

# Planning Proposal

1-7 Rangers Road & 50 Yeo Street, Neutral Bay

*Amendments to the North Sydney Local Environmental Plan 2013*



### **'Gura Bulga'**

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.

By using the green and blue colours to represent NSW, this painting unites the contrasting landscapes. The use of green symbolises tranquillity and health. The colour cyan, a greenish-blue, sparks feelings of calmness and reminds us of the importance of nature, while various shades of blue hues denote emotions of new beginnings and growth. The use of emerald green in this image speaks of place as a fluid moving topography of rhythmical connection, echoed by densely layered patterning and symbolic shapes which project the hypnotic vibrations of the earth, waterways and skies.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We acknowledge the Gadigal people, of the Eora Nation, the Traditional Custodians of the land where this document was prepared, and all peoples and nations from lands affected.

We pay our respects to their Elders past, present and emerging.

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*Ethos Urban*
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*Ethos Urban / Fabcot*
- G** LEP Mapping  
*Ethos Urban*
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*Ethos Urban*
- I** Preliminary Site Investigation  
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- J** Woolworths Neutral Bay Community Survey Report  
*Urbis + Taverner Research Group*

# Executive Summary

This Planning Proposal requests amendments to the North Sydney Local Environmental Plan 2013 relating to 1-7 Rangers Road and 50 Yeo Street, Neutral Bay. Ethos Urban has prepared this Planning Proposal on behalf of Fabcot Pty Ltd (Woolworths Group).

The broad intent of the Planning Proposal is to achieve a mixed-use redevelopment outcome, including an upgraded full-line Woolworths supermarket, together with supporting retail, commercial and residential land uses as part of an integrated mixed-use development. The future redevelopment of the site within the framework established by this Planning Proposal aligns with the objectives and intended outcomes of Council's Military Road Corridor Planning Strategy (MRCPS). It supports the ongoing growth of the area and delivers significant public benefits to Neutral Bay Town Centre and its users, whilst ensuring the retention of public amenity.

The Planning Proposal seeks Council's support for a site-specific amendment to the LEP for the following:

- Provide new mapping to reflect an adjustment of maximum height of building provisions on 50 Yeo Street, Neutral Bay to increase from 16m to a mix of 26m and 31m.
- Provide new mapping to increase the non-residential floor space of floor space 0.5:1 to 1.8:1 applying to the site.
- No changes are sought for the site's underlying land zoning controls.

Amendments to the North Sydney DCP 2013 are also proposed to support the Planning Proposal and proposed future redevelopment. These amendments will address key design and development outcomes, including bulk and scale, design excellence, activation and access, landscaping, residential amenity and sustainability.

The Indicative Reference Scheme totals some 15,902m<sup>2</sup> of Gross Floor Area (GFA), comprising 3,289m<sup>2</sup> of supermarket GFA (with an additional 702m<sup>2</sup> for ancillary back of house), 1,466m<sup>2</sup> of retail GFA, 2,417m<sup>2</sup> of commercial GFA and 8,028m<sup>2</sup> of residential floorspace, consisting of circa 62 dwellings. A 372 space basement car park is provided that will accommodate the need for all uses within the proposal, while a ground level public plaza and through-site link will help activate the site and provide a new civic heart and focal point for Neutral Bay Town Centre.



**Figure 1 Visualisation of the supporting Indicative concept**

Source: Koichi Takada Architects



This Planning Proposal responds to the Council's historical work on Neutral Bay and the Military Road Corridor, in aligns with the MRCPS by supporting jobs and housing growth within the Neutral Bay Town Centre, whilst delivering necessary public domain upgrades and public benefits. Specifically, it is noted that:

- The proposal is by and large consistent with the strategic vision under the MRCPS to appropriately serve the surrounding area with a varied character and experience;
- The future built form and land uses will cater to the local daily needs of the community by enhancing walking and cycling opportunities with suitable infrastructure and activation to enhance the attractiveness of Military Road as an urban high street;
- The site is well positioned with access to well-connected cycling and pedestrian infrastructure, major roads, bus services and ferry services linking to other key transport hubs.
- The concept redevelopment for the site, together with site specific DCP controls propose a new public plaza – providing opportunity for deep soil canopy tree planting, screening and feature plants, seating, public art and e-bike charging facilities for community usage;
- The future built form will demonstrate high quality design to enhance the enjoyment of homes and public places through generous planted terraces and facades. This will contribute to enhancing people's overall health and wellbeing.
- The proposal is designed to accommodate a variety of sustainability features and deliver beyond its required targets for sustainability, energy efficiency and water and waste management;
- The indicative scheme provides a range of apartment sizes with high amenity, which will create a level of activation that will support future success of the local centre;
- The proposal is consistent with the objects of the Environmental Planning and Assessment Act 1979, in that it promotes the orderly and economic use and development of land;
- The proposal is consistent with the applicable SEPPs and Ministerial Directions;
- Traffic modelling undertaken indicates that the proposal is not anticipated to result in unacceptable traffic impacts on the surrounding road network subject to mitigation measures identified.
- The proposal will deliver significant economic benefits to the locality, including:
  - An estimated 684 FTE jobs (direct and indirect) are expected to be generated during the construction stage of the project.
  - An estimated 143 FTE ongoing jobs on an ongoing basis will be generated once the development is complete and fully occupied. These additional ongoing jobs would stimulate additional economic activity, estimated at \$17.2 million in Value Added each year.
  - The future mixed use development could also accommodate approximately 132 new residents who would generate around \$2.8 million in retail expenditure each year, to the benefit of retailers in the local and regional community.
- To this end, Woolworths' concept for the site is focused on a new-generation mixed-use exemplar development, to drive a positive outcome within the North Sydney LGA. Future development of the site will provide convenient shopping for customers while enhancing the liveability of the surrounding local communities.
- Accordingly, considering the proposal and the overall strategic nature of the site and justification provided in addressing planning issues, the Planning Proposal is considered to have sufficient strategic merit to support the proposed uplift within the Neutral Bay Town Centre.
- This Planning Proposal also demonstrates that the proposed land use mix and density sought can be appropriately accommodated on the site in an attractive urban form which maximises neighbourhood amenity and greening, improves social and economic outcomes and enhances vibrancy, whilst minimising amenity impacts of surrounding residential receivers. This supports the site-specific merit of the Planning Proposal.

For these reasons, we have no hesitation in recommending this Planning Proposal for Gateway Determination.

What does this redevelopment mean for Neutral Bay?



Aligned with government strategies for an enhanced Military Road precinct



Enhanced housing diversity through delivery of 62 apartments



Respond to evolving customer requirements including 'Direct to Boot' service



Generating +143 local employment opportunities



\$134m of investment into the local area, generating +684 jobs during construction

**\$17.2m**

Contributing \$17.2 million in value added to the economy annually

True live/work/play environment in an integrated community





# 1.0 Introduction

## 1.1 Overview

This Planning Proposal is submitted to North Sydney Council (Council) to request amendments to the *North Sydney Local Environmental Plan 2013* (North Sydney LEP 2013) relating to land at 1-7 Rangers Road and 50 Yeo Street, Neutral Bay (the site). Ethos Urban has prepared this Planning Proposal on behalf of Fabcot Pty Ltd (Woolworths) the proponent.

The purpose of this Planning Proposal is to introduce a new non-Residential Floor Space Ratio (FSR) development standard for the site and amend the height limit to facilitate a future mixed-use development outcome including a full-line supermarket, supporting retail/commercial and residential land uses. The future redevelopment of the site within the framework established by this Planning Proposal aligns with the objectives and intended outcomes of Council's Military Road Corridor Planning Strategy (MRCPS). It supports the ongoing growth of the area and delivers significant public benefits within Neutral Bay Town Centre whilst ensuring the protection of public amenity.

The Planning Proposal will facilitate the rejuvenation of the site with an Indicative Reference Scheme accommodating a mixed-use development, including a full-line Woolworths supermarket (3,289m<sup>2</sup>) in a subterranean level, together with a podium comprising ground floor retail and servicing, with upper level commercial floorspace and residential apartments. The proposal also includes the delivery of significant community benefits in the form of a new public plaza and through site link (1,100m<sup>2</sup>) as well as a range of streetscape and footpath upgrades.

The Indicative Reference Scheme totals some 15,902m<sup>2</sup> of Gross Floor Area (GFA), comprising 3,289m<sup>2</sup> of supermarket GFA (with an additional 702m<sup>2</sup> for ancillary back of house), 1,466m<sup>2</sup> of retail GFA, 2,417m<sup>2</sup> of commercial GFA and 8,028m<sup>2</sup> of residential floorspace, consisting of circa 62 dwellings. A 372 space basement car park is provided that will accommodate the need for all uses within the proposal, while a ground level public plaza and through-site link will help activate the site and provide a new civic heart and focal point for Neutral Bay Town Centre.

As part of this Planning Proposal, the proponent intends to deliver, a new public plaza, external public domain works and through site link, which will be secured via a Voluntary Planning Agreement (VPA) that is proposed to be entered into with Council. The public benefits are outlined in the Public Benefit Offer, which is included under separate cover at **Appendix F**.

A concept sketch of an indicative built form character which could be delivered by the proposed controls is provided in **Figure 2**.

To achieve the strategic vision and indicative redevelopment concept presented, this planning proposal seeks to amend the *North Sydney Local Environmental Plan 2013* as follows:

- Increase the maximum building height from 16m to mix of 26m and 31m; and
- Increase the minimum non-residential floor space from 0.5:1 to 1.8:1.

Amendments to the North Sydney DCP 2013 are also proposed to support the Planning Proposal and proposed redevelopment. These amendments will address key design and development outcomes, including strategic provisions related to local centre planning and site-specific provisions related to the future built form, the provision of the publicly accessible through site link and plaza, design excellence and sustainability.

This Planning Proposal has been prepared having regard to *The Local Environmental Plan Making Guideline* published by the Department of Planning and Environment (DPE) in December 2021. In particular, this Planning Proposal addresses the following specific matters in the guideline and the requirements of Section 3.33(2) of the *Environmental Planning & Assessment Act 1979* (EP&A Act):

- A statement of the objectives or intended outcomes of the proposed instrument;

- An explanation of the provisions that are to be included in the proposed instrument;
- The justification of those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under Section 9.1EP&A Act); and
- Details of community consultation.

This Planning Proposal describes the site, the proposed amendments to the North Sydney LEP 2013 and provides an environmental assessment of the proposed height and FSR controls, building envelope and Indicative Reference Scheme.

The report should be read in conjunction with the Urban Design Report prepared by Koichi Takada Architects (**Appendix B**) and specialist consultant reports appended to this proposal (refer Table of Contents).



**Figure 2 Indicative Reference Scheme**

Source: Koichi Takada Architects

## 1.2 Proponent and Vision

The proponent, Fabcot Pty Ltd, is the operating entity of Woolworths's property development division and is the owner of the subject site within the Neutral Bay Town Centre.



***Our vision for Neutral Bay, is to rejuvenate the southern precinct of Neutral Bay by redeveloping a tired and underused site into a high-quality mixed-use scheme centred around a new public plaza. – Woolworths***

Woolworths' concept for the site is focused on a new-generation mixed-use exemplar development, to drive a positive outcome within the Neutral Bay community. The proposal will create a 'place for people' where the community can enjoy being in a place that has a sense of belonging. The project is a catalyst for further urban renewal and will provide convenient, local shopping for customers while enhancing the liveability of the surrounding local communities.

Woolworths has developed a vision for the retail ecosystem, which is based on a new concept that:

- Evolves Woolworths' offering to deliver a world leading customer experience;
- Integrates the latest in technology, innovation and convenience;
- Embraces sustainability in design and operations;
- Delivers great placemaking outcomes through design excellence;
- Allows flexibility to accommodate future evolution and activation; and
- Combines a generic supermarket and mixed-use development with emerging concepts such as 'Direct to Boot' and E-commerce.

Woolworths is keen to further invest in the North Sydney LGA and sees potential opportunities to deliver innovative, sustainable and best-in-class retail formats.

### 1.3 Project Team

This Planning Proposal is a collaboration which has been informed by the following firms:

**Koichi  
Takada  
Architects**

Urban Design and Architecture

 **Ethos  
Urban**

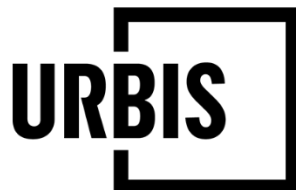
Town Planning  
Social and Economic Impact Assessment

**ARCADIA**

Landscape Architecture

**JMT  
Consulting**

Traffic and Transport

 **URBIS**

Engagement

## 2.0 Background

### 2.1 Military Road Corridor Planning Study (MRCPS)

On 28 May 2018, Council resolved to prepare a planning study for the Military Road Corridor. This was determined based on trends in the built environment identifying commercial uses being replaced with residential development, resulting in an 11.5% decline in employment related uses since 2006. It was noted that if nothing is changed, the number of local jobs in Neutral Bay is estimated to drop further from 2,850 to 1,500 jobs, rather than meeting the forecast demand of 4,000 jobs by 2036.

Council have also identified that the Neutral Bay Town Centre is dominated by heavy commuter traffic on Military Road, a major barrier between the northern and southern sides of the centre. The B-Line construction has removed the parking buffer between pedestrians and the road carriageway, creating a less safe environment for pedestrians and a perception of increased danger. With a decline in employment related uses and a dangerous pedestrian environment, the vibrancy and diversity of the town centre is in jeopardy. As a result, pressure is being placed on improving the existing condition of the public domain.

The purpose of the MRCPS is to guide future development and facilitate increased density opportunities to meet the growing needs of the community within Neutral Bay Town Centre.

Neutral Bay Town Centre is the first stage of the planning study. Following community input into a survey conducted in mid-2018, two discussion papers were prepared for exhibition:

1. Objectives & Ideas Paper, examining a range of built form and public benefit options;
2. Analysis Paper, providing an evidence base and impact assessment.

The purpose of these papers was to further engage the community and relevant landholders in a discussion on the future of the Neutral Bay Town Centre. They presented a range of built form options that supported, in principle, new jobs and homes close to public transport, and discussed the types of community public benefits that may be needed in the future to protect the highly valued village character of Neutral Bay.

Fabcot Pty Ltd (the landholder group for the subject site) made a submission in October 2019 in response to the Stage 1 Objectives and Analysis Paper of the Military Road Corridor Planning Study (the MRCPS). The submission exhibited strong support for Council's future vision for the Neutral Bay Town Centre – that is, to facilitate public domain improvements, create jobs and deliver community facilities to meet the changing needs of the area and provide general support for the built form options proposed by Council for the subject site. The submission sought to increase the height and FSR built form options on site to provide additional non-residential and residential floor space, with the requested changes to be incorporated into the third and final stage of the planning study being the *Future Directions Report*.

Council resolved at its meeting of 23 March 2020 (held 6 April 2020) to place the draft *Future Directions Report* on public exhibition until 31 July 2020. The draft Future Directions Report was the third and final document of the MRCPS, and considered the request made by the landholder group for the site.

On 22 February 2021, the *Future Directions Report* following exhibition was formally adopted by Council, finalising the future vision and controls for the subject site through the following requirements:

- Provide additional non-residential floor space with a minimum 2.0:1 FSR
- Residential towers should appear slender, maximise above podium habitable facades to all sides
- Provide a new community facility (1,000m<sup>2</sup>)
- Deliver 1,250m<sup>2</sup> new public domain including:
  - A 1,000m<sup>2</sup> new public plaza with an underground supermarket
  - A through-site-link to Yeo Street



- A 2.5m whole of building setback that expands the tree canopy along Rangers Road and Military Road
- Deliver a 14-space public commuter bicycle parking facility
- Activate street edges along Rangers Road, Military Road, the new plaza, through-site-link and part of Yeo Street
- Deliver loading and basement access through Military Lane or potentially along Yeo Street, subject to a transport study
- Mitigate wind impacts to the public plaza
- Provide access to underground uses within a building façade to a limit structures on the plaza

**Figure 3** demonstrates the identified building envelope for the site looking south and showing a new public plaza and pedestrian through-site link from Military Road to Yeo Street. **Figure 4** illustrates the envisaged new public plaza that would provide open space and expand retail opportunities to support population growth. It is expected that the future plaza will be activated by retail, cafes and restaurants along the edges to create a vibrant and safe open space for the community.



**Figure 3 MRCPS indicative building envelopes**

Source: North Sydney Council





**Figure 4 Artist's impression of the future Ranger Road Plaza**

Source: North Sydney Council

On the back of this extensive work by Council and its endorsement in April 2021, Fabcot Pty Ltd advanced its plans for the site to commence the process of delivering the vision espoused in these documents. In doing so Fabcot Pty Ltd had regular discussions and meetings with Council officers to discuss the proposal and work through design matters.

Following the local elections in December 2021, a new Council was formed and a meeting held on 10<sup>th</sup> January 2022 to elect the new Mayor. During this same meeting the new Council unsuccessfully attempted to rescind the Council resolution on the *Military Road Corridor Strategy* and *Future Directions Report*. Subsequent to this, an extraordinary meeting was then held on 24 January 2022 and the decision to adopt the *Future Directions Report* was rescinded by the newly elected Council.

According to that same resolution, an updated strategic development framework for the Military Road Corridor including the Neutral Bay Town Centre is to now be prepared by Council officers with further community and stakeholder engagement to enable a “better balance between development height and the provision of additional public open space”.

Whilst the *Future Directions Report* has been rescinded, Fabcot Pty Ltd has been actively preparing plans for the site since 2019 in direct response to the previously endorsed MRCPs and *Future Directions Report*. The decision to rescind the strategy was made by the newly elected 2022 Councillors and occurred one month prior to Fabcot's Plans to lodge its Planning Proposal. Given the extensive work and time that has gone into preparing the Planning Proposal, Fabcot decided to proceed to lodge the Planning Proposal as the Woolworths business could not pause and wait for Council to update its MRCPs and the Future Directions Report for Neutral Bay. This

Planning Proposal has been designed to reflect the development intent of the planning study, aimed at delivering a substantial amount of public benefit for the area and delivering a built form outcome that is generally consistent with that espoused within the previous Council endorsed documents. Fabcot Pty Ltd group is committed to delivering a high-quality built outcome that will significantly improve the existing amenity of the site and contribute to the overall vibrancy of the Neutral Bay Town Centre and its ability to serve local community needs.

## 2.2 Pre-lodgement Consultation

Since early 2020, Fabcot has engaged with Council as part of the process of preparing the MRCPS and Future Directions Report, as well as more targeted discussions regarding this site-specific Planning Proposal. Specifically, Fabcot has:

- Actively participated as a key stakeholder and landowner in the preparation of the Military Road Corridor Planning Study and Future Directions Report for the Neutral Bay town centre.
- Held numerous meetings with Council regarding the site-specific planning proposal, including a number of meetings in 2020 and subsequent further meetings in 2021, including:
  - A meeting with Council officers on 26 August 2021 to provide Council with an update on progress of the Planning Proposal and updated design following discussions in 2020 and the Council's endorsement of the MRCPS and the Future Directions Report in April 2021.
  - A meeting with Council officers on 29 October 2021 to present an indicative concept for the site and provide Council with an update on progress of negotiations with adjacent landowners at 185 Military Road. Council provided feedback to that indicative concept following the meeting.
  - A meeting on 16 December 2021 to present a further updated design concept to Council that responded to their feedback from the previous meeting.

On the back of these meetings, Fabcot were in the process of advancing plans and preparation of the Planning Proposal, with the intention of formally submitting the Planning Proposal to Council in February 2022. This was however delayed following the resolution of the newly elected Council to rescind the previous Council's endorsement of the MRCPS and the Future Directions Report for Neutral Bay town centre. As a result of this resolution, discussions with the Council officers were unable to be further advance and Fabcot elected to finalise the Planning Proposal package on the back of discussions and advice received up to that point.

Fabcot are eager to continue constructive dialogue with the Council, with the view to deliver a suitable outcome for the site and the town centre.

## 2.3 Preparation and lodgement of Planning Proposal (2022/1633)

On 9 May 2022 a Planning Proposal seeking amendments to the North Sydney Local Environmental Plan 2013 to increase the maximum building height to a mix of 30m and 40m and increase the minimum non-residential floor space to 1:7:1 for land located at 1-7 Rangers Road and 50 Yeo Street Neutral Bay was lodged at North Sydney Council.

The proposed amendments were intended to facilitate a mixed-use development comprising approximately 19,218m<sup>2</sup> of gross floor area (GFA), comprising approximately 3,311m<sup>2</sup> of supermarket GFA, 1,846m<sup>2</sup> of retail GFA, 2,103m<sup>2</sup> of commercial GFA and 12,682m<sup>2</sup> of residential floor area (circa 91 apartments), and the delivery of significant community benefits in the form of a 65 dedicated public parking spaces and a new 1,000m<sup>2</sup> public plaza and through site link.

### Post lodgement community engagement

Woolworths recognises the importance of engaging with the community and are committed to providing genuine consultation with the community throughout the planning process. Woolworths engaged Urbis, a community engagement specialist to undertake community engagement. **Appendix J** provides a detailed overview of the engagement and consultation undertaken by the proponent to date. In summary, the initial consultation completed consisted of undertaking an analysis of community feedback on Council's Military Road Planning Study. The purpose of that was to understand the community desires, aspirations and concerns about

the precinct so that would inform Woolworths ambitions for the site and the approach to engagement. This review contributed to key features of the proposal and community aspirations for the future of Neutral Bay.

Following lodgement of the Planning Proposal, Fabcot Pty Ltd held two community information drop-in sessions in Neutral Bay on the 11 August 2022 and 13 August 2022. These sessions provided the opportunity for members of the public to meet with Fabcot Pty Ltd and the broader project team, ask questions and provide feedback on the proposal. An overview of the engagement activities completed to date are outlined in **Table 1**.

**Table 1 Consultation completed to date**

Activities	Details / community feedback
<b>Near neighbour doorknock and local business street walk:</b> <i>On 1 June 2022, Woolworths spoke with ~25 local businesses surrounding the existing Rangers Road store. Businesses included a mix of retails, food and beverage, fitness and spa/ beauty salons.</i>	<b>Feedback included:</b> <ul style="list-style-type: none"> <li>• The area needs this, and it sounds like it would be great.</li> <li>• The proposed plans would be great for customers who walk here from the surrounding streets.</li> <li>• The area is run down and needs an upgrade.</li> <li>• The existing Woolworths carpark is an obvious community asset, and the additional spaces being proposed would be a clear public benefit.</li> </ul>
<b>Community newsletter – letterbox drop</b> <i>On 28 July 2022, a community newsletter was distributed to more than 6,000 businesses and residents surrounding the site.</i>	<p>The newsletter included an overview of the proposal, community benefits, and an invitation to attend the community information drop-in sessions.</p> <p>No feedback received following newsletter distribution.</p>
<b>Two community information sessions</b> <i>Woolworths hosted two community information sessions on 13 and 15 August 2022. There were around 15 locals in attendance at each session.</i>	<b>Feedback included:</b> <ul style="list-style-type: none"> <li>• Traffic, access and parking <ul style="list-style-type: none"> <li>- Military Road is already heavily congested and can't handle an increase, traffic assessments should also have been conducted through the AM peak.</li> <li>- Concern about additional traffic movements due to additional residential use and expanded car parking.</li> <li>- Having one access point on Yeo St will cause a lot of traffic that will block resident access to their driveways.</li> <li>- Concerns regarding safety - dangerous having the entry point so close to the public school, drivers undertaking dangerous manoeuvres due to congestion.</li> </ul> </li> <li>• Height and built form <ul style="list-style-type: none"> <li>- Seen as out of keeping with the local area and would set a precedent for future development: "Chatswood or St Leonards in Neutral Bay".</li> <li>- Concern about overshadowing on Yeo St properties.</li> <li>- Cynicism that 10 storeys would not be adhered to.</li> <li>- When asked, most people identified 5-6 stories as being acceptable (in line with the neighbouring Muse Apartments).</li> <li>- Some support for the architectural design.</li> <li>- Concern that the community plaza will be a wind tunnel and overshadowed; concern that there will be a low-grade food experience. The term "windy food court" was used by a number of attendees.</li> </ul> </li> </ul>
<b>Community newsletter – providing an update on proposed plans</b> <i>On 12 September 2022, a community newsletter was distributed to more</i>	<p>The newsletter included an overview of how the proposal has been changed and retained following community feedback.</p> <b>Feedback included:</b> <ul style="list-style-type: none"> <li>• Enquiry regarding connection for cyclists.</li> </ul>

Activities	Details / community feedback
than 21,000 businesses and residents surrounding the site.	<ul style="list-style-type: none"> <li>Interest in leasing commercial space.</li> <li>Support for the revised height – noting Woolworths has listened to community feedback.</li> </ul>
<b>Engagement email and 1,800 letter box drops</b>  <i>Urbis Engagement received 10 emails and five phone calls between March and September 2022.</i>	<b>Feedback included:</b> <ul style="list-style-type: none"> <li>Three separate enquiries from residents noting that they would prefer the Rangers Road Woolworths to be replaced with a Big W store.</li> <li>Many residents noted that they drive to Warringah Mall to do shopping and something closer would be convenient.</li> <li>It looks interesting, and the arrangement is pleasing.</li> <li>Feedback that the development is excessive in both height and volume and the new supermarket, retail areas and apartments would add large volumes of additional traffic to an already very busy precinct.</li> <li>The outdoor public plaza, new cafes and restaurants would be of dubious utility as it would be largely overshadowed by the building.</li> <li>Note from residents that changes to the proposed development following community feedback have some way towards heeding comments and feelings made for the above redevelopment by the community.</li> </ul>

Noting the feedback received following the community information session held in August 2022, it became evident that the local community had concerns about the proposed 10 storey concept. In response to the community and Council's verbal feedback, Fabcot Pty Ltd informed North Sydney Council that it is willing to amend the proposal to reduce the height from the proposed 7-10 storey concept to a 6-8 storey concept that is directly in line with the massing espoused for the site under the previously endorsed Military Road Corridor Planning Study and Neutral Bay Future Directions Report.

During October and November 2022 Woolworths engaged Urbis and Taverner Research, community engagement specialists to undertake independent community research on the revised proposal (now proposed under this application). **Appendix J** provides a detailed overview of these findings which concluded:

- Six out of ten residents agreed that the area needed an upgrade. Only few agreed it is "lively and activated", or that is easy to access by car.
- About half of respondents of the survey supported the 6 storey scheme and residential units in the area.
- Some of the responds felt favourably towards more residential development, and an improvement in the range of services and amenities made available for residents. There was also a belief that the area needs refreshing / upgraded.

Fabcot has an opportunity to embrace the feedback of the community who wish to ensure the charm of their village is preserved and that the proposal does not result in worsening traffic problems and crowding in the area.

### Local Planning Panel Decision on Planning Proposal

On 14 September 2022, the Planning Proposal was considered by the North Sydney Local Planning Panel. The Council had recommended to not support the Planning Proposal at the Panel meeting for the following reasons:

- The proposal is not underpinned by an endorsed comprehensive strategic planning study for the locality and if implemented, will undermine the ability to achieve the objectives and actions of high-level strategic planning policies relating to the site, including:
  - Greater Sydney Regional Plan – A Metropolis of Three Cities;
  - North District Plan; and
  - North Sydney Local Strategic Planning Statement.



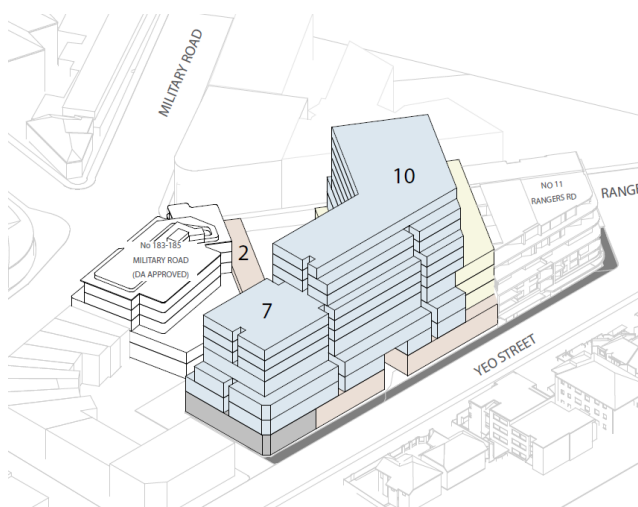
- The proposal is inconsistent with the following section 9.1 Ministerial Directions under the Environmental Planning and Assessment Act 1979:
  - Direction 1.1 – Implementation of Regional Plans
  - Direction 5.1 – Integrating Land Use and Transport
  - Direction 7.1 – Business and Industrial Zones
- The Indicative Reference Scheme fails to demonstrate how the site could be acceptably developed to the requested heights insofar that it does not respond adequately to the site attributes and context and will result in significant level of public and private amenity impacts including dominance of the public domain, overshadowing and traffic generation;
- The proposal would set an unacceptable precedent prior to the establishment of a finalised policy position for future development in the locality, and undermine the future strategic planning work for the Neutral Bay Town Centre; and
- The proposal undermines the development potential and public benefit opportunities of the immediately adjoining site to the north.

On 10 October 2022, the Council resolved to not support a Gateway Determination for the Planning Proposal (see attached). We have been informed the proposal was considered to lack strategic and site-specific merit due to the building height being excessive compared with its context.

## 2.4 Rezoning Review (RR 2022-29)

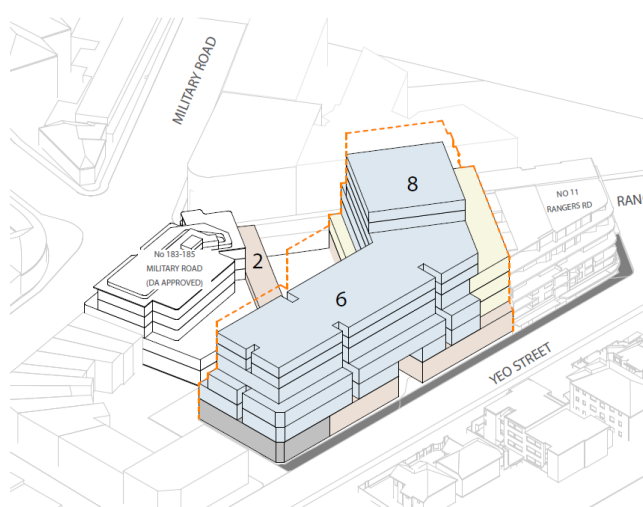
On 26 October 2022, a Rezoning Review Request was lodged and submitted on the basis that the Council had resolved to not support the Planning Proposal proceeding to Gateway Determination. It was understood that the proposal was considered to lack strategic and site-specific merit due to the building height being excessive compared with its context.

In light of the feedback received from the community during the community consultation sessions undertaken in August 2022, Woolworths informed the Panel of their willingness to amend the proposal to reduce the height from the proposed 7-10 storey concept to a 6-8 storey concept as shown in **Figure 5** and **Figure 6**. The proposed amended scheme was provided as an additional consideration for the Sydney North Planning Panel when making their decision on whether the project could proceed to Gateway Determination. The proposed amended scheme sought to effectively address Council's key concerns and matters raised from the local community as they related to height, scale, overshadowing and traffic. Despite making such concessions, Fabcot Pty Ltd was still committed to delivering a high-quality renewal project, including the provision of significant benefits in the form of a new public plaza and through site link, and publicly accessible parking for use by the broader community.



**Figure 5 Proposed part 7 and part 10 storey scheme**

Source: KTA



**Figure 6 Revised part 6 and part 8 storey scheme (orange dashed line indicates previous scheme)**

Source: KTA

On 7 December 2022, the original scheme as lodged, and the proposed amended scheme was presented to the Sydney North Planning Panel. However, given the substantial change between the original scheme and proposed amendments, the Panel determined that the Planning Proposal should not be submitted for Gateway determination on 12 December 2022.

The Panel's decision was concluded on the basis that the proposal had demonstrated strategic merit but not site-specific merit. The following key conclusions were made:

- *Notwithstanding the erosion of commercial office floor space, the Panel considered the proposal had demonstrated some strategic merit – the previously endorsed Study and Future Directions Report and current work to revise the Study, provide a clear indication of the Council's and Community's desire to revitalise and renew the Neutral Bay Town Centre.*
- *However, the Panel noted the proposal did not adequately demonstrate Site Specific Merit and remained unacceptable in terms of number of storeys, human scale frontage to the proposed plaza, incorporation of public land, non-residential FSR, overshadowing, traffic and transition to low-scale residential areas south of the site. Accordingly, the Panel resolved that the proposal should not be submitted for Gateway determination.*
- *The Panel did note the high level of consultation between Proponent and Council over recent years as the Planning Proposal was progressed and also noted the Proponent's stated willingness to submit a revised proposal to include substantial reductions to height, GFA and number of apartments. While the Panel felt elements of the revised proposal would have considerable merit, none had been formally submitted or reviewed and the extent of the muted changes were beyond the Panel's discretion to accept as minor changes.*
- *Given the long gestation of this project on a key site in the town centre and the timing of changes to Council's relevant planning strategies, the Panel suggests it would be in the community interest for the Proponent, Council and Department to meet as soon as possible to pursue agreement on a revised proposal.*

This Planning Proposal will provide a direct response to the Panel's comments, proposing a reduced scheme with decreased heights, total GFA and number of apartments.

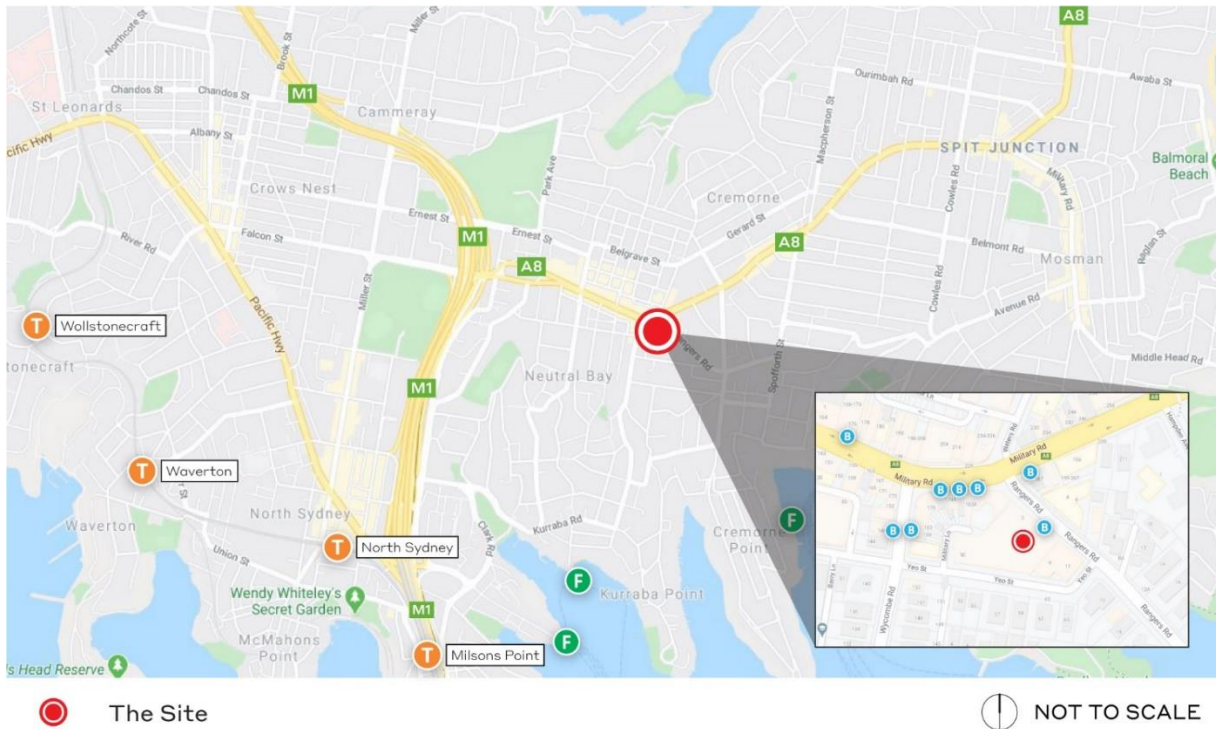
## 3.0 The Site

### 3.1 Site Location and Context

The site is located at 1-7 Rangers Road and 50 Yeo Street, Neutral Bay. It is situated within the North Sydney Local Government Area (LGA) on a prominent corner within the Military Road Corridor as defined by North Sydney Council.

Located just 5km north of the Sydney CBD, within Sydney's Lower North Shore, Neutral Bay has a key role to play in the provision of housing and employment, given its proximity to the commercial centres of the Sydney CBD, North Sydney, St Leonards and Chatswood. The high frequency bus network along Military Road links the site to these strategic centres via the Bus Stands A, B and C, which are located approximately 20m to the north at the site frontage. Refer to **Figure 2**.



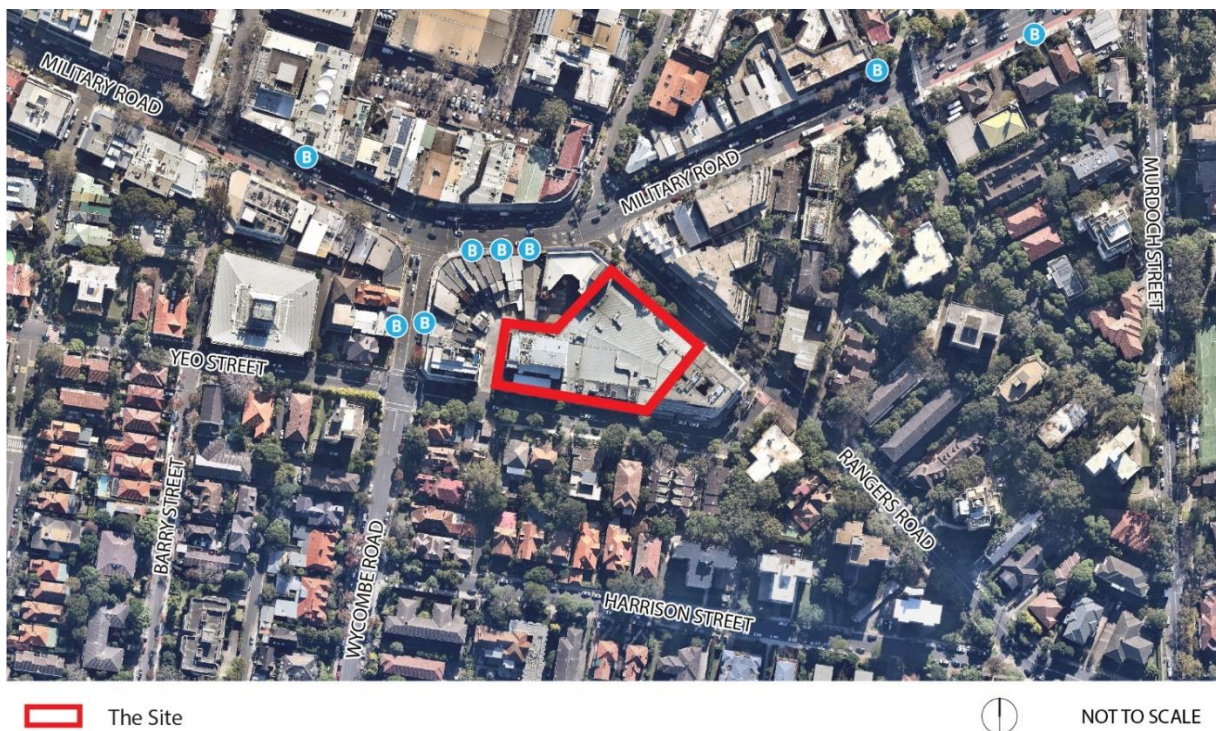


**Figure 7 Site Context Map**

Source: Ethos Urban / Google Maps

## 3.2 Site Description

The site is irregular in shape and comprises of 3 allotments identified as Lots 1, 2 and 3 in DP 1091373. Woolworths owns the stratum-subdivided lot at 1-7 Rangers Road and 50 Yeo Street, Neutral Bay, providing a total site area of 4,207m<sup>2</sup>. The site identified in red represents 'site 3' under the MRCPS. The site for this application is identified in red as shown in **Figure 6**.



**Figure 8 Site Aerial**

Source: Ethos Urban / Nearmap



The site has a frontage to 2 primary roadways, a 75m frontage to Rangers Road and an 89m secondary frontage to Yeo Street at the rear. The site also has a frontage to Military Lane at the rear, which acts as a service lane.

### 3.3 Existing Development

1-7 Rangers Road is currently occupied by an existing single storey Woolworths supermarket and adjoining bottle shop. Customers currently access the supermarket from both Rangers Road and Yeo Street. Basement car park access is located on Yeo Street, with loading and servicing currently via a loading dock on Military Lane. 50 Yeo Street currently contains a six-storey commercial building occupied by WOTSO Workspace. The existing Woolworth supermarket village and 50 Yeo Street commercial building are part of a stratum arrangement.



**Figure 9 Existing Woolworths and bottle shop**

Source: Ethos Urban



**Figure 10 Existing rear Woolworths parking entry**

Source: Ethos Urban



**Figure 11 Existing development at 50 Yeo Street**

Source: Ethos Urban



**Figure 12 Military Lane**

Source: Ethos Urban

### 3.4 Surrounding Development

#### North

Development north of the site on the northern side of Military Road comprises commercial and retail tenancies accessed from Military Road pedestrian footpaths. The built form is predominantly two storey buildings comprising small scale fine grain retail tenancies with commercial uses above. Development further north along Grosvenor Street comprises medium density development and multi storey commercial buildings.



**Figure 13 Development on the northern side of Military Road**

Source: Google Maps



**Figure 14 Development further north at Grosvenor St**

Source: Google Maps

## South

To the south of the site on the opposite side of Yeo Street are a number of residential flat buildings. These residential flat buildings are typically three storeys and contain some dwellings with north-facing windows and balconies. A number of smaller scale residencies are also located on the southern side of Yeo Street, while they have windows facing Yeo Street, plans obtained of these dwelling indicate that their internal orientation is to the south.



**Figure 15 Residential properties located south of the site**

Source: Ethos Urban



**Figure 16 Existing residential development on the south side of Yeo St**

Source: Ethos Urban

## East

The site at the corner of Yeo Street and Rangers Road is a more recent 6 storey residential flat development (**Figure 13**).

To the east on the opposite side of the road is 9-11 Rangers Road, a recently completed five-storey residential building. The building has ground floor retail tenancies and basement car parking, and is built to the boundary with a blank wall. Further east of the site, on the eastern side of Rangers Road, comprises a series of residential



development of varying typologies including a residential flat building with ground floor retail on the corner of Military Road and Rangers Road.



**Figure 17 Development on the eastern side of Rangers Road**

Source: Ethos Urban



**Figure 18 Development on the eastern side of Rangers Road**

Source: Ethos Urban

## West

Immediately west of the site is Military Lane providing rear access for a number of buildings. Development located directly west of the site comprise a four storey residential flat building with ground floor retail towards Yeo Street (**Figure 15**).



**Figure 19 Development on the eastern side of Rangers Road**

Source: Ethos Urban



**Figure 20 Development on the eastern side of Rangers Road**

Source: Ethos Urban

## 3.5 Transport, Access and Connectivity

### 3.5.1 Vehicular Access and Parking

Rangers Road accommodates one lane in each direction and provides on-street car parking on both sides. The road provides a one-way carriageway from Military Road at the north and terminates at the Spofforth Street intersection.

Yeo Street accommodates one lane in each direction and provides on-street car parking on both sides. Yeo Street -west connection runs parallel to Military Road, extending from Rangers Road in the east and terminating at the Bent Street intersection in the west. Yeo Street provides access to the existing main basement level parking for the Woolworths site.

### 3.5.2 Public Transport

The site is within convenient proximity on Military Road outside three (3) separate bus stops known as Stand A, Stand B and Stand C. Each bus stand provides numerous high-frequency bus services that travel to the Sydney CBD, greater North Shore, Northern Beaches and Western Suburbs. The bus services with stops located close to the site are illustrated in **Table 2**.

**Table 2 Bus network along Military Road**

Stand	Route	Route Description
Stand A	151	Mona Vale to City QVB
	168X	North Balgowlah to City Wynyard via North Balgowlah (Express Service)
	169	Manly to City Wynyard via Narrawenna
	171X	Manly to City Wynyard via Clontarf (Express Service)
	175X	Warringah Mall to City Wynyard (Express Service)
	178	Cromer Heights to City Wynyard
	180	Collaroy Plateau to City Wynyard
	185X	Mona Vale to City Wynyard via Warriewood
	188	Mona Vale to City Wynyard
	188X	North Avalon Beach to City Wynyard
	189X	Avalon to City Wynyard (Express Service)
	190X	Palm Beach to City Wynyard
	243	Spit Junction to City Wynyard
	244	Chowder Bay Mosman to City Wynyard
	245	Balmoral to City Wynyard
	246	Balmoral Heights to City Wynyard
	247	Taronga Zoo to City Wynyard via Mosman
	248	Seaforth to City Wynyard
	249	Beauty Point to City Wynyard
	430	Sydenham to Taronga Zoo
	B1	B-Line Mona Vale to City Wynyard
Stand B	154X	Mona Vale to Milsons Point (Express Service)
	168	North Balgowlah to Milsons Point
	173	Narraweena to Milsons Point
	227	Mosman Junction to Milsons Point
	228	Clifton Gardens to Milsons Point
	229	Beauty Point to Milsons Point via Balmoral

Stand	Route	Route Description
Stand C	230	Mosman Wharf to Milsons Wharf via North Sydney
	246	Balmoral Heights to City Wynyard
	257	Chatswood to Balmoral via Crows Nest
	143	Manly to Chatswood via Balgowlah & St Leonards
	144	Manly to Chatswood via Royal North Shore Hospital
	257	Chatswood to Balmoral via Crows Nest

### 3.5.3 Pedestrian Connectivity and Accessibility

The site is located within less than 40m of Bus Stands A to C which provide excellent access to numerous bus services shown in **Table 2**, providing direct connectivity to the northern suburbs, Chatswood, St Leonards and Milsons Point railway stations and the Sydney CBD. Current pedestrian access into the Woolworths site is obtained via Rangers Road and vehicular access is obtained via the basement car park accessed from Yeo Street, which is also used for the Wotso office building on Yeo Street. Servicing access for Woolworths and the Wotso commercial building is obtained via Military Lane. Although the site currently enjoys excellent access to the bus network at Military Road, there is an opportunity to substantially improve access across the wider site to provide a north-south pedestrian connection from Military Road and Rangers Road through to Yeo Street and surrounds.

## 3.6 Heritage

The site is not subject to any statutory heritage listing, nor is it within a heritage conservation area. Several heritage items are in the vicinity of the site, being:

- “Former CBC Bank”, 28 Military Road, Neutral Bay. North Sydney Local Environmental Plan 2013. Heritage Item No. I0677;
- “Shop”, 196 Military Road, Neutral Bay. North Sydney Local Environmental Plan 2013. Heritage Item No. I0676;
- “Shop”, 194 Military Road, Neutral Bay. North Sydney Local Environmental Plan 2013. Heritage Item No. I0675;
- “House”, 144 Wycombe Road, Neutral Bay. North Sydney Local Environmental Plan 2013. Heritage Item No. I0761.



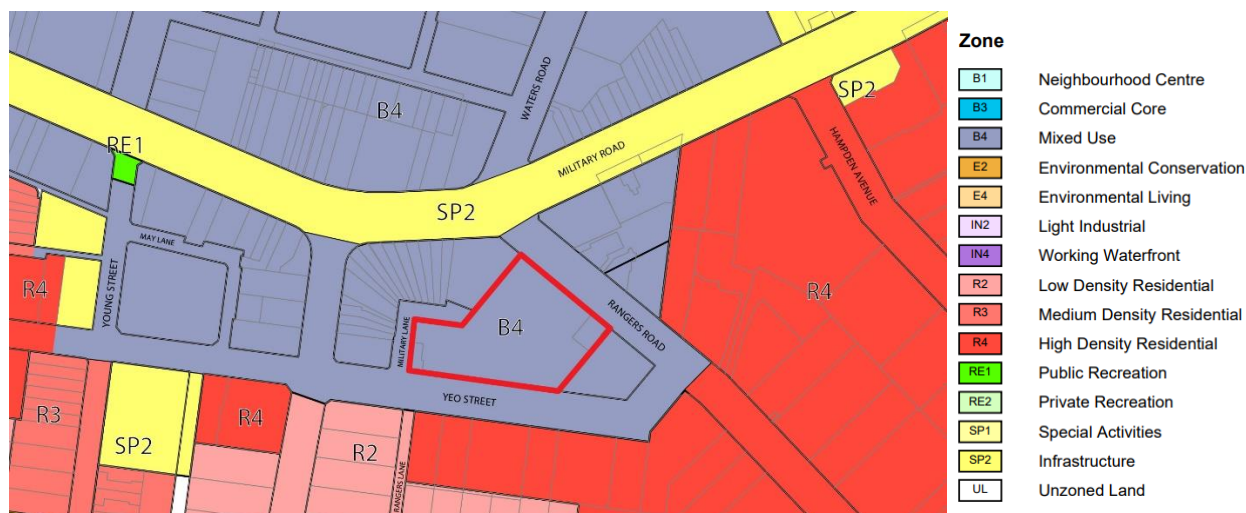
## 4.0 Current Planning Controls

### 4.1 North Sydney Local Environmental Plan 2013

The *North Sydney Local Environmental Plan 2013* (NSLEP 2013) is the principal environmental planning instrument applying to the site. The provisions of the NSLEP 2013 and the key development controls as they relate to the site are outlined below in **Table 3**.

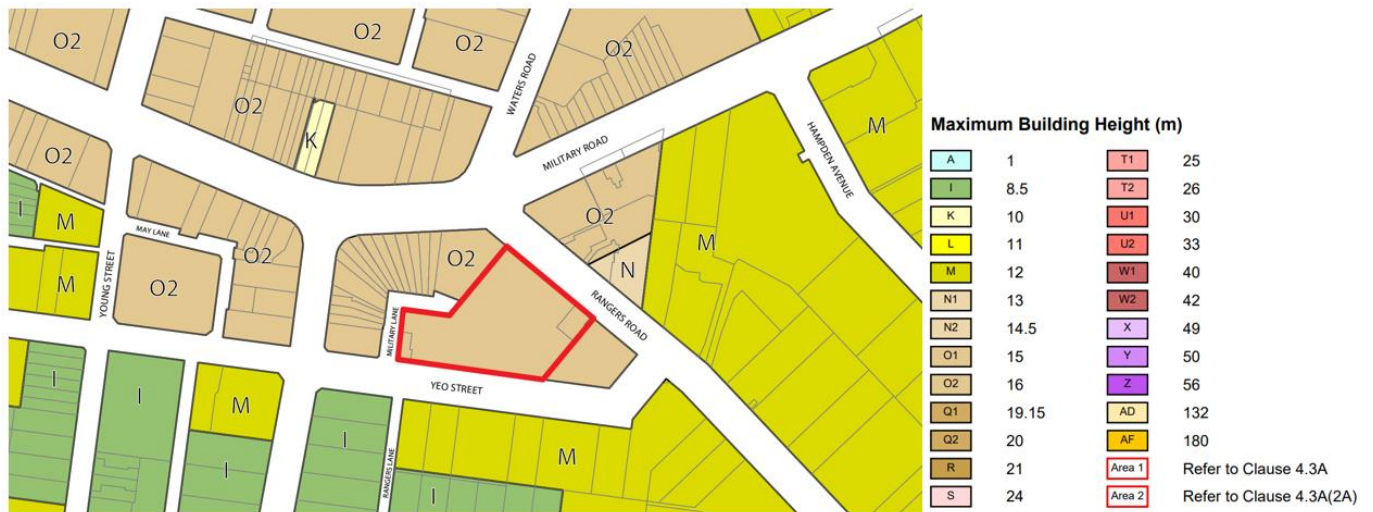
**Table 3** Current North Sydney LEP 2013 provisions

LEP Clause	Provision
2.1 Land use	The site is zoned B4 Mixed Use. Development for the purposes of retail, commercial and residential uses are permissible with development consent.
4.3 Height of Buildings	The maximum height of buildings is 16m.
4.4 Floor Space Ratio	There is no stipulated maximum FSR for the site.
4.4A Non-residential Floor Space Ratio	The minimum non-residential FSR for the site is 0.5:1.
6.12A Residential flat buildings in Zone B4 Mixed use zones	Development consent must not be granted for development for the purpose of a residential flat building on land to which this clause applies unless the consent authority is satisfied that the residential flat building is part of a mixed-use development, and no part of the ground floor of the building that is facing a street is used for residential accommodation.



**Figure 21** Land Zoning map, North Sydney LEP 2013 (site in red outline)

Source: Land Zoning Map – Sheet LZN\_003 and Sheet LZN\_004, NSLEP 2013



**Figure 22 Height of Buildings map, North Sydney LEP 2013 (site in red outline)**

Source: Height of Buildings Map – Sheet HOB\_003 and Sheet HOB\_004, NSLEP 2013



**Figure 23 Floor Space ratio map, North Sydney LEP 2013 (site in red outline)**

Source: Floor Space Ratio – Sheet FSR\_003 and Sheet FSR\_004, NSLEP 2013



**Figure 24 Non-residential Floor Space ratio map, North Sydney LEP 2013**

Source: Non-Residential Floor Space Ratio – Sheet LCL\_003 and Sheet LCL\_004, NSLEP 2013

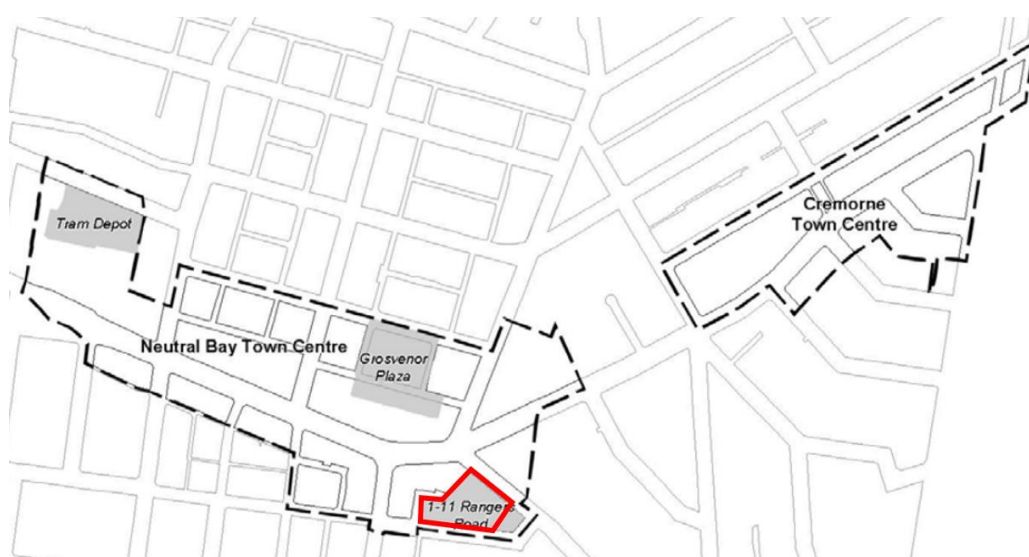
## 4.2 North Sydney Development Control plan 2013

The North Sydney DCP 2013 provides additional detailed design guidance which builds upon the provisions of the North Sydney LEP 2013. The site is located on land within the Neutral Bay Town Centre character area which are subject to character area specific DCP provisions. Part of the site is also listed as a key site. Refer to **Figure 25**.

### Neutral Bay Town Centre

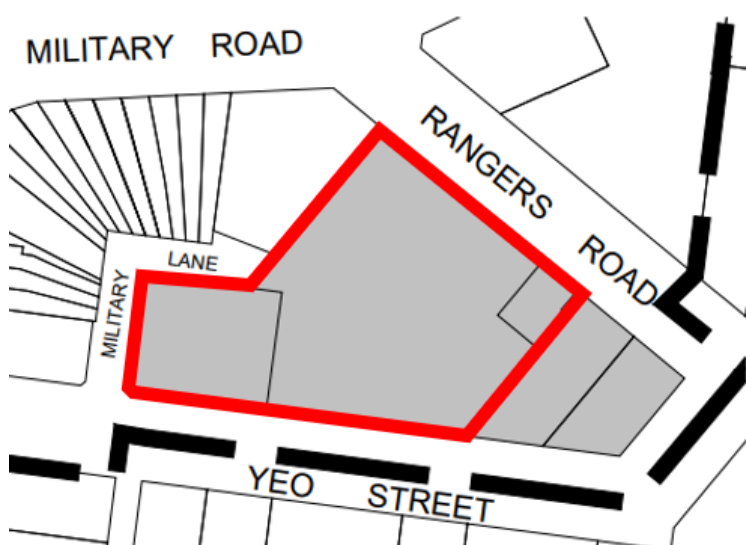
The site is located within the Neutral Bay Town Centre. The North Sydney DCP (which is tailored to align with the incumbent LEP controls) envisages the Centre to provide a good mix of commercial, retail, restaurants and cafes to address the local community's needs. The desired future character seeks an activated ground plane with commercial activities maintained along street frontages to stimulate pedestrian activity with non-residential and residential uses above.

The North Sydney DCP highlights 1-11 Rangers Road as a key area as shown in **Figure 26**. Relevant controls applicable to the Centre, including the key area under the North Sydney DCP 2013 are identified in **Table 4**.



**Figure 25 Neutral Bay Town Centre character area (identified in red)**

Source: North Sydney Council



**Figure 26 Site identified as a key area for the Neutral Bay town Centre**

Source: Ethos Urban

**Table 4 North Sydney DCP 2013 - Neutral Bay Town Centre Controls**

Control	Provision
<b>5.1.1. Significant Elements</b>	
Land Use	<ul style="list-style-type: none"> <li>P1 Predominantly mixed commercial and residential development.</li> </ul>
Streetscape	<ul style="list-style-type: none"> <li>P8 Wide fully paved footpaths incorporating outdoor dining areas.</li> <li>P9 Buildings built to street and laneway frontages.</li> <li>P10 Continuous awnings along Military Road.</li> <li>P11 Irregular planting of street trees.</li> <li>P12 Active frontages to Military Road, Grosvenor Street.</li> <li>P13 90 degree on-street parking to Parraween Street.</li> </ul>
Public transport	<ul style="list-style-type: none"> <li>P14 Development is to take advantage of high levels of accessibility to high frequency public bus services along Military Road.</li> </ul>
<b>5.1.2 Desired Future Character</b>	
Diversity of activities, facilities, opportunities and services	<ul style="list-style-type: none"> <li>P1 Mixed commercial and residential development, primarily focused on Military Road.</li> <li>P2 A variety of commercial, retail, restaurants and cafes are provided at footpath level, non-residential or residential on the first floor and residential only on the upper floors.</li> <li>P3 Commercial activities should be maintained to all street frontages at ground level to stimulate pedestrian activity.</li> <li>P4 Activities should not have a detrimental impact to the safety and efficiency of vehicular traffic on Military Road.</li> </ul>
<b>5.1.3 Desired Built Form</b>	
Form, massing and scale	<ul style="list-style-type: none"> <li>P2 Generally 4-5 storeys.</li> <li>P3 5-6 storeys in the block bounded by Military Road, Cabramatta Road and Spofforth Street. P4 Larger facades are broken up with changes in building frontage alignment and architectural detailing to reflect the former subdivision patterns, especially fronting Military Road.</li> </ul>
Public spaces and facilities	<ul style="list-style-type: none"> <li>P5 Outdoor dining areas: <ul style="list-style-type: none"> <li>a) are located within clearly defined spaces;</li> <li>b) are located away from main roads;</li> <li>c) are weather protected; and</li> <li>d) provide equal and unobstructed pedestrian movement.</li> </ul> </li> <li>P6 Pedestrian arcades should be provided between Military Road and parallel laneways/streets to the north and south of Military Road to enhance pedestrian connectivity.</li> <li>P7 Views of shop fronts should not be obstructed from footpaths and roadways.</li> <li>P8 Encourage the retention and enhancement of trees within the public domain to improve public amenity.</li> </ul>
Setbacks	<ul style="list-style-type: none"> <li>P9 Buildings should be built to all street frontages at ground level, except as follows: <ul style="list-style-type: none"> <li>a) Setback 1.5m from the northern side of Military Road, at ground level between Young Street and Waters Road, and</li> <li>b) Setback 1.5m at ground level from all laneways.</li> </ul> </li> </ul>
Podiums	<ul style="list-style-type: none"> <li>P10 Podium of 8.5m (two storeys) to Military Road, east of Hampden Avenue, with a setback of 3m above the podium.</li> <li>P11 Podium of 10m (three storeys) to Military Road, west of Hampden Avenue, with a setback of 3m above the podium.</li> </ul>

Control	Provision
	<ul style="list-style-type: none"> <li>P12 Podium of 8.5m (two storeys) to laneway frontages and frontages not to Military Road, with a setback of 3m above the podium.</li> <li>P13 Podium of 8.5m (2 storeys) to the east and west of Barry Street Plaza, with a setback of 3m above the podium.</li> <li>P14 Provide adequate podium setbacks where a site adjoins residential or open space zones</li> </ul>
Building Design	<ul style="list-style-type: none"> <li>P15 Ground floor access to shops is to be provided to all properties with a frontage to Military Road, a frontage to the Grosvenor Lane car park / plaza, and those with a dual frontage between Military Road and Parraween Street.</li> <li>P16 Building elements, materials, finishes, and windows should relate to neighbouring buildings.</li> <li>P17 Laneways should be provided with active frontages, wherever possible</li> </ul>
<b>5.1.5 11 Rangers Road</b>	
Diversity	<ul style="list-style-type: none"> <li>P1 Supermarket (if possible), small shops at footpath level fronting streets and lanes, non-residential/residential on lower floors, residential above.</li> </ul>
Form, massing and scale	<ul style="list-style-type: none"> <li>P3 Modern commercial building generally built to the boundary.</li> <li>P4 Development addresses laneways with active uses</li> </ul>
Setbacks	<ul style="list-style-type: none"> <li>P5 Buildings should be built to all street frontages at ground level, except as follows: <ul style="list-style-type: none"> <li>(a) Setback 1.5m at ground level from Rangers Road.</li> </ul> </li> </ul>
Podiums	<ul style="list-style-type: none"> <li>P6 Podium of 13m (four storeys) to Rangers Road, with a setback of 3m above the podium</li> <li>P7 Podium of 10m (three storeys) to Yeo Street and Military Lane, with a setback of 3m above the podium.</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>P8 Internal spaces provide a safe and pleasant meeting place.</li> </ul>
Access	<ul style="list-style-type: none"> <li>P9 Vehicular access to be provided from Military Lane.</li> </ul>



## 5.0 Strategic context

### 5.1 Strategic Planning themes

This chapter demonstrates how the vision and intended outcomes for the site, enabled by the Planning Proposal, are consistent with a range of strategic planning objectives established by both Council and the NSW State Government. Specifically, the Planning Proposal supports key strategic planning moves relating to the following themes:

Liveability

Employment  
&  
Productivity

Diverse  
Housing

#### Liveability

The concept of liveability is well established in contemporary planning dialogue and is used to refer to the aspects of a place that leads to a high quality of life and wellbeing. As defined in the Region Plan 2018, Northern District Plan 2018 and North Sydney LSPS 2020, these aspects, comprising both physical and social dimensions, include:

- A diversity of uses and users, with place based planning;
- The co-location of goods and services, to service the communities daily needs;
- The provision of diverse housing;
- Inclusive and accessible public spaces; and
- Walkable neighbourhoods with links for walking and cycling.

The Region Plan 2018 recognises that liveability not only contributes to productivity and sustainability but is also an important influence on individual wellbeing and community cohesion. Improving liveability is about creating and renewing great places, neighbourhoods and centres with improved access to local goods and services (Region Plan 2018; Northern City District Plan 2018).

The Planning Proposal presents the opportunity to deliver an active mixed-use hub, underpinned by liveability attributes at its core. In line with the strategic outcomes identified in the Region Plan (Objectives 7 & 10), the Northern City District Plan (Priorities N4, N5 & N6) and the North Sydney LSPS 2020 (Priorities L1, L2 and P3), the Planning Proposal will:

- a) Facilitate the provision of day to day goods and services, including fresh food and personal items, through the provision of retail floor space;
- b) Generate local employment opportunities;
- c) Deliver housing, in an accessible and well-serviced location. Notably, the Region Plan acknowledges increasing residential development within walking distance of centres with a supermarket, is a desirable liveability outcome;
- d) Provide high-quality publicly accessible spaces and shared communal areas to foster community connection;
- e) Improve the accessibility and connectivity of the public domain, to promote walking and cycling; and
- f) Incorporate sustainable design and building initiatives.



## Employment & Productivity

The Region Plan (Objective 14) and the Northern City District Plan (Priority N12) as well as the North Sydney LSPS (Planning Priority N12) support the concept of a 30-minute city, where residents have greater access to jobs, shops and services, within 30-minutes of their homes. Development of the site presents the opportunity to deliver a mixed-use local hub, that supports a 30-minute city.

Achieving optimum placemaking outcomes and supporting a diverse range of employment opportunities is crucial to a productive and active centre. Council envisages their centres to be flexible and exhibit longevity to evolve and adapt over time to changing needs (North Sydney LSPS 2020 Priority P3 and P5).

Specifically, the Planning Proposal will:

- Revitalise the current ageing site for a new high quality mixed-use scheme for the Neutral Bay Town centre on a key site.
- Provide local employment opportunities for residents in a strategic local centre consistent with the outcomes in the North Sydney LSPS (Priority P4 and P6) as well as the North City District Plan (Priority N10 and E11);
- Enhance the Neutral Bay Town Centre with the inclusion of a small-medium sized urban supermarket which will support long-term success of the mixed-use centre;
- Increase the residential population through the provision of housing which will benefit local business; and
- Facilitate the delivery of development that will support the 30-minute city concept by providing high quality retail offerings as well as job opportunities within close proximity to housing.

## Diverse Housing

As North Sydney's population steadily continues to grow, diverse housing will have a key role in supplying the growth and particularly in supporting an ageing population with smaller dwelling options. The Region Plan (Objective 10), Northern City District Plan (Priority N5) and North Sydney LSPS 2020 (Priority L1) recognise the importance of diverse housing supply in suitable locations, such as centres. It is integral that the future housing supply is located in suitable locations, such as that included in the proposal, to maintain residential amenity of the surrounding community and to ensure housing is accessible to transport and services to create sustainable living.

## 5.2 Metropolitan, District and Local Planning Strategies

### 5.2.1 Greater Sydney Region Plan 2018

To manage growth and change across Sydney, the Greater Sydney Commission released the Greater Sydney Regional Plan (the Region Plan) and the Northern City District Plan (the District Plan) in 2018.

The Region Plan guides integrated land use planning and infrastructure delivery over the next 20 years, with longer term vision extending 40 years. The Plan seeks to reposition Sydney as a metropolis of three cities and encourage land use planning and infrastructure integration to deliver a 30-minute city. Objectives in the Regional Plan include creating diverse jobs and developing infrastructure and services that align with forecast growth.

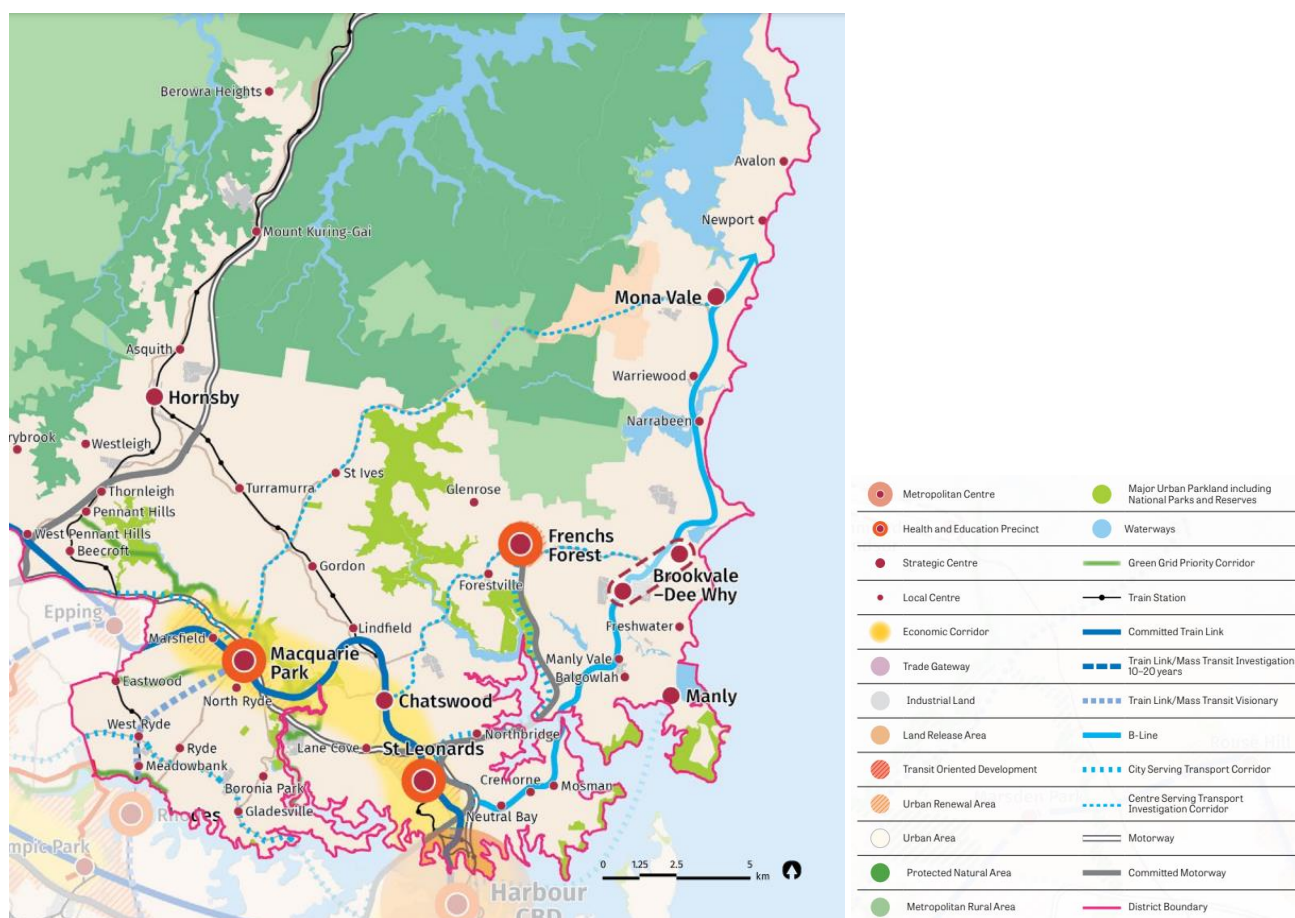
### 5.2.2 North City District Plan

The District Plan contains the planning priorities and actions for implementing the Regional Plan at a district level. The Regional Plan sets the 20-year vision for the district through 24 'Planning Priorities' that are linked to the Region Plan. The purpose of the District Plan is to support councils in planning for growth and to align the Local Strategic Planning Statements (LSPS) with place-based outcomes. The strategic intent of the District Plan is to provide for services, shops, cultural infrastructure, education and transport within close reach of residents. The District Plan acknowledges that the area is evolving and that infrastructure and services need to adapt to meet people's changing needs.

The District Plan also highlights an objective to foster healthy, creative, culturally rich and socially connected communities which are provided with housing supply in close access to jobs, services and public transport. Creating and renewing great places and local centres for these communities are also a key driver of change within the District Plan.

The District Plan indicates Neutral Bay as a local centre, it also concludes that the Northern City will require 80,000sqm of additional retail floorspace over the next 20 years. Specifically, the District Plan recognises the importance of improving access to local jobs and services that support the growing population. Neutral Bay will continue to provide a thriving centre that supports people living in close distances to jobs and local services.

Woolworths is looking to enhance the Neutral Bay local centre, through providing a new full-line supermarket, large retail offering, and commercial floorspace to deliver a diverse mix of uses and employment opportunities in close proximity to residents. This includes the integration of emerging trends such as 'direct to boot', to fulfil the changing needs of the community.



**Figure 27 Northern City District - Structure Plan**

Source: Greater Sydney Commission

### 5.2.3 North Sydney Local Strategic Planning Statement

Under changes made to the EP&A Act, all Councils were required to prepare a Local Strategic Planning Statement (LSPS) to give effect to the Region and District Plan. The LSPS sets out a 20-year vision and planning priorities for the LGA that intend to manage future land uses across the area and implement the community's values and visions. The LSPS will inform changes to Councils' LEP, and other planning policies.

The North Sydney LSPS outlines an estimated population of 91,659 in 2036 from 72,150 in 2016. The vision for North Sydney is an integrated area ensuring people of all ages have access to local places with strong transport connections. As well as access to a range of employment opportunities with the local North Sydney centres to be hubs for jobs, shopping, dining, entertainment, and community activities. The vision for North Sydney includes the support and enabling of placemaking to create safe, liveable, sustainable, and economically productive areas.

This is outlined through the four themes of the LSPS, Infrastructure & Collaboration, Liveability, Productivity and Sustainability. The Neutral Bay local centre, which the proposal site is located within, has a role to play in achieving the objectives of these themes. The proposal will also contribute to meeting the vision for the following priorities of the North Sydney LSPS 2020 by:

- Delivering diverse housing options that meet the needs of the North Sydney Community (Planning Priority L1)
- Providing a range of community facilities and services to support a healthy, creative, diverse and socially connected North Sydney community (Planning Priority L2)
- Enhancing the commercial amenity and viability of North Sydney's local centres (Planning Priority P3)
- Supporting walkable centres and a connected, vibrant and sustainable North Sydney (Planning Priority P6)
- Developing buildings and places that will contribute to net-zero emissions by 2056 to mitigate climate change, reduce waste generation, energy and water usage (Planning Priority S3).

The development of a mixed-use building comprising a full-line urban supermarket and retail ground plane with commercial and residential dwellings above, will enhance the Neutral Bay local centre which will further add to the realisation of the vision outlined in the LSPS. The proposal will facilitate a future development that directly responds to Planning Priority P3 to enhance the commercial amenity and viability of North Sydney's local centres. It will respond to the identified need for new high quality office space through the provision of mixed use developments comprising ground floor retail and residential uses above. Further, an increase in housing in the Neutral Bay local centre will further strengthen the centre's businesses as the residents utilise the services the centre offers.

## 6.0 Indicative Reference Scheme

This chapter of the report describes the Planning Proposal and the urban design principles that set the foundation for its structure. Further detail is provided throughout the environmental assessment in the following chapters.

A number of planning and design principles were established for the site taking into consideration the site-specific opportunities and constraints including but not limited to its locational attributes, surrounding built form context, strategic planning policy context, and the design intent under the MRCPS and Neutral Bay Town Centre Future Directions Report. These principles were then used to guide and inform how the site may be redeveloped in the future under the proposed planning controls. Specifically, it was established that any future redevelopment of the site was to:

- Provide an open, permeable and activated public domain through the inclusion of a new pedestrian plaza and through site link, ensuring any future development would provide a new additional focal point for Neutral Bay, serving residential catchments surrounding the town centre;
- Strengthen the local economy through the inclusion of new employment space, to increase local employment opportunities and reduce the need for local residents to travel to other employment centres.
- Improve pedestrian and vehicular access and movement by concentrating vehicular movement away from Military Road and providing new activated pedestrian links through the site, enhancing connectivity between Military Road, Rangers Road and Yeo Street.
- Provide a new built form that is compatible with the intent and desired character for Neutral Bay as set out within the MRCPS and Neutral Bay Future Directions Report.
- Enhance vibrancy and activation within Neutral Bay Town Centre through providing a new best in class Woolworths supermarket supported by cafés, shops and restaurants.
- Encourage sustainable modes of transport by delivering an envelope capable of accommodating bicycle parking and a through-site link that will encourage walkability; and
- Achieve high levels of sustainability through the adoption of market leading practices into any future detailed design.
- Ensure that any future built form will deliver a high quality design outcome.

### 6.1 The Vision

The concept vision for the site and its future redevelopment is centred on fulfilling the intent of the MRCPS, enabling the future delivery of a high quality mixed-use development including a contemporary full-line supermarket together with an active and inviting ground floor plane, above ground commercial employment space and residential on the upper levels, all of which is focussed around a new public plaza and through-site link that will act as a new community heart for Neutral Bay Town Centre and serve local community needs.

The proposal will capitalise on the site's size and strategic location at a prominent location within the Neutral Bay Town Centre and in proximity to the B-Line and mass transit Bus Stands along Military Road. The proposal seeks to deliver a much-improved public domain and increase permeability with the incorporation of a new through-site link connecting Rangers Road and Yeo Street. It will also enable the future delivery of a best in class full-line supermarket, provide additional boutique retail opportunities for shops and dining as well as new commercial floor space that will retain and increase employment opportunities within the Neutral Bay Town Centre.

Woolworths' aim is to support the revitalisation of the Neutral Bay Town Centre by providing a new high quality public domain supported by convenient shopping facilities and fine grain retail and dining opportunities that help activate and bring vibrancy to the centre.

### 6.2 Indicative Reference Scheme

Koichi Takada Architects (KTA) have prepared an Indicative Reference Scheme for the site (refer to **Appendix A** and **Appendix B** and **Figure 20 and 22**) that seeks to achieve the aforementioned design principles and intended outcomes of the Planning Proposal. The Indicative Reference Scheme demonstrates how the site could be

redeveloped in the future under the proposed amended LEP controls, whilst ensuring an outcome that is broadly consistent with the intent and desired outcomes espoused within the Neutral Bay Future Directions Report. Full details of the Indicative Reference Scheme are contained in **Appendix B**, however the key components of the scheme include:

- A singular integrated built form consisting of a basement level car park and subterranean supermarket, an eight (8) storey building along the site's eastern frontage to Rangers Road, dropping down to six (6) storeys as it moves to the west along Yeo Street and Military Lane. A building form along Yeo Street that has been designed to terrace back in its setback to the street as it increases in height, whilst also including recesses along the façade to help modulate the buildings appearance and reduce its visual massing when viewed from Yeo Street.
- Building heights that are consistent with the heights stipulated for the site under the MRCPS, and which have been further articulated to break down their linear scale, while the upper levels of the building include a setback to reduce bulk and appearance when viewed from Yeo street. Suitable building footprint depths ensure apartment configurations that optimise solar access, natural cross ventilation and visual amenity.
- A central town square fronting Yeo Street that acts as the focal point for the site and which provides a new gathering place for the community.
- A new double height covered through site link connecting from Yeo Street through to the town square and out to Rangers Road, providing through site access and increasing pedestrian permeability through the town centre.
- Provision of a fully activated ground floor plane across the site through a combination of primarily active retail edges together with commercial and residential lobby entrances.
- Alfresco dining opportunities within the town square and along the covered through site link.
- Above ground commercial uses that will ensure the site increases employment floorspace on site and supports the delivery of more jobs within the town centre.
- New residential apartments on the upper levels of the building that will help provide housing opportunities in a well located part of Sydney with excellent access to public transport and amenities.
- Provision of basement level parking via Yeo Street providing an access outcome consistent with the existing arrangement and helping to minimise congestion along Rangers Road and Military Road.

It is important to note that the Indicative Reference Scheme represents just one possible solution for how the site might be redeveloped under the proposed planning controls. It does not represent the only possible solution to the site's future design which would be subject to further design development and detailed analysis at the future development assessment stage.

## 6.3 Numerical summary

The key numeric development information is summarised in **Table 5** below.

**Table 5 Key numeric development information**

Component	Proposed Development Reference Scheme
Site Area	<ul style="list-style-type: none"> <li>• 4,207m<sup>2</sup></li> </ul>
Maximum overall height (storeys)	<ul style="list-style-type: none"> <li>• 6 and 8 storeys</li> </ul>
Maximum overall height	<ul style="list-style-type: none"> <li>• 31m (RL114.1)</li> </ul>
Gross Floor Area (GFA)	<ul style="list-style-type: none"> <li>• Commercial: 2,417m<sup>2</sup></li> <li>• Woolworths supermarket: 3,289m<sup>2</sup> (with an additional 702m<sup>2</sup> for ancillary back of house)</li> <li>• Retail: 1,466m<sup>2</sup></li> <li>• Residential: 8,028m<sup>2</sup></li> </ul>



Component	Proposed Development Reference Scheme
Public Plaza Communal rooftop	<ul style="list-style-type: none"> <li>• 1,100m<sup>2</sup></li> <li>• 580m<sup>2</sup></li> </ul>
Floor space ratio (FSR)	<ul style="list-style-type: none"> <li>• Non-residential = 1.8:1</li> <li>• Residential = 1.91:1</li> <li>• Total = 3.78:1</li> </ul>
Apartments	<ul style="list-style-type: none"> <li>• 1 bed: 8</li> <li>• 2 bed:15</li> <li>• 3 bed: 39</li> <li>• Total: 62</li> </ul>
Car parking	<ul style="list-style-type: none"> <li>• Commercial: 41 spaces</li> <li>• Woolworths supermarket: 160 spaces</li> <li>• Retail: 25 spaces</li> <li>• Residential: 58 spaces</li> <li>• Public: 88 spaces</li> <li>• Total: 372</li> </ul>
Loading and servicing	<ul style="list-style-type: none"> <li>• Direct to boot: 6 pick-up bays</li> <li>• Truck loading: 2 bays</li> </ul>

## 6.4 Proposed Built Form

The building envelope proposed under the Indicative Reference Scheme has been informed by the aforementioned design principles. It comprises a mixed use development comprising a singular connected built form focussed around a new town square and pedestrian through site link connecting Rangers Road and Yeo Street. The northern corner portion of the proposed built form fronting Rangers Road has a maximum building height of 32.2m (8 storeys), stepping down to 26.1m (6 storeys) along Yeo Street and Military Lane. The built form has been designed to respond to site specific constraints whilst still achieving a viable development outcome capable of supporting the delivery of a town square, through site link and street upgrades.

An indicative image of the proposal is shown in **Figure 28**.

Beneath the town square, the lower ground floor will comprise a full line best in class Woolworths supermarket and the upper ground floor will comprise a series of individual retail tenancies and commercial and residential lobbies surrounding public pedestrian plaza. Travelators and elevator access to the lower ground Woolworths and basement car parking will be provided.

The ground floor plane will provide a continuous through site link from Rangers Road in the north to Yeo Street in the south. The pedestrian plaza and through site link will be activated by the retail tenancies on the upper ground floor which will increase the amount of active retail frontages within the Neutral Bay Town Centre, allowing for more fine-grain retail shopping experience commensurate to the existing nature of retail along Military Road.



**Figure 28 Artist impression of built form from Rangers Road**

Source: Koichi Takada Architects

#### **6.4.1 Residential component**

The Indicative Reference Scheme contains a total of 62 apartments in a variety of 1-bed, 2-bed and 3-bed apartment configurations above a retail, commercial and servicing podium.

The residential component has been designed to begin from Level 3 and has been designed to configure the residential dwellings to maximise casual surveillance of the public plaza, Rangers Road and Yeo Street. The apartments are serviced by six lift cores and common corridors will have access to lifts and ventilation. A communal terrace space and open recreational rooftop offering will also be provided to enhance residential amenity and ensure appropriate building separation and outlook to Yeo Street. All apartments have been configured to take into account high-level Apartment Design Guide amenity considerations such as internal and external size, solar access, cross ventilation and other amenity requirements.

Not part of  
this proposal

#### **6.4.2 Commercial component**

The proposal aims to facilitate commercial land uses on site which will be accommodated across 3 level. Commercial floorspaces amounting to 2,417m<sup>2</sup> will be concentrated at the eastern portion of the development and will be accessed via commercial lobbies that are entered from Yeo Street.

#### **6.4.3 Retail component and supermarket**

The proposed development at the ground floor plane aims to deliver an extension of the pedestrian shopping experience at Military Road onto the subject site by providing a total of 1,466m<sup>2</sup> of retail GFA.

The proposed retail podium will comprise small-medium scale retail tenancies that will be occupied by a range of shops, cafes and restaurants, and which together will support the creation of an attractive, vibrant and welcoming neighbourhood hub centred around the town square.

A full-line Woolworths supermarket located beneath the town square will anchor the development and will span the entirety of the site, amounting to 3,289m<sup>2</sup> of supermarket GFA (with an additional 702m<sup>2</sup> for ancillary back of house). The subterranean arrangement at the lower ground floor is proposed to allow for the creation of the town square at ground level and ensure a fine grain and engaging, people focused town centre environment. The supermarket will be able to accessed from the ground level by pedestrians via an escalator along western boundary.

**Figure 29** shows an extract of the lower ground floor plan demonstrating the supermarket intent.



**Figure 29 Proposed floorplan for the lower-ground supermarket**

Source: Koichi Takada Architects

## 6.5 Through site link and public plaza

A key component of this Planning Proposal is to establish a highly permeable and connected ground floor plane that prioritises pedestrians needs and accessibility. The Indicative Reference Scheme consists of generous internal public spaces connected via a new through-site link and upgraded footpaths with landscaped setbacks.

The proposed public plaza serves to increase the amount of active frontages provided by the site, increasing ground plane activation and allowing for more fine-grain retail and an enhanced pedestrian experience within the town centre. The new plaza will feature a new landscaped area for passive recreation and outdoor space to create a vibrant meeting place. Importantly, the public plaza has been designed to enable the opportunity for the adjoining site at 183-185 Military Road to integrate and contribute to the public plaza in the future, with the possibility of a total combined plaza area of 1,285m<sup>2</sup>.

The proposed through-site link is intended to be a minimum width of 8.1m connecting Rangers Road in the north to Yeo Street in the south. Direct visibility of the proposed public plaza from Yeo Street through to Rangers Road is provided to support pedestrian legibility. The Indicative Reference Scheme demonstrates this seamless north

south connection via the through site link which will be activated through opportunities for outdoor dining in a high-quality public domain setting. In doing so it will become a destination for the local community, enhancing the retail and dining experience within Neutral Bay, and breathing new life into the town centre.

The proposed plaza and through site link will provide a genuine focal point for the local community, and fulfil the role of providing a true town centre for the southern side of Neutral Bay, serving the local community and creating better accessibility to the shopping, dining and transit options at Military Road. **Figure 30** provides an indicative sketch of the proposed through site link.



**Figure 30** Artist impression of future through-site link

Source: Koichi Takada Architects

## 6.6 Public Domain

The detailed public domain design for the site will be finalised as part of the future development application and will be focussed on achieving the following key design principles:

- Diversity ground plane experience
- Establishing a community heart
- Connecting a series of destinations

The Indicative Reference Scheme includes a public domain concept that comprises an active through site link, defined entry, outdoor seating with a new plaza (1,100m<sup>2</sup>). In addition to this a communal rooftop open space for residents will also be provided (580m<sup>2</sup>). It is the intention that the proponent will work with the Council in the future Development Application process to achieve a detailed design outcome that meets the vision and aspirations for Neutral Bay, noting that the following design elements could be incorporated into a future design to achieve a vibrant village atmosphere:



- **Community lawn:** A public green space Rangers Road will provide passive recreational space and accommodate intimate dining experiences to be enjoyed by future residents and the existing Neutral Bay community.
- **Social canopy:** An outdoor seating area that is freeform and flexible for social gathering and small group events.
- **Market place square:** The heart of the future development which will be multi-purpose and designed to encourage use by the Neutral Bay community for live performances and key celebrations.
- **Flavour lane:** A fine grain activated pedestrian link between Yeo Street to the market place. The through site link will provide opportunities for outdoor dining and public art.

## 6.7 Access and Transport

### 6.7.1 Vehicular Access and Parking

Vehicular access is proposed to be provided via a driveway basement entry located on Yeo Street. The driveway will provide a controlled two-way ramped entrance to the shared five (5) level basement carpark spanned across the entirety of the site. The Indicative Reference Scheme provides 372 car parking spaces and allocates a proportion of parking spaces to each land use, as outlined below.

**Table 6 Car parking allocation per land use proposed**

Land Use	Parking Spaces	Parking Level
Woolworths	160 parking spaces	Basement Level 02 & 03
Commercial	41 parking spaces	Basement Level 05
Retail	25 parking spaces	Basement Level 03
Residential	58 parking spaces	Basement Level 05
Public	88 parking spaces	Basement Level 04
<b>Total</b>	<b>372 parking spaces</b>	

### 6.7.2 Pedestrian Access

The public domain proposed for the site will provide a new through-site link access from surrounding streets to the new public plaza, residential, commercial and retail development. The new through site link will provide greater connectivity across the site, connecting the southern side of Neutral Bay to the site through to Military Road. Access to the residential and commercial lobbies will be made available at the ground floor via the new public domain pedestrian concourse. Public access to the new Woolworths retail component of the site at the lower ground level will be made available by elevators and lifts from the new ground floor plaza pedestrian concourse.

## 7.0 Planning Proposal

This Planning Proposal seeks to amend the North Sydney LEP 2013 to facilitate the site's future redevelopment. The proposed planning controls will enable the achievement of a mixed use development consistent with the Indicative Reference Scheme described in **Section 5.2**, comprising a new town square, through site link, full-line supermarket, commercial floorspace, residential apartments and specialty retail.

This Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act and '*The Local Environmental Plan Making Guideline*', which requires the following matters to be addressed:

- Part 1 – A statement of the objectives and intended outcomes of the proposed instrument.
- Part 2 – An explanation of the provisions that are to be included in the proposed instrument.
- Part 3 – The justification for those objectives, outcomes and the process for their implementation.
- Part 4 – Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies.
- Part 5 – Details of the community consultation that is to be undertaken on the planning proposal.
- Part 6 – A project timeline outlining the key steps and timeframes of implementing the changes.

The following section outlines the objectives and intended outcomes and provides an explanation of provisions in order to achieve those outcomes. The justification and evaluation of impacts is set out in **Section 8.0** and **Section 9.0** of this report.

### 7.1 Overview of proposed amendments

To achieve the strategic vision and indicative redevelopment reference scheme presented at section C, this planning proposal seeks the following amendments to the North Sydney LEP 2013:

- Increase the maximum building height from 16m to 26m and 31m; and
- Increase the minimum non-residential floor space from 0.5:1 to 1.8:1.

### 7.2 Objectives and Intended Outcomes

The objective of this planning proposal is to seek amendments to the building height control and minimum non-residential floorspace controls as they apply to the site in order to facilitate a mixed-use development outcome consistent with the objectives of the site's B4 Mixed Use Zone. The intended outcome of the Planning Proposal is to enable a future mixed-use development comprising a best in class supermarket at lower ground level, new ground level retail tenancies and new above ground commercial floorspace and residential apartments, all of which is to be centred around the creation of a new town square and through site link between Rangers Road and Yeo Street.

The proposal seeks to deliver on Council's intent for the site as outlined within the draft *Future Directions Report* which sets an aspiration to deliver a high level of public benefit for the community, stimulate local employment opportunities and contribute to the supply of residential housing with proximity to key metropolitan transit links.

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

- deliver a built form outcome that responds to the intent of the draft *Future Directions Report for Neutral Bay Town Centre*.
- deliver a high-quality mixed-use development that exhibits design excellence on a site earmarked for high density residential development.
- assist in facilitating the evolution of the Neutral Bay Town Centre towards a high-amenity mixed-use centre
- enhance pedestrian amenity and connectivity by providing new north-south pedestrian linkages between Yeo Street and Rangers Road.
- enhance the quality of the retail environment within Neutral Bay Town Centre.

- maintain a viable commercial and retail presence on the site, at a scale that will meet the future needs of permanent new jobs to support the strengthening of the Neutral Bay Town Centre local economy; and
- deliver residential development in a desirable location that receives ample access to iconic views, public transport and surrounding civic amenities.
- deliver a diverse mix of residential apartments that will enjoy excellent amenity, taking advantage of the site's strategic location, proximity to services and the exceptional bus network along Military Road with direct connections to other major employment destinations.
- Enable the development of a high-performance building in terms of amenity and sustainability.

## 7.3 Explanation of Provisions

### 7.3.1 Land to which the plan will apply

This Planning Proposal applies to the site known as 1-7 Rangers Road and 50 Yeo Street, Neutral Bay and is formally described as Lots 1, 2 and 3 in DP 1091373.

The North Sydney Local Environmental Plan 2013 sets out the local planning controls across North Sydney LGA. This planning proposal seeks to amend the NSLEP 2013 to facilitate the proposed mixed-use development outlined in this report.

The existing and proposed NSLEP 2013 controls as well as the amendments are outlined below.

### Existing and Proposed NSLEP 2013 Controls

The existing and proposed NSLEP controls are outlined in **Table 7** below.

**Table 7 Existing and proposed NSLEP 2013 controls**

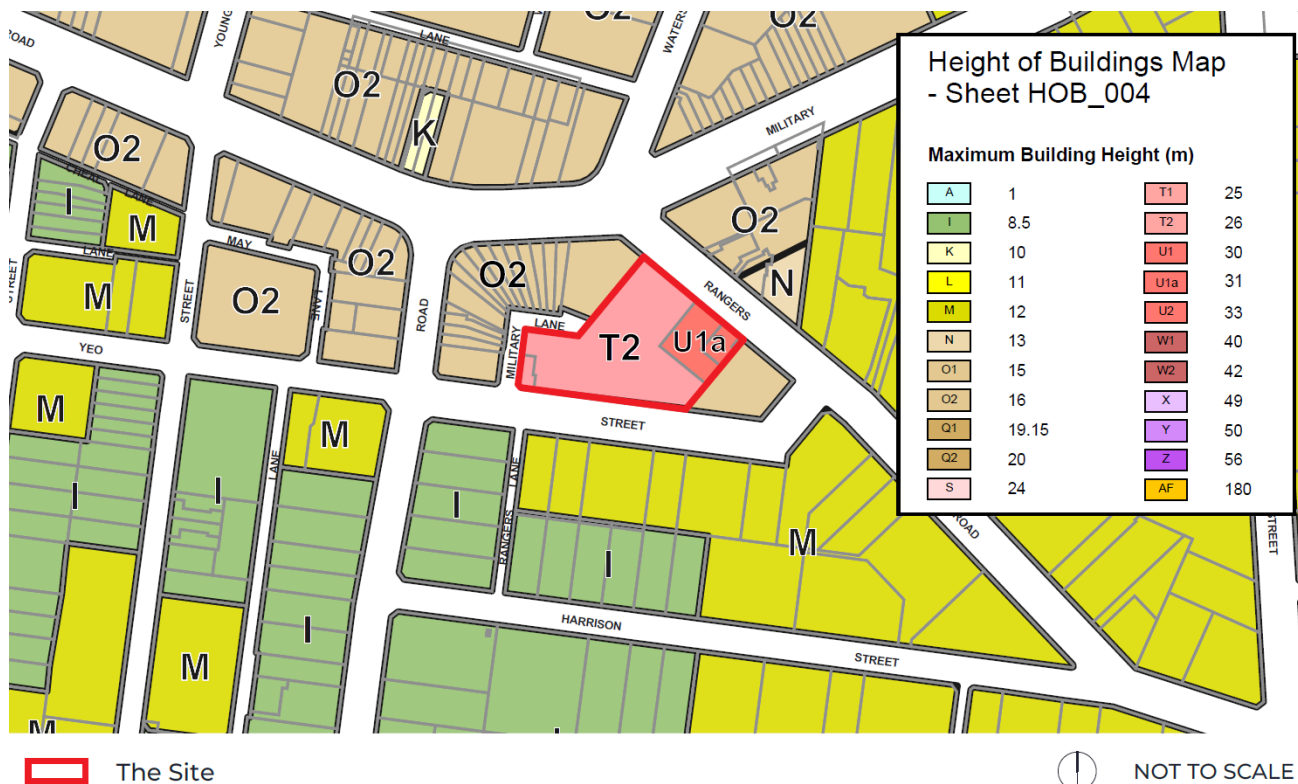
Provision	Existing NSLEP 2013 Control	Proposed NSLEP 2013 Control
Zoning	B4 Mixed-Use	B4 Mixed-Use (No change)
Height of Building	16m	26m and 31m
Non-residential Floor Space	0.5:1	1.8:1

### 7.3.2 Zoning

No change is proposed to the zoning application under the current NSLEP 2013 land zoning map. The proposed true mixed-use nature of the site will envision residential, commercial and retail development which can all be facilitated under the current zone.

### 7.3.3 Maximum Building Height

It is proposed to amend the maximum height of building (HOB) control on the site to reflect an increase from 16m to between 26m and 31m within the site (between 6 to 8 storey) to redistribute massing to achieve the indicative mixed-use development. Accordingly, this Planning Proposal seeks to amend the Height of Buildings Map under the North Sydney LEP 2013, as identified in **Figure 31** which is an indicative representation of the amended Height of Buildings Map (Sheet 003 and Sheet 004 extract).



**Figure 31 Proposed Height of Building LEP Control for the site**

Source: Ethos Urban and NSLEP 2013

### 1.1.1.1 Non-residential Floor Space Ratio

As North Sydney LEP 2013 does not prescribe Floor Space Ratio controls, it is proposed to amend the non-residential floor space control on the site to increase the minimum requirement of non-residential floor space from 0.5:1 to 1.8:1. It is proposed to amend the Non-residential Floor Space Map under the North Sydney LEP 2013, as identified in **Figure 32** which is an indicative representation of the amended Non-residential Floor Space Map (Sheet 003 and Sheet 004 extract).





**Figure 32 Proposed Non-residential Floor Space Control for the site**

Source: Ethos Urban and NSLEP 2013

## 7.4 Mapping

As shown in **Figure 31** and **Figure 32** above, this Planning Proposal seeks to amend the following maps of the NSLEP 2013:

- Height of Building Map Sheet 003
- Height of Building Map Sheet 004
- Non-residential Floor Space Ratio Map 003
- Non-residential Floor Space Ratio Map 004

## 7.5 Site-specific Development Control Plan

A draft site specific DCP has been prepared and is attached at **Appendix H**. It contains site-specific provisions relating to the following;

- Site layout
- Land uses
- Public Domain
- Built Form
- Building Design
- Active Edges
- Parking, access and servicing

- Landscaping
- Noise
- Wind

The site-specific DCP has been prepared to provide clarity on the intended development outcome for the site through the creation of a set of site specific planning controls that the Council will be able to use in the assessment of any future development proposal.

## 7.6 Public Benefit Offer

An offer to enter in a Planning Agreement has been prepared by Ethos Urban on behalf of Fabcot Pty Ltd and is included under separate cover (**Appendix F**).

The offer proposes the following contributions:

- Contributions to a total value of \$6,614,724 comprising:
  - Publicly Accessible Square
    - o Construction and provision of a new publicly accessible square and through site link comprising approximately 1,100sqm of paved and landscaped area for public recreation, events and cultural activities. The space will include landscaping, outdoor furniture, lighting as well as all associated engineering works to make sure it functions appropriately. The proposed new square has been included in direct response to Council's stated ambitions for a new town square on this site, and will be designed to meet Council's aspirations for the space and respond to the desires of local residents for a community meeting place.
  - Public car parking
    - o Construction and provision of 88 parking spaces within the basement of the future development for use by the public.
  - Public Wi-Fi
    - o Provision of a new publicly available free Wi-Fi service within the Site.
  - Public Domain Improvements and landscaping
    - o Provision of paving upgrades to the footpaths along Rangers Road and Yeo Street.
  - Public Art
    - o Provision of money for the commissioning and installation of public art within the Site, with a focus on Connecting with Country.

## 8.0 Strategic Justification

### 8.1 Section A -The Need for a Planning Proposal

#### 8.1.1 Q1 – Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

The planning proposal responds to a number of strategic studies and reports, specifically the Military Road Corridor Planning Study and Draft Future Directions Report for Neutral Bay Town Centre, that set the intent for the future revitalisation of the Neutral Bay town centre. It is important to note that at the time of finalising this Planning Proposal, after some two (2) years working in consultation with the Council, the newly elected Council resolved to rescind the Council's prior endorsement of both these documents. Given the extent of work that went into preparing the Planning Proposal and Woolworths commitments on land options for 50 Yeo Street, there is a window of opportunity available to carry out this rezoning. Accordingly, Fabcot need to progress the site-specific Planning Proposal rather than wait for the strategic documents to be reviewed and updated, as this could be between 12-24 months to complete. The previously endorsed MRCPS and Future Directions Report provide a clear indication of the Council's and community's desire to see revitalisation and renewal of Neutral Bay town centre. This Planning Proposal has been designed to respond to that aspiration and in doing so provides an outcome consistent with the MRCPS, specifically the proposal:

- Seeks to deliver new retail, commercial and residential floor space to support additional local jobs and housing opportunities, which are identified as the preferred land uses given the site's strategic location;
- Provides a significant public benefit through the provision of a new public plaza and covered through site link connecting Rangers Road and Yeo Street, together this new high quality public domain will contribute to improved pedestrian accessibility, activation and amenity within Neutral Bay town centre; and
- Contributes to the wider 'village atmosphere' through providing inviting spaces to encourage people to stay and enjoy the amenities of the town centre and in turn breathe vibrancy and vitality into town centre.

Further, the Planning Proposal aims to give effect to several planning priorities and actions within the North Sydney Local Strategic Planning Statement (LSPS), including the LSPS planning priority to enhance the commercial amenity and viability of Neutral Bay town centre through facilitating a mixed-use development comprising ground floor retail and residential to support the future population.

In addition to the MRCPS and the draft Future Directions Report, the Planning Proposal is also the result of several specialist studies that have been prepared by the project team including:

**Table 8 Supporting studies**

Study	Consultant	Reference
Planning Proposal	Ethos Urban	
Urban Design Report and Architectural Plans	Koichi Takada Architects	Appendix A and B
Landscape Report	Arcadia	Appendix C
Transport Impact Assessment	JMT Consulting	Appendix D
Social and Economic Report	Ethos Urban	Appendix E

Together, the consultant studies provide a strong and compelling strategic planning case for the Planning Proposal on the following grounds:

- The accompanying landscape works represent an opportunity to provide a built form that better integrates with the surrounding public domain by providing a new town square and pedestrian through site link that is activated on all sides with retail, café and restaurant uses. Together the new high quality public domain and active ground plane will make a major contribution to the vitality and vibrancy of Neutral Bay town centre and stimulate further investment and renewal of the broader centre.

- The existing road network in the immediate vicinity of the site is adequate to accommodate the proposed concept, and will not result in any undesirable traffic and parking implications.
- The Indicative Reference Scheme is capable of complying with the key amenity standards established by the ADG.
- The overshadowing impacts are considered to be acceptable given the site context, the limited number of impacted properties, and the aspiration to deliver an enhanced town centre with significant new public benefits including the new town square and through site link.

### **8.1.2 Q2 – Is the Planning Proposal the best means of achieving the intended outcome, or is there a better way?**

This planning proposal is the best means of achieving the objectives and intended outcomes. In order to achieve renewal of the site and the delivery of the proposed public domain improvements, the controls under the North Sydney Local Environmental Plan 2013 must be amended to facilitate approval of future development at the site.

This Planning Proposal achieves the intended outcomes for the site and has been prepared in response to the requirements of the key opportunity site identified in the MRCPS.

In preparing this Planning Proposal, three options were considered to facilitate the intended outcomes as set out in **Section 5.1**. These are listed and discussed below:

- Option 1: do nothing
- Option 2: redevelop the site under the existing planning controls; or
- Option 3: Submit a planning proposal to demonstrate the site's capability for additional uplift value.

#### **Option 1 – Do nothing**

Council's MRCPS establishes the need for the site to be redeveloped to support the increased demand for commercial, residential and community facilities. As a key opportunity site, the MRCPS identifies the opportunity for greater housing density, a new community facility and reinvigorated ground plane comprising an active commercial ground plane and public plaza, including a through site link. The statutory planning framework has not been amended to realise the strategic direction outlined in the MRPS and therefore the current planning framework that applies to the site will not enable renewal to occur as identified in the MRCPS.

Therefore, under option 1, the site would remain in its current state, with existing commercial development that does not respond to the growing population, nor fit the strategic role of an urban renewal precinct. Do nothing is therefore not considered an appropriate outcome for the site.

#### **Option 2 – redevelop the site under the existing planning controls**

Option 2 involves redevelopment of the site under existing planning controls. This would be an outcome that would result in the supermarket being built at ground level and occupy the entire ground plane. Residential uses would then be located above up to the maximum height of 16m. Under this option the Council's aspiration for a new town square, through site link and an increase in the minimum non-residential floorspace would not be able to be realised. Activation of the ground plane would also be compromised as the ground floor supermarket would not be able to provide the same level of fine grain activation as could occur under the Indicative Reference Scheme.

Improving access to jobs and local services through a 30-minute city are key areas of focus in the district and regional strategic plans. The site is currently occupied by a mix of commercial uses that does not optimise the site's ideal location within close proximity to public transport, local services, recreation, education and job opportunities. Retaining the current planning controls would not enable renewal of the site for new local services, diverse housing and improvements to the public domain in a strategic location in the North City District.

Option 2 would therefore not maximise the site's ability to respond to the district and regional strategic plans.



### Option 3 – Submit a planning proposal to demonstrate the site's capability for additional uplift value

This Planning Proposal is considered the best means of achieving the objectives and intended outcomes in accordance with the site identified within the MRCPS. This is the preferred option as it represents the best combined outcome because:

- It gives effect to the intended outcomes identified under the MRCPS report, unlocking additional mixed use uplift to support local retail and residential land uses.
- It optimises the site's capacity to accommodate identified demand for retail and housing growth, greater than what is achievable through the existing planning controls. The site under the existing controls is limited to a height of 16m, which restricts its ability to support greater density on site and in turn deliver the new town square and through site link. By contrast, the proposed planning controls will provide the opportunity to:
  - Deliver local employment growth through increased high quality commercial floorspace and new retail facilities;
  - Deliver significant public benefits in the form of new high quality public domain that will revitalise Neutral Bay town centre and act as a catalyst for further investment and renewal;
  - Ensure the highest and best use of the site;
  - Deliver new high quality housing in a location with very high public transport accessibility; and
  - Support increased retail capacity across the Neutral Bay town centre, helping to reinforce its primary retail and employment function within the local community.
- The Planning Proposal will give both Council and the landowner certainty as to the development outcomes expected on the site.
- The Planning Proposal does not seek to identify an overall maximum FSR control for the site. The reason for this is to ensure it remains consistent with the North Sydney LEP 2013 and to prevent the site from becoming an anomaly within the maximum North Sydney LEP Floor Space Ratio Map. Consistent with the rest of North Sydney, the overall gross floor area for any future development on the site will be controlled through a combination of the maximum height of buildings controls, the provisions under the North Sydney Council DCP and requirements under the Apartment Design Guide.

## 8.2 Section B - Relationship with the Strategic Planning Framework

### 8.2.1 Q3 – Will the Planning Proposal give effect to the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

This Proposal is consistent with the *Greater Sydney Region Plan*, North District Plan and the MRCPS report. The Proposal's compliance with the stated objectives and actions of both plans is discussed in greater detail below.

#### Greater Sydney Region Plan: A Metropolis of Three Cities

The *Greater Sydney Region Plan* is the overarching strategy for growing and shaping the Greater Sydney Area. It sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters. The plan was adopted in March 2018 and seeks to reposition Sydney as a metropolis of three cities – the western parkland city, central river city, and the eastern harbour city. In the same vein as the former *A Plan for Growing Sydney*, the Plan provides 10 high level policy directions supported by 40 objectives that inform the District Plans, Local Plans and Planning Proposals which follow in the planning hierarchy.

The proposal is consistent with the following directions under the Plan, which govern growth and development in Sydney (refer to **Table 9**).

**Table 9 Consistency with Greater Sydney Region Plan**

Direction	Consistency of the proposal with the Direction
<i>A city supported by infrastructure</i>	<ul style="list-style-type: none"> <li>The proposal supports the delivery of higher capacity development in line with the recent infrastructure completion of the B-Line and associated bus priority upgrades undertaken by local and state government (i.e TfNSW).</li> </ul>
<i>A city for the people</i>	<ul style="list-style-type: none"> <li>The proposal supports people to walk, cycle and use public transport through improved pedestrian connections (including a through site link to Yeo Street), end of trip facilities and provision of bicycle parking and maintenance facilities.</li> <li>The delivery of 1,100m<sup>2</sup> new public plaza will be activated by retail uses to create a vibrant and safe open space for the community and include opportunities for major artwork and street furniture to promote a great place to stay.</li> </ul>
<i>Housing the city</i>	<ul style="list-style-type: none"> <li>The proposal will facilitate 62 residential dwellings comprising a mix of 1, 2 and 3 beds.</li> <li>The development seeks to optimise the site to continue its existing role as a key retail anchor, but now supported by new residential dwellings that will further cement the vibrancy and vitality of Neutral Bay town centre.</li> </ul>
<i>A well-connected city</i>	<ul style="list-style-type: none"> <li>The proposal seeks to deliver additional retail, commercial and residential floorspace, and in doing so will connect new jobs to high frequency public transport services. This will take advantage of substantial investment in public transport infrastructure and support the achievement of a '30-minute city.'</li> </ul>
<i>Jobs and skills for the city</i>	<ul style="list-style-type: none"> <li>The proposal will deliver a new high quality retail anchor supported by new boutique retail stores, cafes and restaurants, which will create significant new additional jobs in these industries. In addition to this new high quality commercial floorspace will ensure the ongoing role of Neutral Bay as a commercial centre and promote jobs growth in white collar industries.</li> </ul>
<i>A city in its landscape</i>	<ul style="list-style-type: none"> <li>The proposal does not affect any protected biodiversity or remnant or significant vegetation. Increased public domain and landscaping will be provided within the site that will contribute to increased landscaping, greater biodiversity outcomes, and help reduce the urban heat island effect.</li> </ul>
<i>An efficient city</i>	<ul style="list-style-type: none"> <li>A key initiative of the proposal is to deliver a more sustainable development that is presently provided. ESD targets will be set as part of the future detailed development application.</li> </ul>
<i>A resilient city</i>	<ul style="list-style-type: none"> <li>The proposal has sought to minimise exposure to natural hazards by ensuring that future development is not affected by flooding.</li> <li>The environmental initiatives implemented through the development will contribute to enhanced environmental outcomes and seek to mitigate impacts related to climate change.</li> </ul>

## North District Plan

The *North District Plan* underpins the Greater Sydney Region Plan and sets the 20-year vision for the District through 'Planning Priorities' that are linked to the Region Plan. Under this Plan, this site is strategically located within the Neutral Bay Town Centre of the North District. Key priorities of the District Plan which this Planning Proposal give effect to are elaborated below.

**Table 10** summarises how the site will give effect to the relevant planning priorities.

**Table 10 Consistency with the North District Plan**

Planning Priority	Consistency/ Comment
<b>A City supported by infrastructure</b>	
N1. Planning for a city supported by infrastructure	<p>Aligning land use and infrastructure planning ensures that infrastructure is maximised, and that growth and infrastructure provision are aligned. The Planning Proposal will facilitate the future delivery of residential dwellings in a location serviced by the B-line and other bus services. In this regard it is aligned with bus priority infrastructure upgrades delivered by TfNSW.</p> <p>Woolworths wishes to collaborate with Council to deliver an enhanced public open space focused on activation and improving the public domain experience. It is envisaged that Rangers Road Plaza, in partnership with Council will provide a key public domain space activated by shops, restaurants and cafes along the edges, creating a vibrant open space for the community.</p>
<b>A city for people</b>	
N4. Fostering healthy, creative, culturally rich and socially connected communities	The site benefits from the Neutral Bay Town Centre services and is within close proximity to open space. The proposed new town square will support social gatherings and foster strong social connections through creating a key place for social gathering. The site is also well connected to local bus routes, cycling links and walkable services to promote a healthy community.
<b>Housing the city</b>	
N5. Providing housing supply, choice and affordability with access to jobs, services and public transport	The site is strategically positioned to accommodate residential uses, increasing supply within proximity to a local centre and public transport infrastructure. Redevelopment of the site presents the opportunity to deliver and increase housing diversity within the town centre. There is a need to ensure housing supply and choice with greater diversity in housing products to meet the growing needs of the community and future population.
<b>A city of great places</b>	
N6. Creating and renewing great places and local centres, and respecting the District's heritage	The proposal will facilitate social cohesion and celebration of community through the delivery of the new town square close to cycling and public transport connections. This will include an active ground plane with the opportunity to support and enhance the local night time economy, as well as respond to the community's social and recreational needs.
<b>A well-connected city</b>	
N12. Delivering integrated land use and transport planning and a 30-minute city	The '30-minute city' model is a long-term aspiration for Sydney whereby jobs and services and strategic/metropolitan centres are accessible within 30 minutes by public transport. This site is in walking distance to local services and is well-placed to benefit the '30-minute city' model, by providing housing supply and retail opportunity within a highly accessible location and thereby improve access to jobs and services.
<b>A city in its landscape</b>	
N20. Delivering high quality open space	The proposal will include the delivery of open space through the new town square and through site link. This will improve walking and cycling connections and contribute to the overall open space network of the local government area.

## MRCPS: Neutral Bay Town Centre – Future Directions Planning Study

Despite Council rescinding the Neutral Bay Town Centre - Future Directions Planning Study in January 2022, the MRCPS outlines Council's intent for key planning control changes to facilitate improved build form outcomes in

the interest of the community. The site is identified as a key opportunity site to support taller mixed-use buildings and new open space and community facilities.

**Table 11** illustrates how the proposal will support the delivery of a future outcome for the site's that is largely consistent with the identified objectives and requirements:

**Table 11 Consistency with the MRCPS: Neutral Bay Town Centre – Future Directions Planning Strategy**

Objective/ requirement	Consistency of the proposal
<b>Objectives</b>	
<i>Support local jobs, local shops and housing opportunities</i>	The site is strategically positioned to accommodate residential uses, increasing supply within close proximity to public transport and local services. Redevelopment of the site will deliver a mix of 1, 2 and 3 bed apartments, contributing to meeting the need of greater diversity in housing products. The proposal will also provide a mix of retail and commercial uses to support local jobs and strengthen the local economy.
<i>Create a new public plaza fronting Rangers Road</i>	A 1,100m <sup>2</sup> town square and through site link comprising a unique landscaping concept and tree canopy is proposed. The town square will provide recreational passive spaces and contribute to enhancing the vibrancy and sense of place for Neutral Bay Town Centre.
<i>Improve pedestrian amenity and access between Rangers Road and Yeo Street</i>	A through site link is proposed between Rangers Road and Yeo Street, providing north-south connections and increased accessibility to the south of Neutral Bay Town Centre.
<i>Deliver a new community facility, bicycle parking and public parking</i>	Bicycle and public parking are capable of being delivered on site. The proposal will deliver improved community benefit through the new town square and through site link. It is anticipated that the adjacent north-western site (185 Military Road, Neutral Bay) will be redeveloped in the future to include the new community facility that is envisaged by the Future Directions Report. Given that the site that is subject of the Planning Proposal is delivering the town square and through site link, it is considered appropriate and equitable for this site and 185 Military Road to share the responsibility for funding and delivering the community benefits.
<i>Support the village atmosphere</i>	The proposal will revitalise the site to enhance the Neutral Bay town centre through increase public benefits and improved public domain with the delivery of a new town square and through site link. The proposed development aligns with the study direction to ensure future growth that results in a more attractive place for workers, residents and visitors.
<b>Requirements</b>	
1. Provide additional non-residential floor space with a minimum 2.0:1 FSR	A minimum non-residential FSR of 1.8:1 is proposed for the site. While this is slightly below the figure espoused in the MRCPS and Future Directions Report, the amount of non-residential floorspace significantly exceeds that which is provided on site at present and will make a significant contribution to local job creation and reinforcing the primary retail and commercial role of the town centre.
2. Residential towers should appear slender, maximise above podium habitable facades to all sides	The proposal reflects appropriate massing that is sympathetic with the existing and desired future character of the area. The proposed residential built form is appropriately setback and comprises an appropriate bulk and scale appearance when viewed from the streetscape.

Objective/ requirement	Consistency of the proposal
3. Provide a new community facility (1,000m <sup>2</sup> ) (see Chapter 2.1)	The proposal will deliver a new 1,100m <sup>2</sup> town square that will include new centralised open space and a through site link. This will provide significant public benefit through providing increased north-south connections as well as new open public space for passive recreation. Given the proposal is delivering this major public benefit it is considered appropriate that the new community facility be delivered as part of the future redevelopment of the adjacent north-western site (185 Military Road, Neutral Bay). This approach allows for the equitable delivery of public benefit across the two parcels of land that form as part of the Opportunity Site and which are identified for uplift under the Future Directions Report.
4. Deliver 1,250m <sup>2</sup> new public domain including: <ul style="list-style-type: none"> <li>• A 1,000m<sup>2</sup> new public plaza with an underground supermarket</li> <li>• A through-site-link to Yeo Street</li> <li>• A 2.5m whole of building setback that expands the tree canopy along Rangers Road and Military Road</li> </ul>	<p>A key component of the proposal is the delivery of a new town square (1,100m<sup>2</sup>) and through site link. The new town square will comprise a unique landscaping concept and form a centrally located open space within the broader Neutral Bay Town Centre. The proposed through site link running through the site will provide seamless north-south connections and encourage increased foot traffic into the public plaza. The detailed design of landscaping will be determined within a future development application.</p> <p>While the proposed town square is slightly smaller in area than that anticipated under the MRCPS and Future Directions Report, the scale of the space is still significant and will enable the delivery of a high quality centralised open space as illustrated in the Landscape Report (<b>Appendix C</b>). Importantly, the town square will support opportunities for play, social gathering, live performances, alfresco dining etc. It is therefore sufficient to support a wide variety of functions to service the community and will play an important role in focussing activity and a sense of community within the town centre.</p>
5. Deliver a 14-space public commuter bicycle parking facility	The proposal is capable of accommodating future bicycle parking which will be delivered as part of a future detailed development application.
6. Activate street edges along Rangers Road, Military Road, the new plaza, through-site-link and part of Yeo Street	The proposal will revitalise the site through a mix of retail spaces fronting Rangers Road, Yeo Street and the new public plaza. The proposal will result in a significant improvement to the amenity and quality of the public domain as well as generate increased pedestrian activity and interaction. Outdoor seating is also envisioned along the frontages facing the public plaza and Yeo Street to achieve more genuine activation.
7. Deliver loading and basement access through Military Lane or potentially along Yeo Street, subject to a transport study	Basement access for loading is proposed off Military Lane. Access for car parking is provided off Yeo street. (Refer to the Transport Impact Assessment at <b>Appendix O</b> for further detail).
8. Mitigate wind impacts to the public plaza	The proposal will deliver a positive urban design outcome with improved wind comfort, wind safety and daylight levels in the public open space. Detailed testing will be completed as part of a future detailed development application.
9. Provide access to underground uses within a building facade to limit structures on the plaza	Pedestrian access to the subterranean supermarket is proposed via travelators forming part of the Rangers Road frontage. The proposed access is well integrated within the building frontage and has been designed to open up into the public plaza.



## Strategic Merit Test

The *Local Environmental Plan Making Guideline* sets out that in order to answer this question, a planning proposal needs to justify that it meets the Strategic Merit Test. The consistency of this Planning Proposal with the mandated assessment criteria is set out below.

### 8.2.2 Q3a) Does the proposal have strategic merit?

The Planning Proposal demonstrates strategic merit as:

- The site upholds high strategic value as it is located in a well connected and serviced area of the North City District. The site is well-aligned with the growth directions of the Greater Sydney Regional Plan and North City District plan in supporting the vision of a 30-minute city.
- The proposal is consistent with the North Sydney LSPS, which envisages the future renewal of Neutral Bay town centre, including new built form, public domain improvements and new public spaces, additional residential accommodation and new employment generating floorspace.
- The site is located within an established centre at Neutral Bay and the Planning Proposal will facilitate a significant mixed-use development which will provide an opportunity to accommodate the future population with new housing and job opportunities within close proximity to public transport. The proposal directly unlocks residential floorspace to support future population's growing and changing needs.
- The site's location in close proximity to the local bus routes, provides an opportunity to deliver land uses within the local centre commercial and retail services as well as the surrounding strategic centres, aligned with the 30-minute city vision.
- The infrastructure is already in place to support activation. The proposal will deliver intensified land uses given walking distance to the B-line local bus route.
- The proposal's future land uses will promote social cohesion and celebration through the delivery of a new high quality town square and through site link that will bring together the community and reinforce the role that the town centre plays for its local community. The place led approach adopted for the project will therefore ensure that the proposal makes a significant contribution to achieving great places to live, work and play.
- The proposal responds to the increasing growth pressures for increased local job opportunities and improved public domain and community facilities.
- The proposal provides an outcome that is generally consistent with the Military Road Corridor Study and Future Directions Report for Neutral Bay. While these documents were rescinded by North Sydney Council in January 2022, they were prepared following years of community engagement and were endorsed during the time when the Planning Proposal was being prepared. They were supported by a robust evidence base and therefore should be a key consideration for the Planning Proposal.

### 8.2.3 Q3b) Does the proposal have site-specific merit?

The proposal is considered to have site-specific merit because:

- Achieves the overarching vision for the site and aligns with the principles of the MRCPS of which Council consider still relevant and apply for the renewal of the site.
- The proposed planning controls (building envelope) align with the planning controls outlined in the Neutral Bay Town Centre Future Directions Report 2021, strategically identified as a key opportunity site to support taller mixed use buildings and new open space and community facilities.
- The proposal effectively meets the site requirements and objectives identified under the Neutral Bay Town Centre Future Directions Report 2021 and promotes the orderly and economic use of the site, allowing for the best possible urban design and public amenity outcome to be delivered, whilst delivering on Council's wider strategic objectives for local employment and residential floorspace opportunities.
- The proposed development will be supported by adequate car parking within its basement, and detailed traffic modelling and analysis confirms that it will not result in unacceptable traffic impacts on the local road network (see **section 8.5** and **Appendix D**).

- The proposed development will not have an unacceptable amenity impact on the surrounding area when taking into consideration the site's location and physical context together with the intent and aspirations for the future renewal and revitalisation of the Neutral Bay town centre.
- The proposal will deliver a significant public benefit in the form of a new 1,100m<sup>2</sup> town square and through site link, as well as streetscape improvements along Rangers Road and Yeo Street. These major public benefits will elevate the town centre's ability to serve its local community and provide a catalyst for much needed further investment and renewal.
- A draft site-specific Development Control Plan has been prepared that sets out detailed planning controls to provide certainty that the key design and development principles set out within this Planning Proposal and Indicative Reference Scheme are achieved in the future.
- In addition to the above, the proposed building envelope has been subject to a broader environmental assessment (refer to **section 9.0**). In particular, it has been determined that the existing infrastructure and services on the site will be capable of supporting the future redevelopment of the site.

#### 8.2.4 Q4 – Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

The Planning Proposal will give effect to Council's Local Strategic Planning Statement, Council's community strategic plan and the previously endorsed, but just recently rescinded MRCPs and Future Directions Report for Neutral Bay town centre.

#### North Sydney Local Strategic Planning Statement

The North Sydney Local Strategic Planning Statement (LSPS) was adopted in 2020. Neutral Bay is identified as a local centre which is expected to generate economic activity from the local resident population, and support local employment opportunities and retail needs. The local centre also serves an important function in the North Sydney LGA economy, supporting smaller businesses alongside the larger commercial hubs

**Table 12** summarises how the site will give effect to the relevant planning priorities in the LSPS.

**Table 12 Consistency with the North Sydney LSPS**

Planning Priority	Consistency/comment
<b>Infrastructure and collaboration</b>	
Local planning priority I1: Align growth and development with infrastructure that supports the needs of the North Sydney community	The site contributes to the alignment of growth supported by infrastructure and has the capacity to deliver future land uses within walking distance of local bus routes.
<b>Liveability</b>	
Local planning priority L1: Diverse housing supply, choice and affordability with access to jobs, services and public transport.	The proposal will deliver high density housing in close proximity to local bus routes, jobs and services, given the size of the site, there is an opportunity to provide housing that will respond to the community's changing housing needs.
Local planning priority L2: Provide a range of community facilities and services to support a healthy, creative, diverse and socially connected North Sydney community	The proposal includes the delivery of a 1,100m <sup>2</sup> of town square that will contribute to increasing the provision of recreational facilities to meet the current and future needs of the community. This will specifically accommodate passive recreation users seeking a greenspace within the town centre, as well as cater to all abilities and ages.
Local planning priority L3: Create great places that recognise and preserve North Sydney's distinct local character and heritage	The site upholds the opportunity to build on the established identity and create a great place that represents the culture of the community, contributing to the overall renewal of the Neutral Bay town centre.
<b>Productivity</b>	

Planning Priority	Consistency/comment
Local planning priority P3: Enhance the commercial amenity and viability of North Sydney's local centres	The proposal directly responds to improving the commercial amenity and viability of Neutral Bay through facilitating future retail and employment opportunities to support local jobs and businesses. The proposed new town square, through site link and public domain upgrades along Rangers Road and Yeo Street will also enhance the safety, amenity, services and overall appeal of the local centre.
Local planning priority L6: Support walkable centres and a connected and sustainable North Sydney	The site presents an opportunity to align future land uses and integrate with transport infrastructure so that more people can get to work, school or local services within 30 minutes.
Sustainability	
Local planning priority S2: Provide a high quality, well-connected and integrated urban greenspace system	The proposed 1,100m <sup>2</sup> town square will contribute to the open space network and provide passive recreational opportunities.

### 8.2.5 Q5 – Is the planning Proposal consistent with any other applicable State and regional studies or strategies?

The future built form presents the opportunity to incorporate sustainable design initiatives and work towards mitigating climate change by 2050. The Indicative Reference Scheme provides a range of Green Star targets of the commercial/community building and the fit-out of the supermarket.

In addition, high BASIX water and energy targets together with high NABERS ratings targets will be implemented. Woolworths intends to provide a range of measures aimed at ESD, which are to be further resolved as part of the future detailed design and DA process.

### 8.2.6 Q6 – Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Yes. An assessment of the Planning Proposal against relevant State Environmental Planning Policies (SEPPs) is set out in **Table 13** below.

**Table 13 Consistency with State Environmental Planning Policies**

SEPP	Consistency		N/A	Comment
	Yes	No		
State Environmental Planning Policy (Resilience and Hazards) 2021	✓			<p>SEPP (Resilience and Hazards) 2021 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. It specifically requires consideration when rezoning land and in determining development applications, and requires that remediation work meets certain standards and notification requirements.</p> <p>The site has been occupied by a commercial building with four basement levels for some time. Given the site's context and the age of the building stock in the immediate surrounding locality there is considered to be a low likelihood of contamination. Nevertheless, the SEPP and any potential contamination issues will accordingly be assessed and addressed as the project progresses through to a detailed DA, which will include Phase 1 and Phase 2 contamination analysis. It is also worth noting that the Planning Proposal does not seek to amend the site's land use zone, and simply seeks to amend the building height controls and non-residential FSR controls, accordingly the rezoning won't introduce any land uses that aren't already able to occur on the site under the incumbent planning controls.</p>

SEPP	Consistency		N/A	Comment
State Environmental Planning Policy (Sustainable Buildings) 2022	✓			The proposed LEP amendment does not undermine the ability for the future development to achieve compliance with the Sustainability SEPP. Through the detailed design process, the proposal will be designed to enable the necessary compliance with the requirements for the quantification and minimisation of embodied and operational carbon emissions.
State Environmental Planning Policy (Housing) 2021	✓			<p>The proposed LEP amendment will not preclude the ability for the scheme to achieve compliance with the SEPP Housing 2021.</p> <p>The proposed reference scheme prepared as a proof of concept for the proposed LEP amendment demonstrates a scheme that can deliver a diverse mix of housing options (1,2 and 3 bedrooms) to contribute to the diversity of housing types available in Neutral Bay Town Centre. The proposal's residential component has been designed to meet the requirements of chapter 4 of this SEPP, and the accompanying Apartment Design Guide. High level consideration of key principles has been undertaken such as apartment size, layout, typology, solar access, natural cross ventilation, communal open space and the like, which is suitable for this stage of the planning process.</p>
State Environmental Planning Policy (Transport and Infrastructure) 2021	✓			The future DA under the proposed planning controls will be considered traffic generating development requiring referral to TfNSW. Under pre and post-Gateway consultation however, TfNSW will be consulted with respect to the proposal and the intended access, traffic and parking measures to ensure an appropriate outcome.

### 8.2.7 Q7 – Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes. An assessment of the Planning Proposal against applicable section 9.1 Directions is set out in **Table 14** below.

**Table 14 Consistency with section 9.1 directions**

Direction	Consistency		NA	Comment
	Yes	No		
1 Planning Systems				
1.1 Implementation of the Minister's Planning Principles			-	These were revoked on 14 March 2022.
1.2 Implementation of Regional Plans	✓			The Planning Proposal is consistent with the Regional Plan and District Plan as discussed in <b>Section 8.2.1</b> above.
1.3 Development on Aboriginal Land Council Land			-	
1.4 Approval and Referral Requirements	✓			This Planning Proposal is consistent with this Direction in that it does not introduce any provisions that require any additional concurrence, consultation or referral.
1.5 Site Specific Provisions				A particular development scenario is envisaged for the site. The proposed provisions will allow for the envisaged development to be carried out on the site. The Planning Proposal will not contain or refer to drawings that show details of the development proposals.

Direction	Consistency	NA	Comment
1.6 Parramatta Road Corridor Urban Transformation Strategy		-	Not applicable
1.7 Implementation of North- West Priority Growth Area Land Use and Infrastructure Implementation Plan		-	Not applicable
1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Plan		-	Not applicable
1.9 Implementation of Wilton Priority Growth Area interim Land Use and Infrastructure Implementation Plan		-	Not applicable
1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor		-	Not applicable
1.11 Implementation to of the Western Sydney Aerotropolis Plan		-	Not applicable
1.12 Implementation of Bayside West Precincts 2036 Plan		-	Not applicable
1.13 Implementation of Planning Principles for the Cooks Cove Precinct		-	Not applicable
1.14 Implementation of St Leonards and Crows Nest 2036 Plan		-	Not applicable
1.15 Implementation of Greater Macarthur 2040		-	Not applicable
1.16 Implementation of the Pyrmont Peninsula Place Strategy		-	Not applicable
1.17 North West Rail Link Corridor Strategy		-	Not applicable
<b>3 Biodiversity and Conservation</b>			
3.1 Conservation Zones		-	Not applicable
3.2 Heritage Conservation		-	Not applicable
3.3 Sydney Drinking Water Catchments		-	Not applicable
3.4 Application of C2 and C3 Zones and		-	Not applicable



Direction	Consistency	NA	Comment
Environmental overlays in Far North Coast LEPs 26			
3.5 Recreation Vehicle Area		-	Not applicable
<b>4 Resilience and Hazards</b>			
4.1 Flooding		-	Not applicable
4.2 Coastal Management		-	Not applicable
4.3 Planning for Bushfire Protection		-	Not applicable
4.4 Remediation of Contamination Land	✓		A Preliminary site investigation plan has been prepared by Geo-Logix and attached at <b>Appendix I</b> . The potential for contamination on the site is considered relative benign and therefore the site is suitable for the proposed amendment in height.
4.5 Acid Sulfate Soils		-	Not applicable
4.6 Mine Subsidence and Unstable Land		-	Not applicable
<b>5 Transport and Infrastructure</b>			
5.1 Integrated Land Use and Transport	✓		<p>This Direction applies due to this Planning Proposal relating to a business zone. The Direction states that a Planning Proposal must be consistent with the aims, objectives and principles of:</p> <ul style="list-style-type: none"> <li>Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</li> <li>The Right Place for Business and Services – Planning Policy (DUAP 2001).</li> </ul> <p>The Planning Proposal is broadly consistent with the aims, objectives and principles of the above documents in that it will provide a mix of retail, commercial and residential accommodation in an area well serviced by high frequency public transport. In doing so it will maximise the use of the public transport network.</p>
5.2 Reserving Land for Public Purpose		-	Not applicable
5.3 Development near regulated airports and defence airfields		-	Not applicable
5.4 Shooting ranges		-	Not applicable
<b>6 Housing</b>			
6.1 Residential zones	✓	-	The site is zoned B4 Mixed use zone which permits residential development. The proposal integrates new housing that contributes to a diverse housing offering in the LGA that is in close proximity to infrastructure and services.

Direction	Consistency	NA	Comment
6.2 Caravan Parks and Manufactured home estates		-	Not applicable
<b>7 Industry and Employment</b>			
7.1 Business and Industrial zones	✓		The proposal is consistent with the current B4 Mixed use zoning which is to be retained.
7.2 Reduction in non-hosted short term-rental accommodation period		-	Not applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast		-	Not applicable
<b>8 Resources and Energy</b>			
8.1 Mining, Petroleum Production and Extractive Industries		-	Not applicable
<b>9 Primary Production</b>			
9.1 Rural zones		-	Not applicable
9.2 Rural lands		-	Not applicable
9.3 Oyster Aquaculture		-	Not applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast		-	Not applicable

## 8.3 Environmental, Social and Economic Impacts

### 8.3.1 Q8 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The planning proposal will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats, given the site's urban location.

### 8.3.2 Q9 – Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

A detailed assessment of the environmental effects as a result of the Planning Proposal is identified in **Section 9.0** of this justification report. Relevant management measures are identified where appropriate and, on this basis, no unacceptable impacts are likely to result from the Planning Proposal or future development on the site.

### 8.3.3 Q10 – Has the Planning Proposal adequately addressed any social and economic impacts?

Yes. The social and economic impacts arising from the Planning Proposal is identified in **Section 8.0** of this justification report. The social and economic impacts will be positive.

## 8.4 Section D - State and Commonwealth Interests

### 8.4.1 Q11 – Is there adequate public infrastructure for the Planning Proposal?

The site is located in an established urban area and has access to existing public transport, infrastructure and services. Further investigations will be undertaken as part of the preparation of the DA to determine whether any upgrade of existing utilities is required to enable the proposal.

### 8.4.2 Q12 – What are the views of State or Commonwealth public authorities consulted in accordance with the Gateway determination?

The views of State and Commonwealth public authorities will be known once consultation has occurred in accordance with the Gateway determination of the Planning Proposal.

## 8.5 Community Consultation

The proponent has and continues to consult and keep a dialogue with key adjoining and adjacent landowners. Formal public consultation will also take place in accordance with Sections 3.34 and 3.35 of the EP&A Act. This is likely to involve notification of the proposal:

- On Council's website;
- In newspapers that circulate widely in the City of Sydney Local Government Area; and
- In writing to the adjoining and nearby landowners; relevant community groups; and the surrounding community in the immediate vicinity of the Site.

It is noted that confirmation of the public exhibition period and requirements for the Planning Proposal will be given by the Minister as part of the LEP Gateway determination. Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

It is also likely that Woolworths will undertake its own consultation and engagement process for the Planning Proposal in the future when it goes on public exhibition. The outcomes of this community engagement process will be reported back to Council once complete.

## 9.0 Technical assessment

This section considers the key planning issues associated with the Planning Proposal as well as those associated with a future development generally consistent with the Indicative Reference Scheme.

As outlined in **Section 5.0**, an Indicative Reference Scheme (**Appendix A**) was developed by KTA to help inform the preparation of the Planning Proposal and to test and demonstrate how a future development could be accommodated on site in accordance with the proposed height control. Accordingly, the outcomes of these investigations and analysis have largely guided the content of this Planning Proposal.

By adopting this approach, the built outcomes and associated impacts of the Planning Proposal (and subsequent DA) can be defined, tested and clearly understood.

### 9.1 Built form and Scale

#### 9.1.1 Height and Massing

The proposed built form and massing has been informed by the future vision for the site set out in MRCPS. The MRCPS identified that Neutral Bay town centre is losing local jobs in favour of new residential developments, affecting the vibrancy and diversity of the existing town centre. This has created immense demand for future development to provide commercially viable floor space and a strong activated public domain which is able to build on the existing café culture and night-time economy.

The proposed podium form will establish an appropriate scale that does not result in an overwhelming impact on the amenity of the public domain to create a welcoming human-scale neighbourhood centre. The mixed-use building has been designed to establish the site as a hub and create village feel with sufficient not-residential floorspace to generate interest and vibrancy.

Above podium level, the indicative height and massing of the proposed built form has responded to the desired land use outcomes and strategic intent of the MRCPS, including the delivery of a new public plaza (1,100m<sup>2</sup>), through site link and mixed-use commercial and residential development. The proposed massing for the site has been developed taking into consideration the built form outcomes espoused in the *Future Directions Report* for Neutral Bay town centre. Whilst this is the case, the Indicative Reference Scheme height of six and eight storeys is directly consistent with the building heights identified for the site under the *Future Directions Report* and MRCPS as shown in **Figure 33** and **Figure 33** below.

Further, the immediate and surrounding context comprise an established 9-13 storey height character as shown in **Figure 35**, and therefore the proposal is considered an appropriate scale relative to the existing area. As shown in **Figure 36** the existing buildings directly surrounding the site exceed the LEP 16m maximum building height as follows:

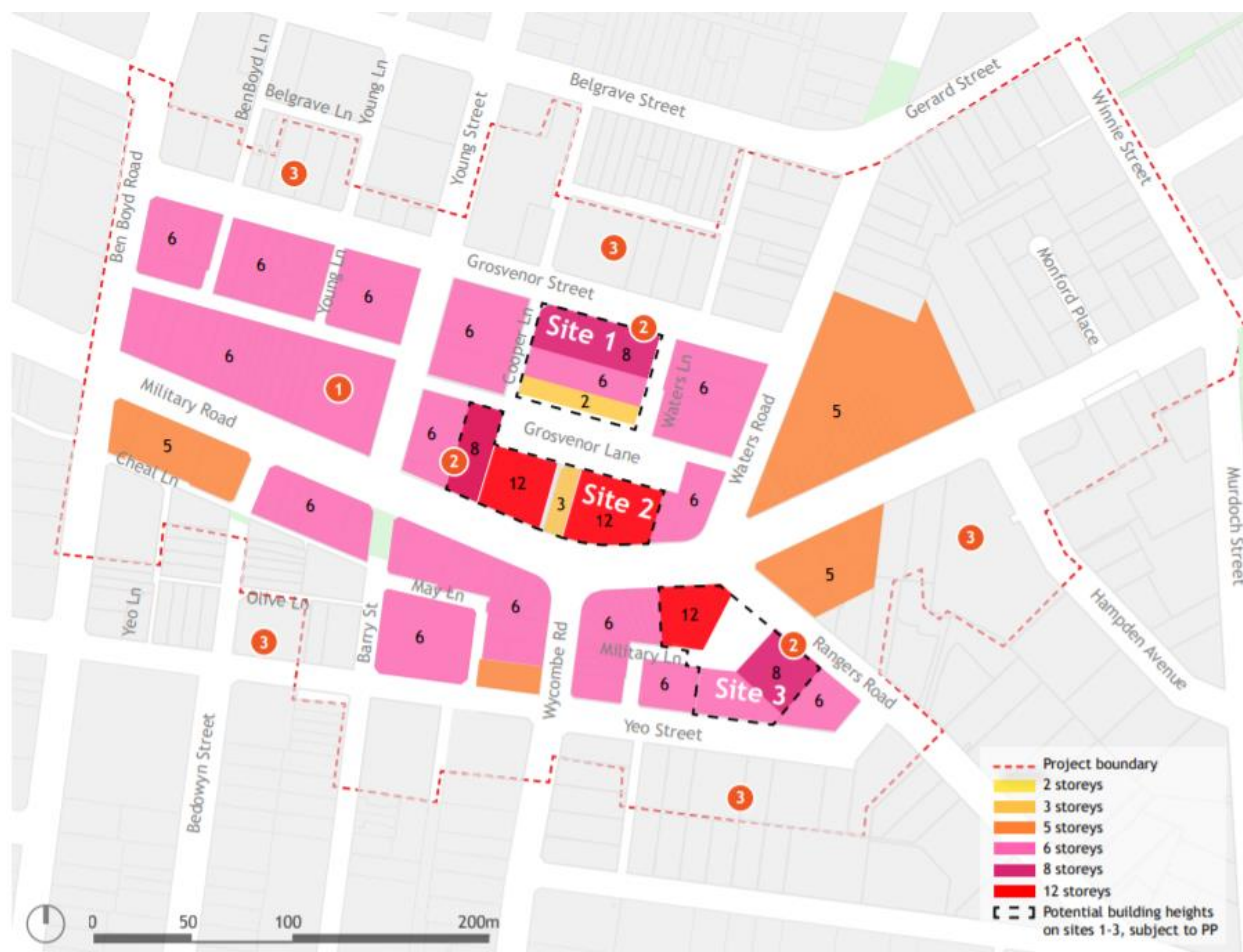
- 183-185 Military Road, Neutral Bay has a maximum building height of 18.6m
- 50 Yeo Street, Neutral Bay has a maximum building height of 22.7m
- 9-11 Rangers Road, Neutral Bay has a maximum building height of 19.1m

Notably, the proposal does not encompass the entirety of land nominated as 'site 3' under the MRCPS. Despite repeated attempts, Woolworths have been unable to acquire the land at 185 Military Road. The inability to acquire 185 Military Road has resulted in Woolworths acquiring land at 50 Yeo Street to enable the creation of a single parcel of land of sufficient size to build a new town square and accommodate a full line supermarket below ground. Without the benefit of having the 185 Military Road, the massing and design outcome for the rest of Opportunity Site 3 has been required to be reconsidered to ensure that the future project is able to fund the desired public benefits including the new town square, through site link and streetscape improvements.

The proposal will result in overshadowing impacts that are consistent with the anticipated shadow cast by the nominated heights of the MRCPS. Although the site does not lie entirely within the nominated opportunity site 3, 50 Yeo Street is indicated with a maximum storey height of six storeys which is proposed to be maintained. Therefore, the proposal aligns with the existing built form and MRCPS.

**Figure 37** and **Figure 38** illustrates an appropriate bulk and scale outcome that delivers significant community benefit through a new public realm that will reinvigorate the southern portion of Neutral Bay Town centre being commensurate with the MRCPS.

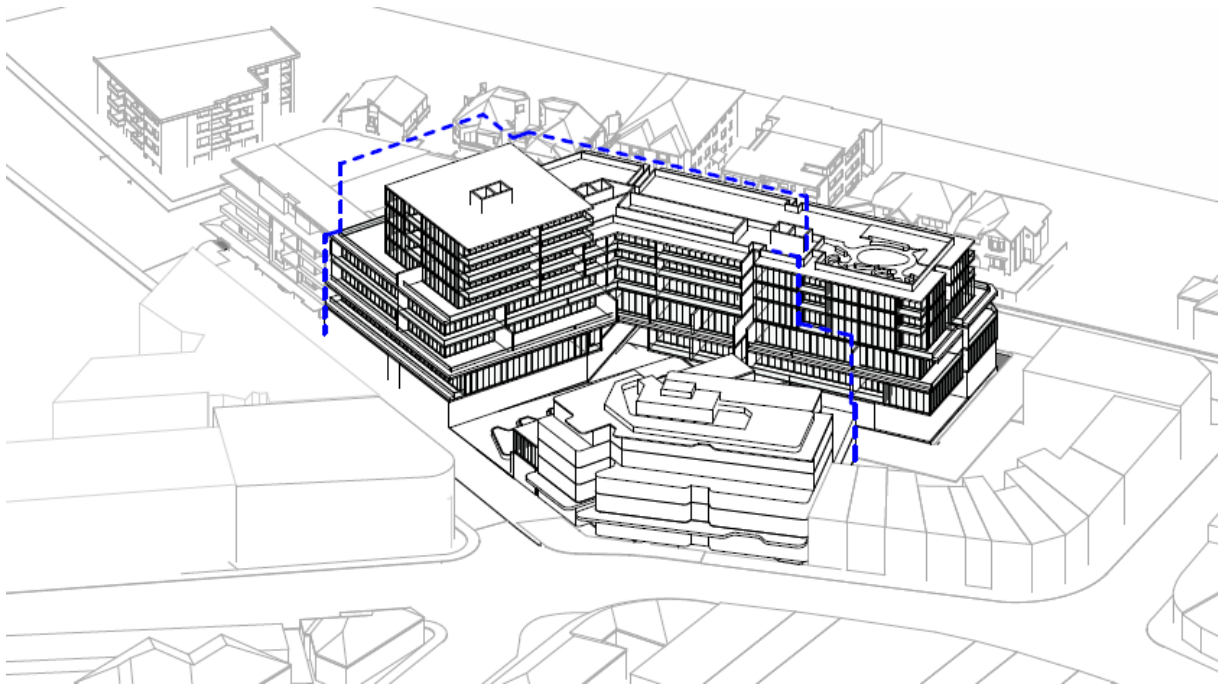
Notwithstanding the above, the Yeo Street frontage has been purposefully designed with articulation along the façade to help modulate the buildings appearance and reduce visual massing. This has been achieved through 3.5m recesses into the Yeo Street elevation to break up the building façade and create three distinct components across the frontage. The draft site-specific DCP (**Appendix H**), includes a provision to ensure future recesses are incorporated along the Yeo Street frontage and the future detailed design of the building is effectively modulated to complement the Neutral Bay town centre streetscape.



**Figure 33** Height and massing controls for the site nominated as 'Site 3'.

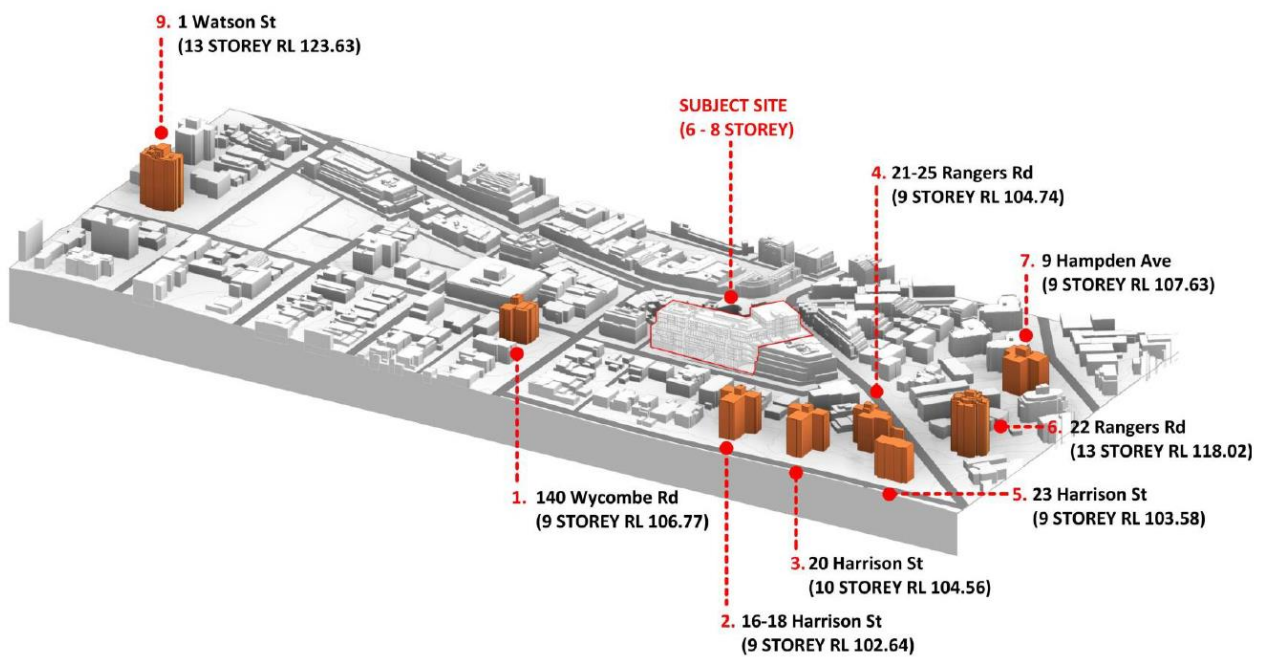
Source: North Sydney Council





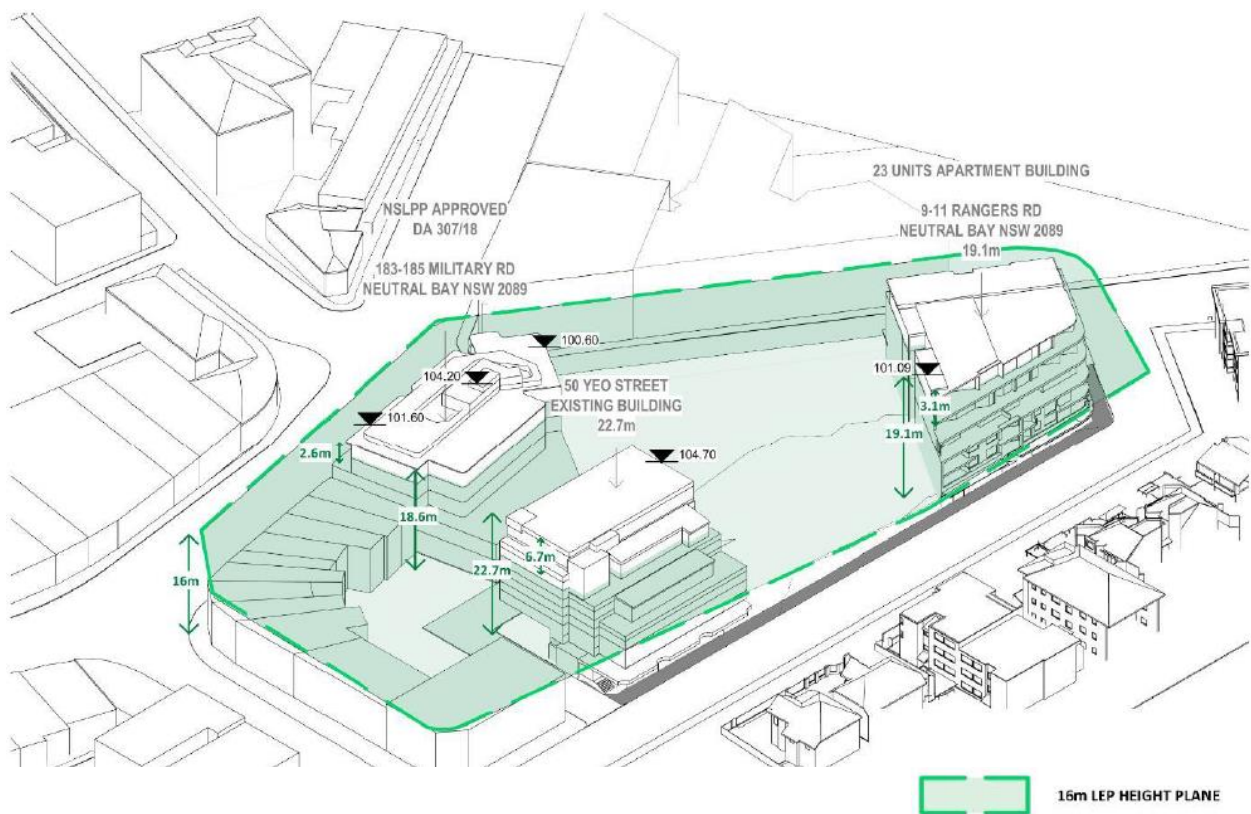
**Figure 34 Proposed built form compared to MRCPS masterplan (blue outline)**

Source: Koichi Takada Architects



**Figure 35 Existing surrounding building height context**

Source: Koichi Takada Architects



**Figure 36 building heights of existing development immediately surrounding the site**

Source: Koichi Takada Architects



**Figure 37 Indicative Reference Scheme from Rangers Road**

Source: Koichi Takada Architects





**Figure 38 Indicative Reference Scheme public plaza**

Source: Koichi Takada Architects

## 9.2 Visual Impact

The Indicative Reference Scheme has been designed to deliver a well-scaled and visually interesting built form. The proposal comprises high arch forms to create an inviting and open environment, leading to the public plaza.

Whilst the design is indicative, the proposal adheres to the desired future setbacks for the site contained within the MRCPS and Future Directions Report, providing a 2.5m podium setback from the Military Road streetscape and a further 3m setback from the podium to upper levels. A greater podium setback in this location allows for a greater public domain at Rangers Road interface. This is especially important as it will reclaim precious pedestrian space at the corner of Military Road and Rangers Road, which can become congested with commuters during the AM peak period due to the positioning of Bus Stands A, B and C.

Further, the Indicative Reference Scheme comprises several soft landscaping opportunities and green features along the facades and roofing to reduce the overall visual impact as a dominant feature within the Neutral Bay skyline.

## 9.3 Residential Amenity

The Indicative Reference Scheme has been developed having regard to the requirements of State Environmental Planning Policy 65 and the accompanying Apartment Design Guide (ADG). Although the ultimate built form on the site will be determined at a future detailed design stage, the Indicative Reference Scheme is capable of achieving an acceptable level of internal amenity for future residents with regard to solar access, natural ventilation and privacy. Based on the indicative apartment layout illustrated on the architectural plans, the following is noted:

- The residential component consists of 62 apartments suited to a variety of lifestyles. An indicative dwelling mix is 1 bedroom (13%) 2 bedroom (24%) and 3 bedroom (63%).
- Each apartment has access to a secure private open space such as a balcony or winter garden with minimum areas of 10-41m<sup>2</sup> based on apartment size. Additional communal open space facilitated by rooftop amenities will be provided for residents.
- A minimum of 2 hours direct sunlight between 9:00am and 3:00pm in mid-winter will be enjoyed by 70% of the apartments. Similarly, 60% of apartments will be naturally cross ventilated.

Further, the building separation distances envisaged in the proposal respond to the requirements of SEPP 65 and the ADG as they relate to habitable rooms facing habitable rooms in anticipation of the eastern and western building interfaces.

## 9.4 Overshadowing

An overshadowing analysis of the Indicative Reference Scheme has been prepared by KTA and is included at **Appendix A**. The study has examined the overshadowing resulting from the Indicative Reference Scheme compared to the shadow produced by the proposed built form under the MRCPS and *Future Directions* Report together with the existing commercial building at 50 Yeo Street.

The overshadowing analysis indicates that some buildings on the southern side of Yeo Street are affected by some overshadowing and/or would be affected by overshadowing under the built form outcome set out within the MRCPS and the Future Directions Report. Therefore, the overshadowing impact where the shadow is cast by the proposal is consistent with or better than the shadow cast by the MRCPS is considered acceptable.

The analysis also shows that the Indicative Reference Scheme will result in some additional overshadowing to properties located at 53, 55, 57 and 59 Yeo Street. However, the overshadowing analysis confirms that a minimum two (2) hours of solar access is achieved in mid-winter, consistent with the NSW Apartment Design Guide (ADG). Importantly, the overshadowing analysis demonstrates that the large majority of the north facing windows of properties at 57 and 59 Yeo Street receive greater solar access than what would be achieved under the MRCPS building envelope. Overall, the proposal achieves an acceptable level of solar amenity for the residential properties along Yeo Street, particularly when considering the site's location within the town centre as outlined in **Table 15** and the fact that the site is identified as a 'key site' that is integral to achieving the renewal aspiration for the Neutral Bay town centre.

**Table 15 Solar amenity achieved by the Yeo Street residential properties**

Property	Solar amenity received achieved with the proposed built form with the revised setback
<b>53 Yeo Street</b>	Solar access is achieved at all north facing windows between 12pm to 2pm.
<b>55 Yeo Street</b>	Solar access is achieved at all north facing windows between 12pm to 2pm.
<b>57 Yeo Street</b>	The large majority of the north facing windows receive solar access between 12pm to 2pm. Between 12pm and 2pm the property receives greater solar access than what would be achieved under the MRCPS building envelope. Note: In both the MRCPS building envelope and the proposal, the ground level windows would not receive solar access between 12pm and 2pm.
<b>59 Yeo Street</b>	The large majority of the north facing windows receive solar access between 12pm

Property	Solar amenity received achieved with the proposed built form with the revised setback
	to 2pm. Between 12pm and 2pm the property receives greater solar access than what would be achieved under the MRCPS building envelope.

Importantly, the overshadowing impacts are also considered reasonable when noting the following:

- The majority of additional shadow cast by the proposal sits within the anticipated shadow cast under the MRCPS and the existing DCP controls.
- The shadow cast by the Indicative Reference Scheme is wholly contained within the MRCPS shadow between 9am and 10am on 21 June.
- Many of the buildings on the southern side of Yeo Street have their main living area facing away from the street, with bedrooms and utility rooms along their Yeo Street frontage.
- Some of these buildings have high solid street fencing, which when combined with the fall of the land away from Yeo Street, result in the lower levels of these buildings being in shade for much of the day.
- Existing mature street trees are positioned along the entirety of Yeo Street and it creates an existing shaded environment, particularly at the lower levels of the building facades.
- At all other times, the shadow cast from the proposal sits within either the existing shadow footprint or the shadow footprint cast by the built form under the MRCPS.

Overall, the additional overshadowing impacts are considered acceptable when also factoring in the site-specific context as part of the Neutral Bay town centre, and the significant public benefits that will be delivered as a result of the site's future redevelopment.

Notably, previous overshadowing concerns raised in relation to PP2022/1633, have been rectified through the reduced building heights, with the extent of shadow impact upon the properties located on Yeo Street being significantly less.

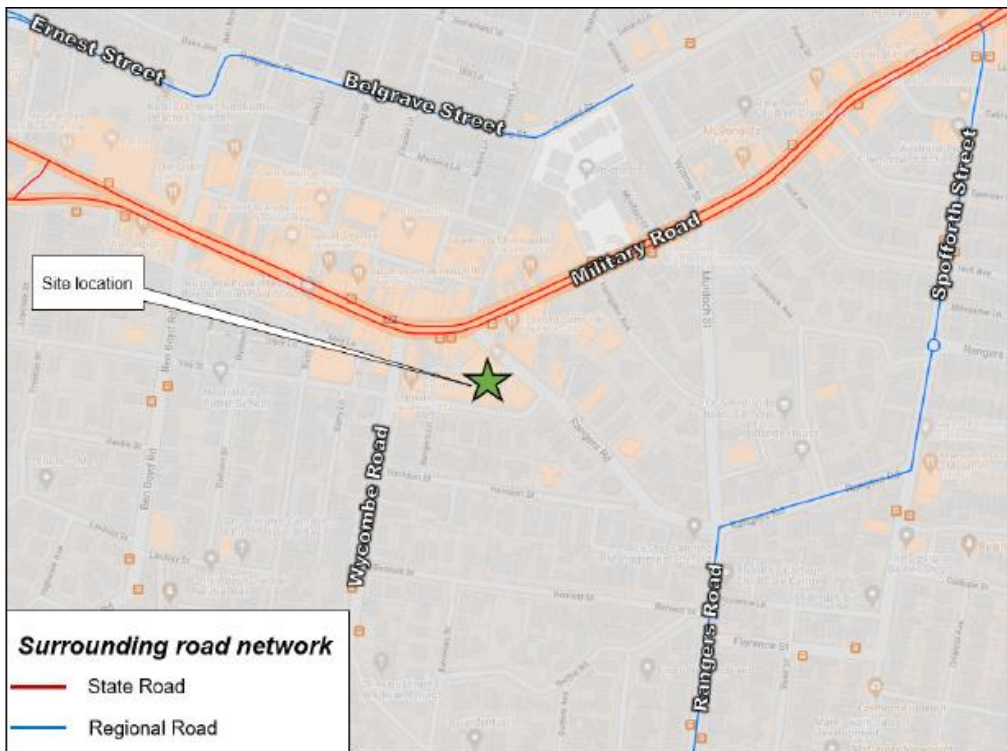
## 9.5 Transport

A Transport Impact Assessment has been prepared by JMT Consulting as attached at **Appendix O**. The report provides an analysis of existing transport conditions, including the surrounding road network, site access and parking and public transport provisions. The study also provides an assessment of the proposed access, parking and servicing/loading arrangements, proposed parking rates, additional traffic movements resulting from the Planning Proposal and impacts to the adjacent roads, together with public transport, walking and cycling measures.

### 9.5.1 Existing conditions

The site's existing supermarket use contains approximately 100 on-site car parking spaces with access provided from Yeo Street. On-site loading access is provided via Military Lane. Access to the site is primarily gained from the surrounding area is gained via the surrounding main road network including Military Road which is classified as a State Road as well as Regional Roads such as Spofforth Street, Belgrave Street, Ernest Street and Rangers Road located south-east of the site. Service vehicles will deliver goods to the site from Military Lane, which is accessed off Yeo Street, a local road managed by Council (indicated in **Figure 39**).





**Figure 39 Existing road network**

Source: JMT Consulting

The site is located adjacent to the Military Road corridor which is one of Sydney's busiest and most important bus corridors that caters for a wide range of services to different destinations. The current bus network contains a variety of all-stops, limited stops and express services, joining and leaving the corridor at several locations. A number of bus stops are located directly opposite the site on Military Road as well as Wycombe Road.

The pedestrian environment in the vicinity of the site is quite high with good quality footpaths provided along all streets of all surrounding streets. This includes signalised pedestrian crossings on all legs of the signalised intersections at Military Road / Wycombe Road and Wycombe Road / Yeo Street. A zebra crossing is also provided adjacent to the site across Yeo Street near the intersection with Rangers Road. An existing cycleway network surrounds the site, specifically 'Route 5' which provides connection between the North Sydney CBD and Mosman via Neutral Bay.

## 9.5.2 Vehicular Access and car parking

### Access points

Vehicles will access the on-site car parking area through a series of ramps located on the southern boundary of the site via Yeo Street as shown in **Figure 40**. Service vehicles accessing the loading dock will be separated from the general vehicles and enter the site via Military Lane in a forward direction.



## Residential car parking

For an indicative total of 62 residential apartments (with a unit mix as detailed within **Appendix A**) Analysis undertaken by JMT Consulting demonstrates that the proposed parking provision of 58 spaces under the Indicative Reference Scheme complies with the maximum permissible parking provision allowable under the North Sydney DCP 2013. The proposed residential parking provision is therefore considered satisfactory.

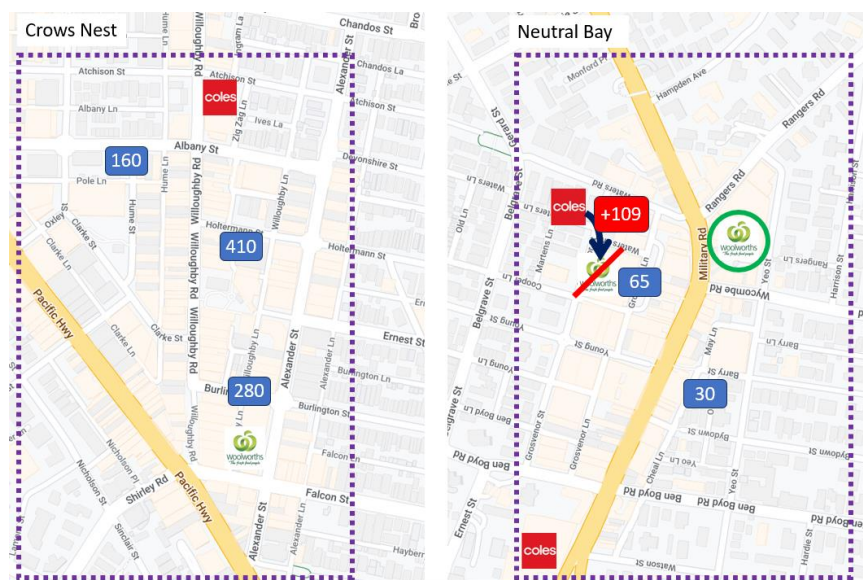
## Commercial car parking

The North Sydney DCP 2013 specifies a maximum car parking rate of 1 space per 60m<sup>2</sup>. Based on the 2,417m<sup>2</sup> of commercial GFA provided up to 41 car parking spaces could be delivered on the site. The reference scheme includes 40 parking spaces for the commercial uses, complying with the requirements of the North Sydney DCP 2013.

## Public car parking

88 Public spaces are proposed for the benefit of existing businesses and visitors of the Neutral Bay town centre. This public sub-terranean parking responds to the identified need of both local residents and businesses of the village – businesses in particular noted that the lack of car public parking was impacting the viability of their businesses. The importance of public car parking to support the vibrancy and feasibility of the Neutral Bay town centre is recognised in the MRCPS.

Importantly, there is an existing undersupply of public parking available in Neutral Bay when compared to other similarly sized centres in the North Sydney LGA, such as Crows Nest. As shown in **Figure 41** a total of 800 off-street public parking spaces are available in Crows Nest compared to less than the 100 public parking spaces available in Neutral Bay. It is therefore evident that the proposed public parking on the subject site would provide for a more balanced distribution of public parking across the centre and complement the proposed additional public parking on the northern side of Military Road.



**Figure 41 Comparison of public car parking at Crows Nest and Neutral Bay town centres**

Source: JMT Consulting

## Loading dock

The reference scheme includes an on-site loading dock which can accommodate up to three vehicles at any one time, including one heavy rigid vehicle (HRV) 12.5m in length, one medium rigid vehicle (MRV) 8.8m in length and one small rigid vehicle (SRV) 6.4m in length. A swept path analysis confirms that all vehicles have the ability to enter and exit Military lane in a forward direction. The loading dock has been designed in accordance with the requirements outlined in the relevant Australian Standard (AS2890.2, 2018) and is considered suitable to accommodate the needs of the site based on the development yields associated with the reference scheme.

### 9.5.3 Traffic Impact Assessment

#### Traffic generation

Trip generation rates for future traffic has been derived from comparable surrounding traffic and regional development:

- **Residential** – Per unit: PM peak hour: 0.19 vehicle trips and Saturday peak hour: 0.22 vehicle trips
- **Commercial** – Per trips/space: PM peak hour: 0.5 vehicle trips
- **Retail** – Per square meters: PM peak hour: 8.44 vehicle trips and Saturday peak hour 7.56 vehicle trips

The forecast arrival and departure directions for visitors to the supermarket, based on the trade catchment for the centre, have been determined to spread the traffic load and minimising the impact on the surrounding road network.

#### Modelling of intersection performance

In support of the Planning Proposal extensive traffic investigations have been completed. The analysis concluded that the traffic movements on Yeo Street still remain well below the road capacity once the Indicative Reference Scheme is constructed and delivered. In addition to Yeo Street detailed traffic modelling has also been undertaken (in accordance with Transport for NSW guidelines) on surrounding intersections - including Military Road. The modelling shows, with the Planning Proposal in place along with the additional public car parking, drivers will experience fairly minor increase in wait times of no more than 20 seconds – with delays typically lower than 10 seconds. Overall, the modelling undertaken indicates that the proposal is not anticipated to result in unacceptable traffic impacts on the surrounding road network.

It is also worthwhile noting that a significant level of traffic already travelling along key roads in the vicinity of the site such as Military Road do so for the purpose of accessing nearby retail centres such as Big Bear Shopping Centre.

While not specifically considered in the traffic analysis, all traffic associated with the proposal would not be 'new' – instead trips (particularly from those in the local area not currently served by a full line supermarket) would be intercepted at Neutral Bay that would otherwise have continued along Military Road towards these existing centres. Therefore, in this context the net traffic generation and associated road network performance as documented is considered to provide a conservative forecast of potential impacts.

### 9.5.4 Summary

Key findings of the transport assessment are as follows:

- Vehicle access to the site for general vehicles would be provided on Yeo Street, close to the existing access point for the site.
- Service vehicle access to an on-site loading dock is to be provided by Military Lane to segregate cars in the basement and trucks using the loading dock – providing a strong safety outcome.
- The proposal brings with it a number of transport benefits – one of the most significant being improvement in traffic safety including the ability for all trucks to enter and exit the loading dock in a forwards direction.
- Car parking and bicycle parking on the site for all uses will be delivered in accordance with the parking rates outlined in the North Sydney DCP, with the final number of spaces to be determined at the Development Application stage of the project.
- The proposal includes 88 public car parking spaces, which benefit existing businesses and visitors of the Neutral Bay town centre and align with recommendations of the Military Road Corridor Planning Study.
- Traffic modelling undertaken indicates that the proposal is not anticipated to result in unacceptable traffic impacts on the surrounding road network – with all intersections in the vicinity of the site continuing to operate at acceptable levels of service.



- The impacts of the proposal along with the additional public car parking, will result in drivers experiencing a fairly minor increase in wait times of no more than 20 seconds – with delays typically lower than 10 seconds, therefore not result in unacceptable traffic impacts.
- The increase in vehicles travelling through intersections around the site as a result of the proposal is generally modest at less than 20 vehicles per hour or one vehicle every three minutes.
- The NSW Government's future Western Harbour Tunnel and Beaches Link project will benefit the Military Road corridor by reducing the extent of regional traffic flows, with Transport for NSW projecting a 10% reduction in traffic along the corridor.
- Travel demand management measures have been suggested to improve the mode share of public transport and active transport. These items should be considered further at subsequent stages of the project.

In the above context, the traffic and transport impacts arising from the Planning Proposal are considered acceptable.

## 9.6 Contamination

A Preliminary Site Investigation has been undertaken by Geo-Logix and is attached at **Appendix I**. Following a desktop analysis of the site, the report concludes:

- The site and surrounds have a mixed history of residential and commercial land use
- The site was used for the purposes of residential until the mid 1970s when it was developed as the Neutral Bay Shopping Village.
- In the mid 2000s the shopping centre was redeveloped as the current Woolworths Shopping Centre which includes a basement carpark level.
- Excluding dry cleaning operations that occurred onsite and in its immediate proximity offsite, the operational site history in respect of potential contamination is considered relatively benign.
- There is potential for dry cleaner related soil and ground water contamination to exist on site.

It is on this basis that the site is considered suitable for the proposed amendment to the height limit and a further detailed site investigation will be undertaken at any subsequent DA stage.

## 9.7 Social and Economic Impacts

A Social and Economic Impact Report has been prepared by Ethos Urban (**Appendix E**). The planning proposal will facilitate the redevelopment of the site, delivering a number of positive social outcomes, including the following:

### Social impacts

- Increased convenience and amenity for the local community, including integrated shopping and dining, a new civic plaza and improved through-site links, in addition to residential and commercial activity on site.
- Increased local employment opportunities through the creation of enhanced commercial floorspace, and an expanded retail offer.
- Increased convenience for local workers as well as residents, with the subject site in close proximity to public transport.
- Health and wellbeing benefits for the local community with the co-location of uses and through-site links, encouraging active travel (walking) and lifestyles.
- Improvements to local amenity and streetscape through the project design and ground plane provisions – including an enhanced and expanded civic domain.
- In particular, the proposed plaza and through-site links will provide a genuine focal point for the local community, creating a true town centre for the southern side of Neutral Bay, serving residential catchments primarily to the south and east of the site, and creating improved accessibility to Military Road.



## Economic impacts

- The proposed development is estimated to result in direct investment of approximately **\$134 million** in the local area during the construction stage.
- Approximately **263 direct and 421 indirect FTE jobs** are planned to be generated during the construction stage.
- Taking into account existing uses at the subject site, the proposed development has the potential to support an additional **143 jobs** (FTE) when fully occupied and operational.
- Increased economic output with the activities are employment supported by the development. The ongoing jobs resulting from the proposed development are estimated to generate some **\$17.2 million** in value added to the economy each year (2022 dollars).
- Increased activation of the Military Road precinct, including after normal business hours and on weekends, with the project to generate additional pedestrian traffic to the direct benefit of local businesses.
- Enhanced access for residents to key community facilities and convenience-based retail uses (including supermarkets, food and groceries).
- Improved retail offer and price competition within easy walking distance of a large number of local residents.
- Alignment with government strategies to increase amenity and employment.

## 10.0 Conclusion

This Planning Proposal has been prepared by Ethos Urban to support a Planning Proposal to North Sydney Council, seeking amendments to the *North Sydney Local Environmental Plan 2013*, to facilitate the redevelopment of 1-7 Rangers Road and 50 Yeo Street, Neutral Bay for a new mixed use building up to a height of 26m and 31m and a non-residential FSR of 1.8:1. Amendments to the North Sydney Development Control Plan 2012 will also be required to support this outcome.

The Planning Proposal is underpinned by a shared vision with Council to allow additional site-specific uplift on this site to deliver a new mixed-use development together with significant community benefits in the form of a new through site link and public plaza. The proposal will deliver a new generation mixed use building including a subterranean supermarket, speciality retail and commercial floorspace to support new jobs and strengthen the local economy. It will make a valuable contribution to the renewal and revitalisation of the Neutral Bay town centre and help catalyse further investment in the area.

More specifically, this Planning Proposal will establish the planning framework to facilitate:

- A high-quality mixed-use building offering a diverse mix of housing which will support the future population growth and changing household needs in Neutral Bay Town Centre.
- Extensive community benefits through a new public plaza destination where people will gather, socialise and choose to stay.
- The delivery of a through site link that will revitalise the ground plane and further open up the site to connect residential catchments to the south and east.
- Significant public domain upgrades to achieve a completely new and reinvigorated street level outcome, supporting fine-grain, activation and permeability.
- Optimal employment outcomes for the site, given that it is unlikely to be redeveloped under the current planning controls.
- A valuable contribution to the revitalisation of a cluster of ageing and detracting buildings, located on a prominent corner within the Neutral Bay and the Military Road Corridor.
- A substantial amount of additional local jobs that will help stimulate the local economy contribute to the areas post-COVID economic recovery.

This Planning Proposal is considered justified for the following reasons:

- The proposal generally aligns with Council's vision and intent for the Neutral Bay town centre, as set out in the MRCPS and the Future Directions Report for Neutral Bay ;
- The proposal is consistent with the objectives of the EP&A Act, in that it promotes the orderly and economic use and development of land;
- The proposal will deliver a significant benefit to the site in the form of a new 1,100m<sup>2</sup> town square and pedestrian through-site link;
- The proposal is consistent with the strategic planning framework for the site;
- The development concept which the Planning Proposal aims to facilitate is suitable for the site with limited planning issues as follows:
  - the development concept will help reinforce the role of the Neutral Bay town centre;
  - the development concept will deliver design excellence;
  - the development concept will not result in unacceptable amenity impact when considered against the built form outcome espoused under the MRCPS and Future Directions Report;
  - the development concept will have not result in an unacceptable impact on the local road network; and
  - the development will deliver new jobs and housing in a location well served by infrastructure and public transport.

- The proposal is consistent with the applicable SEPPs and Ministerial Directions. .

The site is a sizeable, latent, highly appropriate location for such a proposal. This Planning Proposal demonstrates that it can suitably accommodate Woolworth's vision to deliver a high-quality mixed-use scheme anchored by a best in class supermarket, whilst also minimising environmental impacts and delivering a built form that responds to the context and aspirations for the Neutral Bay town centre. More broadly, this report outlines that the Planning Proposal has demonstrable strategic and site-specific merit and will deliver the vision and implementation of Council's MRCPS, given it supports greater density for employment generating uses and delivery of significant public benefits.

In light of the above, we would have no hesitation in recommending that the Planning Proposal proceed through the Gateway to public exhibition.

## 11.0 Project Timeline

Once the planning proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the planning proposal's process.

**Table 16** below outlines the anticipated timeframe for the completion of the planning proposal.

**Table 16 Anticipated timeframe to Planning Proposal process**

Milestone	Anticipated timeframe
Lodgement of Planning Proposal	December 2022
Assessment of Planning Proposal by Council	January 2023 – April 2023
Rezoning Review Process	June 2023 – March 2024
Referral to Minister for review of Gateway determination	March 2024
Date of issue of the Gateway determination	March 2024
Commencement and completion dates for public exhibition period	April 2024 – May 2024
Commencement and completion dates for government agency notification	April 2024 – May 2024
Consideration of submissions	June 2024
Consideration of planning proposal post exhibition and associated report to Council	July 2024
Submission to the Department to finalise the LEP	August – December 2024
Notification of instrument	January 2025