courtyard areas, should all optimise people's ability to use and enjoy the spaces.

The architectural character will be expressed strongly through the design of facades, including shading and screening devices, lightness and transparency of materials, and elements that promote natural ventilation.

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

Building users will benefit from terraces, balconies and openings with a pleasant outlook, while the space benefits from passive surveillance and from being attractively edged.

The desired future character for the commercial centre includes an increased diversity and range of retail, commercial and community activities for the Newport community. Barrenjoey Road and Robertson Road will be consolidated as the primary retail streets, and the role of Robertson Road as an activity hub for the village will be enhanced. Further development of shop top housing will enliven the village, particularly at nights and weekends, and increase the retail customer base. The Newport Commercial Centre will have increased patronage from visitors as well as local residents, due to:



- A range of small scale commercial, professional and residential uses on Seaview Parade, Foamcrest Avenue and the western portion of Coles Parade, distinct from the primary retail 'main street' focus on Barrenjoey Road and Robertson Road.
- Retention and enhancement of the clusters of cafe/dining uses on Barrenjoey Road and Robertson Road.
- Active land uses on highly visible sites at the northern and southern ends of the commercial centre, with a high degree of interaction with the public domain.
- The retention and enhancement of special character sites and uses that contribute to Newport's identity including beachfront areas, the openness of the Bramley Avenue car park, the church and the community facilities at the southern end of the villa.
- Consolidation of the community focus of the Bowling Club / Croquet Club site with new, diverse community and recreational uses.

Key Planning Considerations

The key planning considerations that affect the site are detailed below.

The subject site is located in the B2 Local Centre zone.

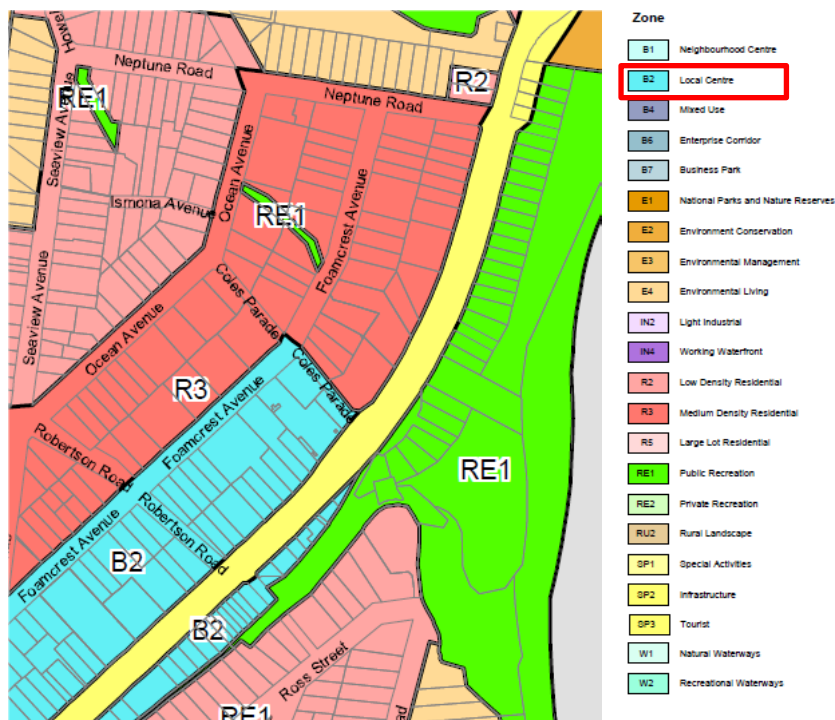
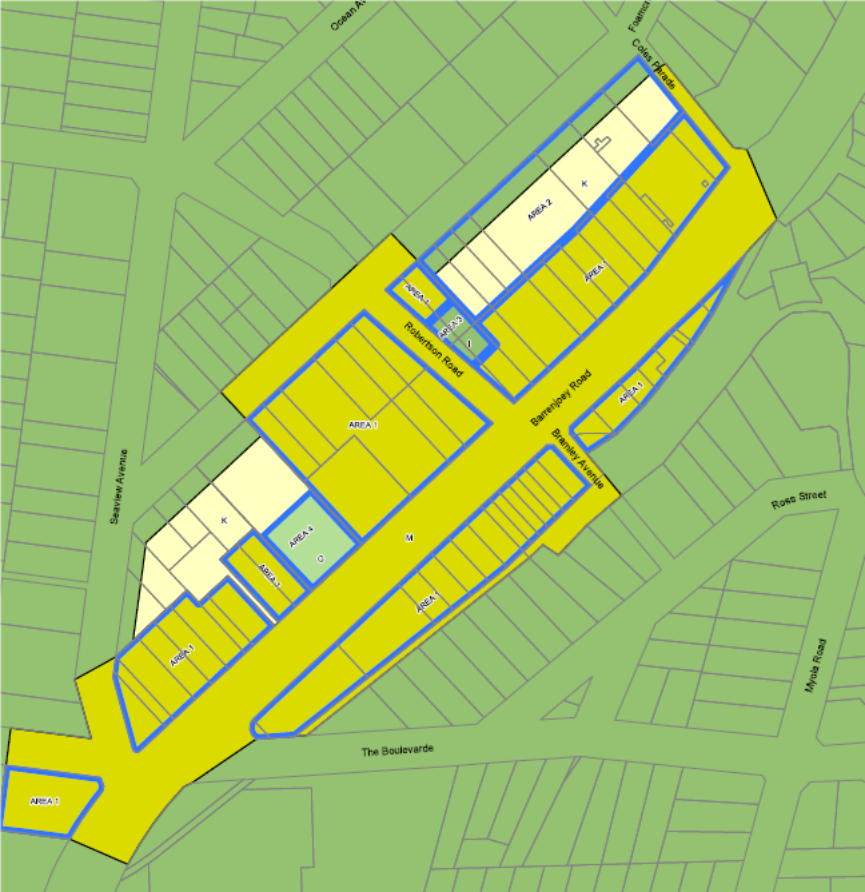


Figure 10: Zoning Map



The site is subject to a height limit of

Maximum Building Height (m)	
B	4
C	5
G	7
H	8
I	8.5
K	10.5
L	11
M	11.5
N	13
AREA 1	Refer Clause 4.3(2C)
AREA 2	Refer Clause 4.3(2C)
AREA 3	Refer Clause 4.3(2C)
AREA 4	Refer Clause 4.3(2C)
AREA 5	Refer Clause 4.3(2E)
AREA 6	Refer Clause 4.3(2F)

3. THE PROPOSED DEVELOPMENT

The proposed development seeks consent in accordance with s.4.12 of the Environmental Planning and Assessment Act 1979 (EP & A Act) for demolition of the existing structures on the site (including tree removal) and construction of a mixed use development, comprising shop top housing, pursuant to cl.1.6 of the Pittwater LEP 2014.

The Proposed Use

The proposal is for a ***mixed use development***, which is defined in the Dictionary to the Pittwater LEP 2014 as:

mixed use development means a building or place comprising 2 or more different land uses.

The development will comprise ***shop top housing***, which is again defined in the Dictionary as:

shop top housing means one or more dwellings located above ground floor retail premises or business premises.

Note. Shop top housing is a type of ***residential accommodation***—see the definition of that term in this Dictionary.

The proposed development will contain eight (8) retail tenancies at the ground floor and fourteen (14) residential apartments at Level 1 and 2.

Demolition

It is proposed to demolish all existing structures on the site, including those of an ancillary nature.

It is also proposed to remove Trees 2-5, in accordance with the Arboricultural Impact Assessment Report.

The Assessment Report also recommends removal of Tree 1, which is located on Council-owned land, based on its condition and safe useful life expectancy.

Excavation

To accommodate a two-level basement parking structure, it is proposed to excavate to a finished floor level of 0.1. At Basement Level 2, this will comprise 32 car parking spaces, including six (6) tandem spaces. One disabled space will be provided and the majority of spaces will have access to a storage area attached to the car parking space. Bicycle parking is provided adjacent the lift area, which comprises two lifts.

At Basement Level 1, a further nineteen (19) car parking spaces are proposed, again with a large proportion having storage areas attached to these. A shared loading zone and wash bay is located in the south-western corner of the basement, which is accessible from the driveway.



Two disabled car parking spaces are proposed, proximate to the two lifts, where bicycle parking is positioned adjacent to this. There are also male, female and accessible bathrooms, located in the north-eastern corner of this level. The aisle width ranges from 6.52 m to 9.83 m.

A commercial refuse and recycling area are located in the south-eastern corner.

Ground Floor

The ground floor will accommodate eight (8) separate retail tenancies, with direct access to either Barrenjoey Road (Tenancy 1-5), or Robertson Road (Tenancy 6-8). The tenancies will range in size from 46m² to 144m². Due to the fall of the land from north to south, Tenancies 1-5 will be provided with a split floor level, with more than half of the floor area of each tenancy provided on an accessible arrangement from Barrenjoey Road.

Tenancies 6-8 will be accessible from a ramp aligning Robertson Road, with a gradient of 1:14, which will connect with a second ramp into the building proper, providing access to the residential lobby.

The ramp for the ground floor tenancies provides connection to each and outdoor seating areas are located adjacent to these. Stair access is also available.

Storage areas are also provided to each tenancy.

A void area is located on the north-eastern side of the residential lobby and carries through as a void to enable natural light into this space.

Residential/Commercial garbage bins are located adjacent to the driveway from Robertson Road, with a gradient of 1:20 from the street, continuing to 1:5 as one enters the basement. The garbage room is ramped to enable ease of access to the street, and the fire stair is adjacent on the eastern side of the bin egress.

First Floor

Eight (8) residential apartments are proposed at the first floor and respond to the north, east and southern frontages of the site. Of the eight (8) apartments, seven (7) of these are of a two (2)-bed configuration and one (1) is a three bedroom apartment.

The area of the apartments ranges from 87.6m², through to 128.4m², with terraces ranging in size from 9.1m² to 45.8m².

Three (3) of eight (8) apartments will receive direct sunlight and three (3) will achieve cross through ventilation. Five (5) of the eight (8) apartments are single aspect, which is a direct consequence of the site forming a corner allotment and ensuring that development on this site does not preclude the development potential of neighbouring sites.

All apartments have a living room width, a minimum of four (4) metres or greater.



Second Floor

The second floor comprises six (6) apartments, comprising two (2), one (1) bed apartments, three (3), two (2) bed apartments and one (1), three (3) bed apartments. The apartments range in size from 66m² to 116m², with terraces ranging in size from 12.5m² to 47.8m².

All of the six (6) apartments will receive direct sunlight and cross through ventilation. Two (2) of the six (6) apartments are single aspect.

Four (4) of the six (6) apartments have a living room width, a minimum of four (4) metres or greater; two apartments have a width of 3.6 metres.

Sunlight, Ventilation and Aspect

The proposed apartment design will result in:

- 64.2% of the apartments achieving direct sunlight
- 64.2% of the apartments achieving cross ventilation
- 50% of the apartments being of a single aspect.

Car Parking

All apartments within the development are required to have two (2) car parking spaces per apartments, aside from the one-bedroom apartments, which are required to have one (1) car parking space.

Each apartment is provided with the requisite number of car parking spaces. an additional space is also provided.

Five (5) visitor car parking spaces are provided on Basement Level 2, which is the residential parking level. Due to the site constraints and the required number of retail spaces, it is necessary to provide residential visitor parking on this lower basement level. A roller shutter will be provided at the top of the ramp leading down to Basement Level 2 to ensure secure access to this level.

For the retail component, eighteen (18) car parking spaces are required; nineteen (19) spaces are proposed, including two (2) disabled spaces.

Given the small scale nature of the tenancies, loading vehicles will be restricted to van deliveries and can be accommodated within the loading bay on the first basement levels. Access to the amenities is available via both stairs and lift from the ground floor.

Communal Open Space

A communal open space area is located on the north-western corner of the second level, accessible via both lift and stairs. This is designed to overlook Roberson Road and increase opportunities for passive surveillance, while locating this at a quieter interface with the



surrounding context, such that it is not positioned on Barrenjoey Road. This will enhance the amenity and enjoyment of this passive recreational area.

This is also located where the height limit is restricted to ensure a better urban interface with surrounding development and to appropriately respond to future plaza space.

The proposed landscaping works are demonstrated on the Landscape Plans prepared by Site Image Landscape Architects.

Materials & Finishes

The exterior of the building will comprise a composition of brick and metal cladding, in conjunction with glazed tiling. Timber-looking aluminium cladding will be used on the upper levels of the building and off-form concrete will also be employed on balconies.

A dintel structural wall system will be used on the north and west elevations to accommodate future redevelopment on adjoining sites.

Windows will be constructed of aluminium framing and awnings will be constructed of concrete.

Stormwater and Drainage Works

The proposed stormwater and drainage works are in accordance with the plans prepared by Demlakian Consulting Engineers.

Access

An Access Report has been prepared by Accessible Building Solutions Pty Ltd. The conclusion of that assessment is that:

On the basis of the above assessment, I am satisfied that the proposal can achieve compliance with the access provisions of the BCA, SEPP 65 and the essential requirements of AS4299 – Adaptable Housing.

Construction Management

SBMG Planning have prepared a Construction Management Plan (CMP). This estimates a total construction period of 18 months, made up of:

- Demolition – 2 months;
- Excavation – 3 months; and
- Constriction – 13 months.

In terms of impacts, traffic impacts will be localised to the immediate network and there will be no effect on public transport routes. Pedestrian safety will be maintained through traffic control as required. Site approach and departure routes, traffic control and swept path movements for trucks are provided in the CMP.



4. ENVIRONMENTAL IMPACT ASSESSMENT

The proposal is subject to the requirements of section 4.15 of the EP & A Act, which are the matters for consideration in assessing a development application. These matters are addressed below.

Clause No.	Title/Clause	Comment
4.15	Evaluation	
(1)	Matters for consideration—general	
	In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
	(a) the provisions of:	
	(i) any environmental planning instrument, and	<ul style="list-style-type: none"> • State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55) • State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65) • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Vegetation in Non- Rural Areas) 2017 • Pittwater Local Environmental Plan 2014
	(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument	Not applicable

Clause No.	Title/Clause	Comment
	has been deferred indefinitely or has not been approved), and	
	(iii) any development control plan, and	Apartment Design Guide Pittwater Development Control Plan 2014
	(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	
	(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	
	(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),	
	that apply to the land to which the development application relates,	
	(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	<p>The proposed development will have limited environmental, social and economic impacts and instead provide returns, as a result of its implementation.</p> <p>Environmental conditions, such as flooding and drainage, stormwater etc will be managed in accordance with the recommendations contained in consultant reports.</p> <p>The proposal will provide social benefits with additional retail space that will provide opportunities for the local community to meet and interact through the spaces offered by this development. This is reinforced by the anticipation of food and drink premises along the Robertson Road frontage, where</p>



Clause No.	Title/Clause	Comment
		<p>areas for outdoor dining have been designated that are not located on the main road, thereby improving the amenity attached to such experience.</p> <p>The creation of an <i>in situ</i> population at the site will also create an inherent community in its own right, particularly with the proposed common open space area that is afforded to the development, which will allow for interaction between residents within the development.</p> <p>The proposal will also provide economic benefit to the local community, with a range of retail tenancies proposed to support various businesses. These businesses, in conjunction with an <i>in situ</i> population will also rely upon existing businesses within the Newport Commercial Centre to assist in underpinning their commercial viability.</p> <p>In terms of impact on the built environment, the proposed development is responsive to its context, particularly the topography of the land, while being designed to ensure that it does not compromise the future development potential of the sites to the north and east in the event of future redevelopment on those allotments. As such, boundary conditions have been carefully considered. Solar access has also been carefully managed, with their being limited change to the solar access enjoyed to the neighbouring properties, particularly from 12 noon onwards.</p> <p>Therefore, the proposed development will not result in adverse impacts on the site itself,</p>



Clause No.	Title/Clause	Comment
		nor the immediate locality, as a result of its implementation.
	(c) the suitability of the site for the development,	The site is suitable for the proposed development. The proposed uses, density and scale are consistent with the environmental planning provisions applying to the land, for a mixed use development within the commercial centre of Newport, without undue pressure on the capability of the site.
	(d) any submissions made in accordance with this Act or the regulations,	Should any submissions be made during the course of assessment of the application, the Applicant would be willing to respond to these accordingly.
	(e) the public interest.	<p>The proposed development is responsive to the public interest. The condition of the existing building forms is deteriorated, and the proposed development provides the opportunity for a contemporary architecturally designed outcome to be achieved on the site. The design of the proposal will increase opportunities for passive surveillance to the surrounding street frontages and will result in retail tenancies that open to the street frontages, as opposed to the existing situation where blank walls are dominant, particularly along the Robertson Road frontage of the site.</p> <p>The rejuvenation of this site will also ensure that the character of the Newport Commercial Centre is upheld and reinforced, providing local meeting places and employment opportunities.</p> <p>The opportunity to provide residential accommodation also means that living spaces are</p>



Clause No.	Title/Clause	Comment
		<p>provided proximate to public transport opportunities.</p> <p>The proposal generally accords with the relevant environmental planning instruments, consistent with community expectations for the site.</p> <p>Therefore, the proposed development is in the public interest.</p>
	<i>Note. See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.</i>	Not applicable.

SEPP 55

Clause 7 requires an applicant to demonstrate whether or not a parcel of land is contaminated.

Clause No.	Title/Clause	Comment
7	(1) A consent authority must not consent to the carrying out of any development on land unless:	
	(a) it has considered whether the land is contaminated, and	The site has been used for commercial and residential purposes for a significant period of time and there is no suggestion that any of the uses have involved activities that may result in contamination of the site.
	(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and	There is no suggestion that the land is contaminated; as such, it is suitable for the intended residential and commercial purposes.
	(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be	No known remediation is required.



Clause No.	Title/Clause	Comment
	carried out, it is satisfied that the land will be remediated before the land is used for that purpose.	
	(2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.	The proposed uses on the site are consistent with the existing uses, being for commercial and residential purposes.
	(3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.	Not applicable; no investigation is deemed necessary.
	(4) The land concerned is:	
	(a) land that is within an investigation area,	Not applicable
	(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,	Not applicable
	(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:	Not applicable
	(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated	



Clause No.	Title/Clause	Comment
	land planning guidelines has been carried out, and	
	(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).	

Therefore, no further consideration is required under SEPP 55.

SEPP Vegetation

Clause 7 states as follows:

The clearing of vegetation in non-rural areas that requires authority under this Policy

- (1) *A person must not clear vegetation in any non-rural area of the State to which Part 3 applies without the authority conferred by a permit granted by the council under that Part.*

This application seeks removal for existing trees on the site in accordance with the Arborist Report.

SEPP 65 & Apartment Design Guide

The proposed development responds to the nine (9) design quality principles and are addressed by Crawford Architects in the accompanying report. In each case, compliance is achieved.

Requirement	Compliance
Principle 1: Context & Neighbourhood Character	✓
Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.	✓
Responding to context involves identifying the desirable elements of an area's existing or future character. Well-designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighborhood.	✓
Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.	✓
Principle 2: Built Form and Scale	



Requirement	Compliance
Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.	✓
Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.	✓
Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.	✓
Principle 3: Density	
Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.	✓
Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.	✓
Principle 4: Sustainability	
Good design combines positive environmental, social and economic outcomes.	✓
Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation	✓
Principle 5: Landscape	
Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.	✓
Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.	✓
Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long-term management.	✓
Principle 6: Amenity	



Requirement	Compliance
Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident wellbeing.	✓
Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.	✓
Principle 7: Safety	
Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.	✓
A positive relationship between public and private spaces is achieved through clearly defined secure access points and well-lit and visible areas that are easily maintained and appropriate to the location and purpose.	✓
Principle 8: Housing diversity and social interaction	
Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.	✓
Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.	✓
Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.	✓
Principle 9: Aesthetics	
Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.	✓
The visual appearance of a well-designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.	✓

SEPP (Building Sustainability Index: BASIX) 2004

The aim of the policy is to encourage sustainable residential development and requires the submission of a BASIX certificate with an application of this nature.

Clause 6 deals with Buildings to which Policy applies and states:

(1) This Policy applies to buildings arising from the following development:



- (a) *Proposed BASIX affected development for which the regulations under the Act require a BASIX certificate to accompany a development application or an application for a complying development certificate or construction certificate.*

The proposal involves *BASIX affected development* and the relevant BASIX certificate accompanies this application.

SEPP (Infrastructure) 2007

Schedule 3 of the SEPP contains requirements for a proposal to be referred to the Roads and Maritime Service (RMS) under certain circumstances.

Section 101 of the SEPP addresses Development with frontage to a classified road. In this case, Barrenjoey Road is a classified road (#164). Therefore, the consent authority must consider certain matters as addressed below:

Clause No.	Title/Clause	Comment
Division 17 Roads and Traffic		
Subdivision 2 Development in or adjacent to road corridors and road reservations		
101	Development with frontage to a classified road	
	(1) The objectives of this clause are:	
	a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and	<p>The proposed development will not compromise the effective and ongoing operation of Barrenjoey Road. The proposed development does not introduce any opening onto that roadway, with all movements taking place along Robertson Road, which is the secondary frontage to the site.</p> <p>In terms of the traffic generation associated with the proposed development that may affect the road network the Traffic & Parking Assessment states that during the peak traffic generation period associated with the development (without</p>



		discount of the existing situation) would result in seventeen (17) vehicle trips, being four (4) residential movements and thirteen (13) retail movements. This would result in one vehicle movement every 3-4 minutes, being minor in the context of the local road network. As such, <i>the proposal will have no undue traffic implications on the surrounding road operation.</i>
	b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.	The proposed development provides a quantum of car parking that is generally consistent with the DCP requirements (marginally above, by one space for each use), such that the generation of movements will not adversely impact traffic noise or vehicle emission on the adjoining classified road.
	(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:	
	a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and	Access to the site is provided from Robertson Road; access is not required from Barrenjoey Road (which is the classified road) and therefore complies with this requirement.
	b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:	Not applicable
	i. the design of the vehicular access to the land, or	Not applicable
	ii. the emission of smoke or dust from the development, or	Not applicable



	iii. the nature, volume or frequency of vehicles using the classified road to gain access to the land, and	Not application
	c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.	Appropriate acoustic treatment will be provided to the openings of the development to ensure that that there are no adverse resulting conditions in terms of traffic noise and vehicle emissions.
102	Impact of road noise or vibration on non- road development	
	(1) This clause applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transit way or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of RMS) and that the consent authority considers is likely to be adversely affected by road noise or vibration:	RMS data for Barrenjoey Road reflects 44,348 vehicle trips per day.
	(a) residential accommodation	Applies
	(b) a place of public worship	NA
	(c) a hospital	NA
	(d) an educational establishment or centre-based child care facility	NA
	(2) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Secretary for the purposes of this clause and published in the Gazette.	Noted.
	(3) If the development is for the purposes of residential	



	accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:	
	(a) in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,	These matters are achievable and can be addressed through conditions of consent.
	(b) anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.	These matters are achievable and can be addressed through conditions of consent.
	(4) In this clause, freeway, tollway and transit way have the same meanings as they have in the Roads Act 1993	Noted
104	Traffic Generating Development	
	(1) This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves:	
	(a) new premises of the relevant size or capacity, or	Applicable
	(b) an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.	Not applicable
	(2) In this clause, relevant size or capacity means	
	(a) in relation to development on a site that has direct vehicular or pedestrian access to any road (except as provided by paragraph (b))—the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3, or	Applicable
	(b) in relation to development on a site that has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90m of the	Applicable



	connection—the size or capacity specified opposite that development in Column 3 of the Table to Schedule 3.	
	(2A) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this clause applies that this Policy provides may be carried out without consent unless the authority or person has:	Not applicable.
	(a) given written notice of the intention to carry out the development to RMS in relation to the development, and	
	(b) taken into consideration any response to the notice that is received from RMS within 21 days after the notice is given.	
	(3) Before determining a development application for development to which this clause applies, the consent authority must:	
	(a) give written notice of the application to RMS within 7 days after the application is made, and	It is assumed that NBC will refer the application to RMS within the required time frame.
	(b) take into consideration:	
	(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, RMS advises that it will not be making a submission), and	The Applicant is willing to respond to any matters raised, as required.
	(ii) accessibility of the site concerned, including:	
	a. the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and	As detailed above, the traffic generation associated with the proposal is limited and is not considered to adversely impact the efficiency of movement of people to and from the site.



	b. the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and	The advantageous location of the site means that there is available access to bus services within close proximity to the site such that trips outside of the commercial core may be accommodated via public transport, as opposed to relying upon private travel by car.
	(iii) any potential traffic safety, road congestion or parking implications of the development.	There are no matters raised in the Traffic & Parking assessment that suggests such implications may arise.
	(4) The consent authority must give RMS a copy of the determination of the application within 7 days after the determination is made.	Noted.

Therefore, the proposed development will not result in any adverse impacts having regard to the provisions of the SEPP (Infrastructure).

Pittwater Local Environmental Plan 2014

Provision/Control	Comments	Compliance
1.2 Aims of the Plan		
(2) The particular aims of this Plan are as follows: (a) to promote development in Pittwater that is economically, environmentally and socially sustainable,	As addressed at s.4.15 of the EP & A Act, the proposed development is economically, environmentally and socially sustainable.	✓
(b) to ensure development is consistent with the desired character of Pittwater's localities,	The proposed development accords with the future character description of the Newport Commercial Centre and will provide a complementary interface with this. This is further addressed in the DCP	✓
(c) to support a range of mixed-use centres that adequately provide for the needs of the Pittwater community,	The proposed development supports the mixed-use arrangement of the commercial centre of Newport with retail tenancies provided at the ground	✓



Provision/Control	Comments	Compliance
	floor, with residential dwelling above to support both the immediate locality of Newport and further afield.	
(d) to retain and enhance land used for employment purposes that is needed to meet the economic and employment needs of the community both now and in the future,	The proposed development will ensure the economic use of the site is enhanced. The proposal increases the amount of retail space provided by utilising a larger proportion of the site area than is currently the case, ensuring the economic and employment needs of the current and future community are met.	✓
(e) to improve access throughout Pittwater, facilitate the use of public transport and encourage walking and cycling,	<p>The location of the site is within direct walking distance to public transport services which provide access from Palm Beach to Manly and on to the Sydney CBD.</p> <p>Walking and cycling will also be promoted due to the nature of retail tenancies which, due to their smaller size, will provide localized facilities and services that encourage walking and cycling trips to access these.</p>	✓
(f) to encourage a range of housing in appropriate locations that provides for the needs of the community both now and in the future,	<p>The proposed development will provide a range of dwelling types, including one (1), two (2), and three (3) bedroom apartments, within close proximity to services and facilities, as well as transport.</p> <p>The design of the built form, which includes lift access, also ensures that the building is accessible to a range of diverse user groups.</p>	✓
(g) to protect and enhance Pittwater's natural environment and recreation areas,	The proposed development has been designed and oriented to ensure that the amenity of the natural environment is protected. The proposal has no impact on recreational areas, other than by potentially increasing the use of these due to the in situ population	✓




Provision/Control	Comments	Compliance
	that will accrue as a result of the proposed residential accommodation.	
(h) to conserve Pittwater's European and Aboriginal heritage	The development will not propose any adverse impacts on nearby heritage items, ensuring Pittwater's heritage is conserved.	✓
(i) to minimise risks to the community in areas subject to environmental hazards including climate change,	The site is not located in an area of environmental hazards, such that any risk to the community would accrue.	✓
(j) to protect and promote the health and well-being of current and future residents of Pittwater.	The proposed development will protect and promote the health and well-being of existing and future residents. The proposed development is modest in scale, consistent with the relevant environmental planning controls and therefore associated public expectations associated with the development and provides access to facilities that will maintain the quality of the natural environment, such as public transport. The size and scale of the proposed apartments is consistent with market demand and the size of retail tenancies ensures that a diversity of business types may be accommodated, the size of which does not cause undue pressure in terms of economic return.	✓
1.6 Consent authority		
The consent authority for the purposes of this Plan is (subject to the Act) the Council.	Pittwater Council	
Part 2 Permitted or prohibited development		
2.1 Land use zones	B2 Local Centre Zone	✓



Provision/Control	Comments	Compliance
Objectives		✓
<ul style="list-style-type: none"> 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. 	The proposed development will provide for a range of retail and businesses uses that will serve the needs of the local area. Eight (8) separate tenancies are offered of varying sizes, to accommodate a diversified combination of business interests	
<ul style="list-style-type: none"> To encourage employment opportunities in accessible locations. 	The provision of eight (8) tenancies will provide diversified opportunities for local employment. The site is located on a public transport corridor, serviced by regular bus routes, thus making it suitably accessible.	✓
<ul style="list-style-type: none"> To maximise public transport patronage and encourage walking and cycling. 	The proposed development is accessible to public transport and provides on site bicycle parking facilities. Given the localized nature of the commercial precinct, walking to and from this location will also be a maximised opportunity to reduce pressure on the surrounding road network, through the use of private transport modes.	✓
<ul style="list-style-type: none"> To provide healthy, attractive, vibrant and safe local centres. 	The proposed development will provide a significant outcome in terms of attractive, vibrant and safe communities. The architectural design will provide a contemporary response and, in particular, the ground floor level is designed with a significant extent of openness to ensure that the degree of vibrancy is promoted through extensive openings that allow for an understanding of activity therein. The extent of openings also maximises opportunities for passive surveillance over the surrounding street frontages, which is a substantial improvement over the	✓



Provision/Control	Comments	Compliance
	existing situation which is dominated by blank facades particularly facing Robertson Road.	
		Figure 11: View of Robertson Road frontage of the site, with limited openings, thus providing limited opportunities for passive surveillance
<ul style="list-style-type: none"> To strengthen the role of centres as places of employment. 	The introduction of eight (8) new tenancies will provide new employment opportunities within the commercial centre.	✓
<ul style="list-style-type: none"> To provide an active day and evening economy. 	The introduction of tenancies that will be attractive to food and drink premise operators, particularly along the Robertson Road frontage will assist to provide an active day and evening economy.	✓
<ul style="list-style-type: none"> To provide for residential uses above street level where they are compatible with the characteristics and uses of the site and its surroundings. 	<p>The proposed residential use, above street level, will be compatible with the characteristics surrounding the site. The proposed number of dwellings is moderate and designed and orientated such that interference with ground floor uses will not result, particularly given the intended setback distances from the street frontages, as well as materials treatment that will ensure adequate acoustic provision.</p> <p>The intention of the zone is to combine living and working environments and this site</p>	✓

Provision/Control	Comments	Compliance
	provides a suitable opportunity to achieve this.	
2.6 Subdivision	Development consent is required for subdivision.	✓
2.7 Demolition	Development consent is required for removal of all existing structures on the site, including vegetation as nominated at Chapter 3.	✓
Part 4 Principal development standards		
4.3 Height of buildings –		
(1) The objectives of this clause are as follows: (a) to ensure that any building, by virtue of its height and scale, is consistent with the desired character of the locality	The proposed height of the building is considerate of its physical constraints (flooding) and consistent with the locality in terms of both height and building setbacks to ensure that the desired character of the locality is achieved.	✓
(b) to ensure that buildings are compatible with the height and scale of surrounding and nearby development,	The proposed height is consistent with nearby development, particularly that which has taken advantage of the current LEP controls.	✓
(c) to minimise any overshadowing of neighbouring properties,	The shadow diagrams demonstrate that the proposed development does not result in adverse overshadowing to neighbouring properties	✓
(d) to allow for the reasonable sharing of views,	The proposed development does not compromise views within the vicinity of the site.	✓
(e) to encourage buildings that are designed to respond sensitively to the natural topography,	The proposed built form responds to the topography of the land.	✓
(f) to minimise the adverse visual impact of development on the natural environment, heritage conservation areas and heritage items.	No such adverse impacts result.	✓
(2C) Despite subclause (2), development on an area of land shown in Column 1 of	Area 1 – 11.5m above flood planning level.	✓

Provision/Control	Comments	Compliance
the table to this subclause and identified as such on the Height of Buildings Map, may exceed the maximum building height shown on the Height of Buildings Map for that land, if the height of the development is not greater than the height shown opposite that area in Column 2.	Area 3 – 8.5m above flood planning level The proposed development complies with the height of buildings standard, taking account of the flood level.	
Part 5 Miscellaneous provisions -		
5.10 Heritage Conservation		
The objectives of this clause are as follows:	The proposed development does not compromise the environmental heritage of Pittwater.	✓
a) to conserve the environmental heritage of Pittwater,		
b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,	The proposed development will continue to conserve those items in the vicinity of the site, namely St Michael's Anglican Church, directly north-east of the site.	✓
c) to conserve archaeological sites,		Not applicable
d) to conserve Aboriginal objects and Aboriginal places of heritage significance.		Not applicable
(5) Heritage assessment		
The consent authority may, before granting consent to any development:		
a) Land on which a heritage item is located, or	The land does not contain a heritage item.	Not applicable
b) on land that is within a heritage conservation area, or	The land is not located within a heritage conservation area.	Not applicable
c) on land that is within the vicinity of land referred to in paragraph (a) or (b),	The land is within the vicinity of heritage item No. 2270571 – St Michael's Anglican Church, 33 Foamcrest Avenue, Newport. The NSW State Heritage Register provides the following physical description: <i>Early weatherboard church resembling the architectural</i>	✓



Provision/Control	Comments	Compliance
	<i>elements of the Victorian Carpenter Gothic style. Setback towards the rear of the site, the building's typical features include a pitched roof, timber frame with weatherboard cladding, gothic openings, decorated bargeboard and front porch. A skillion roof wing flanks the original church building</i>	
(c) Require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	<p>Given the modest nature of the development, a heritage management document is not considered necessary.</p> <p>At the rear of the site, the proposed built form is compliant with the permitted building height and will provide a modest visual backdrop behind the church, such that it is not imposing, instead, subservient to the character of this item.</p>	✓
(6) Heritage Conservation Management Plans		
The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.	This is not considered necessary for this application.	Not applicable
Part 7 Additional local provisions		
7.1 Acid Sulfate Soils		
1) The objective of this clause is to ensure that development does not disturb, expose or drain acid Sulfate soils and cause environmental damage.	This matter is addressed in the Geotechnical Assessment.	✓
2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.	Development consent is sought, as the site is located in Class 3 and 4 soils.	✓



Provision/Control	Comments	Compliance
<p>Class 3</p> <p>Works more than 1 metre below the natural ground surface. Works by which the water table is likely to be lowered more than 1 metre below the natural ground surface.</p> <p>Class 4</p> <p>Works more than 2 metres below the natural ground surface. Works by which the water table is likely to be lowered more than 2 metres below the natural ground surface</p>	Refer to Geotechnical Assessment.	
(2) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.	Refer to Geotechnical Assessment.	✓
7.2 Earthworks		
(1) The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.	The proposed development will have no such adverse impacts.	✓
<p>(2) Development consent is required for earthworks unless:</p> <p>a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given</p>	Development consent is required for the proposed excavation works. The Geotechnical Assessment demonstrate that the soil conditions are appropriate for the proposed development.	✓
(3) In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters:		



Provision/Control	Comments	Compliance
(a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,	Refer to Geotechnical Assessment.	✓
(b) the effect of the development on the likely future use or redevelopment of the land,	Refer to Geotechnical Assessment.	✓
(c) the quality of the fill or the soil to be excavated, or both,	There is no known contamination of soil on the site that would compromise the quality of this.	✓
(d) the effect of the development on the existing and likely amenity of adjoining properties,	It is assumed that the Council would impose standard conditions in relation to dilapidation reporting on neighbouring properties.	✓
(e) the source of any fill material and the destination of any excavated material,	Refer to Geotechnical Assessment.	✓
(f) the likelihood of disturbing relics	There are no known relics within the vicinity of the site.	✓
(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area	There are no identified impacts.	✓
(h) Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development	Refer to Geotechnical Assessment.	✓
(i) the proximity to and potential for adverse impacts on any heritage item, archaeological site or heritage conservation area.	No such impacts are identified.	✓
7.3 Flood Planning		
(2) This clause applies to land at or below the flood planning level.	The land is identified on the Flood Planning Map.	✓
(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:	Refer to Flooding Impact Assessment.	✓
a) is compatible with the flood hazard of the land, and		
b) will not significantly adversely affect flood behaviour resulting in		



Provision/Control	Comments	Compliance
<p>detrimental increases in the potential flood affectation of other development or properties, and</p> <p>c) incorporates appropriate measures to manage risk to life from flood, and</p> <p>d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</p> <p>e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</p>		
7.10 Essential Services		
<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage,</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable vehicular access.</p>	<p>All available services to the site will be provided.</p> <p>Stormwater services will be in accordance with the stormwater management plan accompanying this application.</p> <p>Vehicular access is available from Robertson Road, to ensure that the development does not cause disruption to the classified road (Barrenjoey Road), in accordance with the provisions of the SEPP (Infrastructure).</p> <p>The Traffic and Parking Assessment provides the following in relation to the proposed access arrangements:</p> <p><i>The proposed access will involve a 5.5m wide two-way ramp at the Robertson Road frontage. The access driveway has been designed to be consistent with the design requirements of AS2890.1 particularly in relation to the availability of sight lines.</i></p>	

The proposal therefore accords with the Aims, Objectives and controls contained within the LEP.



NSW Apartment Design Guide

The relevant provisions of the NSW ADG are summarised and addressed below.

Control	Comment	Compliance
<p>2C Building Height</p> <p>The height of buildings is to accommodate a service zone of 0.4m between each floor and generous ground floor heights should be considered.</p>	<p>The proposal provides a 2.7m floor to ceiling height, with a remaining 0.4m for building services between floors.</p> <p>The ground floor of the building has a height of 4.2m floor to ceiling with a 0.4m services zone, therefore providing a total height of 4.6m</p>	✓
<p>2D Floor Space Ratio</p> <p>There is no floor space ratio applying to the site.</p>		Not applicable
<p>2E Building Depth</p> <p>Apartment depths should range from 12-18m from glass line to glass line</p>	<p>All apartments are less than 18m, aside from Apartment 01, on the first floor which is constrained in terms of protecting future development on the site to the north. The length of this apartment ensures sufficient natural light and cross ventilation to the external perimeters of the site.</p>	✓ , on merit
<p>2F Building Separation</p> <p>For buildings up to four storeys, the following separation distances are required:</p> <p>12m: habitable-habitable</p> <p>9m: habitable-non-habitable</p> <p>6m-non-habitable-non-habitable.</p> <p>No separation is required where there are blank party walls proposed.</p>	<p>Blank party walls are proposed at the ground floor; as such, no separation is required.</p> <p>At the first floor, blank party walls are provided for the majority of the building length on the northern and eastern sides of the development. Along the north-eastern corner, private open space areas are provided, the principal areas of which are a minimum distance of 3m from the property boundary to the east and north. Bedrooms along these interfaces are provided with blank party walls, despite being setback from the property boundary.</p> <p>At the second floor, openings to habitable rooms on the northern side</p>	✓

Control	Comment	Compliance
	<p>are set back the required half of the setback distance being six (6) metres.</p> <p>Along the northern wall of Unit 09, non-habitable rooms are proposed (bathroom) and exceed the minimum shared requirement of three (3) metres.</p> <p>The proposed dwarf Lilly pilli planting along the northern side of the common open space area, which has a mature height of 3m x 2m will provide sufficient screening, without a screen wall or similar, to ensure adequate privacy and separation in the event that the adjoining site to the north is redeveloped.</p> <p>This same approach is applied on the first floor, to the private open space areas.</p> <p>Therefore, the proposed development achieves the separation requirements.</p>	
<p>2G Street Setbacks</p> <p>Street setbacks are to define the front building line, be consistent with existing development, retain significant trees and reinforce the street edge. Secondary upper level setbacks may be necessary to reinforce the desired scale of the building at the street and to minimise overshadowing.</p>	<p><u>Barrenjoey Road Frontage</u></p> <p>To the southern frontage, the following setbacks are proposed:</p> <p>Ground floor: 3.5 m from the property boundary.</p> <p>First floor: 7.5 m from the property boundary; 4 m from the ground floor building alignment.</p> <p><u>Robertson Road Frontage</u></p> <p>Ground floor: 3.25 m from kerb to boundary.</p> <p>First floor: 7.25 m from kerb to boundary; 4 m from ground floor building alignment.</p>	



Control	Comment	Compliance
	This is consistent with the requirements stipulated in the DCP, which are specific to the Newport Commercial Centre and sought as part of the desired future character of the locality.	
<p>2H Side and Rear Setbacks</p> <p>These are governed by overshadowing; building separation and visual privacy; communal and private open space and deep soil zones.</p>	These setbacks are addressed above.	
<p>3B Orientation</p> <p>Living areas, private open space and communal open spaces are to be designed in accordance with 3D and 4A.</p> <p>Buildings are to be oriented such that direct access is available from the street.</p>	<p>The only building affected by the proposed development is to the west of the site; however, this is limited due to Robertson Road providing a separation distance such that, from 11am onwards, the proposed building form does not touch the adjoining building to the west. As such, the site to the south achieves at least four (4) hours of sunlight at mid-winter.</p> <p>This is the case as it applies to both street frontages.</p>	✓
<p>3C Public Domain</p> <p>Upper level balconies should overlook the public domain and be limited in height to one (1) metre for any solid interface.</p>	<p>All apartments, other than Apartment 01 at the first floor, are provided with a balcony that overlooks the street frontage.</p> <p>Solid balustrades are limited to one (1) metre in height</p>	✓
<p>3C Public Domain Interface</p> <p>Building services such as substations, pump rooms and garbage storage areas should be located in the basement or out of view.</p> <p>The visual prominence of car parking vents should be minimised.</p>	<p>Garbage rooms are set back from the street frontage, along Robertson Road, with no visibility to the room from the street frontage.</p> <p>A roller shutter is proposed inbound of the street frontage along</p>	✓



Control	Comment	Compliance
Mailboxes should be located in building lobbies.	Robertson Road, to the car park, so that this does not visually dominate the streetscape appearance of the development. Mailboxes are located on the southern side of the pedestrian entrance to the residential lobby from Robertson Road.	
<p>3D Communal and public open space</p> <p>Communal open space is to have:</p> <ul style="list-style-type: none"> ○ a minimum area of 25% of the site is to be used for communal open space; ○ 50% of the communal open space is to receive two (2) hours solar access at mid-winter; ○ a minimum dimension of three (3) metres ○ equitable access ○ be provided on the podium or roof, were ground floor space cannot be provided. <p>Balconies are to be increased where the minimum amount is not provided.</p>	<p>The communal open space has a total area of 131m², which represents 9% of the total site area. This represents a shortfall of the required amount.</p> <p>The space has a minimum dimension of 9.14 m and receives six (6) hours of solar access at mid-winter.</p> <p>Equitable access is provided to this level on the second floor of the building.</p> <p>Balcony sizes have been increased above the minimum requirements in all cases and, in many cases, materially increased, to compensate for the lesser communal space provided.</p>	✓ On merit
<p>3E Deep Soil Zones</p> <p>Where a site has an area between 650m² and 1,500m², a deep soil zone is to be provided that totals 7% of the site area and has a minimum dimension of three (3) metres.</p> <p>This may not be achievable depending on the building typology, such as where located in centres, or there is 100% site coverage for non-residential uses.</p>	<p>As the proposed development provides 100% coverage (other than for residential access) at the ground floor, that is attributable to non-residential use and the site is located in a local centre, where the objectives of the zone are dominated by providing sound non-residential uses that support a local centre, there is no deep soil zone proposed, due to the narrow width of the site and the need for basement car parking.</p> <p>Alternative forms of planting are proposed as demonstrated on the landscape plan.</p>	X, but complies on merit



Control	Comment	Compliance
<p>3F Visual Privacy</p> <p>The same controls apply as Section 2F for building separation.</p> <p>Separation is to be provided with the development between windows, private open space areas and common open space.</p> <p>Balconies are to be located in front of living rooms to increase visual privacy</p>	<p>In all cases, the proposed balconies sit in front of living rooms and have sufficient treatment between adjoining balconies to ensure adequate privacy.</p>	✓
<p>3G Pedestrian access and entries</p> <p>Building entries should be clearly visible from the public domain and ramps and stairs should be integrated into the building design.</p>	<p>The proposal provides clear access to the building entries, both for retail and residential purposes and the proposed ramp structures are clearly integrated into the building design.</p>	✓
<p>3H Vehicle Access</p> <p>Car parking access points are to be located into the building façade and should be located behind the building line.</p> <p>Entries should be on secondary frontages where available and should be limited to a minimum number.</p> <p>Garbage collection, loading and servicing areas are to be screened and clear sightlines should be available.</p>	<p>Vehicular access into the site has to be balanced with flooding constraints which affect the land. There is an opening to the basement from Robertson Road; however, the enclosing roller shutter is recessed 8.17 m into the building proper so as not to dominate the frontage.</p> <p>The entry, as required by the SEPP Infrastructure, is located on Robertson Road and only one ingress/egress point is provided to service the development.</p> <p>Garbage, servicing and loading areas are all screened.</p> <p>Sightlines are achieved for pedestrian safety purposes, as addressed in the Traffic & Parking Assessment, which states that</p>	✓



Control	Comment	Compliance
	compliance with AS 2890.1 is achieved.	
3J Bicycle and car parking		
Undercover bicycle parking is to be accessible from the public domain.	Bicycle parking is located on Basement Level 1 in association with the retail use of the site and Basement Level 2 for residential purposes.	✓
Common vertical circulation areas should be clear and well lit.	Vertical circulation areas are clearly identified within each basement level.	
Excavation is to be minimised through efficient layout and car parking area should not protrude more than one (1) metre above ground level.	The proposed layout is of an efficient design and the basement is not raised more than one (1) metre above natural ground level.	
Natural ventilation should also be provided and ventilation grills should form an integral part of the building façade.	Pressurisation louvres are represented in horizontal proportions positioned at the upper level of the ground floor, such that they have a visual appearance that is consistent with the smaller highlight windows that align the retail tenancies along the Barrenjoey Road façade.	
PART 4: DESIGNING THE BUILDING		
4A Solar & Daylight Access		
Living and private open space areas are to achieve a minimum of 2 hours of solar access between 9am and 3pm at midwinter.	Refer to architectural drawings	✓
15% of apartments may have no access to sunlight at mid-winter.	26% of the proposed apartments have no access to sunlight at mid-winter.	x
		✓
Sunlight is to be maximised using dual aspect, shallow apartments	Where necessary, apartments are provided with dual aspect to ensure that sufficient sunlight is achieved.	
4B Natural Ventilation		
	Refer to architectural drawings	✓



Control	Comment	Compliance
<p>Habitable rooms are to be naturally ventilated and unobstructed window openings equal to 5% of the floor area.</p> <p>60% of apartments are to be cross ventilated and the overall depth of cross-through apartments is not to exceed 18m.</p>	64% (9/14) of apartments are cross ventilated	✓
<p>4C Ceiling Heights</p> <p>Habitable rooms are to have a minimum height of 2.7 m and non-habitable rooms, 2.4 m.</p>		✓
<p>4D Apartment size and layout</p> <p>The minimum internal apartment areas are to be as follows:</p> <p>Studio – 35m²</p> <p>1-Bedroom – 50m²</p> <p>2-Bedroom – 70m²</p> <p>3 Bedroom – 90m²</p> <p>Habitable rooms must have an external window opening that is not less than 10% of the floor area of the adjacent room.</p> <p>Living areas and bedrooms should be located on the external face of buildings.</p> <p>The following minimum room areas apply:</p> <p>Master bedrooms – 10m²</p> <p>Bedrooms – 3m</p> <p>Living rooms/dining rooms – 3.6m for studio and 1-Bed, 4m for 2 and 3-Beds</p>		✓
<p>4E Private Open Space and Balconies</p> <p>The following minimum sizes apply:</p> <p>Studio – 4m²</p> <p>1-Bed – 8m² / 2 m depth</p>	All apartments are provided with sufficient private open space areas.	✓



Control	Comment	Compliance
<p>2-Bed 10m² / 2 m depth</p> <p>3+ Bed – 12m² / 2.4 m depth</p> <p>These areas are to be adjacent to living, dining and kitchen areas and face, north, east or west.</p> <p>Full width glass balustrades are not permitted and operable screens and shutters may be used to control sunlight and wind.</p> <p>Downpipes and drains are to be integrated into the building façade.</p>	<p>The private open space areas are adjacent living areas.</p> <p>Balustrades are provided as a combination of various materials.</p>	<p>✓</p> <p>✓</p>
<p>4F Common Circulation and Spaces</p> <p>The maximum number of apartments off a circulation core is eight (8).</p> <p>Corridors longer than 12m are to be articulated.</p> <p>Primary living areas should not open to circulation corridors</p>		<p>✓</p> <p>x</p> <p>✓</p>
<p>4G Storage</p> <p>Each apartment is to be provided with the following storage spaces:</p> <p>Studio – 4m²</p> <p>One-Bed – 6m²</p> <p>Two-bed – 8m²</p> <p>Three-bed – 10m², with at least 50% of the area located within the apartment.</p>		<p>✓</p>
<p>4H Acoustic Privacy</p> <p>Adequate separation is to be provided both within the development and to neighbouring sites, with window openings away from noise sources.</p> <p>Noise sources such as garage doors, driveways, service areas etc, are to be at least (three) (3)m from any bedroom.</p>	<p>Openings to apartments are away from noise sources to the greatest extent possible, having regard to the orientation of the site.</p> <p>No apartments are located at the interface with garage doors, driveways or service areas.</p>	<p>✓</p> <p>✓</p>



Control	Comment	Compliance
<p>4K Apartment Mix</p> <p>A diversity in apartment sizes is to be provided and is to take account of:</p> <ul style="list-style-type: none"> • public transport, employment and education • current market demands and demographic trends • demand for social and affordable housing • different cultural and socioeconomic groups 	<p>The proposed development provides a diversified apartment mix, taking advantage of the site's location both within a local centre and on a public transport route. The design is also responsive to market trends and will cater for a diversity of groups.</p>	✓
<p>Different apartment types are located to achieve façade composition and to optimise solar access.</p>	<p>The configuration of apartment is provided to ensure that a varied façade composition is achieved.</p>	✓
<p>4M Facades</p> <p>Building facades are to demonstrate varied building elements, with a defined base, middle and top, with changes in texture, materials, detail and colour to modify prominent elements.</p> <p>Building services are to be integrated with the overall façade and comprise horizontal and vertical elements.</p> <p>Building entries are clearly defined.</p> <p>Corners are given prominence through a change in articulation, materials, colour, roof expression or changes in height.</p> <p>Apartment layouts should be expressed externally with expressed features such as party walls and floor slabs.</p>	<p>This is reflected on the building elevations and materials and finishes, as proposed.</p> <p>Refer to building elevations.</p> <p>All building entries are clearly defined and separated based on purpose.</p> <p>Refer to building elevations and materials and finishes schedule.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
<p>4N Roof Design</p> <p>Roof design should include special features and strong corners, using smaller elements to break down the bulk thereof and use of materials that</p>	<p>The roof design provides for increased natural light to the second floor of the building, furthering the articulation of the form, while being proportional to the overall scale of</p>	✓



Control	Comment	Compliance
<p>are complementary to adjacent buildings.</p> <p>Roof design is to be proportionate to the overall building size, scale and form and service elements should be integrated.</p> <p>Open space areas should be provided on rooftops where they are acceptable in terms of safety, amenity, acoustic and visual privacy</p>	<p>the building. Roof top space is provided at the south-western corner, in a location that will provide sufficient amenity, without compromising acoustic or visual privacy of neighbouring sites, both now and in the future.</p>	
<p>4O Roof Design</p> <p>Landscaping is to enhance environmental performance and provide diverse and appropriate planting and shading trees.</p> <p>Design should respond to changes in levels and views.</p> <p>Plants should be endemic to the region and reflect local ecology.</p>	<p>Refer to landscape plan</p>	✓
<p>4P Planting on Roof Structures</p> <p>Structures are to accommodate additional soil weight and be appropriate for plant growth.</p> <p>Design may accommodate green roofs and planter boxes.</p>	<p>Refer to landscape plan</p>	✓
<p>4Q Universal Design</p> <p>Development is to achieve a benchmark of 20% of the total apartments incorporating the Liveable Housing Guidelines.</p>	<p>Refer to Access Report.</p> <p>This indicates that the proposed development is capable of complying with these requirements.</p>	✓
<p>4S Mixed Use</p> <p>Mixed use development should be concentrated around centres and public transport and should:</p> <ul style="list-style-type: none"> • address the street • provide active frontages • provide diverse activities and uses 	<p>The ground floor of the proposed development ensures that each tenancy, as well as the residential lobby, address the street and will provide active street frontages, both within and externally to, each tenancy. Blank walls have been avoided with a substantial quantum</p>	✓



Control	Comment	Compliance
<ul style="list-style-type: none"> avoid blank walls at ground level <p>Residential entries are to be separate to commercial entries, as are service areas.</p> <p>Residential car parking areas and facilities are to be separate from commercial one and secure access routes are to be provided.</p> <p>Concealment opportunities are to be avoided.</p>	<p>of glazing to enable tenancies to address the street and provide activation.</p> <p>Residential entry is provided on the southern side of the site, from Robertson Road, as are the services areas.</p> <p>Refer to Basement plans, which demonstrates clear separation and security access.</p> <p>The roller door to the driveway is set back from the street frontage, due to flooding limitations on the site. in doing so, potentially results in a position for intruders to hide in this alcove. However, the northern wall of the building has been left open to ensure that passive surveillance is available over this space.</p> <p>There are no other such spaces provided that would other result in opportunities for concealment within the public domain associated with the development.</p>	
<p>4TAwnings & Signage</p> <p>Awnings should be provided on streets with high pedestrian activity and reflect existing patterns and street character.</p> <p>Signage should be integrated into the building design, and legible wayfinding signage provided.</p>	<p>New awnings are provided to each street frontage to reinforce the horizontal proportions of the building and reflect the existing pattern of awnings on other built form within the vicinity of the site.</p> <p>Signage is provided to identify the number of the building; tenancy signage will be subject to separate applications.</p>	✓
<p>4U Energy Efficiency</p> <p>Natural light is to be provided to habitable rooms.</p>		<p>✓</p> <p>✓</p>



Control	Comment	Compliance
Rooms with similar usage are to be grouped together and natural cross ventilation is to be optimised.		
<p>4V Water Management & Conservation</p> <p>Water efficient fittings and appliances are to be incorporated and rainwater should be collected and reused on site.</p> <p>Runoff should be collected from roof areas and porous and open paving materials are to be maximised.</p> <p>On-site stormwater and infiltration systems are to be installed.</p> <p>Detention tanks should be located under paved areas, driveways or in basement car parks.</p>	<p>Refer to BASIX certificate</p> <p>Refer to stormwater management plan.</p> <p>Refer to stormwater management plan.</p> <p>Refer to stormwater management plan.</p>	✓
<p>4W Waste Management</p> <p>Adequately sized storage areas are to be located away from the front of the development and be well ventilated.</p> <p>Design is to allow easy movements between storage and collection points.</p>	<p>Refer to Waste Management Plan.</p>	✓



Pittwater DCP 2014

The relevant provisions of the Pittwater DCP 2014 are provided below.

The relevant provisions of the DCP are addressed below, having regard to the proposal.

Section	Control	Comments	Compliance
Section A – Shaping Development in Pittwater			
A3.4 Key objectives of the Pittwater DCP			
Ecologically Sustainable Development	<p>In this DCP, ecologically sustainable development means development that maintains the ecological processes on which life depends while meeting the needs and improving the total quality of life of the present generation, without compromising the ability of future generations to do the same.</p> <p>Ecologically sustainable development is fundamental to the environmental, social and economic objectives of this DCP.</p>		✓
Environmental Objectives	<p>The environmental objectives of this DCP are to:</p> <ul style="list-style-type: none"> a) conserve and enhance the ecological integrity, biodiversity, wildlife corridors, aquatic habitats, water quality, environmental heritage and environmental significance of Pittwater; b) maintain the natural beauty of the area by retaining natural landforms, minimising land excavation and fill, and by minimising erosion, pollution and other forces that may impact on the landscape; c) prescribe limits to urban development having regard to the potential impacts of development on the natural environment, natural hazards, and the provision, capacity and management of infrastructure; and 		✓



Section	Control	Comments	Compliance
	d) plan, design and site development to achieve the principles of ecologically sustainable development.		
Social Objectives	<p>The social objectives of this DCP are to:</p> <ul style="list-style-type: none"> a) meet the social needs of our community and future generations through provision of an appropriate balance and mix of land uses and development, including community facilities, open space and services; b) promote the provision of accessible, diverse and affordable housing options to cater for the changing housing needs of the community; c) plan, design and site development to minimise conflict between land uses and ensure the safety and security of people and property; and d) identify and conserve the heritage of the built forms and landscapes of Pittwater. e) maintain the village atmosphere of the centres, giving each a distinct identity and the people a sense of belonging. 		✓
Economic Objectives	<p>The economic objectives of this DCP are to:</p> <ul style="list-style-type: none"> a) meet the economic and employment needs of our community and future generations through provision of an appropriate balance and mix of land uses and built forms; b) promote a strengthening of the local economic base by providing a range of sustainable employment opportunities that respond to lifestyle choices and technological change, while protecting local amenity, character and environmental values; 		✓



Section	Control	Comments	Compliance
	c) encourage attractive and viable commercial areas through quality urban design; d) integrate development with transport systems and promote safe and sustainable access opportunities emphasising public transport initiatives, walking and cycling within, to and from the Pittwater local government area; and e) encourage appropriate recreational industries which respect the natural attributes and character of Pittwater.		
A4 Localities			
Section B General Controls			
B1.2 Heritage Conservation – Development in the vicinity of heritage items	Any development application involving work likely to impact the heritage significance of a heritage item, is to be accompanied by a Statement of Heritage Impact prepared by an appropriately qualified heritage professional.	Not applicable; refer to LEP	Not applicable
	Developments in the vicinity of a heritage item are to be designed to respect and complement the heritage significance in terms of the building envelope, proportions, materials, colours and finishes, and building alignment	The development is designed taking into consideration the nearby heritage item.	
	Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to minimise the impact on the heritage significance by providing an adequate buffer zone, and maintaining and respecting significant views to and from the heritage item, heritage conservation area, archaeological site or potential archaeological site.	Refer to LEP	✓
B2.6 Dwelling Density and	The commercial/retail component of the development must be a minimum	The commercial/retail component of the	✓



Section	Control	Comments	Compliance
Subdivision – Shop Top Housing	of 25% of the gross floor area of the building.	building provides a total area of 539.55m ² . This is equivalent to 41% of the GFA total of the building. Thereby, the development ensures the density and scale is appropriate to the capabilities of the site and the surrounding area.	
B3 Hazard Controls			
3.6 Contaminated and Potentially Contaminated Land	Council shall not consent to the carrying out of any development on land unless it has considered State Environmental Planning Policy No. 55 Remediation of Land.	Refer to SEPP 55 Assessment.	✓
	In particular, Council shall consider: <ul style="list-style-type: none"> whether the land is contaminated; and if the land is contaminated, whether the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out; and if the land requires remediation, whether the land will be remediated before the land is used for that purpose. 		✓
	If land is contaminated or potentially contaminated a report prepared by a Suitably qualified professional assessing the contamination and a Remediation Plan prepared in Accordance with the relevant legislation is to be provided.		✓
3.11 Flood Prone Land	Development to which this Part applies must comply with the performance criteria set out in clause 1.1	Refer to Flooding Report	✓



Section	Control	Comments	Compliance
Performance criteria	(a) Site layout and built form: the site layout and ultimate built form of the proposed development should be compatible with the flood risk. Site analysis and layout should incorporate flood risk as a critical element in site planning.		✓
	(b) Public interest: the proposed development should not result in increased risk—to human life or damage to property or infrastructure—beyond acceptable limits.		✓
	(c) Private and public costs: the economic and social costs, which may arise from damage to property from flooding, should not be exacerbated by proposed development.		✓
	(d) Flood effects caused by development activity: development should not detrimentally increase the potential flood effects on other development or properties either individually or in combination with the cumulative impact of development that is likely to occur in the same floodplain.		✓
	(e) Drainage infrastructure and creek works: any proposed work on drainage infrastructure or natural creeks, whether or not carried out as flood modification measures, shall: <ul style="list-style-type: none"> a. Not cause adverse flooding impacts; b. Not result in a loss of flood storage; c. Increase protection of existing and proposed development; and d. Not have a detrimental impact on the environment. 		✓
	(f) Building components: building components and materials likely to be affected by flood waters should be designed, built and		✓



Section	Control	Comments	Compliance
	installed so as not to be damaged by those floodwaters.		
	(g) Structural soundness: the proposed development shall be designed and constructed so that it remains structurally sound for its intended life taking into account all the likely flood events during that lifetime.		✓
	(h) Storage of goods: goods that are likely to amplify the damages arising from flood events—including but not limited to pollutants and toxic chemicals—shall be stored so as not to find their way into floodwaters.		✓
	(i) Flood emergency response: proposed developments should only be permitted where effective warning time and reliable access is available for evacuation from an area potentially affected by floods to an area free of risk from flooding. Such an area may be within the same building where a shelter in-place option is appropriate and achievable. The emergency response should be consistent with the flood emergency response planning for development in Pittwater policy where it applies to the land. The proposed development should have procedures in place (such as warning systems, signage or evacuation drills) so that people are aware of the need to evacuate and relocate goods and motor vehicles during a flood and are capable of identifying an appropriate evacuation route.		✓
	(j) Floor levels: all floor levels within a proposed development shall be set at the required prescriptive level with additional consideration for the following: a. The passage of flood waters; b. The purpose for which that floor area is to used;		✓



Section	Control	Comments	Compliance
	<p>c. The relationship with the surrounding roadways;</p> <p>d. The relationship with the existing building if the proposal is an extension; and</p> <p>e. Surrounding built form and streetscape.</p>		
	(k) Fencing: fencing shall be designed and constructed so that it does not impede and/or direct the flow of floodwaters, add debris to floodwaters or increase flood affectation on surrounding land		✓
3.12 Climate Change (Sea Level Rise and Increased Rainfall Volume)	<p>This control applies where 'intensification of development' is proposed. 'Intensification of development' includes but may not be limited to:</p> <ul style="list-style-type: none"> • an increase in the number of dwellings (but excluding dual occupancies and secondary dwellings); • an increase in commercial or retail floor space. 		✓
	<p>2) Climate Change Assessment for Land Identified on Flood Hazard Maps.</p> <p>For land identified on Council's Flood Hazard Maps involving development to which this control applies, a Flood Risk Management Report shall be prepared in accordance with Appendix 8 - Flood Risk Management Policy for Development in Pittwater, which includes an assessment of climate change. This assessment shall include the impacts of climate change on the property over the life of the development and the adaptive measures to be incorporated in the design of the project. The following climate change scenarios shall be considered:</p>	Refer to Flooding Assessment	✓



Section	Control	Comments	Compliance
	<p>Scenario 1: Impacts of sea level rise only</p> <p>Scenario 2: Impacts of sea level rise combined with increased rainfall volume Flood Planning Levels for Scenario 1 and 2 have not been adopted by Council to date.</p> <p>Applicants should contact Council to be directed to the source of the best available information to determine the likely increase in Flood Planning Levels as a result of climate change.</p>		

B4 Controls Relating to the Natural Environment

4.1 Flora and Fauna Conservation Category

4.22 Preservation of Trees and Bushland Vegetation	Authority to clear a tree or other vegetation is regulated in this plan in accordance with State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Refer to SEPP (Vegetation in Non-Rural Areas) Assessment	✓
	Development is to be sited and designed to minimise the impact on remnant native vegetation, including canopy trees and understorey vegetation, and on remnant native ground cover species.		Not Applicable
	Where the applicant demonstrates that no reasonable alternative design exists and a tree must be removed, suitable compensatory tree planting is required. Details including proposed species and the location of replacement planting are to be provided.		Not Applicable
	Development must also avoid any impact on trees on public land.	The Arborist Report accompanying the DA indicates that the existing tree located on Robertson Road should be removed and replaced, due to its condition.	✓



Section	Control	Comments	Compliance
	For development applications involving the construction of new buildings and works containing Classes 2-9 (BCA), the information contained in Appendix 18 (P21DCP) is to be submitted.	Refer to Arborist Report	✓
	9. Where trees proposed to be retained may be affected by the construction of new buildings and works of Classes 1 and 10, a Tree Protection Plan as per Appendix 19 (P21DCP) is to be submitted	Refer to Arborist Report	✓
5.1 Water Management Plan	<p>An Integrated Water Management approach must be undertaken on all land subject to development for the effective water management of all water on the site including:</p> <ul style="list-style-type: none"> • rainwater • stormwater • greywater, and • wastewater <p>in accordance with:</p> <ul style="list-style-type: none"> • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • The Pittwater 21 Development Control Plan (this DCP) • All relevant legislation 	Refer to Stormwater Management Plan and BASIX Certificate	✓
	A Water Management Plan is required to be submitted setting out the proposed Integrated Water Management System	Refer to Stormwater Management Plan and BASIX Certificate	✓
5.5 Rainwater Tanks – Business, Light Industrial and other development	All development creating an additional hard (impervious) roof area of greater than 50m ² must provide a rainwater tank for non-potable use connected to external taps for the purpose of landscape watering and car washing and a functional water reuse system including, water supply for toilet flushing and other uses as permissible under the current Code	Refer to Stormwater Management Plan and BASIX Certificate	✓



Section	Control	Comments	Compliance
	of Practice for Plumbing and Drainage.		
5.9 Stormwater Management – Water Quality – other than low density residential		Refer to Stormwater Management Plan	
5.10 Stormwater Discharge into Public Drainage System		Refer to Stormwater Management Plan	
5.12 Stormwater Drainage Systems and Natural watercourses		Refer to Stormwater Management Plan	
B5.14 Stormwater Drainage Easements (Public Stormwater Drainage System)		Refer to Stormwater Management Plan	
B6 Access and Parking			
6.1 Access Driveways and works in the public road reserve	An Access Driveway to the standards as set out below must be provided for: <ul style="list-style-type: none"> any new development 		✓
	Access Driveway Design The design of all Access Driveways shall be in accordance with the current edition of following Australian Standards: <ul style="list-style-type: none"> Australian Standard AS/NZS 2890.1-2004: <i>Parking Facilities - Part 1: Off-Street Car Parking.</i> Australian Standard AS/NZS 2890.2-2002: <i>Parking Facilities – Part 2: Off-Street Commercial Vehicle Facilities</i> except as qualified in this control. 	Refer to Traffic and Parking Report	✓
	The number of permissible Access Driveways to an allotment is as follows: <ul style="list-style-type: none"> where the frontage of an allotment to a local public road is less than 30m, one only access driveway. where the frontage of an allotment to a local public road is 30m or more, a second access driveway will be considered on merit. 	The development proposes one (1) access driveway, from Robertson Road.	✓



Section	Control	Comments	Compliance
	<ul style="list-style-type: none"> where the allotment has a frontage to a second local public road, one additional access driveway to the second local road frontage will be considered on merit, based on Council's consideration of the site constraints 		
	For corner allotments, the closest point of the Access Driveway shall be located at the maximum practical distance from the intersection of adjoining roads, being no closer than 6m from the tangent point at the kerb.	The location of the access driveway is in the most practical and suitable location. The access point adjoins the rear setback of the site, ensuring maximum distance from Barrenjoey Road.	✓
	For corner allotments adjacent to traffic signals, the location of the Access Driveway will be subject to the approval of the Roads and Maritime Services as the authority responsible for traffic signal facilities.		Not applicable
	For developments in commercial centres where separate entry/exit vehicular access is required, access driveways for entry and exit are to be separated by a minimum distance of 2 metres.	The single access driveway provides for both ingress and egress to the site.	✓
	The location of the Access Driveway is to maximise the retention of trees and native vegetation in the public road reserve.		✓
	Access Driveway profiles shall conform to the profiles as illustrated in Appendix 10 – Driveway Profiles.		
	All Access Driveways shall be constructed with an impervious pavement and gutter crossing construction	Complies. Refer to Schedule of Materials.	✓
	Gutter crossings are to be in plain concrete.	Complies. Refer to Schedule of Materials.	✓



Section	Control	Comments	Compliance
	Access Driveways are to be either in plain concrete or a cosmetic finish consisting of concrete, asphaltic concrete or paver construction in dark earthy tones. Cosmetic Access Driveways on a public road reserve are subject to a Deed of Agreement releasing Council in respect to liability and damage to the driveway by any means.	Complies. Refer to Schedule of Materials.	✓
	Access Driveways are to match with the adjacent constructed footpaths or alternatively adjacent constructed footpaths are to be adjusted to provide a continuous surface with no trip points with a maximum 1:14 transition.		✓
	The Access Driveway is to be structurally adequate for its intended use.		✓
	All Access Driveways on the low side of the road are to be designed and constructed such that stormwater drainage is directed away from the Access Driveway.	Refer to Stormwater Management Plan	✓
6.3 Off-Street vehicle parking requirements	The maximum cross-fall in any direction for an open car parking space is 1:20 (V:H).	Maximum cross fall provided in car park is 1:10.	✓
	For all other uses, the minimum number of vehicle parking and service spaces to be provided within the development site for new development and extensions to existing development is to be in accordance with the following: <ul style="list-style-type: none"> The total number of spaces as set out in TABLE 1 below; 	Refer to Traffic and Parking Assessment The proposal complies with the requirements as set out in table 1. The proposal provides a total of 27 residential	✓ ✓



Section	Control	Comments	Compliance
	<ul style="list-style-type: none"> PLUS the number of on-street parking spaces lost as a direct result of the development due to access and traffic facilities requirements. 	<p>car spaces, 5 visitor car spaces and 19 retail/commercial car spaces, totalling 51 car spaces.</p> <p>The proposal does not involve any loss of on-street parking.</p>	✓
Bicycle Storage	For residential development (other than a dwelling house, dual occupancy, secondary dwellings, exhibition homes and rural workers' dwellings), secure bicycle storage facilities must be provided within the building at the rate of 1 bicycle rack per 3 dwellings.	Secure bicycle parking is located in the basement car park and provision is made in accordance with the DCP requirements.	✓
	For Business/Industrial development or additions, comprising of 200m ² GFA or more, secure enclosed bicycle storage facilities must be provided within the building at the rate of 1 bicycle rack per 1000m ² GFA, or a minimum of 4 bicycle racks, whichever is the greater.	Secure bicycle parking is located in at Basement Level 1.	✓
Motorcycle Parking	For Business/Industrial development or additions, comprising of 200m ² GFA or more, provision is to be made for motor cycle parking at a rate of 1 motor cycle parking space per 100 motor vehicle spaces.	<p>One motor cycle space is provided on Basement Level 1 to service the business component of the development.</p> <p>An additional space for residential/visitor purposes is located on Basement Level 2.</p>	
Shop Top Housing	The provision of parking is to be in accordance with the associated land use parking requirements i.e. parking must be provided at the requirement rate for the commercial floor space requirements if commercial floor space is proposed.	The development proposes total of 27 residential car spaces, 5 visitor car spaces and 19 retail/commercial car spaces. Totalling 51 car spaces over 2 basement levels.	✓
	Location of patron parking for Retail and/or Commercial land use should	Parking will be accessible to the	✓



Section	Control	Comments	Compliance
	not to be restricted or obstructed (for example behind roller doors).	commercial/retail customers during opening hours.	
	<p>The following are applicable in respect of residential car parking areas:</p> <ul style="list-style-type: none"> Where there are dwellings with two (2) or more bedrooms in a development, tandem parking spaces may be permitted where all of the following criteria are met: two (2) parking spaces have been allocated per two (2) or more bedroom apartments; the proportion of tandem parking spaces does not exceed 10% of the total residential parking for two (2) or more bedroom units; and it can be clearly demonstrated that vehicles parked are directly associated to a single dwelling/unit and that such vehicles do not restrict or impede the parking, manoeuvring or access of other vehicles; parking spaces are to be located as close as possible to their respective dwelling; rows of multiple garages and long driveways, particularly those that create a "gun barrel" effect are avoided; visitor parking spaces are to be easily accessible and clearly marked "Visitor"; for developments resulting in 10 or more dwellings, Control C1.18 Car/Vehicle/Boat Wash Bays also apply; and Parking spaces for people with disabilities must be appropriately signposted and in accordance with Australian Standard AS/NZS 2890.6- 	<p>Tandem parking is proposed.</p> <p>2 parking spaces are allocated per 2 or more-bedroom apartments.</p> <p>Only 4 tandem parking spaces are provided (8 car spaces).</p> <p>Allocated tandem parking will be clearly displayed, ensuring no further parking issues or restrictions.</p> <p>Complies.</p> <p>Car spaces are located in a basement car park.</p> <p>Complies. Accessible car parking spaces are clearly signposted and provided in accordance with Australian Standard AS/NZS</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>



Section	Control	Comments	Compliance																
	2009: Parking Facilities – Part 6: Off-street Parking for People with Disabilities.	2890.6-2009: Parking Facilities – Part 6: Off-street Parking for People with Disabilities.																	
	<table><tr><th colspan="2">Minimum Number of. Car Spaces</th></tr><tr><td>1 bedroom dwellings</td><td>1 space per dwelling</td></tr><tr><td>2 or more bedroom dwellings</td><td>2 spaces per dwelling</td></tr><tr><td>Adaptable Housing in accordance with control C1.9 of the Pittwater 21 Development Control Plan.</td><td>1 space per dwelling in accordance with AS 4299-1995: Adaptable Housing.</td></tr><tr><td colspan="2">The provision of parking for people with disabilities must be provided at a rate of 3% of the required parking spaces, excluding parking required for Adaptable Housing.</td></tr><tr><td colspan="2">Separate visitor parking is to be provided at a rate of 1 space per 3 dwellings rounded up.</td></tr><tr><td colspan="2">Provision must be made for garbage collection, removalist vans and emergency vehicles.</td></tr><tr><td colspan="2">For developments with 10 or more dwellings, a vehicle wash bay is to be provided.</td></tr></table>	Minimum Number of. Car Spaces		1 bedroom dwellings	1 space per dwelling	2 or more bedroom dwellings	2 spaces per dwelling	Adaptable Housing in accordance with control C1.9 of the Pittwater 21 Development Control Plan.	1 space per dwelling in accordance with AS 4299-1995: Adaptable Housing.	The provision of parking for people with disabilities must be provided at a rate of 3% of the required parking spaces, excluding parking required for Adaptable Housing.		Separate visitor parking is to be provided at a rate of 1 space per 3 dwellings rounded up.		Provision must be made for garbage collection, removalist vans and emergency vehicles.		For developments with 10 or more dwellings, a vehicle wash bay is to be provided.			
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Provision must be made for garbage collection, removalist vans and emergency vehicles.																			
For developments with 10 or more dwellings, a vehicle wash bay is to be provided.																			
	In the Newport Commercial Centre, no on-site parking is required for lots with vehicular access solely from Barrenjoey Road and with a street frontage width of less than 18 metres.	The site is located on a corner and vehicular access is provided from Robertson Road.	✓																
6.5 Access Driveways and works on road reserves on or adjacent to a Main Road	Approval for works on the public road reserve under Section 138 of the Roads Act 1993		✓																
	An access driveway from allotments adjoining a Main Road is not permitted where alternative access to a local road is available or can be made available via a right-of-way or easement.	Access is provided from an alternative local road (Robertson Road).	✓																
	An Access Driveway from allotments adjoining a Main Road in the Newport Commercial Precinct and Mona Vale Commercial Precinct is not permitted onto the Main Road where alternative access to a local road is available or can be made available via a right-of-way or easement.	Access is provided from an alternate local road (Robertson Road).																	



Section	Control	Comments	Compliance
	The number of Access Driveways is to be minimised within the Commercial Precincts to enhance the pedestrian amenity. Access Driveways are to be combined with adjoining allotments where practical.		
	Access Driveways for allotments adjoining a Main Road providing access for service vehicles to loading docks are not permitted onto the Main Road.		✓
	Technical Reports and Supporting Information Certification by a NPER registered Engineer participating in the field of Traffic Engineering that the access driveway complies with the Australian Standards and Council Controls.	Refer to Traffic & Parking Assessment	✓
	For proposed access driveways to Main Roads or to Local Roads within 90 m of a Main Road, written advice from the RMS that they approve of the proposed driveway and of any structure forming part of the driveway or its support.	Refer to SEPP (Infrastructure)	✓
	For all access driveways that propose to use other than Normal-High or Normal Low driveway profiles, variations to Council's Controls, suspended driveways or retaining walls or where there is no kerb and gutter, written advice of approval by Council's Urban Infrastructure Manager of the proposed driveway.		Not applicable
6.7 Transport and Traffic Management	Where development generates pedestrian, cyclist, traffic and transport requirements in excess of the capacity of the existing road and transport network, the capacity of the surrounding public infrastructure and transport network is required to be upgraded to at least match the	The proposed development will not generate development that is in excess of the capacity of the road network.	✓



Section	Control	Comments	Compliance
	additional demands generated by the development.		
	Any improvement works external to the development site, required to ensure the development complies with this control, must be provided as part of the development at the full cost to the applicant.		Not applicable
	All traffic assessments are to be undertaken in accordance with the Roads and Maritime Services Guidelines for Traffic Generating Developments or similar guidelines.		✓
	All proposed traffic facilities must comply with the Roads and Maritime Services and/or relevant Australian Standards.		✓
	An assessment of the impact of traffic generated by the proposed development on the local street system must be undertaken.	Refer to Traffic & Parking Assessment	✓
	Adequate vehicular entrances to and exits from the site are to be provided so that vehicles using those entrances and exits will not endanger persons using adjoining roads.		✓
	Adequate space is to be provided within the site of the building or development for the loading, unloading or fueling of vehicles, and for the picking up and setting down of passengers.		✓
	The cost for traffic and transport facilities and adjustment of any utility service is the responsibility of the Applicant		✓
8.1 Construction and Demolition – Excavation and Landfill	Excavation and landfill on any site that includes the following: <ul style="list-style-type: none"> Excavation greater than 1 metre deep, the edge of which is closer to a site boundary or structure to be 		



Section	Control	Comments	Compliance
	<p>retained on the site, than the overall depth of the excavation;</p> <ul style="list-style-type: none"> Any excavation greater than 1.5 metres deep below the existing surface; Any excavation that has the potential to destabilize a tree capable of collapsing in a way that any part of the tree could fall onto adjoining structures (proposed or existing) or adjoining property; Any landfill greater than 1.0 metres in height; and/or Any works that may be affected by geotechnical processes or which may impact on geotechnical processes including but not limited to constructions on sites with low bearing capacity soils, <p>must comply with the requirements of the Geotechnical Risk Management Policy for Pittwater (see Appendix 5) as adopted by Council and details submitted and certified by a Geotechnical Engineer.</p>	The proposed excavation will be greater than 1.5m. Refer to Geotechnical Assessment.	✓
8.2 Construction and Demolition – Erosion and Sediment Management	Erosion and sedimentation prevention measures must be installed on all sites to prevent the migration of sediment off the site into any waterway, drainage systems, public reserves, road reserve or adjoining private lands.	Refer to Construction Management Plan	✓
	Erosion and sedimentation prevention measures must be installed in accordance with Managing Urban Stormwater: Soils and Construction (Landcom 2004) on the downstream side of any works undertaken on the boundary of the site or on public lands adjoining the site to prevent the		



Section	Control	Comments	Compliance
	Migration of sediment off the site into any waterway, drainage systems, public reserves, road reserve or adjoining private lands.		
	Appropriate devices are to be in place at all times to prevent the migration of sediment off the site.	Refer to Construction Management Plan	✓
8.3 Construction and Demolition- Waste Minimisation	Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.	Refer to Construction Management Plan	✓
8.4 Construction and Demolition – Site Fencing and Security	All sites are to be protected by site fencing for the duration of the works.	Complies. Refer to construction management plan.	✓
	Where building construction is undertaken adjacent to the public domain, pedestrian and vehicular facilities are to be protected by a Hoarding in accordance with Section 126(1) of the Roads Act 1993.	Complies. Refer to construction management plan.	✓
8.5 Construction and Demolition – Works in the public domain	All works undertaken within the public road reserve must be protected in a manner to ensure pedestrian and vehicular safety at all times.	Complies. Refer to construction management plan	✓
	All works undertaken on site or in the public road reserve must make provision for pedestrian and traffic flow and not adverse nuisance.		✓
	All works undertaken on a site or in the public road reserve must make good any damage or disruption to the public infrastructure		✓
B8.6 Construction and Demolition - Traffic	For all development where either excavated materials to be transported from the site or the importation of fill material to the site		✓



Section	Control	Comments	Compliance
Management Plan	is 100m ³ or greater, a Construction Traffic Management Plan indicating truck movements, and truck routes is to be provided and approved by Council prior to the commencement of works.		
	All transport works must not cause adverse disruption or nuisance to adjoining residences, businesses or the street system.		✓

Section C Development Type Controls

C1 Design Criteria for Residential Development

1.6 Acoustic Privacy	Noise-sensitive rooms, such as bedrooms, should be located away from noise sources, including main roads, parking areas, living areas and communal and private open space areas and the like.		✓
	Walls and/or ceilings of dwellings that are attached to another dwelling/s shall have a noise transmission rating in accordance with Part F (5) of the Building Code of Australia. (Walls and ceilings of attached dwellings must also comply with the fire rating provisions of the Building Code of Australia).		✓
	Noise generating plants including pool/spa motors, air conditioning units and the like shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.		✓
	Developments must comply in all respects with the Protection of the Environment Operations Act 1997, and other relevant legislation.		Not applicable
1.9 Adaptable Housing and Accessibility	The design of residential development shall meet the criteria of Australian Standard AS 4299:1995 Adaptable Housing as		✓



Section	Control	Comments	Compliance
	follows: Percentage (%) of adaptable units (rounded up) – 20%		
	The development application must be accompanied by certification from an accredited access consultant confirming that the nominated adaptable dwellings are capable of being modified, when required by the occupant, to comply with AS 4299:1995 Adaptable Housing		✓
1.12 Waste and Recycling Facilities	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development. Applications must be accompanied by a Waste Management Plan	Refer to Construction Management Plan and Waste Management Plan.	✓
1.15 Storage Facilities	A lockable storage area of minimum 8 cubic metres per dwelling shall be provided. This may form part of a carport or garage.	Refer to ADG requirements	✓
1.18 Car/Vehicle/Boat wash bays	A designated wash bay is to be incorporated on the site where developments have more than ten units.		✓
	The wash bay must be designed and constructed so as to not allow polluted waters to enter the stormwater drain and stormwaters do not enter the sewer.		✓
1.23 Eaves	Dwellings shall incorporate eaves on all elevations.	Council may consider a variation to this control where the development is shop top housing, residential flat buildings or multi dwelling housing.	✓
	Eaves must be a minimum of 450mm in width, excluding any fascia/barge boards and gutters.		✓

C2 Design Criteria for Business Development

Section	Control	Comments	Compliance
2.2 Safety and Security	<p>There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime they include the following:</p> <ol style="list-style-type: none"> 1. Surveillance 2. Access Control 3. Territorial Reinforcement 4. Space Management 	<p>The CPTED principles are implemented through the development.</p> <p>The provision of residential accommodation provides for passive surveillance, additionally, security cameras will be installed.</p>	✓
2.6 Adaptable Housing and Accessibility	Convenient and safe access for all people, including people with a disability, older people, and people with prams, must be provided to and within all buildings to which the general public have access.	Refer to Architectural Drawings	✓
	The siting and design of a building to which the general public has access shall comply with Australian Standard AS 1428-2009.1: Design for access and mobility – General requirements for access.		✓
	Development shall include the design and construction of works in the public domain to ensure accessibility for the full frontage of the site to any public road and to ensure access to the site from the public domain.		✓
	Development shall include design and construction of the footpath, cycleway, kerb and guttering, drainage facilities, street furniture, street lighting and landscaping and make good the adjacent road and pavement for the full frontage of the site to any public road at full cost to the developer.		✓
	Development within areas subject to flooding must provide access on land within private ownership. In this		✓



Section	Control	Comments	Compliance
	regard ramps must not encroach into the public domain.		
2.10 Pollution Control	All developments must be designed, constructed, maintained and operated in a proper and efficient manner to prevent, air, water, noise or land pollution.		✓
	Development and business operation must comply with the Protection of the Environment Operations Act 1997, and any relevant legislation.		✓
	Compliance with the NSW Environment Protection Authority Industrial Noise Policy (January 2000).		✓
2.16 Underground of Utility Services	All existing and proposed utility services within the site are to be placed underground or encapsulated within the building.	Any relocation may be stipulated as a condition of consent, if required.	✓
	All existing and proposed utility services to the site, or adjacent to the site within a public road reserve, are to be placed underground for the total frontage of the site to any public road.	Refer above.	✓
	Design and construction of the undergrounding of utility services is to be at full cost to the developer.	Refer above.	✓
2.20 Public Road Reserve – Landscaping and Infrastructure	Development located in commercial centres with frontage to a public road reserve requires the design and construction of the paving area, kerb and gutter, the making good of the road pavement from the kerb and gutter to the road centre line, street lighting and soft landscaping to the full width of the development site on the public road reserve frontage to the development.	Such matters may be addressed as Conditions of Consent	✓



Section	Control	Comments	Compliance
Infrastructure Design Criteria	All works within the road reserve areas are to be in accordance with masterplans as proposed for the individual commercial precincts. All applicants should make themselves aware of Council's short and long term works proposed for the Commercial centres.	Such matters may be addressed as Conditions of Consent	✓
	The owner/builder/strata manager will be responsible for failures within the pavement/landscape works for the period of the defects liability period being 12 months from the issue of occupation certificate.	Such matters may be addressed as Conditions of Consent	✓
	The Strata Management for the subject development will be responsible for the maintenance and ongoing upkeep of garden/landscape areas located within the property frontage public road reserve area.	Such matters may be addressed as Conditions of Consent	✓
	A minimum of 2 seats (street furniture Australia Plaza Seat with back and arm rests or equivalent) to be provided to property frontage.	Such matters may be addressed as Conditions of Consent	✓
	All road reserve areas within designated shop top housing precincts are subject to Council's <i>Pittwater Streetscape Management Guidelines</i> .	Such matters may be addressed as Conditions of Consent	✓
	All utility pits as located in the road reserve frontage are to be replaced if more than 12 months old. Replacement of pits to be liaised and approved by relevant utility authorities with evidence of such submitted prior to release of the Occupation Certificate.	Such matters may be addressed as Conditions of Consent	✓
	Stormwater discharge line located within the road reserve from building to kerb and gutter are to be installed using a steel rectangular hollow	Such matters may be addressed as Conditions of Consent	✓



Section	Control	Comments	Compliance
	sections or similar to provide structural support to the paving over		
Landscaping Design Criteria	Landscaping within the public road reserve is to include street trees planted to the road reserve frontage of the development placed in accordance with any Masterplan requirements. Where there is no Masterplan requirement trees are to be planted at 1 tree per 6 linear metres of frontage.	Refer to Landscape Plan. May be addressed as conditions of consent.	✓
	Street trees are to be planted so as not to obstruct the free passage of pedestrians along the road reserve.	Refer to Landscape Plan. May be addressed as conditions of consent.	✓
	All existing trees over 3m in height and native vegetation within the road reserve area are to be retained where practical.	Refer to Arborist Report	✓
	All new pavements in Commercial Centres are to be unit pavers as the following: Newport - Paver Type - Claypave Pittwater Council 'Monarch Tan' (230x115x50mm) Pattern - Header course to shopfront, kerb, boundary edges infilled with 45 degree Herringbone pattern.	May be addressed as conditions of consent.	✓
2.22 Plant, Equipment Boxes and Lift over run	Where provided, plant and equipment boxes and lift over-runs are to be integrated internally into the design fabric of the built form of the building.	Services and lift over-runs are integrated into the design of the roof and will not impose any adverse visual impacts.	✓
	Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to	Noise generating equipment will be installed and insulated to protect the acoustic privacy of the nearby community.	✓



Section	Control	Comments	Compliance
	protect the acoustic privacy of workers, residents and neighbours.	Refer to Acoustic Assessment.	
Section D Locality Specific Development Controls			
D10 Newport Locality	Buildings which front the street must have a street presence and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality. Blank street frontage facades without windows shall not be permitted.		✓
	Walls without articulation shall not have a greater length than 8m to any street frontage.		✓
	Any building facade to a public place must incorporate at least two of the following design features: (i) entry feature or portico; (ii) awnings or other features over windows; (iii) verandahs, balconies or window box treatment to any first floor element; (iv) recessing or projecting architectural elements; (v) open, deep verandahs; or (vi) verandahs, pergolas or similar features above garage doors.		✓
	The bulk and scale must be minimised		✓
	Garages, carports and other parking structures including hardstand areas must not be dominant site feature when viewed from a public place.	Car parking facilities are located within the basement levels, thereby out of view from the public domain.	✓
	Except in the Newport Commercial centre, parking structures must be located behind the front building line, preferably set back further than the primary building, and be no greater in	As discussed, car parking structures are located within the building basement.	✓



Section	Control	Comments	Compliance
	width than 50% of the lot frontage, or 7.5 metres, whichever is the lesser.		
	Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.		✓
	Television antennas, satellite dishes and other telecommunications equipment must be minimised and screened as far as possible from public view.		✓
	General Service Facilities must be located underground.		✓
	Attempts should be made to conceal all electrical cabling and the like. No conduit or sanitary plumbing is allowed on facades of buildings visible from a public space.		✓
10.2 Character – Newport Commercial Area	Development in the Newport Commercial Centre shall be in accordance with the approved Masterplan for the Newport Commercial Centre (refer to Appendix 12 of this DCP).		✓
	Small retail facilities are encouraged in the Newport Commercial Centre	The development proposes eight (8) retail spaces on the ground floor.	✓
	All parking structures shall be below finished ground level at the street boundary or as otherwise specified in the adopted Newport Master Plan	All parking is located in the basement car park.	✓
	Arcades and through-site links are to be provided in accordance with Clause 10.22 of the DCP		Not Applicable.
	Light wells are not permitted in any development.		✓



Section	Control	Comments	Compliance
10.3 Scenic Protection			
10.4 Building Colours and Materials	External colours and materials shall be dark and earthy tones.	Complies. Refer to schedule of colours and materials.	✓
	Applications in commercial areas shall use three elements of stone, timber and landscaping as feature elements to any facade presenting to the street.		✓
	<p>In the Newport Commercial Centre:</p> <ul style="list-style-type: none"> Glass awnings shall be treated to reduce solar and heat transmission Buildings shall not be solid or monolithic in appearance. Lightweight materials shall be used; heavy materials (stone, brick, concrete) may be used for the base of buildings (i.e. heavy materials may be used for foundation areas that are required to be visible on the ground floor for the structural stability of a building). 		✓
	Bright colours and highly reflective materials may be used as highlight items only. The colour white can be used on trims.		✓
	Mid and light grey may be used for roofs, framing elements (columns, handrails) and for no more than a 20% portion of the wall area ONLY where the finish is uncoated metal. Painted surfaces must be mid-tone or darker		✓
10.6 Street Frontage Building Envelope	On Barrenjoey Road and 17-29 Foamcrest Avenue (including land fronting Foamcrest Avenue at 343 Barrenjoey Road), development must be sited within a building envelope determined in accordance with the diagram at Figure 1.		✓



Section	Control	Comments	Compliance
10.9 Setbacks			
Front Setback	The front building line of new development on Barrenjoey Road is to be set back 3.5 metres from the front boundary.		✓
	Design the 3.5 metre front setback to be at the same level as and integrate with the footpath (in particular with the use of paving material) to visually extend the public domain		✓
	On all street frontages the third (topmost) level is to be set back a minimum 4.0 metres from the front building line	Complies. Level 2 is setback four (4) metres from the front building line.	✓
Side Setbacks	No side setbacks are required for ground or 1st floor		✓
	Spaces between buildings at the topmost (3rd) level are required. A minimum 3 metre side setback is required.	Refer to NSW ADG Assessment	✓ On merit
	In addition, the maximum length of the topmost floor of a 3 storey building is 24 metres, with side setbacks of minimum 6 metres width in accordance with Residential Flat Design Code building separation standards for non-habitable rooms.	Refer to NSW ADG Assessment	✓ On merit
	Where habitable rooms and their balconies are located at the side boundary, side setbacks for adjoining properties will be determined in accordance with the building separation controls	Refer to NSW ADG Assessment	✓ On merit
Upper Level Setbacks	The ground and first floor on Barrenjoey Road are to be built to the 3.5 metre front setback building line. The ground and first floor on Robertson Road are to be built to the front boundary except where a setback from the public plaza is required. The topmost (3rd) level is to be set back a minimum of 4 metres from the front setback that the lower	The ground and first level are built to the 3.5m setback. The second level is setback four (4) metres	✓



Section	Control	Comments	Compliance
	levels are required to achieve under the front setback requirements of this DCP.		
Rear Setbacks	<p>Except as required above, sites in Newport Commercial Centre - 6 metres</p> <ul style="list-style-type: none"> except where there is through-block consolidation, in which case the rear setback condition no longer applies the 6 metre setback does not include shade structures, screens etc but refers to the face of the building or balcony (the plane of the building facade) 		
10.17 Character of the Public Domain	Development with frontages within the Commercial Centres shall include the design and construction of works in the public domain including the footpath zone, footpath paving finish, kerb and gutter, drainage facilities, street furniture, street lighting and landscaping and making good the adjacent road formation and pavement for the full width of the development site on all public road reserve frontages at the full cost to the developer.		✓
	<p>The design and construction of all works in the public domain must be in accordance with the:</p> <ul style="list-style-type: none"> Roads, Footpaths and Nature Strip Guidelines and: Newport Masterplan included at Appendix 12 of this DCP 		✓
10.19 Subdivision and Amalgamation (Newport Commercial Centre)	New development is to be designed in accordance with the indicative amalgamation pattern and vehicular access and underground parking arrangements (including the provision of right of access through some sites)		



Section	Control	Comments	Compliance
10.20 Design of Mixed Use Developments	Buildings are to be designed with: <ul style="list-style-type: none"> flexible layouts to enable a variety of uses and tenancies, and whose use can change over time, floor to ceiling heights for ground floor retail uses of a minimum of 3.3 metres (for flood affected buildings this is to be measured from the flood planning level), first and second floor ceiling heights of a minimum of 2.7 metres. 		✓
	Avoid the use of blank walls at ground level.	There are no blank walls proposed.	✓
	Clearly distinguish commercial entries from residential entries; ensure that any residential entries off Barrenjoey Road and Robertson Road are secondary to retail and commercial entries and arcades	Residential entrance to the site is via doors, located on Robertson Road. Retail entrances will be clearly defined and separated on Barrenjoey and Robertson Roads.	✓
	Achieve acoustic privacy by separating uses where possible, ensuring that loading bays, garbage disposal and other service areas are buffered from residential areas and openings, and by careful location of noise-generating services.	Refer to Acoustic Assessment.	✓
10.21 Active Frontages	Buildings shall be designed with active uses fronting streets, and with openings overlooking streets and public spaces.	The retail shops provided on ground floor will contribute to the active frontages along both Barrenjoey and Robertson Roads. Additionally, residential balconies provided on the first and second floor overlooking the public streets will contribute to the active	✓



Section	Control	Comments	Compliance
		uses fronting the streets.	
	Internalised uses and/or uses that do not activate and engage the street will not be permitted on key entry sites to the commercial centre (key entry sites are identified in Figure 4.6 of the adopted Newport Masterplan at Appendix 12 of this DCP).	The development provides for active and engaging uses within the Newport Commercial Centre.	✓
	Building fronts and entries are to be designed to be clearly visible from the street.	Entrance points are clearly defined and visible from the street.	✓
	Awnings are to be provided to the full width of the lot at ground floor on Barrenjoey Road and Robertson Road (including to the public plaza to a minimum depth of 2 metres), and over entries to buildings on Seaview Parade, Foamcrest Avenue, Coles Parade and Bramley Avenue. Refer to adopted Masterplan at Appendix 12 for the location of the public plaza.	Awnings provided are in accordance with the controls.	✓
	Awnings are to be stepped with the topography.		✓
	Transparent awnings are permitted (so long as they are glass with solar control, not Perspex or other material that transmits heat) to contribute to a sense of openness. Shop fronts are to be wrapped around corners into side streets to increase the area of active frontage		✓
10.23 Retail Entries	Retail entries are to be no more than 10 metres apart.		✓
	Design all retail entries to be fully accessible.		✓
	Provide awnings over all building entries (where they are not already to be provided to the primary retail streets)		✓



Section	Control	Comments	Compliance
	Colonnades are not permitted in front of building entries (refer to advisory note in clause D10.21 of this DCP).		✓
10.24 Building Depth and Separation	<p>Design buildings to the following maximum depths (front to rear building line):</p> <ul style="list-style-type: none"> ground floor - no maximum, building depth is given by rear setback requirements; first floor - max 18 metres glassline to glassline, maximum 24 metre including articulation zone (balconies); and second floor - max 14 metres glassline to glassline, maximum 20 metre including articulation zone (balconies). 	Refer to NSW ADG Assessment	✓
	<p>The following minimum separation distances between buildings are required and must be maintained, ensuring that distance is measured to the edge of balconies and not to the external wall of the building behind the balcony:</p> <ul style="list-style-type: none"> 12 metres between the external wall of habitable rooms and the edge of balconies; 9 metres between the external walls of habitable rooms and the edge of their balconies and the external walls of non-habitable rooms; and 6 metres between the external walls of non-habitable rooms. 	Refer to NSW ADG Assessment	✓
	Additional spaces between buildings are required at the topmost level permitted in the Newport Commercial Centre, i.e. the 3rd storey. The maximum length of a dimension of the topmost portion of a 3 storey building parallel to Barrenjoey Road and Foamcrest Avenue is 24 metres, with full breaks between the portions being a minimum of 6 metres.	Refer to NSW ADG Assessment	✓



Section	Control	Comments	Compliance
10.25 Roof Form	Use skillion, low pitched, folded, curved or 'floating' roof forms.		✓
	Gable end and hipped roofs forms are not permitted on Barrenjoey Road or Robertson Road. They may be used on Foamcrest Avenue where the existing neighbouring context is primarily residential.		✓
	Large unbroken areas of roofs are discouraged; articulate roofs to create a multi-planar, varied roofscape.		✓
	Green roofs that provide landscaped area and are designed for rainwater collection (harvesting) and re-use are strongly encouraged		✓
10.26 Views	Align the entries to arcades with breaks in buildings, as far as possible.		✓
	Limit the building height and bulk of buildings in visually prominent locations.		✓
	Break up building mass.		✓
	Step buildings with the topography on sloping sites.		✓
	Side setbacks to the topmost level of buildings are to be in accordance with the building separation controls of D10.24 of this DCP.		✓
	3D modelling of the built form is required to determine the optimum arrangement of the building bulk on the site to meet view controls.		✓
	The proposal must demonstrate that view sharing is achieved through the application of the Land and Environment Court's planning principles for view sharing		Not applicable



Section	Control	Comments	Compliance
10.27 Design for Flooding	Design the ground floor of flood-prone buildings with two levels: one level directly related to the footpath and front setback, and accessed from it without steps; and one level within the premises above the Flood Planning Level	Refer to flooding assessment	✓
10.28 Open Space	A consolidated communal open space area for residential developments is provided. The area must be 15% of the site area with a minimum dimension in one direction of 6 metres.	Refer to NSW ADG Assessment	✓
	A consolidated communal open space area for residential developments is provided. =		✓
	The area must be 15% of the site area with a minimum dimension in one direction of 6 metres.	Refer to NSW ADG Assessment	✓
10.29 Landscaping	No landscaped area is required on lots with only one frontage to Barrenjoey Road.	Not applicable	
10.30 Facades	Avoid large expanses of flat, blank facades.		✓
	Locate and size windows and openings appropriately for the building orientation and outlook.		✓
	Design facades to both contribute positively to the streetscape and to protect the amenity of building users, for example with verandahs, balconies, pergolas, sun shading devices, awnings over windows, entry awnings, blade walls, recesses and moveable shutters.		✓
	Provide horizontal shading devices to north-facing openings, and vertical shading devices (preferably moveable) to west-facing openings.		✓



Section	Control	Comments	Compliance
	Building facades to any public place including balconies and carpark entry points must not obtain any stormwater, sewer, gas, electrical or communication service pipe or conduit that is visible from the public place		✓
10.31 Ecological Sustainable Development	Site and design buildings to balance the need for active, lively streetscapes with the need to benefit from orientation, views and breezes.		✓
	Discourage the use of mechanical cooling in favour of natural ventilation		✓
	Provide solar panels and/or provide or plan for future photovoltaic panels through careful roof design.		✓
	Promote the use of stormwater and grey water use through capture and re-use of rainwater and /or innovative roof design.		✓
10.32 Solar Access	Optimise northern and eastern aspects in apartment layout as far as possible. Communal open space is to be provided with sunlight access for a minimum 2 hours a day in mid-winter.		✓
	Living rooms and private open spaces for a minimum of 70% of apartments in any residential development are to receive a minimum of three hours direct sunlight between 9.00 and 3.00 in mid-winter (June 21st).		✓
	The number of single-aspect dwellings with a southerly (SW SE) aspect are limited to 20% of the total number of dwellings proposed.		✓
	Minimise the number of internal rooms (in the residential and/or commercial component of a development) that receive no direct sunlight or natural ventilation.		✓



Section	Control	Comments	Compliance
	Light wells are not to be used in any development.		✓
	Skylights are permitted only as a secondary source of light, not the primary source of light to habitable rooms.		✓
	Design solutions (including corner apartments, double height apartments, and crossover apartments) are to be considered to facilitate cross ventilation and add variety to the housing stock.		✓
	Solar collectors for hot water or electricity shall receive at least 6 hours of sunshine between 8.00am and 4.00pm during mid-winter.		✓
	Developments should maximise sunshine to clothes drying areas of the proposed development or adjoining dwellings.		✓
	The proposal must demonstrate that access to sunlight is achieved through the application of the Land and Environment Court's planning principle for sunlight		✓
10.33 Privacy	Design buildings with adequate building separation within the site and from neighbours (Refer to D10.24 of this DCP for controls for building separation).	Refer to NSW ADG Assessment	✓
	Offset facade openings from existing openings in adjacent development. Provide dual aspect commercial or residential uses with openings to the front (street) and the rear.		✓
	For ground floor retail / commercial uses, provide appropriate rear setbacks to adjacent residential uses, and design building layout to avoid overlooking of private spaces.		✓



Section	Control	Comments	Compliance
	Use design elements such as landscaping, screening, offset windows, recessed balconies, louvres, planter boxes, pergolas or shading devices to increase visual privacy.		✓
	Locate and design all noise generating equipment such as mechanical plant rooms, mechanical equipment, air conditioning units, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours.		✓
	Private open space including swimming pools and living rooms of proposed and any existing adjoining dwellings are to be protected from direct overlooking within 9 metres by building layout, landscaping, screening devices or greater spatial separation as shown in the diagram below (measured from a height of 1.7 metres above floor level).		✓
	Elevated decks and pools, verandahs and balconies should incorporate privacy screens where necessary and should be located at the front or rear of the building.		✓
	Direct views from an upper level dwelling shall be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below.		✓
	<p>Direct views of private open space or any habitable room window within 9 metres can be restricted (see diagram below by:</p> <ul style="list-style-type: none"> • vegetation/landscaping • a window sill height of 1.7 metres above floor level, or 		Not applicable



Section	Control	Comments	Compliance
	<ul style="list-style-type: none"> • offset windows • fixed translucent glazing in any part below 1.7 metres above floor level, or • solid translucent screens or perforated panels or trellises which have a maximum of 25% openings, and which are: <ol style="list-style-type: none"> a. permanent and fixed; b. made of durable materials; and c. designed and painted or coloured to blend in with the dwelling 		



5. CONCLUSION

Hamptons has been retained by Development Link Pty Ltd in relation to the DA for the site known as 351-353 Barrenjoey Road, Newport, seeking consent for demolition of the existing buildings and ancillary structures across the site, excavation for basement parking and associated building services and construction of shop-top housing comprising 8 ground floor retail units and 14 residential apartments located above.

The purpose of the development application is to utilise the economic opportunity of the site that is afforded by the relevant environmental planning controls, while improving upon the appearance of the existing built form, with an architecturally designed shop top housing development in the core commercial area of Newport. The architectural composition will provide a contemporary response to the locality, while having adequate regard for adjoining land uses, including their form and layout.

The proposal also seeks to provide a strong contribution to urban consolidation, with the implementation of 14 apartments, in an area that is well serviced by public transport, particularly bus services, directly proximate to the site, as well as local facilities and services.

The site is located in B2 Local Centre Zone, pursuant to the Pittwater Local Environment Plan 2014 (LEP) and the use, as shop top housing, is permissible with consent

The proposed development has been discussed with Northern Beaches Council (NBC) planning staff, through their formal pre-development application process and preliminary issues have been responded to as part of this DA.

The DA is compliant with the development standards contained in the relevant planning instruments and is generally compliant with the amenity controls that are imposed through the ADG and the DCP that apply to the site.

The DA should be favourably considered by NBC as an important application to assist in the rejuvenation of the Newport Town Centre.

