



# Planning Proposal

Mixed-Use Development

183-185 Military Road, Neutral bay

Prepared for  
Equitibuild Pty Ltd

30 March 2023 (Revision B)

# ppd | planning consultants

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# 1.0 INTRODUCTION

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## 1.1 Background

The proponent is seeking an amendment to North Sydney Local Environmental Plan (NSLEP) 2013 after receiving pre-lodgement advice from North Sydney Council.

This Planning Proposal has been prepared by PPD Planning Consultants on behalf of Equitibuild Pty Ltd (the **Proponent**) to amend NSLEP 2013. This proposal describes the outcome and justification for amending NLEP 2013 and is the key part of the LEP making process as set out under Division 3.4 of the Environmental Planning & Assessment Act (EP&A Act) 1979.

This Proposal relates to lands identified as 183-185 Military Road, Neutral Bay (the **Subject Site**). Figure 3 provides an aerial view of the subject site.

The Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act 1979 and having due consideration to the provisions of the *Local Environmental Plan Making Guideline September 2022* prepared by Department of Planning, Industry and Environment.

## 1.2 Supporting Documentation

### 1. Neutral Bay Village Planning Study (NBVPS)

Adopted by North Sydney Council in April 2024, *"This planning study has been prepared by North Sydney Council with input from community and external consultants to guide future growth in Neutral Bay local centre, protect retail and commercial uses, and deliver much-needed public domain and community infrastructure."* The site at 183-185 Military Road is within the Neutral Bay local centre.

The stated aims of the NBVPS are:

- address the ongoing decline of the employment-generating floorspace under existing planning controls
- leverage a range of public benefits and public domain improvements from planned and targeted growth
- maintain and enhance the local character and amenity of the Neutral Bay village.

The stated vision for the Neutral Bay Local Centre in this Study is as follows:

*Neutral Bay will continue to develop as a vibrant local centre that meets the needs and aspirations of the community. New mixed-use development will offer a variety of retail, commercial and outdoor dining opportunities that create an economically strong centre with a lively atmosphere.*

*A network of high amenity public open spaces, pedestrian-friendly laneways and community facilities will support residents, workers, students and visitors of all ages and ability to gather, rest, and socialise.*

The key principles of the NBVPS are

1. Deliver infrastructure through VPAs
2. Provide diverse community facilities

3. Protect heritage character and identity
4. Support local businesses
5. Improve pedestrian amenity
6. An integrated open space network

The subject site, along with the adjoining 'Woolworths' site at 1-7 Rangers Road, Neutral Bay are identified in the NBVPS as opportunity select site 3 where:

- A landowner-initiated planning proposal (PP) and voluntary planning agreement (VPA) may be considered, and
- taller mixed-use buildings can be supported whilst providing much needed new open space or community facilities.

Key requirements relating to the subject site include:

- Planning control changes to a maximum 8-storey building heights
- Planning control changes to a minimum 1.2:1 non-residential Floor Space Ratio (FSR).
- Public benefits to be negotiated via a planning agreement to support the planning proposal.
- An amendment to the design guidance contained in the NSDCP 2013 aimed at protecting the vibrancy and village atmosphere of Neutral Bay local centre

**Figure 1** below is from the NBVPS and shows an aerial of indicative development envelopes including the subject site, show as Site 3A.

Figure 1. Illustrative building envelope



Source: NBVPS

## 2. Urban Design Report

Prepared by Allen Jack + Cottier Architects Pty Ltd the Urban Design Report (UDR) report dated 23 April 2025 accompanies this proposal and advocates for the strategic planning vision developed in the Neutral Bay Village Planning Study to be delivered in this area of the Neutral Bay Town Centre.

The report summarises:

- the existing statutory and strategic planning framework that applies to the subject site,
- provides an overview of the subject site's immediate and larger context,
- analysis of the adjoining planning proposal (and subsequent rezoning) submitted by Woolworths, and
- outlines the design proposal for 183-185 Military Road that forms the basis of this Scoping Proposal along with the proposed changes to the North Sydney Planning Framework required to facilitate its delivery.

The report states the structure plan for the subject site proposes to:

- Develop a mixed-use tower on a prominent corner that accommodates the demand for new public domain as well as retail, commercial and residential floor space.
- Increase community facilities to address a local deficit and replace existing aging facilities.
- Provide setbacks on Military Road to increase the shelter available for people using buses, and space for passers-by to walk alongside lines of waiting commuters.
- Locate buildings to provide access to a future adjoining plaza that has visual and physical connections to Military Road.
- Create a public bike parking station to support use of the buses.

The UDR is accompanied by solar analysis specifically addressing the impact of overshadowing on any north facing windows in any residential properties in Yeo Street.

## 3. Transport Assessment

Prepared by JMT Consulting the transport assessment accompanies this application and summarises the traffic and transport implications of the Planning Proposal. Specifically, the assessment considers the following items:

- Existing transport conditions, including:
  - Surrounding road network
  - Vehicle site access
  - Car parking
  - Loading and servicing arrangements
  - Public transport provision
  - Pedestrian and cycling network
- Proposed site access arrangements
- Proposed vehicle loading and servicing arrangements

- Proposed parking rates to be adopted as part of a future development application for the site, including indicative parking numbers based on the reference scheme prepared by AJC Architects
- Additional traffic movements resulting from the Planning Proposal and impacts to the adjacent road network
- Public transport, walking and cycling measures.

### 1.3 Scoping Proposal

A scoping meeting was held with Council officers on Thursday 6<sup>th</sup> October 2022 where council was provided with a preliminary Urban Design Report that aligned with the requirements of the now rescinded Military Road Corridor Planning Study (MRCPS) Stage 1 in terms of building height, non- residential FSR, setbacks, community facility and vision for the future plaza.

The outcomes of the scoping meeting can be summarised as follows:

- Council staff reinforced the primary intent of the rescinded MRCPS was to deliver public benefits and maintain employment opportunities, activate the town centre and provide high-quality local amenities.
- It was stressed that for a successful scheme to progress on this site, the rescinded MRPCS required both landowners who comprise “opportunity site 3” to cooperate and collaborate.
- Council staff are currently working on a revised Neutral Bay Town Centre Planning Study that is likely to be completed by the end of 2023.
- Council advised irrespective of site-specific issues and feedback, in the absence of an endorsed Study, a Planning Proposal would not be supported in the current Policy context.

Council provided the following matters for further consideration:

#### Setbacks

Setbacks of 2.5m and 1.5m to Military Road and Military Lane should relate to the whole building (including basement structures) to allow deep soil zones to support large tree canopies.

Upper-level building setbacks to comply with ADG requirements.

#### Overshadowing

Concern is expressed on the far-reaching shadows the proposed scheme will cast to the south-west and south-east of the subject site, and in particular to the site at 50 Yeo Street.

Upper-level building setbacks to comply with ADG requirements.

The proposed tower form should demonstrate how it has been designed (increased setbacks and articulation) to minimise overshadowing to the public plaza, particularly between 12-2pm when the plaza is likely to be used the most.

The proposed built form should demonstrate improvements to solar access to the surrounding public domain compared to existing controls.

A more detailed solar analysis with tables and diagrams is required.

The proposal should quantify its impacts and clearly indicate whether surrounding developments will retain at least 2 hours solar access between 9am-3pm in mid-winter.

Parking, access and loading facilities

Council's approach (as per the North Sydney Transport Strategy) is to minimise the amount of on-site parking and support active transport through the provision of end of trip facilities and car share facilities within future developments.

The Planning Proposal should be accompanied by a detailed Traffic and Parking Assessment and Green Travel Plan.

It is recommended negotiations be re-commenced with adjoining landowner at 1-7 Rangers Road (Woolworths) to achieve a coordinated design response with respect to basement and loading facilities, including the provision of any public parking.

Public Benefits/Voluntary Planning Agreement

It is Council's expectation that a public benefit be provided that is commensurate with the increase in development potential of the site.

It is recommended negotiations be re-commenced with the adjoining landowner (Woolworths) to achieve a coordinated design response with respect to the delivery of the proposed public benefits including, new public domain (public plaza, through-site link and setbacks), community facility, bicycle parking and any public parking.

## 2.0 SITE DESCRIPTION AND LOCATION

### 2.1 Site Description and Location

**Table 1** provides a brief description and location summary of the subject site.

**Table 1.** Site Description and Location Summary

<b>Street Address</b>	183-185 Military Road, Neutral bay
<b>Legal Description</b>	Lot 1 DP34803 and Lots A and B DP322525
<b>Site Area</b>	1,294.9m <sup>2</sup>
<b>Brief Site Description</b>	<p>Very predominant corner site comprising two amalgamated sites (refer Figure 3).</p> <p><u>183 Military Road (Lots A and B DP322525)</u></p> <p>Currently occupied by retail premises with an approximate floor area of 200m<sup>2</sup>. The shops have a two-storey frontage to Military Road and covered car parks to the rear with access off Military Lane (refer Figure 3).</p> <p><u>185 Military Road (Lot 1 DP34803)</u></p> <p>Currently occupied by retail premises on the ground floor with an approximate cumulative floor area of 485m<sup>2</sup> and two (2) commercial levels above with an approximate cumulative floor area of 1,160m<sup>2</sup>. A concrete paved open parking area is located to the rear of the site with access off Military Lane (refer Figure 4).</p>
<b>Urban Context</b>	<p>The site is located in the heart of Neutral Bay and is surrounded by a mix of long standing commercial, retail and residential land uses (refer Figures 4 &amp; 6). The site is adjacent Woolworths Neutral Bay Village and has convenient access to:</p> <ul style="list-style-type: none"><li>• Shops/Restaurants;</li><li>• Essential services; and</li><li>• Public transport.</li></ul>
<b>Topography</b>	Generally flat, along topmost part of the ridge following Military Road.
<b>Services</b>	All relevant utility services including water, sewer, electricity, gas and telephone are available and connected to the subject property.

**Figure 2** provides a perspective view of the subject site in a broader regional context.



Figure 2. Regional context of subject site



Source: Military Road Corridor Planning Study Stage 1 – North Sydney Council

**Figure 3** provides an aerial view of the subject site (outlined in red) located on the corner of Military Road and Rangers Road and in the context of surrounding development. This includes

- Woolworths shopping centre adjacent the south-east boundary
- Commercial development to the eastern boundary (refer Figure 3)
- Commercial development to the south (across Military Lane)

Figure 3. Aerial view of subject site



**Figures 4 & 5** provide street views of the site from Military Road (front) and Military Lane (rear) respectively.

Figure 4. Street view of site from Military Road (front)



Figure 5. Street view of site from Military Lane (rear)





**Figure 6** provides some local urban context with examples of existing mixed-use development in the immediate vicinity of the subject site.

Figure 6. Local urban context



## 2.2 Public Transport

The subject site is conveniently located directly in front of three (3) separate bus stops on Military Road known as Stand A, Stand B and Stand C. Each stand provides numerous high-frequency bus services (including B-Line) that travel to:

- Sydney CBD
- North Shore
- Northern Beaches (as far as Palm Beach; and
- Western Suburbs (ie Sydenham)

## 2.3 Relevant Planning Proposals

In preparing this Proposal due consideration has been given to the Planning Proposal (PP-2022-4350) recently submitted by Fabcot Pty Ltd (Woolworths) for the adjoining site at 1-7 Rangers Road and 50 Yeo Street, Neutral Bay shown outlined in red in **Figure 7**.

The Planning proposal received a Gateway determination on 25/03/2024 and subsequent amendments to North Sydney Local Environmental Plan (LEP) 2013 were published on 19/03/2025.

Figure 7. Local urban context



Source: Woolworths

The amendments to the LEP include increasing the permissible height of buildings on the site from 16m to part 26m (6-storeys) and part 31m (8-storeys) and increasing the minimum non-residential FSR on the site from 0.5:1 to 1.8:1.

These amendments seek to facilitate a redevelopment of the site to include:

- 62 dwellings;
- 3,289m<sup>2</sup> for a new supermarket in the 1st basement level;
- 1,466m<sup>2</sup> for retail; and
- 2,417m<sup>2</sup> for commercial floorspace.

## 2.4 Relevant Development Approvals

The following notice of determination for approval was issued for the subject site.

Development Application Number:	307/18
Land to which this applies:	183-185 Military Road, Neutral Bay Lot No.: A, DP: 322525
Applicant:	Equitibuild Pty Ltd C/- PBD Architects Pty Ltd
Proposal:	Demolition of existing structures and construction of a shop top housing development with a communal rooftop terrace and basement car parking.

Date of Determination:	2 October 2019
Consent will lapse on:	8 October 2024

The following are the key numerical standards for the approved development

<b>Levels</b>	6
<b>Building height</b>	21.213m (top of lift overrun)
<b>Non-residential FSR</b>	1.25:1
<b>Apartments</b>	26

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## 3.0 STATUTORY CONTEXT

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The following key provisions of North Sydney Local Environmental Plan (NSLEP) 2013 are relevant to this Planning Proposal.

### 3.1 Aims of Plan

Clause 1.2 of NSLEP 2013 outlines the aims of the LEP as follows:

- (1) This Plan aims to make local environmental planning provisions for land in North Sydney in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*
- (2) The particular aims of this Plan are as follows:*
  - (a) to promote development that is appropriate to its context and enhances the amenity of the North Sydney community and environment,*
  - (b) in relation to the character of North Sydney's neighbourhoods:*
    - (i) to ensure that new development is compatible with the desired future character of an area in terms of bulk, scale and appearance, and*
    - (ii) to maintain a diversity of activities while protecting residential accommodation and local amenity, and*
    - (iii) to ensure that new development on foreshore land does not adversely affect the visual qualities of that foreshore land when viewed from Sydney Harbour and its tributaries,*
  - (c) in relation to residential development:*
    - (i) to ensure that new development does not adversely affect residential amenity in terms of visual and acoustic privacy, solar access and view sharing, and*
    - (ii) to maintain and provide for an increase in dwelling stock, where appropriate,*
  - (d) in relation to non-residential development:*
    - (i) to maintain a diversity of employment, services, cultural and recreational activities, and*
    - (ii) to ensure that non-residential development does not adversely affect the amenity of residential properties and public places, in terms of visual and acoustic privacy, solar access and view sharing, and*
    - (iii) to maintain waterfront activities and ensure that those activities do not adversely affect local amenity and environmental quality,*
  - (e) in relation to environmental quality:*
    - (i) to maintain and protect natural landscapes, topographic features and existing ground levels, and*
    - (ii) (ii) to minimise stormwater run-off and its adverse effects and improve the quality of local waterways,*
  - (f) to identify and protect the natural, archaeological and built heritage of North Sydney and ensure that development does not adversely affect its significance,*

- (g) to provide for the growth of a permanent resident population and encourage the provision of a full range of housing, including affordable housing.

## 3.2 Land Use Table

The Planning Proposal applies to land in the MU1 Mixed Use zone. The relevant objectives and provisions of the MU1 zone are as follows:

### 1 Objectives of zone

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To create interesting and vibrant mixed use centres with safe, high quality urban environments with residential amenity.
- To maintain existing commercial space and allow for residential development in mixed use buildings, with non-residential uses concentrated on the lower levels and residential uses predominantly on the higher levels.

### 2 Permitted without consent

Nil

### 3 Permitted with consent

Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Entertainment facilities; Function centres; Hostels; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Sex services premises; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals

### 4 Prohibited

Any other development not specified in item 2 or 3

## 3.3 Building Height

Clause 4.3 of NSLEP 2013 sets maximum building heights for all land identified on the Height of Buildings Map. In relation to the subject site, it states the maximum building height is 16 metres.

The objectives of Clause 4.3 are as follows:

- (a) to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,
- (b) to promote the retention and, if appropriate, sharing of existing views,



- (c) to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,*
- (d) to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,*
- (e) to ensure compatibility between development, particularly at zone boundaries,*
- (f) to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area,*
- (g) to maintain a built form of mainly 1 or 2 storeys in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone E4 Environmental Living.*

### 3.4 Non-residential Floor Space Ratios

Clause 4.4A of NSLEP 2013 sets maximum non-residential floor space ratios for all land identified on the Non-Residential Floor Space Ratio Map. In relation to the subject site, it states the maximum non-residential floor space ratio is 0.5:1.

The objectives of Clause 4.4A are as follows:

- (a) to provide for development with continuous and active street frontages on certain land in Zone E1 Local Centre, Zone MU1 Mixed Use and Zone SP2 Infrastructure,*
- (b) to encourage an appropriate mix of residential and non-residential uses,*
- (c) to provide a level of flexibility in the mix of land uses to cater for market demands,*
- (d) to ensure that a suitable level of non-residential floor space is provided to promote employment and reflect the hierarchy of commercial centres.*

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## 4.0 CONCEPT PROPOSAL

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### 4.1 Project Description

The accompanying Urban Design Report (UDR) provides a detailed description of the design proposal for the subject site that has been driven by a number of project specific urban design principles which are applied to the site in a structure plan and finally developed into an indicative design proposal including site plan, floor plans and proposed building envelope".

In summary, the project is described as:

- A mixed-use 12-storey tower on Military Road that will consist of:
  - retail uses on the ground level to activate frontages and increase safety.
  - Commercial levels on 2 & 3
  - Residential uses on levels 4 & above, including provision of affordable housing
  - Basement level retail to increase total retail offering, and
  - Basement parking estimated at 4 levels.
- Building setbacks to increase public space on Military Road.
- Upper-level setbacks to maintain the existing street wall, reduce building bulk and allow for sunlight to the plaza and adjacent buildings.
- A public bike parking facility integrated with the ground level of the building.
- Combined vehicular access for parking and loading provided off Military Lane.
- Tower footprint that allows for natural sunlight and ventilation.

The UDR has been updated in response to the comments from council in response to the scoping proposal. In particular the UDR provides:

- Indicative floor plans identify high-level compliance with the NSW Apartment Design Guide.
- Detailed shadow analysis illustrating the proposed 12-storey tower will create a marginal increase in overshadowing (<2 hours) of any properties on Yeo St or nearby properties.
- Shadow Analysis of the Plaza showing a significant improvement to plaza amenity compared to the outcome available if the DA for 183-185 Military Road was delivered as approved.
- Further solar analysis dated 15 August 2024 detailing overshadowing impacts to north facing windows of residential properties along Yeo Street.
- Comparison of the proposal against the provisions of the Neutral Bay Village Planning Study.

### 4.2 Public Benefit

An offer to enter a Voluntary Planning Agreement (VPA) accompanies this proposal. This offer will be subject to further discussions and negotiations with

Council and is proposed to include, but not necessarily limited to, the following.

- Additional 2.5m wide setback along Military Road frontage.
- Increased setback along eastern boundary forming a plaza on grade fronting Rangers Road (approximately 150m<sup>2</sup>).
- Additional increase in non-residential floor space (ie 2.0:1 +).
- Provision of 5% of the total potential residential development uplift as affordable housing.
- public bike parking facility integrated with the ground level of the building.

### 4.3 Site-Specific Development Control Plan

On 9 December 2024 amendments to North Sydney Development Control Plan 2013 came into effect specifically incorporating site specific controls relating to land at 183-185 Military Road and 1-7 Rangers Road & 50 Yeo Street, Neutral Bay.

The Council's stated primary purpose of the amendments to the DCP "... is to provide added guidance following the adoption of Council's Neutral Bay Village Planning Study and the progression of two separate Planning Proposals at 183-185 Military Rd and 1-7 Rangers Road & 50 Yeo Street, Neutral Bay".

The site-specific controls incorporated in the amended DCP relate to the following matters:

- diversity
- form, massing, and scale
- setbacks
- podium height
- above-podium setbacks
- public plaza
- through-site link
- activation
- access
- landscaping



## 5.0 PLANNING PROPOSAL

### 5.1 Part 1 - Objectives and intended outcomes

#### Objective

1. Amend the North Sydney LEP 2013 to provide for the urban renewal of the subject site at 183-185 Military Road, Neutral Bay to accommodate a mixed-use development that ranges in building height from 6 to 12 storeys and introduces a minimum 2:1 non-residential floor space ratio.
2. Provision of community benefits, including 5% affordable housing, through a Voluntary Planning Agreement.

#### Intended outcomes

- Provide for urban renewal that provides increased and improved housing options, including affordable housing, close to public transport and shopping.
- Support local jobs and local shopping opportunities by providing
  - additional non-residential floor space, and
  - retail floor space at ground and commercial floor space above.
- Support provision of future public plaza.
- Improve pedestrian amenity and access between Military Road and Yeo Street.
- Deliver public bicycle parking.
- Support the village atmosphere of the Neutral Bay Town Centre.

### 5.2 Part 2 - Explanation of provisions

The planning proposal will be achieved by amending NSLEP 2013 as detailed in **Table 2** below:

**Table 2.** Existing and Proposed NSLEP development controls

Provision	Existing NSLEP 2013 Control	Proposed NSLEP 2013 Control
Zone	MU1 Mixed-Use	MU1 Mixed-Use
Height of Building	16 metres	44 metres
Non-residential FSR	0.5:1	2:1

The planning proposal will require the existing *Height of Building Map* and existing *Non-Residential Floor Space Ratio Map* to be amend as detailed in **Figure 8** below.

Figure 8. Proposed Changes to NSLEP 2013 Mapping



Source: Urban Design Report prepared by AJC Architects

### 5.3 Part 3 - Justification of strategic and site-specific merit

This section provides a detailed assessment of the proposal's strategic and site-specific merit to determine whether the planning proposal should be supported.

The following sub-sections address the assessment criteria detailed in the *Local Environmental Plan Making Guideline September 2022* prepared by Department of Planning, Industry and Environment.

Following sections A and B provide detail on how the proposal has strategic merit by aligning with the NSW strategic planning framework. The proposal addresses all relevant principles, objectives and actions in the relevant strategic plans and in particular gives effect to the Neutral Bay Village Planning Study prepared by North Sydney Council.

Following sections C, D and E identify the potential environmental, social and economic impacts of the proposal and demonstrates how the proposal has site-

specific merit and is suitable for the site and the site is suitable for the resultant development.

### 5.3.1 Section A – Need for the planning proposal

#### 1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

Yes. The Planning Proposal responds to the Neutral Bay Village Planning Study (NBVPS).

The NBVPS has been prepared to guide future development, protect existing employment opportunities through carefully managed height increases within the town centre, and deliver much-needed improvements to the public domain and community facilities.

The endorsed objectives of the planning study are to:

1. address the decline of employment in the centre which results from Council's current planning controls.
2. facilitate carefully planned development including targeted modest increases in height and density while maintaining and enhancing the village atmosphere of the centre.
3. secure a range of community benefits from planned and limited growth.
4. ensure that the scale of growth proposed, has a better balance between development height and the provision of additional public open space compared with the Military Road Corridor Planning Study, which was rescinded in 2022.

The Neutral Bay Village Planning Study was adopted by Council on 27 May 2024.

**Table 3** provides commentary on how the Planning Proposal aligns with the key features of the Planning Study.

**Table 3.** Planning Proposal consistency with key features of the NBVPS

Key Features	Comments
<b>New public spaces</b> <ul style="list-style-type: none"> <li>new 3,000m<sup>2</sup> Grosvenor Plaza new 1,000m<sup>2</sup> Rangers Road Plaza</li> <li>new laneways</li> </ul>	<p>The Planning Proposal directly contributes to the creation of a Rangers Road Plaza on adjoining property fronting Rangers Road (Woolworths site) and will expand the footpath depth along Military Road to address overcrowding at B-Line and local bus stops.</p> <p>Overall, the Planning Proposal aligns with the public realm outcomes in the adopted NBVPS.</p>
<b>New and upgraded community facilities</b> <ul style="list-style-type: none"> <li>new 1,000m<sup>2</sup> community centre</li> <li>upgraded existing community centre</li> </ul>	<p>The Planning Proposal does not include the provision of a community facility and does not compromise the creation of a new community centre and the upgrade of the existing community centre.</p>

<p><b>Improved access and road safety</b></p> <ul style="list-style-type: none"> <li>• underground Grosvenor Lane car park</li> <li>• through-site link upgrades</li> <li>• footpath widening at Military Road bus stops</li> <li>• Investigation into pedestrian crossing improvements</li> <li>• new cycleway and bicycle facilities</li> </ul>	<p>The Planning Proposal provides Improved pedestrian amenity with Increased 2.5m whole of building setback to Military Road and through-site link to Yeo Street.</p> <p>Public bike parking facility integrated with the ground level of the building is proposed as part of the VPA offer.</p>
<p><b>Protected employment</b></p> <ul style="list-style-type: none"> <li>• increased minimum non-residential floor space (FSR) control to 1.2:1 or 1.5:1</li> </ul>	<p>The Planning Proposal provides for an increased non-residential floor space (FSR) of 2.0:1 that is significantly greater than the minimum 1.5:1 proposed in the NBVPS. This will help address the decline of employment in the centre which results from Council's current planning controls.</p> <p>Based on a workspace ratio for all industry sectors of 32m<sup>2</sup> per worker (City of Sydney Floor space and employment survey 2022) the existing development at 183-185 Military Road can accommodate approximately 57 jobs on site while the Planning Proposal can accommodate an increased 79 jobs (+38.5%).</p>
<p><b>Built form character and amenity</b></p> <ul style="list-style-type: none"> <li>• increased maximum height limit to 6 storeys for most of the mixed-use zone</li> <li>• affordable housing</li> <li>• built form design guidelines</li> </ul>	<p>The NBVPS envisages 6 storey maximum height limit for most of the mixed-use zone but not for all the zone. The NBVPS proposes a maximum 8-storey height limit for the subject site.</p> <p>Planning Proposal will provide for 12-storey (44m) residential tower for the subject site that appears slender and maximises above podium habitable facades to all sides.</p> <p>Amendments to North Sydney LEP for the adjoining Woolworths site include increasing the permissible height of buildings on the site from 16m to part 26m (6-storey) and part 31m (8-storey).</p> <p>In accordance with relevant site-specific objectives in the North Sydney Development Control Plan 2013 relating to form, massing and scale, this Planning Proposal will</p> <ul style="list-style-type: none"> <li>• ensure that density and scale is concentrated toward Military Road and provides a positive transition in height and scale down to the adjoining residential areas along Yeo Street.</li> <li>• maximise year-round solar access to existing and new public open spaces to be created in the Planning Area</li> <li>• minimise overshadowing impacts on residential development to the south of Yeo Street.</li> </ul>

	The Planning Proposal will contribute to the future revitalisation of the Neutral Bay Town Centre envisioned by Council to maintain the much-loved village atmosphere of the Neutral Bay Town Centre.
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**2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way**

Yes. Following consideration of the following options this planning proposal is considered the only means of achieving the objectives and outcomes described in s5.1 of this proposal.

**Option 1 – Redevelop the site under the adopted NBVPS**

This option involves development of the site under the provisions of the current adopted NBVPS. This option, while seeing some limited increase in the provision of diverse housing options, will not provide for the necessary increase in housing, jobs and the delivery of community benefits envisaged as part of this Planning Proposal.

**Option 2 - Do Nothing**

Consideration was also given to doing nothing. Having due consideration to the years already spent from 2018 working with Council on the initial strategy, the possibility of the site remaining in its current state is not considered a real option because it will not achieve redevelopment of the site that supports:

- Increased supply of jobs,
- Increased supply of diverse housing, and most importantly
- Delivery of community benefits that will see the future revitalisation of the Neutral Bay Town Centre envisioned by Council staff.

**5.3.2 Section B – Relationship to the strategic planning framework**

**3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?**

Yes. The planning has been assessed to give effect to the objectives and actions of the following applicable regional and district plan:

Greater Sydney Region Plan – A Metropolis of Three Cities

As described on the Greater Cities Commission website:

*The Greater Sydney Region Plan (the Plan), A Metropolis of Three Cities:*

- *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*
- *informs district and local plans and the assessment of planning proposals*
- *assists infrastructure agencies to plan and deliver for growth and change and to align their infrastructure plans to place-based outcomes*
- *informs the private sector and the wider community of the growth management and infrastructure investment intentions of government.*

**Table 4** provides commentary on how the planning proposal gives effect to the ten (10) high level policy directions for Greater Sydney that inform the relevant District Plan, Local Planning Strategy and assessment of planning proposals.

**Table 4.** Planning Proposal consistency with Greater Sydney Region Plan

Directions	Comments
A city supported by infrastructure	<p>The Planning Proposal is supported by the recent completion of the B-Line Program, “an integrated package of service and infrastructure improvements designed to provide more reliable journeys between Mona Vale and the Sydney CBD”. The B-Line includes improvements to the road corridor and implementation of bus priority measures that have significantly improved reliability of bus services, particularly along Military Road.</p> <p>A key feature of the B-Line is ten (10) modern bus stops. One is directly in front of the subject site and the provision of a wider public domain along the frontage of the subject site will significantly improve the convenience of the B-Line.</p> <p>The Planning Proposal will provide for new development that is supported by infrastructure that contributes directly to the increased 30-minute access to a metropolitan centre.</p>
A collaborative city	The planning Proposal will not impact on the attainment of the objectives relating to this policy direction.
A city for people	The Planning Proposal puts people at the heart of planning by placing development where it will have direct walkable access to public transport infrastructure and the Neutral Bay town centre. The proposal will contribute to the development of a mixed-use neighbourhood that is close to a centre and efficient public transport and will improve the opportunity for people to walk and cycle to schools, local shops and services. As identified in the Plan “enhancing the safety, convenience and accessibility of walking and cycling trips has many benefits including healthier people, more successful businesses and centres and reduced traffic congestion”.
Housing the city	The proposal will yield approximately 43 residential dwelling units comprising a mix of 1, 2 & 3 bedroom units and affordable housing units. The dwelling units will be strategically located in relation to public transport and the Neutral Bay Town Centre and will play a role in enhancing the vibrancy and vitality of the town centre.
A city of great places	The Planning Proposal will not impact on the attainment of the objectives relating to this policy direction.
A well-connected city	A key outcome of this Planning Proposal is the integration of land use, transport and infrastructure planning delivering more people who will have 30-



	minute public transport access to one of the three metropolitan centres/cluster and to services in their nearest strategic centre seven days a week.
Jobs and skills for the city	<p>The Planning Proposal will provide a significantly increased 2.0:1 non-residential floor space that will deliver:</p> <ul style="list-style-type: none"> <li>• retail stores, cafes or restaurants at ground level creating job opportunities in these service industries; and</li> <li>• high level commercial floor space on the levels above the ground floor retail that will contribute to jobs growth in the Neutral Bay Town Centre.</li> </ul> <p>As detailed in Table 3, the existing development at 183-185 Military Road can accommodate approximately 57 jobs on site while the Planning Proposal can accommodate an increased 79 jobs (+38.5%).</p>
A city in its landscape	The planning Proposal will not impact on the attainment of the objectives relating to this policy direction.
An efficient city	The proposal will deliver a modern mixed-use development that is more environmentally sustainable than the current development on the subject site.
A resilient city	The proposal is not affected by flooding and will adapt to a changing world by minimising exposure to natural hazards. The proposal will be better designed and constructed to assist people adapt to climate change.

### North District Plan

District plans help councils plan and deliver for growth, change and align local planning strategies to place-based outcomes. The district plans are meant to be *“a guide for implementing the draft Greater Sydney Region Plan at a district level and are a bridge between regional and local planning”*.

Under the North District Plan the subject site is strategically located within the Neutral Bay Town Centre.

**Table 5** provides a summary of how the Planning Proposal gives effect to the relevant planning priorities of the North District Plan.

**Table 5.** Planning Proposal consistency with North District Plan

Planning Priority	Comments
<p><b>A city supported by infrastructure</b></p> <p><b>N1</b> Planning for a city supported by infrastructure</p>	This District Plan responds to major transport, health and education investments such as the B-Line program.

	<p>As mentioned previously, the Planning Proposal is supported by the recent completion of the B-Line Program, “an integrated package of service and infrastructure improvements designed to provide more reliable journeys between Mona Vale and the Sydney CBD”. The B-Line includes improvements to the road corridor and implementation of bus priority measures that have significantly improved reliability of bus services, particularly along Military Road.</p> <p>The Planning Proposal will provide for new development that is supported by infrastructure that contributes directly to the increased 30-minute access to a metropolitan centre.</p>
<p><b>A city for people</b></p> <p><b>N4</b> Fostering healthy, creative, culturally rich and socially connected communities</p>	<p>The planning Proposal will not impact on the attainment of the objectives relating to this policy direction.</p>
<p><b>Housing the city</b></p> <p><b>N5.</b> Providing housing supply, choice and affordability with access to jobs, services and public transport</p>	<p>The Planning Proposal puts people at the heart of planning by placing development where it will have direct walkable access to public transport infrastructure and the Neutral Bay town centre.</p> <p>The proposal will contribute to the development of a mixed-use neighbourhood that is close to a centre and efficient public transport and will improve the opportunity for people to walk and cycle to schools, local shops and services. As identified in the Plan “enhancing the safety, convenience and accessibility of walking and cycling trips has many benefits including healthier people, more successful businesses and centres and reduced traffic congestion”.</p>
<p><b>A city of great places</b></p> <p><b>N6</b> Creating and renewing great places and local centres, and respecting the District’s heritage</p>	<p>The proposal will yield approximately 44 residential dwelling units comprising a mix of 1, 2 and 3 bedroom units.</p> <p>The dwelling units will be strategically located in relation to public transport and the Neutral Bay Town Centre and will play a role in enhancing the vibrancy and vitality of the town centre.</p>
<p><b>A well-connected city</b></p> <p><b>N12</b> Delivering integrated land use and transport planning and a 30-minute city</p>	<p>A key outcome of this Planning Proposal is the integration of land use, transport and infrastructure planning delivering more people who will have 30-minute public transport access to one of the three metropolitan centres/cluster and to services in their nearest strategic centre seven days a week.</p>
<p><b>A city in its landscape</b></p> <p><b>N20</b> Delivering high quality open space</p>	<p>The planning Proposal will not impact on the attainment of the objectives relating to this policy direction.</p>



**4. Is the planning proposal consistent with council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?**

Yes. The following provides an assessment of the planning proposal's consistency with Council's Local Strategic Planning Statement, endorsed Local Housing Strategy 2019 (and supplement) and endorsed Neutral Bay Village Planning Study.

Local Strategic Planning Statement (LSPS)

The stated intent of the Council's LSPS is to:

- *provide a 20-year vision for land use planning within the North Sydney LGA (to 2036);*
- *outline how expected growth and change will be managed now and into the future – the desired future direction for housing, employment, transport, recreation, environment and infrastructure in the North Sydney LGA;*
- *guide the content of Council's Local Environmental Plan (LEP) and Development Control Plan (DCP), including any future changes to planning controls sought by proponents through Planning Proposals; and*
- *identify where further strategic planning work is required to deliver on key state and regional planning objectives.*

**Table 6** provides commentary on how the Planning Proposal aligns with the relevant local planning priorities in the LSPS.

**Table 6.** Planning Proposal consistency with the LSPS

Local Planning Priority	Comments
<b>Liveability</b>  L1 – Diverse housing options that meet the needs of the North Sydney community	The Planning Proposal provides for housing that supports North Sydney's growing and changing population with a range of housing types and tenures. This new housing is in the right location because: <ul style="list-style-type: none"> <li>• It has easy access to the existing shopping facilities and services along Military Road and nearby shopping centres; and</li> <li>• It is strategically located to public transport with B-line bus stop and route immediately in front of the subject site.</li> </ul>
L2: Provide a range of community facilities and services to support a healthy, creative, diverse and socially connected North Sydney community	The Planning Proposal takes a people-focused approach to planning and place-making by providing: <ul style="list-style-type: none"> <li>• Improved public domain with Increased 2.5m whole of building setback to Military Road</li> <li>• Activation of the Military Road frontage</li> <li>• Public commuter bicycle parking facility</li> </ul>

	This approach will help protect the desired future character of the Neutral Bay town centre.
L3 – Create great places that recognise and preserve North Sydney's distinct local character and heritage	<p>The proposal contributes to the creation of a great place and renewal of the Neutral Bay Town Centre with the provision of a people focused development that has been previously endorsed by Council officers recommendations.</p> <p>The North Sydney LSPS specifically identifies the Military Road corridor and the commencement of the planning study that will become "a planning framework against which Planning Proposals may be assessed and measured which will both contribute to the desired future character of the corridor/precinct and make a tangible contribution to the public domain, community infrastructure or other identified public benefits".</p>
<p><b>Productivity</b></p> <p>P3 – Enhance the commercial amenity and viability of North Sydney's local centres</p> <p>P6 – Support walkable centres and a connected, vibrant and sustainable North Sydney</p>	<p>The Planning Proposal provides increased space for commercial office and retail land uses and generally improves the safety, amenity, services and overall appeal of Neutral Bay town centre with the people-focused approach to development as described in L2 above.</p> <p>The Planning Proposal provides significant support to walking, cycling and public transport use to reduce traffic congestion and the demand for on-street parking in the Neutral Bay Town Centre.</p> <p><b>Walking</b> - Improved public domain with Increased 2.5m whole of building setback to Military Road and through-site link to Yeo Street.</p> <p><b>Cycling</b> – provision of public commuter bicycle parking facility.</p> <p><b>Public transport use</b> – B-line bus stop and route immediately in front of the subject site.</p>
<p><b>Sustainability</b></p> <p>S2 – Provide a high quality, well-connected and integrated urban greenspace system</p>	<p>Planning Proposal will Improve North Sydney's tree canopy cover by providing a 2.5m whole of building setback to Military Road to support planting of trees that will support a healthy environment and community wellbeing.</p>
S3 – Reduce greenhouse gas emissions, energy, water and waste	<p>Planning Proposal will provide for development of a building that will contribute to net-zero emissions by 2050 through mitigating climate change, reducing waste generation, energy and water usage.</p>

### Local Housing Strategy (LHS)

The stated intent of Council's LHS is to detail how and where housing will be provided in North Sydney to meet the targets set out in the Greater Sydney Commission's North District Plan.

At the time of preparing the LHS, North Sydney Council was required to meet the North District Plan 0-5 year housing target of 3000 dwellings, deliver a 6-10 year housing target to meet anticipated demand, contribute to the Districts 20 year target and inform affordable housing targets.

In the LHS the Housing Vision is to be achieved through the long-term goals, the 'Objectives' for housing in North Sydney LGA. The LHS objectives, set out alignment with regional and district plan requirements, deliver on community and stakeholder priorities and are informed by the evidence.

**Table 7** provides commentary on how the Planning Proposal aligns with the Local Housing Strategy objectives for housing.

**Table 7.** Planning Proposal consistency with the LHS

Housing Objectives	Comments
1. Achieve the directions, objectives and actions identified in A Metropolis of Three Cities (GSC, 2018) and the North District Plan (GSC, 2018).	<p><b>Table 4</b> provides commentary on how the planning proposal gives effect to the ten (10) high level policy directions for Greater Sydney that inform the relevant District Plan, Local Planning Strategy and assessment of planning proposals.</p> <p><b>Table 5</b> provides a summary of how the Planning Proposal gives effect to the relevant planning priorities of the North District Plan.</p>
2. Delivery of 0-5 and 6-10 year housing supply targets and identify capacity to contribute to the District's 20-year strategic housing target.	The Planning Proposal will provide for much needed additional housing that will make a significant contribution to meeting housing targets that North Sydney Council are reportedly failing to meet.
3. Inform housing diversity and affordability issues in North Sydney.	<p>A key challenge and opportunity is to ensure that a portion of housing stock is affordable and diverse.</p> <p>The LHS has identified "a clear housing supply gap for key worker housing and affordable housing for the very low- and low-income households".</p> <p>Through the mechanism of a Voluntary Planning Agreement, the Planning Proposal will provide for 5% affordable housing.</p>
4. Identify the right locations for mandated housing growth, including an understanding of areas that are unsuitable for significant change in the short to medium term and support the role of centres.	<p>The Planning Proposal is in Neutral Bay, an area that North Sydney Council, in the Neutral Bay Village Planning Study has identified as the right location to:</p> <ul style="list-style-type: none"> <li>- address the decline of employment in the centre which results from Council's current planning controls.</li> <li>- facilitate carefully planned development including targeted modest increases in height</li> </ul>

	<ul style="list-style-type: none"> <li>- and density while maintaining and enhancing the village atmosphere of the centre.</li> </ul> <p>secure a range of community benefits from planned and limited growth.</p>
5. Coordinate growth with the planning and delivery of local and State infrastructure and planned precincts.	The Planning Proposal will support the achievement of coordinated growth with the managed and phased delivery of housing in the planned Neutral Bay precinct.
6. Manage residential development growth to ensure that ad hoc Planning Proposals are rejected if not in line with Council's strategic framework to manage growth.	<p>The LHS and overarching LSPS form the strategic framework and direction for managing housing growth within North Sydney LGA.</p> <p>This Planning Proposal is not ad hoc because it is generally in line with Council's strategic framework to manage growth in an area that has been identified by Council to accommodate future housing growth.</p> <p>The assessment of this Planning Proposal has considered the redevelopment of the wider Neutral Bay precinct and how the future of this precinct may develop.</p>

#### Local Housing Strategy Supplement

In mid-2024, the NSW Government released new dwelling completion targets for each local government area. North Sydney was set a revised target of 5,900 dwelling completions over the next five years (2024-2029).

This supplement is considered by Council to be consistent with the overarching goal of the existing LHS and seeks to deliver housing that meets the needs of a growing population through three key strategic directions. The following provides a response to how the Planning Proposal complies with these strategic directions (shown in bold and italics):

#### ***Strategic Direction 1: Support the delivery of affordable and diverse housing***

The Planning Proposal will deliver affordable and diverse housing in a centre that is the right location because:

- *It has easy access to the existing shopping facilities and services along Military Road and nearby shopping centres; and*
- *It is strategically located to public transport with B-line bus stop and route immediately in front of the subject site.*

#### ***Strategic Direction 2: Provide additional dwellings to meeting housing targets***

The Planning Proposal will provide much needed additional dwellings to meet new NSW Government dwelling completion target for North Sydney of 5,900 over the five years to 2029. This includes the provision of 5% affordable housing.

The proposal will address emerging challenges relating to

1. housing supply, affordability, quality and amenity, and
2. the impacts of dwelling vacancies, decreasing household sizes, the rise of short-term accommodation.

**Strategic Direction 3: Protect the amenity of our LGA through design excellence and provision of appropriate infrastructure in growth areas**

Future development will achieve a high standard of architectural design, materials and detailing appropriate to the building type and location having due regard to the provisions of the relevant Local Environmental Plan, Development Control Plan and State Environmental Planning Policies.

The Planning Proposal is very well located in relation to the provision of appropriate infrastructure including shopping, services and public transport including the B-line bus service.

**Neutral Bay Village Planning Study (NBVPS)**

The stated intent of the NBVPS is “to guide future development, protect existing employment opportunities through carefully managed height increases within the town centre, and deliver much-needed improvements to the public domain and community facilities”.

The endorsed objectives of the planning study are to:

1. address the decline of employment in the centre which results from Council's current planning controls.
2. facilitate carefully planned development including targeted modest increases in height and density while maintaining and enhancing the village atmosphere of the centre.
3. secure a range of community benefits from planned and limited growth.
4. ensure that the scale of growth proposed, has a better balance between development height and the provision of additional public open space compared with the Military Road Corridor Planning Study, which was rescinded in 2022.

**Table 8** provides commentary on how the Planning Proposal aligns with the key features of the Planning Study.

**Table 8.** Planning Proposal consistency with the key features of NBVPS

Key Features	Comments
1. Achieve the directions, objectives and actions identified in A Metropolis of Three Cities (GSC, 2018) and the North District Plan (GSC, 2018).	<p><b>Table 4</b> provides commentary on how the planning proposal gives effect to the ten (10) high level policy directions for Greater Sydney (A Metropolis of Three Cities) that inform the relevant District Plan, Local Planning Strategy and assessment of planning proposals.</p> <p><b>Table 5</b> provides a summary of how the Planning Proposal gives effect to the relevant planning priorities of the North District Plan.</p>
2. Delivery of 0-5 and 6-10 year housing supply targets and identify capacity to contribute to the District's 20-year strategic housing target.	The Planning Proposal will provide for much needed additional housing that will make a significant contribution to meeting housing targets that North Sydney Council are reportedly failing to meet.

3. Inform housing diversity and affordability issues in North Sydney.	<p>A key challenge and opportunity is to ensure that a portion of housing stock is affordable and diverse.</p> <p>The LHS has identified “a clear housing supply gap for key worker housing and affordable housing for the very low- and low-income households”.</p> <p>Through the mechanism of a Voluntary Planning Agreement, the Planning Proposal will provide for 5% affordable housing.</p>
4. Identify the right locations for mandated housing growth, including an understanding of areas that are unsuitable for significant change in the short to medium term and support the role of centres.	<p>The Planning Proposal is in Neutral Bay, an area that North Sydney Council, in the Neutral Bay Village Planning Study has identified as the right location to:</p> <ul style="list-style-type: none"> <li>- address the decline of employment in the centre which results from Council’s current planning controls.</li> <li>- facilitate carefully planned development including targeted modest increases in height and density while maintaining and enhancing the village atmosphere of the centre.</li> <li>- secure a range of community benefits from planned and limited growth.</li> </ul>
5. Coordinate growth with the planning and delivery of local and State infrastructure and planned precincts.	<p>The Planning Proposal will support the achievement of coordinated growth with the managed and phased delivery of housing in the planned Neutral Bay precinct.</p>
6. Manage residential development growth to ensure that ad hoc Planning Proposals are rejected if not in line with Council’s strategic framework to manage growth.	<p>The LHS and overarching LSPS form the strategic framework and direction for managing housing growth within North Sydney LGA.</p> <p>This Planning Proposal is not ad hoc because it is in line with Council’s strategic framework to manage growth in an area that has been identified by Council to accommodate future housing growth.</p> <p>The assessment of this Planning Proposal has considered the redevelopment of the wider Neutral Bay precinct and how the future of this precinct may develop.</p>

**5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

There are no further State and regional studies or strategies that are considered applicable to this Planning Proposal.

**6. Is the planning proposal consistent with applicable SEPPs?**

Yes. **Table 9** below provides an assessment of the Planning Proposal against the relevant State Environmental Planning Policies (SEPPs) and confirms the proposal is consistent with the applicable SEPPs.



**Table 9.** Assessment of Planning Proposal against relevant SEPPs

SEPP	Comments	Consistency
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>This Policy requires that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated.</p> <p>Historically the subject site has been used for commercial purposes and it is considered that the risk of land being contaminated is very low and the site is suitable for the proposed development. Notwithstanding, any potential contamination issues will be addressed appropriately at any future DA stage.</p>	✓
State Environmental Planning Policy (Transport and Infrastructure) 2021	<p>Development has frontage to Military Road with annual average daily traffic volume of more than 40,000 vehicles.</p> <p>Vehicular access to the land will be provided by a road (Military Lane) other than the classified road (Military Road) and the final design of the development will include measures to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent Military Road.</p>	✓
State Environmental Planning Policy (Housing) 2021	<p>The primary principle of this Policy is to enable the development of diverse housing types. The proposal can provide diverse housing types as part of any future DA that will</p> <ul style="list-style-type: none"> <li>• provide residents with a reasonable level of amenity in a location where it will make good use of existing public transport infrastructure (B-Line bus) and services, and</li> <li>• reinforcing the importance of designing housing in a way that reflects and enhances its locality.</li> </ul> <p>Chapter 4 of the Housing SEPP aims to improve the design of residential apartment development in NSW. The Urban Design Report that accompanies this proposal provides a preliminary assessment of how the development complies with the key design requirements of the Apartment Design Guide (ADG).</p> <p>More detailed assessment of the proposal will be undertaken as part of any future development application, including referral to the North Sydney Design Excellence Panel for advice on the quality of the design of the development.</p>	✓
State Environmental Planning Policy (BASIX) 2004	<p>The NSW Government has established the BASIX scheme to encourage sustainable residential development.</p> <p>Subject to carrying out development in accordance with a future schedule of BASIX commitments, the proposed development will be capable of providing sustainable residential development.</p>	✓

**7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?**

Yes. **Table 10** below provides an assessment of the Planning Proposal against the relevant Ministerial Directions and confirms the proposal is consistent with the Directions.

**Table 10.** Assessment of Planning Proposal against relevant Ministerial Directions

Direction	Comments	Consistency
<b>Focus Area 1: Planning Systems</b>		
1.1 Implementation of Regional Plans	Table 4 details how the Planning Proposal is consistent with the Greater Sydney Region Plan.	✓
1.3 Approval and Referral Requirements	<p>The Planning Proposal does not</p> <ul style="list-style-type: none"> <li>include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</li> <li>identify development as designated development.</li> </ul>	✓
1.4 Site Specific Provisions	The planning Proposal does not contain unnecessarily restrictive site-specific planning controls.	✓
<b>Focus Area 4: Resilience and Hazards</b>		
4.4 Remediation of Contamination Land	The Planning Proposal does not propose to change the MU Mixed Use zoning of the subject land or the uses that are currently permitted within the MU zone.	✓
<b>Focus Area 5: Transport and Infrastructure</b>		
5.1 Integrating Land Use and Transport	<p>The Planning Proposal is consistent with the aims, objectives and principles of <i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001)</i>, and <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i> because:</p> <ul style="list-style-type: none"> <li>The proposal will provide a mix of commercial and residential land uses; and</li> <li>The B-line service, an express rapid bus route with only 8 stops between Mona Vale and Wynyard, has one stop directly outside 183 Military Road; and</li> <li>The proposal will maximise the use of the public transport network.</li> </ul>	✓



Focus Area 6: Housing		
6.1 Residential Zones	<p>The MU zone permits significant residential development.</p> <p>The Planning Proposal provides for housing that will:</p> <ul style="list-style-type: none"> <li>• broaden the choice of building types and locations available in the housing market, and</li> <li>• make more efficient use of existing infrastructure and services, and</li> <li>• reduce the consumption of land for housing and associated urban development on the urban fringe, and</li> <li>• will be of good design.</li> </ul> <p>The subject site is adequately serviced for the proposed development.</p> <p>The Planning Proposal does not contain provisions which will reduce the permissible residential density of land.</p>	✓
Focus Area 7: Industry and Employment		
7.1 Business and Industrial Zones	<p>The Mixed Use zone permits significant business development.</p> <p>The planning proposal gives effect to the objectives of this direction because</p> <ul style="list-style-type: none"> <li>• It encourages employment growth in suitable locations by increasing the non-residential floor space from 0.5:1 up to 2.0:1,</li> <li>• protects employment land in the MU zone, and</li> <li>• supports the viability of identified Neutral Bay town centre.</li> </ul>	✓

### 5.3.3 Section C – Environmental, social and economic impact

#### 8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

No. The land subject to the proposal is located in a built-up urban area and does not have the potential to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

#### 9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

There are no other likely environmental effects of the planning proposal that require to be managed.

**10. Has the planning proposal adequately addressed any social and economic effects?**

Yes. As mentioned previously, this Planning Proposal has been prepared in direct response to, and in general compliance with, the recommendations of the Neutral Bay Village Planning Study.

The Planning Study provided a comprehensive framework that was expected to lead and guide future development in the Neutral Bay Town Centre. In setting this framework, the Study adequately addressed any social and economic effects by specifically addressing

- precinct character
- built form and potential impacts
- transport and access
- economic and demographic context
- employment capacity
- public domain and social infrastructure.

**5.3.4 Section D – Infrastructure (Local, State and Commonwealth)**

**11. Is there adequate public infrastructure for the planning proposal?**

Yes. The site is located in a built-up urban area that is very well served by public transport (B-line bus route along Military Road), infrastructure and services. More detailed investigations will be undertaken as part of any future DA to determine whether upgrades are required to existing public infrastructure to enable the proposed development to proceed.

**5.3.5 Section E –State and Commonwealth interests**

State and Commonwealth public authorities will make their views known as part of the consultation process that will occur as part of the Gateway determination of the Planning Proposal.

**5.4 Maps**

**Figure 8** identifies the site subject to the planning proposal and the proposed amendments to the existing *Height of Building Map* and existing *Non-Residential Floor Space Ratio Map*.

**5.5 Community consultation**

The Gateway determination will specify the duration and extent of public exhibition required with the period between 20 December and 10 January (inclusive) excluded from the calculation of a period of public exhibition.

The Gateway determination may also identify the need for the planning proposal to be referred to one or more authorities and government agencies for comment. It is envisaged the following public authorities will need to be consulted as part of any public exhibition:

- Sydney Water
- Transport for NSW

- Telecommunication providers
- Gas providers
- Electricity providers

## 5.6 Part 6 – Project timeline

**Table 11** provides a project timeline detailing the anticipated timeframe for the LEP making process in accordance with the benchmarks in the *Local Environmental Plan Making Guideline September 2022* prepared by Department of Planning, Industry and Environment (Table 2).

**Table 11.** Anticipated timeframe for the LEP making process

Stage (inc. key steps)	Anticipated timeframe
<b>Stage 1 – Pre-lodgement</b> Scoping proposal and meeting	Completed
<b>Stage 2 – Planning Proposal</b> Lodgement of PP Planning assessment by council Local planning panel advice and Council resolution	Completed
<b>Stage 3 - Gateway determination</b> Submitting PP for Gateway determination Department review Issue Gateway determination	Completed
<b>Stage 4 – Post-Gateway</b> Post-Gateway determination review (ie action Gateway conditions prior to public exhibition)	May 2025
<b>Stage 5 – Public Exhibition &amp; Assessment</b> Public Exhibition Response to submissions Post-exhibition evaluation Resolution for finalisation	August 2025
<b>Stage 6 - Finalisation</b> Finalisation as LPMA Finalisation package requirements Checking the finalisation package Making the LEP	December 2025

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## 6.0 CONSIDERATION OF COUNCIL ISSUES

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As detailed in s1.3 of this proposal, a scoping meeting was held with Council officers where a preliminary Urban Design Report (UDR) for the subject site was provided.

The following provides a response to the specific matters Council identified needed further consideration:

### Setbacks

Setbacks of 2.5m and 1.5m to Military Road and Military Lane relate to the whole building (including basement structures) to allow deep soil zones to support large tree canopies.

High level NSW Apartment Design Guide (ADG) compliance assessment is provided in s4.7 of the accompanying UDR. With the support of indicative floor plans, the assessment confirms

- upper-level building setbacks comply with ADG requirements,
- 77% of the apartments receive a minimum of 2 hours solar access during 9-3pm on June 21<sup>st</sup> (exceeds ADG guidance of 77%). and
- 64% are naturally cross-ventilated (exceeds ADG guidance of 60%).

### Overshadowing

The UDR that accompanies this proposal:

- Confirms upper-level building setbacks comply with ADG requirements (refer 4.7 of UDR), and
- Provides a more detailed solar analysis with tables and diagrams (refer s4.8 & s4.9 of UDR).

The detailed solar analysis demonstrates how the Planning Proposal will deliver significantly improved solar access to any future plaza associated with the Woolworths site compared to the approved DA for the subject site. In particular, the solar access table in the UDR shows this improvement to be +38%, +37% and +30% at 12noon, 1pm and 2pm respectively when the plaza is likely to be used the most.

The solar analysis in the UDR (s4.8) clearly indicates how surrounding developments will retain at least 2 hours solar access between 9am-3pm in mid-winter. Particular attention is also given to the potential redevelopment of the existing commercial development at 50 Yeo Street as envisaged in the Military Road Corridor Planning Study. An elevational study undertaken of overshadowing caused by the indicative design in this Planning Proposal shows that most of the affected facade of a redeveloped 50 Yeo Street could still support north-facing living rooms that receive 2-hours sunlight per day.

Further solar analysis in support of the Planning Proposal dated 15 August 2024 accompanies this application. The solar analysis confirms this Planning Proposal does not result in any further overshadowing of any north facing windows in any residential properties in Yeo Street. The shadow from this Planning Proposal is largely contained within the shadow created from the Gateway approval for the neighbouring Woolworths Planning Proposal for 1-7 Rangers Road and 50 Yeo Street.

#### Parking, access and loading facilities

The Planning Proposal is accompanied by a detailed Transport Assessment that includes a Green Travel Plan.

The Planning Proposal will support public and active transport modes with:

- the provision of end of trip facilities and car share facilities,
- the provision of significantly reduced levels of car parking when compared to that permitted under North Sydney Council controls, and
- travel demand management measures suggested in the Green Travel Plan to improve the mode share of public transport and active transport will be considered further at subsequent stages of the project.

#### Public Benefits/Voluntary Planning Agreement

An offer to enter into a Voluntary Planning Agreement accompanies this proposal (refer s4.2). It is expected that public benefit will be provided that is commensurate with the increase in development potential of the site.

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## 7.0 CONCLUSION

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The planning proposal has been prepared in support of proposed amendments to *North Sydney Local Environmental Plan 2013* to facilitate the redevelopment of 183-185 Military Road, Neutral Bay. The amendments specifically relate to increasing the maximum building height standard from 16 metres to 44 metres (12 storeys) and increasing the non-residential floor space ratio standard from 0.5:1 to 2.0:1. No change to the existing zoning is proposed.

The basis of this Planning Proposal is a shared vision with North Sydney Council to enable redevelopment of the site that will:

- Support local jobs, local shops and housing opportunities
- Create a new public plaza fronting Rangers Road
- Improve pedestrian amenity and access between Rangers Rd and Yeo St.
- Deliver public bicycle parking and public parking
- Support the village atmosphere.

The Planning Proposal demonstrates strategic merit because it is underpinned by a strategic planning study that was endorsed by Council and does not undermine the ability to achieve the objectives and actions of high-level strategic planning policies relating to the site, including:

- Greater Sydney Regional Plan
- North District Plan, and
- North Sydney Local Strategic Planning Statement

The Planning Proposal presents a sound strategic planning outcome because:

- It will deliver public benefit outcomes that are not compromised.
- Will not undermine the development potential of the adjoining Woolworths site, and the provision of a new public plaza and improved pedestrian amenity.
- Will result in a significant increase in commercial floor space compared to that provide in the current approval for the site.
- It is supported by a robust evidence-based planning strategy, and
- It responds to Council's and the communities expressed desire to see revitalisation and renewal of the Neutral Bay Town Centre.

The Planning Proposal demonstrates site specific merit because:

- It is strategically located along Military Road and within the Neutral Bay Town Centre with immediate access to the new B-line bus route
- It will not detrimentally impact on the amenity of the residential neighbourhood along Yeo Street, and
- It will compliment the further development of the Woolworths site in accordance with the vision of the Neutral Bay Village Planning Study.

We recommend the planning Proposal proceed through the Gateway process to public exhibition.