

Submission Type

I am making a personal submission

[REDACTED]

Suburb/ Town

Neutral Bay

I have made a reportable political donation

No

I agree to the Privacy statement

submission

In favour. Please proceed

Submission Type

I am making a personal submission

[REDACTED]

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[REDACTED]

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The proposed development is very much underparked. This is a ubiquitous problem with developments in the North Sydney Local Gov area.

The Architectural plans show -

Commercial parking (inc accessible) 60 cars, visitor parking 6.

Residential parking (inc accessible) 34

Motorcycle parking 17 !

Unless the target market includes the Hells Angels this is simply an exercise in making up numbers!

Actual numbers (excluding motorcycles) are commercial 66 plus residential 34.

It appears that the proposal is for 44 x 2 and 3 apartments. Given the area there should be at least 2 car parks per three bed apartment and 1 per 2 bed and 1 bed apartment.

Therefore the proposal is at least 10 and up to 20 car parks short depending on the split of 2 and 3 bed apartments.

I confirm -

1 The submission relates to the planning proposal

2 I object to the proposal

3 I object because the underparked nature of the proposal simply increases the lack of available street parking in the area. 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.

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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.

Submission Type

I am making a personal submission

[REDACTED]

Suburb/ Town

Cremorne

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No

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submission

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.

Submission Type

I am making a personal submission

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

Suburb/ Town

Neutral Bay

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To whom it may Concern

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:

- 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

- 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 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
- 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
- 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..
- Increasing pollution both from cars as well as people, the environment is degrading significantly from over development
- 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

I live in [REDACTED] 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

Happy to provide more information as required

Kind regards

Submission Type

I am making a personal submission

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

Suburb/ Town

Neutral Bay

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I agree to the Privacy statement

submission

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.

Getting in and out of our car park [REDACTED] has already become quite dangerous and will no doubt deteriorate further with the influx of new/additional residents into 12-14 Waters Road.
Should the proposed changes be approved, it can be almost guaranteed that Developers will use this precedent to be the "baseline" for future negotiations.

Submission Type

I am making a personal submission

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[REDACTED]

[REDACTED]

[REDACTED]

Suburb/ Town

NEUTRAL BAY

I have made a reportable political donation

No

I agree to the Privacy statement

submission

I wish to strongly oppose this non-compliant development.
The current zoning is an already generous B4 with a height restriction of 16m.
This zoning and height restriction remains in place for the benefit of all residents and visitors and helps discourage rapacious developers.
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.

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.

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 ad 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.

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[REDACTED]

Suburb/ Town

Neutral Bay

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No

I agree to the Privacy statement

submission

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.
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.

Submission Type

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[REDACTED]

Suburb/ Town

Cremorne

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No

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submission

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.

There is no justification to support this increase in height except greed.

Submission Type

I am making a personal submission

[REDACTED]

Suburb/ Town

Sydney

I have made a reportable political donation

No

I agree to the Privacy statement

submission

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 [REDACTED] which I pay for as a rate payer and I have had to complain the management

Submission Type

I am making a personal submission

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

Suburb/ Town

Neutral Bay

I have made a reportable political donation

No

I agree to the Privacy statement

submission

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.



Submission Type

I am making a personal submission

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[REDACTED]

[REDACTED]

Suburb/ Town

Neutral Bay

I have made a reportable political donation

No

I agree to the Privacy statement

submission

I own [REDACTED] in [REDACTED] opposite this development and facing Waters Rd.

The development initially removed a tree and a seating area from the footpath.

What next?

This street has always been a quiet haven for retired residents.

We need more open space and less development.

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.
The area currently has numerous grocery and commercial outlets. Please no more.
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.



Submission Type

I am making a personal submission

[Redacted]

Suburb/ Town

Neutral Bay

I have made a reportable political donation

No

I agree to the Privacy statement

submission

I object to this planning development proposal as it has a significant detrimental impact on the local environment and community.

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.

My specific concerns are a bigger building will add to:

- 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.)

- Pedestrian safety with increasing density and congestion.

- loss of light and overshadowing

- 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.

Submission Type

I am submitting on behalf of my organisation

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Suburb/ Town

cremore

I have made a reportable political donation

No

I agree to the Privacy statement

submission

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.

TO WHOM IT MAY CONCERN.



RE: PP-2021-7492 - Planning Proposal for 12-14 Waters Road, Neutral Bay

We write as the Convenors of the combined Harrison and Bennett Precincts, 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 (**PP**).

The Precinct also resolved unanimously to submit an objection to the amended DA (92/21) lodged with North Sydney Council by the developer, despite the fact that this PP has not yet been formally approved.

PP-2021-7492 is currently under exhibition and seeks to amend NSLEP as follows:

- Increase the maximum building height from 16 metres to 22 metres;
- Increase the minimum non-residential FSR from 0.5:1 to 1.2:1; and
- Introduce a site-specific height provision to allow an additional 2 metres for rooftop facilities.

The Precinct has had the opportunity to read, and supports the submission made by Willoughby Bay Precinct to the North Sydney Local Planning Panel (**NSLPP**) of 13 April 2022. The NSLPP recommended against the PP and the Council rejected it.

The PP was subsequently the subject of a rezoning review process and, despite the above refusals, on 31 August 2022 was endorsed to proceed to Gateway Determination by the Sydney North Planning Panel.

The issues raised in Willoughby Bay's submission remain relevant and of concern.

- The rescinded Military Road Corridor Planning Study (**MRCPS**) continues to be a reference point to validate the ideals of this PP.
- The MRCPS was rescinded in response to community concerns and Council resolved to prepare a revised Neutral Bay Town Centre Planning Study (**NBTCPS**) to better balance development height and the provision of additional public open spaces and facilities.
- The MRCPS cannot be used as a reference - it is no longer a useful exercise in understanding what Council, and the local community, might find acceptable for Neutral Bay in the future.
- This, and other proposed planning proposals, are seeking to set "new" height limits before the community has had an opportunity to participate in the NBTCPS. An objective of the Study is to guide future development proposals within the centre which may include targeted modest increases in height and density while retaining the village atmosphere - something that is very much valued by the locals.

Specifically our Precinct objects to the following:

Excessive Height:

The site is currently subject to a maximum Height of Buildings Development Standard of 16 metres.

We object to the proposal to amend the Height of Buildings Development Standard to 22 metres. We also object to the site-specific provision proposal to allow a maximum height of up to 24 metres to facilitate the provision of rooftop facilities and services including access to those facilities.

The height increase is excessive for gaining one additional storey. The additional storey for rooftop facilities, in effect, creates a seven storey building, which will be out of proportion to its surroundings - as will a six storey building.

The proposed increase in height will be to the detriment of the village feel of the suburb. It will also set a very poor precedent and deny the community the opportunity to contribute to the amenity of their area.

Floor Space Ratio:

This PP seeks to increase the non-residential floor space ratio.

We do not agree with the developer's submission that the development will provide "high quality commercial floorspace". The additional commercial floorspace referenced in the scheme is to an underground supermarket. This is poor quality commercial floorspace. Non-residential floorspace needs to be located above ground to be of high quality.

Access: Traffic and Transport

The existing local and main road network in Neutral Bay is already congested and at capacity. A Transport Management and Accessibility Plan needs to be completed to confirm if the road network can cope with the additional traffic proposed by this development and all the other developments, both current and planned, in the vicinity.

Conclusion:

It is the Precinct's view that this Planning Proposal is not in the public interest

The additional height will contribute to significant adverse amenity impacts for the community and to traffic congestion. The building proposed is not in scale with surrounding existing buildings and current development controls.

The Precinct is also of the view that this PP will set an undesirable precedent for future development within Neutral Bay (and Cremorne) and does not represent what the local community wants as evidenced by the rescinding of the Military Road Corridor Study.

Harrison/Bennett Precinct

Submission Type

I am making a personal submission

[REDACTED]

Suburb/ Town

Cremorne

I have made a reportable political donation

No

I agree to the Privacy statement

submission

I object to the proposal

The reasons for this are:

- the continued over development of Neutral Bay undermining and causing the loss of village atmosphere in Neutral Bay
- loss of natural light and amenity for adjoining residences
- additional properties and flats will mean more cars on overcrowded roads
- the proposal is not supported by North Sydney Council - why should the Council be overridden by a State Government in favour of developers

- our quality of life in Neutral Bay/Cremorne should not be undermined by arbitrary density targets set by NSW State Government for North Sydney.

Submission Type

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[REDACTED]

Suburb/ Town

Cremorne

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submission

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- loss of natural light and amenity for adjoining residences
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- our quality of life in Neutral Bay/Cremorne should not be undermined by arbitrary density targets set by NSW State Government for North Sydney.

Submission Type

I am making a personal submission

[REDACTED]

Suburb/ Town

Cremorne Point

I have made a reportable political donation

No

I agree to the Privacy statement

submission

My wife and I object strongly to the amendment to the Voluntary Planning Agreement for 12-14 Waters Road. In particular:

1. we regard the existing height of 16 metres to be ample. We object to the increase of 6m to 22m
2. we regard the non-residential floor space ratio of 0.5 to be sufficient
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.

We suggest that 3 is granted, but 1 and 2 are declined.

Submission Type

I am making a personal submission

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Suburb/ Town

Cremorne

I have made a reportable political donation

No

I agree to the Privacy statement

submission

I am making an objection against the Planning Proposal PP-2021-7492 for 12 – 14 Waters Road Neutral Bay on the grounds that

- the proposal does not comply with the North Sydney Council planning controls and North Sydney Council does not support the proposal

- 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

- makes a mockery of planning controls where an applicant can ignore community concerns and by-pass existing planning controls

The applicant sought and obtained development approval for a 5 storey building despite objections from many locals concerns about

the change of character of the neighbourhood and proposed building height. Council are not in favour of the Planning Proposal. 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. 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.

Submission Type

I am making a personal submission

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Suburb/ Town

Neutral Bay

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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.

Submission Type

I am making a personal submission

[REDACTED]

Suburb/ Town

Cremorne

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No

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submission

I am writing to you to object to 12-14 Waters Road (PP2021-7492) development

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.

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'.

This development will deliver a poor outcome for the community in terms of its excessive height and additional traffic to the local roads.

Submission Type

I am making a personal submission

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Suburb/ Town

Cremorne

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submission

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.

If the project wasn't economically feasible 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.

Submission Type

I am making a personal submission

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Suburb/ Town

Neutral Bay

I have made a reportable political donation

No

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submission

I object to the 12-14 Waters Road Amended DA 42/23 on the following grounds:

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
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

Submission Type

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[REDACTED]

Suburb/ Town

Neutral Bay

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submission

My objections to this PP are:

- 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.
- 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.

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.

Submission Type

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[REDACTED]

Suburb/ Town

Cremorne

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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.

A proposal after construction has commenced should require additional traffic studies and assessments of the detrimental effect on neighbouring residential properties.

Such proposals set an unfortunate precedent and are not consistent with good planning and community consultation.

Submission Type

I am making a personal submission

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Suburb/ Town

Neutral Bay

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No

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submission

Please see the attached PDF submission for appropriate formatting.

SUBMISSION

Planning Proposal for 12-14 Waters Road, Neutral Bay
PP-2021-7492

I write as a resident of Neutral Bay since 1967, [REDACTED]

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 relation to site and the resulting negative impact on the surrounding environment, traffic flow and safety, and local amenities.

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.

Objection to the changes proposed to NSW Legislation (North Sydney Local Environmental Plan 2013) under the Planning Agreement

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):

- a) to promote development that is appropriate to its context and enhances the amenity of the North Sydney community and environment
- b) in relation to the character of North Sydney's neighbourhoods;
 - i. to ensure that new development is compatible with the desired future character of an area in terms of bulk, scale and appearance, and
- c) in relation to residential development
 - i. to ensure that new development does not adversely affect residential amenity in terms of visual and acoustic privacy, solar access and view sharing

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.

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 changes to the legislation. Setting a precedent where monetary compensation can influence government and change NSW legislation is highly undesirable.

Objection to proposed amendments on the basis of excessive height and traffic congestion

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.

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.

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.

Community objections will be underrepresented

The process of the Planning Proposal being reviewed by Department of Planning and Environment simultaneously with the Development Application and Draft Planning Agreement by 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.

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.



SUBMISSION

Planning Proposal for 12-14 Waters Road, Neutral Bay PP-2021-7492

I write as a resident of Neutral Bay since 1967, [REDACTED]

[REDACTED] 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 relation to site and the resulting negative impact on the surrounding environment, traffic flow and safety, and local amenities.

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 future planning for this precinct.

Objection to the changes proposed to NSW Legislation (North Sydney Local Environmental Plan 2013) under the Planning Agreement

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):

- a) to promote development that is appropriate to its context and enhances the amenity of the North Sydney community and environment
- b) in relation to the character of North Sydney's neighbourhoods;
 - i. to ensure that new development is compatible with the desired future character of an area in terms of bulk, scale and appearance, and
- c) in relation to residential development
 - i. to ensure that new development does not adversely affect residential amenity in terms of visual and acoustic privacy, solar access and view sharing

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.

The application for rezoning has been triggered by a single developer and has presumably not previously been 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 changes to the legislation. Setting a precedent where monetary compensation can influence government and change NSW legislation is highly undesirable.

Objection to proposed amendments on the basis of excessive height and traffic congestion

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, presumably for entertainment.

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 4/5 story buildings. Approval of this application for rezoning would set a precedent for similar development or overdevelopment applications.

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. Waters Road 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.

Community objections will be underrepresented

The process of the Planning Proposal being reviewed by Department of Planning and Environment simultaneously with the Development Application and Draft Planning Agreement being reviewed by 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. Based on the lack of fairness in the consultation process, in the event planning approval is being considered 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.

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, the need to appreciate which issues are relevant to which submission and the difficult process of making a formal submission.



to the cumulative additional traffic on local road network. A Transport Management and Accessibility Plan should be conducted before the rezoning is approved.

- An objective of the proposal is to provide “high quality commercial floorspace”. Tthe 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.



Submission Type

I am making a personal submission

[REDACTED]

Suburb/ Town

Neutral Bay

I have made a reportable political donation

No

I agree to the Privacy statement

submission

OBJECTION - I hereby object to the above Proposal on the following grounds :

- 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& set a poor precedent .
- 2.An adhoc rezoning will be bad for the Community , particularly re the cumulative additional traffic on the local road network. A Transport & Accessibility Plan should be completed before rezoning Approval .

Submission Type

I am submitting on behalf of my organisation

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Suburb/ Town

Neutral Bay

I have made a reportable political donation

No

I agree to the Privacy statement

submission

Submission Letter dated 22 March 2023 attached

[REDACTED]

[REDACTED]

SP 54079



STRATA PLAN No. 54079

[REDACTED]

Submitted on line (3 pages):

22 March 2023

PLANNING NSW

Dear Sir / Madam

**RE: Planning Proposal No 2021-7492; 12 & 14 WATERS ROAD,
NEUTRAL BAY NSW 2089:**

Submission:

I am making this submission to Planning NSW on behalf of the owners in the mixed use development at [REDACTED], comprising 5 retail shops ant ground floor level and 12 residential apartments above, located directly across the road from the proposal.

I made a previous submission on 7 May 2021 with respect to Development Application 92/2021 for proposed development at 12 & 14 Waters Road comprising residential six storeys above ground level, 2 levels of retail below ground level along Waters Road, and a further 4 levels of underground parking.

Following consideration of the Develoment Application by the consent authority, the applicants submitted a revised Development Application DA92/2021, reducing the height of the proposed building by one storey to five storeys above ground level, 2 levels of retail below ground level along Waters Road , and a further 4 levels of underground parking.

I made a further submission on 30 July 2021 in relation the revised Development Application DA92/2021. Our objection was primarily on the grounds of loss of amenity to the residents of [REDACTED], including loss of privacy, overlooking, loss of outlook, loss of streetscape amenity and traffic issues relating to the applicants proposal to relocate the vehicular access from the existing and from the previously approved location in Waters Lane under DA 104/2020 to a new location in Waters Road.

The proposal sought to remove an existing public open space area in Waters Road which included a public seating area and a significant existing Brushbox tree (identified as T6 in arborist report submitted by the applicant as a tree of high retention value), and sought to replace the existing public open space area in Waters Road with a driveway to provide vehicular access to and from the proposed development for in excess of 100 vehicles.

Our objection was based around the fact that there were other potential locations for the driveway access that would allow the existing Brushbox tree (T6) to be retained and would not result in loss of streetscape amenity and loss of amenity to residents at [REDACTED].

Whilst the Arborist had recommended in his report that consideration should be given to replacement planting with a new tree elsewhere within the road reserve, we stated in our previous objection submitted 7 May 2021 and 30 July 2021 that in our view the removal of the existing Brushbox tree (T6) and removal of the existing open space area which were the focal point of streetscape upgrade works that were implemented by North Sydney Council in or about 2005 at significant cost to Council and at significant cost to Commercial ratepayers via a special Streetscape levy, would be detrimental to the streetscape and would significantly impact the amenity of the residents of [REDACTED].

In relation to the current Planning Proposal submitted, that is, to increase the height of the proposed development over and above the building height approved under DA 92/2021, I note from Compliance Table (Table 5) in the Gateway Determination Report prepared by NSW Planning and Environment report that the current development under construction (DA 92/21) has a maximum building height of 21.3 metres, and exceeds the maximum building height of 16 metres allowable under the current LEP by 5.3 metres.

It relevant to note the existing building heights of all of surrounding buildings at 3-5 Waters Road (4 storeys) , 7-17 Waters Road (4 storeys) and 4-8 Waters Road (5 storeys) are significantly lower than the current approved DA 92/2021.



Photo 1: 7-17 Waters Road



Photo 2: 3-5 Waters Road

I note that the building height at 3-5 Waters Road is incorrectly noted as 5 storeys in the documents submitted by the applicants for the Planning Proposal under consideration. The building is a 4 storeys building comprising one level of retail shops and three levels of residential apartments.

Given that we objected to previously submitted and later withdrawn scheme DA 92/2021 for Six residential levels above street level at Waters Road), and to the current approved DA 92/2021 (Five residential levels above street level at Waters Road), I confirm that we are strongly opposed to the Planning Proposal to increase the height of the building and to increase the commercial FSR on the following grounds:

1. The proposed building height of 22 metres plus an additional 2 metres for rooftop facilities is excessive. It will detract from the existing and future desired character of Neutral Bay and from the existing and future desired character of Waters Road.
2. Adhoc rezoning of the site at 12-14 Waters Road will result in a poor outcome for the community, with respect to the amenity impact and and loss of outlook from surrounding properties and will set an undesirable precedent for further adhoc rezoning.
3. Adhoc rezoning of the site at 12-14 Waters Road will result in a poor outcome for the community with respect to the cumulative additional traffic on the local road network. A Traffic Management and Accessibility Plan should be completed before any rezonings are approved.
4. The proposed commercial space is located underground and does not provide high quality commercial floorspace.

Conclusion

In conclusion, we confirm that we are opposed to the Planning Proposal and request that the Planning proposal be rejected.

Yours faithfully,

[Redacted signature block]

Submission Type

I am submitting on behalf of my organisation

[REDACTED]

Suburb/ Town

Neutral Bay

I have made a reportable political donation

No

I agree to the Privacy statement

submission

The [REDACTED] submission on Planning proposal for 12-14 waters Road is attached.



Submission to Department of Planning

PP 2021-7492

12-14 Waters Road, Neutral Bay

22 March 2023

PP-2021-7492

The planning proposal seeks to amend NSLEP 2013 as follows;

- increase the maximum building height from 16 metres to 22 metres,
- increase the minimum non-residential FSR from 0.5:1 to 1.2:1,
- introduce a site-specific height provision to allow an additional 2 metres for rooftop facilities.

In its *Record of Decision* of 1 September 2022, Sydney North Planning Panel noted that a “five-storey mixed use development with open space and community facilities on its rooftop” had been approved and was under construction. The *Rezoning Briefing Report* signed off on 23 August 2022 noted the approved development accommodated 36 apartments and an additional level and a total of 42 apartments was proposed. The number of apartments in the approved development has since been modified to 35.

The *Gateway Determination Report* states the objectives of the planning proposal are to amend the controls:

1. to be consistent with Council's rescinded *Military Road Corridor Planning Study*;
2. enable the development of a high performance building with a provision of high quality commercial floorspace;
3. contribute to North Sydney's housing and employment targets;
4. contribute to community infrastructure through public domain and associated benefit works;
5. provide a monetary contribution ..., and
6. deliver residential development in a desirable location that receives ample access to public transport and surrounding amenities.

Height

The [REDACTED] does not support an increase in the maximum building height. This additional height will detract from the village feel of Neutral Bay Town Centre. A one-off adhoc rezoning is not targeted at good outcomes for the community, but is simply developer driven for maximum development profit.

In any case, the existing 16 metres maximum building height is sufficient for the development of five-storey (and in some cases six-storey) developments in the Neutral Bay Town Centre B4 Mixed Use zone.

For example, the adjacent building at 8-10 Waters Road is a five-storey mixed use development which complies with the 16 metre height limit. A more recently constructed mixed use development at 9-11 Rangers Road, Neutral Bay is a six-storey mixed use development with a maximum height (with a height variation) of 19.1 metres. There is simply no need for an increase in the maximum building height to 22 metres for a six-storey development.

If the rezoning proceeds and the LEP maps are changed for this site to provide a 22 metres maximum building height with a site-specific height provision included in the LEP to allow an additional 2 metres for rooftop facilities, the Association requests:

- the site-specific provision state that clause 4.6 variations to the height standards do not apply to the site, and
- the site-specific height provision is for communal rooftop facilities only.

High Quality Commercial Floorspace

The rescinded *Military Road Corridor Planning Study* states on page 5 that the proposed increase in non-residential floor space (FSR) control for 0.5:1 to 1.2 :1 “will effectively require retail uses on the ground level and commercial uses on the first floor of new buildings”.

Accordingly, if the planning proposal is to be consistent with the rescinded *Military Road Corridor Planning Study* (objective 1 above) and consistent with objective 2 above, the [REDACTED] requests that a site-specific provision be included in the LEP requiring the minimum 1.2:1 FSR non-residential floorspace to be located on ground floor and above and not below ground. The developer can provide additional non-residential floorspace below ground if desired.

Contribution to North Sydney's Housing Targets

The [REDACTED] notes that the proponent has submitted an amending Development Application (DA 42/23) for a six-storey mixed use development with a maximum building height of 24 metres. This DA proposes 37 apartments, which is only one more than the original Development Consent 92/2021 (36 apartments) and only two more than the current modified consent 92/22/4 (35 apartments).

Given the objective 3 above, a contribution of one apartment or two apartments is hardly a contribution to North Sydney's housing targets, and a 50 percent increase in the maximum building height for one or two additional apartments seems a poor return.

This site, once the development is built ,will effectively be sterilised and unable to contribute appropriately to North Sydney's housing targets.

It would be appropriate for the Department to seek an undertaking from the proponent that any development utilising the new maximum building height would include 42 apartments.

[REDACTED]

[REDACTED]

<image001.png>

The Department of Planning and Environment acknowledges that it stands on Country which always was and always will be Aboriginal land. We acknowledge the Traditional Custodians of the land and waters, and we show our respect for elders past, present and emerging. We are committed to providing places in which Aboriginal people are included socially, culturally and economically through thoughtful and collaborative approaches to our work.

Privacy/Legal disclaimers go here.

Please consider the environment before printing this email.

[REDACTED]

Subject: 12-14 waters road neutral bay (PP-2021-7492)

Good morning,

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.

Neutral Bay is very busy with the existing mixed use and residential areas, my opposition therefore is:

*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.

*insufficient parking for existing shoppers - let alone visitors and trades people to Pienza.

* increased height of Pienza will overshadow the existing buildings, changing the light and setting a precedent in height regulations for future buildings.

* pedestrian safety will be compromised - there is a lot of foot traffic and pram traffic around this area.

I look forward to hearing/ reading about the outcome of the proposed amendments.

Yours sincerely

[REDACTED]

[REDACTED]