

Planning Proposal

12-14 Waters Road, Neutral Bay

Central Element Pty Ltd

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Document status

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Contents

1. Overview	5
1.1 Introduction	5
1.2 Scope and Format of the Planning Proposal	5
1.3 Supporting Plans and Documents	5
2. Site Analysis	6
2.1 Site Description	6
2.2 Context and Locality	6
2.3 Existing Development on the Site	8
2.4 Surrounding Development and Land Uses	10
3. Background	11
3.1 Background to the planning proposal	11
3.2 Military Road Corridor Planning Study – Discussion Paper (Recinded)	12
3.3 Military Road Corridor Planning Study – Stage 1 Future Directions (Recinded)	13
3.4 Military Road Corridor Planning Study – Recession Motion	14
3.5 DA No 104/20 – 12 Waters Road, Neutral Bay	14
3.6 DA No 92/21 – 12-14 Waters Road, Neutral Bay	15
3.7 Rezoning Review (RR-2022-13)	16
3.8 Gateway Determination	16
3.9 Six (6) Storey Amending Development Application	16
4. Planning Review	17
4.1 North Sydney Local Environmental Plan 2013	17
4.2 North Sydney Development Control Plan 2013	17
5. Concept Proposal	19
5.1 Indicative Concept Scheme	19
5.2 Development Statistics	19
5.3 Basement Parking and Services	20
5.4 Basement Level 1 – Speciality Greengrocer	20
5.5 Ground Level Retail	21
5.6 Apartments	22
5.7 Landscaping and Communal Open Space	22
5.8 Public Domain Works	23
5.9 Voluntary Contribution toward public domain works	24
5.10 Podium and Tower Form	27
6. Planning Proposal	30
6.1 Planning Proposal Framework	30

6.2 Objectives and Intended Outcomes	30
6.3 Explanation of provisions	31
6.3.1 North Sydney LEP 2013	31
6.3.2 Land to which the plan will apply	31
6.3.3 Height	31
6.3.4 Non-residential FSR	31
6.3.5 Mapping	31
6.4 Section A – Need for a Planning Proposal	32
6.4.1 North Sydney Local Strategic Planning Statement	32
6.4.2 Military Road Corridor Planning Study (Recinded)	33
6.4.3 North Sydney Housing Strategy	34
6.5 Section A – Need for a Planning Proposal (Continued)	35
6.5.1 NSW State Plan 2021	35
6.5.2 Greater Sydney Region Plan (2017)	35
6.5.3 North District Plan (2018)	36
6.5.4 Military Road Corridor Planning Study (recinded)	37
6.6 Environmental, Social and Economic Impact	48
6.6.1 Overshadowing	48
6.6.2 View Impacts	49
6.6.3 Traffic Impacts	49
6.6.4 Waste Management	50
6.6.5 Servicing	50
6.6.6 Sustainability	50
6.6.7 Noise	50
6.6.8 Stormwater	50
6.6.9 Contamination	50
6.6.10 Economic and Social Benefits	50
6.6.11 State and Commonwealth Interests	51
7. Mapping	52
8. Project Timeline	53
9. Conclusion	54

1. Overview

1.1 Introduction

This Planning Proposal has been prepared by Central Element Pty Ltd in relation to the site 12-14 Waters Road, Neutral Bay. The Planning Proposal seeks the following amendments to North Sydney Local Environmental Plan (NSLEP) 2013 in accordance with the Military Road Corridor Planning Study - Stage 1 Future Directions, which was adopted by Council on 22 February 2022 (however rescinded in January 2022 after lodgement of the planning proposal). The planning proposal as amended seeks to amend the North Sydney Local Environmental Plan (2013) to:

- Increase the maximum building height standard from 16m to 22m and enable rooftop communal facilities, plant and vertical circulation to a height of 24m; and
- Amend the minimum non-residential FSR standard from 0.5:1 to 1.2:1.

1.2 Scope and Format of the Planning Proposal

The Planning Proposal has been prepared in accordance with:

- Section 3.33 of the Environmental Planning and Assessment Act 1979 (the Act); and
- The NSW Department of Planning and Environment's (DP&E) A guide to preparing planning proposals).

Specifically, the planning proposal includes the following information:

- A description of the site in its local and regional context;
- A statement of the objectives or intended outcomes of the proposed instrument; and
- An explanation of the provisions that are to be included in the proposed instrument.

The justification for those provisions and the process for their implementation including

- Whether the proposed instrument will comply with relevant directions under Section 9.1;
- The relationship to the strategic planning framework;
- Environmental, social and economic impacts;
- Any relevant State and Commonwealth interests; and
- Details of the community consultation that is to be undertaken before.

1.3 Supporting Plans and Documents

This planning proposal report has been prepared with input from a number of technical and design documents. These documents are included as attachments to this statement and are identified in Table 1 below.

Table 1. Supporting Documents

Appendix	Document	Consultant
A	Concept Drawings	SJB Architects
B	Urban Design Package	SJB Architects
C	Traffic and Parking Assessment	TTPP
D	Local Environmental Plan Maps	Central Element
E	VPA Letter of Offer	Central Element

2. Site Analysis

2.1 Site Description

The site is located at 12 and 14 Waters Road, on the corner of Waters Street, Grosvenor Street and Waters Lane, Neutral Bay and is legally described as SP 68360 and Lot 18 in DP 537700. The location of the site is shown in Figure 1 below.



Figure 1: Aerial view of site and locality (Source: SJB Architects)

The site is located on the western side of Waters Road between Grosvenor Street to the north and Grosvenor Lane to the south. The site has an area of 1,627m² and is generally rectangular in shape. The site has a 31m frontage to Waters Road, 31m frontage to Waters Lane and a 55m frontage to Grosvenor Street. The site has a fall of 3m from the front south-eastern corner (RL81m AHD) to the rear north-western corner (RL78m AHD).

2.2 Context and Locality

The site is located in Neutral Bay within the North Sydney LGA. Neutral Bay is located within 4km of Sydney CBD and 1.8km from North Sydney CBD.

The site is located in the Neutral Bay Town Centre which includes a mixture of shops, restaurants and cafes interspersed with some residential land uses. The site is within walking distance to Woolworths, Grosvenor Street food hub, The Oaks Hotel, Big Bear Shopping Centre and Grosvenor Lane including various smaller scale retailers such as Bourke Street Bakery.

The site is in close proximity to Military Road (i.e. within approximately 80m) which is a public transport route and accommodates the Military Road B-Line and Neutral Bay Bus Junction. The numerous bus routes along Military Road that connect the site to the Northern Beaches, North Sydney CBD and Sydney City CBD.

The local and regional context of the site is shown in Figure 2 and 3 below.

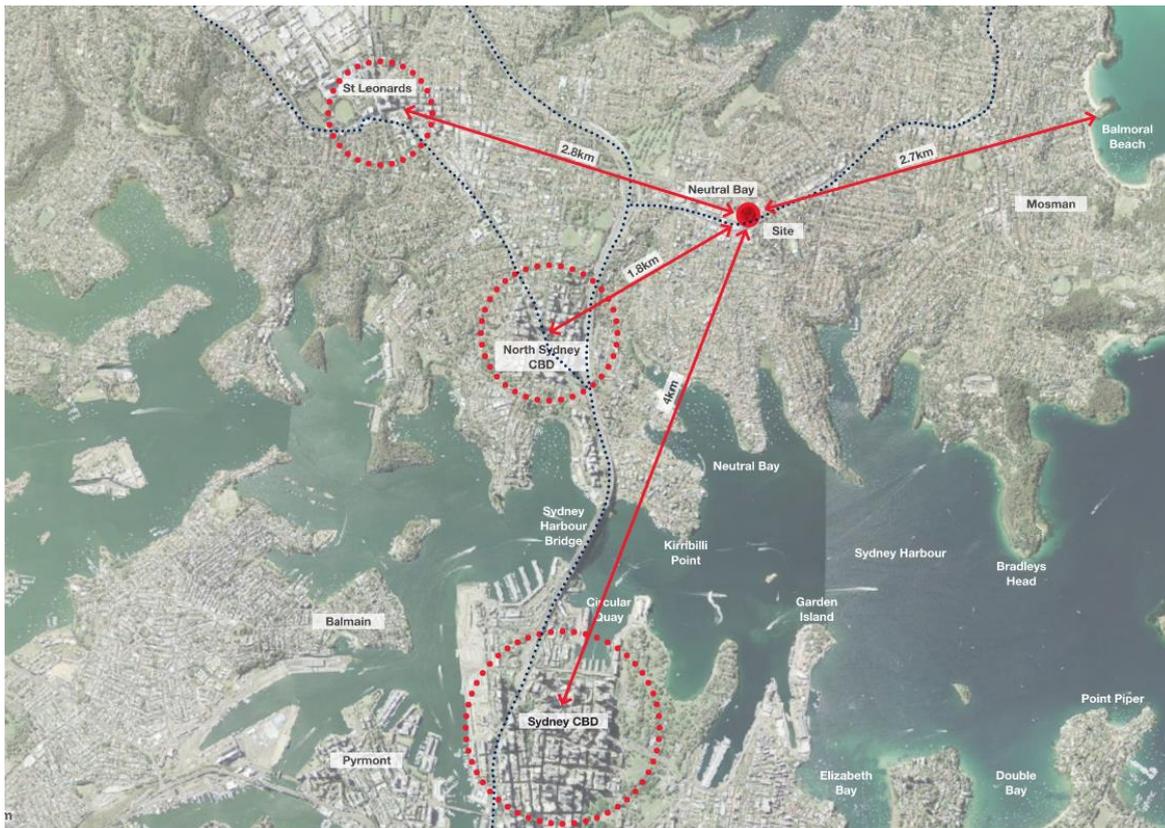


Figure 2: Aerial Regional Contextual Analysis (Source: SJB Architects)



Figure 3: Aerial Local Contextual Analysis (Source: SJB Architects)

2.3 Existing Development on the Site

The southern allotment, 12 Waters Road, currently accommodates a four (4) storey concrete frame and brick commercial building. The ground floor includes retail uses (i.e. 2 x cafes / restaurants) while the levels above include commercial suites of various sizes

The northern allotment, 14 Waters Road, accommodates a three (3) storey commercial building including retail floor space addressing the corner of Waters Road and Grosvenor Street.

The site has two (2) existing vehicular access points in Waters Lane at the rear which leads to a basement parking at both allotments.

Pedestrian access to the building at 12 Waters Road is provided via a ramp at Waters Road and via steps at Waters Lane.

Pedestrian access to the building at 14 Waters Road is provided via a ramp on Waters Road and stairs and at-grade along Grosvenor Street.

There is one (1) tree located at 14 Waters Road the tree is a *Syagrus romanzoffianum* (Cocos Palm) and is of low retention value as identified in the Tree Impact Assessment Report supporting the DA at Attachment 3.

There are two (2) street trees located in front of the site along Waters Road and seven (7) street trees located in front of the site along Grosvenor Street. There are four (4) trees opposite the site in Waters Lane.

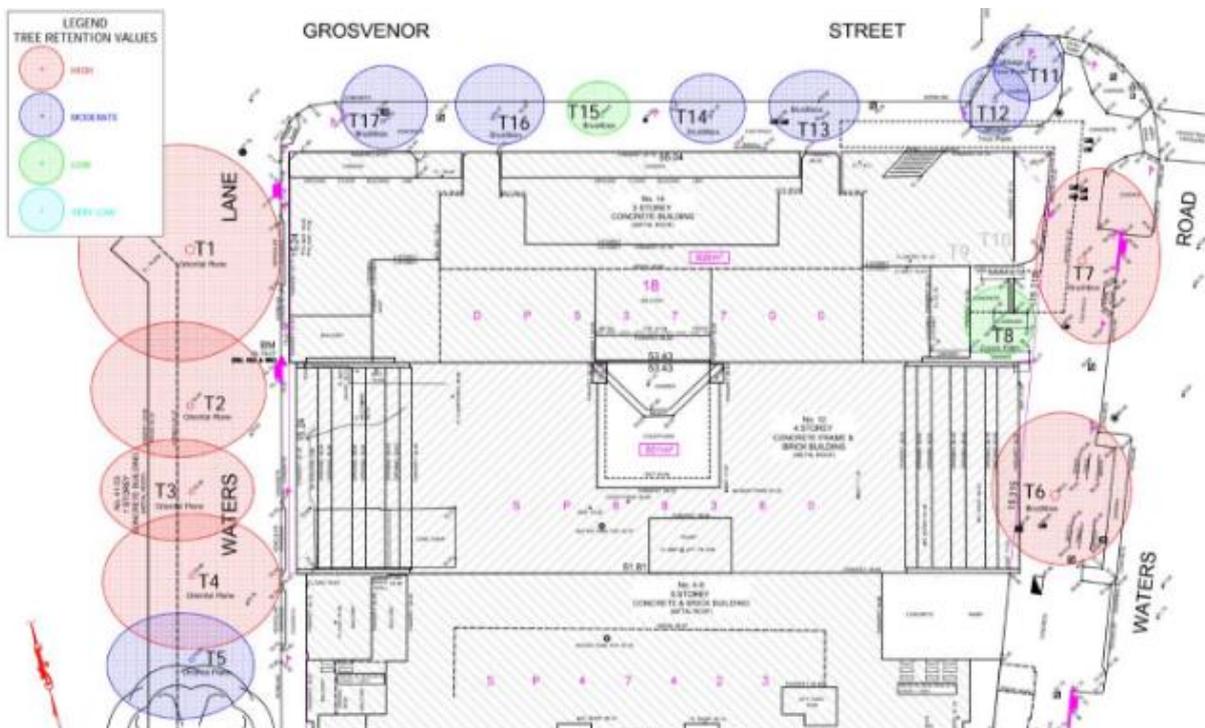


Figure 4: Extract from Tree Location Plan – (Source: Tree Impact Assessment Report)

Photographs of the site and existing buildings are shown in Figures 5, 6 and 7.



Figure 5: 12 and 14 Waters Road, Neutral Bay



Figure 6: 14 Waters Road, Neutral Bay (northern elevation)



Figure 7: 12-14 Waters Road, Neutral Bay (view of the western elevation looking south along Waters Lane)

2.4 Surrounding Development and Land Uses

The surrounding built environment is primarily mixed use (commercial and residential) in nature. The character and built form of existing development is varied, with buildings of diverse architectural styles and era. The scale of development typically ranges from 2 to 5 storeys, with future development, as outlined in the Military Road Corridor Planning Study, to be in the range of 6 to 12 storeys. The land use and development adjoining the site are described as follows.

Immediately to the north of the site is Grosvenor Street and on the northern side of Grosvenor Street is a 4 storey residential flat building at 80 Grosvenor Street and a 2 storey residential flat building at 76 Grosvenor Street. Further north, along the western side of Waters Road are 1 and 2 storey residential dwellings.

To the immediate west of the site is Waters Lane, on the western side of Waters Lane at 41-53 Grosvenor Street is a 2 to 3 storey commercial building which accommodates Woolworths and BWS.

To the east, on the opposite side of Water Road, are various mixed-use developments with commercial use on the ground floor and residential above. The developments are 4 to 5 storeys in scale.

To the south, at 4-8 Waters Road, is a 5 storey mixed use building with commercial use on the ground floor and residential above. The building at 4-8 Waters Road abuts the existing building at 12 Waters Road.

Photographs of the of the surrounding development is included within the Urban Design Report prepared by SJB Architects which can be found at Appendix A.

3. Background

The Neutral Bay Town Centre Precinct has an extensive planning background which is outlined below. Council's Precinct Planning Study took over 4 years to prepare which has meant significant delays and momentum in the future redevelopment of the Neutral Bay Town Centre Precinct and public domain improvements. We would like to continue to work with the community, Council and the DPI&E to ensure that a Planning Proposal is approved which seeks a balance between amenity, public benefits, quality, economic viability and development surety and will create a vibrant sustainable transport orientated mixed-use development.

3.1 Background to the planning proposal

A summary of the background of the planning proposal is provided in the table below.

Date	Comment
7 October 2020	North Sydney Local Planning Panel granted consent for a 5 storey shop top housing (mixed use) development at 12 Waters Road comprising 16 dwellings.
22 February 2021	Council adopted the Future Directions report for Military Road Corridor Planning Study.
28 October 2021	Deferred commencement consent was granted by the Sydney North Planning Panel for a 5 storey mixed use development on the sites at 12-14 Waters Road Neutral Bay, comprising 36 apartments (DA 92/21).
22 December 2021	Consent was issued on DA 92/21 (as deferred commencement conditions met).
29 December 2021	Original planning proposal lodged with Council.
24 January 2022	Council resolved to rescind the Military Road Corridor Planning Study.
22 March 2022	Updated planning proposal submitted to Council.
April 2022	Construction certificate issued for the approved 5 storey DA. Construction is currently underway.
13 April 2022	North Sydney Local Planning Panel considered proposal, recommending the proposal not progress to Gateway determination.
26 April 2022	Council resolved not to progress the proposal to Gateway determination.
17 June 2022	Proponent requested a Rezoning Review.
1 September 2022	Sydney North Planning Panel at a rezoning review (RR-2022-13) meeting determined the proposal should be submitted for a Gateway determination.
25 October 2022	Final updated planning proposal was received to reflect the changes recommended by the Sydney North Planning Panel at the rezoning review.
13 December 2022	Panel decision endorsing planning proposal to proceed to Gateway determination.
23 December 2022	Conditional Gateway Determination Issued by DPIE.

11 January 2023

6 Storey Amending Development Application (PAN-297077) was lodged to North Sydney Council. For consistency, the architectural drawings in this Amending Development Application have been submitted as the revised 'Amended Concept Drawings' for the Planning Proposal in response to Conditional Gateway Determination. Plans comply with recommended changes from the SNPP.

3.2 Military Road Corridor Planning Study – Discussion Paper (Recinded)

On 28 May 2018, Council resolved to prepare a planning study for the Military Road Corridor. The purpose of the planning study was to guide this development pressure, ensure development meets the needs and expectations of the community and deliver public benefits that support any density increases. Neutral Bay Town Centre is the first stage of the draft planning study. Following the significant community input into the survey conducted in mid-2018, two discussion papers were prepared for exhibition. The ideas paper included four potential built form options for the Neutral Bay Town Centre, which resulted in the following recommendations for the subject site:

- Option 1 - No change, retain maximum 5 storey height standard and 0.5:1 minimum non-residential FSR; or
- Option 2 - Increase the minimum non-residential FSR from 0.5:1 to 1.2:1 and increase the height standard from five (5) to six (6) storeys. Overshadowing impacts are kept to a minimum and 1.5m whole- of-building setback to the laneway to allow for an expanded tree canopy cover; or
- Option 3 - Increase the minimum non-residential FSR from 0.5:1 to 1.2:1 increase the height standard from five (5) to eight (8) storeys a 1.5m whole-of-building setback to the laneway to allow for an expanded tree canopy cover and substantial community infrastructure delivery; or
- Option 4 - Increase the minimum non-residential FSR from 0.5:1 to 1.2:1 increase the height standard from five (5) to eight (8) storeys. a 1.5m whole-of-building setback to the laneway to allow for an expanded tree canopy cover and substantial community infrastructure delivery.



Figure 8: Option 1

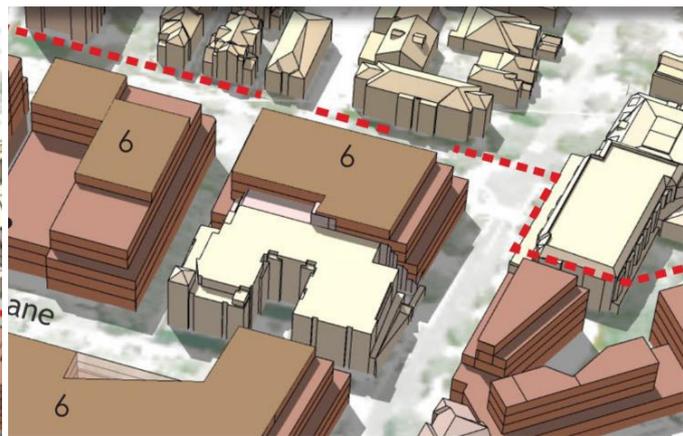


Figure 9: Option 2

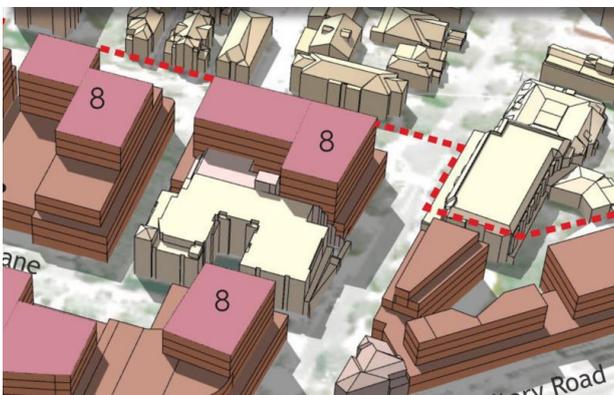


Figure 10: Option 3

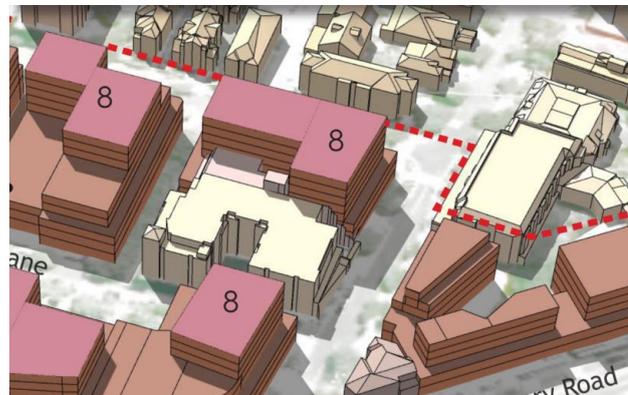


Figure 11: Option 4

3.3 Military Road Corridor Planning Study – Stage 1 Future Directions (Recinded)

In 2019 Council prepared a planning study for the Military Road Corridor in response to significant development interest along Military Road.

- Stage 1 focuses on Neutral Bay Town Centre, the area generally located between Ben Boyd Road to the west and Hampden Avenue to the east and is the subject of this consultation; and
- Stage 2 will comprise the remainder of the corridor, including the island bordered by Military Road and Falcon Street, and the Cremorne Town Centre.

The objectives of the planning study were:

- Engage with the community to inform the desired future character of the corridor;
- Develop a vision, structure plan and principles that will manage future development pressure; and
- Ensure tangible public benefits support job and housing growth by identifying necessary public domain upgrades and social infrastructure.

On 22 February 2021, Council resolved to adopt the Military Road Corridor Planning Study: Stage 1 - Future Directions ("the Study"). To give effect to the desired outcomes of the adopted Planning Study, amendments are required to Council's Local Environmental Plan (LEP) and Development Control Plan (DCP). It should be noted that significant changes to height and floor space associated with the three significant development sites identified in the Study, will be pursued separately.

The Planning Study provided a framework for ongoing discussion with local landowners about the future development of the Centre. The study key aim was to promote managed jobs and housing growth, while maintaining the much-loved village atmosphere of the Neutral Bay Town Centre. Future development will be supported by:

- Public domain improvements including significant new public plazas;
 - A 1,000m² new Rangers Road Plaza;
 - A 2,500 m² new Grosvenor Lane Plaza; and
 - A 1,000m² new Young Street Plaza.
- Relocation of the Grosvenor Lane car park underground;
- A 1,000m² community centre with accessible public amenities and family room;
- A 600m² creative makers art alley; and
- 28 regional secured commuter bicycle parking spaces.

At the 19 August 2021 Council Meeting, Council staff advised Council of the preparation and progression of a planning proposal and development control plan amendment to give effect to aspects of the Military Road Corridor Planning Study - Stage 1 Future Directions, which was adopted by Council on 22 February 2021.

A key component of the Study is an increase in the general height limit from five storeys to six storeys throughout most of the Neutral Bay Town Centre and a corresponding increase in the non-residential floor space requirements. This related to Option 2 included with the original discussion paper. The rationale for this is that employment floor space is systematically being eroded in the Town Centre as the current controls enabled existing levels of employment floor space to be replaced by residential development. This change to the North Sydney LEP would address that decline. Other changes like built form setbacks, podium height, active street frontages, solar protection and public domain upgrades are required to ensure that new development responds to the aspirations of the Study and to reinforce the village feel of the Town Centre. It was anticipated that these amendments are proposed to be incorporated into the North Sydney DCP.

A Planning Proposal rather than Clause 4.6 Variation Request is the preferred planning pathway to give effect to the one storey height increase upon advice of North Sydney Council. Once prepared the planning proposal must go to the North Sydney Local Planning Panel for advice prior to being reported to Council for determination. This gives rise to an unusual situation in that Council will be considering a Planning Proposal after it has already been publicly ventilated. The purpose of the report was to provide Council with a high-level overview of the Planning Proposal ahead of it being reported to the Local Planning Panel. For completeness, the report also broadly outlined changes that will be required to the North Sydney DCP to ensure that the two planning instruments align with one another. It was proposed to publicly exhibit the North Sydney DCP amendments with the planning proposal concurrently to ensure a high level of clarity and transparency. Given the need to seek a Gateway Determination from the Department of Planning, Industry and Environment, Council advised it is unlikely that such amendments will be exhibited until late 2021 or early 2022.

3.4 Military Road Corridor Panning Study – Recession Motion

At the Council meeting on Monday 24 January 2022 after the planning proposal had been submitted. a recession motion as put forward to the Military Road Corridor Panning Study - Exhibition Outcomes and Amended Future Direction Report:

“THAT Council’s resolution relating to item 8.7 passed at the meeting of Council held on 22 February 2021:

- 1. THAT Council note the submissions received and the issues raised during the exhibition*
- 2. THAT Council adopt the Future Directions Report, as amended. as the strategic development framework for Neutral Bay town centre, with the exception of Site 4.*

Determination of the Study outcomes for the area known as Site 4 is to be deferred for a site inspection

- 3. THAT Council note the Future Directions Report will guide future Planning Proposals. Be and is hereby rescinded”*

THAT the following resolution be passed in lieu thereof

- “1. THAT Council notes the submissions received and the issues raised during the exhibition*
- 2. THAT Council notes the strong community feedback on the height and scale of the existing report received during the recent election*
- 3. THAT Council does not adopt the Future Directions Report. as amended. as the strategic development framework for the Neutral Bay town centre*
- 4. THAT Council adds to its program and budget. the creation of an updated strategic development framework for the Military Road Corridor including Neutral Bay centre by engaging with the community and stakeholders to prepare a revised recommendation that has a better balance between development height and the provision of additional public open space”*

The Rescission Motion was moved by Councillor Beregi and seconded by Councillor Spenceley. The Rescission Motion as put and Carried. Therefore, the Military Road Corridor Study has been rescinded.

3.5 DA No 104/20 – 12 Waters Road, Neutral Bay

On 7 October 2021, DA No 104/20 was determined by the North Sydney Local Planning Panel for demolition of an existing commercial building and the construction of a five storey mixed use/shop top housing development containing three (3) commercial/retail tenancies and sixteen (16) apartments on the upper levels with a roof top communal area and a part 3/4 level basement with a retail/commercial tenancy, plant areas and car parking for 25 cars.

The Panel met with the Applicant and Council to review Council’s comprehensive Assessment Report. The meeting also discussed the detail of the Applicant’s 4.6 written request, deferred commencement conditions and communal rooftop facilities. The Panel discussed the inclusion of additional rooftop shade structures to improve the year-round functionality of the communal rooftop facilities, but concluded, the proposed landscaping, once established, and proposed awning to be sufficient.

A computer generated image of the proposed five storey mixed use building at 12 Waters Road is illustrated below :



Figure 12: 12 Waters Road, Neutral Bay (view along Waters Road and Waters Lane) (Source: SJB Architects)

3.6 DA No 92/21 – 12-14 Waters Road, Neutral Bay

On 9 April 2021, a development application was submitted to Council which included a maximum height of six storeys and minimum FSR of 121 based on the Military Road Corridor Planning Study - Stage 1 Future Directions, which was adopted by Council on 22 February 2021 (now rescinded). It was anticipated that the Council led planning proposal to implement the six storey height standard and minimum 121 non-residential FSR would be placed on public exhibition early 2021 and gazetted by late 2021. The Council led planning proposal to amend the North Sydney LEP 2013 had been delayed and Council advised that the proposed six storey would not be supported subject to a Clause 4.6 Variation Request given there was not sufficient certainty given the LEP amendment has yet to be placed on public exhibition notwithstanding the study already been endorsed by Council. Council Suggested submitting a planning proposal to amend the height of building standard in accordance with the endorsed Military Road Corridor Planning Study - Stage 1 Future Directions if we wanted to progress approval for a six storey. The architectural drawings were amended to remove the proposed six storey in accordance with Council's advice.

On 27 October 2021, DA No 92/21 was determined by the Sydney North Planning Panel for demolition of existing buildings, excavation, and construction of a five-storey shop top housing (mixed-use) development with apartments on the upper levels, with commercial/retail tenancies below and basement parking.

The Panel met with the Applicant and Council to review Council's comprehensive assessment report. The meeting also discussed the detail of the Applicant's 4.6 written request, deferred commencement conditions and communal rooftop facilities. The Panel discussed the inclusion of additional rooftop shade structures to improve the year-round functionality of the communal rooftop facilities, but concluded, the proposed landscaping, once established, and proposed awning to be sufficient.

Subject to the provisions of Section 4.17 of the Environmental Planning and Assessment Act 1979, deferred commencement was granted, subject to conditions in the notice of determination. The deferred commencement conditions requiring design modifications to the layout of the rooftop areas to provide more suitable communal areas and changes to the design of four (4) apartments on two upper levels to provide additional building separation and to improve access to daylight and natural ventilation within the light well.

A computer generated image of the proposed six storey and five storey mixed use building option at 12-14 Waters Road is illustrated below:



Figure 13: 12-14 Waters Road, Neutral Bay (view to the corner of Waters Road and Grosvenor Street) (Source: SJB Architects)

3.7 Rezoning Review (RR-2022-13)

On 17 June 2022, the Central Element lodged a rezoning review with the Department as Council notified the proponent it will not support the planning proposal. The Department prepared a briefing report for the Sydney North Planning Panel (the Panel) that determined on 1 September 2022 the planning proposal should be submitted for a Gateway determination as it demonstrated strategic and site-specific merit. In summary, the Panel stated:

- The Panel was cognisant of the existing approval on the site for a 5 storey mixed use development with a clause 4.6 variation to a maximum height of 21.3m;
- The Panel recognises the process for the now rescinded planning study and Council's directive for the preparation of a new development framework and strategy;
- The Panel unanimously agreed that the planning proposal has strategic merit given its alignment with Council's planning and community consultation;
- In terms of site-specific merit, the Panel unanimously agreed that the planning proposal needs to be amended to decrease the maximum mapped height of the building from 26m to 22m, with a site-specific provision of 2m for rooftop open space and community facilities;
- Recommend reconsideration of floor to ceiling height of the below ground commercial area and ground level void in light of the overall maximum height;
- All documentation, needs to be adjusted accordingly; and
- The Panel appointed itself as the Principal Planning Authority (PPA) for this planning proposal.

The reference scheme provided to the Panel and prepared by SJB Architects demonstrated the additional storey proposed as an addition to the current approved DA scheme. The reference scheme illustrated that the proposed six storey building was able to be accommodated within a 22m height standard and rooftop facilities accommodated within the 24m site specific height standard. Refer to attached **Appendix A** of the proposal.

3.8 Gateway Determination

On 23 December 2022 a conditional Gateway Determination was issued by the DPIE.

3.9 Six (6) Storey Amending Development Application

On 11 January 2023, an Amending Development Application was submitted to North Sydney Council with the additional storey added to the approved DA 92/21. The Amending DA scheme complies with the aforementioned 22m and 24m height limits. This scheme has been submitted as part of this Planning Proposal to achieve consistency.

4. Planning Review

4.1 North Sydney Local Environmental Plan 2013

The North Sydney LEP 2013 is the principle Environmental Planning Instrument that applies to the site. The existing planning controls that apply to the site are outlined below in Table 2.

Table 2. Existing controls under the North Sydney LEP 2013

Clause	Control
Zoning	B4 Mixed Use
4.3 Height of Building	16m. Notwithstanding this, the approved five storey scheme includes a maximum height of 21.3m and 5.3m height variation to accommodate a communal rooftop terrace, plant, lift overrun and slope of the land.
4.4 Floor Space Ratio	Not Applicable
4.4A Non-residential Floor Area	A minimum non-residential floor space ratio of 0.5:1 applies to the site. The site has an area of 1,627m ² and accordingly a minimum non-residential gross floor area of 813.5m ² is required to be provided by a future development.
5.10 Heritage Conservation	The site is not heritage listed or located in a heritage conservation area.

4.2 North Sydney Development Control Plan 2013

The North Sydney DCP 2013 builds upon and provides more detailed provisions than the North Sydney LEP 2013. As identified by the North Sydney DCP 2013, the site is located in the North Cremorne Planning Area within the Neutral Bay Town Centre. The Planning Area identifies Neutral Bay to consist of mixed residential and commercial towers. The North Sydney DCP stipulates that future residential development within the Planning Area should accord with the following envisaged built form:

- Residential growth being provided in accordance with Council's Residential Development Strategy, with the growth concentrated within the Mixed-Use zones of the Town Centres located on or in the vicinity of Military Road, and the remainder comprising of multi dwelling housing and residential flat buildings in the surrounding residential areas;
- Residential densities not being increased in foreshore areas and areas of steep terrain;
- Development within the R2 – Low Density Residential zone being of a similar scale to existing characteristic development;
- A wide range of residential types and sizes being distributed throughout the area according to zone; and
- A range of retail and commercial premises, services and facilities being available.

The proposal is located within a mixed-use zone and in accordance with the relevant character area seeks to accommodate high density mixed use residential development that is of a scale commensurate with the surrounding built form. In addition to the criteria of the Lavender Bay Planning Area, a variety of specific DCP development controls apply to the site. The controls which are of most relevance to the building envelope are described in further detail below.

Table 3. Existing controls under the North Sydney DCP 2013

Clause	Control
Maximum Podium Height	2 Storeys
Maximum Storey Height	5 Storeys
Podium Street Setback	Nil, however 1.5m ground level setback to Waters Lane.
Tower Street Setback	3m

The figures below illustrate the permitted building envelope at the site under the built form controls which apply under the North Sydney LEP and DCP.

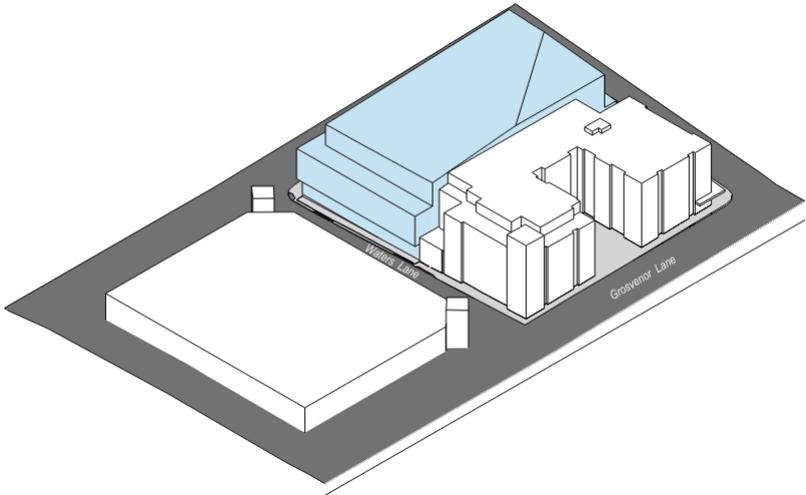


Figure 14. Permitted Building Envelope looking north-east (source: SJB Architects)

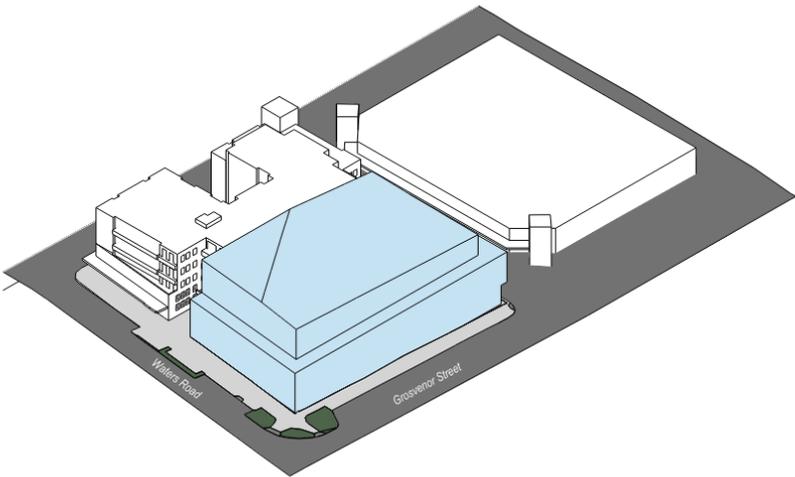


Figure 15. Permitted Building Envelope looking south-west (source: SJB Architects)

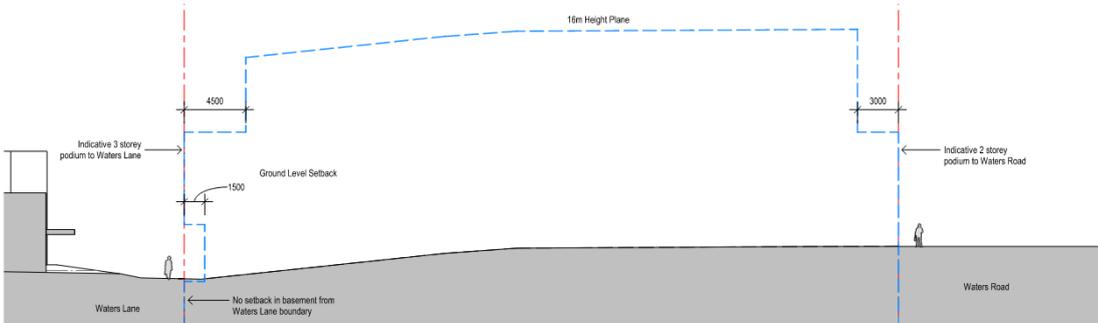


Figure 16. Permitted Building Envelope illustrated in section (source: SJB Architects)

5. Concept Proposal

5.1 Indicative Concept Scheme

SJB Architects have prepared a revised Design Report and Architectural Concept (Appendix A) to inform this Planning Proposal. The following factors informed the development of the proposed concept design:

- DA No 92/21 approved on for a 5 Storey Mixed Use Building at the site and previous feedback and discussions from Council staff in 2021;
- The Military Road Corridor Planning Study – Stage 1 Future Directions (now rescinded);
- Existing and future development context;
- Public domain presentation;
- Street activation; and
- Residential amenity.

A concept design has been prepared which reflect the proposed controls and largely based on the approved DA No 92/21 for a five storey scheme and includes:

- Indicative basement car parking arrangements;
- Ground level street address to Waters Road, Grosvenor Street and Waters Lane;
- Typical floor layouts of the residential apartments above with rooftop communal open space; and
- Opportunities for public domain dedication, improvements on all street frontages.

The key parameters of State Environmental Planning Policy 65 Design Quality of Residential Apartment Development (SEPP 65) have been considered within the concept design including:

- Building separation and setbacks;
- Solar access and cross ventilation;
- Communal open space at the rooftop;
- Apartment and balcony sizes; and
- Ceiling heights.

5.2 Development Statistics

The key statistics for the approved 5 storey building and six storey proposal are summarised in Table 4 below.

Table 4. Summary of the key features

Element	DA 92/21/4 (5 Storey)	Proposed (6 Storey)
Site Area	1,627m ²	1,627m ²
Commercial/retail GFA	1,954m ²	1,954m ²
Non-Residential Floor Space Ratio (FSR)	1.2:1	1.2:1
Building Height	5 storeys Top height of 100.90m RL to AHD and 20.65m above ground level (existing)	6 storeys Top height of 104.25m RL to AHD and 24.0m above ground level (existing)
Total Dwellings	35 dwellings	37 dwellings
Total Dwelling mix	5 x 1 bedroom dwellings (14%) 14 x 2 bedroom dwellings (40%) 14 x 3 bedroom dwellings (43%) 1 x 4 bedroom dwellings (3%)	3 x 1 bedroom dwellings (8%) 14 x 2 bedroom dwellings (38%) 19 x 3 bedroom dwellings (51%) 1 x 4 bedroom dwellings (3%)

Dwelling sizes	1 bedroom: 58m ² – 61m ² 2 bedroom: 77m ² - 112m ² 3 bedroom: 109m ² - 209m ² 4 bedroom: 189m ²	1 bedroom: 58m ² 2 bedroom: 77m ² - 94m ² 3 bedroom: 120m ² – 218m ² 4 bedroom: 189m ²
Total Adaptable / Liveable dwellings	8 x adaptable dwellings	8 x adaptable dwellings
Deep Soil	Nil	Nil
Private open space - Balconies	1 bedroom: 8m ² - 9m ² 2 bedroom: 10m ² - 57m ² 3 bedroom: 12m ² – 85m ² 4 bedroom: 19m ²	1 bedroom: 8m ² - 9m ² 2 bedroom: 10m ² - 29m ² 3 bedroom: 12m ² – 85m ² 4 bedroom: 19m ²
Car Parking	Residential - 34 spaces Visitor - 6 spaces Commercial - 60 spaces Total – 100 spaces	Residential - 37 spaces Visitor - 5 spaces Commercial - 47 spaces Total – 89 spaces
Accessible Car Parking	Residential - 5 Visitor - 1 Commercial/Retail - 1 Total - 10	Residential - 8 Visitor - 1 Commercial/Retail - 1 Total - 10
Car Wash Bay	1 space	1 space
Bicycle Parking Spaces	Residential tenants - 41 Residential Visitor - 4 Non-residential tenants - 14 Non-residential customer - 5 Total - 64	Residential tenants - 46 Residential Visitor - 4 Non-residential tenants - 14 Non-residential customer - 5 Total - 69
Motorcycle Parking	10 spaces	10 spaces

5.3 Basement Parking and Services

Parking and building services will be located within the basement level 2 to 4 accessed from Waters Lane. Allowance has been made within the basement design for car, motorcycle and bicycle parking. Detailed design of the car park basement and total overall spaces will be subject to detailed design during the development application stage and will be consistent with the maximum rate of provision within the North Sydney DCP.

5.4 Basement Level 1 – Speciality Greengrocer

The basement retail space, perfect for a speciality greengrocer or similar which will take advantage of the generous floor to ceiling heights to create an inviting yet functional space. Carefully designed, the space will allow for flexibility for future configuration to ensure a diverse range of permissible uses can be considered. The space connected to ground level by 2x travelators, will be further serviced by a dedicated goods lift and Back of House strategy, linking the space to the ground level service zones. The speciality greengrocer concept illustrated in the planning proposal is the same as approved under DA No 92/21 for the five storey mixed use building.



Figure 17. Concept proposal for basement level 1 (source: SJB Architects)

5.5 Ground Level Retail

Ground level tenancy have been designed to allow for either speciality retail or food and beverage. Along Grosvenor Street, there are five fine grain retail tenancies which seek to activate the public domain. These tenancies ranging in size, however designed in away to allow some to be amalgamated to provide flexibility for future tenants. Each tenancy designed to also allow for either speciality retail or food and beverage uses.

The North Eastern Corner to Waters Road & Grosvenor Street continues the fine grain language of retail tenancies along ground level. This corner tenancy being the largest of the fine grain being prime for a larger food & beverage tenancy such as a flagship restaurant.

Vehicular access to the basement and carpark via Waters Lane, at grade loading dock and waste collection area accessed from the basement and separate commercial and residential waste storage areas adjacent to loading dock. As detailed in the accompanying Design Report (Appendix A) and illustrated in the figures below of the future ground level retail.



Figure 18. Concept restaurant to Waters Road (source: SJB Architects)



Figure 19. Concept retail to Grosvenor Street (source: SJB Architects)

5.6 Apartments

Apartments are located between level 1 to level 5 of the building with between 5-10 apartments accommodated on each level. The apartments are located between two separate cores with residential access from Waters Road and Waters Lane.



Figure 20. Living areas (source: SJB Architect)

5.7 Landscaping and Communal Open Space

Landscaping works are detailed in the Landscape Report and Plans prepared by Arcadia and included at Attachment B. Key elements of the landscape design include landscaping at multiple levels. Details of the communal areas are included within the Urban Design Report prepared by SJB Architects and included in Attachment A.

The Landscape Report sets out a Landscape Masterplan based on the following Landscape Vision for the site:

“Cultivate a sleek and contemporary space that balances sculptural and structural elements, whilst providing both an attractive street presence on three frontages and a neighbourhood destination that ensures a sense of place, community and home.”

The Level 1 courtyard utilises the building step to create generous soil depths and planting and extensive rooftop landscaped areas. Plant species have been selected to suit the location and climate, maximising the use of native species and the proposal also incorporates landscaping a concept public domain plan which envisages the pedestrianisation of Waters Lane, as well as extensive upgrades to both Grosvenor Street and Waters Road.

A communal rooftop is proposed which will be accessible to all residents and includes a bbq area, seating areas, landscaping and pool. The pool is north facing and includes direct lift access and decked seating areas adjacent with an accessible bathroom and change room. There is also a communal wellness room and garden located at ground level.



Figure 21. Concept communal swimming pool (source: SJB Architects)



Figure 22. Concept communal roof top (source: SJB Architects)

5.8 Public Domain Works

The proposal includes a significant offering of public works around the curtilage of the site at ground level. Specifically, the proposal includes detailed landscape concept plans demonstrating comprehensive landscaping and beautification of the three (3) street frontages of the site at ground level on Waters Road, Waters Lane and Grosvenor Street. The works must be completed prior to the issue of the Occupation Certificate for the Development. Details of the proposed concept public domain works are detailed in the Urban Design Report prepared by SJB Architects provided in Appendix B.

5.9 Voluntary Contribution toward public domain works

At the North Sydney Council Meeting on 14 November 2022, Council agreed in principle to accept the VPA offer to receive a monetary contribution of \$1,900,000 prior to the issue of an Occupation Certificate in addition to section 7.11 contributions towards public domains within the Neutral Bay Town Centre (Refer to Appendix E). The voluntary planning agreement offer will be notified under Clause 7.4 of the EP&A Act concurrently with this Planning Proposal. The following figures illustrate conceptually the potential public domain works to Water Lane which was envisaged within the rescinded Military Road Corridor Planning Study.



Figure 23. Land dedication to North Sydney Council (source: SJB Architects)



Figure 24. CGI of 5 Storey Scheme based on current DCP (source: Nature Focus Lab)



Figure 25. CGI of 6 storey scheme with additional 1.5m whole of building setback (source: Nature Focus Lab)



Figure 26. Close up CGI of 6 storey scheme with additional 1.5m whole of building setback (source: Nature Focus Lab)

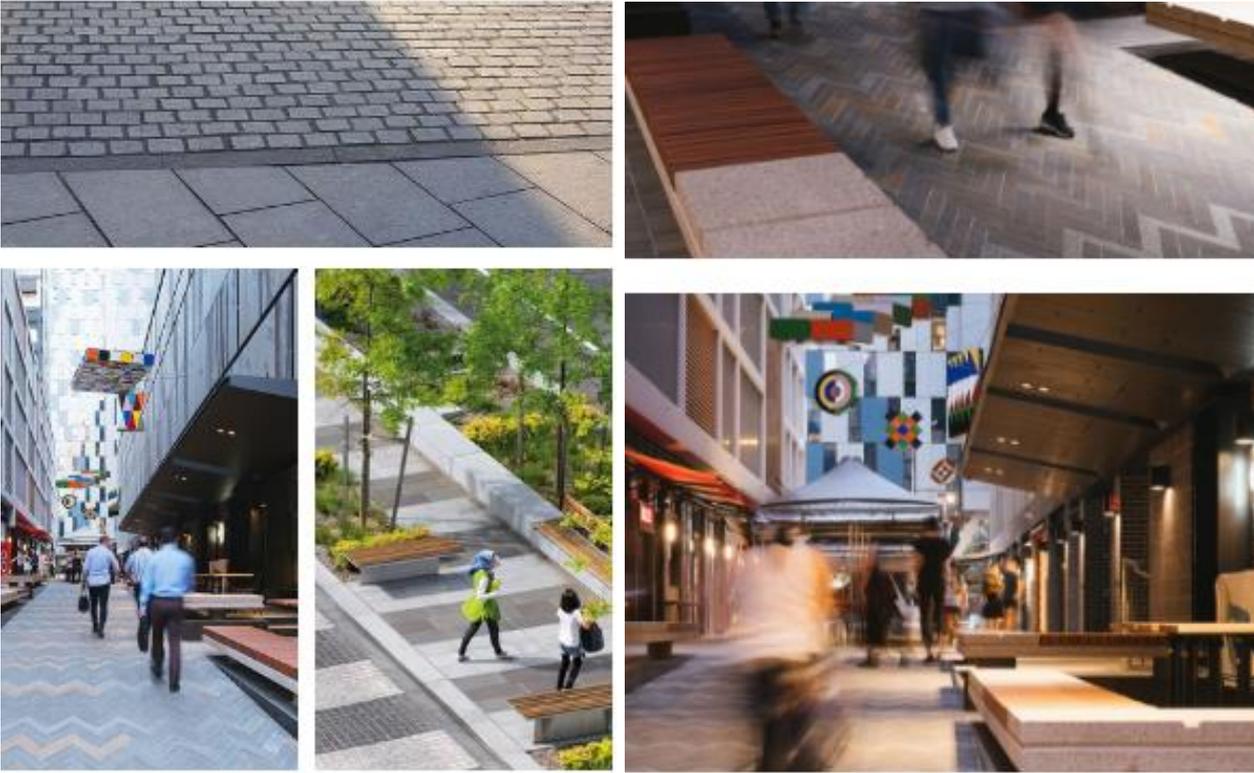


Figure 27. Reference images for Waters Lane (source: Arcadia)



Figure 28. Photo of the existing Grosvenor carpark (source: Arcadia)



Figure 29. Reference images for potential Grosvenor Park partly funded through contributions (source: Arcadia)

5.10 Podium and Tower Form

The proposed podium form for the site has been designed based on the key principles of the rescinded Military Road Corridor Planning Study which included:

- A three storey podium height to each street frontage;
- A nil podium setback and 3m tower setback to Waters Road and Grosvenor Street; and
- A 1.5m podium setback and 4.5m tower Setback to Water Lane.

The proposed building form has been based on these key design principles:

- Clearly defined building entry to the residential and commercial lobby;
- A high amenity, fine grain public domain enhanced by paving, street furniture, pedestrian focused lighting, outdoor seating areas and landscaping;
- A podium that provides a distinct human scale at the ground level whilst providing high quality and functional commercial tenancies in the levels above;
- A building form that maximises sunlight to the Waters Lane public domain; and
- A building form which is compliant with the SEPP 65 Apartment Design Criteria.



Figure 32. CGI of future building form viewed from Southern elevation (source: SJB Architects)

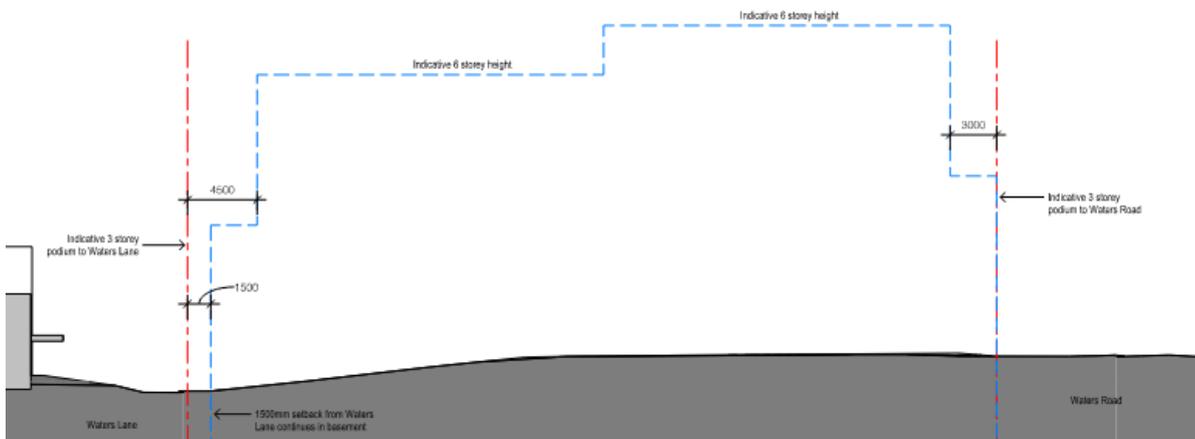


Figure 33. Section of future built form controls (source: SJB Architects)

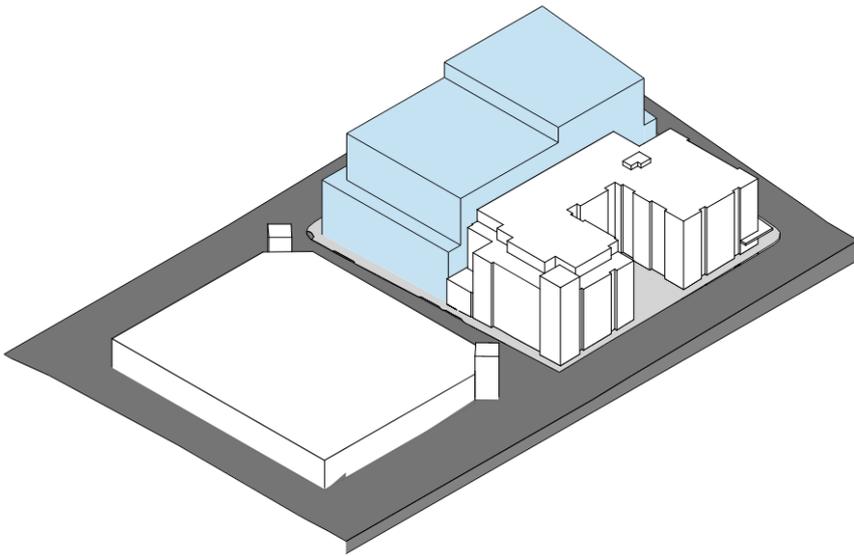


Figure 34. Built form control looking north-east (source: SJB Architects)

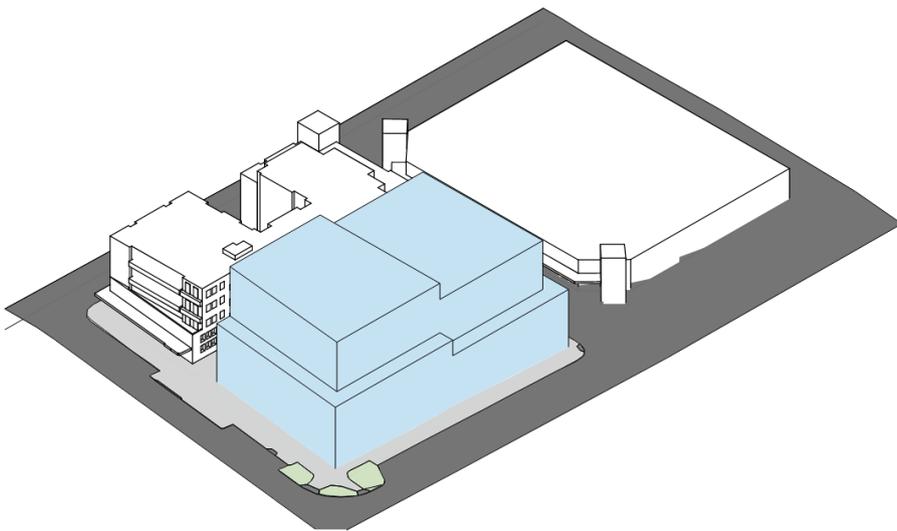


Figure 35. Built form control looking south-west (source: SJB Architects)

6. Planning Proposal

6.1 Planning Proposal Framework

Planning proposals lodged on the NSW Planning Portal system for council or the relevant PPA assessment on or after 15 December 2021, will be subject to the changes in the rezoning review process as outlined in the new LEP Making Guideline.

This Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning & Assessment Act 1979 (EP&A Act), and Local Environmental Plan Making Guideline December 2021 prepared by the NSW Department of Planning and Environment, which requires the following matters to be addressed:

- Part 1 - Objectives and intended outcomes - a statement of the objectives of the proposed LEP.
- Part 2 - Explanation of provisions an explanation of the provisions that are to be included in the proposed LEP.
- Part 3 - Justification of strategic and site specific merit - justification of strategic and potential site-specific merit outcomes, and the process for implementation.
- Part 4 - Maps - maps to identify the effect of the planning proposal and the area to which it applies.
- Part 5 - Community consultation - details of the community consultation that is to be undertaken on the planning proposal.
- Part 6 - Project timeline - project timeline to detail the anticipated timeframe for the LEP making process in accordance with the benchmarks in this guideline.

The following Section outlines the objectives and intended outcomes and provides an explanation of provisions in order to achieve those outcomes. including relevant mapping. The justification and evaluation of impacts is set out in this report.

6.2 Objectives and Intended Outcomes

The objective of this Planning Proposal is to seek amendments to the building height control and minimum non-residential FSR Standard that applies to the site at 12-14 Waters Road, Neutral Bay in order to facilitate a mixed-use shop top housing development commensurate with its location. The intended outcome of the Planning Proposal is to enable a high-quality mixed-use development and public domain improvements to be achieved on the site that complements the building heights within the existing and future built form context.

A summary of the key objectives of this Planning Proposal is provided below:

- Deliver a maximum height standard of six storeys (one additional storey) and a built form outcome consistent with the recommendations of the urban design study included within the rescinded Military Road Corridor Strategy;
- Increase the minimum non-residential FSR Standard from 0.5:1 to 1.2:1 to increase the provision of high quality commercial floorspace in Neutral Bay;
- Provide for a built form that responds to the relevant character statement in the North Sydney DCP 2013 whilst taking into account the existing character for the area;
- Contribute to the achievement of the objectives contained within the North Sydney RDS, LSPS and Housing Strategy;
- Deliver a high quality mixed use development that exhibits design excellence on a site earmarked for high density residential development;
- Enable the development of a high performance building;
- Contribute to community infrastructure in the form of dedication of a 1.5m wide strip of land to Council and embellishment of Waters Lane and public domain to Grosvenor Street and Waters Road;
- Monetary contribution which will fund future infrastructure works and community services in Neutral Bay;
- Maintain solar access to key public spaces including the Future Neutral Bay Town Centre;
- Provide for active frontage to the ground floor retail landscape, improving the vitality of the streetscape and complement existing retail uses; and
- Facilitate the delivery of residential development in a desirable location that receives ample access public transport and surrounding civic amenities.

6.3 Explanation of provisions

This section provides an explanation of the provisions proposed to apply to the subject land under the North Sydney LEP 2013.

6.3.1 North Sydney LEP 2013

The following provisions outlined are proposed to apply to the site in the North Sydney LEP 2013.

6.3.2 Land to which the plan will apply

The Planning Proposal applies to the site known as 12-14 Waters Road and is formally described as SP68360 and Lot 18/DP537700.

6.3.3 Height

The North Sydney LEP 2013 nominates a maximum height Standard of 16m under the Building Heights Map. It is proposed to amend the height of building map to introduce a 22m height standard for the site. It is proposed to also include a site-specific clause that the development may result in an additional 2m in height (24m) subject to the height increase relating to community facilities, plant or vertical circulation. The increase of the height Standard will enable a height increase from 5 Storeys to 6 Storeys including a communal rooftop terrace, lift overrun and service equipment. The proposed draft wording of the new site-specific clause is as follows:

“4.3A Exceptions to height of buildings

(2C) Despite clause 4.3, the height of a building on land identified as “Area 4” on the Height of Buildings Map may exceed the maximum height shown for the land on that Map if—

(a) the height of the building does not exceed the maximum height by more than 2 metres, and

(b) the part of the building that exceeds the maximum height comprises the following—

(i) lift overruns and associated structures necessary to provide lift access to communal rooftop space,

(ii) balustrades or other safety barriers necessary to ensure the safe use of the space,

(iii) roof-top plant or equipment”.

6.3.4 Non-residential FSR

The North Sydney LEP 2013 nominates a minimum non-residential FSR of 0.5:1 under the 4.4A Non-residential floor space ratios Map. It is proposed to include a site-specific clause that the development must include a minimum non-residential FSR of 1.2:1. The purpose of the increase to the minimum non-residential FSR Standard is to increase the provision of high quality commercial floorspace in Neutral Bay.

6.3.5 Mapping

This Planning Proposal seeks to amend the following maps of the North Sydney LEP 2013. The revised Height of Building’s map is included below in Figure 36 and illustrates the site is identified as “R2” which translates to a 22m height of building and “Area 4” which enables the height to be exceeded by 2m for rooftop facilities, based on the map legend. The revised minimum non-residential FSR Map is included below in Figure 37 illustrates the site is identified as “P” which translates to a 1.2:1 non-residential floor space ratio based on the map legend.



Figure 36: Amended Maximum Building Height Map

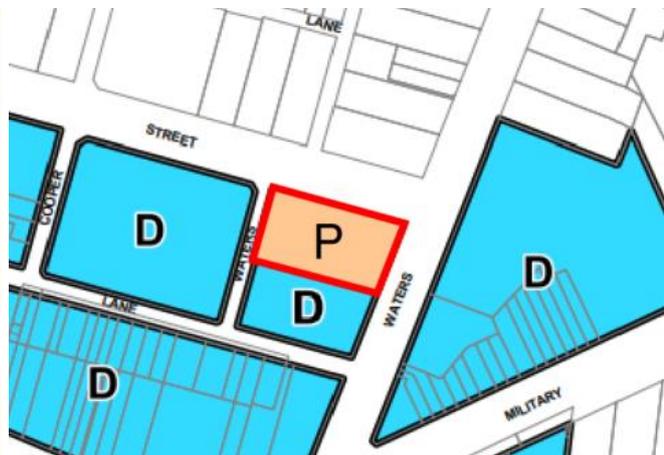


Figure 37: Amended Minimum Non-Residential FSR Map

6.4 Section A – Need for a Planning Proposal

Q1 - Is the planning proposal a result of an endorsed LSPS, strategic study or report?

Neutral Bay is in a period of transformation with current planning controls becoming increasingly outdated as demand for commercial, residential and community facilities intensifies, and the centres increased accessibility as a result of the NSW Governments investment into the new B-Line bus network providing access to commercial centre.

6.4.1 North Sydney Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS) was adopted by Council on 24 March 2020. It guides future land use planning and development in the North Sydney LGA to 2036. The LSPS guides the content of the North Sydney LEP and the Development Control Plan (DCP).

The consistency of the planning with the relevant planning priorities in the LSPS as outlined in Table 6.

Table 6. Consistency of the amended planning proposal with the LSPS

Planning Priority	Justification
<i>Planning priority I1 – Provide infrastructure and assets that support growth and change</i>	The planning proposal is consistent with the LSPS as it is accompanied by an endorsed VPA proposes to provide \$1,900,000 in voluntary monetary contributions to Council for the provision of community infrastructure and public domain upgrades within Neutral Bay Town Centre. The proposal also includes increasing the width of Waters Lane and public domain upgrades.
<i>Planning priority I2 – Collaborate with State Government Agencies and the community to deliver new housing, jobs, infrastructure and great places.</i>	The reference scheme will provide approximately 37 new residential dwellings and minimum of 1,952m ² of new retail/commercial floor space with increased landscaping and amenity that is generally consistent with the North District Plan and the rescinded Military Road Corridor Strategy. The planning proposal is consistent with this priority.
<i>Planning priority L1 – Diverse housing options that meet the needs of the North Sydney community</i>	<p>The planning proposal is consistent with this priority as it will provide a variety of additional residential dwellings in an area well serviced by existing and proposed public transport, services, jobs, infrastructure and public open space.</p> <p>Action L1.1 as a short-term target includes the implement the North Sydney Local Housing Strategy (2019) to achieve the housing directions, objectives and actions of the GSC's Regional and North District Plans and deliver 0-5 and 6-10 year housing supply targets. The proposal will achieve 6 additional dwellings and contribute toward the short term housing targets.</p> <p>Action L1.2 as a short-term target includes the preparation of Planning Studies for the Military Road Corridor to examine the potential delivery of housing in the right locations – concentrating growth in and around existing centres, close to public transport, infrastructure, services and facilities.</p> <p>The proposal has been designed to be consistent with the Military Road Corridor Planning Study, which was endorsed and later rescinded and was subject to four years of community consultation. The proposal is located within the Neutral Bay Town Centre and includes increasing the non-residential FSR from a minimum 0.5:1 to 1.2:1, a modest increase of one storey and substantial public domain upgrades, widening of Waters Lane and within 80m of the recently constructed B-Line.</p> <p>Action L1.5 aims for Council to only support Planning Proposals that are consistent with Council's endorsed planning studies, that have identified growth being delivered in locations that support the role of centres and have critical infrastructure and services in place to support the North Sydney community.</p> <p>The proposal has been designed to be consistent with the Military Road Corridor Planning Study, which was endorsed and later rescinded and was subject to four years of community consultation. The modest growth of one storey is proposed within the Neutral Bay Local Centre and close to services and within 80m of the recently constructed B-Line.</p>

Planning Priority	Justification
<i>Planning priority L2 – Provide a range of community facilities and services to support a healthy, creative, diverse and socially connected North Sydney community.</i>	As previously stated, an endorsed VPA proposes to provide \$1,900,000 in monetary contributions to Council for the provision of community infrastructure within the Neutral Bay Town Centre. The public benefits include improvements to the streetscape and widening of Waters Lane.
<i>Planning priority L3 – Create great places that recognise and preserve North Sydney’s distinct local character and heritage</i>	<p>Action L3.1 and L3.2 includes a short-term aim to incorporate placemaking principles in the planning and engagement activities and continue to prepare and implement the Military Road Corridor Planning Study to ensure the delivery of growth and development is balanced and well-managed, and has a strong focus on placemaking and community benefit.</p> <p>The proposal has been designed to be consistent with the Military Road Corridor Planning Study, which was endorsed and later rescinded and was subject to four years of community consultation. The modest growth of one storey is proposed within the Neutral Bay Local Centre, includes substantial streetscape improvements, the widening of Waters Lane and endorsed VPA including a substantial \$1,900,000 in voluntary monetary contributions to Council to fund future placemaking in Neutral Bay.</p>
<i>Planning Priority P3 Enhance the commercial amenity and viability of North Sydney’s local centres.</i>	<p>A short-medium term action of the priority includes prepare, finalise and implement the Military Road Corridor Planning Study (Stages 1 and 2) to ensure future development supports the functions of the precinct, and identify public domain and other public benefits to improve the safety, amenity, services and overall appeal and commercial viability of the Neutral Bay and Cremorne local centres.</p> <p>The proposal is consistent with the Military Road Corridor Planning Study which was endorsed and later rescinded. The proposal includes increasing the non-residential FSR from a minimum 0.5:1 to 1.2:1, a modest increase of one storey and substantial public domain upgrades, widening of Waters Lane and endorsed VPA of \$1,900,000 in voluntary monetary contributions for public domain works to Neutral Bay Town Centre.</p>
<i>Planning Priority P6 and S2 – Support walkable centres and a connected, vibrant and sustainable North Sydney</i>	The redevelopment of the site includes embellishing the public domain to Waters Road, Grosvenor Street and Waters Lane and widening Waters Lane. The proposal provides improved pedestrian amenity with the regrading of footpaths, improved disability access, improved lighting, activating the streetscape with retail and passive surveillance after hours and improved landscaping. This will contribute to make Neutral Bay more pedestrian friendly and walkable.
<i>Planning priority S3 – Reduce greenhouse gas emissions, energy, water and waste</i>	The site is well located with access to existing and proposed public transport, reducing the reliance on vehicular trips and promoting active transport. The reference scheme is to incorporate sustainable features such as water saving, solar initiatives and green roofs and WELL v2 Certification.

6.4.2 Military Road Corridor Planning Study (Recinded)

On 22 February 2021, Council resolved to adopt the Military Road Corridor Planning Study ("the Study"). To give effect to the desired outcomes of the adopted Study, amendments are required to Council's Local Environmental Plan (LEP) and Development Control Plan (DCP). It should be noted that significant changes to height and floor space associated with the three significant development sites identified in the Study, will be pursued separately.

A Planning Proposal is required to give effect to the recommended one storey height increase. Once prepared it must go to the North Sydney Local Planning Panel for advice prior to being reported to Council for determination. This gives rise to an unusual situation in that Council will be considering a Planning Proposal after it has already been publicly ventilated.

The Military Road Corridor Planning Study included the following recommended amendments in relation to the subject site:

- Increase the non-residential floor space (FSR) control from 0.51 to 1.2:1. This will effectively require retail uses on the ground level and an additional level of commercial floor area to support long term job growth;

- Increase the maximum height limit from 5 storeys to 6 storeys. The height increase ensures redevelopment is economically viable in relation to the additional setback to Water Lane increased requirement for commercial floor area and extended public domain works;
- A 1.5m whole of building setback to Waters Lane to create space to plant new street trees, widen footpaths to improve the amenity of the public domain; and
- Increase in the podium height from two to three storey to relate to the desired future character of the Neutral Bay Town Centre and site context.

The planning proposal has been designed to be fully consistent with the endorsed Study. The planning proposal puts forward a development control framework that will ensure that future development is considerate of the existing character of the area and facilitates the delivery of land dedication, infrastructure and services to meet the needs and aspirations of the Neutral Bay community.

This planning proposal proposes a preferred direction for Neutral Bay that ensures growth in the Military Road corridor results in a more attractive place for workers, residents and visitors. This is proposed through:

- Increased employment capacity in the Neutral Bay town centre through an increase in the Non-Residential floor space ratio (FSR) and maximum building heights in the North Sydney Council Local Environment Plan 2013 (North Sydney LEP 2013);
- The delivery of a specialist greengrocer at the site enables Neutral Bay to compete with other local centres including Cammeray and Mosman by attracting visitors to the centre. The greengrocer is ideally situated adjoining the future Coles shopping Centre and including adequate parking/loading facilities and the most ideal location in Neutral Bay to minimise traffic congestion;
- In-kind contributions by increasing maximum building height by one storey at the site through this planning proposal results in it being feasible to deliver increased public domain infrastructure including setting back the whole building 1.5m from Waters Lane, land dedication to Waters Lane and embellishment of the public domain to Waters Road, Grosvenor Street and Waters Lane;
- Without changes to the current planning controls there will be a decline in commercial floor space in Neutral Bay town centre and a reduction in local jobs. This will affect businesses and residents, with commercial activity declining and residents being forced to travel further for local work and services; and
- The development decisions made in the next few years will have great influence on the character and amenity of the area. This study, as well as ongoing feedback from residents and businesses, will ensure that future development respects and benefits the local community

Notwithstanding this, in January 2022 the Military Road Corridor Planning Study was rescinded by Council.

It should be noted that North Sydney Council prepared, adopted and had “assured” (by the Greater Sydney Commission) of the Military Road Corridor Planning Strategy. Further, the LSPS acknowledges the preparation of the Military Road Planning Study and the LSPS also references the Local Housing Strategy (LHS). Both these documents contain various references to the Study. The former in particular, references the Military Road Corridor Study with regard to opportunities for improved community facilities and the public domain, placemaking, modest jobs growth and “varying degrees” of housing growth.

It is understood the overwhelming sensitive issue relating to the Military Road Planning Study includes height increases from five storey up to 12 storeys. The current planning proposal is seeking a height increase from five storeys to six storeys and delivers public benefit to the local community. In the absence of any endorsed strategy and Military Road Corridor Study referenced in both the t5PS and LHS the proposal will need to be considered on site individual merit.

6.4.3 North Sydney Housing Strategy

It should be noted that North Sydney Council prepared, adopted and had “assured” (by the Greater Sydney Commission) of the Military Road Corridor Planning Study. The North Sydney Housing Strategy acknowledges the preparation of the Military Road Planning Study and the LSPS. The North Sydney Housing Strategy references the Military Road Corridor Study with regard to opportunities for improved community facilities and the public domain, placemaking, modest jobs growth and “varying degrees” of housing growth.

Q2 - Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The site is a logical and appropriate place to concentrate future growth within the North Sydney LGA. This is because the site is located within an area designated for future growth. The site is located close to services and public transport infrastructure. The planning proposal and “Option 3” are considered the best means of achieving the objectives and intended outcome of the proposal. The alternative means of achieving the objectives are considered in Table 7.

Table 7. Option to achieve objectives

Option	Comment
Option 1 - Do Nothing	Without an amendment to the statutory planning controls, the proposed Design Concept for the site cannot be achieved. This means that the associated public benefits and desired building outcome by Council in its strategic study would be lost.
Option2 - Clause 4.6 Variation Request to permit building height and VPA of land dedication	This option was proposed to Council as part of DA No 92/21 and it was recommended that a site-specific planning proposal be submitted
Option 3 - The Planning Proposal could seek to amend the height of building map to 22m and introduce a site specific provision to enable rooftop facilities to exceed the height standard by 2m.	<p>The following provision should be proposed:</p> <p>Amend the North Sydney 2013 Height of Buildings Map-Sheet HOB_003 to include a maximum building height of 22m and identify the site as "Area 4" and introduce the following clause:</p> <p>"4.3A Exceptions to height of buildings</p> <p><i>(2C) Despite clause 4.3, the height of a building on land identified as "Area 4" on the Height of Buildings Map may exceed the maximum height shown for the land on that Map if—</i></p> <p><i>(a) the height of the building does not exceed the maximum height by more than 2 metres, and</i></p> <p><i>(b) the part of the building that exceeds the maximum height comprises the following—</i></p> <p><i>(i) lift overruns and associated structures necessary to provide lift access to communal rooftop space,</i></p> <p><i>(ii) balustrades or other safety barriers necessary to ensure the safe use of the space,</i></p> <p><i>(iii) roof-top plant or equipment".</i></p>
Option 4 - Amend the Height of Building to 24m	This option is considered the most conventional means to give statutory effect to the proposal by increasing the height standard to 24m. This risk to this option, is that an applicant may try to accommodate an additional storey to the rooftop level.

6.5 Section A – Need for a Planning Proposal (Continued)

Q3 - Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Planning Proposal demonstrates strategic merit through its consistency with the objectives and actions of the applicable strategic plans and policies discussed below.

6.5.1 NSW State Plan 2021

The New South Wales State Plan sets the strategic direction and goals for the NSW Government across a broad range of services and infrastructure. The State Plan nominates one of the key challenges for the State as being the planning challenges that arise from continued population growth. The increased density proposed, and future redevelopment of the site is consistent with the State Plan. This is because the proposal will provide jobs and encourage housing diversity in a location close to nearby services and facilities.

6.5.2 Greater Sydney Region Plan (2017)

The Greater Sydney Commission's (GSC) Greater Sydney Region Plan – A Metropolis of Three Cities (GSRP) was released in March 2018 and provides a vision for the growth and development of Greater Sydney by instilling the idea of the 30-minute city where people live no further than 30 minutes from their jobs, education, health facilities, services and great places. North Sydney is located within the Eastern Economic Corridor of the Eastern Harbour City and is identified as a Local Centre.

Table 8. Consistency of the amended planning proposal against the Regional Plan

Regional Plan Objectives	Justification
A City Supported by Infrastructure	The proposed increase to the development controls will facilitate increased density that will leverage off the recently constructed B-Line Bus Service. A B-Line Bus stop is located within 80m of the site and provides transport services to Strategic Centres such as the North Sydney CBD and Sydney CBD. The proposal is considered to be consistent with this objective.
A City for People	The proposal will increase the ability to live, work and shop in the Neutral Bay Town Centre and reduce the reliance on private vehicles. Increased requirements for landscaping, embellishment of the public domain, \$1,900,000 in voluntary contributions toward public domain works and increased setback to Waters Lane will result in better local pedestrian connectivity and amenity for residents and visitors. The proposal is considered to be consistent with this objective
A City of Great Places	Providing higher density in certain areas of the Local Government Area (LGA) will protect the existing low density residential areas while providing a more diverse choice of dwellings. This will support a future increase in population, a changing demographic and cater to key workers. The proposed public domain enhancements, increased setback to Water Lane and active retail frontages to Waters Road and Grosvenor Street will improve pedestrian amenity. The proposal is considered to be consistent with this objective
A Well-Connected City	A B-Line Bus stop is located within 80m of the site and provides transport services to Strategic Centres such as the North Sydney CBD and Sydney CBD. The proposal will maximise the use of public transport assets will help reduce the need for additional infrastructure and private vehicle usage. The proposal is considered to be consistent with this objective
Jobs and Skills for the City	The provision of services in close proximity to existing and proposed public transport will enable people to access jobs easily within the LGA and other areas. The B4 Mixed Use zone will provide additional employment floorspace. The increased in the non-residential FSR Standard from 0.5:1 to 1.2:1 will preserve Neutral Bay Town Centre including a high proportion of commercial/retail. The proposal is considered to be consistent with this objective
A City in its Landscape	The proposal is consistent with this objective as it intends to incorporate active uses to Grosvenor Street and Waters Road, upgrades to landscaping including new street trees, pavement and street furniture increasing amenity and safety and increasing the width of Waters Lane.
Housing the City	The planning proposal will facilitate the provision of high-density residential dwellings above a commercial premise with a range of dwelling sizes to meet the needs of the community close to existing infrastructure and services. A variety of dwelling typologies will cater to a changing demographic in the North Sydney LGA and enable key workers to live close to jobs, transport and services. The planning proposal is consistent with this objective as it provides greater density in a location that will preserve the character of the lower density areas of the North Sydney LGA.

6.5.3 North District Plan (2018)

The North Sydney LGA is within the North District and the GSC released the North District Plan on 18 March 2018. The plan contains planning priorities and actions to guide to provide housing close to jobs, services and infrastructure while improving its social, economic and environmental assets.

It identifies the corridor between Sydney CBD and Macquarie Park via the North Sydney CBD, Chatswood and St Leonards, as an 'Economic Corridor.' For the North District, the plan identifies a target of up to 21,000 additional jobs in the North Sydney CBD by 2036 and a target of 3,000 additional dwellings in the North Sydney LGA by 2021.

The planning proposal is consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan as outlined below. The planning proposal gives effect to the District Plan in accordance with section 3.8 of the Environmental Planning and Assessment Act 1979.

Table 9 includes an assessment of the planning proposal against relevant directions and actions.

Table 9. Consistency of the amended planning proposal with the North District Plan

District Plan Priority	Justification
Infrastructure	
N1 Planning for a city supported by infrastructure	The planning proposal is consistent with this priority, which seeks to align increased commercial and residential density with access to and use of existing and proposed infrastructure, including public transport, cultural, education, health, community and utilities, jobs and services.
Liveability	
N4 Fostering healthy, creative, culturally rich and socially connected community	The planning proposal will enable increased development to provide additional services and residential dwellings close to proposed and existing public transport. This will encourage active transport reducing the reliance on private vehicle usage and short trips. Increased landscaping requirements, public domain works and increased width of Waters Lane will increase the overall amenity and help to create a healthy, vibrant LGA.
N5 Providing housing supply, choice and affordability with access to jobs, services and public transport	The planning proposal will facilitate a minimum of 1,952m ² of commercial floor area and approximately 37 new residential dwellings with a variety of sizes in close vicinity to existing and proposed public transport to various strategic locations and beyond. The site is within 80m of the B-Line and existing jobs and services in the Neutral Bay Town Centre.
N6 Creating and renewing great places and local centres, and respecting the District's heritage	The planning proposal is consistent with this priority as it will amend the planning controls in the North Sydney LEP 2013 to provide increased residential dwellings and enable people to live and work in close proximity to existing infrastructure and services and in North Sydney CBD. Additional landscaping will enhance the streetscape and increase amenity and safety. Increased development in certain areas will preserve the existing local heritage items for the enjoyment of the community.
Productivity	
N8 Eastern Economic Corridor is better connected and more competitive	Neutral Bay is well-connected to the neighbouring strategic centres of North Sydney CBD and Sydney CBD. Enabling increased development in locations such as this will provide key employees with accommodation close to employment and maximise the use of public transport assets and reduce the need for additional infrastructure.
N12 Delivering integrated land use and transport planning and a 30-minute city	Increased development in Neutral Bay Town Centre is consistent with this priority and the increase to the planning controls will facilitate the provision of 44 dwellings and retail/commercial floorspace to leverage off the proposed and existing public transport options including B-Line supporting the 30-minute city.
Sustainability	
N20 Delivering high quality open space N21 Reducing carbon emissions and managing energy, water and waste efficiently	The proposal seeks to upgrade and activate the surrounding streets with an increase in the width of Waters Lane, increased landscaping and upgraded public domain to Waters Lane, Waters Road and Grosvenor Street. The planning proposal also included a voluntary contribution of \$1,900,000 to Council toward local public domain upgrades. Providing development close to existing and proposed public transport and other services will decrease the use of private vehicles and reduce emissions. The current proposal voluntarily incorporated WELL v2 Certification requirements to ensure the building has a high level of environmental sustainability and wellbeing.

6.5.4 Military Road Corridor Planning Study (recinded)

Q4 - Is the planning proposal consistent with a Council's local strategy or other local strategic plan?

On 19 February 2018, North Sydney Council resolved to prepare a planning study in response to several redevelopment proposals challenging existing building height controls along the Military Road Corridor. This planning study details a way to manage this future development interest with the interests of the community.

In 2019 Council prepared a planning study for the Military Road Corridor in response to significant development interest along Military Road. The study included the following two stages:

- Stage 1 focuses on Neutral Bay Town Centre, the area generally located between Ben Boyd Road to the west and Hampden Avenue to the east and is the subject of this consultation; and

- Stage 2 will comprise the remainder of the corridor, including the island bordered by Military Rd and Falcon Street, and the Cremorne Town Centre.

The objectives of the planning study were:

- Engage with the community to inform the desired future character of the corridor;
- Develop a vision, structure plan and principles that will manage future development pressure; and
- Ensure tangible public benefits support job and housing growth by identifying necessary public domain upgrades and social infrastructure.

On 22 February 2021, Council resolved to adopt the Military Road Corridor Planning Study: Stage 1 - Future Directions (“the Study”). To give effect to the desired outcomes of the adopted Planning Study, amendments are required to Council’s Local Environmental Plan (LEP) and Development Control Plan (DCP). It should be noted that significant changes to height and floor space associated with the three significant development sites identified in the Study, will be pursued separately.

On 19 August 2021, Council staff advised Council of the preparation and progression of a planning proposal and development control plan amendment to give effect to aspects of the Military Road Corridor Planning Study – Stage 1 Future Directions, which was adopted by Council on 22 February 2021.

A key component of the Study is an increase in the general height limit from five storeys to six storeys throughout most of the Neutral Bay Town Centre and a corresponding increase in the non-residential floor space requirements. The rationale for this is that employment floor space is systematically being eroded in the Town Centre as the current controls enabled existing levels of employment floor space to be replaced by residential development. This change to the LEP would address that decline. Other changes like built form setbacks, podium height, active street frontages, solar protection and public domain upgrades are required to ensure that new development responds to the aspirations of the Study and to reinforce the village feel of the Town Centre. It was anticipated that these amendments are proposed to be incorporated into a future DCP in 2022.

The Rescinded Military Road Corridor Planning Study recommended the following changes to the site 12-14 Waters Road:

- Increase the non-residential floor space (FSR) control from 0.5:1 to 1.2:1. This will effectively require retail uses on the ground level and an additional level of commercial floor area to support long term job growth;
- Increase the maximum height limit from 5 storeys to 6 storeys. The height increase ensures redevelopment is economically viable in relation to the additional setback to Water Lane, extensive public domain upgrades and increased requirement for commercial floor area.
- Whole of building setback to Waters Lane to expand the public domain and create space to plant new street trees, widen footpaths to improve the amenity of the public domain.
- Increase in the podium height from two to three storey to relate to the desired future character of the Neutral Bay Town Centre.

The Military Road Corridor Planning Study includes several objectives and design principles which are considered in detailed in the table below and in the Design Report at Appendix B. As noted in the previous section of this report, the study was rescinded by Council in January 2022.

Table 10. Assessment against the aims, objective & design principles of the Study

Objective / Design Principal	Assessment	Comply
2.2 Public Domain		
<p>Aims</p> <p>Improvements to the existing public domain in Neutral Bay town centre will be achieved by:</p> <ul style="list-style-type: none"> • <i>Improving the environment for walking, cycling and bus stops to enhance the Neutral Bay village atmosphere, a priority identified in during early engagement in 2018</i> • <i>Dedicating space for pedestrian amenity along Military Road, to relieve some of the impacts of increased traffic</i> • <i>Prioritising walking and cycling to limit road congestion, a key direction of the North Sydney Council Transport Strategy (2016)</i> • <i>Allowing space to walk, rest and socialise which will increase pedestrian amenity, accessibility and safety in Neutral Bay</i> 	<p>The proposal improves walking by embellishing the public domain to Waters Road, Grosvenor Street and Water Lane including widening the width of Waters Lane.</p> <p>Increased developer contributions will contribute toward local infrastructure upgrades.</p>	<p>Yes</p>

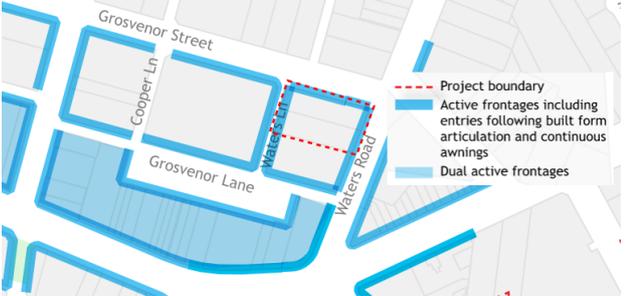
Objective / Design Principal	Assessment	Comply
<p>The Grosvenor Lane Planning Study (NSC 2015) explores opportunities to revitalise the area and create further open space in Neutral Bay town centre.</p> <p>This planning study builds on that work. It aims to deliver... <i>“Shared zones on Waters Lane and Grosvenor Lane to improve existing public domain”</i></p>  <p>Figure 38. Area of future public domain works (Source: Military Road Corridor Planning Study)</p>	<p>The proposal included the dedication of a 1.5m strip of land to Council and embellishment of Waters Lane to create a shared zone to improve the existing public domain.</p> <p>The proposal also includes the embellishment of Council public domain to both Waters Road and Grosvenor Street.</p> <p>The proposal additionally include voluntary monetary contributions towards the delivery of public domain works.</p>	Yes
<p>Objective</p> <p>The objective of the new Waters Lane share way includes:</p> <p><i>“Redirect traffic through Waters Lane and Coopers Lane with sufficient maneuvering space to turn large vehicles”</i></p>	<p>The Water Lane public domain plan will provide an improved public domain whilst enabling sufficient manoeuvring for large vehicles.</p>	Yes
<p>3.1 Employment</p>		
<p>This chapter provides the policy basis to:</p> <ul style="list-style-type: none"> • <i>“Retain existing employment character that supports local businesses;</i> • <i>Increase local employment capacity to meet future retail and office demand by 2036;</i> • <i>Support start-ups and other local businesses;</i> • <i>Develop a high level of local street activity and amenity; and</i> • <i>Support greater diversity and amenity of retail uses”.</i> <p>Objective</p> <p>The objective of the employment controls include:</p> <ul style="list-style-type: none"> • Maintain the existing level of shops and services in the centre. • Ensure new development supports long-term local jobs growth • Increase the non-residential floor space ratio (FSR) in accordance with Fig. 39  <p>Figure 39. Proposed minimum FSR Standard (Source: Military Road Corridor Planning Study)</p>	<p>The planning proposal includes increasing the minimum non-residential FSR from 0.5:1 to 1.2:1 in accordance with the strategy.</p> <p>The increase in commercial FSR will contribute to an increase in local employment capacity to meet future retail and office demand by 2036.</p> <p>The proposal includes the additional non-residential floor area within the basement.</p> <p>The location of the site adjacent to a future large scale supermarket with basement parking, convenient vehicular access and there being a shortage of fresh food produce in Neutral Bay has made the site well suited for speciality green grocer, such as Harris Farm or similar.</p> <p>The inclusion of a speciality greengrocer within Neutral Bay will improve the commercial viability of the centre and will enable it to compete commercially with Mosman and Cammeray town centres.</p> <p>The first floor is well suited for a residential use being north facing, the site not being located to a busy main street, and the use provides a transition to the residential zoned land to the north of the site.</p>	Yes

Objective / Design Principal	Assessment	Comply
<p>Objectives</p> <p>Encourage a mix of retail tenancy sizes for a diverse range of users.</p> <p>Support uses that activate the centre during the day, night, and on weekends to make it a more attractive location for commercial operations and additional residential development.</p> <ul style="list-style-type: none"> • Support a mix of small local offices and start-up businesses. • Allow for a variety of retail, restaurants, cafes and outdoor dining at ground level. Office and business. • Space will be provided on the first and second floor and residential above. • Specialty shops that provide active trade should each have shop-front entries that open to a laneway or street. <p>To meet the new, non-residential FSR requirements development proposals could consider:</p> <ul style="list-style-type: none"> • Smaller floorplates tailored to the town centre with retail spaces at 51-100m² and offices at 101-250m² • Adaptable, flexible spaces. • Inclusion of incubator hubs and coworking spaces. • The ‘pop-up shop’ application on existing and future vacant commercial space to support entrepreneurs and start-up businesses and minimise negative amenity impacts during a redevelopment process. 	<p>The proposal includes fine grade retail to the street level.</p> <p>As discussed in the above section, the site is suited for a speciality Grosvenor Street given the site characteristics and its context. The site is contextually the most appropriate location for a speciality greengrocer in Neutral Bay.</p> <p>The site will underpin the commercial viability of the centre and support local business and attract office spaces by making the centre a more attractive destination with a vibrant retail offering.</p>	Yes
3.2 Transport		
<p>Aims</p> <p>Designing for pedestrians and increasing the amount of public space to walk, rest and socialise, makes streets accessible and safe for all people. It also makes the town centre more attractive for businesses and residents due to increased pedestrian activity.</p> <p>The streetscape should be visually interesting and include engaging building frontages with continuous awnings to provide shelter. Materials for shared zones will continue across intersections to slow down traffic and enhance perceptions of pedestrian safety.</p> <p>This chapter provides the policy basis to:</p> <ul style="list-style-type: none"> • Support cycling and walking as key modes of transport • Enhance the connectivity and amenity across and along Military Road • Support loading needs of local businesses • Maintain access to parking and loading for existing local shops 	<p>The proposal includes a continuous awning along Waters Lane, Grosvenor Street and Waters Road.</p> <p>An active frontage is proposed along Waters Road ,Grosvenor Street and corner of Waters Lane.</p> <p>The proposal includes increasing Waters Lane by 1.5m through land dedication which improves pedestrian circulation along the lane.</p> <p>The proposal includes developer contributions which will go toward infrastructure upgrades such as cycle lanes.</p> <p>A loading bay is proposed onsite.</p>	Yes
<p>Objectives</p> <ul style="list-style-type: none"> • Improve amenity for alternative modes of transport including walking and cycling. • Provide public parking to support local shops. • Replace on-street parking with off-street public car parking to free up public domain. • Maintain adequate space for loading and services in high pedestrian activity areas. • Deliver public domain and local access benefits as described in Chapter 2.2 - Public Domain. • Incorporate site access requirements as described in Chapter 3.4. • For significant development sites, any private redevelopment proposal will need to demonstrate that satisfactory arrangements have been made to ensure that there is no net increase in traffic generation as a result of the development. 	<p>The proposal improves the amenity of walking by increasing the width of Waters lane and the embellishment of the public domain and turning Waters Lane to a shared lane.</p> <p>Parking and loading provided onsite to support local businesses.</p>	Yes

Objective / Design Principal	Assessment	Comply
<p>Transport Works</p> <p>The relevant transport works include:</p> <ul style="list-style-type: none"> Major redevelopment sites will require an internalised loading dock. <p>Delivering site specific improvements there is an opportunity to update Council's Local Access and Traffic Management Action Plan (2018) and Parking Management Plan. This update may consider:</p> <ul style="list-style-type: none"> Improving intersections for pedestrians on Yeo Street, Waters Road and Military Road and adding a pedestrian crossing with build-outs on Yeo Street at Barry Street. Delivering new shared zones in Bydown Street, Cheal Lane and Grosvenor Lane. Investigating opportunities for footpath widening and kerb build-outs (parklets) that can be used for outdoor dining, street furniture and landscaping Introducing a reduced speed limit across the whole of the study area Maximising pedestrian amenity by providing time-shared, ground-level loading and parking. Loading may occur within set times, for example in the early morning and evening 	<p>The proposal includes an internalised loading dock which is limited to deliveries in the early morning.</p> <p>The proposal includes widening of Water Lane by 1.5m to provide an improved public domain.</p> <p>The proposal also includes the embellishment of the public domain to each street frontage.</p> <p>The proposal includes developer contributions which will contribute toward the improvement intersections, pedestrian crossing and new cycle lanes.</p>	<p>Yes</p>
<p>3.3 Built form</p>		
<p>These strategies aim to:</p> <ul style="list-style-type: none"> Improve the existing built form controls in both the North Sydney Local Environmental Plan 2013 (NSLEP 2013) and the North Sydney Development Control Plan 2013 (NSDCP 2013). Incorporate non-residential floor space ratio (FSR) controls into the NSLEP 2013. Provide guidelines for planning proposals (PP) that outline the outcomes of in-kind public benefit contributions (voluntary planning agreements/VPA). These outcomes and their benefits to Neutral Bay town centre have been discussed in previous chapters. 	<p>The proposal is consistent with the aim of the strategy.</p>	<p>Yes</p>
<p>Land Use Zoning - Objective</p> <p>Retain existing characteristics of the land-uses.</p> <ul style="list-style-type: none"> The zoning of new public domain to public recreation (RE1) will be investigated once firm proposals are tabled No other changes are proposed to the zoning 	<p>The proposal includes retaining the B4 Mixed Use zoning.</p>	<p>Yes</p>
<p>Building Height</p> <p>Objectives</p> <p>Carefully manage increases in building height on a limited number of locations:</p> <ul style="list-style-type: none"> to maintain a viable level of employment and residential capacity in a manner that does not detract from the village character of the centre that can deliver public benefits identified in this report <p>Design Criteria</p> <p>The strategy recommends increasing the maximum building height from 5 storeys to 6 storeys for sites identified in Figure 35 to deliver increased employment floor space</p> <ul style="list-style-type: none"> Council will consider planning proposals that seek to increase the maximum height limit that applies to sites 1-3, to enable a development up to the maximum number of storeys shown on Figure 31 Retain current height controls for residential areas 	<p>The increase in height by one storey ensures it is viable to increase the amount of employment floor area onsite and setback the whole building 1.5m from Waters Lane which result in lost residential floor area.</p> <p>The additional level will not detract from the village character of the centre and 1.5m land dedication to Water Lane and public domain embellishments delivers significant public benefits.</p> <p>The proposal includes increasing the building height from five to six storeys.</p> <p>Although the strategy only recommends planning proposals for sites 1-3, a planning proposal is proposed for the site as Central Element is unable to wait for the site 12-14 Waters Road to be subject to a Council led planning proposal.</p> <p>The concept proposal demonstrates the proposal is able to fully comply with the NSDCP and SEPP 65.</p>	<p>Yes</p>

Objective / Design Principal	Assessment	Comply
<ul style="list-style-type: none"> Proposed height is subject to solar and setback controls described in this report, the NSDCP and SEPP65 Residential towers should appear slender, maximise above podium habitable facades to all sides and with tower breaks to avoid a continuous wall along Military Road  <p>Figure 40. Proposed minimum FSR Standard (Source: Military Road Corridor Planning Study)</p>		
<p>Protect sunlight to public domain</p> <p>Objective</p> <p>Protect existing solar access to public open space to maintain Neutral Bay's village atmosphere and prevent overshadowing of important existing and future public spaces.</p> <p>Design Criteria</p> <ul style="list-style-type: none"> Proposals for sites 1-3 should demonstrate that there is a significant increase in solar access to the surrounding public domain compared to existing controls. Buildings above 5 storeys should not create additional shadows on May Gibbs Place and the future Barry Street shared zone during winter solstice. For other sites within the mixed-use zone, development proposals must demonstrate that satisfactory measures have been proposed to protect solar amenity to the following existing and future spaces - Grosvenor Lane Plaza, Rangers Road Plaza & Young Street Plaza. Maintain a minimum of 2 hours of sunlight to 70% of residential dwellings consistent with the solar provisions of NSDCP 2013 and SEPP65 (ADG). <p>Existing controls</p>  <p>Figure 37 - 100m² of sunlight in public domain areas at Grosvenor Lane on 21 June at 10am</p>	<p>The proposal includes setting back the whole building 1.5m from Waters Lane which enables additional direct winter sunlight access to Waters Lane.</p> <p>The height of the proposal will ensure there will be no additional overshadowing to future public domain area at Grosvenor Lane between 10am to 3pm in accordance with the study. Refer to the design report by SJB for details of the overshadowing analysis.</p>	<p>Yes</p>

Objective / Design Principal	Assessment	Comply
<p>Proposed controls</p>  <p>Figure 38 - 1,300m² of sunlight in existing and new public domain areas at Grosvenor Lane under proposed controls on 21 June at 10am</p> <p>Figure 41. Public Domain overshadowing Control (Source: Military Road Corridor Planning Study)</p>		
<p>Whole of building setbacks</p> <p>Objective</p> <p>Refine whole of building setbacks to improve pedestrian amenity.</p> <ul style="list-style-type: none"> • Amend setback requirements in the NSDCP 2013 as per Figure 43 • Whole of building setbacks apply to basement structures and upper levels to improve solar/light access and allow for deep soil zones and large tree canopies • Ground floor treatment should match the existing public paving according to the NSC Style Guide • Retain existing trees in the setback where possible • Rangers Road plaza setbacks are subject to further design to deliver a new 1,000m² public space (see Chapter 3.4)  <p>Figure 42. Building Podium Setbacks (Source: Military Road Corridor Planning Study)</p>	<p>The proposal includes increasing the setback from nil to a 1.5m whole of building setback to Waters Lane for the podium.</p> <p>The proposal includes a nil podium setback to Waters Road and Grosvenor Street.</p> <p>The proposal includes upgrading the public domain to all street frontages and the length of Waters Lane.</p>	Yes
<p>Above podium setbacks</p> <p>Objectives</p> <p>Manage the scale and bulk of buildings to reinforce the existing village atmosphere and maintain a human scale.</p> <ul style="list-style-type: none"> • Amend the podium height and above podium setback requirements in the NSDCP 2103 as shown in Figure 45 • Upper level setbacks should result in: • improved solar access • building separation that meets SEPP 65 guidelines • a strong relationship to the surrounding context • a scale that is appropriate to the village atmosphere 	<p>The proposed building includes a 3 storey podium and 3m tower setback to Waters Road and Grosvenor Street and a 4.5m building tower setback is proposed to Waters Lane.</p> <p>The proposal increases sunlight access to Water Lane by including a 4.5m tower setback to Waters Lane.</p> <p>The supporting concept proposal drawings are demonstrated to be fully compliant with the SEPP 65 Apartment Design Guide.</p>	Yes

Objective / Design Principal	Assessment	Comply
<ul style="list-style-type: none"> The ground floor setback is outlined on the previous pages and relate to all floors of the podium (no reverse setbacks). The upper level setback is calculated from the edge of the podium and is in addition to a ground floor setback.  <p>Figure 43. Building Tower Setbacks (Source: Military Road Corridor Planning Study)</p>	<p>The proposed six storey scale is considered to be appropriate to maintain the village atmosphere.</p>	
<p>Active frontages and outdoor dining</p> <p>Provide active retail frontages along main pedestrian thoroughfares.</p> <ul style="list-style-type: none"> Expand outdoor dining in new public domain. Increase active retail frontages as indicated in Figure 35. Through-block connections should have active frontages where possible and enhance sight lines to additional commercial uses to create an activated and accessible centre. Activate Grosvenor Lane by providing dual retail frontages where possible as shown in Figure 35. Maximise potential outdoor dining spaces on new and improved public domain. Encourage a level of activation and passive surveillance in all laneways. Provide and replace fine-grain architectural articulation in new facades through careful choice of materials and providing entries every 4-8m.  <p>Figure 44. Active Street Frontages (Source: Military Road Corridor Planning Study)</p>	<p>The proposal includes an active street frontage to Waters Road and Grosvenor Street each with a shop width ranging from 4-8m.</p> <p>Waters Lane will predominantly be a service lane and provide pedestrian access to the residential tower. This is consistent with the study which recommends Waters Lane as a service lane.</p> <p>Apartments to level 1 and above will provide passive surveillance of Waters Lane.</p> <p>Refer to the concept proposal prepared by SJB Architects at Appendix A for details.</p>	<p>Yes</p>

Q5 - Is the planning proposal consistent with applicable State Environmental Planning Policies?

The proposals consistency with current State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs), which are deemed SEPPs, are summarised in Table 11.

Table 11. Consistency with SEPPs and REPs

SEPPs	Requirement	Consistent	Reasons for Consistency or Inconsistency
SEPP (Biodiversity and Conservation) 2021	The SEPP aims to reserve, conserve and manage NSW's	Yes	The site is within an existing urbanised area of Greater Sydney and not zoned as a conservation area or contain any flora and/or fauna that would require the application of this SEPP.

SEPPs	Requirement	Consistent	Reasons for Consistency or Inconsistency
	natural environment and heritage.		The entire North Sydney LGA is identified as being within the Sydney Harbour Catchment Area. However, the planning proposal is unlikely to have any adverse effect on the water quality of Sydney Harbour or the District's waterways. The proposal does not include any provisions that is contrary to this SEPP.
SEPP (Industry and Employment) 2021	The SEPP aims to support a competitive and resilient economy that is adaptive, innovative and delivers jobs	Yes	The site is within the North Sydney LGA and not within the Western Sydney employment area. Any proposed advertising and signage for a future development will need to comply with this SEPP.
SEPP (Resilience and Hazards) 2021	The SEPP aims to manage risks and build resilience in the face of hazards.	Yes	The site is not identified as being within coastal use area in the map associated with SEPP (Resilience and Hazards) 2021 (former SEPP (Coastal Management) 2018). The proposed changes to the development controls will facilitate retail and apartments and any hazardous or offensive development is not proposed. The proposal does not include a change to the land use zone and seeks to accommodate an additional level and therefore does not result in any potential increase to potential risk relating to contamination. Further investigation can be carried out as part of a future DA.
SEPP (Resources and Energy) 2021	The SEPP aims to promote the sustainable use of NSW's resources and transitioning to renewable energy.	Yes	The site is in an existing urbanised area and the proposal does not include any provisions that is contrary to this SEPP.
SEPP (Transport and Infrastructure) 2021	The SEPP aims to provide well designed and located transport and infrastructure integrated with land use.	Yes	The planning proposal has been accompanied by a Traffic and Parking Impact Assessment that indicates that the development will not have a significant impact on the surrounding road network. During the public exhibition process Transport for NSW (TfNSW) will be consulted about the proposal and provided the opportunity to include a submission.
SEPP (Housing) 2021	The SEPP aims to deliver a sufficient supply of safe, diverse and affordable housing.	Yes	The proposed changes to the development controls on the site will facilitate 37 new residential dwellings with a mix of 1, 2, 3 and 4 bedroom apartments within close proximity to public transport nodes.
SEPP (Building Sustainability Index: BASIX) 2004	This SEPP aims to encourage sustainable residential development through establishing targets for thermal comfort, energy and water use.	Yes	Development applications (DAs) for all future residential development will need to comply with the targets established under BASIX. The reference scheme has been designed to comply with any future BASIX compliance. Further consideration of this SEPP can occur at a future DA stage.
SEPP (Exempt and Complying Development Codes) 2008	This policy aims to provide streamlined assessment processes for development that complies with specified standards.	Yes	The assessment of the proposed changes to the planning controls and the reference scheme are not carried out under complying development and therefore, this SEPP will not apply.
SEPP 65 – Design Quality of Residential Apartment Development	The aim of this policy is to improve the design quality of residential apartment development in NSW.	Yes	The proposal states that it is generally consistent with the principles of this SEPP. A concept design has been submitted which has regard to the principles of SEPP 65. The future development application for shop top housing will be required to have regard to SEPP 65 and the ADG. The consistency can be further assessed as part of a future DA.

Q6 - Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The planning proposal's consistency with the section 9.1 Directions is discussed in Table 12 below.

Table 12. Consistency with SEPPs and REPs

Direction	Consistent	Assessment
Planning Systems – Place Based		
1.3 Approval and Referral Requirements	Yes	<p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>Section 3.34(2)(d) of the Act requires consultation with State or Commonwealth public authorities that will or may be adversely affected by the proposed instrument and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act.</p> <p>The proposal includes the addition of a storey of residential apartments which increases the number of apartments on the site from 35 to 37 when compared to approved DA 92/21. The proposal will not result in any changes to the size of the basement or approved amount of retail under DA 92/21.</p> <p>The planning proposal will be required to be referred to Ausgrid and RMS as a result of the increase of two apartments. However, the proposal is too negligible to trigger a referral to the following state government authorities:</p> <ul style="list-style-type: none"> • Sydney Water Corporation; • NSW Department of Education; • NSW Department of Health – Northern Sydney Local Health District; <p>Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.</p>
1.4 Site Specific Provisions	Yes	<p><i>The Clause 1.4 Direction stipulates:</i></p> <p>“Objective</p> <p><i>The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.</i></p> <p>Application</p> <p><i>This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out.</i></p> <p>Direction 1.4</p> <p><i>(1) A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</i></p> <p><i>(a) allow that land use to be carried out in the zone the land is situated on, or</i></p> <p><i>(b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</i></p> <p><i>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</i></p> <p><i>(2) A planning proposal must not contain or refer to drawings that show details of the proposed development.</i></p> <p>Consistency</p> <p><i>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the provisions of the planning proposal that are inconsistent are of minor significance”.</i></p> <p>The proposal is considered consistent with the above-mentioned objective and direction and of minor significance for the following reasons:</p> <ul style="list-style-type: none"> • The proposed planning proposal does not restrict or change use; • The proposal seeks to amend the existing height of building map from 16m to 22m. The proposal also introduces a secondary 24m height standard. The secondary height standard is not considered to impose any significant additional restriction to the building, though rather acts as a mechanism to enable rooftop facilities, vertical circulation and plant whilst restricting a potential seventh storey being accommodated onsite; and

Direction	Consistent	Assessment
		<ul style="list-style-type: none"> Whilst the planning proposal includes concept architectural drawings to illustrate the potential additional six storey and rooftop facilities, the concept drawing are for information purposes only and do not form part of the proposed LEP amendment or will be referenced within the LEP. <p>Therefore, the proposed LEP amendment is not considered to be an unnecessarily restrictive site-specific planning control and is of minor significance.</p>
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	The objective of this direction is to ensure development within the St Leonards and Crows Nest Precinct is consistent with the St Leonards and Crows Nest 2036 Plan. The site is in an area of North Sydney LGA, however it does not apply to this land in Neutral Bay and is not affected by this direction.
Biodiversity and Conservation		
3.2 Heritage Conservation	N/A	The objective of this Direction is to conserve items, areas, objects and places of environmental heritage and indigenous significance. This direction does not apply as the site is not within the vicinity of local heritage items or heritage conservation areas.
Resilience and Hazards		
4.1 Flooding	N/A	The objective of this Direction is to ensure the proposal corresponds with flood hazards and includes consideration of the potential flood impacts both on and off the site. The site is not identified as flood prone land and proposed additional storey will not increase the flood risk of the site. Any future development will need to consider Council's Flood Study Plan and clause 5.21 Flood planning.
4.4 Remediation of Contaminated Land	Yes	<p>This Direction was introduced on 17 April 2020 and aims to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered at the planning proposal stage.</p> <p>The proposal seeks to retain the B4 Mixed Use land use zone and relates to accommodating an additional level of height and therefore will not increase the contamination risk of the land. Notwithstanding this, North Sydney Council assessed the proposal against SEPP (Resilience and Hazards) 2021 as part of the approved DA No DA/92/2021 relating to a 5 storey mixed use building with basement and determined that the overall potential for contamination was low and the site was suitable for the intended use of a commercial premise and residential accommodation.</p>
Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Yes	The key objectives of this Direction are to improve access to housing, jobs and services by walking, cycling and public transport and reducing dependency on private vehicles. The planning proposal will result in an increase of two apartments and retained the amount of retail compared to the DA approved scheme. The site has excellent access to public transport and within 80m of the recently constructed B-Line Bus Route. The planning proposal is consistent with this direction.
5.3 Development Near Regulated Airports and Defence Airfields	Yes	<p>This Direction aims at ensuring the effective and safe operation of airports and to ensure development is not adversely affected by aircraft noise. The site is not affected by the Obstacle Limitation Surface (OLS).</p> <p>In accordance with regulation of the Civil Aviation Safety Regulations 1998, Civil Aviation Safety Authority (CASA) is to be notified of buildings or structures that will have a height of 100m or more above ground level. As such consultation will not be required with CASA.</p>
Housing		
6.1 Residential Zones	Yes	Under this Direction, a planning proposal must broaden housing choice, make efficient use of existing infrastructure, reduce consumption of land for housing on the urban fringe and be of good design. The proposal will facilitate redevelopment to provide approximately 2 additional residential dwellings in an urban area located close to existing and proposed services and public transport.
Industry and Employment		
7.1 Business and Industrial Zones	Yes	This direction refers to retaining areas and locations of existing business and industrial zones and not reducing the total potential floor space area for employment uses in business zones, or for industrial uses in industrial zones.

Direction	Consistent	Assessment
		<p>The site is rezoned B4 Mixed Use which permits commercial premises and residential accommodation.</p> <p>The site is currently subject to a 0.5:1 minimum non-residential FSR development standard. A minimum 1.2:1 non-residential FSR development standard is proposed to be introduced as part of the planning proposal which will increase the minimum proportion of the non-residential floor area within the business zone by 240%.</p> <p>It is estimated that the proposed ground level food and drink premises and below ground shops will generate 76 ongoing full-time jobs compared to just 32 ongoing full time jobs under a 0.5:1 minimum non-residential FSR.</p>

6.6 Environmental, Social and Economic Impact

Q7 - Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the proposal?

The site is fully developed and comprises little vegetation. There are no known critical habitats; threatened species or ecological communities located on the site and therefore the likelihood of any negative impacts is minimal.

Q8 - Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The site is free of major constraints. There are no likely environmental effects associated with the future development of the land that cannot be suitably mitigated through further design development. Preliminary investigations have been undertaken as outlined below.

6.6.1 Overshadowing

An three-dimensional shadow study has been undertaken by SJB Architects. The shadow study has considered the potential future-built form within the future Neutral Bay Town Centre and future public plaza (refer to Figure 46).

The Planning Study acknowledges that the future Neutral Bay Town Centre aims to reduce the existing overshadowing impacts created by the existing building at 41-53 Grosvenor Street, Neutral Bay and there is an opportunity to increase winter sunlight access to the future public plaza (refer to figure 4 5).

The submitted shadow analysis demonstrates that the orientation of the site means that some overshadowing of the public domain and buildings to the south is unavoidable with the built form anticipated by the Planning Study and the SJB concept proposal. However, as demonstrated in the shadow study the proposed additional storey will not result in any additional overshadowing of the future public plaza between 10am to 3pm and is fully compliant with the North Sydney Council Military Road Corridor Planning Study (recinded).

The proposal includes a 1.5m whole of building setback to Waters Lane in addition to the current North Sydney DCP built form controls which will increase of the amount of sunlight access to the future shared Waters Lane between 9am to midday in midwinter. Therefore, overall improving winter sunaccess to the public domain.

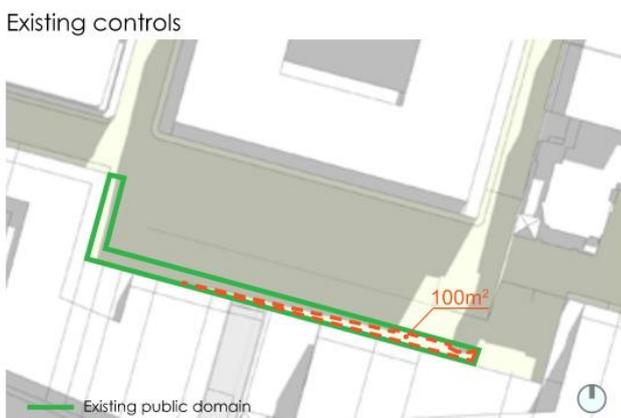


Figure 37 - 100m² of sunlight in public domain areas at Grosvenor Lane on 21 June at 10am



Figure 38 - 1,300m² of sunlight in existing and new public domain areas at Grosvenor Lane under proposed controls on 21 June at 10am

Figure 45. Existing and future potential overshadowing impacts to the plaza (Source: Military Road Corridor Planning Study)



Figure 46. Overshadowing impact between 10am to 2pm (Source: SJB Architects)

6.6.2 View Impacts

The approved DA No 92/21 for a five storey mixed-use residential apartment building at 12-14 Waters Road, Neutral Bay resulted in some minor view loss impacts from the following properties:

- North-West facing Unit, Level 3, 4-8 Waters Road;
- North-West facing Unit, Level 4, 4-8 Waters Road; and
- Unit 79, Level 5, 4-8 Waters Road.

A comprehensive View Loss Analysis was prepared by Central Element in relation to the above mentioned properties as part of the DA with consideration with the general principle of determining a fair and equitable sharing of views and impact on neighbours was laid out by Senior Commissioner Roseth SC in "Tenacity Consulting v Warringah Council (2004) NSWLEC 140". North Sydney Council and the Sydney North Planning Panel concluded the extent of view loss was fair and equitable.

The proposed additional level will not result in any additional view loss impacts upon surrounding properties as evident in the view loss diagram provided below in Figure 47. Given the adjoining building at 4-8 Waters Road including the residential flat building at 3 Waters Road and 7-17 Waters Road are only four to five storeys in height the proposed six storey will not result in any view impacts from these properties.

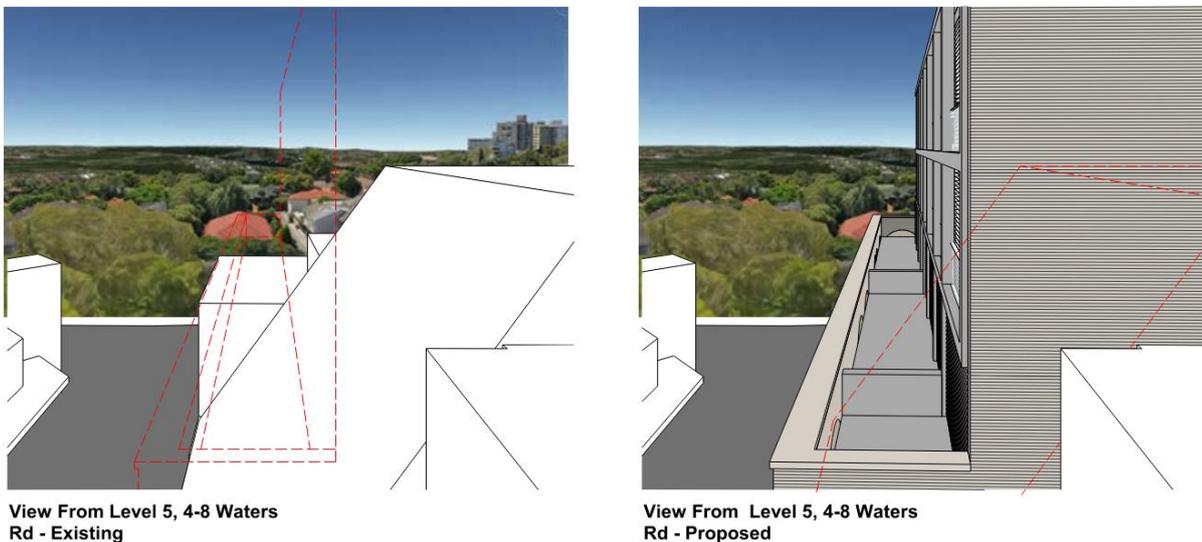


Figure 47. View Loss Diagram (Source: SJB Architects)

6.6.3 Traffic Impacts

A Transport Impact Assessment (TIA) has been undertaken by the The Transport Planning Partnership (TTPP) in relation to the proposal. This assessment is included at Appendix C. The TTPP has reviewed the existing conditions of the site including travel behaviour, public transport, road network, parking and traffic volumes. TTPP provided a preliminary assessment of the design concept including a review of the proposed parking provision in relation to the controls within the North Sydney DCP 2013. The TTPP also reviews the servicing arrangements and traffic generation on the site.

The TTPP notes that the site's location being within the Neutral bay Town Centre, opposite a supermarket and close to the B-Line Bus stop will not generate significant parking demand. TTPP states that the proposed parking provision is consistent with the requirements of the North Sydney DCP 2013. The TPP also confirms that the proposed servicing arrangements are acceptable given the low frequency of service vehicles and that deliveries can take place out of hours. This will minimise potential conflicts with other vehicles and pedestrians.

The TTPP has assessed the potential traffic generation. Whilst there will be a net increase in traffic generation when compared to current conditions, this increase was assessed to be negligible. The TTPP does not envisage any adverse impacts to the performance of surrounding intersections and therefore the surrounding road network is expected to operate at current levels.

The TTPP concludes that the proposal is supportable on traffic related considerations.

6.6.4 Waste Management

An operational waste management plan will be provided with the future develop proposal. The proposed additional level which facilitates two additional apartments will not significantly increase the demand for waste management services for the land.

6.6.5 Servicing

The addition of a single level is not considered to trigger the requirement for capacity testing to determine the suitability of existing service and utility infrastructure and any upgrades required.

6.6.6 Sustainability

The concept design has been prepared with building massing and orientation to facilitate future BASIX compliance. BASIX will be addressed at the detailed development application stage. The development will be required to meet and where possible exceed the NCC energy efficiency requirements of Part J of the BCA.

6.6.7 Noise

The proposed additional level will not result in any significant additional noise impacts. An acoustic report considering the acoustic amenity of the future apartment and neighbouring properties must be considered within the future development approval.

6.6.8 Stormwater

The proposed additional level and will not impact upon stormwater flows or detention at the site. A stormwater management plan prepared by a Hydraulic Engineer will be required to support a future development approval.

6.6.9 Contamination

The proposal will retain the B4 Mixed Use land use zone and relates to accommodating an additional level of height and therefore will not increase the contamination risk of the land. Notwithstanding this, North Sydney Council assessed the proposal against SEPP (Resilience and Hazards) 2021 as part of the approved DA No DA/92/2021 relating to a 5 storey mixed use building with basement and determined that the overall potential for contamination was low and the site was suitable for the intended use of a commercial premise and residential accommodation. The future amending DA for a six storey will need to give consideration to the provisions of State Environmental Planning Policy No 55—Remediation of Land to confirm the site can suitably accommodate the mixed-use development.

Q9 - Has the planning proposal adequately addressed any social and economic effects?

6.6.10 Economic and Social Benefits

To determine whether the proposal adequately addresses economic effects, it is important to understand the current market conditions and how the proposal responds. Through realising economic benefits, a positive social on-flow effect will also occur with the public benefiting through job creation and public domain upgrades.

The proposal will not give rise to any adverse social impacts. The proposal will have a positive social impact, improving the quality of housing stock in the locality and providing development that is in keeping with the desired future character of the area. The proposal provides greater activation and surveillance of the public domain, compared to the current arrangement of buildings on the site, with the provision of greater opportunities for the surveillance of Waters Road, Waters Lane and Grosvenor Street. Increased activation and surveillance along streets assist in discouraging and reducing opportunities for antisocial behaviour.

Significant positive economic impacts are expected as a result of the proposed development. In the short term, the proposal will have a positive economic impact by providing construction employment while in the long term the proposal will generate employment opportunities through the significant offering of contemporary new commercial and retail floor space associated with the lower three levels of the development.

The proposal for a speciality green grocer to be located in the basement will be both a positive social and economic impact, stimulating further business activity in the locality and providing local residents with a more diverse retail offering and greater choice.

6.6.11 State and Commonwealth Interests

Q10 - Is there adequate public infrastructure for the planning proposal?

The site is served by existing utility services. The site is located to allow incoming residents and workers to capitalise on the wide range of infrastructure and services existing and planned within the area. It will reinforce existing investment in public transport infrastructure, through increased patronage of the recently built B-line bus stop on Military Road. A range of established services are available within proximity of the site, including health, education and emergency services networks.

Q11 - What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

No consultation with State or Commonwealth authorities has been carried out to date on the Planning Proposal.

The Gateway Determination will advise the public authorities to be consulted as part of the Planning Proposal process. Any issues raised will be incorporated into this Planning Proposal following consultation in the public exhibition period.

In accordance with the Gateway Determination, public exhibition of the planning proposal is required for a minimum of 28 days. North Sydney Council must comply with the notice requirements for public exhibition of planning proposals in Section 5.5.2 of A guide to preparing local environmental plans.

7. Mapping

The Planning Proposal seeks to amend the following NSLEP 2013 Maps:

- Height of Buildings Map Sheet - HOB_001_010; and
- Non-Residential Floor Space Ratio Map Sheet - LCL_001_010.

The proposed technical mapping changes are provided at Appendix D.

8. Project Timeline

It is anticipated that the LEP amendment will be completed within 5 months. An indicative project timeframe is provided in the table below.

Table 13. Timetable and Program

Stage	Timeframe
Gateway Determination	December 2022
Public exhibition	January 2023
DPIE Assessment post-exhibition report	February 2023
Panel Determination	March 2023
Submission to DPIE requesting making of LEP	April 2023
Drafting of LEP and Gazettal	May 2023

9. Conclusion

The Planning Proposal seeks an amendment to the North Sydney Local Environmental Plan 2013. The amendment will allow for a high-density mixed-use development at 12-14 Waters Road, Neutral Bay. The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 and the relevant DPI&E guidelines.

The planning proposal report provides strategic and site-specific justification for the LEP amendments. The proposed Concept Design has been informed by a detailed site analysis, pre-lodgement engagements with Council and consideration of the site constraints. The proposed amendments to the North Sydney LEP 2013 will achieve an appropriate development outcome for the following reasons:

- The proposal achieves an appropriate built form and scale outcome consistent with the objectives of local planning policy. The proposal is also consistent with both the existing and emerging scale of the Neutral Bay Town Centre;
- The proposal will positively contribute to the State planning strategic goals. These goals include increasing employment and housing densities in centres with access to existing and planned public transport;
- The proposal will deliver a range of benefits for the community, including:
 - Direct and indirect jobs during the construction phase.
 - Ongoing employment from the retail and commercial uses proposed for the site and creation of an active frontage to Grosvenor Street and Water Road.
 - Growth of employment from the current uses that are consistent with the new direction and forecast need for retail and commercial uses.
 - The embellishment of the streetscape to create an active street frontage.
 - A Voluntary Planning Agreement including a \$1,900,000 monetary contribution to Council for public domain works.
 - An 1.5m whole of building setback along Waters Lane to improve pedestrian circulation, to encourage active street frontages at ground level, to improve the amenity of the public domain and increase winter sunlight access.
- The site has good access to services and public transport. The proposal will achieve environmental benefits by encouraging more trips within and outside of the centre without cars.
- The Planning Proposal supports the State government's objective to increase densities in major centres where there is good access to public transport and facilities.
- The Planning Proposal provides renewal of lower grade commercial office space which will allow for a greater mix of both retail and commercial uses.
- The residential component of the proposal capitalises on the site's location close to amenities, services and public transport.
- The proposal will ensure a development with significant economic and community benefit. The proposal has demonstrated both strategic and site-specific merit and as such warrants Council's support.

Overall, the proposal includes significant public benefits that will facilitate the development of a high-quality mixed-use development.