

26 October 2022

Mr Michael Cassel
Secretary
Department of Planning and Environment
12 Darcy Street
PARRAMATTA NSW 2150

Dear Mr Cassel,

REZONING REVIEW REQUEST – PLANNING PROPOSAL PP-2022-1933
1 – 7 Rangers Road & 50 Yeo Street, Neutral Bay

On behalf of our client and the proponent, Fabcot Pty Ltd (Woolworths), we hereby seek a Rezoning Review in relation to a Planning Proposal lodged with North Sydney Council (Council) for land located at 1 – 7 Rangers Road & 50 Yeo Street, Neutral Bay. The Planning Proposal was formally lodged with Council on 9 May 2022 and sought to amend the North Sydney Local Environmental Plan 2013 (LEP) 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. The proposed rezoning is intended to facilitate a mixed use development comprising approximately 3,949m² of non-residential gross floor area (GFA), 3,311m² of supermarket GFA, 12,682m² of residential floor area, and the delivery of significant community benefits in the form of a 65 dedicated public parking spaces and a new 1,013m² public plaza and through site link.

This request for a Rezoning Review is submitted on the basis that Council has resolved to not support the Planning Proposal proceeding to Gateway Determination. 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.

Following lodgement of the Planning Proposal, Woolworths held two community information drop-in sessions in Neutral Bay on 11 August 2022 and 13 August 2022. These sessions provided the community (30 members attended) an opportunity to meet with Woolworths and the broader project team, to ask questions and provide feedback on the proposal. Key feedback received included support for the proposal and concerns regarding height and traffic impacts. Following this a newsletter was distributed to 21,000 community members and businesses in the area updating the plans to reduce height based on feedback received at the information sessions.

In light of this feedback from the community, Woolworths advised the 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. Further details on the proposed amended scheme are provided in **Attachment H**.

For absolute clarity, the Sydney North Planning Panel is to consider the original Planning Proposal as lodged and determined by the North Sydney Council. The proposed amended scheme (**Attachment F** and detailed in **Attachment H**) accompanies this letter and is an additional consideration for the Sydney North Planning Panel. It seeks to effectively address Council's key concerns and matters raised from the local community. Therefore, the proponent requests the Sydney North Planning Panel takes into consideration the Proponent's willingness to progress with the amended scheme when reviewing the Planning Proposal and making its decision on whether the project can proceed to Gateway Determination.

To assist the Panel in its consideration of the Planning Proposal please find attached to this letter:

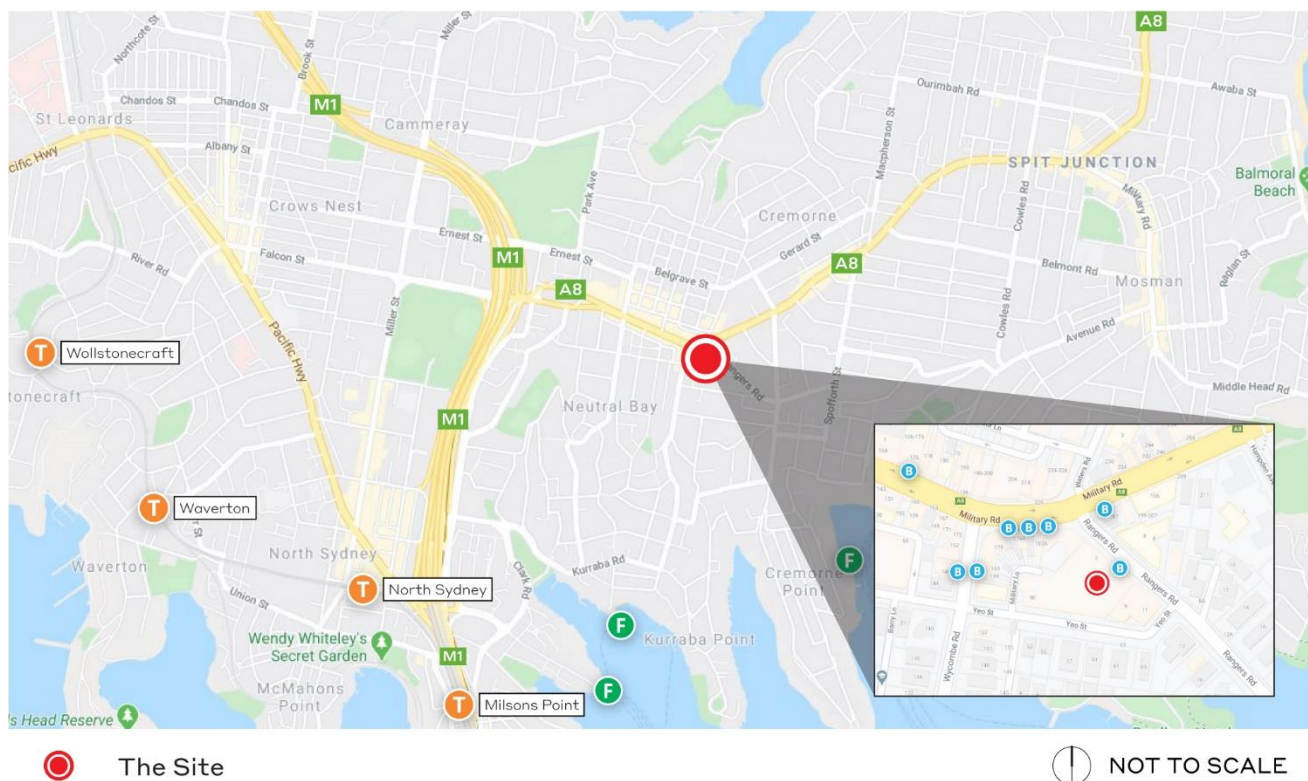
- A completed Rezoning Review Application Form (**Attachment A**);
- A copy of the Planning Proposal including all supporting documentation that was submitted to Council (**Attachment B**);
- A copy of Council's resolution relating to this planning proposal (**Attachment C**);
- A copy of Council's planning assessment relating to this planning proposal (**Attachment D**);
- A copy of Fabcot's letter seeking to amend the proposal submitted to Council (**Attachment E**);
- An architectural package of the proposed amended scheme (**Attachment F**);
- A copy of the North Sydney Local Planning Panel's resolution minutes (**Attachment G**); and
- Proposed amended scheme letter (**Attachment H**).

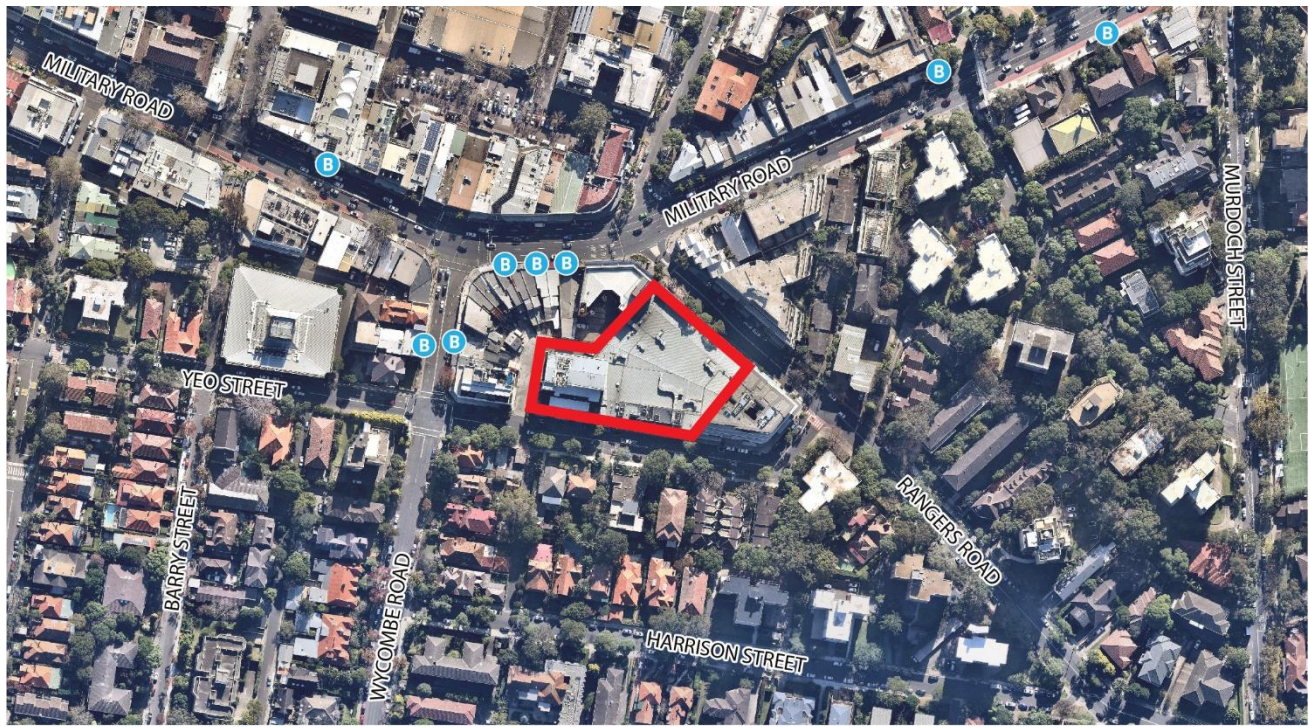
1.0 Site overview

The subject 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. The site is irregular in shape and comprises 3 allotments identified as Lots 1, 2 and 3 in DP 1091373. Woolworths owns the stratum-subdivided lot at 1-7 Rangers Road and has an option over 50 Yeo Street, Neutral Bay, providing a total site area of 4,207m².

Located just 5km north of the Sydney CBD, within Sydney's Lower North Shore, the site's location within 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.

Notably, the site is highly accessible with various public transport connections available within walking distance. The site is within convenient proximity on Military to three bus stands that provide numerous high-frequency bus services that travel to the Sydney CBD, greater North Shore, Northern Beaches and Western Suburbs.





 The Site



NOT TO SCALE

Figure 2 Site Aerial

Source: Ethos Urban / Nearmap

2.0 Background and History

In accordance with the Local Environmental Plan Making Guideline, this Rezoning Review is submitted on the basis that Council has resolved to not support the Planning Proposal to proceed to Gateway Determination.

For the past four years, Woolworths has worked with Council's planning team to identify opportunities for the redevelopment of the site to support Council's vision for the future revitalisation of the Neutral Bay Town Centre. This was undertaken through an extensive and detailed process of Council led planning studies focused on the Military Road Corridor since May 2018.

An outline of that extensive work undertaken to date is provided below.

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 also identified that the Neutral Bay Town Centre is dominated by heavy commuter traffic on Military Road, which represents a major barrier between the northern and southern sides of the centre. The introduction of the B-Line has also removed the parking buffer between pedestrians and the road carriageway, creating a harder interface between passing traffic and pedestrians and resulting in a perception of increased danger. These factors together with an ageing building stock has resulted in Neutral Bay town centre being in steady decline over the past 20 years. As a result, there is a pressing need to improve the quality of the public domain and building stock, and provide new places and spaces that will help reinstate Neutral Bay as a vibrant, engaging and welcoming centre.

With this in mind, 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.

Woolworths (the majority landholder group for the subject site) made a submission on October 2019 in response to the Stage 1 Objectives and Analysis Paper of the Military Road Corridor Planning Study (the MRCPS). The submission advised the Council of Woolworth's strong support for the proposed 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 advocated for increased height and FSR to enable the provision of 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, following public exhibition, the *Future Directions Report* was endorsed and 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 (1,000m²)
- Deliver 1,250m² new public domain including:
 - A 1,000m² 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

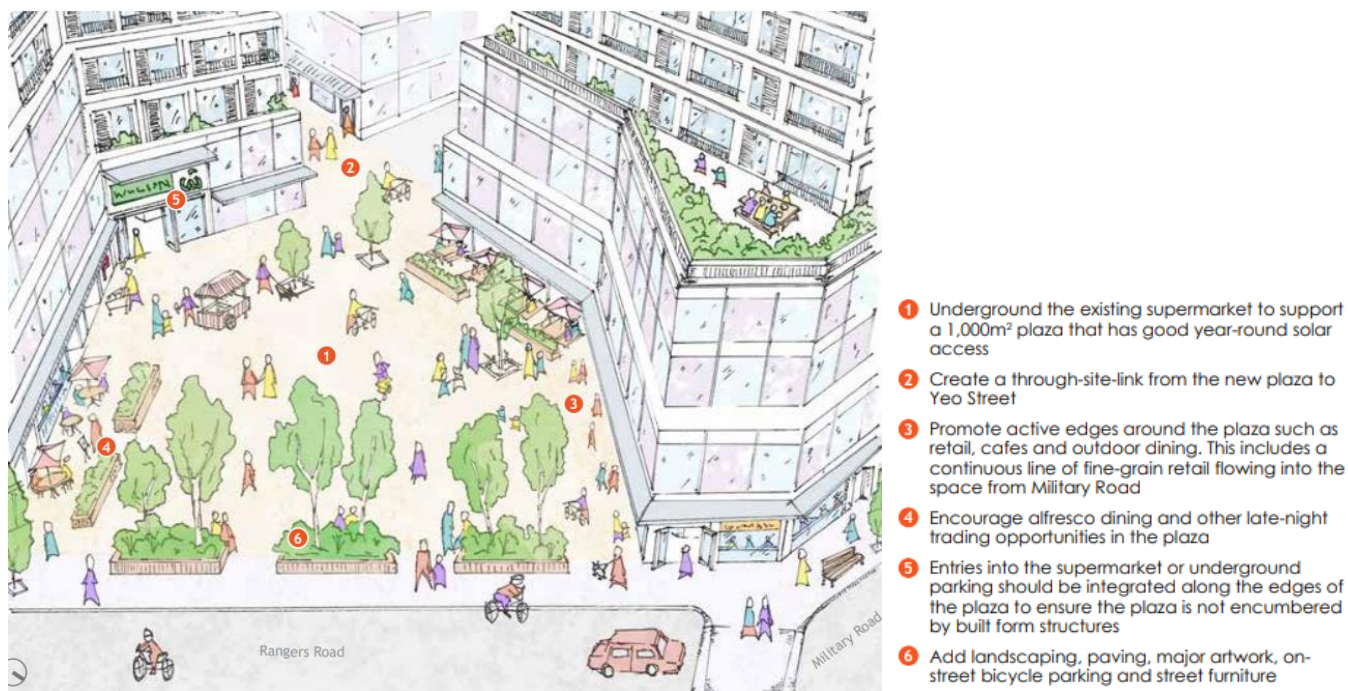


Figure 4 Artist's impression of the future Ranger Road Plaza

Source: North Sydney Council

Following this extensive work by Council and its endorsement in April 2021, Woolworths advanced its plans for the site to commence the process of delivering the vision set out in these documents. In doing so Woolworths had regular discussions and meetings with Council officers to explore the proposition for the subject site and work through design matters.

Following the local elections in December 2021, the newly formed Council and the decision to rescind council's former endorsement was passed 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, Woolworths had 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 Council and occurred one month prior to Woolworth's planned lodgement of its Planning Proposal, having spent nine (9) months pulling the package together following the Council's formal endorsement of the MRCPS in April 2021.

Given the extensive work and time that has gone into preparing the Planning Proposal, Woolworths elected to lodge its Planning Proposal as the Woolworths business is unable to wait a further 1-2 years for Council to update its MRCPS and the Future Directions Report for Neutral Bay. Notably, Woolworths own 1-7 Rangers Road and have the option over 50 Yeo Street. Through consolidated holdings the site stands on its own merits, the site represents the best opportunity for Council to achieve a renewal and activation on a single ownership site, with the appropriate balance of open space, height and employment opportunities.

The site-specific Planning Proposal that has been submitted is designed to reflect the intent of the planning study, aimed at delivering a new public plaza for the town centre and providing a built form outcome generally consistent with that espoused in the previous Council endorsed documents. Woolworths is committed to delivering a high-quality renewal outcome that will significantly improve the amenity of Neutral Bay Town Centre and positively enhance the area's overall vitality and vibrancy.

2.2 Preparation and lodgement of the Planning Proposal

Since early 2020, Woolworths 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, Woolworths 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 meetings with Council regarding the site-specific planning proposal, including:
 - Meetings in 2020 to discuss progress of the MRCPS and the Woolworth's plans for its land.
 - 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 the 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.

Following the newly elected Council's decision to rescind the prior endorsement of the Military Road Corridor Strategy and Future Directions Report, discussions with Council's officers could not further advance.

2.3 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. The initial step was undertaking 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.

Activities	Details / community feedback
Near neighbour doorknock and local business street walk: <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>	Feedback included: <ul style="list-style-type: none">• The area needs this, and it sounds like it would be great.• The proposed plans would be great for customers who walk here from the surrounding streets.• The area is run down and needs an upgrade.• The existing Woolworths carpark is an obvious community asset, and the additional spaces being proposed would be a clear public benefit.
Community newsletter – letterbox drop <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>

Activities	Details / community feedback
<p>Two community information sessions</p> <p><i>Woolworths hosted two community information sessions on 13 and 15 August 2022. There were around 15 locals in attendance at each session.</i></p>	<p>Feedback included:</p> <ul style="list-style-type: none"> • Traffic, access and parking <ul style="list-style-type: none"> o Military Road is already heavily congested and can't handle an increase, traffic assessments should also have been conducted through the AM peak. o Concern about additional traffic movements due to additional residential use and expanded car parking. o Having one access point on Yeo St will cause a lot of traffic block resident access to their driveways. o Concerns regarding safety - dangerous having the entry point so close to the public school, drivers undertaking dangerous manoeuvres due to congestion. • Height and built form <ul style="list-style-type: none"> o Seen as out of keeping with the local area and would set a precedent for future development: "Chatswood or St Leonards in Neutral Bay". o Concern about overshadowing on Yeo St properties. o Cynicism that 10 storeys would not be adhered to. o When asked, most people identified 5-6 stories as being acceptable (in line with the neighbouring Muse Apartments). o Some support for the architectural design. o 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.
<p>Community newsletter – providing an update on proposed plans</p> <p><i>On 12 September 2022, a community newsletter was distributed to more than 21,000 businesses and residents surrounding the site.</i></p>	<p>The newsletter included an overview of how the proposal has been changed and retained following community feedback.</p> <p>Feedback included:</p> <ul style="list-style-type: none"> • Enquiry regarding connection for cyclists. • Interest in leasing commercial space. • Support for the revised height – noting Woolworths has listened to community feedback.
<p>Engagement email and 1,800</p> <p><i>Urbis Engagement received 10 emails and five phone calls between March and September 2022.</i></p>	<p>Feedback included:</p> <ul style="list-style-type: none"> • Three separate enquiries from residents noting that they would prefer the Rangers Road Woolworths to be replaced with a Big W store. • Many residents noted that they drive to Warringah Mall to do shopping and something closer would be convenient. • It looks interesting, and with the arrangement is pleasing. • 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. • The outdoor public plaza, new cafes and restaurants would be of dubious utility as it would be largely overshadowed by the building. • 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.

2.4 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 concept design 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.

2.4.1 Request for a Rezoning Review

In accordance with the *Local Environmental Plan Making Guide*, the proposal is eligible for a Rezoning Review on the following basis:

- In response to (a), the Planning Proposal is providing additional housing supply, employment and providing significant public benefits on site, in the form of a new public plaza and through site link (1,013m²) and basement car park including 65 public car parking spaces within close proximity to public transport. Such an outcome is consistent with the strategic policy framework as set out within the Greater Sydney Region Plan, North District Plan, Military Road Corridor Planning Strategy, Future Transport Strategy 2056, Draft Housing Study and Local Strategic Planning Statement. Further assessment is provided in **Section 4.0** below.
- In response to (b), the Planning Proposal has site specific merit as it is not subject to any significant environmental constraints nor does it contain any heritage items on site or is within a heritage conservation area. The proposal supports Council and the local community's desired interest for the revitalisation and renewal of Neutral Bay town centre. The proposed concept has been the subject of an extensive iterative design review process, culminating in a design outcome that appropriately responds to the site's surrounding context and its site-specific constraints and opportunities. It will ultimately deliver a built form outcome that is consistent with the desired built form character of the area as identified under Council's MRCPS, and which was designed to preserve the amenity of the surrounding area. The existing services and infrastructure are also capable of being augmented to accommodate the proposed development and local development contributions. These are envisaged to be delivered in accordance with any Section 7.11 or 7.12 Development Contributions Plan at the Development Application stage.

The Rezoning Review process was introduced by the Department of Planning and Environment with the following objectives:

- To provide a mechanism for applicants to have Council rezoning decisions reviewed;
- To ensure decisions on planning proposals that are well located, planned, and assist housing and job supply can be independently reviewed; and
- To increase transparency and provide greater certainty in plan making.

This request is consistent with these objectives as:

- a) The planning proposal seeks to deliver on Council's intended outcomes for the site as identified under Council's Military Road Corridor Planning Strategy (MRCPS) and LSPS, where it supports the ongoing growth of the area and delivers significant public benefits to Neutral Bay Town Centre and its users, while ensuring the retention of public amenity.
- b) The planning proposal documentation submitted to Council and discussed further in this letter, clearly demonstrates the site has both strategic and site-specific merit. The site is strategically located within close proximity to a range of public transport connections including three separate bus stops located on Military Road which provide numerous high-frequency bus services that travel to the Sydney CBD, greater North Shore, Northern Beaches and Western Suburbs.
- c) A site-specific DCP has been prepared to provide greater transparency and more certainty over the intended outcome for the site, consistent with the indicative reference scheme provided within the Planning Proposal. The site specific DCP also provides certainty that the proposed scheme is capable of achieving a high-quality design outcome for the area.

On the basis of the above, we respectfully request that the Planning Proposal be forwarded to the Sydney North Regional Planning Panel for consideration with regards to the merits of the Planning Proposal to proceed to Gateway Determination.

3.0 The Planning Proposal

On 9 May 2022, a site-specific Planning Proposal (PP2022/1933) was submitted to the North Sydney Council which sought to amend the North Sydney Local Environmental Plan 2013 (North Sydney LEP 2013) for the following:

- Increase the maximum building height from 16m to mix of 30m and 40m; and
- Increase the minimum non-residential floor space from 0.5:1 to 1.7:1.

A breakdown of the key components of the original Planning Proposal and revised scheme is provided in **Table 1**.

Table 1 Key components of the Planning Proposal scheme

Component	Planning Proposal
Zoning	B4 Mixed use
Building height	30m and 40m (between 7 to 10 storeys)
Gross Floor Area (GFA)	<ul style="list-style-type: none">• Commercial: 2,103m²• Woolworths: 3,311m²• Retail: 1,846m²• Residential: 12,682m²
Public Plaza	1,013m ²
Apartments	91
Car parking	<ul style="list-style-type: none">• Commercial: 35 spaces• Woolworths: 132 spaces• Retail: 31 spaces• Residential: 87 spaces• Public: 65 spaces
	Total: 350

3.1 Indicative Reference Scheme

Koichi Takada Architects (KTA) have prepared an Indicative Reference Scheme that seeks to achieve the 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 Futures Directions Report. The key components of the Indicative Reference Scheme include:

- A singular integrated built form consisting of a basement level car park and subterranean supermarket, a two (2) storey building along the site's western boundary that helps frame the centralised town square, a ten (10) storey building along the site's eastern frontage to Rangers Road and southern frontage to Yeo Street, dropping down to seven (7) storeys as it moves to the west at the corner of Yeo Street and Military Lane. The 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.
- The revised building height is consistent with the MRCPS, which has been 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 the street. Suitable building footprint depths ensure apartment configurations that optimise solar access, natural cross ventilation and visual amenity.
- A central public plaza 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.

3.2 Building envelope

The building envelope proposed under the indicative reference scheme 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 portion of the proposed built form fronting Rangers Road has a maximum building height of 39.8m (10 storeys), stepping down to 30m (7 storeys) at the corner of 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.

A two-storey retail podium sleeving the western boundary is also proposed and is intended to support the creation of a highly activated ground plane, consistent with the desired character and intent for the site under the Future Directions Report for the Neutral Bay Town Centre.

Beneath the town square, the lower ground floor will comprise a full line best in class Woolworths supermarket and the ground floor will comprise a series of individual retail tenancies and commercial and residential lobbies surrounding the public plaza. Travelators, elevator and lift 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 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.

3.3 Public Benefit

The proposal will deliver significant public benefits through the following:

- A new 1,013m² public plaza and through site link that will provide a new gathering space for the people of Neutral Bay, as well as open up the site to connect residential catchments to the south and east;
- Public domain and footpath upgrades to help reinvigorate the surrounding streetscape, characterised by fine-grain, activation and permeability;
- A new 'public' car park that is intended to service the wider town centre, not just customers of Woolworths;
- Additional local jobs that will help stimulate the local economy contribute to the areas post-COVID economic recovery;
- Residential floorspace in an area that is well serviced by public transport, providing an outcome consistent with future housing supply as identified under the North Sydney Local Strategic Planning Statement.

4.0 Strategic justification

4.1 Objective

The objective of this Planning Proposal is to:

- 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
- 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.

To achieve these, the Planning Proposal is seeking amendments to the building height control and minimum non-residential floorspace controls as they apply to the site under the North Sydney LEP 2013.

The Planning Proposal will facilitate a mixed-use development comprising a best-in-class supermarket at below ground level, new ground level retail tenancies and new above ground commercial floorspace and residential apartments. The proposal is to be centred around the creation of a new town square and through site link between Rangers Road and Yeo Street. The process would require a future DA approval and be subject to additional requirements and further detailed assessment at that stage.

The site is located at a highly accessible location and is close to transport infrastructure in addition to necessary amenities and services including Neutral Bay Town Centre and the North Sydney CBD. The indicative reference scheme, provided in support of the Planning Proposal, demonstrates that redevelopment for the purposes of a true-mixed use building presents a highly desirable use and built form outcome which takes advantage of the site's locational attributes.

4.2 Relationship with the Strategic Planning Framework

The Planning Proposal's consistency and compliance with the strategic plans and policies is located in **Table 3** below.

Table 2 Consistency with Strategic plans and policies

Strategic plan and policies	Compliance
A Metropolis of Three Cities – The Greater Sydney Region Plan	<p>The proposed development is consistent with the Greater Sydney Region Plan as it:</p> <ul style="list-style-type: none"> • Will deliver additional residential housing comprising a mix of compositions (1, 2 and 3 bedrooms) that will contribute to housing diversity and the 725,000 housing target for homes in Sydney by 2036; • Provides additional floor space that will increase housing supply and employment in a highly accessible location to support the existing and increasing population of Greater Sydney; This will take advantage of substantial investment in public transport infrastructure and support the achievement of a '30-minute city.' • Delivers floorspace that will create approximately 113 additional jobs that will contribute to the 817,000 additional job target for Sydney by 2036; and • Provide a valuable contribution to the Neutral Bay Town Centre including the delivery of a 1,013m² new public plaza that will promote a great place for people to stay in.
North District Plan	<p>The North District Plan states that an additional 92,000 homes will be required in the District by 2036 in order to support a significant population growth of approximately 196,000 people by 2036. This equates to an average annual supply of 4,600 dwellings over the next 20 years. In addition to increasing the supply of housing, the Plan identifies the need to increase housing choice around centres and stations to make it easier to walk and cycle to shops or services, to travel to work and reduce traffic congestion.</p> <p>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 as well a new town square. The proposal directly responds to the need to ensure housing supply and</p>

choice with greater diversity in housing products to meet the growing needs of the community and future population.

MRCPS: Neutral Bay Town Centre – Future Directions Planning Study

On 22 February 2021, the *Future Directions Report* following exhibition was formally adopted by Council. The Report identifies the site as a key opportunity site and sets vision and draft controls supporting an increased height and FSR built form outcomes as well as the delivery of a new community facility, through site link and other public domain upgrades.

The Planning Proposal directly responds to the objectives for the site as follows:

- Delivers a mix of 1, 2 and 3 bed apartments, contributing to meeting the need for a 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.
- Committed delivery of a 1,013m² town square that will provide recreational passive spaces and contribute to enhancing the vibrancy and sense of place for Neutral Bay Town Centre.
- 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.
- 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.
- Aligns with the study direction to ensure future growth that results in a more attractive place for workers, residents and visitors.

North Sydney Local Strategic Planning Statement (LSPS)

The LSPS envisions North Sydney as an integrated centre ensuring people of all ages have access to local places with strong transport connections, a range of employment opportunities with local 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.

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.

5.0 Strategic merit

The Planning Proposal, demonstrates strategic merit as:

- The site upholds high strategic value as it is located in a well-connected and well serviced area of the North City District. The site is 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 is 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 the proposal, which will result in the renewal of land and delivery of housing and employment land uses within close 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.

6.0 Site-specific merit

The Planning Proposal is considered to have site-specific merit as the proposal:

- 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) generally 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.
- 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.
- 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.
- 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.
- Will deliver a significant public benefit in the form of a new 1,013m² 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.
- Includes a draft site-specific Development Control Plan 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.
- It has been subject to a broader environmental assessment. 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.

7.0 Conclusion

This request for a Rezoning Review is submitted on the basis that Council has resolved not to support the planning proposal proceeding to Gateway determination. It is considered that the proposal responds to the Council's previous detailed work on Neutral Bay and the Military Road Corridor, and aligns with the MRCPS by supporting jobs and housing growth within the Neutral Bay Town Centre, while delivering necessary public domain upgrades and public benefits. We, therefore, respectfully recommend that in considering this review request, a full review of the Planning Proposal (PP2022-1933) is undertaken by DPE.

In addition to the Planning Proposal, the proponent requests that the North Sydney Planning Panel take into consideration the proponents willingness to amend the proposal as set out in Attachment H. In making its decision on the Planning Proposal, the Panel is able to consider the proposed amendments as set out in the LEP Making guidelines. Woolworths has elected to amend the original Planning Proposal following the feedback received from the community engagement sessions held. The detail of the amended scheme is provided in Appendix H.

As required under Section 3.33 of the EP&A Act, the strategic and site-specific merit of the Planning Proposal is demonstrated as follows:

- The Planning Proposal is consistent with the strategic planning framework including A Metropolis of Three Cities – The Greater Sydney Region Plan and North District Plan by increasing housing diversity and supply and employment within a highly accessible and high amenity location;
- The planning proposal is generally consistent with the strategic vision under the MRCPS to appropriately serve the surrounding area with a varied character and experience;
- The Planning Proposal is consistent with the North Sydney Local Strategic Planning Statement by delivering a true mixed-use building that retains employment generating floor space and provides residential uses .
- The Planning Proposal demonstrates that the site can suitably accommodate Woolworth's vision to deliver a high-quality mixed-use scheme anchored by a best in class supermarket, whilst minimising environmental impacts and delivering a built form that responds to the context and aspirations for the Neutral Bay town centre.

We believe the Planning Proposal demonstrates both strategic and site-specific merit. In this regard, the Proponent respectfully requests that the North Sydney Planning Panel recommend that the Planning Proposal proceed to Gateway Determination.

We trust this information is what you require at this stage to progress this request, however, should you have any queries about this matter or require any further information, please do not hesitate to contact me via the undersigned details.

Yours sincerely,



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Attachment H – Amended Proposal

Background

Following the community engagement sessions held on 11 August 2022 and 13 August 2022, it became evident that the local community have concerns about the proposed 10 storey concept. Woolworths has listened to the residents' concerns and decided to amend the proposal to reduce the height of the proposal from a part 7 and part 10 storey built form to a part 6 and part 8 storey built form. **This represents a 2-4 storey reduction in height across the site.** The amended scheme provides a building envelope to facilitate a future development outcome that is consistent with the MRCPS whilst maintaining the delivery of significant public benefits for the community.

We believe that the proposed amended scheme will achieve a better built form outcome that successfully addresses the concerns raised by the local community.

While recognising some community members would prefer a 4-6 storey development concept, this outcome would not be feasible in the context of the delivery of public benefit through a new public plaza and through site link. A 4-6 storey development outcome would require the future supermarket to be located at ground level (as existing) which in our view would not realise the site's renewal potential in the context of Neutral Bay and public open space for the Town Centre and local community.

On Friday 9th September 2022, Woolworths submitted a letter notifying North Sydney Council of their willingness to amend the proposal to reduce the height of the original scheme (letter attached). In response, Council officers advised that they had completed their assessment of the Planning Proposal and that it was scheduled to be considered by North Sydney Local Planning Panel on 14 September 2022. Accordingly, Council informed Woolworths they were not in a position to make any further assessment of an amended concept.

1.0 Request to the Regional Planning Panel to consider the revised proposal in the Rezoning Review process

Woolworths recognises that the Sydney North Planning Panel is required to consider the Planning Proposal that is subject to the Rezoning Review. However, in accordance with the LEP Making Guidelines, the Panel may recommend requirements or recommend changes to be included in the Gateway Determination if the Planning Proposal is considered to have strategic or site-specific merit.

The scheme, as proposed to be amended, is considered to have both strategic and site-specific merit as detailed in **Section 3.0** and **Section 4.0**. Accordingly, Woolworths would like to request that the Panel give consideration to the amended proposal when considering the Rezoning Review request.

2.0 The amended Planning Proposal

The proposed amended scheme seeks to achieve an improved high-quality outcome that addresses the Council and community's concerns whilst remaining consistent with the objectives of the MRCPS. The amended Planning Proposal seeks to amend the North Sydney LEP 2013 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 28m and 31m. This represents a reduction in height from 30m and 40m that were proposed in the original version of the Planning Proposal that was submitted to Council.

The originally proposed amendment to increase the minimum non-residential floor space from 0.5:1 to 1.7:1 is maintained and proposed as part of the amended scheme.

Woolworths have also reduced the floor-to-floor ceiling heights to ensure a high-quality built form outcome that is keeping with the surrounding development.

A breakdown of the key components of the original Planning Proposal and revised scheme is provided in **Table 1**.

Table 3 Key components of the original and revised Planning Proposal scheme

Component	Original Proposal	Amended Proposal
Zoning	B4 Mixed use	B4 Mixed Use
Building height	30m and 40m (between 7 to 10 storeys)	28 and 31m (between 6 and 8 storeys)
Gross Floor Area (GFA)	<ul style="list-style-type: none"> Commercial: 2,103m² Woolworths: 3,311m² Retail: 1,846m² Residential: 12,682m² 	<ul style="list-style-type: none"> Commercial: 1,525m² Woolworths: 3,311m² Retail: 1,682m² Residential: 9,034m²
Public Plaza	1,013m ²	1,013m ²
Apartments	91	65
Car parking	<ul style="list-style-type: none"> Commercial: 35 spaces Woolworths: 132 spaces Retail: 31 spaces Residential: 87 spaces Public: 65 spaces 	<ul style="list-style-type: none"> Commercial: 26 spaces Woolworths: 133 spaces Retail: 29 spaces Residential: 64 spaces Public: 98 spaces
	Total: 350	Total: 350

2.1 Indicative Reference Scheme for amended proposal

Koichi Takada Architects (KTA) have prepared a revised Indicative Reference Scheme that seeks to achieve the intended outcomes of the amended Planning Proposal (**Attachment F**). The revised Indicative Reference Scheme demonstrate 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 MRCPS and the Neutral Bay Future Directions Report.

The revised scheme, alike to the original Planning Proposal, will comprises a singular integrated built form consisting of a basement level car park and subterranean supermarket, a two (2) storey building along the site's western boundary that helps frame the centralised town square. Notably, **the revised scheme proposes an eight (8) storey building along the site's eastern frontage to Rangers Road and southern frontage to Yeo Street, dropping down to six (6) storeys as it moves to the west at the corner of Yeo Street and Military Lane**. The revised scheme will maintain 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.

In keeping with the original Planning Proposal, the amended Indicative Reference Scheme will still include:

- A building height that is directly consistent with the MRCPS, which has been 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 the street. Suitable building footprint depths ensure apartment configurations that optimise solar access, natural cross ventilation and visual amenity.
- A central public plaza 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.

2.2 Building envelope

As proposed in the original Planning Proposal, the revised building envelope 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. However, **the amended scheme proposed a reduced height where the northern portion of the proposed built form fronting Rangers Road has a maximum building height of 30.6m (8 storeys), stepping down to 27.6m (6 storeys) at the corner of Yeo Street and Military Lane (Attachment F).** The revised built form better responds to the 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.

In keeping with the original Planning Proposal, the amended building envelope scheme will still include:

- A two-storey retail podium sleeving the western boundary is also proposed and is intended to support the creation of a highly activated ground plane, consistent with the desired character and intent for the site under the Future Directions Report for the Neutral Bay Town Centre.
- A full line best in class Woolworths supermarket and the ground floor will comprise a series of individual retail tenancies and commercial and residential lobbies surrounding the public plaza that will be located beneath the town square (lower ground floor). Travelators, elevator and lift access to the lower ground Woolworths and basement car parking will be provided.
- 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 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.

2.3 Revised scheme

As shown below, the revised scheme seeks to lower the height of the proposal by 2-4 storeys from a building envelope that was part 10 storey and part 8 storey, to a reduced envelope that is now part 8 storey and part 6 storey.

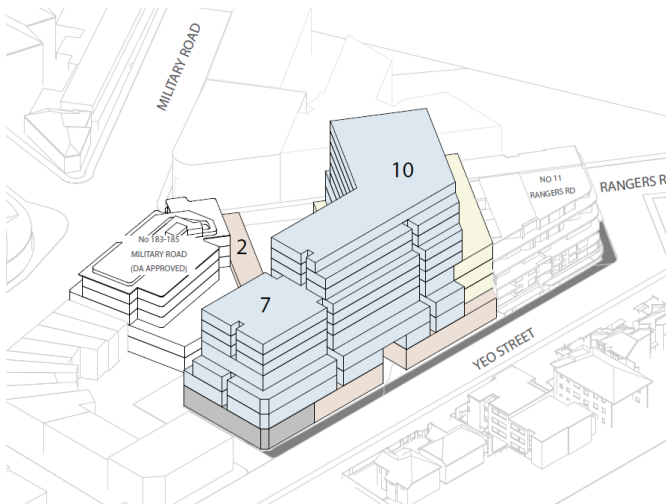


Figure 5 Proposed part 7 and part 10 storey scheme

Source: KTA

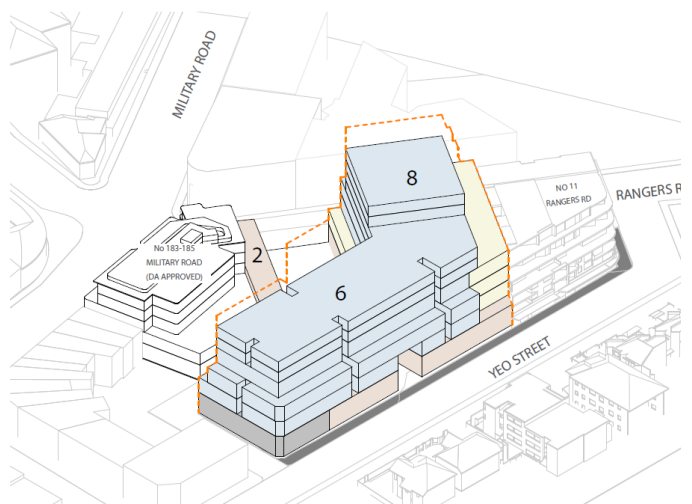


Figure 6 Revised part 6 and part 8 storey scheme (orange dashed line indicates previous scheme)

Source: KTA

The resultant outcome is one that is significantly reduced in scale, and which now directly corresponds with the Council's previously endorsed built form vision for the site. The reduced concept will effectively address the concerns

raised by Council and the community, with regard to height and scale, overshadowing and traffic generation. These benefits are outlined below.

Table 2 demonstrates how the revised scheme has been amended to address the key concerns raised by Council and the community.

Table 4 Key concerns raised by Council

Key Council concern	Revised scheme
Building height, massing and transition The proposed 10 storey height along Rangers Road and Yeo Street does not provide a human scale frontage nor an appropriate transition in height and scale to surrounding development.	The proposed reduction in height to a part 6 and part 8 storey concept will significantly reduce the overall built form that better responds to the existing scale of the adjoining developments. The proposal delivers an improved high quality built form outcome compared to the original scheme, in that the reduced height provides a more compatible development with the existing and future desired character for the area. The revised proposal also aligns with the objectives and intended outcomes of the MRCPS and the built form envisaged under this previously endorsed Council document. The revised scheme supports the ongoing growth of the area and delivers significant benefits to Neutral Bay Town Centre.
Building separation The proposal does not comply with the minimum ADG separation requirements along the eastern boundary and western boundary to Military Lane.	<p>The revised scheme with its reduced height now achieves the minimum ADG 9m setback for the proposed 8 storey scheme along the eastern boundary.</p> <p>The proposed setbacks along the western boundary to Military Lane are:</p> <ul style="list-style-type: none"> • 4m at 2-3 storeys • 5.5m at 4 storeys • 7m at 5-7 storeys <p>The proposed setbacks along the northern boundary to Military Lane are:</p> <ul style="list-style-type: none"> • 4.5m at 2 storeys • 5.5m at 3 storey • 7.5m at 4-7 storeys <p>The proposed setbacks to Military Lane are considered appropriate within the existing context. The interface between buildings will be effectively addressed and managed through detailed apartments layouts and orientation to ensure the achievement of a high quality privacy and amenity outcome. Building separation and interfaces will be further addressed as part of a future DA where non-habitable buildings will be designed along the Military Lane frontage to prevent adverse privacy issues.</p>
Overshadowing Proposed reduction in solar access to residential dwellings on the southern side of Yeo Street and new public plaza is unacceptable	<p>The shadow cast by the revised smaller scale scheme:</p> <ul style="list-style-type: none"> • is consistent with the shadows cast by the concept under the previously endorsed MRCPS; and • is limited to a number of properties on the southern side of Yeo Street, with the extent of shadowing impact being significantly less than the originally proposed scheme as shown in Figure 7, Figure 8 and Figure 9.
Parking supply The proposal exceeds the maximum number of parking spaces by 64 spaces, resulting in a significant oversupply.	<p>The proposal exceeds the parking requirements to deliver 98 public car parking spaces for the use of the community, with the purpose of these spaces being twofold, specifically:</p> <ol style="list-style-type: none"> To enable the replacement of on-street car parking to provide for public domain improvements (e.g. kerb build-outs, pedestrian crossings, landscaping etc) within the Neutral Bay Town Centre. This relocation of public on-street parking to facilitate public domain enhancements is consistent with the recommendations of the technical studies supporting the Military Road Corridor Strategy To reduce pressure on surrounding residential streets as many drivers currently circulate around local streets in search of on-street parking to access the town centre. The provision of public car parking on the site will

Key Council concern	Revised scheme
	<p>provide an easy and convenient parking option for people already accessing the town centre.</p> <p>In the above context the public car parking will service existing users of the Neutral Bay Town Centre and not in itself contribute to additional traffic movements beyond that considered in the transport impact assessment. Therefore, the proposed parking supply is considered appropriate and necessary to serve the existing and future community. The feedback from the community sessions also identified support for the delivery of 65 public parking spaces.</p>
<p>Traffic modelling</p> <p>No Traffic modelling was undertaken during the AM Peak</p>	<p>A Traffic Impact Assessment Report prepared by JMT was provided as part of Planning Proposal lodgement package. As noted within this report, the vast majority of traffic generation from the site is associated with the supermarket use, where movements during the morning peak hour are very low. Analysis shows that traffic generation from the site during the AM peak hour is over 50% lower when compared to the PM and Saturday peak hours. Traffic flows on the surrounding road network including Yeo Street and Military Road are however largely consistent across the AM and PM peak hour periods. The traffic modelling undertaken is therefore considered a worst case scenario of traffic generation during the afternoon and Saturday peak hours, rather than the morning peak hour where impacts will be significantly reduced. The revised scheme which reduces the amount of residential floor space to be provided on the site will further reduce the traffic impacts of the proposal compared to that noted in the original transport impact assessment.</p>
<p>Traffic impacts on Military Road/Wycombe Road</p>	<p>The traffic modelling undertaken confirms that all intersections are forecast to retain their existing level of service when considering the additional traffic movements generated by development permissible under the rezoning. Council's assessment report incorrectly states that the level of service of the Military Road / Wycombe Road intersection deteriorates with the proposal – the modelling shows that the level of service remains unchanged with the proposal in place. The revised scheme which reduces the amount of residential floor space to be provided on the site will further reduce the traffic impacts of the proposal compared to that noted in the original transport impact assessment.</p>

The proponent is willing to amend the site-specific DCP prior to public exhibition to ensure that all these matters are addressed in the amended Planning Proposal.

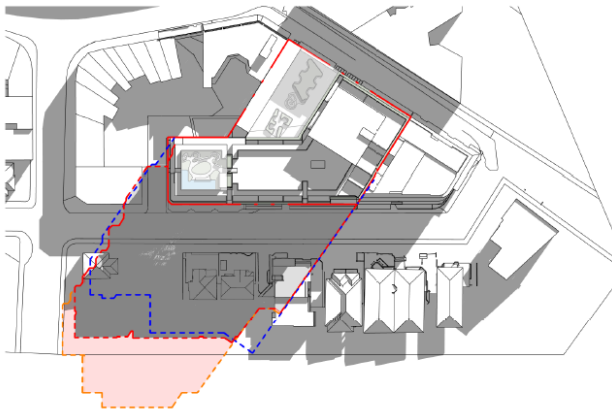


Figure 7 Shadow comparison, June 21 at 9am (red hatched area shows difference between original and proposed scheme)

Source: KTA

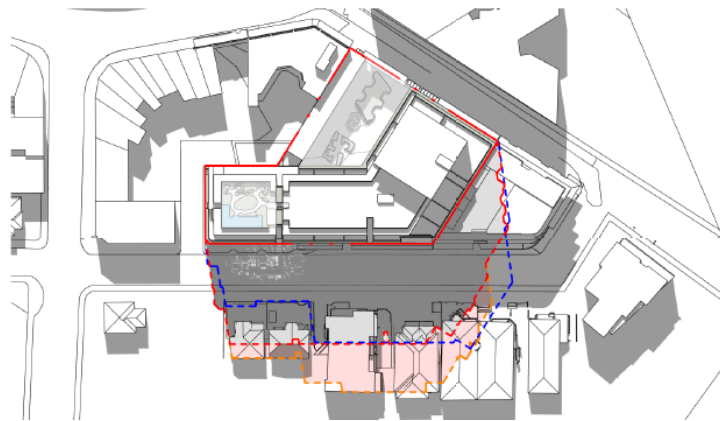


Figure 8 Shadow comparison, June 21 at 12pm (red hatched area shows difference between original and proposed scheme)

Source: KTA

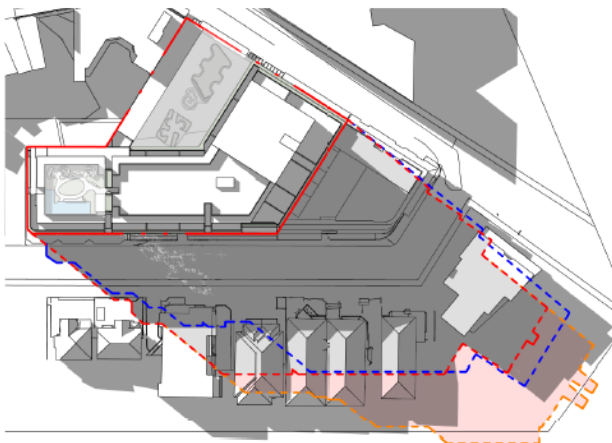
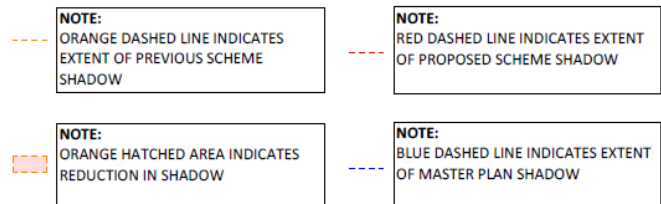


Figure 9 Shadow comparison, June 21 at 3pm (red hatched area shows difference between original and proposed scheme)

Source: KTA



2.4 Public benefit

Importantly, while Woolworths are willing to reduce the scale of the scheme, we will continue to provide significant public benefits through the proposal. These proposed amendments do not come at the expense of the public benefits that will be delivered. Specifically, the proposal remains committed to delivering:

- A new 1,013m² public plaza and through site link that will provide a new gathering space for the people of Neutral Bay, as well as open up the site to connect residential catchments to the south and east;
- Significant public domain and footpath upgrades to help reinvigorate the surrounding streetscape, characterised by fine-grain, activation and permeability;
- Additional local jobs that will help stimulate the local economy contribute to the areas post-COVID economic recovery;
- Residential floorspace in an area that is well serviced by public transport, providing an outcome consistent with future housing supply as identified under the North Sydney Local Strategic Planning Statement.

3.0 Strategic merit

The Planning Proposal, as proposed to be amended, demonstrates strategic merit for the reasons listed in **Section 5.0** of the Rezoning Review letter, as well as:

- It achieves an appropriate balance between facilitating additional height, creating employment future opportunities and delivering significant public benefits through a new public plaza and through site link. Importantly, the

amended revised scheme will result in a high-quality built form outcome that is consistent with the objectives and intended outcomes of the MRCPS in that:

- It will deliver a built form outcome that is compatible with the existing and desired future of the local area
- The proposed part 6 and part 8 storey concept is below the maximum building heights envisions for the site (8-12 storeys) under the MRCPS
- It will contribute to the supply of diverse housing in the area, to support the identified demand of the growing and existing community
- It will revitalise and activate the ground plane through expanded retail and commercial activities to support job opportunities and create a vibrant and safe place
- It will deliver a future public plaza and through site link that will act as a new community heart that will support passive recreation and outdoor space

4.0 Site-specific merit

In addition to the reasons listed in **Section 6.0** of the Rezoning Review letter, the Planning Proposal, as proposed to be amended, is underpinned by further site-specific merits, these being:

It has been amended and refined to appropriately addresses all of Council's key concerns, of which the revised scheme will not result in unacceptable overshadowing impacts and will result in the delivery of a built form outcome that fits appropriately within its surrounding context.

It has been reduced in height to ensure the delivery of a high-quality built form outcome that allows taller built forms whilst ensuring it does not result in adverse impacts upon the amenity of the existing and future properties and public spaces.

5.0 Conclusion

In light of this feedback from the community, Woolworths has amended the proposal to reduce the height from the proposed 7-10 storey concept to a 6-8 storey concept. This is directly in line with the massing proposed for the site under the previously endorsed *Military Road Corridor Planning Study* and *Neutral Bay Future Directions Report*.

The amended scheme is reduced in height, bulk and scale to address concerns raised by the Council and community. Specifically, the revised scheme has been reduced by 2-4 storeys to ensure it will not result in unacceptable impacts on the amenity of the existing and future surrounding properties. Whilst Woolworths has reduced the height of the proposal, they propose to continue the delivery of significant public benefits through additional public parking spaces, a new public plaza and through site link.

It is emphasised that since lodgement of the Planning Proposal, Woolworths has presented the willingness to amend the proposal to a part 6 and part 8 storey concept to address Council and the community's concerns. The amended scheme provides an improved built form outcome.

We note that the Environmental Planning and Assessment Act 1979 and the Local Environmental Plan Making Guide does not expressly require the finalisation of a DCP to demonstrate the site and strategic merit of a Planning Proposal. However, a site-specific DCP has been prepared to provide certainty to the relevant authorities that the indicative concept scheme represents a better outcome for the site that can be regulated under a preliminary site-specific DCP. Accordingly, we also understand that the indicative concept scheme and site-specific DCP are able to be further refined during later stages of the Planning Proposal process. The proponent notes that it is willing to amend the original site-specific DCP to provide greater certainty of the intended outcome for the site.

Woolworths has demonstrated a genuine willingness to consult, engage and listen. We believe that the Planning Proposal as amended delivers an improved built form outcome that achieves both strategic and site-specific merit. In this regard, the Proponent respectfully requests that the North Sydney Planning Panel recommend that the Planning Proposal proceed to Gateway Determination.