

18 April 2023

Marcus Ray, Deputy Secretary  
NSW Department of Planning and Environment  
4 Parramatta Square, 12 Darcy Street,  
Parramatta NSW 2150

Attention: Douglas Cunningham, Senior Planning Officer, Agile Planning

**12-14 WATERS ROAD, NEUTRAL BAY**  
**PLANNING PROPOSAL NO: PP/2021/7492**  
**RESPONSE TO SUBMISSIONS TO PLANNING PROPOSAL**

Dear Douglas,

CE Water Pty Ltd (Central Element) write to NSW Department of Planning and Environment) to provide a response to the letters of submission received to the planning proposal No PP-2021-7492 which was on public exhibition from to 22/02/2023 to 22/03/2023. In total, there are thirty-one (31) submissions, where thirty (30) of these submissions are objecting to the proposal and one (1) is in support. A response to the submissions received in relation to the planning proposal is provided below.

**Table 1. Response to Submissions**

Comment	Response
1. In favour. Please proceed	Noted.
<p>2. The proposed development is very much under parked. This is a ubiquitous problem with developments in the North Sydney Local Gov area. The Architectural plans show -</p> <p>Commercial parking (inc accessible) 60 cars, visitor parking 6. Residential parking (inc accessible) 34 Motorcycle parking 17!</p> <p>Unless the target market includes the Hells Angels this is simply an exercise in making up numbers!</p> <p>Actual numbers (excluding motorcycles) are commercial 66 plus residential 34.</p> <p>It appears that the proposal is for 44 x 2 and 3 apartments.</p>	<p>The concept proposal includes 37 apartments. The proposal provides for the maximum amount residential parking permitted under the North Sydney DCP. Any additional residential parking would result in a non-compliance with the North Sydney DCP maximum parking control.</p> <p>The proposal is located within the Neutral Bay Town Centre and within 100m of the express B Line bus terminal and additional increase in one storey in height is considered to be suitably serviced by public transport and good access to local services in walking distance.</p>



Comment	Response
<p>Given the area there should be at least 2 car parks per three bed apartment and 1 per 2 bed and 1 bed apartment.</p> <p>Therefore the proposal is at least 10 and up to 20 car parks short depending on the split of 2 and 3 bed apartments.</p> <p>I confirm -</p> <p>1 The submission relates to the planning proposal</p> <p>2 I object to the proposal</p> <p>3 I object because the under parked nature of the proposal simply increases the lack of available street parking in the area.</p> <p>If parking was in the ratio of 2 car parks per 3 bed unit and 1 carpark per 1 and 2 bed unit I would support the development.</p>	
<p>3. I do not support this application as the increased height will create a precedent that will then be followed back up Waters Road to Military road and along Grosvenor Street itself, including the Woolworths Building and carpark. It will add to the already congested street traffic, create additional parking problems for the area and will help to make Neutral Bay an over-developed business area. I am not anti-development, but as a property owner and business owner in this neighbourhood, I see this as a greedy opportunity by the Developer to increase their already over-sized development and create further issues for those of us working and living in this neighbourhood.</p>	<p>Central Element do not consider they are being opportunistic and considered to provide an equitable balanced approach between increase in height and public benefit.</p> <p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the Councillors and Greater Sydney Commission. The strategy was subject to over 2 years of community consultation and input from a range of stakeholders and independent experts commissioned by Council at a cost of over \$200,000.</p> <p>The original DA for the site included six storeys height consistent with the Council and GSC endorsed strategy and current planning proposal, the six storey was deleted from the scheme following the unusual occurrence of the strategy being rescinded a year later notwithstanding the strategy being a requirement of the Local Strategic Planning Statement.</p> <p>Central Element submitted an amending DA for the six storey following gateway determination of the planning proposal to ensure the DA and planning proposal would be publicly exhibited concurrently as recommended in the department of planning LEP making guidelines.</p> <p>The reason the Councillors rescinded the strategy which include 12 storeys towers was to establish a “better balance between development height and the provision of additional public open space”. The planning proposal seeking approval for a single additional level (8 apartments) which is a modest 2.7m greater in height than the approved 5 storey building with rooftop facilities</p>



Comment	Response
	<p>which is currently under construction. The development proposal includes additional public open space to Waters Road and a VPA including a substantial \$1,900,000 contribution towards embellishing the public open space.</p> <p>The proposed additional storey includes eight apartments, which is compliant with the North Sydney DCP parking control and considered to result in a negligible increase in traffic. The site is located in the Neutral Bay Town Centre and within 100m of the B-Line express bus line which ensures a transport orientated development which minimises reliance upon private vehicular use.</p>
<p>4. I do not want the building to be 22 meters high. This is not what the community needs. Please do not do this to our community.</p>	<p>The planning proposal is seeking approval for an increase in height of 2.7m greater than the approved 5 storey DA which is under construction. The proposal includes a number public benefits including increasing the non-residential FSR from 0.5:1 and 1.2:1 to ensure the role of Neutral Bay is retained as a commercial town centre and through a VPA voluntarily contribute \$1,900,000 (approx. \$2,500 per m<sup>2</sup> of additional residential GDA) to North Sydney Council towards public domain embellishment. The development proposal includes an additional 1.5m whole of building setback to Waters Lane greater than anticipated under the current DCP, reducing visual bulk to Waters Lane, increase opportunity for street planting and natural light to the public domain.</p>
<p>5. To whom it may Concern</p> <p>I refer to the planning Proposal (PP-2021-7492 12-14 Waters Road, Neutral Bay, i would like to provide input into not approving the request to make amendments to the North Sydney LEP 2013. for the following reasons:</p> <ul style="list-style-type: none"> <li>- Grosvenor street and Waters Lane is already a very congested area with minimal ingress and exit, hence increasing this and increasing the number of units and parking spots will only increase already a very congested space. The foot traffic from shops and Woolworths make the additional congestion a very significant hazard for residents who live in the area</li> <li>- Utilities and services to this area such as water and electricity is already compromised , with increasing development in Neutral Bay in the past 20 years, there has been no upgrade to the utility</li> </ul>	<p>The planning proposal is seeking approval for a single additional level (8 apartments) which will result in a negligible increase in traffic. The site is located in the Neutral Bay Town Centre and within 100m of the B-Line express bus line which ensures a transport orientated development and minimises reliance upon private vehicular use.</p> <p>The planning proposal is seeking approval for a single additional level (8 apartments at level) which will result in a negligible increase demand for water and electricity. The approved DA includes an onsite detention system, upgrade of Council stormwater asset along Grosvenor Street and onsite substation. This ensures the proposal improves stormwater treatment and energy supply in the centre.</p>



Comment	Response
<p>assets such as power and water effecting the services to the residents in the area. There is continuing disruptions to electricity services , stormwater runoff has increased the flooding in my garage, the Internet service does not cope well with the increasing number of residents in the area and these providers are not upgrading their capacity</p> <ul style="list-style-type: none"> <li>- Ambiance of Neutral Bay is a village not like a Chatswood and St Leonards , adding more height , units and car spaces will destroy the village atmosphere that exists with Neutral Bay village</li> <li>- Stormwater flooding causing undue damage to my garage and personal effects due to increased building development and increased load caused by more units, construction etc..</li> <li>- Increasing pollution both from cars as well as people, the environment is degrading significantly from over development</li> <li>- Increasing garbage on the streets due to people who do not remove litter and just drop rubbish everywhere , this seems to correlate with the number of units and people that have come into the area</li> </ul> <p>I live in Grosvenor st and have done for 30 years , Neutral Bay was a village and was quiet and calm , with all the development of recent years this has really impacted the liveability of the area hence any proposal to increase building height and increases units/cars , I am against as do most of the residents in this area/street.</p> <p>Happy to provide more information as required.</p>	<p>The approved DA for a 5 storey building with rooftop facilities which is under construction includes a 21.3m height, the planning proposal only seeks an additional 2.7m in height. The proposal results in an additional 1.5m whole of building setback to Waters Lane than that anticipated under the current DCP and \$1,900,000 in voluntary contributions to Council towards public domain upgrades in Neutral Bay. The proposed height increase is considered modest and will fund improvement of the amenity of the Neutral Bay Town Centre public domain.</p> <p>The additional level is not considered to result in any additional pollution or rubbish. The proposed \$1,900,000 in voluntary contributions can be used to improve the environmental performance of the public domain.</p>
<p>6. I am writing to object to the Planning Proposal (PP-2021-7492) being amended. The North Sydney LEP 2013 relating to 12-14 Waters Road Neutral Bay will if approved, enable the Developer to increase the building height by some six (6) meters and also allow a "site specific" addition of 2M for "roof top" facilities. As a resident and Member of the Strata Committee of "Bougainvillea" which is located opposite this development site, my concern is that Neutral Bay is fast moving away from being a "village" and morphing into a property speculators "cash cow". The road infrastructure is already stretched to breaking point in Grosvenor Street and will probably deteriorate further when Woolworths relocate to Yeo Street, Neutral Bay and Coles move into the present Woolworths site.</p> <p>Getting in and out of our car park in 7-17 Waters Road has</p>	<p>Central Element considers that have taken an equitable and balanced approach between increasing height based on a endorsed strategy whist sharing the increase in land value with the community through additional voluntary monetary contributions and public domain works.</p> <p>The proposal includes increasing the non-residential FSR from 0.5:1 to 1.2:1 ensure the commercial role of the town centre, increasing the whole of building setback by 1.5m more than anticipated in the DCP to Water Lane to improve the quality of the public domain and \$1,900,000 in voluntary contributions (approx. \$2,500 per m2 in increased floor area compared to a compliance scheme based on the current planning controls). A proposed 5 storey DA under the current planning controls would</p>



Comment	Response
<p>already become quite dangerous and will no doubt deteriorate further with the influx of new/additional residents into 12-14 Waters Road.</p> <p>Should the proposed changes be approved, it can be almost guaranteed that Developers will use this precedent to be the "baseline" for future negotiations.</p>	<p>not deliver the above mentioned outcome or public benefits.</p> <p>It is confirmed there is no intention to seek additional height above what is proposed within the planning proposal. The building is under construction and any future planning proposal would not work with the project program.</p>
<p>7. I wish to strongly oppose this non-compliant development. The current zoning is an already generous B4 with a height restriction of 16m.</p> <p>This zoning and height restriction remains in place for the benefit of all residents and visitors and helps discourage rapacious developers.</p> <p>The current proposal seeks to ignore these restrictions and instead significantly increase the height of the development to 24 metres: this represents a 150% increase in height above the current zoning. This will clearly not benefit local residents or visitors. In addition to extended construction duration, with the inevitable short term (2-5 years) inconvenience of noise, dust and building-related traffic, there will be permanent loss of light to local residents and visitors to the Neutral Bay shopping village, increased congestion and further competition for limited local recreational facilities.</p> <p>Far more worryingly, any approval to ignore the current zoning and height restrictions will additional fuel to developers to similarly ignore such restrictions and propose further, non-compliant developments in the area.</p> <p>Examples are not hard to find with a few metres of this proposal right now (see PP 6/22 and PP 1/23, DA 334/22, DA 404/22). Instead of being persuaded by developers of the need for more apartments, the planning authority needs to consider actually what local residents and visitors want and the reasons why they live in the area. Very few would vote for increased building heights, loss of solar access, increased congestion and perennial construction noise.</p>	<p>Central Element considers that have taken an equitable and balanced approach between increasing height based on an formally endorsed strategy whist sharing the increase in land value with the community through additional voluntary monetary contributions and public domain works.</p> <p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study following by the North Sydney Councillors and Greater Sydney Commission. The planning proposal was submitted based on an endorsed strategy which was later rescinded by the Councillors to establish a “better balance between development height and the provision of additional public open space”.</p> <p>The approved DA for a 5 storey building with rooftop facilities is under construction includes a 21.3m height, the planning proposal only seeks an additional 2.7m in height. The proposal includes increasing the non-residential FSR from 0.5:1 to 1.2:1 ensure the commercial role of the town centre, increasing the whole of building setback by 1.5m more than anticipated in the DCP to Water Lane to improve the quality of the public domain and \$1,900,000 in voluntary contributions. A proposed 5 storey DA under the current planning controls would not deliver the above mentioned outcome or public benefits. The proposal is considered to provide fair and balanced approach between increase in height and public benefit.</p> <p>The planning proposal is seeking approval for a single additional level (8 apartments) which will result in a negligible increase in traffic. The single additional level is located in the Neutral Bay Town Centre and within 100m of the B-Line express bus line which ensures a transport orientated development and minimises reliance upon private vehicular use.</p> <p>The proposed additional level does not result in any additional</p>



Comment	Response
	<p>bulk excavation and would not significantly increase the length of construction.</p> <p>Detailed overshadowing diagrams have been prepared and included with the planning proposal demonstrating minimal overshadowing to the public domain. The development proposal includes an additional 1.5m whole of building setback greater than anticipated in the DCP (1.5m podium setback and 4.5m tower setback) to improve sunlight access to Waters Lane.</p>
<p>8. I object to the building height increase. It is much higher than surrounding buildings and not in keeping with the overall height in that area.</p> <p>It sets a precedent for future developments to further raise the average height in Neutral Bay Village, negatively impacting the community with higher density developments.</p>	<p>The approved DA for a 5 storey building with rooftop facilities is under construction includes a 21.3m height, the planning proposal only seeks an additional 2.7m in height.</p> <p>The planning proposal is not considered to set a precedent, Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the North Sydney Councillors and Greater Sydney Commission. The planning proposal was submitted based on an endorsed strategy which was later rescinded by the Councillors to establish a “better balance between development height and the provision of additional public open space”, which is considered to be achieved through modest 2.7m height increase and substantial public benefits.</p>
<p>9. 7 level building is not consistent with the height of the surrounding builds and it would shadow the neighbouring dwellings. The additional apartments provided by the proposed floors would add to an already congested area and streets with very poor traffic management and limited parking.</p> <p>There is no justification to support this increase in height except greed.</p>	<p>Central Element considers that have taken an equitable and balanced approach between increasing height based on an formally endorsed strategy whist sharing the increase in land value with the community through additional voluntary monetary contributions and public domain works.</p> <p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study following by the North Sydney Councillors and Greater Sydney Commission. The planning proposal was submitted based on an endorsed strategy which was later rescinded by the Councillors to establish a “better balance between development height and the provision of additional public open space”, which is considered to be achieved through modest 2.7m height increase and substantial public benefits.</p>



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	<p>The proposal includes increasing the non-residential FSR from 0.5:1 to 1.2:1 ensure the commercial role of the town centre, increasing the whole of building setback by 1.5m more than anticipated in the DCP to Water Lane to improve the quality of the public domain and \$1,900,000 in voluntary contributions. A proposed 5 storey DA under the current planning controls would not deliver the above-mentioned outcome or public benefits. The proposal is considered to provide fair and balanced approach between the 2.7m increase in height and public benefit.</p> <p>A detailed overshadowing study is supported with the development application demonstrating the proposed six storey will not significantly overshadow the apartments to the south and enable compliance with the SEPP 65 ADG.</p>
<p>10. I wish to object to the proposal to amend the height of the building and extend floor space, this has already had a negative impact on residents with disruption to traffic and extensive noise 6 days a week. this will just further the time it will take to build and it is very unfair not to mention greedy of the developers. I would also like to point out they use the water from 80 Grosvenor street which I pay for as a rate payer and I have had to complain the management.</p>	<p>Central Element considers that have taken an equitable and balanced approach between increasing height based on a formally endorsed strategy whist sharing the increase in land value with the community through additional voluntary monetary contributions and public domain works.</p> <p>It is acknowledged the construction of the project has resulted in disruption in relation to both noise and traffic. The proposed additional level does not result in additional excavation and results in a minor increase to the overall construction program.</p> <p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the North Sydney Councillors and Greater Sydney Commission. The planning proposal was submitted based on an endorsed strategy which was later rescinded by the Councillors to establish a “better balance between development height and the provision of additional public open space”.</p> <p>The proposal includes increasing the non-residential FSR from 0.5:1 to 1.2:1 ensure the commercial role of the town centre, increasing the whole of building setback by 1.5m more than anticipated in the DCP to Water Lane to improve the quality of the public domain and \$1,900,000 in voluntary contributions. A proposed 5 storey DA under the current planning controls would not deliver the above-mentioned outcome or public benefits. The proposal is considered to provide fair and balanced approach</p>



Comment	Response
<p>11. I object strongly to the latest planning proposal for this development on the grounds that it is over the heights limits already agreed too by the Developer in the previous two (2) applications for changes to this site plan. Being a member of Brightmore Precinct this matter has been raised on numerous occasions during meetings and totally rejected. The LEP for this building is 16m which was originally agreed to for this particular development, why do we, as residents have to put up with 'greedy' developers trying to spoil the village atmosphere in Neutral Bay and especially Waters Road, which is already heavily congested and a nightmare with traffic volume now! I say a definite NO to this proposal.</p>	<p>between the 2.7m increase in height and public benefit.</p> <p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the North Sydney Councillors and Greater Sydney Commission and subject to two years of community consultation and over \$200,000 in cost to Council. The planning proposal was submitted based on an endorsed strategy which was later rescinded by the Councillors to establish a “better balance between development height and the provision of additional public open space”.</p> <p>The proposal only seeks 2.7m in additional height to the approved 5 storey building rooftop facilities</p> <p>The proposal includes increasing the non-residential FSR from 0.5:1 to 1.2:1 ensure the commercial role of the town centre, increasing the whole of building setback by 1.5m more than anticipated in the DCP to Water Lane to improve the quality of the public domain and \$1,900,000 in voluntary contributions. A proposed 5 storey DA under the current planning controls would not deliver the above-mentioned outcome or public benefits. The proposal is considered to provide fair and balanced approach between the proposed increase in height and public benefit.</p>
<p>12. The development initially removed a tree and a seating area from the footpath.</p> <p>What next?</p> <p>This street has always been a quiet haven for retired residents. We need more open space and less development.</p> <p>The height of the present plan is well above the surrounding area. It will have a negative impact of light restriction on my own and other's units.</p> <p>The area currently has numerous grocery and commercial outlets. Please no more.</p> <p>Traffic is increasing to a bottleneck and road crossing is difficult. I beg you to resist the expansionist aims of this already overdeveloped site plan.</p>	<p>The proposal results in temporary disruption during construction, however at the end of the project will deliver a high quality embellished public domain to Waters Road and Grosvenor Street. The development proposal results in increased open space by dedicating 1.5m of land to Waters Lane to Council via an easement to enable street planting and increased footpath.</p> <p>Further, the project includes \$1,900,000 in voluntary contributions to North Sydney Council to upgrade Neutral Bay centre which is envisaged to result in an improved public domain and traffic calming.</p> <p>A detailed overshadowing study is supported with the development application demonstrating the proposed six storey will not significantly overshadow the apartments to the south and enable compliance with the SEPP 65 ADG.</p> <p>The site is located within a Commercial Centre and considered a suitable location to provide alfresco dining, fine grain shops and</p>





Comment	Response
	<p>retail out.</p> <p>The planning proposal is seeking approval for a single additional level (8 apartments at level) which will result in a negligible increase in traffic. The single additional level is located in the Neutral Bay Town Centre and within 100m of the B-Line express bus line which ensures a transport orientated development and minimises reliance upon private vehicular use.</p>
<p>13. I object to this planning development proposal as it has a significant detrimental impact on the local environment and community.</p> <p>The development will be inconsistent with the overall height and occupant density of buildings in the area, and generate more adverse issues in the community.</p> <p>My specific concerns are a bigger building will add to:</p> <ul style="list-style-type: none"> <li>- Traffic congestion and more difficult road access in the area. ( Woolworths already creates a major traffic and safety problem particularly along Grosvenor Street and Ben Boyd Road with trucks too big for the road. )</li> <li>- Pedestrian safety with increasing density and congestion.</li> <li>- loss of light and overshadowing</li> <li>- a 7 story building will look out of place in Neutral Bay setting a precedent for further development which will create further negative environmental issues.</li> </ul>	<p>The planning proposal is seeking approval for a single additional level (8 apartments at level) which will result in a negligible increase in traffic. The single additional level is located in the Neutral Bay Town Centre and within 100m of the B-Line express bus line which ensures a transport orientated development and minimises reliance upon private vehicular use.</p> <p>The proposal includes the embellishment of the footpath to Waters Lane and Grosvenor Street and a 1.5m podium setback to Waters Lane and 4.5m tower setback which will increase the width of the public domain, improve pedestrian amenity and increased natural light to Waters Lane.</p> <p>The proposal includes a height of 6 storeys with rooftop facilities which will not be readily discernible from the public domain. The planning proposal only includes an increase of 2.7m in height compared to the approved DA and height increase does not result in any adverse environmental impacts such as view loss, overshadowing, loss of privacy or visual impact.</p>
<p>14. This submission is made on behalf of Harrison/Bennett Precinct, a local community group operating under the auspices of North Sydney Council, that plays an active role in providing input into matters of importance for the North Sydney community. At our recent meeting of 2 March 2023, the Precinct unanimously voted to lodge an objection to this Planning Proposal.</p>	<p>Noted.</p>
<p>15. I object to the proposal</p> <p>The reasons for this are:</p> <ul style="list-style-type: none"> <li>- the continued over development of Neutral Bay undermining and causing the loss of village atmosphere in Neutral Bay</li> <li>- loss of natural light and amenity for adjoining residences</li> <li>- additional properties and flats will mean more cars on</li> </ul>	<p>The planning proposal includes an increase in height of 2.7m compared to the approved 5 storey DA which is under construction. The proposal is subject to substantial public benefits which will contribute to a more vibrant centre and improved public domain.</p>



Comment	Response
<p>overcrowded roads</p> <ul style="list-style-type: none"> <li>- the proposal is not supported by North Sydney Council - why should the Council be overridden by a State Government in favour of developers</li> <li>- our quality of life in Neutral Bay/Cremorne should not be undermined by arbitrary density targets set by NSW State Government for North Sydney.</li> </ul>	<p>The proposed additional storey includes eight apartments, and includes residential parking compliant with the North Sydney DCP parking control and considered to result in a negligible increase in traffic.</p> <p>The proposal does not result in any adverse overshadowing to apartments to the south and demonstrates compliance with the solar controls within SEPP ADG.</p> <p>The planning proposal was submitted based on a Council and Greater Sydney Commission local planning strategy. The preparation of the Military Road Corridor Planning Strategy was a requirement of the Council endorsed Local Strategic Planning Statement. The strategy was later rescinded by a new incumbent set of Councillors on the basis of ensuring a <i>“better balance between development height and the provision of additional public open space”</i>. The planning proposal includes a 2.7m height increase to the approved 5 storey DA and substantial public benefits and considered to provide a suitable balance.</p>
<p>16. I object to the proposal</p> <p>The reasons for this are:</p> <ul style="list-style-type: none"> <li>- the continued over development of Neutral Bay undermining and causing the loss of village atmosphere in Neutral Bay</li> <li>- loss of natural light and amenity for adjoining residences</li> <li>- additional properties and flats will mean more cars on overcrowded roads</li> <li>- the proposal is not supported by North Sydney Council - why should the Council be overridden by a State Government in favour of developers</li> <li>- our quality of life in Neutral Bay/Cremorne should not be undermined by arbitrary density targets set by NSW State Government for North Sydney.</li> </ul>	<p>The planning proposal includes an increase in height of 2.7m compared to the approved 5 storey DA which is under construction. The proposal is subject to substantial public benefits which will contribute to a more vibrant centre and improved public domain.</p> <p>The proposed additional storey includes eight apartments, which are compliant with the North Sydney DCP parking control and considered to result in a negligible increase in traffic.</p> <p>The proposal does not result in any adverse overshadowing to apartments to the south and demonstrates compliance with the solar controls within SEPP ADG.</p> <p>The planning proposal was submitted based on a Council and Greater Sydney Commission local planning strategy. The preparation of the Military Road Corridor Planning Strategy was a requirement of the Council endorsed Local Strategic Planning Statement. The strategy was later rescinded by a new incumbent set of Councillors on the basis of ensuring a <i>“better balance between development height and the provision of additional public open space”</i>. The planning proposal includes a 2.7m height increase to the approved 5 storey DA and substantial public</p>



Comment	Response
	<p>benefits and considered to provide a suitable balance and would not undermine any future strategies.</p>
<p>17. My wife and I object strongly to the amendment to the Voluntary Planning Agreement for 12-14 Waters Road. In particular:</p> <ol style="list-style-type: none"> <li>1. we regard the existing height of 16 metres to be ample. We object to the increase of 6m to 22m</li> <li>2. we regard the non-residential floor space ratio of 0.5 to be sufficient</li> <li>3. while we have no objection in principle to the use of roof space, the addition is not appropriate when combined with a 6m increase in building height.</li> </ol> <p>We suggest that 3 is granted, but 1 and 2 are declined.</p>	<p>The planning proposal includes an increase in height of 2.7m compared to the approved 5 storey DA which is under construction. The proposal is subject to substantial public benefits which will contribute to a more vibrant centre and improved public domain.</p> <p>The proposed additional storey includes eight apartments and parking compliant with the residential North Sydney DCP parking control and considered to result in a negligible increase in traffic.</p> <p>The proposal does not result in any adverse overshadowing to apartments to the south and demonstrates compliance with the solar controls within SEPP ADG.</p> <p>The planning proposal was submitted based on a Council and Greater Sydney Commission endorsed local planning strategy. The preparation of the Military Road Corridor Planning Strategy was a requirement of the Council endorsed Local Strategic Planning Statement. The strategy was later rescinded by a new incumbent set of Councillors on the basis of ensuring a <i>“better balance between development height and the provision of additional public open space”</i>. The planning proposal includes a 2.7m height increase to the approved 5 storey DA and substantial public benefits and considered to provide a suitable balance.</p>
<p>18. I am making an objection against the Planning Proposal PP-2021-7492 for 12/14 Waters Road Neutral Bay on the grounds that</p> <ul style="list-style-type: none"> <li>- the proposal does not comply with the North Sydney Council planning controls and North Sydney Council does not support the proposal</li> <li>- the proposed development is of excessive height and the plans as submitted with the proposal already exceed the increase building heights for which the applicant seeks approval</li> <li>- makes a mockery of planning controls where an applicant can ignore community concerns and by-pass existing planning controls</li> </ul> <p>The applicant sought and obtained development approval for a 5 storey building despite objections from many locals concerns</p>	<p>The planning proposal includes an increase in height of 2.7m compared to the approved 5 storey DA which is under construction. The proposal is subject to substantial public benefits which will contribute to a more vibrant centre and improved public domain.</p> <p>The planning proposal was submitted based on a Council and Greater Sydney Commission local planning strategy. The preparation of the Military Road Corridor Planning Strategy was a requirement of the Council endorsed Local Strategic Planning Statement. The strategy was later rescinded by a new incumbent set of Council on the basis of ensuring a <i>“better balance between development height and the provision of additional public open space”</i>.</p> <p>The proposed increase in height by 2.7m greater than the</p>



Comment	Response
<p>about the change of character of the neighbourhood and proposed building height. Council are not in favour of the Planning Proposal.</p> <p>I consider the proposed increase in height is excessive relative to the existing building surrounding the site. The planning proposal requests an increase in height from 16 metres to 22 metres with a site specific allowance of an additional 2 metres for roof structure. While the section along Grosvenor Street shows a building height of the roof parapet at the Waters Road boundary of approximately 22 metres, the parapet height at the Waters Lane exceeds the 22 metres at that location. With a fall of approximately 3.5 metres along the Grosvenor Street frontage the building should be stepped to reflect the fall along this frontage.</p> <p>The proposal makes reference to the Military Road Corridor Planning Study. It should be noted that following community discontent with proposed changes to building heights mooted in the Military Road Planning Study a vocal community campaign resulted in a change of councillors at the local government elections and the Planning Study was subsequently rescinded. I urge the Department to consider community concerns about over-development and reject the proposal.</p>	<p>approved DA is considered to provide fair and balanced approach between the proposed increase in height and public benefits.</p> <p>The public benefits include increasing the non-residential FSR from 0.5:1 to 1.2:1 to ensure the commercial role of the town centre, increasing the whole of building setback by 1.5m more than anticipated in the DCP to Water Lane to improve the quality of the public domain and \$1,900,000 in voluntary contributions. A proposed 5 storey DA under the current planning controls would not deliver the above-mentioned outcome or public benefits.</p> <p>As illustrated in the below elevation to Grosvenor Street prepared by SJB Architects the building does step with the fall of the land to comply with the 22m height standard.</p> 
<p>19. Increasing the height of the 12-14 Waters Rd development above the approved height limit is premature. The Neutral Bay Town Centre Planning Study is currenting in Preliminary Engagement phase. This study will address building heights and density in Neutral Bay in consultation with the local community. Approval of the increase in height of this development would not be cohesive with the rest of Neutral Bay. This development should not be looked at in isolation, but holistically when the strategy for Neutral Bay town centre is approved.</p>	<p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the Councillors and Greater Sydney Commission. The strategy was later rescinded by an incumbent set of Councillors notwithstanding the strategy being a requirement of the endorsed Local Strategic Planning Statement to establish a <i>“better balance between development height and the provision of additional public open space”</i>.</p> <p>The planning proposal seeking approval for a single additional level (8 apartments) which is 2.7m greater in height than the approved 5 storey building with rooftop facilities which is currently under construction.</p> <p>The planning proposal includes a requirement to increase the non-residential FSR from 0.5:1 and 1.2:1 to ensure the role of Neutral Bay is retained as a commercial town centre and through a VPA voluntarily contribute \$1,900,000 (approx. \$2,500 per m2</p>



Comment	Response
	<p>of additional residential GFA) to North Sydney Council towards public domain embellishment. The development proposal includes an additional 1.5m whole of building setback to Waters Lane greater than anticipated under the current DCP, reducing visual bulk to Waters Lane, increase opportunity for street planting and natural light to the public domain.</p> <p>Given the planning proposal was submitted based on an endorsed strategy and proposal only seeks an additional 2.7m height greater than the approved DA, the proposal is not considered to set a precedent nor compromise the future potential strategy. The proposed building is under construction and it would an adverse impact upon the community and project viability and ability to offer public benefits should the project be halted until the finalisation of the strategy which could take several years to finalise.</p>
<p>20. I am writing to you to object to 12-14 Waters Road (PP2021-7492) development</p> <p>I am not in favour of the proposed building height of 24 metres which will destroy the village atmosphere of Neutral Bay and encourage others to build to this new excessive height.</p> <p>It feels like an adhoc planning proposal which will affect the new Neutral Bay Planning Study which is now engaging Community. Also a significant area of the commercial floor space will be underground which will not achieve their objective to provide 'high quality commercial floorspace'.</p> <p>This development will deliver a poor outcome for the community in terms of its excessive height and additional traffic to the local roads.</p>	<p>The planning proposal seeking approval for a single additional level (8 apartments) which is 2.7m greater in height than the approved 5 storey building with rooftop facilities which is currently under construction n. fThe planning proposal includes a requirement to increase the non-residential FSR from 0.5:1 and 1.2:1 to ensure the role of Neutral Bay is retained as a commercial town centre and through a VPA voluntarily contribute \$1,900,000 (approx. \$2,500 per m2 of additional residential GFA) to North Sydney Council towards public domain embellishment. The development proposal includes an additional 1.5m whole of building setback to Waters Lane greater than anticipated under the current DCP, reducing visual bulk to Waters Lane, increase opportunity for street planting and natural light to the public domain. The proposal is considered to provide a significant contribution to the amenity and village feel of the Neutral Bay Town Centre.</p> <p>The proposal includes fine grain retail and alfresco dining to the Grosvenor Street frontage to an area which previously included a blank wall and considered to greatly improve the retail quality of Neutral Bay Town Centre. The ideal location for grocer includes a basement rather than ground level, as this prevent a blank wall being proposed to each street frontage.</p> <p>The planning proposal is seeking approval for a single additional</p>



Comment	Response
	<p>level (8 apartments) which will result in a negligible increase in traffic. The site is located and within 100m of the B-Line express bus line which ensures a transport orientated development and minimises reliance upon private vehicular use.</p>
<p>21. I would like to strongly oppose the 12-14 Waters Road Amending DA. This strategy is all too common with developers, who get approvals and then add on additional levels purely as a cash grab once the local community isn't watching. This practice needs to be stopped and the government agencies should be looking after the communities. The only "strategic merit" for this is money for the developers. There is no additional benefit to the community of a sixth storey, and these six \$5m apartments could not claim to have any role in increasing affordable housing for the NSW community. In addition, the provision of community spaces will not change from this amendment, as they are all contained in the bottom levels of the building.</p> <p>If the project wasn't economically feasibly without this addition, it begs the question whether this was always the plan of Central Element. This \$30m amendment only benefits the developer and has no merit from a local or statewide standpoint. I would hope to see a significant benefit to the community for any approval of such a proposal.</p>	<p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the Councillors and Greater Sydney Commission. The strategy was subject to over 2 years of community consultation and input from a range of independent experts commissioned by Council. The strategy was later rescinded by an incumbent set of Councillors notwithstanding the strategy being a requirement of the endorsed Local Strategic Planning Statement to establish a "better balance between development height and the provision of additional public open space".</p> <p>The planning proposal seeking approval for a single additional level (8 apartments) which is 2.7m greater in height than the approved 5 storey building with rooftop facilities which is currently under construction.</p> <p>The planning proposal includes a requirement to increase the non-residential FSR from 0.5:1 and 1.2:1 to ensure the role of Neutral Bay is retained as a commercial town centre and through a VPA voluntarily contribute \$1,900,000 (approx. \$2,500 per m2 of additional residential GFA) to North Sydney Council towards public domain embellishment. The development proposal includes an additional 1.5m whole of building setback to Waters Lane greater than anticipated under the current DCP, reducing visual bulk to Waters Lane, increase opportunity for street planting and natural light to the public domain.</p> <p>The proposal includes embellishing the entire public domain to Grosvenor Street and Waters Lane including dedication 1.5m of land to Water Lane by a easement to increase the width of Waters Lane. Alfresco dining and fine grain retail is proposed along the Grosvenor Steet façade to a space than was previously a blank wall and considered to substantially improve the condition of the public domain. The preferred location for the grocer includes the basement as this prevents a blank wall to street.</p>



Comment	Response
<p>22. I object to the 12-14 Waters Road Amended DA 42/23 on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The proposed maximum building height of 22 metres plus an additional 2 metres for rooftop facilities is excessive. The extra height will detract from the village feel of Neutral Bay and set a poor precedent</li> <li>2. An adhoc rezoning that will result in a poor outcome for the community, particularly with respect to the cumulative additional traffic on the local road network. Traffic build-up/backlog at the Wycombe Road/Yeo Street and Wycome Road/Military Road intersections is already a major issues. A Transport Management and Accessibility Plan should be completed before any rezonings are considered/approved.</li> </ol>	<p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the Councillors and Greater Sydney Commission. The strategy was subject to over 2 years of community consultation and input from a range of independent experts commissioned by Council at a cost of greater than \$200,000. The strategy was later rescinded by an incumbent set of Councillors notwithstanding the strategy being a requirement of the endorsed Local Strategic Planning Statement to establish a “better balance between development height and the provision of additional public open space”.</p> <p>The planning proposal seeking approval for a single additional level (8 apartments) which is 2.7m greater in height than the approved 5 storey building with rooftop facilities which is currently under construction.</p> <p>The planning proposal includes a requirement to increase the non-residential FSR from 0.5:1 and 1.2:1 to ensure the role of Neutral Bay is retained as a commercial town centre and through a VPA voluntarily contribute \$1,900,000 (approx. \$2,500 per m2 of additional residential GFA) to North Sydney Council towards public domain embellishment. The development proposal includes an additional 1.5m whole of building setback to Waters Lane greater than anticipated under the current DCP, reducing visual bulk to Waters Lane, increase opportunity for street planting and natural light to the public domain.</p> <p>The proposal is considered to set a positive precedent by delivery substantial public benefits with only a minor increase in height which maintains the village character of Neutral Bay and providing a balanced approach.</p> <p>The proposed additional storey includes eight apartments, and includes residential parking compliant with the North Sydney DCP parking control and considered to result in a negligible increase in traffic. The planning proposal was referred to RMS which raised no objection to the proposal. The site is located in the Neutral Bay Town Centre and within 100m of the B-Line express bus line which ensures a transport orientated development which minimises reliance upon private vehicular use.</p>



Comment	Response
<p>23. My objections to this PP are:</p> <ul style="list-style-type: none"> <li>- The requested additional building height from 16 metres to 22+ 2 metres is excessive and will detract from the village feel that I love in Neutral Bay. If granted it will set a significant precedent in the zone.</li> <li>- Traffic on the local road network in Neutral Bay is already extremely poor and worsening from the cumulative effect of multiple developments. A Transport Management and Accessibility Plan should be completed before rezonings are approved in this area.</li> </ul> <p>A strong pattern has emerged in the area whereby developers, who after receiving Council’s approval to a DA within the LEP, then seek to have the LEP amended for the zone. Why is this allowed time and time again? I understand having an appeals process, but seeking to vary the LEP, in this case significantly after work has commenced, is 'game playing' with the community.</p>	<p>The statement that Central Element are “game playing” the community or this is a common occurrence is rejected. Central Element has been transparent and followed the proper planning process.</p> <p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the Councillors and Greater Sydney Commission. The strategy was subject to over 2 years of community consultation and input from a range of stakeholders and independent experts commissioned by Council at a cost of greater than \$200,000.</p> <p>The original DA for the site included six storeys height consistent with the Council and GSC endorsed strategy and current planning proposal, the six storey was deleted from the scheme following the unusual occurrence of the strategy being rescinded a year later notwithstanding the strategy being a requirement of the Local Strategic Planning Statement.</p> <p>Central Element submitted an amending DA for the six storey following gateway determination of the planning proposal to ensure the DA and planning proposal would be publicly exhibited concurrently as recommended in the department of planning LEP making guidelines to provide full transparency.</p> <p>The reason the Councillors rescinded the strategy which include 12 storeys towers was to establish a “better balance between development height and the provision of additional public open space”. The planning proposal seeking approval for a single additional level (8 apartments) which is a modest 2.7m greater in height than the approved 5 storey building with rooftop facilities which is currently under construction. The development proposal includes additional public open space to Waters Road and a VPA including a substantial \$1,900,000 contribution towards embellishing the public open space.</p> <p>The proposed additional storey includes eight apartments, and residential parking compliant with the North Sydney DCP parking control and considered to result in a negligible increase in traffic. The RMS raised no objection to the proposal. The site is located in the Neutral Bay Town Centre and within 100m of the B-Line express bus line which ensures a transport orientated</p>





Comment	Response
	<p>development which minimises reliance upon private vehicular use.</p>
<p>24. I object to the proposal. The proposed building height of Pienza involving an additional storey to that currently approved is excessive. It will have a detrimental effect on the Neutral Bay Village.</p> <p>A proposal after construction has commenced should require additional traffic studies and assessments of the detrimental effect on neighbouring residential properties.</p> <p>Such proposals set an unfortunate precedent and are not consistent with good planning and community consultation.</p>	<p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the Councillors and Greater Sydney Commission. The strategy was subject to over 2 years of community consultation and input from a range of stakeholders and independent experts commissioned by Council at a cost greater than \$200,000.</p> <p>The reason the Councillors rescinded the strategy which include 12 storeys towers was to establish a “better balance between development height and the provision of additional public open space”. The planning proposal seeking approval for a single additional level (8 apartments) which is a modest 2.7m greater in height than the approved 5 storey building with rooftop facilities which is currently under construction. The development proposal includes additional public open space to Waters Road and a VPA including a substantial \$1,900,000 contribution towards embellishing the public open space.</p> <p>The proposed additional storey includes eight apartments, which proposes residential parking compliant with the North Sydney DCP parking control and considered to result in a negligible increase in traffic. The RMS raised no objection to the proposed parking. The site is located in the Neutral Bay Town Centre and within 100m of the B-Line express bus line which ensures a transport orientated development which minimises reliance upon private vehicular use.</p>
<p>25. Please see the attached PDF submission for appropriate formatting.</p> <p>I write as a resident of Neutral Bay since 1967</p> <p>I have no objection per se to further mixed development in Neutral Bay to accommodate the changing demands of population and commercial growth so long as it is in sympathy with its surroundings and maintains or improves the integrity of Neutral Bay as an attractive place to live, work, spend leisure as well as for investment. However, I object to the piecemeal development, isolated applications for rezoning and exemption from regulations on height, size in</p>	<p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the Councillors and Greater Sydney Commission. The strategy was subject to over 2 years of community consultation and input from a range of independent experts commissioned by Council at a cost of more than \$200,000. The strategy which included 12 storey towers was later rescinded by an incumbent set of Councillors notwithstanding the strategy being a requirement of the endorsed Local Strategic Planning Statement to establish a “better balance between development height and the provision</p>



Comment	Response
<p>relation to site and the resulting negative impact on the surrounding environment, traffic flow and safety, and local amenities.</p> <p>North Sydney Council is at present engaged in the processes of local consultation for a new Neutral Bay Centre Planning study. Since 12-14 Waters Road is a central site in the Neutral Bay precinct, it is a pity that, if approved, these changes to the North Sydney Local Environmental Plan 2013 will restrict or limit planning for this precinct.</p> <p>Objection to the changes proposed to NSW Legislation (North Sydney Local Environmental Plan 2013) under the Planning Agreement</p> <p>The North Sydney Local Environmental Plan 2013 was presumably the product of considerable planning and consultation and introduced to both protect the local area and ensure development adhered to the objectives of the legislation. Some of the relevant aims of the North Sydney Local Environmental Plan 2013 include at 1.2(2):</p> <ul style="list-style-type: none"> <li>a) to promote development that is appropriate to its context and enhances the amenity of the North Sydney community and environment</li> <li>b) in relation to the character of North Sydney’s neighbourhoods; <ul style="list-style-type: none"> <li>i. to ensure that new development is compatible with the desired future character of an area in terms of bulk, scale and appearance, and</li> </ul> </li> <li>c) in relation to residential development <ul style="list-style-type: none"> <li>i. to ensure that new development does not adversely affect residential amenity in terms of visual and acoustic privacy, solar access and view sharing</li> </ul> </li> </ul> <p>The amendments being sought are inconsistent with the stated aims of the North Sydney Local Environmental Plan 2013 and risk creating a high density suburb, where all new units become high rise accommodation options which cannot support the village atmosphere that exists in the area.</p> <p>The application for rezoning has been triggered by a single developer and was presumably not previously being proposed by the Department. It is also relevant that the amendments will result in a one-off payment of \$1.9million to Council as the Draft Voluntary Planning Agreement entered into by the developer and Council makes the payment conditional upon approval of the</p>	<p>of additional public open space”.</p> <p>The planning proposal seeking approval for a single additional level (8 apartments) which is 2.7m greater in height than the approved 5 storey building with rooftop facilities which is currently under construction.</p> <p>The planning proposal includes a requirement to increase the non-residential FSR from 0.5:1 and 1.2:1 to ensure the role of Neutral Bay is retained as a commercial town centre and through a VPA voluntarily contribute \$1,900,000 (approx. \$2,500 per m2 of additional residential GFA) to North Sydney Council towards public domain embellishment. The development proposal includes an additional 1.5m whole of building setback to Waters Lane greater than anticipated under the current DCP, reducing visual bulk to Waters Lane, increase opportunity for street planting and natural light to the public domain.</p> <p>The proposed 2.7m increase in height to the approved 5 storey building under construction is demonstrated to result in no adverse overlooking, view loss, overshadowing or visual impact.</p> <p>It is rejected the \$1,900,000 was used to purchase the additional level. The strategy was prepared by independent experts at an expense of more than \$200,000 in Council funds, more than 2 years of stakeholder and community consultation and endorsed by Council staff, Greater Sydney Commission and Councillors. The planning proposal was submitted based on the Council endorsed strategy. The strategy identified the embellishment of Waters Lane and other broader public domain works. Central Element decided to voluntary offer approximately \$2,500 per additional m<sup>2</sup> (not requested by Council) to assist fund the Waters Lane embellishment and broader public domain works as we considered it is a fair and equitable approach value uplift from a rezoning should be shared with the community.</p>



Comment	Response
<p>changes to the legislation. Setting a precedent where monetary compensation can influence government and change NSW legislation is highly undesirable.</p> <p>Objection to proposed amendments on the basis of excessive height and traffic congestion</p> <p>In my opinion, six underground and four above ground floors was already overdevelopment, the more so when the plans now include a supermarket and an additional two meters for unspecified rooftop facilities, presumable entertaining areas and/or a swimming pool.</p> <p>The initial development application sought approval for a building height of 26 metres and was rejected. The proposed increase to 6 stories will result in a 22m building height, but the 2m allowance for lift overrun and roof top facilities will result in a maximum height of 24m. The resulting height will dominate the surrounding landscape and directly impact the surrounding residences who will lose any view of the sky and experienced diminished natural light sources. The height of 24m is entirely inappropriate to the surrounding area. At the moment, the area bordered by Military Road, Waters Lane, Grosvenor and Gerard Street is confined to low and medium density 4 story buildings. Approval of this application for rezoning would set a precedent for similar development or overdevelopment applications.</p> <p>The addition of two more floors and a further five units will also add to noise and congestion since entry to the residential and commercial premises will be via Waters Road. This problem becomes more serious because the application site is very close to Redlands School and Bougainvillea Retirement Village. The additional traffic created by the increased retail precinct made possible by the amendment to the non-residential ratio and additional residential apartments will be difficult to manage in a street that already experiences traffic issues including the regularity with which drivers make a u-turn just before the intersection of Waters Road and Military Road. Waters Road is simply not wide enough to become a major access road to such a large development.</p> <p>Community objections will be underrepresented</p> <p>The process of the Planning Proposal being reviewed by Department of Planning and Environment simultaneously with the Development Application and Draft Planning Agreement by</p>	



Comment	Response
<p>Council has created unnecessary confusion. The task of navigating the various websites and documents has been very difficult. It is highly likely that the submissions received will underrepresent the views of the community and will no doubt mix the relevant issues. On the basis of the lack of fairness in the consultation process, before any approval is given the Planning Proposal should go to a further public forum stage to ensure all residents have an opportunity to understand the legislative changes being proposed. The confusion associated with the process has made it appear that the changes to the legislation are being sought in relation to the Waters Road development alone and it is not sufficiently clear to laypeople that the amendments to the North Sydney Local Environmental Plan 2013 are permanent and all future development seeking the benefit of the amendments will be approved without consultation.</p> <p>Whilst the Neutral Bay area may appear to be an attractive target for increased building heights as there is already a high level of commercial and retail development, it is foremost a residential area. Areas with close access to amenities and flat walking areas with good access to public transport are particularly attractive to senior community members. The surrounding apartments and developments to 12-14 Water Road include a high population of elderly residents. With respect, these residents are also less likely to be able to make submissions given the dense documentation requiring review and the difficult process of making a formal submission.</p>	
<p>26. Submission against Planning Proposal 2/22 for 12/14 Waters Road, Neutral Bay</p> <p>We are making an objection on behalf of the Brightmore Precinct of North Sydney against the Planning Proposal PP-2021-7492 for 12-14 Waters Road Neutral Bay on the grounds that</p> <ul style="list-style-type: none"> <li>- the proposed maximum building heights of 22 metres plus an additional 2 metre for rooftop facilities is excessive. It will detract from the village feel of Neutral Bay and will set a poor precedent.</li> <li>- Ad-hoc rezonings makes a mockery of planning controls and will result in poor outcome for the community particularly with respect to the cumulative additional traffic on local road network.</li> </ul> <p>A Transport Management and Accessibility Plan should be conducted before the rezoning is approved.</p>	<p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the Councillors and Greater Sydney Commission. The strategy was subject to over 2 years of community consultation and input from a range of independent experts commissioned by Council at a cost of more than \$200,000. The strategy was later rescinded by an incumbent set of Councillors notwithstanding the strategy being a requirement of the endorsed Local Strategic Planning Statement. The Councillors rescinded the strategy, which include 12 storeys towers, to establish a “better balance between development height and the provision of additional public open space”.</p> <p>The planning proposal seeking approval for a single additional</p>



Comment	Response
<p>- An objective of the proposal is to provide "high quality commercial floorspace". The proposal however is to provide underground commercial floorspace and this is not high quality. The proposal makes reference to the Military Road Corridor Planning Study. It should be noted that following community discontent with proposed changes to building heights mooted in the Military Road Planning Study a vocal community campaign resulted in a change of councillors at the local government elections and the Planning Study was subsequently rescinded. I urge the Department to consider community concerns about over-development and reject the proposal.</p> <p>Regards</p>	<p>level (8 apartments) which is 2.7m greater in height than the approved 5 storey building with rooftop facilities which is currently under construction.</p> <p>The planning proposal includes a requirement to increase the non-residential FSR from 0.5:1 and 1.2:1 to ensure the role of Neutral Bay is retained as a commercial town centre and through a VPA voluntarily contribute \$1,900,000 (approx. \$2,500 per m2 of additional residential GFA) to North Sydney Council towards public domain embellishment. The development proposal includes an additional 1.5m whole of building setback to Waters Lane greater than anticipated under the current DCP, reducing visual bulk to Waters Lane, increase opportunity for street planting and natural light to the public domain.</p> <p>Alfresco dining and fine grain retail is proposed along the Grosvenor Steet façade to a space than was previously a blank wall and considered to substantially improve the condition and activate the public domain.</p>
<p>27. I hereby object to the above Proposal on the following grounds:</p> <ol style="list-style-type: none"> <li>1.The proposed max. building height of 22 metres plus additional 2 metres for rooftop facilities is excessive .The extra height will distract from the village feel of Neutral Bay&amp; set a poor precedent.</li> <li>2.An adhoc rezoning will be bad for the Community , particularly re the cumulative additional traffic on the local road network. A Transport &amp; Accessibility Plan should be completed before rezoning Approval.</li> </ol>	<p>Central Element purchased the property 14 Waters Road and submitted the planning proposal following the endorsement of the Military Road Corridor Planning Study by the Councillors and Greater Sydney Commission. The strategy was subject to over 2 years of community consultation and input from a range of independent experts commissioned by Council at a cost of in excess of \$200,000. The strategy was later rescinded by an incumbent set of Councillors notwithstanding the strategy being a requirement of the endorsed Local Strategic Planning Statement. The Councillors rescinded the strategy, which include 12 storeys towers, to establish a “better balance between development height and the provision of additional public open space”.</p> <p>The planning proposal seeking approval for a single additional level (8 apartments) which is 2.7m greater in height than the approved 5 storey building with rooftop facilities which is currently under construction.</p> <p>The planning proposal a range of public benefits includes a requirement to increase the non-residential FSR from 0.5:1 and 1.2:1 to ensure the role of Neutral Bay is retained as a commercial town centre and through a VPA voluntarily</p>



Comment	Response
	<p>contribute \$1,900,000 (approx. \$2,500 per m2 of additional residential GFA) to North Sydney Council towards public domain embellishment. The development proposal includes an additional 1.5m whole of building setback to Waters Lane greater than anticipated under the current DCP, reducing visual bulk to Waters Lane, increase opportunity for street planting and natural light to the public domain.</p> <p>The proposed additional storey includes eight apartments, which is compliant with the North Sydney DCP parking control and considered to result in a negligible increase in traffic. The site is located in the Neutral Bay Town Centre and within 100m of the B-Line express bus line which ensures a transport orientated development which minimises reliance upon private vehicular use. RMS have been referred to the proposal and raised no concerns in relation to traffic.</p>
<p>28. Submission Letter dated 22 March 2023 attached</p>	<p>Addressed in this response letter.</p>
<p>29. The Neutral Bay &amp; Cremorne Progress Association submission on Planning proposal for 12-14 waters Road is attached.</p>	<p>Addressed in this response letter.</p>
<p>30. I realise i may have missed your cut off date of 22 March 2023. However I would still like to register my disapproval of the suggested amendments to the proposal relating to increase of building height.</p> <p>Neutral Bay is very busy with the existing mixed use and residential areas, my opposition therefore is:</p> <ul style="list-style-type: none"> <li>*traffic congestion especially around the northern Woolworths store of both delivery trucks and consumer parking - along Grosvenor street, Ben Boyd Road, Young street and Coopers Lane. The huge Woolworths trucks struggle when negotiating the small lanes and roundabouts.</li> <li>*insufficient parking for existing shoppers - let alone visitors and trades people to Pienza.</li> <li>* increased height of Pienza will overshadow the existing buildings, changing the light and setting a precedent in height regulations for future buildings.</li> <li>* pedestrian safety will be compromised - there is a lot of foot traffic and pram traffic around this area.</li> </ul>	<p>The proposed additional storey includes eight apartments, the proposal provides additional parking in compliance with the North Sydney DCP and considered to result in a negligible increase in traffic. RMS have raised no objection to the proposal. The site is located in the Neutral Bay Town Centre and within 100m of the B-Line express bus line which ensures a transport orientated development which minimises reliance upon private vehicular use. RMS have been referred to the proposal and raised no concerns in relation to traffic.</p> <p>The planning proposal includes no change to the amount of commercial floor area than approved in the 5 storey DA.</p> <p>Detailed overshadowing diagrams have been prepared and included with the planning proposal demonstrating minimal overshadowing to the public domain. The development proposal includes an additional 1.5m whole of building setback greater than anticipated in the DCP (1.5m podium setback and 4.5m tower setback) to improve sunlight access to Waters Lane.</p>



Comment	Response
I look forward to hearing/ reading about the outcome of the proposed amendments.	Pedestrian safety is considered to be improve by replacing a blank wall to Grosvenor Street with alfresco fining and fine grain retail which will activate the streetscape and provide passive surveillance. The basement is the preferred location for a grocer to ensure there is not a blank wall provided at the ground level.

We trust this information will assist the Department of Planning and Environment in finalising their assessment of the planning proposal. Please do not hesitate to contact me on 0422 983 710 or [dbarber@centralelement.com.au](mailto:dbarber@centralelement.com.au) should you have any further queries.

Yours sincerely,



Daniel Barber  
Head of Planning  
B.Plan (Hons), M.ProDev, CPP  
Central Element

