

## 10.9. Planning Proposal 4/24: 166-188 and 198-214 Military Road, Neutral Bay

|                    |   |
|--------------------|---|
| <b>AUTHOR</b>      | Katerina Papas, Senior Strategic Planner  |
| <b>ENDORSED BY</b> | Marcelo Occhiuzzi, Director Planning and Environment  |
| <b>ATTACHMENTS</b> | <ol style="list-style-type: none"> <li>1. Assessment Report PP 1/24 166-188 and 198-214 Military Road, Neutral Bay [<b>10.9.1</b> - 277 pages]</li> <li>2. NSLPP Minutes 26 August 2025 [<b>10.9.2</b> - 3 pages]</li> </ol>  |
| <b>CSP LINK</b>    | <p><b>Outcome 2 – A connected and socially inclusive community where everyone is valued</b><br/>S2. Provide new and improved public and community spaces for people to meet and connect</p> <p><b>Outcome 3 – An active community with space for everyone to exercise and enjoy the outdoors</b><br/>O2. Maximise the capacity of our existing open spaces and recreational facilities<br/>O3. Provide new and upgraded facilities within existing public spaces to increase amenity, accessibility and diversity</p> <p><b>Outcome 5 – A thriving and resilient local economy</b><br/>ED3. Create vibrant villages and local centres that attract and retain visitors</p> <p><b>Outcome 6 – A vibrant LGA where culture and creativity is enjoyed by all</b><br/>C2. Preserve and celebrate North Sydney’s heritage<br/>C4. Increase the number of places and spaces available for cultural and creative participation and production</p> <p><b>Outcome 7 – Housing that meets the needs of a growing population</b><br/>H2. Support the delivery of additional dwellings to meet housing targets<br/>H3. Protect the amenity of our LGA through design excellence and provision of appropriate infrastructure in growth areas</p> <p><b>Outcome 8 – An effective, accountable and sustainable Council that serves the community</b><br/>G2. Put community needs at the core of everything we do and deliver excellent customer service<br/>G4. Manage risks and maintain independent oversight in business operations and decision-making</p> |

### PURPOSE:

The purpose of this report is to present the independent assessment report of Planning Proposal 4/24 for 166-188 and 198-214 Military Road, Neutral Bay, which seeks to amend North Sydney Local Environmental Plan 2013 following its consideration by the North Sydney Local Planning Panel on 26 August 2025.

## EXECUTIVE SUMMARY:

- On 29 October 2024, Council received a Planning Proposal to amend North Sydney Local Environmental Plan 2013 (NSLEP 2013) as it relates to land at 166-188 and 198-214 Military Road, Neutral Bay.
- The subject site is located within the area covered by the Neutral Bay Village Planning Study (NBVPS), adopted by Council on 27 May 2024.
- The Planning Proposal seeks to increase the maximum building height control for the site from the current height limit of 16m to 36-45m (excluding 180-182 Military Road and the areas where through-site links are proposed) and increase the minimum non-residential floor space ratio control from 0.5:1 to 1.2:1.
- The intent of the Planning Proposal is to facilitate four mixed-use buildings on the site ranging from nine to 12 storeys in height. The site is divided into two portions; two buildings are proposed on the western portion (Site 2A) and two buildings on the eastern portion (Site 2B). Sites 2A and 2B are separated by land owned by North Sydney Council (190-192 Military Road) which accommodates the Neutral Bay Community Centre and two heritage buildings (194-196 Military Road) which are in private ownership.
- The Planning Proposal is accompanied by a non-binding letter of offer to enter into a Voluntary Planning Agreement (VPA) with Council to deliver a 730m<sup>2</sup> community centre with a 40-year peppercorn lease term to Council, two publicly accessible through-site links, footpath widening, and other public domain upgrades.
- An independent planning consultant (Ingham Planning) was engaged to undertake the assessment of the proposal on behalf of Council, given the extended planning history for the precinct as well as the current Expressions of Interest evaluation process for the potential delivery of a future Grosvenor Plaza.
- Following the completion of the assessment by the consultant, the Planning Proposal was referred to the North Sydney Local Planning Panel (NSLPP) on 26 August 2025, as required by Ministerial direction.
- The NSLPP agreed with the recommendations of the consultant's assessment report, that the Planning Proposal should not be supported to proceed to a Gateway Determination in its current form, and that, should the Planning Proposal progress via an alternate approval pathway, the proposal be amended to resolve the key issues raised in the independent consultant's assessment report.

## RECOMMENDATION:

**1. THAT,** consistent with the independent planning assessment and the recommendation of the North Sydney Local Planning Panel of 26 August 2025, Council not support the Planning Proposal proceeding to a Gateway Determination.

**2. THAT,** should the Planning Proposal progress via an alternate approval pathway, it be required to be amended to resolve the key issues raised in the detailed assessment report (by Ingham Planning) and by the North Sydney Local Planning Panel, including:

- the proposed height and FSR controls also apply to 180-182 Military Road, Neutral Bay;
- a mechanism be included to exclude additional heights above 8 to 12 storeys through the application of Clause 4.6 or any bonus provision in any other planning instruments.
- the indicative concept scheme be amended to resolve key issues raised in this report, including the inconsistencies with the Neutral Bay Village Planning Study:
  - the location, width and form of the proposed through-site links;
  - compliance with the NSW Apartment Design Guide building separation requirements and undesirable reliance on blank walls to satisfy these;
  - the location, size and tenure of the proposed community centre; and
  - the building setbacks generally on the ground floor.

**3. THAT** any letter of offer to enter into a Voluntary Planning Agreement with Council be amended to provide a new community centre, publicly accessible through-site links, Military Road footpath widening, public domain improvements, and landscaping that are consistent with Council's adopted *Neutral Bay Village Planning Study* (NBVPS), and that any revised VPA offer be reported to Council. In addition, that consideration be given to the provision of affordable housing.

## Background

### Military Road Corridor Planning Study (MRCPS)

On 22 February 2021, Council resolved to adopt the *Neutral Bay Town Centre – Future Directions Report* also known as the *Military Road Corridor Planning Study* (MRCPS). This Study identified the subject site as a 'key site' for the delivery of public domain and community benefits and outlined a suite of detailed design considerations for the site, including a maximum height of 12 storeys. Figure 1 below illustrates the indicative built form for the site arising from the MRCPS design guidelines.

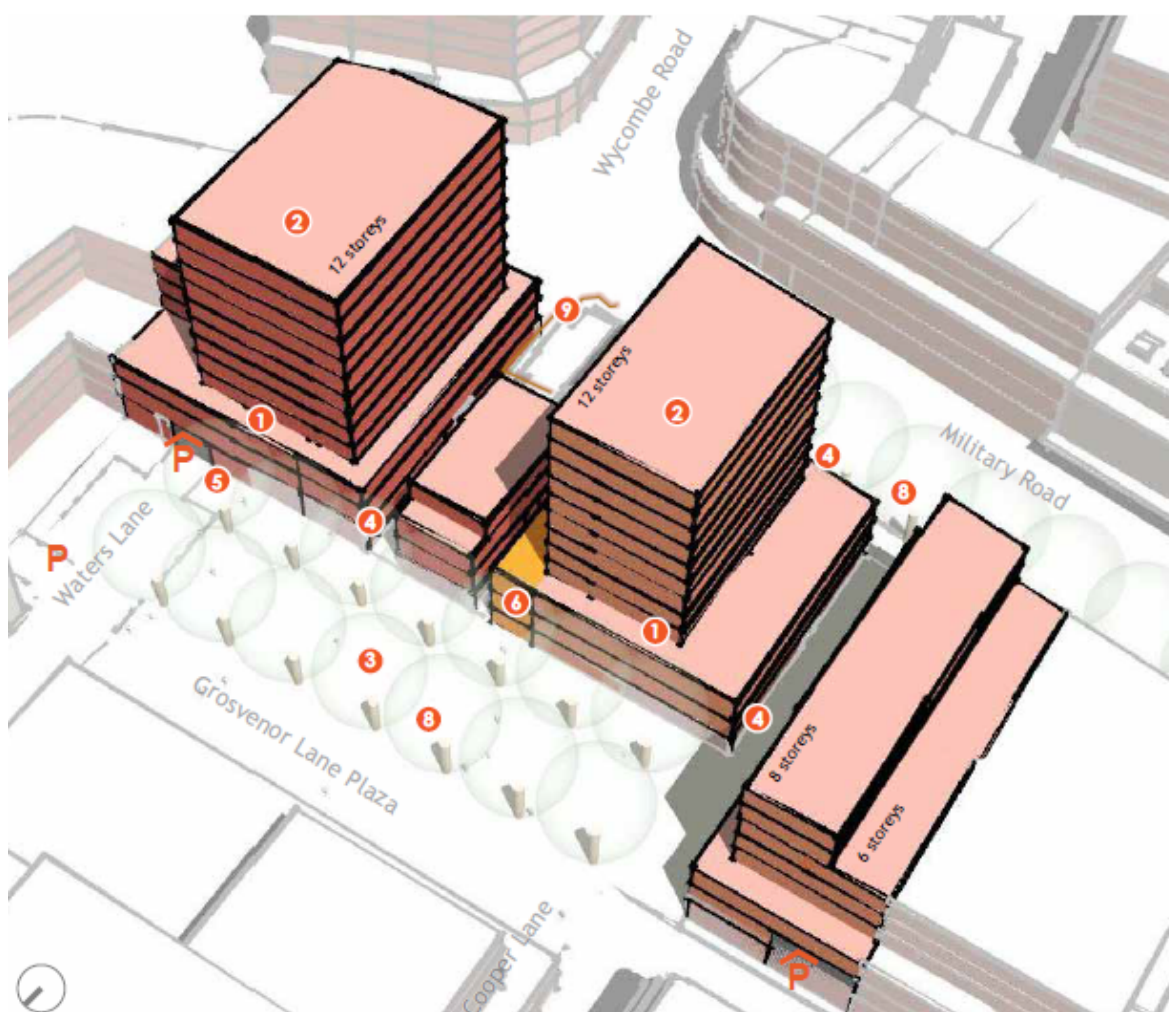


Figure 1: Indicative built form for 'Site 2' – MRCPS (rescinded)

On 24 January 2022, Council resolved to rescind the MRCPS amidst concerns raised by the community with respect to the height and scale of development contemplated by the Study. Council resolved to further engage with the community and stakeholders to prepare "a revised recommendation that has a better balance between development height and the provision of additional public open space."

The MRCPS was superseded by the NBVPS, as discussed on the next pages.



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

In response to Council's resolution of 24 January 2022, Council prepared the *Neutral Bay Village Planning Study (NBVPS)* which was exhibited between 27 February and 2 April 2024 for public comment. Following its exhibition, Council adopted the Study on 27 May 2024 subject to some amendments, including the adoption of a maximum six-storey building height. Council also resolved the following:

- *THAT Council support the inclusion of affordable housing in all new developments, with the affordable housing being part of the maximum building height of six storeys;*
- *THAT affordable housing remains in perpetuity;*
- *THAT Council note the Neutral Bay Village Planning Study will guide future Planning Proposals.*

A more detailed account of the background is included in Attachment 1 to this report.

The applicant was advised prior to lodgement of the Planning Proposal, that any proposal greater than six storeys would not be supported.

## **Report**

### **1. Planning Proposal**

#### **1.1. Applicant**

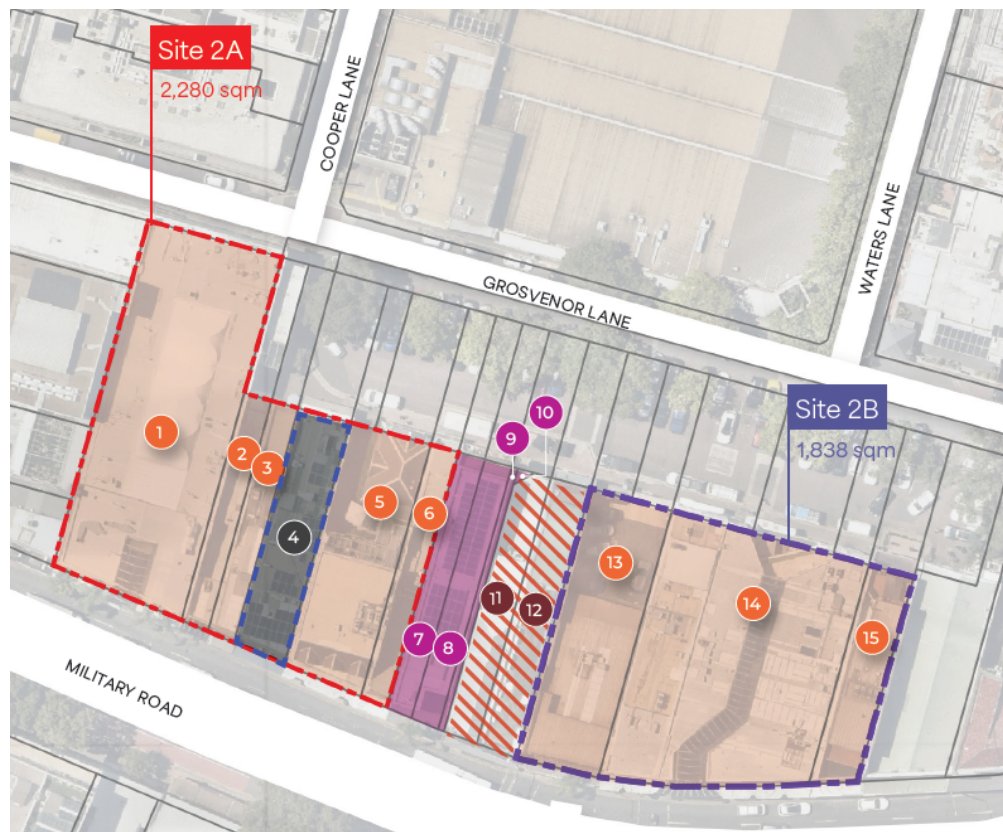
The subject Planning Proposal (PP4/24) was lodged by Arkadia Property Services Pty Ltd on 29 October 2024 and amended on 11 April 2025.

#### **1.2. Site Description**

The subject site comprises nine individual allotments of land (166-188 and 198-214 Military Road, Neutral Bay).

Figure 2 on the next page is an extract of the applicant's Planning Proposal documentation which indicates the extent of the site, property details, and ownership. Whilst this extract indicates that the majority of sites are in Arkadia ownership, Council records indicate the properties are in varied private ownership.

Consent has been obtained for Arkadia to lodge the Planning Proposal from eight of the nine landowners. The owner of 180-182 Military Road, Neutral Bay (Blue and White Dry Cleaners site) has not provided consent.



#### LEGEND

|   |          |  |                  |  |   |
|---|----------|--|------------------|--|---|
| <span style="border: 2px dashed red; padding: 2px;"> </span>  | Site 2A  | <span style="background-color: #f4a460; border: 1px solid black; padding: 2px;"> </span> | Owned by Arkadia | <span style="border: 2px dashed blue; padding: 2px;"> </span>                            | 180-182 Military Road<br>(not owned by Arkadia) |
| <span style="border: 2px dashed blue; padding: 2px;"> </span>   | Site 2B  | <span style="background-color: #e67ee6; border: 1px solid black; padding: 2px;"> </span> | Owned by Council | <span style="background-color: #808080; border: 1px solid black; padding: 2px;"> </span> | Owned by Others                                 |
| <span style="background: repeating-linear-gradient(45deg, transparent, transparent 2px, #ff0000 2px, #ff0000 4px); border: 1px solid black; padding: 2px;"> </span> | Heritage |  |                  |  |   |

| Site               | Lot No. | Deposited Plan No. | Address   | Ownership             | Site Area |           |
|--------------------|---------|--------------------|-----------|-----------------------|-----------|-----------|
| 2A                 | 1       | 7                  | DP 786399 | 166-174 Military Road | Arkadia   | 1,089 sqm |
|                    | 2       | 11                 | DP 600315 | 176 Military Road     | Arkadia   | 145 sqm   |
|                    | 3       | 1                  | DP 227611 | 178 Military Road     | Arkadia   | 145 sqm   |
|                    | 4       | 22                 | DP 232918 | 180-182 Military Road | Private   | 287 sqm   |
|                    | 5       | 1                  | DP 814194 | 184-186 Military Road | Arkadia   | 452 sqm   |
|                    | 6       | 28                 | DP 231494 | 188 Military Road     | Arkadia   | 162 sqm   |
| Site 2A - Subtotal |         |                    |           |                       |           | 2,280 sqm |
| 2B                 | 13      | 1                  | DP 528917 | 198-200 Military Road | Arkadia   | 500 sqm   |
|                    | 14      | 1                  | DP 802102 | 202-212 Military Road | Arkadia   | 1,120 sqm |
|                    | 15      | 3                  | DP 613732 | 214 Military Road     | Arkadia   | 218 sqm   |
| Site 2B - Subtotal |         |                    |           |                       |           | 1,838 sqm |
| Total Site Area    |         |                    |           |                       |           | 4,118sqm  |

The following lots do not form part of the subject site:

|    |    |           |                   |         |         |
|----|----|-----------|-------------------|---------|---------|
| 7  | 9  | DP 229737 | 190 Military Road | Council | 153 sqm |
| 8  | 10 | DP 229737 | 190 Military Road | Council | 165 sqm |
| 9  | 1  | DP 561167 | 192 Military Road | Council | 36 sqm  |
| 10 | 1  | DP 737344 | 192 Military Road | Council | 3 sqm   |
| 11 | 2  | DP 737344 | 194 Military Road | Private | 202 sqm |
| 12 | 15 | DP 231564 | 196 Military Road | Private | 246 sqm |

Figure 2: Subject site indicating two development parcels – Site 2A and Site 2B  
Source: Applicant's RFI response, p. 6

The site is divided into two parcels separated by land owned by North Sydney Council (190-192 Military Road) that provides an existing community centre and two heritage-listed buildings (194-196 Military Road), which do not form part of the Planning Proposal.

The western portion is referred to as Site 2A (which has an area of 2,280m<sup>2</sup>) and the eastern portion is Site 2B (which has an area of 1,838m<sup>2</sup>).

### 1.1. Proposed Instrument Amendment

The Planning Proposal seeks to:

- increase the maximum building height control for the site from 16m to 36-45m (excludes 180-182 Military Road and the area containing the through-site links, which are to retain the existing 16m control); and
- increase the minimum non-residential floor space ratio control from 0.5:1 to 1.2:1.

### 1.2. Indicative Concept Scheme

The Planning Proposal is accompanied by an indicative concept scheme to demonstrate how the site could be developed if the proposed amendments to the planning controls were implemented. The applicant's indicative concept scheme (Figure 3), as amended in April 2025 in response to the issues raised by Ingham Planning following a preliminary assessment of the Planning Proposal, includes:

- four mixed-use buildings ranging from 9 to 12 storeys. Two buildings are provided in each land parcel (known as Site 2A and 2B), with 4m wide through-site links between the future Grosvenor Plaza to the north and Military Road to the south, separating the buildings within each parcel (refer to Figure 3).
- 5,396m<sup>2</sup> of non-residential floor space at ground level and level 1, including a 730m<sup>2</sup> community centre located on Site 2A (Building 2A-1);
- 14,724m<sup>2</sup> of residential floor space comprising 144 apartments; and
- basement car parking for each parcel with access to Site 2A off Grosvenor Lane and access to Site 2B off the eastern end of the future plaza.

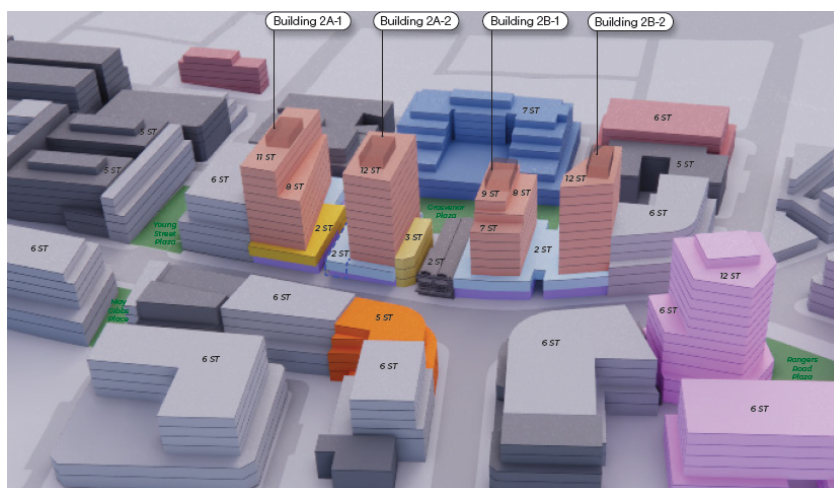


Figure 3: Proposed indicative built form – PP4/24. Source: Applicant's RFI Response, p. 16

The key elements of the applicant's concept scheme are summarised in Table 1 below.

| <b>TABLE 1 – Key elements of reference design</b>          |  |
|--|--|
| <b>Land Uses</b>   | Mixed-use (commercial/residential)   |
| <b>Indicative yield</b>                                    | 144 apartments   |
| <b>Building Height</b>                                     | Podium – two storeys but equivalent to three storeys at the northern end due to the falling topography<br>Site 2A-1 Tower – 11 storeys (42m)<br>Site 2A-2 Tower – 12 storeys (45m)<br>Site 2B-1 Tower – 9 storeys (36m)<br>Site 2B-2 Tower – 12 storeys (45m)  |
| <b>Gross Floor Area (GFA)/<br/>Floor Space Ratio (FSR)</b> | Total: 19,789m <sup>2</sup> / 4.8:1 FSR<br>Site 2A – GFA 11,680 m <sup>2</sup><br>(8,701m <sup>2</sup> residential/2,979m <sup>2</sup> non-residential)<br>FSR 5.1:1 (including 1.31:1 non-residential)<br>Site 2B – GFA 8,109 m <sup>2</sup><br>(5,622 m <sup>2</sup> residential/2,487 m <sup>2</sup> non-residential)<br>FSR 4.4:1 (including 1.35:1 non-residential) |
| <b>Setbacks<br/>(whole of building)</b>                    | Grosvenor Lane: 1.5m<br>Future Grosvenor Plaza: Nil  |
| <b>Setbacks (Ground level)</b>                             | Military Road: 2.5m (Site 2A) and 1.5m (Site 2B)   |
| <b>Setbacks (Above Podium)</b>                             | Military Road – 3m<br>Grosvenor Lane and future plaza – 3m<br>To side boundaries – Nil (except to heritage item at 196 Military Road where 5m is provided above podium level)  |
| <b>Public Domain</b>                                       | Ground floor setbacks along Military Road: 183m <sup>2</sup><br>East Pedestrian Link (partly covered): 153m <sup>2</sup><br>West Pedestrian Link (open-to-sky): 143m <sup>2</sup><br>Community Centre: 730m <sup>2</sup> (first floor of building 2A-1 with ground floor lobby)  |
| <b>Car Parking</b>   | Total: indicative 134 car spaces in basement car park  |

## 2. Assessment

By Ministerial Direction, all Planning Proposals are required to be referred to the Local Planning Panel for advice prior to Council determining whether the planning proposal should be forwarded to the Department of Planning and Environment for the purposes of seeking a Gateway Determination.

A detailed assessment of the proposal was undertaken by Ingham Planning (on behalf of Council) and considered by the NSLPP on 26 August 2025. A copy of this report is provided at Attachment 1 and is also available at:

<https://www.northsydney.nsw.gov.au/downloads/file/4323/pp01-166-198-and-198-214-military-road-neutral-bay-424-26-august-2025>

This report provides a high-level overview of that independent assessment and does not represent a Council staff review nor assessment of the proposal.

### **3. Key Issues**

The detailed assessment undertaken by Ingham Planning (on behalf of Council) concludes that the Planning Proposal does not demonstrate adequate strategic and site-specific merit for the following reasons:

- the Planning Proposal is inconsistent with the endorsed place-based study for the locality (the NBVPS) and the *North Sydney Local Strategic Planning Statement, North District Plan* and *Greater Sydney Region Plan*;
- it requests amendments to existing planning controls that will facilitate an overly excessive and intense built form in its context, with unreasonable impacts to the public and private domain;
- will deliver public spaces and community facilities of compromised amenity; and
- undermines the development potential of 180-182 Military Road and other properties by an inequitable application of the increased height control and inadequate building tower side setbacks.

#### **3.1. Building Height**

The proposed building heights are not consistent with the maximum building heights identified for the site in the NBVPS, as adopted by Council in May 2024.

The independent assessment report formed the position that such heights (i.e., a maximum of six storeys) may not allow for the feasible redevelopment of the site and the overall objectives of the NBVPS, and higher order strategic planning documents (*North District Plan* and *Regional Plan*), to provide additional housing and great places with improved public domain and community facilities, may not be able to be achieved.

The independent assessment report also held the view that a building height range of seven-12 storeys is generally considered more appropriate and acceptable in the context of recent changes to the local planning context since the NBVPS was adopted, these being the State Government's Low-Mid Rise Housing (LMRH) and Infill Affordable Housing provisions under State Environmental Planning Policy (SEPP) Housing 2021. The height limits of many of the areas around the Neutral Bay and Cremorne town centres have effectively been increased by the State Government to permit four – six-storey buildings, which could potentially be in the order of five - eight storeys if the State Government's affordable housing bonuses are also applied.

Notwithstanding these perspectives with respect to height, the independent assessment report found that the proposal needed to demonstrate consistency with the core built form principles of the NBVPS, provide an appropriate transition in heights to protect solar access to public open space, and provide an appropriate interface to the future plaza and surrounding development. The proposed 11 storey height to the west of a future Grosvenor Plaza would result in additional overshadowing to the south-western portion of the future Grosvenor Plaza and create an undesirable sense of enclosure to an important future public space, contrary to the NBVPS Built Form Placemaking Strategy 4 – *Provide height transition and protect solar access*. The 11 storeys proposed at the northern part of Building 2A-1, where six storeys should be provided, would result in poor place-making outcomes for the Neutral Bay town centre, contrary to the strategic planning objectives of the Study.

### **3.2. Built Form**

The independent assessment report found that the overall bulk and scale of the proposed built form is unacceptable as it provides inadequate setback and building separations, having regard to the provisions of the State Environmental Planning Policy (Housing) 2021 and Apartment Design Guidelines (ADG).

The proposed 12m separation between Building 2B-1 and 2B-2 does not comply with minimum building separation requirements of the ADG and whilst ‘non-habitable’ interfaces are indicated, this does not appear achievable given the indicative design.

Furthermore, the proposed habitable elevations, with openings along the western and eastern side boundary, will not meet BCA requirements and are non-compliant with ADG setback requirements. Whilst a blank wall would achieve technical compliance with the ADG, this would result in a poor visual outcome in a village centre environment, and it was not supported.

### **3.3. Public Domain and Community Facilities**

The achievement of development opportunities beyond what is currently permitted under the NSLEP 2013 has, in both the current and previous Council studies undertaken for the precinct, required a contribution towards the provision of pre-determined high quality public domain improvements and community facilities, to support growth in the precinct.

Whilst the proposal incorporates the provision of two through-site links, a new 720m<sup>2</sup> community centre for a 40-year lease term to Council, and footpath widening, they fall short of the requirements of the NBVPS. The independent assessment report concludes that the overall function and amenity of the public space around the site would be compromised by the proposed location of the western through-site link, which is not aligned with the existing laneway to the north (as envisaged by the NBVPS), the proposed enclosure of the eastern link, and reduced 4m widths of the links (NBVPS and NSDCP 2013 require minimum 6m). The proposed size and location of the community centre is also inconsistent with the requirements of the NBVPS.

Council also previously resolved to consider affordable housing in the redevelopment of land within the Neutral Bay Village as part of any future VPA-related contribution.

### **3.4. Site Isolation**

The NBVPS identifies the site at 180-182 Military Road, Neutral Bay (Blue and White Dry Cleaners site) for additional height. This site forms an integral part of key 'Site 2A' under the Study. Two submissions have been received on behalf of the landowner of this site raising concerns about the impacts of the proposal on the future development potential of their site.

The Planning Proposal, as originally submitted by the applicant, excluded 180-182 Military Road from the proposal, and relied on maintaining a lower scale development on the site to provide adequate separation between the proposed tower elements on Sites 2A, thus limiting the future redevelopment potential of the site.

Following a preliminary assessment, a request for information was issued to the applicant in March 2025, requesting the applicant consider various amendments to the proposal. These included incorporation of 180-182 Military Road to facilitate a coherent built form outcome, address the alignment of the western through-site link, and enable vehicular basement access from Grosvenor Lane to the proposed Building 2A-2. The applicant's amended proposal, submitted in April 2025, includes this land, however, the existing building height control is proposed to remain at 16m, which is contrary to the intended outcomes of the NBVPS and will result in this property not having the opportunity to potentially benefit from any increased height or contribute to more coherent built form outcomes as intended under the Study.

### **3.5. Vehicular basement access**

Basement car park access is shown to Site 2A from the existing access point off Grosvenor Lane, and access to Site 2B is indicated off the eastern end of the future plaza where at-grade parking is proposed to be retained (under the concept schemes contained in the NBVPS).

Without incorporating 180-182 Military Road into the proposal or reaching an agreement with the landowner for access across that parcel of land, access to the basement of any future Building 2A-2 could only be achieved below ground level under public land (i.e., under the existing carpark or a future plaza).

## **4. Local Planning Panel**

The NSLPP considered the Planning Proposal at its meeting of 26 August 2025, where it agreed with the recommendations of the consultant's assessment report, that the proposal should not be supported to proceed to a Gateway Determination in its current form.

The Panel's recommendations are as follows:



*The Panel advises Council that the planning proposal has strategic merit for buildings from 8 to 12 storeys provided it will deliver the key public domain and public benefits outlined in the Neutral Bay Village Planning Study.*

*However, it is recommended that the Planning Proposal, in its current form, not be supported to proceed to Gateway. The Panel is of the view that the following amendments to the Planning Proposal are required:*

- *The proposed height and FSR controls should apply to 180-182 Military Road, Neutral Bay;*
- *A mechanism be included to exclude additional heights above 8 to 12 stories through the application of Clause 4.6 or any bonus provision in other planning instruments.*
- *The reference document be amended to resolve key issues raised in the assessment report including the inconsistencies with the Neutral Bay Village Planning Study (NBVPS):*
  - *The location, width and form of the proposed through-site links.*
  - *Compliance with the ADG building separation requirements and reliance on blank walls.*
  - *The location and size of the proposed Community Centre.*
  - *The building setbacks generally on the ground floor.*

It should be noted that there was a dissenting view by one of the Panel members. The recommendation that the Planning Proposal should not proceed to Gateway and that further amendments are required was endorsed, however, that panellist expressed a view that the proposed changes to the height controls to permit development up to 45m (12 storeys) on the site did not demonstrate strategic or site-specific merit.

That dissenting view highlighted that heights above the six storeys nominated in the NBVPS may be appropriate due to planning changes and other recent proposals, but needs to be considered within the context of the town centre and its surrounds, particularly the sites to the north of the proposed plaza, to achieve an optimum urban form. Furthermore, greater certainty with respect to the urban form and public domain outcomes, including the provision of affordable housing, should be provided through a more detailed Height of Buildings map (in the North Sydney LEP) or a site-specific clause in the LEP.

A copy of the NSLPP recommendation is provided at Attachment 2 and can also be found at: <https://www.northsydney.nsw.gov.au/downloads/file/4359/nslpp-planning-proposal-minutes-26-aug-2025>.

## **5. Submissions**

There are no statutory requirements to publicly exhibit a Planning Proposal before the issuance of a Gateway Determination. However, Council sometimes receives submissions in response to planning proposals which have been lodged but not yet determined by Council



for the purposes of seeking a Gateway Determination. The generation of submissions at this stage of the planning process arise from the community becoming aware of their lodgement through Council's application tracking webpage and on-site signage.

At the time this report was completed, six submissions had been received from local landowners/residents, including two submissions from the owners of 180-182 Military Road, Neutral Bay (Blue and White Dry Cleaners site) and one from each of the Willoughby Bay, Brightmore and Parks Precinct Committees. All submissions raised objections to the proposal.

Concerns raised relate to the proposed building height and built form, traffic and parking requirements and their relationship to future proposed plaza, the proposed location of the community centre, the use of Council land for accessing private land, and the isolation of 180-182 Military Road, Neutral Bay. These concerns have been addressed throughout the body of the consultant's detailed assessment report.

## **Risks**

In the event that Council resolves to refuse the current Planning Proposal, the applicant can lodge a request for a Rezoning Review with the State Government. There is a possibility that the Sydney North Planning Panel could support the progression of the Planning Proposal contrary to Council's decision, and the outcome of any identified public benefits would be uncertain. Should this occur, that Panel would be appointed the Planning Proposal Authority (PPA) and manage the Local Environmental Plan-making process, including public exhibition and finalisation of any instrument change.

It should also be noted that during the assessment of the Planning Proposal, the applicant lodged an Expression of Interest (EOI) with the NSW Housing Delivery Authority (HDA) seeking that it be declared a State Significant Development. The application was considered by the HDA on 23 June 2025 and was not supported. The HDA noted that "there remain alternative approval pathways in the NSW planning system for development on this site including a development application following the current planning proposal (PP4/2024) being considered." A new EOI application may be submitted at any time in future and the HDA remains a potential alternate approval pathway for the applicant.

## **Consultation requirements**

Should the Planning Proposal be supported, community engagement will be undertaken in accordance with Council's Community Engagement Protocol and the conditions of any Gateway Determination issued by the Department of Planning and Environment.

## **Financial/Resource Implications**

This report recommends the Planning Proposal not be supported to proceed to a Gateway Determination. From a resourcing perspective, additional staff time may be required to make

representations to the State Government if a Rezoning Review or a SSDA/Concurrent Rezoning is progressed by the applicant (via the HDA pathway).

If the Planning Proposal were to progress via an alternative pathway, any amended VPA offer proposed by the applicant would need to be considered by the Council and exhibited for comment prior to entering into any formal legal agreement.

### **Legislation**

The proposal's compliance with the relevant provisions of the Environmental Planning and Assessment Act, 1979 and accompanying Regulations (2021) have been addressed throughout this report.

Item PP01 - REPORTS - 26/08/2025

N O R T H S Y D N E Y C O U N C I L R E P O R T S



**NSLPP MEETING HELD ON 26/08/2025  
(PLANNING PROPOSAL)**

**Attachments:**

1. Applicant's Planning Proposal (Oct 2024)
2. Applicant's Urban Design Report/Concept Plans (Oct 2024)
3. Applicant's RFI Response/Revised Concept Plans (Apr 2025)
4. Applicant's car park options (Apr 2025)
5. Summary Table of RFI issues and responses prepared by Brett Brown

**ADDRESS/WARD:** 166-188 and 198-214 Military Road, Neutral Bay

**PROPOSAL No:** PP4/24

**PROPOSAL:** To amend the North Sydney Local Environmental Plan (NSLEP) 2013 as follows:

- Increase the maximum building height control for the site from 16m to 36-45m (excludes 180-182 Military Road and the areas where through-site links are proposed, which are to retain the existing 16m control); and
- Increase the minimum non-residential floor space ratio control from 0.5:1 to 1.2:1

The Planning Proposal (PP) is accompanied by an offer to enter into a Voluntary Planning Agreement (VPA) with Council to deliver:

- A 730m<sup>2</sup> community centre (40-year peppercorn lease to Council);
- 2 publicly accessible through-site links;
- Footpath widening and other public domain upgrades.

**OWNER:** The nine land parcels that comprise the land subject of the PP are in various ownership.

Owner's consent has been obtained for lodgement of the PP by all landowners except 180-182 Military Road.

**APPLICANT:** Arkadia Property Services Pty Ltd

**AUTHOR:** Brett Brown, Ingham Planning (Consultant Town Planner)

**DATE OF REPORT:** 12 August 2025

**DATE LODGED:** 29 October 2024

## EXECUTIVE SUMMARY

On 29 October 2024, Council received a Planning Proposal to amend the *North Sydney Local Environmental Plan 2013* (NSLEP 2013) as it relates to land at 166-188 and 198-214 Military Road, Neutral Bay.

The Planning Proposal seeks to amend the NSLEP 2013 as follows:

- Increase the maximum building height control for the site from 16m to 36-45m (excludes 180-182 Military Road and the areas where through-site links are proposed, which are to retain the existing 16m control); and
- Increase the minimum non-residential floor space ratio control from 0.5:1 to 1.2:1

The intent of the Planning Proposal is to facilitate the delivery of 4 mixed-use buildings ranging from 9, 11 and 12 storeys. Two buildings are provided in each land parcel (known as Sites 2A and 2B) with a 4m wide through-site link between the future Grosvenor Plaza to the north and Military Road to the south, separating the buildings within each parcel. The development parcels are separated by land owned by North Sydney Council that provides an existing community centre and through-site link and 2 heritage buildings in private ownership (190-196 Military Road).

The Planning Proposal is accompanied by a non-binding letter of offer to enter into a Voluntary Planning Agreement (VPA) with Council to deliver public benefits including: a 730m<sup>2</sup> community centre (40-year peppercorn lease to Council); two new publicly accessible 4m wide through-site links; and footpath widening and other public domain upgrades.

A detailed assessment of the proposal has been completed having regard to the assessment criteria in the then Department of Planning and Environment's (DPE's) *"Local Environmental Plan Making Guidelines"* (August 2023).

The primary document of relevance to the assessment of the Planning Proposal is the Neutral Bay Village Planning Study (NBVPS), adopted by Council on 27 May 2024. Whilst the Planning Proposal seeks to facilitate redevelopment and provide public benefit, there are numerous inconsistencies with the requirements of the NBVPS, the most significant of which is that the Planning Proposal provides for buildings of up to 12 storeys – double the 6 storeys endorsed by Council.

In relation to the issue of building height, notwithstanding Council's resolution, it is noted that the Sydney North Planning Panel (SNPP) has supported Planning Proposals for buildings greater than 6 storeys, consistent with the rescinded Military Road Corridor Planning Strategy (MRCPS):

- development up to 8 storeys at 1-7 Rangers Road & 50 Yeo Street, Neutral Bay (the Woolworths Site); and
- development of up to 12 storeys at 183-185 Military Road Neutral Bay.

Other changes to the local planning context have occurred since the NBVPS was adopted under the State Government's Low-Mid Rise Housing (LMRH) and Infill Affordable Housing provisions contained in *State Environmental Planning Policy (Housing) 2021*. Areas around the Neutral Bay and Cremorne town centres are now permitted to have 4-6 storey buildings (which could potentially become 5-8 storeys if affordable housing is provided).

Also, in terms of the merits of taller buildings, it is noted that the exhibited version of the NBVPS supported 6-8 storey buildings on the subject land and the previously endorsed (now rescinded) MRCPS supported an 8-12 storey development on the subject land.

For the above reasons and as an acceptable level of overshadowing has been demonstrated (except where Tower 2A overshadows the future Grosvenor Plaza), the proposed range of 6-12 storey building heights may be considered acceptable and appropriate.

The overall bulk and scale of the proposed built form is unacceptable in terms of providing a high quality visual outcome as blank walls will be necessary in 3 locations where a nil setback is provided. Further, the separation between towers is inadequate having regard to the provisions of the *State Environmental Planning Policy (Housing) 2021* and the *Apartment Design Guide*.

The specific design and extent of public domain (including through-site links and public domain setbacks) and the size and location of the proposed community centre are unacceptable and inconsistent with the NBVPS.

Having regard to the above issues, the Planning Proposal does not demonstrate adequate strategic and site specific merit as it will result in a poor planning outcome contrary to the objective of creating a high quality town centre with outstanding public domain and facilities.

It is recommended that Planning Proposal (PP4/24) not be supported to proceed to Gateway Determination.

## LOCATION MAP



## DESCRIPTION OF THE PROPOSAL

The subject Planning Proposal (PP4/24) seeks to amend the NSLEP 2013 as it relates to land at 166-188 and 198-214 Military Road, Neutral Bay as follows:

- Increase the maximum building height control for the site from 16m to 36-45m (excludes 180-182 Military Road and the areas where two through-site links are proposed, which are to retain the existing 16m control); and
- Increase the minimum non-residential floor space ratio control from 0.5:1 to 1.2:1

The key objectives of the Planning Proposal as described by the proponent are as follows:

- *Deliver a built form outcome that responds to the intent of the NBVPS.*
- *Deliver a mixed-use development with great community benefits.*
- *Assist in facilitating the evolution of the Neutral Bay Town Centre (NBTC) towards a high-amenity mixed-use centre.*
- *Enhance pedestrian amenity and site permeability by providing two new through-site links and upgrading an existing through-site link.*
- *Enhance the quality of the retail environment within NBTC.*
- *Maintain a viable commercial and retail presence on the site, at a scale that will meet the future needs of permanent new jobs to support the strengthening of the NBTC local economy.*
- *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.*

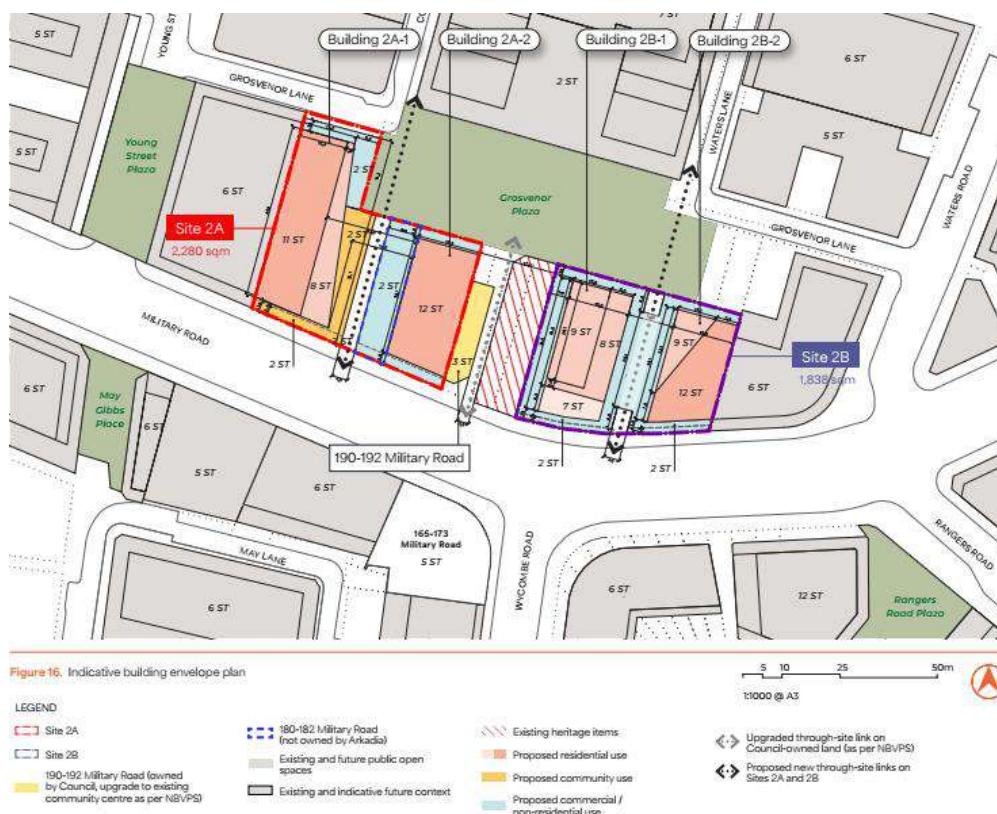
The proponent has prepared an indicative concept scheme to demonstrate how the site could be developed if the proposed amendments to the planning controls were implemented (see **Figures 1 and 2**). It includes:

- 4 mixed-use buildings ranging from 9, 11 and 12 storeys. Two buildings are provided in each land parcel (known as Site 2A and 2B) with 4m wide through-site links between the future Grosvenor Plaza to the north and Military Road to the south, separating the buildings within each parcel (refer to **Figure 1**);
- 5,396m<sup>2</sup> of non-residential floor space at ground level and Level 1, including a 730m<sup>2</sup> community centre located on Site 2A (Building 2A-1);
- 14,724m<sup>2</sup> of residential floor space comprising 144 apartments (41x1 bed, 65x2 bed and 38x3 bed); and



- Basement car parking is intended for each parcel with access to Site 2A off Grosvenor Lane and access to Site 2B off the eastern end of the future plaza where parking is to be retained (under the NBVPS). In the event that the plaza redevelopment occurs prior to the development of these sites, access could also be provided via the new basement plaza car park. As part of the Expression of Interest (EOI) for the redevelopment of the plaza and car park, the applicant submitted 2 options detailing how the plaza basement car park could be utilised to access the parcels within the PP area. Without the agreement of the adjoining owners of 180-182 Military Road (or the 2 owners to the east), access to the basement in Site 2A-2 can only be achieved by way of the plaza redevelopment. A total of 134 car spaces are indicated as being required under Council's DCP provisions.

A summary of the key elements of the reference design is provided in **Table 1**.



**FIGURE 1: Proposed built form – PP4/24 (Applicant's RFI Response, p. 14)**





**FIGURE 2: Proposed built form in 3D – PP4/24 (Applicant's RFI Response, p. 16)**

| <b>TABLE 1 – Key elements of reference design</b>          |  |
|--|--|
| <b>Land Uses</b>   | Mixed-use (commercial/residential)   |
| <b>Indicative yield</b>                                    | 144 apartments   |
| <b>Building Height</b>                                     | Podium – 2 storeys but equivalent to 3 storeys at the northern end due to the falling topography<br>Site 2A-1 Tower – 11 storeys (42m)<br>Site 2A-2 Tower – 12 storeys (45m)<br>Site 2B-1 Tower – 9 storeys (36m)<br>Site 2B-2 Tower – 12 storeys (45m)  |
| <b>Gross Floor Area (GFA)/<br/>Floor Space Ratio (FSR)</b> | Total: 19,789m <sup>2</sup> / 4.8:1 FSR<br>Site 2A – GFA 11,680 m <sup>2</sup> (8,701m <sup>2</sup> resi/2,979m <sup>2</sup> non-resi)/<br>FSR 5.1:1 (1.31:1 non-resi)<br>Site 2B – GFA 8,109 m <sup>2</sup> (5,622 m <sup>2</sup> resi/2,487 m <sup>2</sup> non-resi)/<br>FSR 4.4:1 (1.35:1 non-resi) |
| <b>Setbacks (whole of building)</b>                        | Grosvenor Lane: 1.5m<br>Future Grosvenor Plaza: Nil  |
| <b>Setbacks (Ground level)</b>                             | Military Road: 2.5m (Site 2A) and 1.5m (Site 2B)   |
| <b>Setbacks (Above Podium)</b>                             | Military Road – 3m<br>Grosvenor Lane and future plaza – 3m<br>To side boundaries – Nil (except to heritage item at 196 Military Road where 5m is provided above podium level)  |
| <b>Public Domain</b>                                       | Ground floor setbacks along Military Road: 183m <sup>2</sup><br>East Pedestrian Link (partly covered): 153m <sup>2</sup><br>West Pedestrian Link (open-to-sky): 143m <sup>2</sup>  |

**TABLE 1 – Key elements of reference design**

|                    |  |
|--------------------|--|
|                    | Community Centre: 730m <sup>2</sup> (first floor of building 2A-1 with ground floor lobby) |
| <b>Car Parking</b> | Total: indicative 134 car spaces in basement car park                                      |

The indicative concept scheme outlined above reflects the revisions made to the original scheme by the applicant in response to the issues raised by Ingham Planning following a preliminary assessment of the Planning Proposal.

A meeting was held on 7 March 2024 between the applicant, consultant and Council staff to discuss the issues raised by the consultant and a Request for Further Information (RFI) letter was issued on 13 March 2025. The issues raised included:

- Site isolation of 180-182 Military Road;
- Inclusion and proposed redevelopment of Council land;
- Setback and through-site link requirements;
- Building separation;
- Shadow diagrams demonstrating the impact on properties to the south; and
- Basement vehicular access, parking and circulation details.

Further detail on the issues raised, the applicant's response (received 11 April 2025) and the consultant's comments are provided in **Attachment 5**. The changes to the originally submitted application include:

- Exclusion of Council land at 190-192 Military Road;
- Inclusion of 180-182 Military Road (within Site 2A boundary); and
- Changes to the building separation and tower configuration, notably the extension of the 11 storey element of Building 2A-1 to within 3m of the northern boundary at Grosvenor Lane and an overall reduction of the proposed GFA by 331m<sup>2</sup>.

## PANEL REFERRAL

On 27 September 2018, the Minister for Planning issued a Section 9.1 Direction outlining the instances when a planning proposal must be referred to a Local Planning Panel for advice prior to a council determining whether that planning proposal should be forwarded to the then DPE for the purposes of seeking a Gateway Determination.

All planning proposals are required to be referred to the Local Planning Panel, unless they meet any of the following exemptions:

- the correction of an obvious error in a local environmental plan;
- matters that are of a consequential, transitional, machinery or other minor nature; or
- matters that Council's General Manager considers will not have any significant adverse impact on the environment or adjacent land.

The Planning Proposal does not meet any of the exemption criteria and therefore must be referred to the Local Planning Panel for advice prior to Council making any determination on the matter.

## BACKGROUND

### Military Road Corridor Planning Study (MRCPS)

In 2018, Council resolved to commence the preparation of a planning study for the Military Road Corridor to guide and manage change and growth in the Neutral Bay Town Centre.

On 22 February 2021, Council resolved to adopt the *Neutral Bay Town Centre – Future Directions Report* also known as the *Military Road Corridor Planning Study (MRCPS)*.

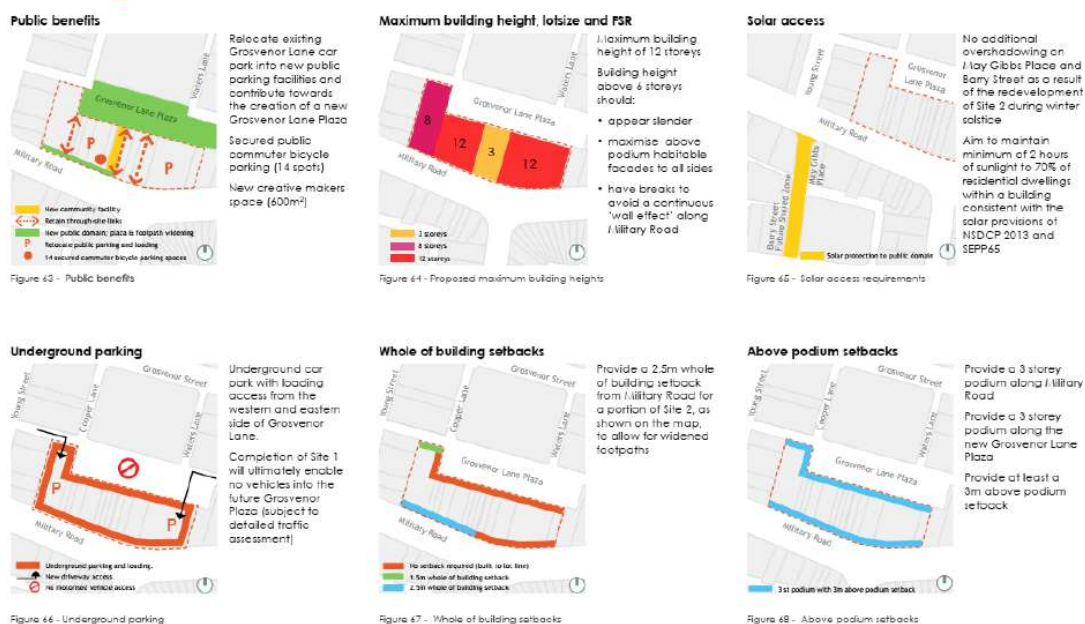
The key objectives of the MRCPS were to:

- address the ongoing decline in employment floorspace being facilitated by Council's existing planning controls;
- facilitate carefully planned development while maintaining the village atmosphere of the centre; and
- leverage a range of public domain improvements and community benefits from planned growth.

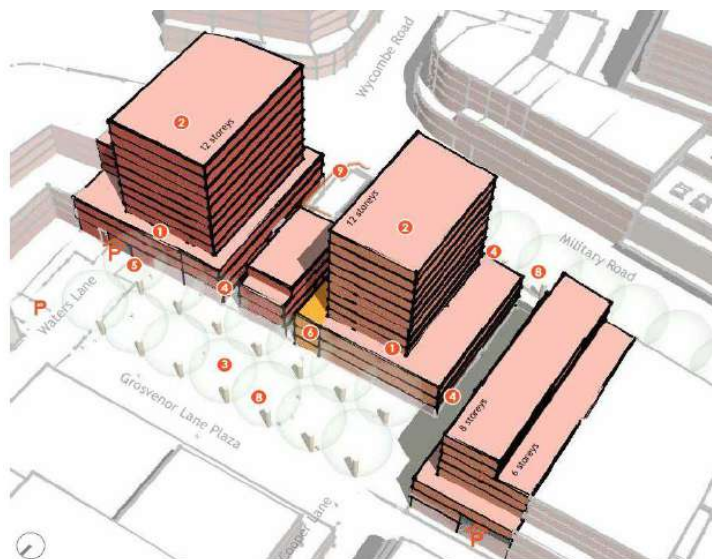
The MRCPS identified the subject site as a 'key site' for the delivery of public domain and community benefits. A driving principle of the MRCPS was that additional opportunities beyond existing planning controls may only be pursued if pre-determined public benefits are delivered to support the community and demonstrate design excellence.

The MRCPS outlined the following detailed design considerations for the subject land (see **Figures 3 and 4**).

#### Detailed design considerations for Site 2



**FIGURE 3: Site 2 design considerations – MRCPS (rescinded)**



**FIGURE 4: Site 2 indicative built form – MRCPS (rescinded)**

On 24 January 2022, Council resolved to rescind the MRCPS amidst concerns raised by the community with respect to the height and scale of development proposed by the Study. Council resolved to further engage with the community and stakeholders to prepare *“a revised recommendation that has a better balance between development height and the provision of additional public open space.”*

The MRCPS has been superseded by the NBVPS as discussed below.

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

The Neutral Bay Village Planning Study (NBVPS) was developed after the previous MRCPS was rescinded by the newly elected Council in January 2022. The draft study was exhibited from 27 February 2024 to 2 April 2024.

The finalised study presented to Council detailed the following urban design objectives, proposed planning controls and supporting public benefits for Site 2:

#### *Site 2 – Principles*

- *Identified ‘Site 2’ (Grosvenor Lane South) as comprising two portions: ‘Site 2A’ incorporating 166-188 Military Road and ‘Site 2B’ incorporating 198-214 Military Rd a minimum non-residential floor space ratio of 1.2:1*
- *a maximum height of 8 storeys (28 metres)*

#### *Site 2 - Objectives:*

- *support local jobs, local shops and housing opportunities*
- *enhance pedestrian amenity and access between Military Road and the new plaza*
- *deliver a 1000m<sup>2</sup> community centre with the potential to extend the community activities outdoors at the plaza*
- *support the village atmosphere*

#### *Site 2 - Design Guidelines:*

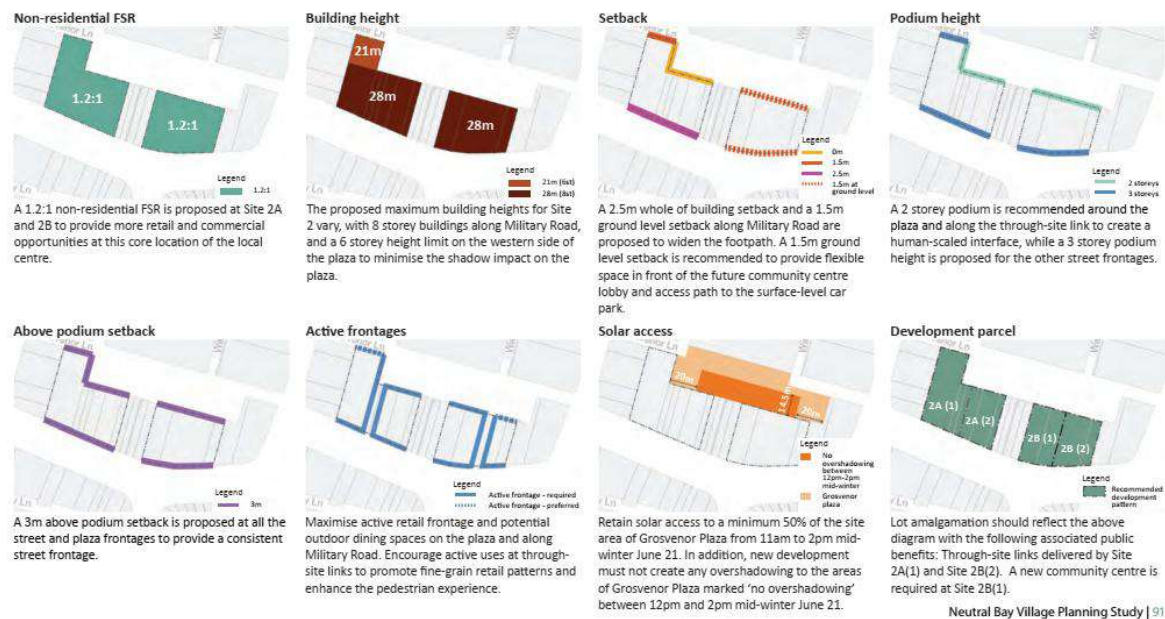
- *Provide additional employment floor space with a minimum 1.2:1 non-residential FSR*
- *Enhance streetscape amenity by providing:*
  - *A 2.5m whole of building setback along Military Road at Site 2A*
  - *A 1.5m ground level setback at Site 2B with additional street trees and landscaping*
- *Ensure built form presents unobtrusively by maximising above podium habitable facades on all sides and providing generous building separations to avoid continuous 'wall effect' along Military Road*
- *Protect solar amenity to Grosvenor Plaza*
- *Deliver two new through-site links with a minimum 6m width and open-to-sky*
- *Provide multiple fine-grain retail shops along Military Road, plaza and through-site links to support a variety of new on-street shops*
- *Deliver a new 1000m<sup>2</sup> community facility with separated lobby accessible from plaza at Site 2B*
- *Ensure built form sensitively responds to existing heritage items*

#### *Site 2 - Public Benefits*

- *A 1,000m<sup>2</sup> community centre*
  - *Located on the first floor of the new development at Site 2B, with a ground floor lobby facing Grosvenor Plaza designed to be visually transparent and inviting*
  - *Ensure a strong visual presence along Military Road and Grosvenor Plaza*
- *Two new through-site links*
  - *Both links with a width of 6m and open-to-sky*
  - *Provide accessibility for people with limited mobility*
  - *Provide 2 storey podium height with active retail frontages on the ground level along the through-site links*
  - *A covered arcade link may be considered at Site 2A provided the maximum length of buildings over 6 storeys avoids the 'wall effect' along Military Road*
- *Footpath widening at Military Road*
  - *Provide footpath widening at Military Road with a 2.5m whole of building setback, allowing opportunities for new street trees and kerbside plantings to enhance pedestrian amenity and improve pedestrian safety*
  - *Include a 1.5m ground level setback to improve pedestrian amenity and widen the footpath*

**Figure 5** illustrates the proposed planning controls for Site 2. **Figure 6** shows the indicative built form arising from the proposed controls.





**FIGURE 5: Site 2 proposed planning controls – NBVPS (as exhibited)**



**FIGURE 6: Site 2 indicative built form – NBVPS (as exhibited)**

At the 27 May 2024 meeting, Council resolved to adopt the NBVPS subject to some amendments, including the reduction of the maximum 8 storey building height nominated for the subject site to 6 storeys. Council also resolved the following:

- *THAT Council support the inclusion of affordable housing in all new developments, with the affordable housing being part of the maximum building height of six storeys;*
- *THAT affordable housing remains in perpetuity;*
- *THAT Council note the Neutral Bay Village Planning Study will guide future Planning Proposals;*
- *THAT Council endorse the preparation and progression of a planning proposal and associated development control plan amendment to give effect to the aspects of the Neutral Bay Village Planning Study outlined in this report.*

Council has not yet commenced the Planning Proposal process referred to above.

### **The Planning Proposal**

As noted above, the Planning Proposal was lodged on 29 October 2024 and amended on 11 April 2025.

On 23 June 2025, the NSW Housing Delivery Authority (HDA) considered an Expression of Interest (EOI) 255066 for 166–174, 176, 178, 184-186, 188, 198-200, 202-212, 214 Military Road, Neutral Bay prepared by Arkadia Property Services Pty Ltd to be considered a State Significant Development with a concurrent rezoning. The result was:

*The HDA:*

- *Does not recommend this project be declared SSD under the HDA pathway*
- *Noted the reasons for the HDA recommendation:*
  - o *The proposal does not adequately satisfy objectives or criteria of the HDA EOI, being:*
    - o *Objective 1: Deliver more homes within the Housing Accord period*
    - o *Criteria 1.2: Development is State significant*
    - o *Objective 2: Identify projects that can be assessed quickly*
    - o *Criteria 2.1: Largely consistent with development standards*
- *Recommended the applicant be advised there remains alternative approval pathways in the NSW planning system for development on this site including a development application following the current planning proposal (PP4/2024) being considered.*
- *Noted there are no member conflict of interests.*

### **DETAIL**

#### **1. Applicant**

The Planning Proposal (PP4/24) was lodged by Arkadia Property Services Pty Ltd on 29 October 2024. Owner's consent has been obtained from all landowners except for 180-182 Military Road.

#### **2. Site Description**

The site comprises nine (9) individual allotments of land (166-188 and 198-214 Military Road, Neutral Bay). **Figure 7** is an extract from the applicant's response to the RFI which indicates the extent of the site, the property details and ownership. However, Council records indicate the properties are in various private ownership. Consent has been obtained for Arkadia to lodge the PP from eight of the nine landowners. The owner of 180-182 Military Road has not provided consent.

The subject site is bound by Grosvenor Lane and the existing Grosvenor Lane public car park to the north and Military Road to the south. The site is divided into two (2) parcels by land owned by North Sydney Council (190-192 Military Road) that provides an existing community centre and two heritage listed buildings (194-196 Military Road), which do not form part of the Planning Proposal. The western portion is referred to as Site 2A (which has an area of 2,280m<sup>2</sup>) and the eastern portion is Site 2B (which has an area of 1,838m<sup>2</sup>)(see **Figure 7**). The land falls from south to north, dropping approximately 1 level (around 3m) between Military Road and Grosvenor Plaza.

The site is currently occupied by a wide variety of retail and commercial uses.





## LEGEND

|   |   |   |                  |
|---|---|---|------------------|
| <span style="border: 1px dashed red; padding: 2px;"> </span>  | Site 2A   | <span style="background-color: orange; border: 1px solid black; padding: 2px;"> </span> | Owned by Arkadia |
| <span style="border: 1px dashed blue; padding: 2px;"> </span>   | Site 2B   | <span style="background-color: purple; border: 1px solid black; padding: 2px;"> </span> | Owned by Council |
| <span style="background: repeating-linear-gradient(45deg, transparent, transparent 2px, red 2px, red 4px); border: 1px solid black; padding: 2px;"> </span> | Heritage  | <span style="background-color: grey; border: 1px solid black; padding: 2px;"> </span>   | Owned by Others  |
| <span style="border: 1px dashed blue; padding: 2px;"> </span>   | 180-182 Military Road<br>(not owned by Arkadia) |   |                  |

| Site   | Lot No. | Deposited Plan No. | Address   | Ownership             | Site Area |           |
|--|---------|--------------------|-----------|-----------------------|-----------|-----------|
| 2A   | 1       | 7                  | DP 786399 | 166-174 Military Road | Arkadia   | 1,089 sqm |
|  | 2       | 11                 | DP 600315 | 176 Military Road     | Arkadia   | 145 sqm   |
|  | 3       | 1                  | DP 227611 | 178 Military Road     | Arkadia   | 145 sqm   |
|  | 4       | 22                 | DP 232918 | 180-182 Military Road | Private   | 287 sqm   |
|  | 5       | 1                  | DP 814194 | 184-186 Military Road | Arkadia   | 452 sqm   |
|  | 6       | 28                 | DP 231494 | 188 Military Road     | Arkadia   | 162 sqm   |
| Site 2A - Subtotal                                       |         |                    |           |                       |           | 2,280 sqm |
|  |         |                    |           |                       |           |           |
| 2B   | 13      | 1                  | DP 528917 | 198-200 Military Road | Arkadia   | 500 sqm   |
|  | 14      | 1                  | DP 802102 | 202-212 Military Road | Arkadia   | 1,120 sqm |
|  | 15      | 3                  | DP 613732 | 214 Military Road     | Arkadia   | 218 sqm   |
| Site 2B - Subtotal                                       |         |                    |           |                       |           | 1,838 sqm |
| Total Site Area  |         |                    |           |                       |           | 4,118sqm  |
| The following lots do not form part of the subject site: |         |                    |           |                       |           |           |
| -  | 7       | 9                  | DP 229737 | 190 Military Road     | Council   | 153 sqm   |
|  | 8       | 10                 | DP 229737 | 190 Military Road     | Council   | 165 sqm   |
|  | 9       | 1                  | DP 561167 | 192 Military Road     | Council   | 36 sqm    |
|  | 10      | 1                  | DP 737344 | 192 Military Road     | Council   | 3 sqm     |
|  | 11      | 2                  | DP 737344 | 194 Military Road     | Private   | 202 sqm   |
|  | 12      | 15                 | DP 231564 | 196 Military Road     | Private   | 246 sqm   |

**FIGURE 7: Subject land indicating 2 development parcels (p6 Applicant's RFI Response)**



**FIGURE 8: Site 2A viewed from Cooper Lane**



**FIGURE 9: Part of Site 2A viewed from Grosvenor Plaza**



**FIGURE 10: Site 2B viewed from Military Road**



**FIGURE 11: Sites viewed from Military Road at Wycombe Road intersection**





**FIGURE 12: Site 2A viewed from Military Road**



**FIGURE 13: Site 2B viewed from Grosvenor Plaza**



**FIGURE 14: Land to the north across Grosvenor Plaza**

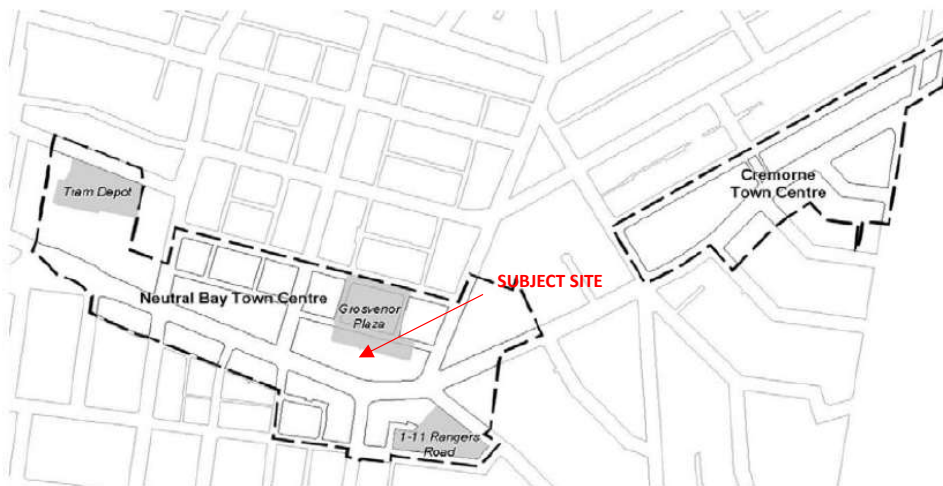


**FIGURE 15: Land to the south across Military Road**

### 3. Local Context

The site is located in the Neutral Bay Town Centre (see **Figure 16**). Neutral Bay is identified a 'local centre' under the *North District Plan* and *North Sydney Local Strategic Planning Statement* (LSPS).

Military Road adjoins the southern boundary, which provides regular bus services to North Sydney CBD and Sydney CBD to the south, and to Mosman, Chatswood, St Leonards and the northern beaches to the north.



**FIGURE 16: 'Neutral Bay Town Centre' Locality Area (NSDCP 2013)**

The subject site is adjoined by the following:

- **To the north**, on the adjoining lot, is the existing Council owned Grosvenor Lane carpark. The existing at grade parking area is linked to Grosvenor Street via Cooper Lane and Waters Lane. Directly opposite the site on the north side of the carpark is a full-line Coles (former Woolworths) supermarket at 41-53 Grosvenor Street, with a loading dock on the corner of Cooper and Grosvenor Lane (see **Figure 14**). This site is the subject of a Planning Proposal (PP1/25) for an 8 storey mixed-use development with a supermarket and retail at the ground level.
- **To the south**, on the opposite side of Military Road, are two-three storey commercial buildings (see **Figure 15**).
- **To the east**, on the corner of Waters Road, is a 2 storey art deco style commercial building.
- **To the west**, on the corner of Young Street is a 2 storey commercial building.

### 4. Current Planning Provisions

The following subsections identify the relevant planning instruments that apply to the subject site.

#### 4.1 NSLEP 2013

NSLEP 2013 was made on 2 August 2013 through its publication on the NSW legislation website and came into force on the 13 September 2013. The principal planning provisions relating to the subject site are as follows:

- Zoned MU1 - *Mixed Use* (**Figure 17**);
- A maximum building height of 16m (**Figure 18**); and
- A minimum Non-residential Floor Area of 0.5:1.



**FIGURE 17: NSLEP 2013 Zoning Map extract**  
 The subject site is zoned MU1 Mixed Use



**FIGURE 18: NSLEP 2013 Height of Buildings Map Extract.** The subject site has a maximum height of 16m.

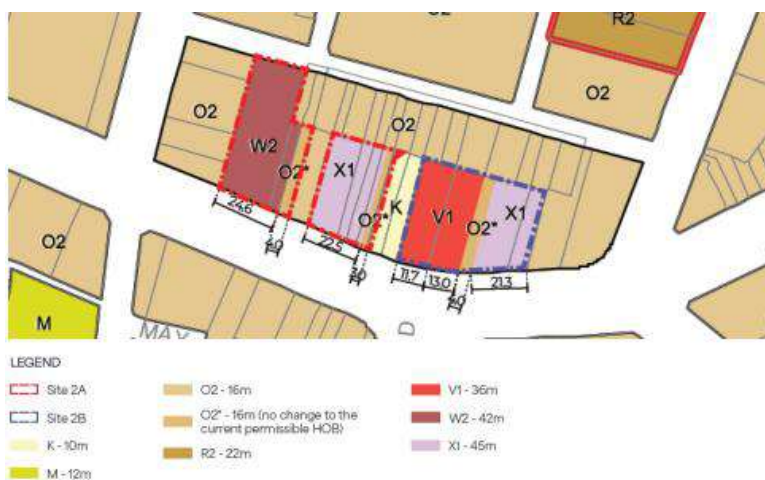
## 5. Proposed Planning Provisions

### 5.1 Amendment to the NSLEP 2013

The Planning Proposal seeks to achieve its objectives and intended outcomes by amending the NSLEP 2013 as follows:

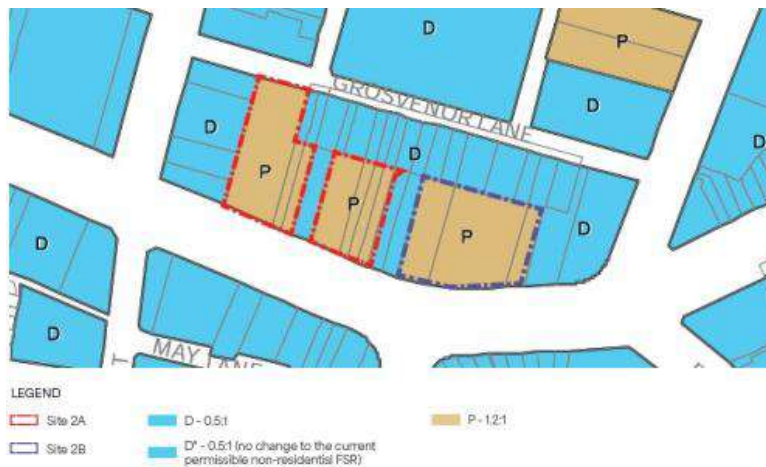
- Increase the maximum building height control for the site from 16m to 36-45m (excludes 180-182 Military Road and the area containing the through-site links, which are to retain the existing 16m control); and
- Increase the minimum non-residential floor space ratio control from 0.5:1 to 1.2:1

The Planning Proposal anticipates that the maps to the NSLEP 2013 would be amended similar to those depicted in **Figures 19 and 20**.



**FIGURE 19:**  
 Extract of applicant's  
 proposed amendment to  
 the Height of Buildings  
 Map to NSLEP 2013





**FIGURE 20:**  
**Extract of applicant's**  
**proposed amendment to**  
**the Non-Residential**  
**Floor Space Ratio Map**  
**to NSLEP 2013**

## 5.2 Amendment to the NSDCP 2013

Section 5 to Part C of the NSDCP 2013 contains a number of site-specific development controls relating to desired built form, massing and scale; podiums; setbacks and vehicular access. However, these are based on the current LEP controls and are not reflective of the site-specific controls provided by the NBVPS.

Whilst no draft DCP provisions have been formally provided by the applicant, they have indicated the intention is to prepare this later in the process to provide increased certainty over a future built form on the site.

## 5.3 Voluntary Planning Agreement (VPA)

The Planning Proposal is accompanied by a non-binding letter of offer to enter into a VPA with Council to deliver public benefits. The offer as outlined by the applicant is provided below:

- 1. New community centre:** Construction and delivery to Council of a warm shell 730m<sup>2</sup> community centre within Tower 2A-1 to replace the existing Neutral Bay Community Centre on the site. The community centre will be located at Level 1, with a ground floor lobby providing direct access to the new plaza. Lift and stairs will provide access to Level 1. The community centre will be equipped with amenities and a kitchenette, storage rooms for furniture and IT services subject to further discussion of requirements with Council. Arkadia will provide a peppercorn lease of this space to Council for 40 years.

**Value:** \$9,350,000

**Timing:** Upon completion of the Tower 2A-1 Stage and with delivery of total residential GFA of 14,724m<sup>2</sup> as per Urban Design Report submitted with this PP.

- 2. Publicly accessible through site links:** Construction of two additional through site links, dedicated as volumetric stratum to Council (to facilitate development above as per Site 2B). An easement is proposed to be established in benefit to Arkadia to facilitate seating and awnings within links adjacent to retail.

- 2.1. Western pedestrian link (Site 2A).** *The western link aligns with Cooper Lane and will be 4m wide, with embellishment including paving and accessible level change management (including public lift) and will be open to sky.*
- 2.2. Eastern pedestrian link (Site 2B).** *The eastern link aligns with Waters Lane and will be 4m wide, with embellishment including paving and accessible level change management, and will be partially covered by building above, 50% of this will be retained and 50% dedicated.*
- 2.3 Upgrade and widening of existing pedestrian link.** *Arkadia will upgrade the existing central through site link that is adjacent the heritage item. The upgrade will involve increase of width to 3m, embellishment including paving and accessible level change management and be open to sky.*

**Value:** \$8,487,500

**Timing:** *Upon completion of the relevant adjacent Stage and with delivery of total residential GFA of 14,724m<sup>2</sup> as per Urban Design Report submitted with this PP.*

- 3. Military Road footpath widening:** *Additional ground floor setback to the Military Road boundary, dedicated as volumetric stratum to Council (to facilitate development envelope above the ground floor).*
- 3.1. Site 2A footpath widening.** *2.5m additional footpath width, within the existing boundary, provided to the full width of the Site 2A frontage to Military Road, at the ground floor. The surface will be embellished and finished to match item 4 below.*
- 3.2. Site 2B footpath widening.** *1.5m additional footpath width, within the existing boundary, provided to the full width of the Site 2B frontage to Military Road, at the ground floor. The surface will be embellished and finished to match item 4 below.*

**Value:** \$4,575,000

**Timing:** *Upon completion of the relevant adjacent Stage and with delivery of total residential GFA of 14,724m<sup>2</sup> as per Urban Design Report submitted with this PP.*

**4. Public Domain Improvements and Landscaping:**

- 4.1.** *The existing footpath to the full Site 2A and Site 2B frontage is proposed to be upgraded with embellishments include paving, wayfinding, accessibility measures and a 1m wide landscaped strip where feasible with street trees at regular intervals, subject to detailed design.*

**Value:** \$2,586,375

**Timing:** *Upon completion of the relevant adjacent Stage and with delivery of total residential GFA of 14,724m<sup>2</sup> as per Urban Design Report submitted with this PP.*

*The total value based on the above is \$24,998,875.*

It is noted that the letter of offer was not updated in response to the amendments to the PP and it is not clear if the offer to upgrade the central through-site link owned by Council remains despite this land being removed from the PP. It should also be noted that the values ascribed to each element noted above are provided by the applicant and have not been independently reviewed on behalf of Council.

Discussion of the above public benefit offer is provided in **Sections 8.7 and 8.8** and **Table 2**.

## **6. STRATEGIC POLICY CONTEXT**

### **6.1 Greater Sydney Region Plan**

In March 2018, the NSW Government released *A Metropolis of Three Cities – Greater Sydney Region Plan* (Region Plan). It provides a long-term vision and plan to accommodate Sydney's anticipated population growth of 1.7 million people and deliver 725,000 new dwellings and 817,000 new jobs by 2036.

It sets out the framework for five districts within Greater Sydney and seeks to deliver an 'Infrastructure and Collaboration', 'Liveability', 'Productivity' and 'Sustainability' framework. The District Plans, consistent with the Region Plan, were released at the same time as the Region Plan.

The directions and objectives for 'Liveability' under the Region Plan, specifically *Objective 12 – Great places that bring people together*, states that a place-based planning approach should be applied to local centres and larger scale urban renewal. Specifically, *'through place-based planning mechanisms for delivering public benefits can be agreed early in the planning process, so that places provide a combination of the following elements: well-designed built environment; social infrastructure and opportunity; and fine grain urban form'* (p.73).

### **6.2 North District Plan**

In March 2018, the NSW Government released the *North District Plan*, which covers the LGAs of North Sydney, Hornsby, Ku-ring-gai, Ryde, Hunter Hill, Lane Cove, Willoughby, Mosman and Northern Beaches.

The *North District Plan* sets high-level housing and jobs targets for the District. It also identifies Neutral Bay as a 'local centre' and establishes principles for the planning of local centres. Specifically, *Planning Priority N6 – Creating and renewing great places and local centres, and respecting the District's heritage*, requires a place-based planning for centres to address the following principles:

- *provide a public realm and open space focus;*
- *deliver transit-oriented development and co-locate facilities and social infrastructure;*
- *provide, increase or improve local infrastructure and open space;*
- *improve walking, cycling and public transport connections;*
- *protect or expand retail and/or commercial floor space;*
- *augment or provide community facilities, services, arts and cultural facilities;*
- *increase residential development in, or within a walkable distance of, the centre. However, housing should not compromise a centre's primary role to provide goods and services, and the opportunity for the centre's employment function to grow and change over time (p.49).*



Further to this, Action 19 in the North District Plan states:

*“Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places by:*

- a. Prioritising a people-friendly public realm and open spaces as a central organising design principle*
- b. Recognising and balancing the dual function of streets as places for people and movement*
- c. Providing fine grain urban form, diverse land use mix, high amenity and walkability, in and within a 10-minute walk of centres*
- d. Integrating social infrastructure to support social connections and provide a community hub*
- e. Recognising and celebrating the character of a place and its people.*

Following the directions of the Greater Sydney Commission (GSC), North Sydney Council has put in place its Local Housing Strategy (LHS) and Local Strategic Planning Statement (LSPS), which forms part of the hierarchy of plans and provides alignment with the *North District Plan*.

### **6.3 North Sydney Local Strategic Planning Statement (LSPS)**

The North Sydney LSPS was adopted by Council on 25 November 2019, and subsequently ‘assured’ by the GSC on 20 March 2020.

One of the key roles of the LSPS is to draw together, in one document, the priorities and actions for future land use planning, and present an overall land use vision for the North Sydney LGA for the next 20 years. The LSPS is required to be consistent with the Region Plan and *North District Plan* and provide a clear line-of-sight between the key strategic priorities identified at the regional and district level and the local and neighbourhood level.

The preparation of a planning study for the Military Road Corridor, which includes the Neutral Bay and Cremorne local centres, is integrated into the North Sydney LSPS.

Key actions in the North Sydney LSPS include:

- *Action L3.2 – Continue to prepare and implement place-based planning studies to ensure the delivery of growth and development is balanced and well-managed and has a strong focus on placemaking and community benefit. This includes: undertake/implement the Military Road Corridor Planning Study – Stages 1 and 2.*
- *Action L1.5 – Council will only support Planning Proposals that are consistent with Council’s endorsed planning studies, that have identified growth being delivered in locations that support the role of centres and have critical infrastructure and services in place to support the North Sydney community.*

These actions were put in place to ensure growth is responsibly managed by Council and ‘ad hoc’ planning proposals are not supported without an endorsed framework that foreshadows and guides changes to existing planning controls.

The MRCPS and NBVPS, as outlined in the background of this report, responds to and seeks to implement the planning priorities for local centres as set out in the *North District Plan*.

## **7. ASSESSMENT FRAMEWORK**

### **7.1 Planning Proposal Structure**

The Planning Proposal has been prepared generally in accordance with the requirements of Section 3.33 of the *Environmental Planning and Assessment (EP&A) Act 1979* and *Local Environmental Plan Making Guidelines* (DPE 2023). In particular, the Planning Proposal adequately sets out the following:

- A statement of the objectives or intended outcomes of the proposed local environmental plan;
- An explanation of the provisions that are to be included in the proposed local environmental plan;
- Justification of the proposal's strategic and site-specific merit;
- Identification of associated mapping amendments;
- Details of the community consultation that is to be undertaken in relation to the Planning Proposal; and
- A project timeline identifying how the planning proposal is to be implemented, should it progress.

### **7.2 Need for the Planning Proposal**

The primary objective of the Planning Proposal as described by the proponent, is: *"to seek amendments to the building height control and minimum non-residential floorspace control as they apply to the site in order to facilitate a mixed-use development outcome consistent with the objectives of the site's MU1 Mixed Use Zone, the MRCPS and the NBVPS"* (p.27 of the Planning Proposal report).

A PP is required because the current planning controls under the NSLEP 2013 do not enable the site to be redeveloped to the requested heights for the site, and the intent of the proposal cannot be achieved under *Clause 4.6 – Exceptions to development standards* due to the degree of variation in height sought.

### **7.3 Assessment Criteria**

Section 2 of the then DPE's *'LEP Making Guideline'* (August 2023) outlines the criteria for assessing Planning Proposals. For a Planning Proposal to be supported to proceed to a Gateway Determination it must demonstrate both 'strategic' and 'site-specific' merit and that identified potential impacts can be readily addressed during the subsequent LEP making stages.

A planning proposal is deemed to have strategic merit where it gives effect to the strategic planning framework, that is the relevant Regional and District Plan, LSPS, Council strategies, section 9.1 Ministerial Directions and State Environmental Planning Policies (SEPPs).

To demonstrate the proposal is suitable for the site and that the site is suitable for the resultant development, it must identify the potential environmental, social and economic impacts and outline proposed mitigation measures and justification. The proposal must give regard and assess impacts to the natural environment on the site; existing and likely future uses in the vicinity; and services and infrastructure that will be available to meet the demands arising from the proposal.

## **8. DISCUSSION OF KEY ISSUES (RELEVANT TO STRATEGIC AND SITE-SPECIFIC MERIT)**

### **8.1 Site Isolation of 180-182 Military Road**

This issue has been the subject of 2 submissions on behalf of the owners of this land. In response to the first submission, the RFI sent to the applicant advise that it would be preferable for 180-182 Military Rd to be included as part of the PP as excluding it mean that there would be no possibility of any significant redevelopment occurring for this property. Consequently, the applicant amended the PP to include this land, however the existing building height control is proposed to remain at 16m.

The second submission maintained the concern regarding the proposed 16m height limit and the impact of this and the indicative concept plans on the future development potential of 180-182 Military Road.

Both the rescinded MRCPS and the NBVPS included 180-182 Military Road as part of the area where higher buildings were intended to be permitted. The amended is contrary to this outcome and will result in this property not having the opportunity to benefit from increased height in the same manner as the other sites. Whilst it should also be noted that the requirement of the NBVPS to provide a through-site link between Sites 2A-1 and 2A-2, may mean a tower cannot be provided across the full extent of 180-182 Military Road, the opportunity for increased height needs to be provided as part of this PP.

The RFI to the applicant also raised concern regarding the manner in which access to the sites may be achieved through the redevelopment of Grosvenor Plaza and how and when (in terms of the staging of development) parking on Site 2A-2 could be achieved. The applicant has provided further detail however, it remains the case that in the event that the plaza redevelopment does not occur prior to or simultaneously as this parcel, or that alternate access cannot be provided through the properties to the east, the agreement of the owners of 180-182 Military Road will be required to provide vehicular access to Site 2A-2. It is considered that this issue does not need to be resolved at this stage and is more likely to be able to be resolved once there is more certainty about the planning controls that will apply.

### **8.2 Inclusion and Proposed Redevelopment of Council Land**

The PP has been amended to exclude the land owned by Council at 190-192 Military Road, addressing the concerns from Council's Property Department. Notwithstanding, the applicant's offer to upgrade to the existing through-site link has not been revoked and would logically form part of any redevelopment of Site 2A-2.

### **8.3 Building Height**

The proposed building heights must be assessed having regard to a broad range of considerations, including strategic context, feasibility and local impacts.

As outlined above, the NBVPS was endorsed by Council subject to amendments, specifically the reduction of the maximum 8 storey building height nominated for the key sites (including the subject site) to 6 storeys. As detailed in the Hill PDA *Economic Analysis and Financial Feasibility Assessment* prepared as part of the NBVPS, a 6 storey development across the subject site cannot deliver the public benefits assigned to the site and the overall aims of the NBVPS.

The Sydney North Planning Panel (SNPP) has supported 2 PP's within the NBVPS area:

- 1-7 Rangers Road and 50 Yeo Street, Neutral Bay (the Woolworths Site) has been approved for an 8 storey development; and
- 183-185 Military Road, Neutral Bay was placed on exhibition for a 12 storey development.

In the Reasons for the Decision of both these projects, the SNPP indicated: *The previously endorsed though rescinded Military Road Corridor Planning Study (also known as the Neutral Bay Town Centre – Future Directions Report) and current work to revise the Neutral Bay Town Centre Strategic Plan and Study, provide a clear indication of the Council's and the community's desire to revitalise and renew the Neutral Bay Town Centre.*

Additionally, the decision on 183-185 Military Road noted:

*The planning proposal is generally consistent with the rescinded Military Road Corridor Planning Study, which had been prepared by North Sydney Council planners.*

The MRCPS was endorsed after 3 years of preparation and subject to financial feasibility and built form testing and extensive community consultation. Whilst it was subsequently rescinded, it can be concluded that there was an opinion, at that time, that buildings up to 12 storeys on the subject site had strategic and site-specific planning merit. This opinion is agreed with as detailed in **Sections 9 and 10** below.

Further, the height context has changed since these decisions were made. By way of the recent Low and Mid Rise Housing (LMRH) amendments to *State Environmental Planning Policy (Housing) 2021* (Housing SEPP), 6 storey buildings are now permitted within 400m of the Neutral Bay and Cremorne town centres (but not within those town centres). With affordable housing provisions under this SEPP, such buildings can be increased to 8 storeys in height. The logical approach to building density, and one which is consistent with relevant strategic planning objectives to provide higher density close to services, facilities and transport, is to reduce density as the distance from town centres and transport nodes increases. On this basis, having regard to what is permissible under the Housing SEPP, any uplift in building heights within the identified town centres, would logically be 8 storeys or greater.

For the above reasons, despite the NBVPS (maximum 6 storeys) being the currently adopted policy position for the Neutral Bay Centre, it is predominantly the MRCPS that provides for development with viable and appropriate building heights that sustain the necessary public benefits and balances the need for revitalisation of the centre with the broader State Government objective of providing additional housing in accessible locations (actioned in part by the LMR provisions applicable to the NBTC).

The indicative concept adopts the same maximum height as the MRCPS, but through more detailed analysis, has resulted in 4 more slender towers rather than 2 larger towers and 1 smaller tower, as detailed in the MRCPS (see **Figure 21**). There has also been the introduction of chamfers and reduced heights to reduce overshadowing impacts. The tower heights range from 7-12 storeys. This is generally considered to be an appropriate outcome regarding building heights (with the exception of the 11 storeys in the northern part of Building 2A-1 where 6 storeys should be provided. In this case, there should be consistency with the core built form principles of the NBVPS which requires an appropriate transition in heights to protect solar access to public open spaces and provide appropriate interface to the future plaza and surrounding development (see p. 66-67 of the NBVPS).



**Figure 21 – comparison of built form outcomes**

The proposed 2 storey podium height is considered appropriate, despite the NBVPS requiring a 3 storey podium to all street frontages (except to the future Grosvenor Plaza and along the through-site links, which requires a 2 storey podium to create a human scaled interface). It is noted that due to the falling topography, the height of the proposed 2 storey podium to Grosvenor Plaza is equivalent to 3 storeys. However, the existing buildings on the site are generally consistent with that proposed, i.e. two storeys to Military Road and 3 storeys to the plaza. Two storeys to Military Road is also the predominant building height on adjacent land. The proposed podium height shown in the PP concept plans is considered appropriate. The comments from Council's heritage officer agree that the podium should be two storeys (refer to **Section 8.6**).

#### **8.4 Building Separation/Setbacks**

Future buildings will be subject to the *Apartment Design Guide* (ADG) setback/separation design criteria. The proposed concept scheme is assessed with regard to these controls as follows:

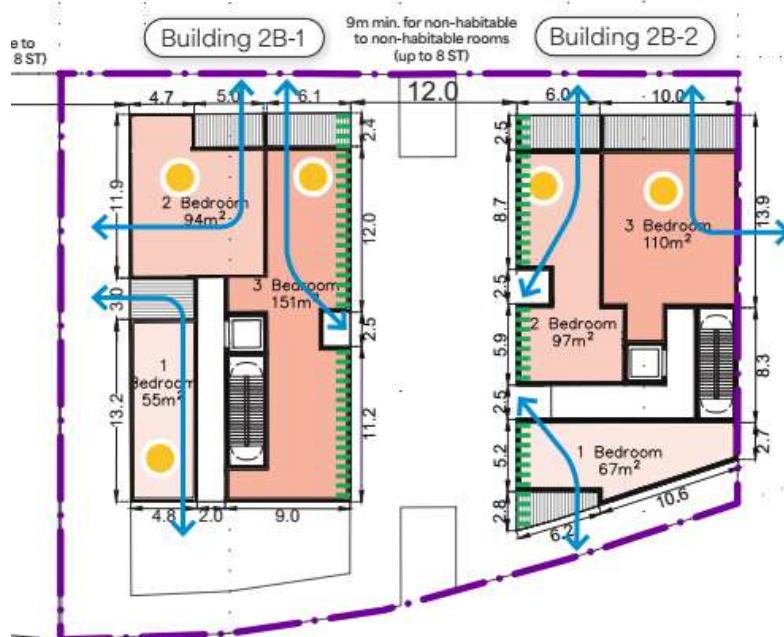
- the 12m separation requirement applies up to proposed Level 3 (Ground and Level 1 being non-residential). The proposal is compliant with this requirement;
- the 18m separation requirement applies to proposed Levels 4-7 (Ground and Level 1 being non-residential). The proposal is non-compliant with this requirement as Buildings 2B-1 and 2B-2 only have a 12m separation at all these levels. Whilst 'non-habitable' interfaces are indicated, this does not appear achievable given the indicative design; and

- the 24m separation requirement applies from proposed Level 8 and higher. The proposal is non-compliant with this requirement as Buildings 2B-1 and 2B-2 only have an 18.1m separation at Level 8. Whilst the 'non-habitable' interface of Building 2B-2 indicated does not appear achievable given the indicative design, Building 2B-1 could allow for compliance to be achieved.

As noted, the separation between towers is not solely a visual privacy issue (which is dealt with by the ADG) but also an urban design issue. Adequate tower separation is important in relation to:

- Pedestrian amenity - ensuring adequate breaks in tall towers are provided to allow sky views and wind protection at ground level
- Appropriate scale and proportion - ensuring buildings respond appropriately to site area and location through adequate scale and proportion, and discourage continuous, uninterrupted walls of towers to avoid a canyon effect at the street level

Whilst the NBVPS indicates that tower separation should be as per the ADG, in regard to the indicative built form drawings in the NBVPS, some of the separation distances are less than those indicated in the ADG where habitable rooms face each other. Council has advised that this was based on some facing elevations having non-habitable rooms (although this detail was not evident in the NBVPS). The PP indicative concept plans also seek to have reduced separation on this basis, however, the detailed apartment layouts provided (see **Figure 22**), do not adequately demonstrate that facing walls will have non-habitable rooms (therefore resulting in non-compliance with the ADG).



**Figure 22 – 12m separation between proposed towers 2B-1 and 2B-2 does not demonstrate compliance with the ADG**

Further, not only is the separation provided between the towers inadequate but the setbacks to side boundaries (i.e. half of the separation requirement) are also not met. This is an issue as in 3 locations, the adjoining land is not part of the PP. In this regard:

- Building 2A-1 has a nil setback to the western boundary and is 6 storeys above the 4 storeys currently permitted. The indicative concept indicates openings facing this boundary which will not meet Building Code of Australia (BCA) requirements and will be non-compliant with the ADG setback requirements. A blank wall would result in a poor visual outcome and would not be acceptable.
- Building 2B-2 has a nil setback to the eastern boundary and is 7 storeys above the 4 storeys currently permitted. The indicative concept indicates openings facing this boundary which will not meet BCA requirements and will be non-compliant with the ADG setback requirements. A blank wall would result in a poor visual outcome and would not be acceptable.
- Building 2A-2 has a nil setback to the eastern boundary adjoining the Council owned land and through-site link and is 9 storeys above the existing buildings on this land. The indicative concept indicates openings may be needed to this boundary which will not meet BCA requirements and will be non-compliant with the ADG setback requirements. A blank wall would result in a poor visual outcome and would not be acceptable. Notwithstanding, some amendment is required to ensure an appropriate visual outcome.

Whilst not an ADG issue, Building 2A-1 has been amended to replace the 6 storey element provided to the northern part with an extension of the 11 storeys. This is contrary to the NBVPS and will result in an undesirable sense of enclosure of the proposed public plaza and will overshadow the plaza after 2pm at midwinter.

The PP should not proceed until these issues are sufficiently addressed.

### **8.5 Residential Amenity (ADG Assessment)**

The key amenity matters addressed in the ADG are discussed below.

Privacy – as noted above, the indicative layouts do not adequately demonstrate compliance with the privacy setbacks of Part 3F of the ADG as facing elevations are likely to require habitable windows.

Solar access – the applicant's documentation indicates the following outcome for the indicative buildings regarding the requirements of Part 4A of the ADG to provide 70% of apartments with a minimum of 2 hours solar access to private open space and living rooms: Building 2A-1 – 76%, Building 2A-2 – 80%, Building 2B-1 – 100% and Building 2B-2 – 74%. These figures are generally concurred with.

Cross ventilation - the applicant's documentation indicates the following outcome for the indicative buildings regarding the requirements of Part 4B of the ADG to provide 60% of apartments with natural cross ventilation: Building 2A-1 – 61%, Building 2A-2 – 70%, Building 2B-1 – 79% and Building 2B-2 – 85%. These figures are generally concurred with.

Communal open space – the plans do not specifically address this however, the provision of podiums and rooftops will allow for some areas for communal open space as required by Part 3D.

Private open space – the indicative plans demonstrate that the requirements of Part 4E are able to be achieved.



Ceiling heights – the ceiling heights noted in Part 4C, being 4m for ground floor, 3.3m for first floor and 2.7m for the residential levels, are able to be achieved within the height controls requested by the applicant (including a 500mm allowance for structure and services at each level and a 3m lift overrun).

## 8.6 Heritage

The following comments have been provided by Council's Heritage officer:

*The two heritage items [at 194 and 196 Military Road] are part of a terminating view from Wycombe Road and with reference to the group of period buildings on the opposite south-eastern corner of the Military Road/Wycombe Road intersection, contribute to the local character of Neutral Bay. Within this context:*

- *A two storey podium scale with a suitable setback to the upper levels would be the most appropriate built form approach to protect the setting and views of the heritage items. The two storey scale will enhance the interpretive aspect of the new built form by imbuing the historical context of a former lower scale of development along Military Road. A setback of the upper levels above the podium will ensure a high level of visual amenity along Military Road by avoiding a canyon effect.*
- *As identified in the Neutral Bay Village Planning Study, a 5.0m above podium setback along the western side of 198 Military Road will provide a respectful response to the heritage items that will enhance their setting and the views to and from them.*
- *The building facades of the new built form in the immediate vicinity of the heritage items should be appropriately broken down and articulated to create an interesting and high-quality architectural design that will complement the subdivision pattern and scale of the heritage items and enhance the setting of the heritage items through the use of appropriate materials, colours and finishes.*
- *Awnings should be incorporated for pedestrian amenity and to enhance the human scale of the built form*
- *Retain pedestrian permeability through to Grosvenor Lane particularly through the retention of the existing link alongside 194 Military Road*
- *Nil setbacks to Military Road*
- *Incorporate a public art strategy early in the overall development process.*

*Further to the issues raised above, the following additional comments are made:*

*The application states that the two heritage sites are not proposed to be developed as part of the subject PP and for which reason a conservation management plan has not formed part of this PP. However, as a baseline, a management document such as a heritage strategy should be prepared and include a recommendation for a CMP to be prepared at the appropriate time to manage and safeguard the heritage significance of the heritage items from future development of these sites.*

*As part of the Ministers Stonework Program and about which further information can be received from NSW Public Works, early consideration should be given to the preparation of a geotechnical report by a suitably qualified geotechnical engineer to investigate the nature of the existing subsurface profile and to analyse the quality of the material, including contamination, to assess the suitability of the rock for removal by cutting into quarry blocks for use as high quality building construction material, including for building conservation.*

*The following information is included as part of the guidance and potential implementation process which includes sale of the harvested sandstone:*

- *If the rock is found to be of a suitable quality for reuse in other construction, the Geotechnical Report is to include an Excavation Work Method Statement with recommendations as to the depth of the most suitable profile, details excavation methodologies, cutting methods and procedures for the removal of all sandstone material in a useable form and size, noise and dust attenuation measures in addition to recommendations for monitoring, notifications and review.*

*In addition, details of any required storage of material off site must be submitted. If the quantity of sandstone material exceeds the needs of the site, or if the approved development does not provide for the use of any sandstone, or if the material is 'Yellow Block' sandstone required for conservation of buildings, the material must be stored in an appropriate location for later reuse or sold for conservation work. Storage may be able to be facilitated by NSW Public Works. The Minister's Stonework Program Manager at NSW Public Works can be contacted on 1300 00 88 88 to discuss procurement or storage of the stone.*

Consultant comment – the comments regarding the 2 storey podium height are concurred with as noted previously. The requirement for a heritage strategy in relation to the potential impacts on the heritage items at 194 and 196 Military Road could form part of any DCP provisions required as part of the PP.

## **8.7 Public Domain Setback and Through-Site Link Requirements**

### The 2.5m whole of building setback along Military Road.

The proposed concept does not provide this setback. The intent of this setback is to enhance pedestrian safety and amenity, provide space for additional street trees and landscaping, and create a greater sense of openness at ground level with more sky being visible above. Whilst an awning would still be required, this could be glazed to allow light and an outlook through the structure. This requirement does not result in the GFA able to be achieved less than envisaged in the NBVPS feasibility analysis.

The above is reiterated by Council's Urban Designer, who states:

*The proponent argues that the ground-level setback is sufficient to widen the footpath and improve circulation around the bus stop area. However, a ground-level-only setback limits opportunities for street trees along the Military Road interface, which are essential for mitigating the harsh traffic environment and enhancing pedestrian amenity at this key location.*

*While the Site 2A frontage includes a B-Line bus stop, it does not extend across the entire frontage. Appropriate tree species can be planted to meet requirements without conflicting with the bus stop's functionality.*

### The 1.5m ground level setback along Grosvenor Plaza

The proposed concept does not provide this setback. The justification provided by the applicant for this non-compliance is that it is not a requirement for other areas with a frontage to the plaza. This is not considered to be an adequate justification for this non-compliance. The reason why this site has a setback requirement is noted in the comments from Council's Urban Designer:

*The proposal includes a 0m setback to the future plaza at Site 2B, which does not comply with the 1.5m ground-level setback requirement outlined in the NBVPS. This setback is intended to provide additional space for pedestrian circulation leading to the at-grade car park at the eastern end of the plaza and to create extra community gathering space in front of the proposed community centre lobby at Site 2B.*

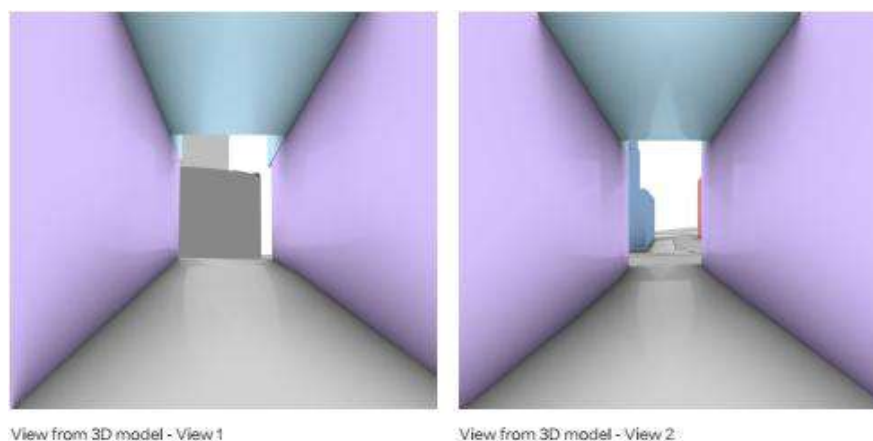
On this basis, the required setback should be provided.

### Through-site links

#### *Eastern link*

The proposed link is 4m wide and partly enclosed instead of 6m wide and open to the sky as required by the NBVPS. The NBVPS notes that some enclosure of the western link in Site 2A 'may' be considered, but not the eastern link in Site 2B. It is noted that other parts of the NBVPS note both links as being open to the sky. The applicant has not given sufficient reasoning as to why the eastern link cannot be open to the sky, which is considered to be a better urban design outcome, providing better way-findings and reinforcing the role of this link as the key pedestrian connection between the north and south sides of the centre. This link aligns with the pedestrian crossing/intersection at the corner of Military Road and Wycombe Road. The proposed FSR is significantly higher than that indicated as being necessary in the feasibility analysis that accompanied the NBVPS, meaning there should be no issue with funding the required public domain upgrades.

As indicated in the submitted information, the proposed building above the link will unreasonably reduce the visual connection between the public areas (see **Figure 23**).



Source – p8 of Applicant's RFI Response

**Figure 23 – view through the eastern through-site link (looking south towards Military Road (View 1) and looking north towards Waters Lane (View 2))**

### Western link

The proposed western link is also 4m, 2m less than indicated in the NBVPS and required by the NSDCP 2013. In regard to this non-compliance the applicant states:

*The indicative 4m wide through site links, rather than constraining opportunity for outdoor dining and retail activation, serve to enhance the activity and viability of the pedestrian / retail interface. A detailed study of laneway precedents of commensurate width at Attachment A demonstrates the functionality and amenity of a 4m wide link. We note that Council's endorsed strategy identifies the existing laneway adjacent the current community centre to be widened to 3m (by reducing the width of the community centre when upgrading it to be the contemplated 'creative hub'). As such, it is clear that Council views a 3m width to be appropriate for two-way accessible movement. The proposed 4m width of the new east and west laneways will therefore offer greater amenity.*

The reasons given for varying from the NBVPS requirements are not supported. The 3m wide through-site link in the NBVPS is for the central link which only needs to provide for pedestrian access as outdoor dining is not needed in relation to the existing/upgraded community centre and heritage constraints which may prevent such for the adjoining heritage items.

For the eastern and western links, active retail and outdoor dining opportunities are intended to be supported along these required 6m wide links and the narrower design may constrain such opportunities, reducing their amenity and usability. In the Melbourne examples given, it appears that the footway is 3.5m wide but additional space is provided for very limited seating on either side. Whilst the examples given appear to be appropriately activated, they have a different character from the links proposed in the NBVPS. The other examples only appear to be activated on one side which is a less desirable outcome in this case.

## 8.8 Community Centre

The NBVPS requires the provision of a 1000m<sup>2</sup> community centre as part of the public benefits that were intended to be delivered as part of the redevelopment of the subject site under the Strategy. In particular, its provision would occur as part of the redevelopment of Site 2B (or Site 2B-1)(see **Figure 24**). The primary reason the NBVPS recommended the siting of the centre in Site 2B is because this adjoins the focal point of the proposed Grosvenor Plaza redevelopment, where it will have the highest exposure to the community using the area. A further reason is that a financial feasibility analysis by Hill PDA for the NBVPS indicated Site 2B is more viable than Site 2A, to deliver this public benefit.

The PP proposes a smaller centre (730m<sup>2</sup>) and in a different location within Site 2A-1 and adjoining the western through-site link (see **Figure 24**). The applicant's comments (p35 of the PP report) notes:

*The proposal will deliver a 730m<sup>2</sup> community centre within Site 2A. Importantly, a balance must be struck between provision of public benefit and the proposed uplift. The proposed community centre exceeds the area of the existing community centre and is highly functional in its spatial dimensions and arrangement within the proposed envelope. It's direct connection to the plaza facilitates activation of the plaza, providing opportunity for activities to spill out onto the plaza (such as market stalls that are both within and outside of the community centre).*

This does not provide adequate justification in relation to either the size or the location of the community centre having regard to the NBVPS requirements. Site 2B offers further strategic advantages, including its proximity to the at-grade car park at the eastern end of the plaza and its direct adjacency to the Military/Wycombe Road pedestrian crossing which provides excellent accessibility from both the northern and southern side of the NBTC, with a prominent, highly visible frontage overlooking the future plaza and a north-facing façade and good solar access.

It is noted that the NBVPS indicated a similar arrangement to that proposed, in that the majority of the community centre floor space is provided at first floor level (although the NBVPS indicated a larger area at ground level). However, in the community consultation undertaken by the applicant (as detailed in **Attachment 5**), it was noted that: *Among other things, a key design feature preferred by local community members was a connection of the community centre to any future public space or plaza at ground level.* This supports not only that the location of Site 2B is the most appropriate for the community centre, but that it would be preferable if a more substantive area of the centre was located at the Plaza level.



**Figure 24 – comparison of NBVPS and proposed community centre location and size**

The proposed community centre is only 730m<sup>2</sup>, 270m<sup>2</sup> less than indicated in the NBVPS. Given that the development yield is far greater in the PP than envisaged in the NBVPS, there is no satisfactory reason why a centre of the required size cannot be provided.

In response to the applicant's letter of offer regarding this public benefit which suggests a 40 year lease with a peppercorn rental agreement, Council's Property Department have advised, in part;

*A 99-year lease with a peppercorn rental agreement would provide a more sustainable and equitable framework, ensuring long-term benefits for the Council and the local community while maintaining public interest.....*

*.....Alternatively, if Council did consider selling the site, then a more preferable course of action would be for the Community Centre to be dedicated to Council ownership, thus preserving its status as a critical public asset and guaranteeing its availability for community use into the future.*

The proposed community centre offer does not meet the requirements of the NBVPS and the applicant's reasons for a different arrangement are not accepted.

## 8.9 Overshadowing

The NBVPS includes solar access requirements for specific public places including Rangers Road Plaza, May Gibbs Place and Grosvenor Plaza. The PP has demonstrated that these areas will not be affected at the relevant times. Notwithstanding, there will be additional overshadowing of Grosvenor Plaza from the 11 storey building in the northern part of Site 2A-1 at other times, and given this height is inconsistent with the NBVPS, this impact is unreasonable.

The NBVPS does not contain provisions in relation to existing private properties except for those in Yeo Street. Notwithstanding, the solar access provisions of the ADG (which apply to proposed apartments and also the impacts on neighbouring existing/future apartments) must be considered.

The additional information submitted by the applicant for the PP confirms that the proposed concept demonstrates the ability to comply with the ADG in regard to future development of sites south of Military Road (i.e. 70% of future dwellings will receive a minimum of 2 hours solar access at midwinter). These properties are shown at **Figure 25**. In regard to the potential impacts:

- the residential levels of Building 1 (183-185 Military Road) are unaffected between 9-11am;
- the easternmost units in Building 2 (157 Wycombe Road-181 Military Road) are unaffected between 9-11am;
- the next easternmost units in Building 2 are unaffected between 9-10am and 12.45-2.15pm;
- the corner and west-facing units in Building 2 are unaffected between 12-2.15pm;
- as detailed in the separate analysis, more than 70% of units in Building 3 (165-173 Military Road) will receive more than 2 hours solar access at midwinter;
- the eastern end of Building 4 (153-161 Military Road) receives solar access between 9-10am, 12-1.15pm and 2.30-3pm;
- the eastern/middle part of Building 4 receives solar access between 10.45am-12.45pm and 2-3pm;
- the western/middle part of Building 4 receives solar access between 10.15am-12.30pm and 2-3pm;
- the western end of Building 4 receives solar access between 9.45-11.45am and 1-3pm;
- the eastern end of Building 5 (151 Military Road) receives solar access between 12.15-3pm;
- the middle part of Building 5 receives solar access between 11.30am-3pm;
- the western end of Building 5 receives solar access between 10.15am-12.30pm and 2-3pm;
- the western end of Building 5 receives solar access between 10.30am-3pm; and
- Building 6 (139 Military Road) is unaffected between 10.15am-3pm.

The submitted information indicates that the indicative concept will overshadow the designated public open space areas near the site:

- In regard to May Gibbs Place, the impact will be before 9.45am, prior to the 10am-1pm period between which 50% of solar access must be preserved.
- In regard to the Rangers Road Plaza, the impact will be after 1.45pm, later than the 10am-1pm period between which 50% of solar access must be preserved.





The outcome of the EOI process for the construction of the Grosvenor Plaza and basement car park will determine the preferred design, construction and funding approach for this new public infrastructure. This will make it clearer how this land will be developed in relation to the subject site.

It is considered that the resolution of access to Site 2A-2 would be best facilitated by the certainty that would result from the PP proceeding (when all owners will have a better idea of the value of their land) and as such it is not a reason for the PP being rejected.

## 9. STRATEGIC MERIT ASSESSMENT

The Planning Proposal is broadly consistent with the higher order strategic planning documents and the endorsed place-based strategy for the locality – the NBVPS, in so far that it provides for mixed use development with significant employment floor space and housing that will assist in the revitalisation of the Neutral Bay town centre and deliver public benefits in a highly accessible location. It provides for an increase in non-residential FSR that is aimed to maintain the economic importance of the town centre.

The proposed building heights are not consistent with the maximum of 6 storeys in the NBVPS as endorsed by Council, however, as noted, the applicant states that such heights do not allow feasible redevelopment and therefore the overall objectives of the NBVPS will not be achieved. This means that the planning objectives of providing additional housing and great public places in the higher order strategic planning documents will also not be achieved. As discussed in **Section 8.3**, the proposed range of building heights from 7-12 storeys may be considered acceptable as:

- Increased development in town centres is consistent with the Region and District Plans with regard to:
  - Planning Priority N5 - Providing housing supply, choice and affordability, with access to jobs, services and public transport
  - Planning Priority N6 - Creating and renewing great places and local centres, and respecting the District's heritage
  - Planning Priority N12 - Delivering integrated land use and transport planning and a 30-minute city
- Neutral Bay is a town centre in relation to the new LMRH provisions under the Housing SEPP which allow 6 storey developments (and up to potentially 8 storeys under the Infill Affordable Housing provisions of the Housing SEPP) within 400m of the town centre;
- Previous acceptance by Council that heights up to 12 storeys on the subject land could potentially demonstrate strategic and site-specific merit (with the endorsement of the MRCPS); and
- Agreement by the SNPP that buildings of 8 and 12 storeys, consistent with the MRCPS, has strategic and site-specific merit.

The only concern regarding building height is the excessive 11 storey height to the west of the future Grosvenor Plaza open space which is 5 storeys higher than recommended by the NBVPS and inconsistent with its Built Form Placemaking Strategy 4 – Provide Height transition and protect solar access (p66). It will result in additional overshadowing as noted above and create an undesirable sense of enclosure in this important future public space and have poor place making outcomes for the Neutral Bay town centre, contrary to the strategic planning objectives.

Notwithstanding the above, the achievement of development opportunities beyond what is currently permitted under the NSLEP 2013 has, in the current and previous studies undertaken by Council for the precinct, been predicated on the provision of pre-determined high quality public domain and community facilities to support growth in the precinct. The Planning Proposal is not consistent with this objective, providing a community centre for a 40-year lease term to Council that is poorly located and 270m<sup>2</sup> less in area than required by the NBVPS. Also, the overall function of the public space around the site will be compromised by providing through-site links which are not aligned with the existing laneways to the north (as envisaged by the NBVPS), reducing their visual appeal and connectedness. This is further exacerbated by the enclosure of the eastern through-site link. The proposed width of these links is 4m, 2m less than detailed in the NBVPS, which will compromise the ability to provide meaningful outdoor dining activities.

The built form indicated in the concept plans fails to meet the requirements of the ADG in relation to setbacks and building separation and will result in unacceptable visual impacts and be contrary to the objective of creating a great local centre.

The following provides a more detailed consideration of the relevant strategic framework.

### 9.1 Region & District Plan Consistency

The Region and *North District Plans* emphasise the importance of place-based, design-led planning to deliver liveable, high-quality urban environments that engage and connect people. This is clearly expressed in the following Directions, Objectives and Actions:

|   |   |
|---|---|
| <b><i>Greater Sydney Region Plan</i></b>  |   |
| <b><i>Direction:</i></b> A City of great places - Designing places for people   | <b><i>Objective 12:</i></b> Great places that bring people together<br><br><b><i>Strategy 12.1:</i></b> Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places.   |
| <b><i>North District Plan</i></b>   |   |
| <b><i>Planning Priority N6:</i></b> Creating and renewing great places and local centres and respecting the District's heritage | <b><i>Objective 12:</i></b> Great places that bring people together<br><br><b><i>Action 19:</i></b> Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places by: <ul style="list-style-type: none"> <li>- prioritising a people-friendly public realm and open spaces as a central organising design principle;</li> <li>- recognising and balancing the dual function of streets as places for people and movement;</li> <li>- providing fine grain urban form, diverse land use mix, high amenity and walkability, in and within a 10-minute walk of centres;</li> <li>- integrating social infrastructure to support social connections and provide a community hub;</li> <li>- recognising and celebrating the character of a place and its people.</li> </ul><br><b><i>Action 22:</i></b> Use place-based planning to support the role of centres as a focus for connected neighbourhoods. |

The *North District Plan* requires place-based studies for local centres to address a number of principles including, providing a public realm and open space focus, providing community facilities and services, and protecting and expanding retail and/or commercial floorspace. The NBVPS is the most recently endorsed place-based study for the NBTC and so it is considered that it should provide the primary guidance for the form of development that is considered appropriate. The only exception to this is in relation to building height. As discussed in detail in **Sections 8.3 and 8.4** above, the endorsed 6 storey height will not allow viable redevelopment to occur, and higher buildings have been accepted as having strategic and site-specific merit. **Table 2** provides a detailed assessment of the consistency of the PP with the NBVPS.

The proposal is considered to be inconsistent with the above applicable Directions, Objectives and Actions of the Region and *North District Plan* in so far that it:

- is inconsistent with the endorsed comprehensive place-based study for the locality;
- requests amendments to existing planning controls that will facilitate an overly excessive and intense built form in its context with unreasonable impacts to the public and private domain;
- will deliver public spaces and a community centre with compromised amenity; and
- undermines the development potential of 180-182 Military Road and other properties by an inequitable application of the increased height control and inadequate building tower side setbacks.

If progressed, the proposal would set an unacceptable precedent and undermine the future strategic planning work for the Neutral Bay Town Centre and the ability to achieve the objectives and actions of the Region and *North District Plan*.

## 9.2 North Sydney Local Strategic Planning Statement (LSPS)

North Sydney Council has a strong and consistent history of preparing comprehensive planning studies that are the subject of strong community consultation and technical analysis. This is to ensure growth is delivered in a structured and co-ordinated manner, meets the needs and expectations of the community, is supported by adequate infrastructure and respects the future desired character and amenity of the surrounding area.


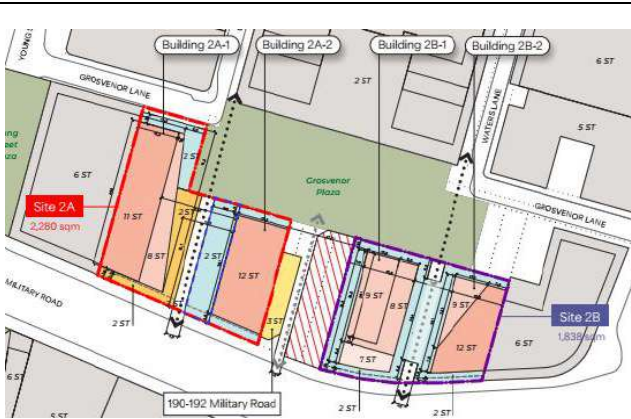
Key actions in the LSPS include:

- *Action L3.2 – Continue to prepare and implement precinct-based planning studies to ensure the delivery of growth and development is balanced and well-managed, and has a strong focus on placemaking and community benefit. This includes:*
  - *Undertake/implement the Military Road Corridor Planning Study – Stages 1 and 2 (short-medium term)*
- *Action L1.5 - Council will only support Planning Proposals that are consistent with Council's endorsed planning studies, that have identified growth being delivered in locations that support the role of centres and have critical infrastructure and services in place to support the North Sydney community.*


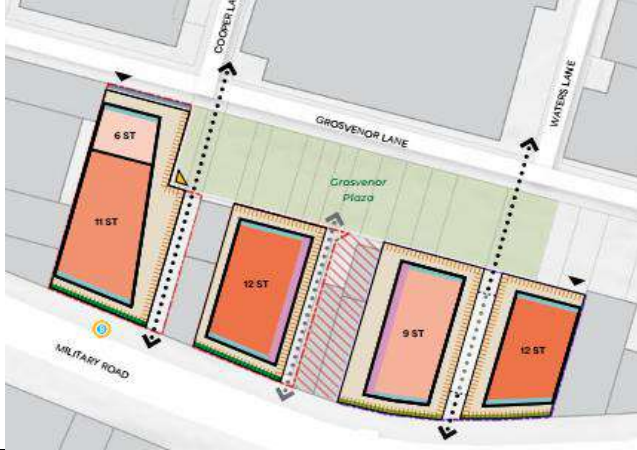

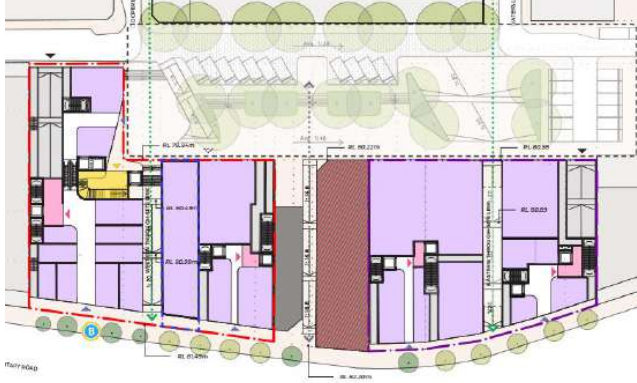
As noted above and in **Table 2** below, the PP is not consistent with the NBVPS, which is the endorsed planning study for the area.

**Table 2** provides a detailed assessment of the consistency of the Planning Proposal with the NBVPS.

TABLE 2 - Compliance with the NBVPS

| NBVPS Requirements   | Proposed (PP)  | Consultant's Comment  |
|--|--|---|
| <b>Public Domain and Community Facilities</b><br> |    | <p>Through-site links:<br/>The eastern-most link is only partly open to the sky, is not aligned with Waters Lane, is only 4m wide instead of 6m and is not adjoined by the new community centre.</p> <p>The western-most link is not aligned with Cooper Lane and is only 4m wide instead of 6m.</p> <p>This is discussed further in <b>Section 8.7</b> above.</p> <p>Community Centre:<br/>The proposed community centre is only 730m<sup>2</sup> in area, not 1000m<sup>2</sup> as required and is inappropriately located. This is discussed further in <b>Section 8.8</b> above.</p> <p>As discussed below, the required whole of building setbacks have not been provided.</p> |
|  | <p>The applicant provides the following justification for the variations from the NBVPS:</p> <ul style="list-style-type: none"> <li>A key component of the proposal is the delivery of two new through-site links in addition to the upgrade of an existing through-site link. The new links are proposed to be 4m wide. The narrower links recognise that the focal open space is the new plaza, rather than competing with this. The 4 metre width provides sufficient capacity for two-way pedestrian traffic, concentrating activation of retail façade along the links. Outdoor dining is most desirable in the sunny plaza rather than constrained in links, which are designed for ease of thoroughfare. The western link is fully open to the sky. The eastern link is partially covered at its centre, but only by a single podium storey. This would greatly enhance the vibrancy and retail activity in the link, supporting small businesses which benefit from the weather protection of partial coverage;</li> </ul> | <p>The reasons put forward are insufficient. The aim of the NBVPS is to revitalise the centre and to activate and create beautiful public spaces. This includes opportunities for outdoor dining within laneways/links, tree planting and to improve the visual connection from Military Road to the plaza. The proposed 4m width is insufficient for these purposes.</p> <p>It is not clear why the NBVPS allows the enclosure of the western link but not eastern link. It is considered that a through-site link which is open to the sky would provide a far better public domain outcome than a covered space.</p>   |


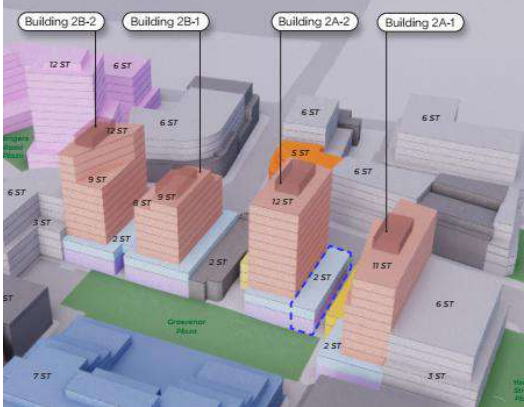
| NBVPS Requirements  | Proposed (PP)  | Consultant's Comment   |
|---|--|--|
|   | <ul style="list-style-type: none"> <li>The proposal will deliver a 730m2 community centre within site 2A. Importantly, a balance must be struck between provision of public benefit and the proposed uplift. The proposed community centre exceeds the area of the existing community centre and is highly functional in its spatial dimensions and arrangement within the proposed envelope. It's direct connection to the plaza facilitates activation of the plaza, providing opportunity for activities to spill out onto the plaza (such as market stalls that are both within and outside of the community centre).</li> <li>States that the 'creative hub' to replace the existing community centre has been consolidated with the proposed community centre.</li> <li>The requirement for a widened footpath along Military Road and the upgrade of the existing footpath have been included as part of the public benefit offer.</li> </ul> | <p>The argument about the need for balance between public benefit and uplift is not accepted as the Hill PDA assessment for the NBVPS was that with a proposed uplift and provision of the community centre, footpath widening and links through the site, development at 8 storeys would be viable.</p> <p>The proposed size, location and tenure of the community centre is unacceptable as discussed in <b>Section 8.8</b> above.</p> <p>Footpath widening:<br/>The proposal provides for footpath widening It is a standard requirement upon redevelopment for the applicant to pay for the cost of upgrading the existing footpath. This should not be part of the proposed public benefit offer.</p> |
| <b>Commercial Floor Space (Non-residential FSR)</b>   |  |  |
| Increase minimum non-residential FSR requirement in NSLEP from 0.5:1 to 1.2:1.  | Site 2A – 1.31:1. Site 2B - 1.35:1   | The proposal is consistent with this requirement.  |
| <b>Building height</b>  |  |  |
| Increase height up to 28m (8 Storeys) except for heritage items (not part of the subject site) and existing community centre land. However, in adopting the MBVPS, Council resolved to not permit buildings higher than 6 storeys anywhere in the NBVPS area. | Tower 2A-1: 42m (11 storeys); Tower 2A-2: 45m (12 storeys); Tower 2B-2: 36m (9 storeys); Tower 2B-2: 45m (12 storeys);   | The proposed buildings are up to 4 storeys higher than recommended by Council staff in the study and 6 storeys higher than Council's resolution. This issue is discussed in further detail in <b>Section 8.3</b> .   |
| <b>Overshadowing Impacts</b>  |  |  |
| <p>Areas requiring solar protection under the NBVPS are:</p> <ul style="list-style-type: none"> <li>Grosvenor Plaza</li> <li>Rangers Road Plaza</li> <li>May Gibbs Place</li> <li>residential properties along Yeo Street</li> </ul>                          | The submitted documentation demonstrates that the indicative built form will not overshadow these areas at the specified times.  | <p>As discussed in <b>Section 8.9</b> above, the indicative built form will not overshadow the designated public places at the specified times. Documentation regarding this issue has not been updated to reflect the amended concept and the extension of the 11 storey building on Site 2A-1 to the northern boundary which will result in overshadowing of Grosvenor Plaza at 2pm at midwinter. This impact needs to be fully assessed but in any event, any building on this part of the site should be limited to 6 storeys to preserve the amenity of the new plaza.</p> <p>This issue is discussed in further detail in <b>Section 8.9</b>.</p>  |

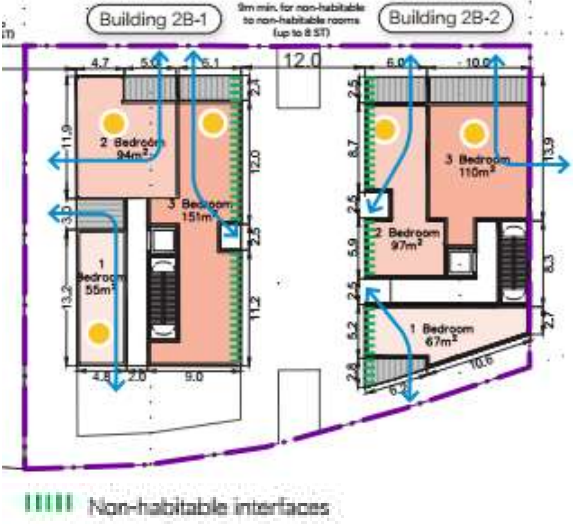
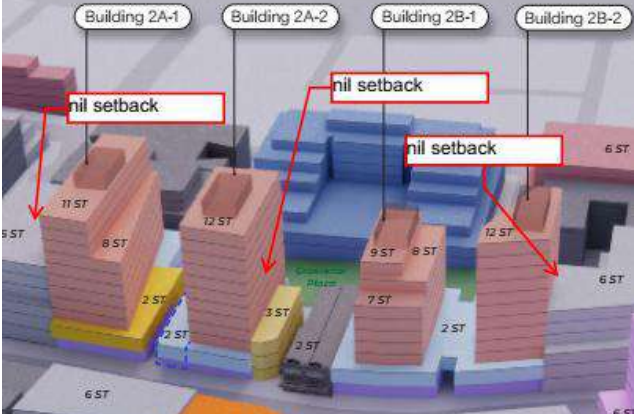
| NBVPS Requirements   | Proposed (PP)  | Consultant's Comment   |
|--|--|--|
| Whilst not specifically referred to in the NBVPS, the ADG and Council's DCP require protection of solar access to surrounding dwellings. | The submitted documentation includes an analysis of the potential impacts on the development proposed for Nos 165-173 and 183-185 Military Road. It also has a more broad, high level analysis on the potential future building on other sites along the southern side of Military Road. | The proposed overshadowing of neighbours is considered to be acceptable as noted in further detail in <b>Section 8.9</b> .   |
| Building setbacks (whole of building)  |  |  |
|   |    | <p>Footpath widening:<br/>The proposal does not provide the required 2.5m whole of building setback to Military Road at Site 2A. A whole of building setbacks results in more of the public domain being open to the sky, thereby improving its amenity. The proposal does not achieve this outcome.</p> <p>The proposal does not provide the required 1.5m whole of building setback to Grosvenor Lane at Site 2A. This does not appear to be justified in the documentation.</p> <p>This issue is discussed in further detail in <b>Section 8.7</b>.</p> |
| Active Street frontages  |  |  |
|    |   | <p>The proposal to the extent that it can, provides active frontages as required.</p>  |



| NBVPS Requirements                  | Proposed (PP) | Consultant's Comment  |
|-------------------------------------|---------------|---|
| <p><b>Podium heights</b></p>        |               | <p>The proposal is not consistent with the NBVPS requirements, providing a consistent 2 storey podium height where 3 storeys is required. The NBVPS notes: <i>Most of the existing buildings in Neutral Bay local centre have a 3 storey podium height.</i> Notwithstanding, the subject site is consistently 2 storeys at the Military Road frontage, as are the 2 interceding heritage items.</p> <p>The comments from Council's heritage officer agree that the podium should be two storeys. The proposed podium heights are consistent with the 2 storey requirement to Grosvenor Plaza, however, it is noted that due to the falling topography, the equivalent height is 3 storeys to Grosvenor Plaza. Overall, the proposed podium heights are considered satisfactory.</p> <p>This issue is discussed in further detail in <b>Section 8.3</b>.</p> |
| <p><b>Above podium setbacks</b></p> | <p>3m</p>     | <p>The proposal complies with this requirement.</p>   |



| NBVPS Requirements   | Proposed (PP)  | Consultant's Comment   |
|--|--|--|
| Built form generally (Form and Scale)  |  |  |
|  <p>No dimensions are provided in the NBVPS that indicate the separation between forms. As the width of the Council properties and the heritage properties combined is around 20m, the separation of the 2 central towers appears to be around 24m, greater than the 18m required for buildings up to 8 storeys. The separation between the western-most towers appears to be around 18m however the separation between the eastern-most towers appears to be less than 18m (around 12m) (ie non-compliant with ADG privacy controls). The total separation provided is around 54m.</p> |  <p>The proposed separation between the towers is, (from east to west):</p> <ul style="list-style-type: none"> <li>- Between 2B-1 and 2B-2: 12m increasing to 18m at storey 9 and 18-22m at storeys 10-12;</li> <li>- Between 2B-1 and 2A-2: 25m;</li> <li>- Between 2A-1 and 2A-2: 16m up to storey 8 and 24m at storeys 9-12.</li> </ul> <p>This means that only the central separation is strictly in accordance with the privacy controls of the ADG. The total separation provided ranges from 53-76m.</p> <p>The applicant has provided indicative layouts of the proposed apartments to demonstrate that there are no privacy issues and hence why the ADG separation distances can be reduced.</p> | <p><b>Building Separation:</b><br/>       The separation between buildings on the site provided in the NBVPS and the proposed scheme are not dissimilar although the proposed buildings vary from zero to 4 storeys higher than recommended by staff. In this sense, the proposal provides for greater bulk and scale. However, it is also noted that staff previously supported the outcomes in the MRCPS which proposed 2x12 storey and 1x6-8 storey tower with two larger areas of separation between buildings. However, the 2x12 storey buildings were much larger and bulkier.</p> <p>Overall, it is considered that the proposed separation between buildings on the site is generally consistent with, or provides a better outcome than, the 2 previous Council studies (for example the NBVPS provided a total separation of 54m whilst the proposal provides 53-76m).</p> <p>Notwithstanding, the concept plans are not consistent with the ADG with regards to building separation as discussed in detail in <b>Section 8.4</b> above.</p> |

| NBVPS Requirements | Proposed (PP)   | Consultant's Comment  |
|--------------------|---|---|
|                    |  <p>Building 2B-1</p> <p>Building 2B-2</p> <p>9m min. for non-habitable to non-habitable rooms (up to 8 ST)</p> <p>Non-habitable interfaces</p> |   |
|                    |  <p>Building 2A-1</p> <p>Building 2A-2</p> <p>Building 2B-1</p> <p>Building 2B-2</p> <p>nil setback</p> <p>nil setback</p> <p>nil setback</p>  | <p>Setbacks:</p> <p>Of greater concern is the lack of a setback to adjoining properties in the 3 circumstances shown left. This means that contrary to the applicant's apartment layouts, no openings can be provided on these boundaries, resulting in a blank wall presentation. Given that the proposed building heights are significantly greater than what is permitted on adjoining sites (4 storeys) this will result in a very poor urban design and visual outcome. As noted in <b>Section 8.4</b>, both previous studies provided lower building forms to adjoining properties. For this reason, the Planning Proposal is unacceptable in its current form.</p> |

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 Re: 166-188 and 198-214 Military Road, Neutral Bay

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| NBVPS Requirements | Proposed (PP) | Consultant's Comment   |
|--------------------|---------------|--|
|                    |               | <p>As can be seen in the preceding extract of the built form, the northern part of Building 2A-1 now extends to within 3m of the northern boundary to Grosvenor Lane. As indicated in the extract from the NBVPS above, this area was designated 6 storeys, 2 storeys lower than the 8 storeys in the exhibited version of the Study for the southern part of the site. The additional 5 storeys will result in overshadowing of Grosvenor Plaza at 2pm at midwinter and will create a sense of enclosure which is an undesirable outcome.</p> |

### 9.3 State Environmental Planning Policies (SEPP)

The Planning Proposal is consistent with the following relevant State Environmental Planning Policies (SEPP's):

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021 (noting the existing use of the site is a dry cleaner business which is a potentially contaminating activity and no Preliminary Site Investigation (PSI) has been prepared and so no assessment of this issue has been able to be undertaken)

However, the PP is not consistent with *State Environmental Planning Policy (Housing) 2021* and specifically the provisions of Chapter 4 that relate to the design of residential apartment development. In this regard, as noted above in **Section 8.4**, the proposal does not demonstrate that compliance can be achieved in relation to ADG building separations and/or setbacks to adjoining properties.

### 9.4 Section 9.1 Ministerial Directions

Section 9.1 of the *Environmental Planning and Assessment Act 1979* enables the Minister for Planning to issue directions regarding the content of planning proposals. Each planning proposal must identify which Section 9.1 Ministerial Directions are relevant to the proposal and demonstrate how they are consistent with that Direction.

The Planning Proposal is considered to be generally consistent with all relevant Ministerial Directions, with the exception of:

#### Direction 1.1 – Implementation of Regional Plans

Inconsistent as noted in the above comments.

#### Direction 4.4 - Remediation of Contaminated Land

Inconsistent as the existing use of the site is a dry cleaner business which is a potentially contaminating activity and no Preliminary Site Investigation (PSI) has been prepared and so no assessment of this issue has been able to be undertaken.

Having regard to the above, in its present form, the Planning Proposal does not adequately satisfy the strategic merit test.

## 10. Site-Specific Merit Assessment

### 10.1 Environmental Impacts

#### Built form

As outlined in **Section 8.3** of this report, the proposed building heights are generally acceptable with the exception of the 11 storeys proposed in the northern part of Site 2A-1 which is contrary to the 6 storeys indicated in the NBVPS.

However, as noted in **Section 8.4** of this report, the proposed bulk and scale of development on the site will result in unacceptable visual and urban design impacts. The concept plans fail to demonstrate the ability to achieve the building separation and setback requirements of the ADG. The lack of a setback to side boundaries to neighbours in 3 locations, will necessitate the need for large expanses of blank wall. These walls will be highly visible from the public domain including Military Road and Grosvenor Plaza. This a poor planning outcome.

The PP does not exhibit site specific merit in relation to built form outcomes and it is not appropriate to allow the Planning Proposal to proceed until these issues are resolved.

#### Solar access

As discussed in detail in **Section 8.9**, the additional information provided indicates that future development should be able to achieve the requirements for 2 hours solar access at midwinter for 70% of apartments as outlined in the Apartment Design Guide (ADG). It also demonstrates that future development can be designed so that this standard can be achieved by existing and future development on properties to the south of the subject land.

The only unacceptable solar access impact is in relation to Grosvenor Plaza. Whilst the impacts are not inconsistent with the relevant solar access provisions of the NBVPS, it does create additional overshadowing of the plaza after 2pm at midwinter. As the proposed building height that creates the overshadowing of the plaza is 5 storeys higher than the 6 storeys recommended in the NBVPS for the northern part of Site 2A-1, any additional overshadowing beyond that resulting from a 6 storey form is not supported.

#### Public domain

As discussed in **Section 8.7 and Table 2**, the proposal is not consistent with the NBVPS with regard to through-site links and public domain setbacks, compromising the public domain benefits intended to be provided by future development.

#### Heritage

As outlined in **Section 8.6** of this report, Council's heritage officer has raised no objection to the proposal subject to certain further investigations being undertaken. Importantly, support for a 2 storey podium was noted despite the NBVPS requiring 3 storeys.

#### Urban design

Council's urban design officer raised a number of concerns regarding the Planning Proposal. Many of these concerns are agreed with and have been discussed elsewhere in this report.

#### Impact on 180-182 Military Road

The Planning Proposal was revised to include 180-182 Military Road, as recommended in the RFI. It is acknowledged that the owners of this property, have not provided owner's consent for such inclusion, however, it is also noted that owner's consent is not a statutory requirement for the lodgement of a Planning Proposal. The owners of this property have made 2 submissions in relation to the PP.

Notwithstanding the inclusion of this land, the concept scheme does not provide an equitable outcome for all owners and proposes no increase in the existing 16m permissible height. Whilst it is accepted that the location of the required western through-site link dictates where the gap between future buildings needs to be located, and that building separation between towers needs to be provided, there is a possibility that 180-182 Military Road could accommodate part of the tower on Site 2A-2 as indicated in the NBVPS. This possibility should be provided for in any Planning Proposal for the site. Allowing a 12 storey development on this land would facilitate a potential positive outcome for all owners.

It is noted that the owner of 180-182 has indicated that: *No formal offer to acquire the Site has ever been made by Arkadia*. Whilst it would be preferable for the land subject of the PP to be in one ownership, it is not reasonable to require this as part of a PP. In fact, the land is owned by a number of different entities, noting that only one has not provided owner's consent.

It is considered that ownership issues would be easier to address once some clarity is provided by an LEP amendment. At the DA stage, if one owner did not agree to sell to another at a reasonable price to allow the full development of Site 2A-2 to occur, in accordance with the principles for such circumstances set out by the Land and Environment Court of NSW, consent could be granted to developments excluding that land notwithstanding that it may have the effect of reducing its development potential. The current Planning Proposal should not reduce the likelihood of a fair and reasonable outcome for all parties.

#### Traffic and parking

Council's traffic engineer has concluded that the likely impact of the concept scheme on the surrounding traffic network is negligible. There are no specific comments regarding access, however, access to basement parking on Site 2A-2 will be contingent on the agreement of the owners of 180-182 Military Road (or owners to the east of the site), who have not provided owner's consent to the Planning Proposal. If this cannot be resolved, development of this site would likely be delayed until access can be provided via the new underground car park to be provided on the adjoining land to the north, below Grosvenor Plaza. Whilst this is a less desirable outcome, Site 2A-2 does not specifically provide any public benefits and the western through-site link would be required as part of the development of Site 2A-1.

## **10.2 Social Impacts**

The proposal, if progressed, would result in the creation of approximately 144 additional dwellings. This is a considerable increase in density on the subject site and is likely to place additional demand on existing local and regional services and facilities. The applicable section 7.11 local infrastructure contributions will help support the increased demands on existing local infrastructure.

Whilst the proposal is accompanied by a non-binding letter of offer to enter into a VPA to deliver a range of public benefits, including a new community centre, the proposed benefits are inconsistent with those identified in the NBVPS. These inconsistencies have been discussed in **Sections 8.7 and 8.8** and **Table 2**.



### 10.3 Economic Impacts

No Economic Impact Assessment has been prepared by the applicant. Notwithstanding, the Planning Proposal would result in increased employment during construction and new residents and workers would contribute to the local economy. The documentation does not provide details of the existing employment floor space on the site, so it is not known whether there is an increase or decrease, however, the proposal includes provision of an increase to the minimum non-residential FSR in line with that suggested in the NBVPS i.e. 1.2:1. Therefore, the proposal is consistent with Council's intent to maintain a suitable amount of commercial floor space in the Neutral Bay town centre.

### 10.4 Adequacy of Public Infrastructure

The site is located in close proximity to transport infrastructure, including existing road connections and high frequency public transport. Council's traffic engineer has indicated the need for a Green Travel Plan to be prepared for the site to support reduced parking provision and encourage future residents and workers to capitalise on the wide range of infrastructure and services available within the area.

Consultation would be required with utility providers if the proposal progresses and at the DA stage to ensure that sufficient capacity exists in water, sewer, gas, telecommunications and other utility services. There is likely to be adequate services and infrastructure in the area to accommodate the proposed increases in demand, alternatively the applicant will be required to pay for any upgrades required.

As discussed in **Sections 8.7 and 8.8** of this report and **Table 2**, the proposed public domain and community facilities are not consistent with that required by the NBVPS and is not considered to be acceptable.

### SUBMISSIONS

There are no statutory requirements to publicly exhibit a Planning Proposal before the issuance of a Gateway Determination. However, Council sometimes receives submissions in response to planning proposals which have been lodged but not determined for the purposes of seeking a Gateway Determination. The generation of submissions at this stage of the planning process arise from the community becoming aware of their lodgement through Council's application tracking webpage and on-site signage.

At the time this report was completed, six (6) submissions had been received from local land owners/residents (including two from the owners of 180-182 Military Road) and one from each of the Willoughby Bay, Brightmore and Parks Precinct Committees. All submissions raised objections to the proposal. A summary of the key concerns raised is provided in **Table 3**. These issues are largely addressed in the body of the report.

| <b>TABLE 3: Summary of submissions received</b>                      |   |   |
|--|---|---|
| <b>Issue</b>   | <b>Key points raised</b>  | <b>Response</b>   |
| Building Height  | <ul style="list-style-type: none"> <li>Proposed heights exceed the endorsed NBVPS</li> </ul>  | It is acknowledged that the proposed heights exceed the 6 storeys suggested by the NBVPS, however, as discussed in <b>Section 8.3</b> , the proposed heights are considered to be generally appropriate.  |
| Built form   | <ul style="list-style-type: none"> <li>Poor urban design outcome as the sites are too small and create blank walls to boundaries</li> </ul>   | This is concurred with as discussed in <b>Section 8.4</b> above.  |
| Traffic/parking/plaza redevelopment                                  | <ul style="list-style-type: none"> <li>The plaza needs to be redeveloped and provide access to the site</li> <li>Adequate parking needs to be provided</li> </ul>                         | <p>The plaza is not part of the Planning Proposal and access via the redeveloped plaza will depend on the timing of the developments on each site.</p> <p>The required parking can be provided on site as part of the DA process.</p>   |
| Isolation of 180-182 Military Road and reduced development potential | <ul style="list-style-type: none"> <li>This site should form part of the Planning Proposal</li> <li>The proposal relies on the site to provide building separation</li> </ul>             | <p>The Planning Proposal has been amended to include this site.</p> <p>Noted in <b>Sections 8.1 and 8.4</b>, the proposal is not supported in its current form and it is recommended that a building height of up to 12 storeys be permitted on 180-182 Military Road also.</p> |
| Proposed community centre/public benefit                             | <ul style="list-style-type: none"> <li>The proposed centre is poorly located and should be at ground level</li> <li>Applicant's public benefit value calculations are inflated</li> </ul> | This is concurred with as discussed in <b>Table 2</b> and <b>Section 8.8</b> .  |
| Use of Council land  | <ul style="list-style-type: none"> <li>No cost for use of Council land</li> </ul>   | The Council land has been excluded from the application.  |
| Overshadowing  | <ul style="list-style-type: none"> <li>The proposal will impact the public domain to the south of the site</li> </ul>   | The proposal will not unreasonably affect any designated public domain to the south of the site but will reduce solar access to the southern side of Military Road. This is not unreasonable in the circumstances.  |

#### **DEVELOPMENT CONTROL PLAN (DCP)**

As outlined in earlier sections of this report, the applicant has not prepared a draft DCP to support the Planning Proposal but indicated that this would occur in due course. It is agreed that as there are still many issues to be resolved, draft DCP provisions can be held in abeyance until an appropriate amended Planning Proposal is submitted.

#### **CONCLUSION**

The Planning Proposal (PP4/24) seeks to amend the *North Sydney LEP 2013* as it relates to land at 166-188 and 198-214 Military Road, Neutral Bay as follows:

- Increase the maximum building height control for the site from 16m to 36-45m (except 180-182 Military Road and the area containing the through-site links, which are to retain the existing 16m control); and
- Increase the minimum non-residential floor space ratio control from 0.5:1 to 1.2:1

Having completed a detailed assessment, the Planning Proposal is considered not to satisfy the strategic merit test for the following reasons:

- The Planning Proposal is inconsistent with the endorsed place-based strategy for the locality (the NBVPS) and is inconsistent with the *North Sydney Local Strategic Planning Statement*; *North District Plan* and *Greater Sydney Region Plan*. Whilst the proposed building heights are inconsistent with the NBVPS, they are considered to be generally appropriate on merit as discussed in **Section 8.3** above. However, the proposed building forms will result in poor planning outcomes, providing blank walls on boundaries with no transition to land where lower heights are maintained and excessive height in the northern part of Building 2A-1. There is also non-compliance with the ADG building separation requirements.
- The Planning Proposal does not achieve the objectives and intended outcomes of the NBVPS and District Plan as the public domain and facilities proposed in the VPA letter of offer are not consistent with the requirements of Council's NBVPS. This is contrary to the objective of creating a high quality town centre with outstanding public domain and facilities;
- The Planning 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 4.4 – Remediation of Land*

The Planning Proposal does not demonstrate adequate site-specific merit as the overall bulk and scale of the proposed built form is unacceptable in terms of providing a high quality visual outcome as blank walls will be necessary in 3 locations where a nil setback is provided and fails to provide adequate building separation as required by the ADG. It also provides for a building to the west of Grosvenor Plaza which is 5 storeys higher than recommended in the NBVPS, creating an undesirable sense of enclosure for the future plaza and unacceptable overshadowing of the plaza.

Again, this is contrary to the objective of creating a high quality town centre with outstanding public domain and facilities.

## RECOMMENDATION

THAT the Planning Proposal (PP4/24) not be supported to proceed to a Gateway Determination.

**BRETT BROWN**  
**CONSULTANT PLANNER (INGHAM PLANNING)**

**NEAL MCCARRY**  
**MANAGER STRATEGIC PLANNING**

# Planning Proposal

166-178, 184-192 and 198-214 Military Road, Neutral Bay

*Amendments to the North Sydney Local Environmental Plan 2013*



**'Gura Bulga'**

Liz Belanjee Cameron

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



**'Dagura Buumarri'**

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



**'Gadalung Djarri'**




Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

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

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

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

|  |                      |   |  |
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| 3.0 (FINAL)  | 29/08/2024           | NN / AH   | BG                                       |
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## Executive Summary

This Planning Proposal is submitted to North Sydney Council (Council) to request amendments to the *North Sydney Local Environmental Plan 2013* (NSLEP 2013) relating to 166-178, 184-192 and 198-214 Military Road (the Site). Ethos Urban has prepared this Planning Proposal report on behalf of Arkadia Property Services Pty Ltd (Arkadia) (the Proponent).

The broad intent of the Planning Proposal is to achieve a mixed-use redevelopment outcome, including a community centre, retail/commercial and residential accommodation. The proposal also includes the delivery of significant community benefits in the form of a 730m<sup>2</sup> community centre, 2 additional through-site links and upgrade to the existing through site link to the future Grosvenor Plaza as well as pedestrian footpath widening and embellishment at ground level to Military Road. The future redevelopment of the site within the framework established by this Planning Proposal aligns with the objectives and intended outcomes of Council's *Military Road Corridor Planning Strategy* (MRCPS) and the *Neutral Bay Village Planning Study* (NBVPS). It supports the revitalisation of the Neutral Bay Town Centre (NBTC) and delivers significant public benefits to the community, whilst ensuring the retention of public amenity.

No change is sought to the land zoning. Also, no change is sought to 180-182 Military Road, hence its exclusion from this PP. Importantly, the proposed envelope arrangement would remain consistent notwithstanding the potential future inclusion of 180-182 Military Road. A fair and reasonable market offer from Arkadia to the landowner of this property has not yet been accepted. Specifically, the Planning Proposal seeks to:

- Increase the maximum building height from 16m to facilitate four slender towers over a two-storey podium. The increased height is proposed to be specific to the location of each tower:
  - Tower 2A-1: 42m (11 storeys);
  - Tower 2A-2: 45m (12 storeys);
  - Tower 2B-2: 36m (9 storeys);
  - Tower 2B-2: 45m (12 storeys); and
  - Through site links to remain at 16m to accommodate podium.
- Increase the minimum non-residential floor space from 0.5:1 to 1.2:1.

This Planning Proposal is supported by a development concept scheme (illustrated at **Figure 1**), informed by a comprehensive Urban Design Report which seeks to deliver a resolved urban design outcome for the site (refer to **Appendix A**). The development concept, although indicative, seeks to demonstrate that the Site is capable of accommodating a compliant development within the proposed controls, and demonstrates how the Site might be developed under the proposed LEP amendments.

The development concept totals some 20,120m<sup>2</sup> of Gross Floor Area (GFA), comprising a 730m<sup>2</sup> community centre, 2,096m<sup>2</sup> of retail GFA, 2,570m<sup>2</sup> of commercial GFA and 14,724m<sup>2</sup> of residential floorspace (accommodating approximately 140 dwellings). A new community facility and public domain will activate the site and provide a new civic heart and focal point for the NBTC.



**Figure 1** Render of indicative scheme facilitated by the Planning Proposal

Source: Virtual Vision

This Planning Proposal responds to the Council's historical work on Neutral Bay and the Military Road Corridor, it aligns with the MRCPS in its overarching volume and height, and with the NBVPS in its fine grain arrangement of towers and pedestrian connectivity. It aligns with both strategic studies by supporting retention of employment space and delivery of critically needed housing within the Neutral Bay Town Centre, while delivering necessary public domain upgrades and public benefits. Specifically, it is noted that:

- It gives effect to the intended outcomes identified under the MRCPS and NBVPS report, unlocking additional mixed-use uplift to support local retail and residential land uses.
- It gives appropriate uplift of the site to facilitate delivery of significant public benefits as identified in MRCPS and NBVPS via a VPA with Council.
- It will revitalise Neutral Bay town centre in the form of a new 730sqm community centre, two through-site links to the new plaza and widened footpaths. This will bring investment that will revitalise and act as a catalyst for further investment and renewal.
- It optimises the site's capacity to accommodate identified demand for housing growth, greater than what is achievable through the existing planning controls. The site under the existing controls is limited to a height of 16m, which restricts its ability to support greater density on site and in turn deliver the new community centre and through site links. By contrast, the proposed planning controls will provide the opportunity to:
  - Deliver much needed additional housing to Neutral Bay to meet increasing housing demand ;
  - Ensure the highest and best use of the site;
  - Deliver slender tower forms that avoid a “street wall” effect;
  - Liberates ground plane for better pedestrian connectivity;
  - Achieves visual permeability (sight lines) through the site;
  - Deliver a renewed community facility for NBTC;
  - Deliver new high quality housing in a location with very high public transport accessibility; and
  - Renovating retail spaces in the NBTC, helping to reinforce its retail and employment function within the local community and provide improved activation along Military Road.
- The Planning Proposal will better capitalise on existing and future public transport, aligning with council and state government strategy.
- The Planning Proposal will give both Council and the landowner certainty as to the development outcomes expected on the site.
- The proposal is consistent with the objects of the Environmental Planning and Assessment Act 1979, in that it promotes the orderly and economic use and development of land;
- The proposal is consistent with the applicable SEPPs and Ministerial Directions;
- Traffic modelling undertaken indicates that the proposal is not anticipated to result in unacceptable traffic impacts on the surrounding road network subject to mitigation measures identified.
- Accordingly, considering the proposal and the overall strategic nature of the site and justification provided in addressing planning issues, the Planning Proposal is considered to have sufficient strategic merit to support the proposed uplift within the Neutral Bay Town Centre.
- This Planning Proposal's indicative concept scheme also demonstrates that the proposed land use mix and density sought can be appropriately accommodated on the site in an attractive urban form which maximises neighbourhood amenity and greening, improves social and economic outcomes and enhances vibrancy, whilst minimising amenity impacts of surrounding residential receivers. This supports the site-specific merit of the Planning Proposal.

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

## 1.0 Introduction

This Planning Proposal is submitted to North Sydney Council (Council) to request amendments to the North Sydney Local Environmental Plan 2013 (NSLEP 2013) relating to 166-178, 184-192 and 198-214 Military Road (the Site). Ethos Urban has prepared this Planning Proposal report on behalf of Arkadia Property Services Pty Ltd (Arkadia) (the Proponent).

The purpose of this Planning Proposal is to amend the existing non-Residential Floor Space Ratio (FSR) development standard for the site and amend the height limit to facilitate a future mixed-use development outcome including residential, retail/commercial land uses and community facilities. The future redevelopment of the site within the framework established by this Planning Proposal aligns with the objectives and intended outcomes of Council's rescinded Military Road Corridor Planning Strategy (MRCPS) and current Neutral Bay Village Planning Study (MBVPS). It delivers much needed housing supply in the area and delivers significant public benefits within Neutral Bay Town Centre (NBTC) whilst ensuring the protection of public amenity.

The Planning Proposal will facilitate the rejuvenation of the site with a development concept (**Appendix A**) accommodating a mixed-use development, including a community centre, retail/commercial and residential accommodation. The proposal also includes the delivery of significant community benefits in the form of a 730m<sup>2</sup> community centre, 2 additional through-site links and upgrade to the existing through site link to the future Grosvenor Plaza as well as pedestrian footpath widening and embellishment at ground level to Military Road. These public benefits will be secured via a Voluntary Planning Agreement (VPA) that is proposed to be entered into with Council. The public benefits are outlined in the Public Benefit Offer, which is included under separate cover at **Appendix C**.

The development concept totals some 20,120m<sup>2</sup> of Gross Floor Area (GFA), comprising a 730m<sup>2</sup> community centre, 2,096m<sup>2</sup> of retail GFA, 2,570m<sup>2</sup> of commercial GFA and 14,724m<sup>2</sup> of residential floorspace (accommodating 140 dwellings). A new community facility and public domain will activate the site and provide a new civic heart and focal point for the NBTC.

To achieve the strategic vision and indicative redevelopment concept presented, this Planning Proposal seeks to amend the *North Sydney Local Environmental Plan 2013* (NSLEP 2013) to all lots within the site, except for lot at 180-182 Military Road, as follows:

- Increase the maximum building height from 16m to facilitate four slender towers over a two-storey podium. The increased height is proposed to be specific to the location of each tower:
  - Tower 2A-1: 42m (11 storeys);
  - Tower 2A-2: 45m (12 storeys);
  - Tower 2B-2: 36m (9 storeys);
  - Tower 2B-2: 45m (12 storeys); and
  - Through site links to remain at 16m to accommodate podium.
- Increase the minimum non-residential floor space from 0.5:1 to 1.2:1 (matching that proposed by Council in their NBVPS).

As required by Section 3.33 of the Environmental Planning & Assessment Act 1979 (EP&A Act), and in reference to the Local Environmental Plan Making Guideline, this Planning Proposal report includes:

- a statement of the objectives or intended outcomes of the proposed instrument;
- an explanation of the provisions that are to be included in the proposed instrument;
- the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under Section 9.1 of the EP&A Act);
- maps containing sufficient detail to indicate the substantive effect of the proposed amendments; and
- details of community consultation.

This Planning Proposal report describes the site, the proposed amendments to the NSLEP 2013 and provides an environmental assessment of the proposed design concept. The report should be read in conjunction with the Urban Design Report prepared by Ethos Urban (**Appendix A**) and specialist consultant reports appended to this proposal.



1.1 The proponent and vision

Arkadia is a business of significant substance with over \$2billion of assets under management, either wholly owned or owned in joint venture. Arkadia is owned by the Karedis family who started their business in Neutral Bay 68 years ago. They are long term custodians of Neutral Bay land and want to ensure that the town centre operates successfully into the future for the community and small businesses. Arkadia's website for reference is [www.arkadia.com.au](http://www.arkadia.com.au). The business has significant capability in retail, development, hospitality and accommodation. Arkadia's proposal is aligned with the strategic intent for their site in the NBTC. Specifically, the proposal:

- Protects the existing retail / commercial capacity;
- Proposes additional height and density to deliver Council's desired public benefits;
- Encourages high-quality building design to enrich the experience of the NBTC;
- Comprises sensitive height transitions to protect solar access to public open spaces and residential areas;
- Ensures a human-scaled streetscape to enhance the village atmosphere; and
- Preserves and is sensitive to heritage items.

Arkadia ultimately seeks to deliver an exceptional development outcome for the site. Arkadia is seeking to deliver public benefit, contribute to housing supply and employment opportunities and retain and enhance the viability of the NBTC into the future, enabled by planning framework that supports development viability.

The proponent's details are presented in **Table 1** below.

Table 1 Proponent details

|            |   |
|------------|---|
| Proponent: | Arkadia Property Services Pty Ltd           |
| Address:   | 1/202-212 Military Rd, Neutral Bay NSW 2089 |
| ABN:       | 99 111 115 961                              |

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

- Ethos Urban – Planning and Urban Design
- JMT Consulting – Traffic and Transport Planning



Figure 2 Illustration of Arkadia concept scheme within indicative future built form context

Source: Ethos Urban

## 2.0 Background

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

On 28 May 2018, Council resolved to prepare a planning study for the Military Road Corridor. The study built upon *The North Sydney Council's Economic Development Strategy 2016*, which identified the economic strength of centres across North Sydney, including Neutral Bay. The strategy identified the need to retain employment floorspace in Neutral Bay, to mitigate loss of local jobs and to meet forecast demand. Importantly, the strategy identified the need to curb the trend of commercial floorspace being replaced with residential floorspace.

Council also identified that the NBTC is dominated by heavy commuter traffic on Military Road, a major barrier between the northern and southern sides of the centre. The B-Line construction has removed the parking buffer between pedestrians and the road carriageway, creating a less safe environment for pedestrians and a perception of increased danger. With underutilisation of properties within the town centre (comprising aging building stock) and a dangerous pedestrian environment, the vibrancy and diversity of the town centre is in jeopardy. As a result, pressure is being placed on improving utilisation of land and the existing condition of the public domain.

The purpose of the Military Road Corridor Planning Study (MRCPS) is to guide future development and facilitate increased density opportunities to meet the growing needs of the community within NBTC.

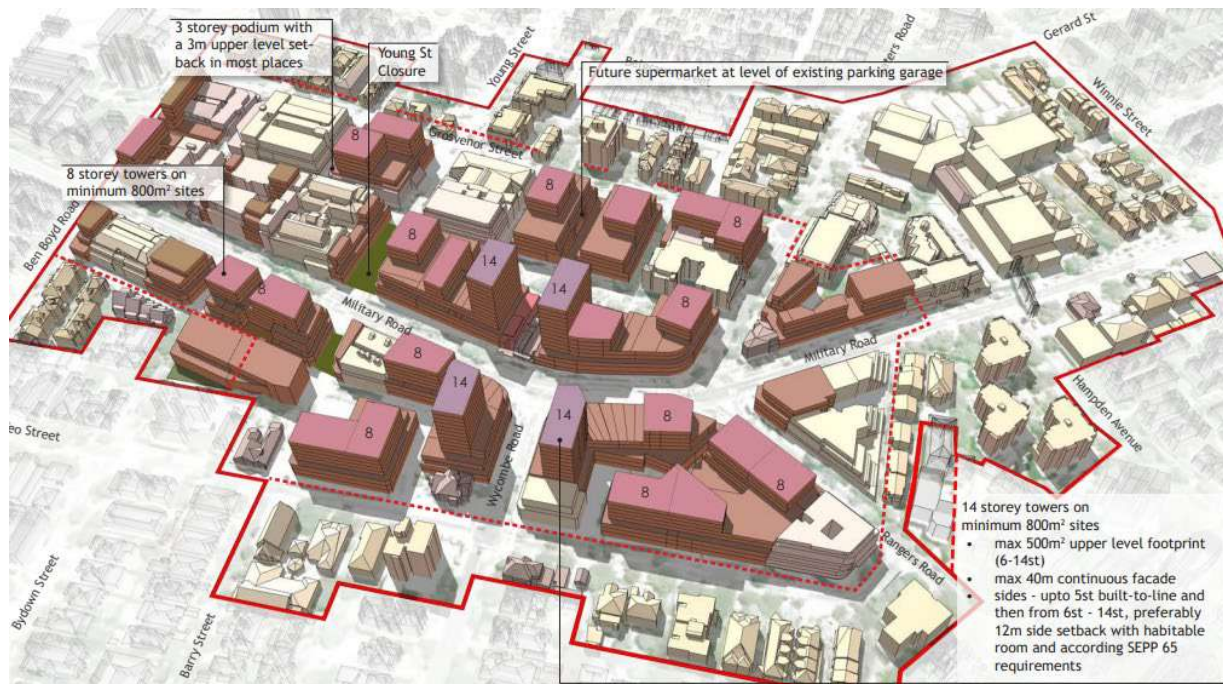
NBTC is the first stage of the planning study. Following community input into a survey conducted in mid-2018, two discussion papers were prepared for exhibition:

1. Objectives & Ideas Paper, examining a range of built form and public benefit options; and
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 NBTC. 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.

Arkadia responded to the Stage 1 Objectives and Analysis Paper of the (the MRCPS), citing strong support for public domain improvements, jobs growth and delivery of community facilities to meet the growing needs of the area and providing general support for the built form proposed by Council for the subject site. Arkadia spent in excess of \$1 million on consultants participating in the Study with Council and the adjacent landowners.

Prior to preparation of the MRCPS, Council officers had originally supported 14 storeys on the site. Council's Stage 1 Objectives and Ideas Paper, proposed at Option 3 up to 14 storeys on Site 2A and 2B (**Figure 3**). Council concluded that Option 3 would represent the maximum potential for jobs and housing growth in NBTC. The additional residential capacity under Option 3 was identified as presenting capacity to deliver public benefits through a voluntary planning agreement.



**Figure 3** Option 3 in Council's Stage 1 objectives and ideas paper

Source: Objectives and Ideas Discussion Paper

On 22 February 2021, the MRCPS was formally adopted by Council, finalising the future vision and controls for the subject site through requirements including:

- Provide a non-residential floor space with a minimum 1.5:1 FSR
- Provide a maximum building height of 12 storeys, with residential towers to appear slender, maximise above podium habitable facades to all sides and provide generous tower breaks to avoid a continuous 'wall effect' along Military Road
- Protect solar amenity to existing and future public domain when increasing building heights
- Improve streetscape amenity by providing:
  - Through-site-links
  - A 2.5m whole of building setback that expands the tree canopy along Military Road
- Expand tree canopy on Military Road and in new open space on Grosvenor Lane Plaza
- Sensitively incorporate existing heritage item into the development site

**Figure 4** illustrates the identified building envelope for the site looking south-east and showing a new public plaza (in place of the existing on grade car park) and pedestrian through-site links from Military Road. At the time, Council had also concluded that the proposed increased height of 12 storeys in the town centre was a natural transition to existing and future adjacent built form as illustrated in **Figure 5**.

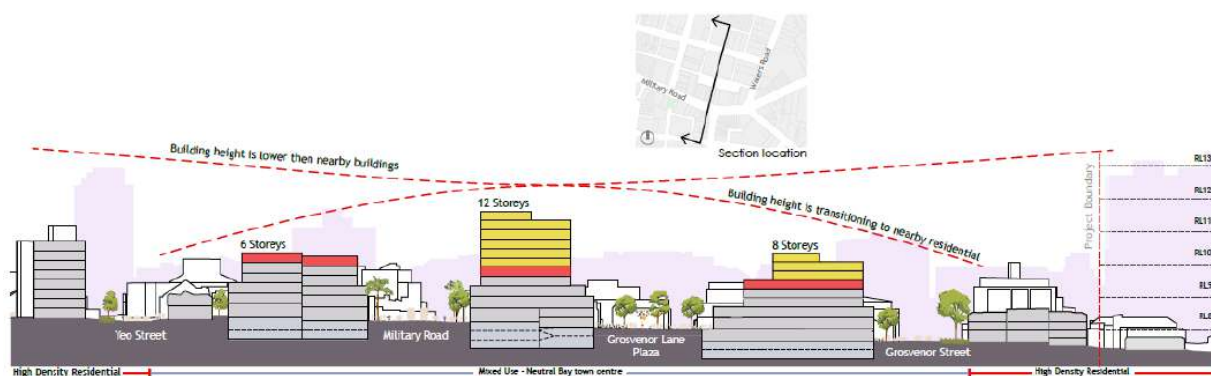
Council identified that as there are 16 storey towers in the area, a 12 storey tower does not set a precedent. Council identified that the identified increase in building height is necessary for delivery of community floorspace and public domain.





**Figure 4 MRCPS Indicative building envelopes**

Source: Military Road Corridor Planning Study



**Figure 5 North-south section through Neutral Bay Centre**

Source: Military Road Corridor Planning Study

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

This effectively undermined years of strategic analysis, Council officer endorsement and significant financial investment (both by Council and landowners).

## 2.2 Neutral Bay Village Planning Study (NBVPS)

The Neutral Bay Village Planning Study (NBVPS) was developed after the previous strategy had been rescinded by the newly elected Council in January 2022. The draft study was on exhibition from 27 February 2024 to 2 April 2024.

Arkadia again provided Council with a comprehensive submission to the Study, following this submission by meeting with Council staff on 19 March 2024 to further articulate Arkadia's response. Arkadia supported the opportunity for increased height and density in the village alongside delivery of new community facilities and public domain improvements, necessary to support the anticipated growth of the greater area. Arkadia recognised that community amenity is to be funded by landowners within the village and stressed the need to provide sufficient development incentive to realise this.

Importantly, Arkadia identified that the Study's proposed 28m (8 storey) height would be insufficient to achieve an economically feasible balance between the quantum of residential floor space, community floor space and Council's desired public benefits. As such, the site would be rendered unviable to develop and would remain as is, thwarting the intended outcome for the Neutral Bay Village to provide increased employment and, more significantly, meet future housing demand.

The Study identified five key sites, two of which have obtained gateway approval with heights greater than that identified in the Study (at 12 and 10 stories) and a third having already lodged a Development Application (DA) to Council comprising 8 stories (the Coles site). The remaining two key sites are the subject Arkadia sites.

The finalised study presented to Council included the following key guidelines for the site:

- Provide non-residential floor space with a minimum 1.2:1 FSR
- Provide a maximum height of 8 storeys or 28 metres
- Improve streetscape amenity by:
  - A 2.5m whole of building setback at Site 2A along Military Road
  - A 1.5m ground level setback at Site 2B with additional street trees and landscaping
- Maximising above podium habitable facades on all sides and provide generous building separations
- Protect solar amenity to Grosvenor Plaza
- Deliver two new through-site links with a 6m width
- Deliver new 1000m<sup>2</sup> community facility with separated lobby accessible from plaza
- Ensure built form sensitively responds to existing heritage items.

**Figure 6** illustrates the building envelope for the subject site in the NBVPS Study for the site looking south and showing the new public plaza and pedestrian through-site links from Military Road to the new Grosvenor Lane Plaza.

At the 27 May 2024 meeting, Council resolved to not accept the NBVPS Study as prepared, and instead further reduced the height for the site from 8 to 6 storeys. This resulting endorsed height is two storeys greater than the current LEP building height for the site (currently 16m or 4 storeys).



**Figure 6** NBVPS Study building envelopes

Source: North Sydney Council

## 2.3 Sydney's Housing Crisis

Due to the severe housing supply shortage in Australia and lack of delivery and approvals, NSW is experiencing a severe housing affordability crisis. The chronic housing affordability pressures are evidenced through the *Demographic International Housing Affordability 2022 Edition*, which ranks Sydney as the second least

affordable major capital city among a total of 92 surveyed worldwide. This was found to be due to house prices, cost of a deposit, loan serviceability, rental affordability, and the demand for social and affordable housing.

ABS Census Data from 2021 shows that there are almost twice as many people under rental stress than there are under mortgage stress, which is defined as spending more than 30% of household income on rental or mortgage payments. North Sydney LGA particularly demonstrates this trend, with its annual change in weekly rent rising by 9.9% from July 2023 through to July 2024 (SQM Research).

Furthermore, a survey of 1,500 people conducted by the Property Council of Australia (PCA) in November 2022 found that 81% of the people believed that there is a lack of housing that is affordable in their area. The survey revealed data highlighting this problem:

- 52% of respondents rent as they have no other choice and one third of the renters believe they will not be able to purchase a home in the next five years as they cannot overcome the deposit gap.
- 30% of renters enjoy renting as they have financial freedom and flexibility, however, one in five renters are forced to share the rent with other people to be able to afford it

In addition to the above, there has been a large decline in home ownership across all generations, particularly in younger people. The ABS 2021 data has found that the rate of home ownership among 30–34-year-olds has fallen from 64% in 1971 to 50% in 2021, and among 25–29-year-olds, it fell from 50% to 36% in the same period. Due to these declining home ownership rates, it has forced people into the rental market, with approximately 60% of people aged under 35 renting.

These are alarming statistics that proliferate the pressure to provide diverse housing that enhances housing choice to meet the demands of our population, and greater housing supply to ease the affordability crisis.

The NSW Government has released 5-year housing completion targets for 43 councils across Greater Sydney, Illawarra-Shoalhaven, Central Coast, Lower Hunter and Greater Newcastle and 1 target for regional NSW.

These targets replace outdated targets previously set by the Greater Sydney Commission and have been published ahead of the commencement of the National Housing Accord period and reflect NSW's commitment to deliver 377,000 new homes across the state by 2029 – as part of the broader Federal Government target to build 1.2 million homes across the Country. North Sydney Council has been given a housing target of 5,900 to meet over the next 5 years, which is more than double from the previous target of 2,835 for 2021-2026.

## 2.4 Summary

Council has prepared a series of strategic plans for the NBTC, with Arkadia contributing constructively to the engagement and planning processes. However, throughout their preparation and subsequent consideration by Councillors, division between Council planning staff and Councillors has resulted in strategic planning efforts either being rescinded (after endorsement by a previous Council) or significantly downscaled. This has rendered growth of the town centre in line with the North District Plan and Council's Local Strategic Planning Statement (LSPS) unviable. In particular, Council's decision-making has compromised meeting the present and future demand for residential floor space in the locality.

Notwithstanding Council's progressive withdrawal of support for density on the site, the public benefits identified for delivery on the site have either been retained or further developed with each study, further compromising economically viable development and in effect withholding public benefit from delivery.

Importantly, the rescinded MRCPS has formed the basis of strategic support for two site specific Planning Proposals that have recently received conditional gateway approval from the Sydney North Planning Panel (SNPP). PP-2023-699 and PP-2022-4350 (Woolworths site and adjacent site), the Panel stating:

*"The previously endorsed, though rescinded, Military Road Corridor Planning Study and current work in the Neutral Bay Town Centre Planning Study, provide a clear indication of the Council's and community's desire to revitalise and renew the Neutral Bay Town Centre".*

Arkadia is committed to delivering public benefit as part of the redevelopment of its landholding, addressing Council's studies, inclusive of retaining and introducing new through site links, footpath widening and a large multipurpose, fully accessible and equipped community centre.

While Arkadia acknowledges the more recent Council endorsement of the NBVPS, subject to significant changes to density, preparation of a robust Planning Proposal, able to deliver the desired public benefits in an economically viable manner, is best grounded in the MRCPS, which identified up to 12 storeys on the subject site.



This approach is consistent with that taken by the recent sites in Neutral Bay to receive gateway approval, comprising 10 to 12 storeys as informed by the MRCPS.

This approach is further supported by Council's planning team's identification of Neutral Bay as meeting the criteria set by DPHI to qualify as a town centre, suitable for application of housing reform policies. It is noted that Council has since resolved to rescind this classification of Neutral Bay.

In June 2024, the NSW Government released 5-year housing completion targets for councils across Greater Sydney, with particular focus to rebalance growth from land releases in Western Sydney to increased housing density in well located areas with existing infrastructure. Neutral Bay is clearly one such well-located area and represents great opportunity to deliver its share of the target of 5,900 new homes in the North Sydney LGA. Council identified that the town centre is suitable for increased residential density as it:

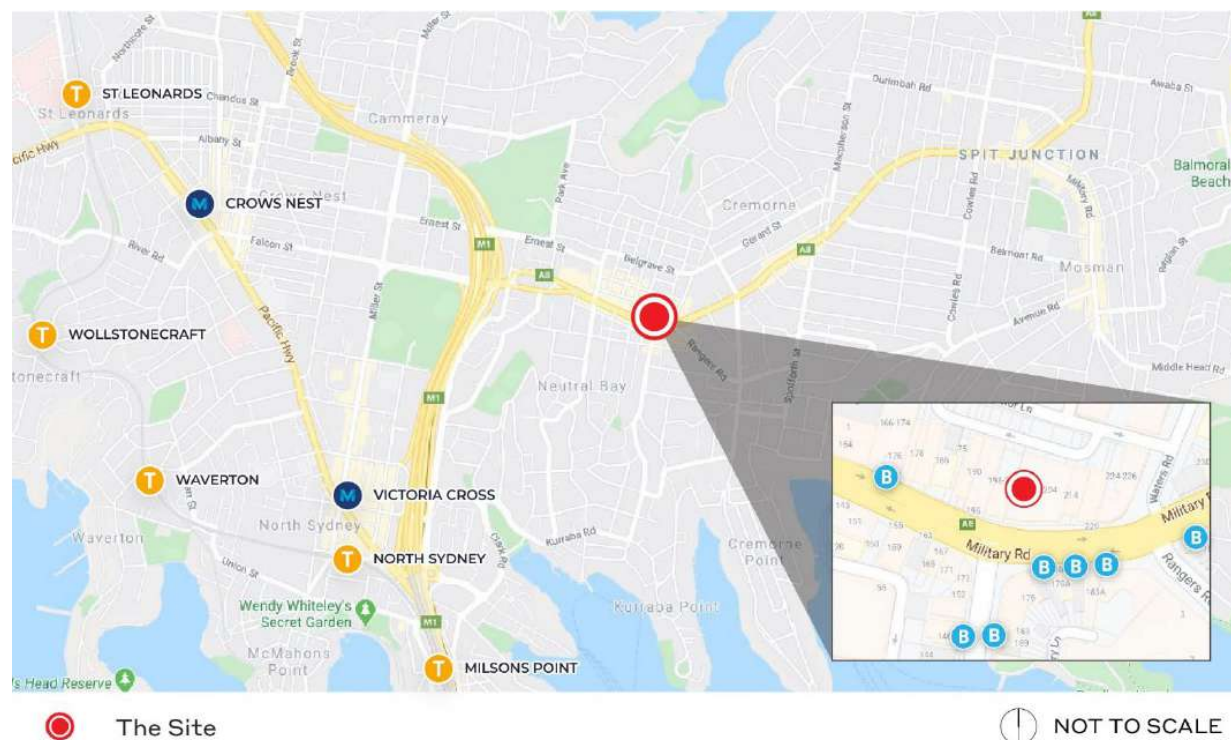
- Contains three (3) full line supermarkets:
  - Woolworths Neutral Bay Village (Rangers Road) – Approx. 3,300m<sup>2</sup>
  - Woolworths Neutral Bay (Grosvenor Street) – Approx. 3,600m<sup>2</sup>
  - Coles Neutral Bay (Big Bear – Military Road) – Approx. 2,000m<sup>2</sup>
- Has a large variety of retail shops, restaurants/cafes, personal health, pharmacies, post office, banks and community facilities to cater for the community's day to day needs, which are largely contained within the Arkadia landholding and would thus be fully revitalised as part of an active ground floor redevelopment of the Site.
- Has existing high frequency and high capacity bus routes along Military Road including the B-Line from the Northern Beaches to the CBD, which is an express service that connects residents directly to the Sydney CBD (noting that the northern side of Military Road is better serviced than the southern side due to parallel bus route along Gerard St/Belgrave St).
- Further to the above, the town centre is also:
  - Walking distance to the North Sydney CBD, North Sydney Train Station and Milsons Point Train Station.
  - Located adjacent to Military Road, an urban traffic corridor. This Arkadia landholding, with Military Road frontage, is ideally located to accommodate taller residential development to raise apartments above the road noise source without impacting solar or public amenity.
  - Ideal for redevelopment with increased height in order to:
    - open the ground plane and introduce multiple through site links
    - deliver well-located public benefit (such as a community centre)
    - minimise any viewing impact (being in an elevated position, and with benefit of taller, slender

## 3.0 The Site

### 3.1 Site location and context

The site is located at 166-178, 186-192 and 198-214 Military Road, Neutral Bay. It is within the North Sydney Local Government Area (LGA) comprises a significant part of the Neutral Bay Town Centre (NBTC).

Located just 5km north of the Sydney CBD, within Sydney's Lower North Shore, Neutral Bay has a key role to play in the provision of housing and employment, given its proximity to the commercial centres of the Sydney CBD, North Sydney, St Leonards and Chatswood. The high frequency bus network along Military Road links the site to these strategic centres via the Bus Stands A, B, and C, which are located approximately 20m to the south of the Site across Military Road. Bus Stand E is directly adjacent to the site to the South, which connects Neutral Bay to centres such as Manly and Mona Vale. Refer to **Figure 7**.



**Figure 7** Context Map

Source: Google Maps, Ethos Urban

### 3.2 Site identification

The site comprises a total of 12 individual lots. It is noted that this Planning Proposal does not propose any change to the current controls for 180-182 Military Road, and therefore this lot is excluded from Site 2A for the purpose of this PP. The legal description and ownership of each lot is summarised in **Table 2**.

**Table 2** Site address, legal description and ownership

| Address               | Lot and DP       | Area (m <sup>2</sup> ) | Ownership   |
|-----------------------|------------------|------------------------|---|
| <b>Site 2A</b>        |                  |                        |   |
| 166-174 Military Road | Lot 7 DP 786399  | 1,089                  | Arkadia   |
| 176 Military Road     | Lot 11 DP 600315 | 145                    | Arkadia   |
| 178 Military Road     | Lot 1 DP 227611  | 145                    | Arkadia   |
| 180-182 Military Road | Lot 22 DP 232918 | 287                    | Private – this Planning Proposal does not propose any change to current |

| Address               | Lot and DP       | Area (m <sup>2</sup> ) | Ownership  |
|-----------------------|------------------|------------------------|--|
|                       |                  |                        | planning controls to this lot and it is therefore excluded from this PP. |
| 184-186 Military Road | Lot 1 DP 814194  | 452                    | Arkadia  |
| 188 Military Road     | Lot 28 DP 231494 | 162                    | Arkadia  |
| 190 Military Road     | Lot 9 DP 229737  | 153                    | North Sydney Council   |
| 190 Military Road     | Lot 10 DP 229737 | 165                    | North Sydney Council   |
| 192 Military Road     | Lot 1 DP561167   | 36                     | North Sydney Council   |
| 192 Military Road     | Lot 1 DP737344   | 3                      | North Sydney Council   |
| <b>Site 2B</b>        |                  |                        |  |
| 198-200 Military Road | Lot 1 DP 528917  | 500                    | Arkadia  |
| 202-212 Military Road | Lot 1 DP 802102  | 1120                   | Arkadia  |
| 214 Military Road     | Lot 3 DP 613732  | 218                    | Arkadia  |
| <b>Total Area</b>     |                  | <b>4,188</b>           |  |

The site has an area of approximately 4,188m<sup>2</sup> and with frontage to Military Road and the existing Grosvenor Lane car park to the north. The site is occupied by active retail and commercial space, and council owned community centre. The site is divided in two by a heritage listed item at 194-196 Military Road, which is not part of this Planning Proposal.

The west portion is identified as Site 2A, the east portion is identified as Site 2B, consistent with the MRCPS and NBVPS Study.



**Figure 8 Site 2A (Red) and Site 2B (Purple)**

Source: Ethos Urban



3.3 Existing development

166-188 and 198-214 Military Road is occupied by various shops and a council owned community centre (**Figure 12**). The site is part of the town centre in Neutral Bay (**Figure 9**). The site has a wide variety of shops that provide residents with their daily needs. Heritage item *10676 Shop* is present between Site 2A and Site 2B (**Figure 10**). The site adjoins the council owned car park to the north which adjoins Grosvenor Lane (**Figure 11**).



Figure 9 Existing shops on site

Source: Google Maps



Figure 10 Shopping arcade on site

Source: Google Maps



Figure 11 Grosvenor Lane carpark adjoining site at North

Source: Google Maps



Figure 12 Community Centre and Heritage item

Source: Google Maps

3.4 Access and transport

3.4.1 Public Transport

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

Table 3 Bus network along Military Road

| Stand   | Route | Route Description   |
|---------|-------|---|
| Stand A | 151   | Mona Vale to City QVB   |
|         | 168X  | North Balgowlah to City Wynyard via North Balgowlah (Express Service) |
|         | 169   | Manly to City Wynyard via Narrawenna                                  |
|         | 171X  | Manly to City Wynyard via Clontarf (Express Service)                  |
|         | 175X  | Warringah Mall to City Wynyard (Express Service)                      |
|         | 178   | Cromer Heights to City Wynyard  |

| Stand   | Route | Route Description                                  |
|---------|-------|--|
|         | 180   | Collaroy Plateau to City Wynyard                   |
|         | 185X  | Mona Vale to City Wynyard via Warriewood           |
|         | 188   | Mona Vale to City Wynyard                          |
|         | 188X  | North Avalon Beach to City Wynyard                 |
|         | 189X  | Avalon to City Wynyard (Express Service)           |
|         | 190X  | Palm Beach to City Wynyard                         |
|         | 243   | Spit Junction to City Wynyard                      |
|         | 244   | Chowder Bay Mosman to City Wynyard                 |
|         | 245   | Balmoral to City Wynyard                           |
|         | 246   | Balmoral Heights to City Wynyard                   |
|         | 247   | Taronga Zoo to City Wynyard via Mosman             |
|         | 248   | Seaforth to City Wynyard                           |
|         | 249   | Beauty Point to City Wynyard                       |
|         | 430   | Sydenham to Taronga Zoo                            |
|         | B1    | B-Line Mona Vale to City Wynyard                   |
| Stand B | 154X  | Mona Vale to Milsons Point (Express Service)       |
|         | 168   | North Balgowlah to Milsons Point                   |
|         | 173   | Narraweena to Milsons Point                        |
|         | 227   | Mosman Junction to Milsons Point                   |
|         | 228   | Clifton Gardens to Milsons Point                   |
|         | 229   | Beauty Point to Milsons Point via Balmoral         |
|         | 230   | Mosman Wharf to Milsons Wharf via North Sydney     |
|         | 246   | Balmoral Heights to City Wynyard                   |
| Stand C | 257   | Chatswood to Balmoral via Crows Nest               |
|         | 143   | Manly to Chatswood via Balgowlah & St Leonards     |
|         | 144   | Manly to Chatswood via Royal North Shore Hospital  |
| Stand E | 257   | Chatswood to Balmoral via Crows Nest               |
|         | B1    | City Wynyard to Mona Vale                          |
|         | 100   | City Wynyard to Mosman via Neutral Bay             |
|         | 114   | Royal North Shore Hospital to Balmoral Beach       |
|         | 144   | Chatswood to Manly via St Leonards                 |
|         | 229   | Milsons Point to Beauty Point via Balmoral Heights |
|         | 230   | Milsons Point to Mosman Wharf via North Sydney     |
|         | 243   | City Wynyard to Spit Junction via North Cremorne   |

### 3.5 Surrounding development

#### North

Development north of the site comprises the council owned Grosvenor Lane Carpark, shop top housing and a Woolworths north of the carpark (**Figure 13**). The space between the carpark and Woolworths is mainly used as a vehicular thoroughfare, with a loading dock for Woolworths being located on Grosvenor Lane (**Figure 14**). Development further north of the site contains multistorey residential apartments and other residential dwellings.



**Figure 13** Grosvenor Lane carpark and Woolworths

Source: Google Maps



**Figure 14** Woolworths loading dock

Source: Google Maps

#### South

Development south of the site at the Southern portion of Military Road generally consists of local shops and retail tenancies and a shop top housing (**Figure 15**). The built form is predominantly two storey buildings comprising small scale fine grain retail tenancies, along with a few three storeys shop top apartments. Development further south consists of office spaces and residential dwellings (**Figure 16**).



**Figure 15** Development along south of Military Road onto Wycombe Road

Source: Google Maps



**Figure 16** Development further south

Source: Google Maps

#### East

Adjoining the site at the east are various other shops with commercial tenancies above, with office space further east along Waters Road (**Figure 17**). The built form is predominantly two storey comprising fine grain retail tenancies. Development further east consists of two storey retail tenancies, as well as the Cremorne Town Centre, with buildings up to nine storeys (**Figure 18**).





**Figure 17** Military Road looking onto Waters Road

Source: Google Maps



**Figure 18** Development further east near Cremorne Town Centre

Source: Google Maps

### West

Adjoining the site at the west are various other shops with commercial tenancies on top, with additional retail tenancies further west along Military Road. The built form is predominantly two storey buildings comprising fine grain retail tenancies (**Figure 19**). Development further east consists of two storey retail tenancies and vacant office spaces (**Figure 20**).



**Figure 19** Two storey shops at the west

Source: Google Maps



**Figure 20** Vacant office space further west

Source: Google Maps



### 3.6 Future context

**Figure 21** illustrates the potential built form within the NBTC, inclusive of development envelopes that have received gateway approval (in purple), recently approved development (green envelopes), recently lodged DAS (blue envelopes) and development under construction (maroon envelopes). The proposed Arkadia envelope arrangement is also shown in the centre in light brown. The MRCPS envelopes are also shown in white. Clearly, the NBTC is undergoing significant renewal, and previous Council-led studies have guided renewal to date.



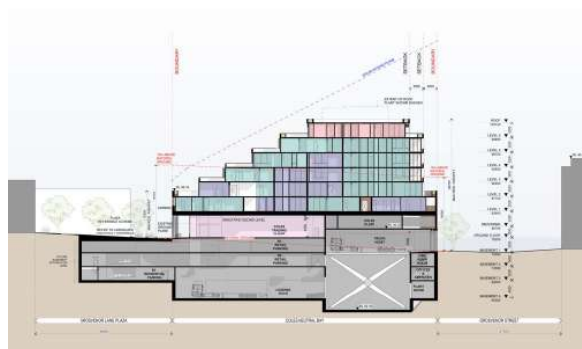
**Figure 21** Illustration of Arkadia's preferred scheme within its indicative future built form context

Source: Ethos Urban



**Figure 22** Proposed Grosvenor Lane Plaza and mixed-use shop top housing

Source: Coles Group



**Figure 23** Coles Site proposed development

Source: Coles Group

### North

As shown in **Figure 22**, The current Grosvenor Lane carpark and Woolworths is proposed to be redeveloped into the Grosvenor Lane Plaza and a seven storey mixed use shop top housing with 4 levels of basement parking across the Coles site and council land(**DA 258/23**) (**Figure 23**). Further north, a 6 storey shop top housing development at 12-14 Waters Road is currently under construction.

### South

Towards the south of the site, a number of developments have recently received approval. At 165-173 Military Road which is directly opposite of the site, a 5 storey mixed use shop top housing development received court approval in October 2023 (**Figure 24**). At 1-7 Rangers Road and 50 Yeo Street, the Woolworths development received Gateway approval for an 8 storey mixed use shop top housing development (**Figure 25**). At 183-185 Military Road, Gateway Approval was recently received for a 12 storey mixed use shop top housing.



**Figure 24** Future development at 165-173 Military Road

Source: Eastview Pty Ltd



**Figure 25** Future development at Woolworths Site

Source: Woolworths

### East

There are no proposed developments immediately east of the site, however under the MRCPS the adjoining properties to the site have a 6 storey building envelope, and a 5 storey building envelope across Waters Road (**Figure 26**).

### West

There are no proposed developments immediately east of the site, however under the MRCPS the adjoining properties to the site have a 6 storey building envelope, and properties further west continues to have a 6 storey building envelope (**Figure 26**).






Figure 26 Aerial of indicative future envelop in MRCPS  
Source: North Sydney Council

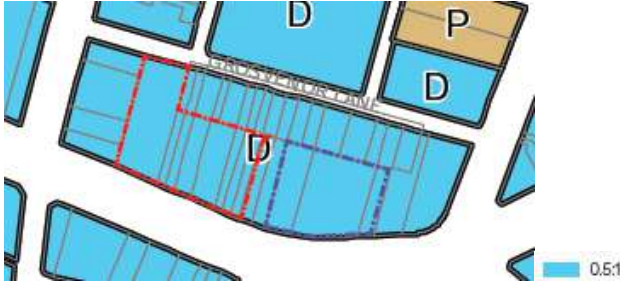

3.7 Existing planning framework

3.7.1 North Sydney Local Environmental Plan 2013

The *North Sydney Local Environmental Plan 2013* (NSLEP 2013) is the principal environmental planning instrument applying to the site. The provisions of the NSLEP 2013 and the key development controls as they relate to the site are outlined below in **Table 4**.

Table 4 North Sydney LEP 2013 Key Controls

| Clause                                 | Provision / Standard   |
|--|--|
| 2.1 Land Use                           | The site is zoned MU1 Mixed Use. Development for the purposes of retail, commercial and residential uses are permissible with development consent. |
| 4.3 Height of Buildings                | The maximum height of buildings is 16m.<br>                     |
| 4.4 Floor Space Ratio                  | There is no stipulated maximum FSR for the site.   |
| 4.4A Non-residential Floor Space Ratio | The minimum non-residential FSR for the site is 0.5:1.   |

| Clause   | Provision / Standard  |
|--|---|
|  |   |
| 6.12A Residential flat buildings in Zone MU1 Mixed Use | Development consent must not be granted for development for the purpose of a residential flat building on land to which this clause applies unless the consent authority is satisfied that the residential flat building is part of a mixed-use development, and no part of the ground floor of the building that is facing a street is used for residential accommodation. |
| 5.10 Heritage conservation                             | The site is divided by a local heritage items <i>I0675 Shop</i> and <i>I0676 Shop</i> . Development consent is required if construction is likely to cause disturbance.<br>  |

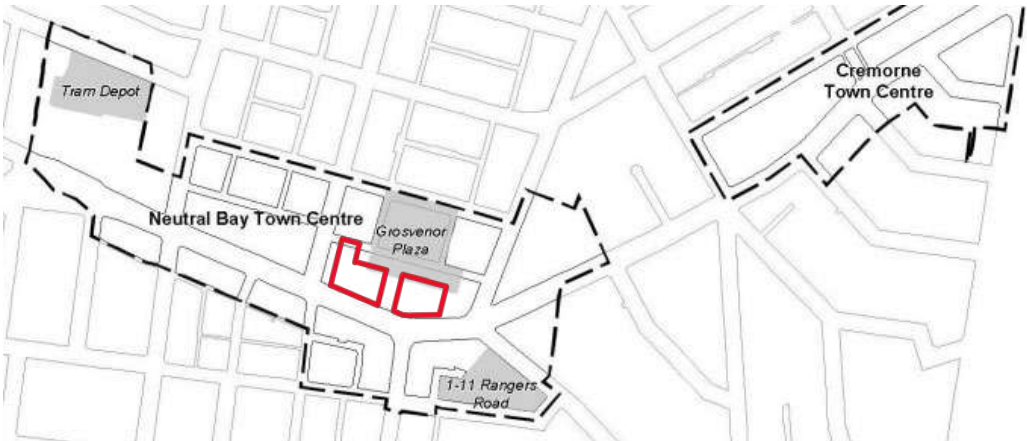
3.7.2 North Sydney Development Control Plan 2013

The *North Sydney Development Control Plan 2013* (NSDCP 2013) provides additional detailed design guidance which builds upon the provisions of the NSLEP 2013. The site is located on land within the Neutral Bay Town Centre character area (**Figure 27**) which is subject to character area specific DCP provisions, set out in Section 5 North Cremorne Planning Area of the NSDCP 2013.

It is noted that the NSDCP has not been revised since Council's endorsement of the NBVPS, which sets out a revised built form character with greater density than that set out in the existing controls summarised below.

3.7.3 Neutral Bay Town Centre

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



**Figure 27 Neutral Bay Town Centre Area**

Source: North Sydney DCP 2013

**Table 5 North Sydney DCP 2013 - Neutral Bay Town Centre Controls**

| Control   | Provision  |
|---|--|
| <b>5.1.1. Significant Elements</b>                              |  |
| Land Use  | <ul style="list-style-type: none"> <li>P1 Predominantly mixed commercial and residential development.</li> </ul>   |
| Identity  | <ul style="list-style-type: none"> <li>P6 Military Road, a major regional thoroughfare.</li> </ul>   |
| Streetscape   | <ul style="list-style-type: none"> <li>P8 Wide fully paved footpaths incorporating outdoor dining areas.</li> <li>P9 Buildings built to street and laneway frontages.</li> <li>P10 Continuous awnings along Military Road.</li> <li>P11 Irregular planting of street trees.</li> <li>P12 Active frontages to Military Road, Grosvenor Street.</li> <li>P13 90 degree on-street parking to Parraween Street.</li> </ul>   |
| Public transport  | <ul style="list-style-type: none"> <li>P14 Development is to take advantage of high levels of accessibility to high frequency public bus services along Military Road.</li> </ul>  |
| <b>5.1.2 Desired Future Character</b>                           |  |
| Diversity of activities, facilities, opportunities and services | <ul style="list-style-type: none"> <li>P1 Mixed commercial and residential development, primarily focused on Military Road.</li> <li>P2 A variety of commercial, retail, restaurants and cafes are provided at footpath level, non-residential or residential on the first floor and residential only on the upper floors.</li> <li>P3 Commercial activities should be maintained to all street frontages at ground level to stimulate pedestrian activity.</li> <li>P4 Activities should not have a detrimental impact to the safety and efficiency of vehicular traffic on Military Road.</li> </ul> |
| <b>5.1.3 Desired Built Form</b>                                 |  |
| Form, massing and scale   | <ul style="list-style-type: none"> <li>P2 Generally 4-5 storeys.</li> <li>P4 Larger facades are broken up with changes in building frontage alignment and architectural detailing to reflect the former subdivision patterns, especially fronting Military Road.</li> </ul>  |
| Public spaces and facilities                                    | <ul style="list-style-type: none"> <li>P5 Outdoor dining areas: <ul style="list-style-type: none"> <li>a) are located within clearly defined spaces;</li> <li>b) are located away from main roads;</li> <li>c) are weather protected; and</li> <li>d) provide equal and unobstructed pedestrian movement.</li> </ul> </li> <li>P6 Pedestrian arcades should be provided between Military Road and parallel laneways/streets to the north and south of Military Road to enhance pedestrian connectivity.</li> </ul>   |



| Control         | Provision   |
|-----------------|---|
|                 | <ul style="list-style-type: none"> <li>P7 Views of shop fronts should not be obstructed from footpaths and roadways.</li> <li>P8 Encourage the retention and enhancement of trees within the public domain to improve public amenity.</li> </ul>  |
| Setbacks        | <ul style="list-style-type: none"> <li>P9 Buildings should be built to all street frontages at ground level, except as follows: <ul style="list-style-type: none"> <li>a) Setback 1.5m from the northern side of Military Road, at ground level between Young Street and Waters Road, and</li> <li>b) Setback 1.5m at ground level from all laneways.</li> </ul> </li> </ul>  |
| Podiums         | <ul style="list-style-type: none"> <li>P10 Podium of 8.5m (two storeys) to Military Road, east of Hampden Avenue, with a setback of 3m above the podium.</li> <li>P11 Podium of 10m (three storeys) to Military Road, west of Hampden Avenue, with a setback of 3m above the podium.</li> <li>P12 Podium of 8.5m (two storeys) to laneway frontages and frontages not to Military Road, with a setback of 3m above the podium.</li> <li>P13 Podium of 8.5m (2 storeys) to the east and west of Barry Street Plaza, with a setback of 3m above the podium.</li> <li>P14 Provide adequate podium setbacks where a site adjoins residential or open space zones</li> </ul> |
| Building Design | <ul style="list-style-type: none"> <li>P15 Ground floor access to shops is to be provided to all properties with a frontage to Military Road, a frontage to the Grosvenor Lane car park / plaza, and those with a dual frontage between Military Road and Parraween Street.</li> <li>P16 Building elements, materials, finishes, and windows should relate to neighbouring buildings.</li> <li>P17 Laneways should be provided with active frontages, wherever possible</li> </ul>  |

## 4.0 Development concept

### 4.1 Overview

This Planning Proposal is supported by a development concept scheme (illustrated at **Figure 28**) , informed by a comprehensive Urban Design Report which seeks to deliver a superior urban design outcome for the site (refer to **Appendix A**).The development concept, although indicative, seeks to demonstrate that the Site is capable of accommodating a compliant development within the proposed controls, and demonstrates how the Site might be developed under the proposed LEP amendments.

This section provides an overview of the development concept, with an assessment of the development concept against the relevant planning matters. The numerical overview of the reference design provided in **Table 6** below.

Importantly, 180-182 Military Road (DP232918) has been excluded from Site 2A and the indicative concept scheme as the lot is not owned by Arkadia, and is unlikely to be included in a future development (the landowner has resisted genuine market offers from Arkadia). The lot is therefore excluded from this Planning Proposal and there is no proposed change to its current controls. Importantly, 180-182 Military Road is not in a location of a tower anticipated by the NBVPS, as it is positioned to provide building separation between adjacent towers in accordance with the Apartment Design Guide (ADG). As such, even if this site was to be acquired and included in a development scheme by Arkadia, the proposed 4-tower envelope arrangement would remain consistent as proposed and there would be no change to the proposed residential floorspace.

**Table 6 Numerical overview of reference design**

| Component                        | Proposed Development Concept   |
|----------------------------------|--|
| Site area                        | 4,188m <sup>2</sup> (excludes 180-182 Military Road, as outlined above)  |
| Maximum overall height (storeys) | 9, 11 and 12 storeys   |
| Maximum overall height           | 45m  |
| Gross Floor Area (GFA)           | <ul style="list-style-type: none"><li>Residential – 14,724</li><li>Retail – 2,096</li><li>Commercial – 2,570</li><li>Community - 730</li></ul> |
| Non-residential FSR              | <ul style="list-style-type: none"><li>Site 2A – 1.24:1</li><li>Site 2B – 1.35:1</li></ul>  |
| Estimated number of apartments   | <ul style="list-style-type: none"><li>Site 2A – 91</li><li>Site 2B – 57</li></ul>  |

### 4.2 Vision

The concept vision for the site and its future redevelopment is centred on fulfilling the intent of the MRCPS, enabling the future delivery of a high quality mixed-use development that will act as a new community heart for Neutral Bay Town Centre and serve local community needs.

A local destination that combines a vibrant mix of retail, hospitality and employment uses that enhance the village character of the Neutral Bay Town Centre, while delivering much-needed housing in a strategic location alongside a new community centre for existing and future residents.



**Figure 28** *Render of indicative scheme facilitated by the Planning Proposal*

Source: Virtual Vision

### 4.3 Urban Design Principles

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

- **Improve north-south permeability of the block**  
Provide upgraded and new pedestrian through-site links in the form of laneways that run through Sites 2A and 2B to connect Military Road with Grosvenor Plaza.
- **Ensure a human-scale streetscape including public domain embellishments**  
Provide a 2-storey street wall height with appropriate upper level setbacks above the street wall height along Military Road and Grosvenor Plaza to retain the existing village character of the Neutral Bay Town Centre and provide public domain improvements along Military Road.
- **Activate street level frontages and laneways**  
Ensure that street level frontages along Military Road, the new laneways and Grosvenor Plaza are activated where possible with a mix of uses, including retail, food and beverage offerings as well as commercial and residential lobbies.
- **Increase density on site while protecting solar amenity of future residential development and open spaces to the south**  
Seek to introduce additional height on the site consistent with the MRCPS while ensuring that proposed building envelopes allow for sufficient solar access to 165-173 Military Road (approved development), 183-185 Military Road (has conditional gateway approval) as well as May Gibbs Place and Rangers Road Plaza.
- **Respond sensitively to existing heritage building**  
Ensure that the proposed building envelopes respond sensitively to the existing heritage building in between Sites 2A and 2B.
- **Ensure visibility and accessibility of the new community centre**

Locate the new community centre on Level 1 (consistent with the NBVPS), with the ground level entry lobby located along the new laneway, while ensuring its visibility from Grosvenor Plaza.

#### 4.4 Indicative concept scheme

The building envelopes proposed under the indicative concept scheme have been informed by the aforementioned design principles. The scheme is also informed by the MRCPS and NBVPS volumetric planning but presents necessary departures and improved envelope articulation for reduced environmental impact and to achieve a feasible balance of non-residential and residential floorspace. Full details of the Indicative Concept Scheme are contained in **Appendix A**, however the key components of the scheme include:

- Four slender residential towers over a 2-storey podium (**Figure 29**). The towers vary in height in response to contextual analysis and retention of solar amenity to development to the south. Site 2A comprises an eleven (11) storey tower to the west and a twelve (12) storey tower to the east. Site 2B comprises a nine (9) storey tower to the east and a twelve (12) storey tower to the west.
- The tower envelopes have been sculpted (angled and stepped back with reduced height) to protect the solar amenity of 165-173 Military Road, and to achieve solar amenity to apartments within the proposed towers. The sculpting helps to modulate the envelopes, reducing their visual mass when viewed from both Military Road and the future Grosvenor Lane Plaza.
- Building heights are consistent and reduced from the heights stipulated for the site under the MRCPS, and have been further articulated to break down their linear scale, with upper level setbacks to further reduce bulk and scale. Slender depths ensure the future apartment configuration will optimise solar access, natural cross ventilation and visual amenity.
- Ground level setbacks along Military Road facilitate footpath widening to accommodate the highly pedestrianised street and bus waiting areas.
- 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.
- Above podium setbacks retain a human scale to the streetscape and provide increased separation from the towers to the existing heritage items centrally located within the site.
- An upgraded and widened central through-site link (open to the sky) continues to connect Military Road to the future plaza. In addition, two new through-site links strategically located to align with the street network to the north of the site provide increased permeability across the site. The western link (**Figure 31**) is open to the sky, while the eastern link (**Figure 30**) is partially covered in its central portion to provide weather protection and a specialised retail experience.
- Above ground commercial uses that will ensure the site retains existing and increases employment floorspace on site and supports local employment opportunities 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.
- A new Level 1 community centre on Site 2A, with a ground floor lobby located at the corner of Grosvenor Plaza and the new western through-site link.

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





**Figure 29** 3D massing of the proposal within its future built form context - view looking north

Source: Ethos urban



**Figure 30** View from the future plaza through the new eastern through site link to Military Road

Source: Virtual Vision





**Figure 31** View from to the new community centre, with adjacent new western through site link

Source: Virtual Vision

#### 4.4.1 Residential component

The indicative concept scheme has been identified by the urban design analysis to accommodate 140 apartments; however this is approximate only and is subject to detailed design, mix and apartment size. Importantly, the scheme assumes apartment areas in exceedance of the Apartment Design Guide (ADG) minimum areas, appreciating that detailed design and market preferences may call for greater flexibility in apartment areas.

The residential component starts above the podium, at Level 3 and has been configured to maximise casual surveillance of the future plaza and the public domain in the wider precinct. Opportunities for communal podium rooftop space and open recreational rooftops have been identified to enhance residential amenity. All apartments have been configured to take into account high-level ADG amenity considerations such as internal and external apartment and balcony areas, solar access, cross ventilation and other amenity requirements.

#### 4.4.2 Non-residential component

The proposal facilitates a variety of non-residential uses including ground floor retail activating all frontages, including through site links and level 1 commercial area. Further, a level 1 community centre, accessed via a ground floor lobby strategically located at the corner of the plaza, serves to activate the plaza and be visible from the public domain, revitalising a sense of community-centredness in the town centre. Both the retail and commercial space supports retention and growth of employment in the town centre, and provides work/live opportunity for the increased residential population.

#### 4.4.3 Public domain

A key component of this Planning Proposal is to establish a highly permeable and connected ground floor plane that prioritises pedestrians and public accessibility. The indicative concept scheme consists of generous Military Road footpath widening, through site links and connectivity to the future Neutral Bay plaza. The public domain on site will be embellished with robust floor finishes, accessibility measures and landscape.

The highly activated ground plane will greatly improve the existing condition, where development preceded creation of the central car park and so presents a “rear frontage” to the existing car park, retrofitted to be a new frontage. The indicative concept scheme provides seamless north south connections and provide opportunities for outdoor dining in a high-quality public domain setting. The proposed community centre will provide a



genuine focal point for the local community. The site will become a destination for the local community, enhancing the retail and dining experience within Neutral Bay, and breathing new life into the town centre.

## 5.0 Planning Proposal

This Planning Proposal seeks to amend the NSLEP 2013 to facilitate the future redevelopment of the site. The proposed planning controls will enable the achievement of a mixed use development consistent with the Indicative Concept Scheme described in **Section 4.4**, comprising a four residential towers, through site links, ground floor retail, commercial floorspace and community centre.

This Planning Proposal report has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the '*Local Environmental Plan Making Guideline*' prepared by the NSW Department of Planning and Housing and Infrastructure (DPHI), which requires the following matters to be addressed:

- The objectives and intended outcomes of the amendment to the LEP;
- Explanation of provisions;
- Justification, including:
  - relationship to strategic planning frameworks;
  - environmental, social and economic impact;
  - State and Commonwealth interests;
- Maps;
- Project timeframe; and
- Community consultation.

The following section outlines the objectives and intended outcomes of this Planning Proposal and an explanation of provisions in order to achieve those outcomes, including relevant mapping. The justification and evaluation of impacts is set out in **Section 6.0** and **Section 7.0** of this report.

### 5.1 Objectives and intended outcomes

The objective of this Planning Proposal is to seek amendments to the building height control and minimum non-residential floorspace control as they apply to the site in order to facilitate a mixed-use development outcome consistent with the objectives of the site's MUI Mixed Use Zone, the MRCPS and the NBVPS. The intended outcome of the Planning Proposal is to enable a future mixed-use development comprising residential accommodation, ground floor retail and first floor commercial space. The proposal also includes the delivery of significant community benefits in the form of a community centre, two new through-site links and upgrade to the existing through site link to the future Neutral Bay plaza as well as pedestrian footpath widening and embellishment at ground level to Military Road. These public benefits will be secured via a Voluntary Planning Agreement (VPA) that is proposed to be entered into with Council.

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

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

- Deliver a built form outcome that responds to the intent of the NBVPS.
- Deliver a mixed-use development with great community benefits.
- Assist in facilitating the evolution of the NBTC towards a high-amenity mixed-use centre.
- Enhance pedestrian amenity and site permeability by providing two new through-site links and upgrading an existing through-site link.
- Enhance the quality of the retail environment within NBTC.
- Maintain a viable commercial and retail presence on the site, at a scale that will meet the future needs of permanent new jobs to support the strengthening of the Neutral Bay Town Centre local economy.
- 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.

## 5.2 Explanation of provisions

### 5.2.1 Land to which the plan will apply

This Planning Proposal applies to the site known as 166-178, 186-192 and 198-214 Military Road, Neutral Bay and the legal description of the site can be found in **Section 3.2**.

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

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

### 5.2.2 Existing and Proposed NSLEP 2013 Controls

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

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

| Provision                   | Existing NSLEP 2013 Control | Proposed NSLEP 2013 Control |
|-----------------------------|-----------------------------|-----------------------------|
| Zoning                      | MU1 Mixed-Use               | MU1 Mixed-Use (No change)   |
| Height of Building          | 16m                         | 45m                         |
| Non-residential Floor Space | 0.5:1                       | 1.2:1                       |

### 5.2.3 Land use zoning

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

### 5.2.4 Height of buildings

It is proposed to amend the maximum height of building (HOB) control on the Site (excluding 180-182 Military Road, as noted above) to reflect an increase from 16m to facilitate four slender towers over a two-storey podium. The increased height is proposed to be specific to the location of each tower:

- Tower 2A-1: 42m (11 storeys);
- Tower 2A-2: 45m (12 storeys);
- Tower 2B-2: 36m (9 storeys);
- Tower 2B-2: 45m (12 storeys); and
- Through site links to remain at 16m to accommodate podium.

Accordingly, this Planning Proposal seeks to amend the Height of Buildings Map under the NSLEP 2013, as identified in **Figure 32** which is an indicative representation of the amended Height of Buildings Map.

### 5.2.5 Non-residential Floor Space ratio

As North Sydney LEP 2013 does not prescribe Floor Space Ratio controls, it is proposed to amend the non-residential floor space control for the Site (excluding 180-182 Military Road, as noted above) to increase the minimum requirement of non-residential floor space from 0.5:1 to 1.2:1. It is proposed to amend the Non-residential Floor Space Map under the North Sydney LEP 2013, as identified in **Figure 33** which is an indicative representation of the amended Non-residential Floor Space Map.

## 5.3 Maps

### 5.3.1 Height of Building Map Sheet 003



**Figure 32** Proposed Height of Building LEP Control for the site

Source: Ethos urban and NSLEP 2013

### 5.3.2 Non-residential Floor Space Ratio Map Sheet 003



**Figure 33** Proposed Non-residential Floor Space Control for the site

Source: Ethos Urban and NSLEP 2013

## 5.4 Site-specific Development Control Plan

A draft Site-specific Development Control Plan (DCP) will be prepared following further discussion with both Council and DPHI. The draft DCP will provide more detailed guidance to reinforce and ensure the delivery of the key development outcomes of the Indicative Concept Scheme and Planning Proposal material. The draft DCP will be prepared with Council to achieve the desired outcome for the site, as per the structure plan at **Appendix A**. The draft DCP will contain site-specific provisions including, but not limited to, the following:

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

Other relevant sections of the North Sydney DCP 2013 are intended to apply to development on the site. In the event of any inconsistency between the site-specific DCP and other sections of DCP 2013, the site-specific DCP will prevail.

## 5.5 Community consultation

With reference to the relevant considerations set out within the DPHI's *Local Environmental Plan Making Guideline*, it is noted that:

- The LEP making process does not require formal community consultation prior to a proponent submitting a rezoning request to council.
- The most appropriate time for community consultation for Planning Proposals is after a Gateway determination is issued and all relevant studies and reports have been completed. This ensures the community has clear and evidence-based information available to help them make informed comments on the proposal.

As such, formal public consultation will take place in accordance with Sections 3.34 and 3.35 of the EP&A Act at a later date. Any future DA for the site would also be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on the proposal.

## 5.6 Public Benefit Offer

An offer to enter in a Planning Agreement with Council has been prepared by Arkadia and Ethos Urban and is included under separate cover (**Appendix C**). The PP for this Site will facilitate its redevelopment, contributing to Council's vision for the Neutral Bay Town Centre and providing significant direct social and economic outcomes. This includes delivery of housing and employment directly adjacent to existing and future public and road transport.

The offer proposes the following contributions:

- Contributions comprising:
  - 730sqm community centre
    - Construction and provision of a new community centre within Site 2A, to replace the existing Neutral Bay Community Centre.
    - Lobby on ground adjacent corner of plaza and new western lane.
    - Lift and stair access to Level 1.
    - Warm shell fit out of community centre with amenities and kitchenette
    - Storage rooms and IT services as required by Council
    - Stratum to be dedicated to Council
  - Two additional through-site links

- Western link (Site 2A) - aligns with Cooper Lane
  - 4m wide
  - open to the sky
  - embellishment including paving and accessible level change management
  - easement with rights to Council
- Eastern link (Site 2B) – aligns with waters Lane
  - 4m wide
  - partially covered by building over
  - embellishment including paving and accessible level change management
  - easement with rights to Council
- Upgrade to existing central through site link aligned adjacent to heritage item
  - Increased to 3m wide
  - open to the sky
  - embellishment including paving and accessible level change management
  - easement with rights to Council
- Pedestrian footpath widening and embellishment at ground level to Military Road
  - fronting Site 2A: 2.5m additional width to accommodate bus waiting area
  - fronting Site 2B: 1.5m additional width
  - easement with rights to Council
  - Embellishment including:
    - Paving
    - Wayfinding, accessibility measures
    - 1m wide landscaped strip where feasible with trees at regular intervals

We note that this package of benefits proposed is predicated upon gazettal of the Planning Proposal in its current form, with delivery of various contributions further predicated on the future redevelopment of the site consistent with the Indicative Concept Design that accompanies the PP.

Should, for any reason, this not be achieved, or should the nature and components of the Planning Proposal be changed to reduce the scheme, then Arkadia would reserve the right to review and amend the value of the benefits offered.

5.7 Affordable Housing

Arkadia is willing to commit to up to 15% of apartments delivered across the four towers as affordable and / or key worker housing for 15 years, managed by a registered Community Housing Provider (CHP). The development's location is well suited to housing employees of the Mater Hospital and Royal North Shore Health Precinct.

5.8 Project timeline

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

**Table 8** provides the project timeline anticipated for the subject Planning Proposal which is predicated on the nature and scale of the Planning Proposal.

Table 8 Anticipated Project Timeline

| Milestone                                     | Anticipated timeframe       |
|---|-----------------------------|
| Lodgement of Planning Proposal                | August 2024                 |
| Assessment of Planning Proposal by Council    | August 2024 – November 2024 |
| Report to LPP on the assessment of the PP     | December 2024               |
| Report to Council on the assessment of the PP | January 2025                |



| Milestone   | Anticipated timeframe |
|---|-----------------------|
| Referral to Minister for review of Gateway determination                            | February 2025         |
| Date of issue of the Gateway determination  | March 2025            |
| Commencement and completion dates for public exhibition period                      | May 2025 – June 2025  |
| Commencement and completion dates for government agency notification                | May 2025 – June 2025  |
| Consideration of submissions  | July 2025             |
| Consideration of Planning Proposal post exhibition and associated report to Council | August 2025           |
| Submission to the Department to finalise the LEP                                    | September 2025        |
| Notification of instrument  | November 2025         |

## 6.0 Justification of strategic and site-specific merit

### 6.1 Strategic merit

#### 6.1.1 Section A – need for the Planning Proposal

**Q1. Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?**

The Planning Proposal responds to a number of strategic studies and reports, specifically the rescinded Military Road Corridor Planning Study (MRCPS) and Neutral Bay Village Planning Study (NBVPS), that set the intent for the future revitalisation of the Neutral Bay town centre, inclusive of development envelopes up to 12 storeys on the subject site. As outlined in **Section 2.0** of this report, despite significant public and private investment in the analysis and preparation of the MRCPS, Council in 2022 made resolved to rescind their endorsement of the MRCPS, resolving to prepare the subsequent NBVPS, which identified up to 8 storeys on the subject site. At its presentation to Council, the draft NBVPS was significantly modified to further reduce height to a maximum of 6 storeys to secure its endorsement. This is only a marginal increase to the existing 4 storey permissibility on the subject site. Notwithstanding this, the expected quantum of public benefit remained, effectively rendering the site undevelopable, as the cost of public benefit is significantly disproportional to the yield outcome.

Given the above, recent Gateway approved Planning Proposals in Neutral Bay have received support on basis of their strategic alignment with the rescinded MRCPS. The previously endorsed MRCPS and subsequent NBVPS provide a clear indication of the Council's and community's desire to see revitalisation and renewal of NBTC. This Planning Proposal has been designed to respond to that aspiration and in doing so provides an outcome consistent with these strategies, specifically the proposal:

- Seeks to retain and deliver new retail, commercial and residential floor space to support additional local jobs and housing growth, which are identified as the preferred land uses given the site's strategic location;
- Proposes additional height and density required to deliver significant public benefit through the provision of a community centre and through site links connecting Military Road to the future plaza, together this new high quality public domain and community facility will contribute to improved pedestrian accessibility, activation and amenity within NBTC;
- Contributes to the wider 'village atmosphere' through providing inviting spaces to encourage activation and utilisation of the town centre; and
- Encourages high-quality building design to enrich the experience of the Neutral Bay town centre, including:
  - sensitive height transitions to protect solar access to public open spaces and residential areas;
  - a human-scaled streetscape to enhance the village atmosphere; and
  - preserves and is sensitive to heritage items.

Further, the Planning Proposal aims to give effect to several planning priorities and actions within the North Sydney Local Strategic Planning Statement (LSPS), including the LSPS planning priority to deliver more housing that is supported by good access to jobs, services, public transport and community facilities to promote the creation of healthy and vibrant communities.

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

**Table 9     Supporting studies**

| Study                       | Consultant     | Reference  |
|-----------------------------|----------------|------------|
| Planning Proposal           | Ethos Urban    | -          |
| Urban Design Report         | Ethos Urban    | Appendix A |
| Transport Impact Assessment | JMT Consulting | Appendix B |

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

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

## **Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

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

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

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

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

### **Option 1 – Do nothing**

Council's rescinded MRCPS and adopted NBVPS establishes the need for the site to be redeveloped to support the increased demand for commercial, residential and community facilities. As a key opportunity site, the MRCPS and NBVPS identifies the opportunity for greater housing density, a new community facility, through-site links to a new plaza and widened footpaths. The statutory planning framework has not been amended to realise the strategic direction outlined in the MRCPS and NBVPS and therefore the current planning framework that applies to the site will not enable renewal to occur as identified in the MRCPS and the NBVPS.

Therefore, under option 1, the site would remain in its current state, with the existing series of shops being unconsolidated. Renewed commercial space with new community floorspace and much needed housing delivery would not occur. Do nothing is therefore not considered an appropriate outcome for the site.

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

Option 2 involves redevelopment of the site under existing planning controls. This would be an undesirable outcome that would result in the site's potential to alleviate housing demand and housing affordability pressures not being realised, as housing on top of the non-residential and community floorspace will be capped to the 16m height limit. Further, redeveloping the site under the existing controls will be a missed opportunity to increase residential capacity within the Neutral Bay Town Centre and make a meaningful contribution in Council meeting their housing targets. Under this option, Council's aspiration for a new community centre, through-site links and widened footpaths would not be able to be realised. From a development economics perspective, given the lack of density, it would not be feasible to demolish and rebuild under existing planning controls.

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

Developing NBTC under existing controls would result in an outcome similar to the Cremorne Town Centre. While some buildings have been redeveloped, there has not been an overwhelming benefit for the wider community due to restrictive existing controls, rendering public domain improvements unfeasible. Remaining undeveloped sites remain as such given a weak or non-feasible case for redevelopment. Redevelopment of the town centre under existing controls would therefore replicate the poor urban design outcome that has resulted in Cremorne.

Option 2 does not facilitate the nature of development in strategic planning and would therefore not maximise the site's ability to respond to the district and regional strategic plans.

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

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

- It gives effect to the intended outcomes identified under the MRCPS and NBVPS report, unlocking additional mixed-use uplift to support local retail and residential land uses.
- It gives appropriate uplift of the site to deliver significant public benefits as identified in MRCPS and NBVPS via a VPA.
- It will revitalise Neutral Bay town centre in the form of a new 730sqm community centre, two through-site links to the new plaza and widened footpaths. This will bring investment that will revitalise and act as a catalyst for further investment and renewal;
- It optimises the site's capacity to accommodate identified demand for housing growth, greater than what is achievable through the existing planning controls. The site under the existing controls is limited to a height of 16m, which restricts its ability to support greater density on site and in turn deliver the new community centre and through site links. By contrast, the proposed planning controls will provide the opportunity to:
  - Deliver much needed additional housing to Neutral Bay to meet increasing housing demand ;
  - Ensure the highest and best use of the site;
  - Deliver slender tower forms that avoid a “street wall” effect;
  - Liberates ground plane for better pedestrian connectivity;
  - Achieves visual permeability (sight lines) through the site;
  - Deliver a renewed community facility for NBTC;
  - Deliver new high quality housing in a location with very high public transport accessibility; and
  - Renovating retail spaces in the NBTC, helping to reinforce its retail and employment function within the local community and provide improved activation along Military Road.
- The Planning Proposal will better capitalise on existing and future public transport, aligning with council and state government strategy.
- The Planning Proposal will give both Council and the landowner certainty as to the development outcomes expected on the site.

#### 6.1.2 Section B – relationship to the strategic planning framework

### Q3. 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)?

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

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

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

The proposal is consistent with the following directions under the Plan, which govern growth and development in Sydney (refer to **Table 10**).

**Table 10 Consistency with GSRP directions**

| Direction (modify as needed)       | Consistency of the proposal with the Direction   |
|------------------------------------|--|
| A city supported by infrastructure | <ul style="list-style-type: none"> <li>• The proposal supports the delivery of higher capacity development in line with the recent infrastructure completion of the B-Line and associated bus priority upgrades undertaken by local and state government (i.e TfNSW).</li> </ul>                         |
| A city for the people              | <ul style="list-style-type: none"> <li>• The proposal supports people to walk, cycle and use public transport through improved pedestrian connections (including through site links to the future plaza), end of trip facilities and provision of bicycle parking and maintenance facilities.</li> </ul> |

| Direction (modify as needed) | Consistency of the proposal with the Direction   |
|------------------------------|--|
|                              | <ul style="list-style-type: none"> <li>The proposal will also deliver a 730m<sup>2</sup> new community centre, providing convenient access to the community.</li> </ul>  |
| Housing the city             | <ul style="list-style-type: none"> <li>The site is strategically positioned to accommodate residential uses, increasing the supply of housing within the Neutral Bay Town Centre and in close proximity to public transport infrastructure.</li> <li>Redevelopment of the site presents the opportunity to deliver and increase housing diversity within the Neutral Bay Town Centre, with the proposal providing a mix of 1,2- and 3-bedroom apartments to address housing demand and growing needs of the community and future population.</li> <li>The development seeks to optimise the site to continue its existing role as a key small-business and retail hub, but now supported by new residential dwellings that will further cement the vibrancy and vitality of the NBTC.</li> <li>The proponent is committing to up to 15% affordable housing for 15 years. This contributes to addressing critical need for affordable housing in Neutral Bay and the wider LGA, and would be well-suited as key worker housing for employees of Mater Hospital and the Royal North Shore Hospital.</li> </ul> |
| A well-connected city        | <ul style="list-style-type: none"> <li>The site's location within an established town centre is an ideal location for a mixed use development that allows residents direct access to goods and services that support everyday living.</li> <li>The proposal seeks to facilitate a mixed-use residential development that co-locates housing with new and existing retail and services, which will connect residents to new jobs and high frequency public transport services. This will take advantage of substantial investment in public transport infrastructure and support the achievement of a '30-minute city.'</li> <li>By increasing residential uses and providing supporting retail of a sufficient density this will enable the site to perform the role as the anchor along Military Road and broader Neutral Bay Town Centre.</li> </ul>   |
| Jobs and skills for the city | <ul style="list-style-type: none"> <li>The proposal will deliver a new and revitalised high quality boutique retail stores, cafes and restaurants, which will retain and generate jobs in these industries. In addition to this, new high quality commercial floorspace will ensure the ongoing role of Neutral Bay as a local centre for jobs.</li> </ul>   |
| A city in its landscape      | <ul style="list-style-type: none"> <li>The proposal does not affect any protected biodiversity or remnant or significant vegetation. Increased public domain and landscaping will be provided within the site that will contribute to increased landscaping, greater biodiversity outcomes and help reduce the urban heat island effect.</li> </ul>  |
| An efficient city            | <ul style="list-style-type: none"> <li>A key initiative of the proposal is to deliver a more sustainable development that is presently provided. ESD targets will be set as part of the future detailed development application.</li> </ul>  |
| A resilient city             | <ul style="list-style-type: none"> <li>The proposal has sought to minimise exposure to natural hazards by ensuring that future development is not affected by flooding.</li> <li>The environmental initiatives implemented through the development will contribute to enhanced environmental outcomes and seek to mitigate impacts related to climate change.</li> </ul>   |

### North District Plan

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

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



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

**Table 11** summarises how the site will give effect to the relevant planning priorities.

**Table 11 Consistency with the North District Plan**

| Planning Priority   | Consistency/ Comment  |
|---|---|
| <b>A city supported by infrastructure</b>   |   |
| N1. Planning for a city supported by infrastructure   | Aligning land use and infrastructure planning ensures that infrastructure is maximised, and that growth and infrastructure provision are aligned. The Planning Proposal will facilitate the future delivery of residential dwellings in a location serviced by the B-line and other bus services. In this regard it is aligned with bus priority infrastructure upgrades delivered by TfNSW.  |
| <b>A city for people</b>  |   |
| N4. Fostering healthy, creative, culturally rich and socially connected communities                       | The site benefits from the Neutral Bay Town Centre services and is adjacent to a future plaza. The proposed new plaza will support social gatherings and foster strong social connections through creating a key place for social gathering. The site facilitates maximum usage of the plaza by integrating three through-site links within the site for great access from the plaza to Military Road. The site is also well connected to local bus routes, cycling links and walkable services to promote a healthy community.                           |
| <b>Housing the city</b>   |   |
| N5. Providing housing supply, choice and affordability with access to jobs, services and public transport | The site is strategically positioned to accommodate residential uses, increasing supply within a local centre and in proximity to public transport infrastructure. Redevelopment of the site presents the opportunity to deliver and increase housing diversity within the town centre. There is a need to ensure housing supply and choice with greater diversity in housing products to meet the growing needs of the community and future population.  |
| <b>A city of great places</b>   |   |
| N6. Creating and renewing great places and local centres, and respecting the District's heritage          | The proposal will facilitate social cohesion and celebration of community through the active integration of the future plaza adjacent to the site. The proposal includes the provision of 730sqm new community centre, Laneways have been provided to promote permeability from the plaza. The site is also close to cycling and public transport connections. The site will include an active ground plane with the opportunity to support and enhance the local night time economy, as well as respond to the community's social and recreational needs |
| <b>A well-connected city</b>  |   |
| N12. Delivering integrated land use and transport planning and a 30-minute city                           | The '30-minute city' model is a long-term aspiration for Sydney whereby jobs and services and strategic/metropolitan centres are accessible within 30 minutes by public transport. This site is within walking distance to local services and is well-placed to benefit the '30-minute city' model, by providing housing supply and retail opportunity within a highly accessible location and thereby improve access to jobs and services.   |
| <b>A city in its landscape</b>  |   |
| N20. Delivering high quality open space   | The proposal is adjacent to a proposed plaza, the proposed design of the site has put this in consideration, by providing three publicly accessible laneways in between the buildings to promote permeability through the site. This will improve walking and cycling connections to the broader open space network   |

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

Despite Council rescinding the MRCPS in January 2022, the Study serves as evidence of Council's intent for key planning control changes to facilitate improved build form outcomes in the interest of the community. The site was identified as a key opportunity site to support taller mixed use buildings and community facilities.

**Table 12** illustrates how the proposal will support the delivery of a future outcome for the site's that is largely consistent with the identified objectives and requirements:

**Table 12 Consistency with the MRCPS: Neutral Bay Town Centre – Future Directions Planning Strategy**

| Objective/ requirement  | Consistency of the proposal  |
|---|--|
| <b>Objectives</b>   |  |
| <i>Support local jobs, local shops and housing opportunities</i>  | The site is strategically positioned to accommodate residential uses, increasing supply within close proximity to public transport and local services. Redevelopment of the site will deliver a mix of apartments, contributing to meeting the need of greater diversity in housing product. The proposal will also provide a mix of retail and commercial uses to support local jobs and strengthen the local economy.  |
| <i>Transform the Grosvenor Lane car park into a new, sunny public plaza</i>   | The proposal will contribute to the revitalisation of Grosvenor Lane car park into a new public plaza, as redevelopment of the site will facilitate the delivery of new buildings fronting the plaza and allows for the delivery of two additional through-site links into the future Grosvenor Lane Plaza.  |
| <i>Improve pedestrian amenity and access between Military Road and the new plaza</i>  | The proposal will improve pedestrian amenity and access through the upgrade of an existing through-site link and delivery of two new additional through-site links to the future Grosvenor Lane Plaza. These through-site links will promote greater mid-block permeability and will provide convenient access for pedestrians to the new plaza.   |
| <i>Deliver a new art alley, bicycle parking and public parking</i>  | The Proponent recognises that since the MRCPS was produced, allocation of public benefits have been redistributed. The NBVPS identifies that delivery of public parking and bicycle parking is now associated with redevelopment of the site north of the future plaza. The new community centre provides opportunity for community art making, and the new and existing renewed through site link provide opportunity for integration of public art, which is subject to further discussion with Council. |
| <i>Support the village atmosphere</i>   | The proposal will revitalise the site to enhance the Neutral Bay town centre through increase public benefits and improved public domain with the delivery of a renewed 730sqm community centre and two new through site links. The proposed development aligns with the study direction to ensure future growth that results in a more attractive place for residents, workers and visitors.  |
| <b>Requirements</b>   |  |
| 1. Provide additional employment floor space with a minimum 1.5:1 non-residential FSR   | A minimum non-residential FSR of 1.2:1 is proposed for the site. While this is less than 1.5:1, it is consistent with the requirement for non-residential floor space in the subsequent NBVPS (refer below).   |
| 2. Residential towers should appear slender, maximise above podium habitable facades to all sides and provide generous tower breaks to avoid a continuous 'wall effect' along Military Road | Consistent with this requirement, four slender towers are proposed across sites 2A and 2B. The proposed tower form is appropriately setback and comprises an appropriate bulk and scale appearance when viewed from the streetscape.   |
| 3. Protect solar amenity to existing and future public domain when increasing building heights (refer to Chapter 3.3)   | The Proposal has taken into account the future public plaza at Rangers Road and May Gibbs Place and has detailed how the proposed building massing will protect solar amenity – refer Urban Design Report at <b>Appendix A</b> .   |
| 4. Improve streetscape amenity by delivering the through-site-links and a 2.5m whole of building  | A key component of the proposal is the upgrade of the existing through-site link and delivery of two new additional through-site links. The proposed two new through-site links running through the site will provide seamless north-south connections between the future public plaza and Military Road and encourage increased foot traffic into the   |

| Objective/ requirement  | Consistency of the proposal  |
|---|--|
| setback along Military Road as per the detailed design considerations on the following pages  | public plaza. Military Road setbacks are provided at ground floor, with widths consistent with the NBVPS (refer below).  |
| 6. Provided a new facility has been established, redevelop the existing community centre site into a creative makers art alley with 600m2 GFA | The proposal includes a new community centre to replace the existing community centre on the site. The existing community centre is an aging product that no longer meets best practice spatial design and ESD outcomes. The upgraded through site link adjacent has opportunity to incorporate public art subject to further discussion with Council. |
| 7. Provide 14 secured commuter bicycle parking spots as part of the creative makers art alley   | The provision of public parking and bicycle parking is now associated with the site to the north of the future plaza in accordance with the NBVPS.   |
| 8. Expand tree canopy on Military Road and in new open space on Grosvenor Lane Plaza  | The proposal will aim to expand tree canopy on Military Road through the widening of footpaths, allowing for more opportunities for tree planting along Military Road.   |
| 9. Sensitively incorporate existing heritage item into the development site   | The development concept envisaged in this proposal has taken the existing heritage item into consideration and has developed a built form response that has sensitively incorporated the heritage item, with setbacks as per the NBVPS. Refer to Urban Design Report at <b>Appendix A</b> .  |

### Neutral Bay Village Planning Study

The Neutral Bay Village Planning Study (NBVPS) was developed after the previous strategy had been rescinded by the newly elected Council in January 2022. The draft study was on exhibition from 27 February 2024 to 2 April 2024. At the 27 May 2024 meeting, Council resolved to endorse the NBVPS Study subject to specific changes, including further reduced the height for the site from 8 to 6 storeys. This resulting endorsed height is two storeys greater than the current LEP building height for the site (currently 16m or 4 storeys).

We understand that Council are now reviewing the NBVPS and the implications of the reduced height on delivery of public benefit. The Proponent identifies that a constrained six storey development cannot feasibly deliver the quantum of public benefit identified in the NBVPS, such as the community centre, through-site links and widened footpath / public domain. As a result, the site will not be able to be developed to meet housing and town centre objectives and will remain underutilised.

**Table 12** illustrates how the proposal will support the delivery of a future outcome for the site's that is largely consistent with the identified objectives and requirements:

**Table 13 Consistency with the NBVPS**

| Objective/ requirement  | Consistency of the proposal  |
|---|--|
| <b>Objectives</b>   |  |
| <i>Support local jobs, local shops and housing opportunities</i>  | The site is strategically positioned to accommodate residential uses, increasing supply within close proximity to public transport and local services. Redevelopment of the site will deliver a mix of apartments, contributing to meeting the need of greater diversity in housing products. The proposal will also provide a mix of retail and commercial uses to support local jobs and strengthen the local economy. |
| <i>Enhance pedestrian amenity and access between Military Road and the new plaza</i>                                | The proposal will improve pedestrian amenity and access through upgrade of an existing through-site link and delivery of two additional through-site links to the future Grosvenor Lane Plaza. This will provide convenient access for pedestrians into the new plaza, ensuring the transformation of the existing carpark into a new plaza is successful.   |
| <i>Deliver a 1000m2 community centre with the potential to extend the community activities outdoor at the plaza</i> | The proposal will deliver a 730m2 community centre within site 2A. Importantly, a balance must be struck between provision of public benefit and the proposed uplift. The proposed community centre exceeds the area of the existing community centre and is highly  |

| Objective/ requirement  | Consistency of the proposal   |
|---|---|
|   | functional in its spatial dimensions and arrangement within the proposed envelope. It's direct connection to the plaza facilitates activation of the plaza, providing opportunity for activities to spill out onto the plaza (such as market stalls that are both within and outside of the community centre).  |
| <i>Support the village atmosphere</i>   | The proposal will revitalise the site to enhance the NBTC through increased public benefits and improved public domain with the delivery of a new 730sqm community centre and two new through site links. The proposed development aligns with the study direction to ensure future growth that results in a more attractive place for workers, residents and visitors.   |
| Requirements  |   |
| 1. Provide additional employment floor space with a minimum 1:2:1 non-residential FSR   | A minimum non-residential FSR of 1:2:1 is proposed for the site, consistent with the NBVPS.   |
| 2. enhance streetscape amenity by providing a 2.5m whole of building setback along Military Road at Site 2A and a 1.5m ground level setback at Site 2B with additional street trees and landscaping   | <p><b>Site 2A</b><br/>The proposed envelope includes a 2.5m setback at ground level only. Notwithstanding this, the objective to widen the footpath and provide additional circulation to the bus stopping area is achieved. Further, by extending the built form of the podium above to the boundary, wind impact from the tower is appropriately mitigated as the podium acts as a buffer. An awning to Military Road above the footpath will be indistinguishable from a podium extension to boundary above.</p> <p><b>Site 2B</b><br/>The proposed envelope includes a 1.5m setback to ground level consistent with this requirement.</p>   |
| 3. ensure that the built form presents unobtrusively by maximising above podium habitable facades on all sides and providing generous building separations to avoid a continuous 'wall effect' along Military Road  | The proposed four slender tower arrangement is consistent with the NBVPS four tower volume, avoiding a Military Road 'wall effect'. ADG compliant building separation is achieved within the site, maximising opportunity for habitable façades, strategically located to maximise exposure to direct solar where required for a future detailed design to achieve ADG compliance. Refer <b>Appendix A</b> .  |
| 4. protect solar amenity to Grosvenor Plaza   | Being south of the plaza, the proposal does not compromise its solar amenity. Refer <b>Appendix A</b> .   |
| 5. deliver two new through-site links with a 6m width and open to the sky. A covered arcade link may however be considered at Site 2A provided the maximum length of any building over 6 storeys in height avoids the 'wall effect' along Military Road. This is subject to further investigation | <p>A key component of the proposal is the delivery of two new through-site links in addition to the upgrade of an existing through-site link. The new links are proposed to be 4m wide. The narrower links recognise that the focal open space is the new plaza, rather than competing with this. The 4 metre width provides sufficient capacity for two-way pedestrian traffic, concentrating activation of retail façade along the links. Outdoor dining is most desirable in the sunny plaza rather than constrained in links, which are designed for ease of thoroughfare.</p> <p>The western link is fully open to the sky. The eastern link is partially covered at its centre, but only by a single podium storey. This would greatly enhance the vibrancy and retail activity in the link, supporting small businesses which benefit from the weather protection of partial coverage.</p> |
| 6. provide multiple fine-grain retail shops along Military Road, plaza and through-site links to support a variety of new on-street shops   | The Proposal will facilitate multiple fine-grain retail shops along Military Road, and through-site links that provide direct pedestrian connections to the new plaza, which is consistent with Council's direction and vision. Refer to Urban Design Report at <b>Appendix A</b> .   |
| 7. deliver a new 1000m2 community facility with a separated lobby accessible from   | The proposal will deliver a 730m2 community centre within site 2A. Importantly, a balance must be struck between provision of public benefit and the proposed uplift. The proposed community centre   |

| Objective/ requirement  | Consistency of the proposal  |
|---|--|
| the plaza on Site 2B as shown in figure 7.16                                  | exceeds the area of the existing community centre and is highly functional in its spatial dimensions and arrangement within the proposed envelope. It's direct connection to the plaza facilitates activation of the plaza, providing opportunity for activities to spill out onto the plaza (such as market stalls that are both within and outside of the community centre). |
| 8. ensure that the built form sensitively responds to existing heritage items | The indicative concept scheme proposed has taken the existing heritage items into consideration and has provides setbacks that sensitively protect their curtilage. Refer to Urban Design Report at <b>Appendix A</b> .  |

#### Q4. Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

##### North Sydney Local Strategic Planning Statement

The North Sydney Local Strategic Planning Statement (LSPS) contains planning priorities and actions which this Planning Proposal aligns with. The LSPS, which represents Council's 20-year vision and strategy for the LGA's future direction, and contains directions about infrastructure, liveability, productivity and sustainability. The LSPS draws from the Greater Sydney Commission's Greater Sydney Regional Plan and Eastern City District Plan and implements the planning priorities identified from these larger strategic documents at a local level.

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

This is outlined through the four themes of the LSPS, Infrastructure & Collaboration, Liveability, Productivity and Sustainability. The Neutral Bay local centre, which the proposal site is located within, has a role to be play in achieving the objectives of these themes. **Table 14** summarises how the site will give effect to the relevant planning priorities in the LSPS.

**Table 14** Consistency with the North Sydney LSPS

| Planning Priority  | Consistency/comment   |
|--|---|
| <b>Infrastructure and collaboration</b>  |   |
| Local planning priority I1: Align growth and development with infrastructure that supports the needs of the North Sydney community                                     | The site contributes to the alignment of growth supported by infrastructure and has the capacity to deliver future land uses within walking distance of local bus routes.   |
| <b>Liveability</b>   |   |
| Local planning priority L1: Diverse housing supply, choice and affordability with access to jobs, services and public transport.                                       | The proposal will deliver much needed high density housing in close proximity to local bus routes, jobs and services. Given the size of the site, there is an opportunity to provide a diverse amount of housing that will respond to the community's changing housing needs.   |
| Local planning priority L2: Provide a range of community facilities and services to support a healthy, creative, diverse and socially connected North Sydney community | The proposal includes the delivery of a 730sqm community centre to meet the current and future needs of the community. This will specifically provide a renewed community space for the broader Neutral Bay residents and will be delivered under a VPA to be entered with Council. Further, the proposal seeks to upgrade an existing through-site link and deliver two additional through-site links to allow opportunities for mid-block connections to the new public plaza adjacent to the site. The three through-site links delivered on the site will improve pedestrian and cycling connections and support a healthy community. |



| Planning Priority  | Consistency/comment   |
|--|---|
| Local planning priority L3: Create great places that recognise and preserve North Sydney's distinct local character and heritage | The site upholds the opportunity to build on the established identity and create a great place that represents the culture of the community, contributing to the overall renewal of the Neutral Bay town centre.  |
| <b>Productivity</b>  |   |
| Local planning priority P3: Enhance the commercial amenity and viability of North Sydney's local centres                         | The proposal responds to this priority by improving the commercial amenity and viability of Neutral Bay through facilitating renewed future retail and employment spaces to support local jobs and businesses. The proposed new community centre, through site links to the new Grosvenor Plaza will also enhance the safety, amenity, services and overall appeal of the local centre. |
| Local planning priority L6: Support walkable centres and a connected and sustainable North Sydney                                | The site presents an opportunity to align future land uses and integrate with transport infrastructure so that more people can get to work, school or local services within 30 minutes.   |
| <b>Sustainability</b>  |   |
| Local planning priority S2: Provide a high quality, well-connected and integrated urban greenspace system                        | The proposed two new through-site links will provide connections to the broader open space network and improve mid-block permeability within the NBTC.  |

### North Sydney Local Housing Strategy 2019

The North Sydney LSPS is supported by the North Sydney Local Housing Strategy 2019, which plan for the projected growth of approximately 19,500 residents within the North Sydney LGA by 2036. It sets out the strategic direction for housing in the LGA over the next 20 years, and identifies the housing demand, gaps and issues as well as establishing housing objectives to manage future growth. There are 7 objectives which underlie the LHS, assessment against the relevant objectives is provided in **Table**.

**Table 15 Consistency with the North Sydney LHS**

| Objective   | Consistency  |
|---|--|
| Objective 1: Achieve the directions, objectives and actions identified in A Metropolis of Three Cities (GSC, 2018) and the North District Plan (GSC, 2018). | As outlined in Question 3, the Proposal is generally consistent with the objectives and actions identified in "A Metropolis of Three Cities" and "North District Plan". The Proposal will provide additional housing that is diverse and responsive to the needs of residents in Neutral Bay. The Proposal will also help alleviate Sydney's Housing Crisis by providing much needed additional housing to the area, and will help meet the housing supply targets set for North Sydney LGA.   |
| Objective 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.   | In 2024, The NSW Government has released 5-year housing completion targets for different councils. North Sydney Council has been given a housing target of 5,900 to meet over the next 5 years, which is more than double of the previous target of 2,835 for 2021-2026. The North Sydney LHS notes the LGA was set to reach the target of 2,835 based on the current rate of approvals. Given this, additional housing needs to be approved in North Sydney for council to meet its new housing target. Therefore, the Proposal would contribute to Council meeting its housing target, as the site has the capacity to deliver 140 residential apartments as demonstrated in the development concept at <b>Appendix A</b> . Additional dwellings may be achieved at detailed design stage. |
| Objective 3: Inform housing diversity and affordability issues in North Sydney.   | The Proposal will deliver much needed high-density housing in close proximity to local bus routes, jobs and services. The Proposal will comprise diverse housing, including up to 15% affordable housing for 15 years, responding to the critical need for housing in the community.   |

| Objective  | Consistency  |
|--|--|
| Objective 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. | The Proposal will deliver well located housing near existing infrastructure such as local bus routes, jobs and services. Additionally, NBTC is identified as a local centre suitable for additional housing in the North Sydney DCP, MRCPS and NBVPS.  |
| Objective 5: Coordinate growth with the planning and delivery of local and State infrastructure and planned precincts.   | The Proposal will deliver housing in an area with existing infrastructure. Further coordination with state government agencies is expected for the delivery of additional associated infrastructure.   |
| Objective 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.                                       | The Proposal is generally consistent with council directions in the rescinded MRCPS and current NBVPS. The Proposal had been prepared closely following the MRCPS to ensure growth and renewal in Neutral Bay could occur in a manageable scale. Additionally, Council had identified that NBTC is suitable for increased residential density due to the area currently having sufficient amenities. |

## Q5. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

### State and regional study, low-and mid housing reform

The proposed Low to Mid Rise Housing Reform does not apply to the site. Notwithstanding this, NBTC was identified by Council's planning team to qualify as a town centre applicable for the reform. Specifically, Council identified that the NBTC is suitable for increased residential density as it:

- Contains three (3) full line supermarkets:
  - Woolworths Neutral Bay Village (Rangers Road) – Approx. 3,300sqm
  - Woolworths Neutral Bay (Grosvenor Street) – Approx. 3,600sqm
  - Coles Neutral Bay (Big Bear – Military Road) – Approx. 2,000sqm
- Has a large variety of retail shops, restaurants/cafes, personal health, pharmacies, post office, banks and community facilities to cater for the community's day to day needs (which are largely contained within the Arkadia landholding and would thus be fully revitalised as part of an active ground floor redevelopment of the Site).
- Has existing bus routes along Military Road including the B-Line, which is an express service that connects
  - residents directly to the Sydney CBD (noting that the northern side of Military Road is better serviced than
  - the southern side due to parallel bus route along Gerard St/Belgrave St).
- Further to the above, the NBTC is also:
  - Walking distance to the North Sydney CBD, North Sydney Train Station and Milsons Point Train Station.
  - Located adjacent to Military Road, an urban traffic corridor. This Arkadia landholding, with Military Road frontage, is ideally located to accommodate taller residential development to raise apartments above the road noise source without impacting solar or public amenity.
  - Ideal for development with increased height in order to:
    - open the ground plane and introduce multiple through site links.
    - deliver well-located public benefit (such as a community centre)
    - minimise any viewing impact (being in an elevated position, and with benefit of taller, slender towers)

### National Housing Accord

The NSW Government has committed to the National Housing Accord's 5-year housing growth by targeting the state-wide delivery of 377,000 well-located homes, including 5,900 new homes in North Sydney LGA, by 2029. The Planning Proposal will contribute to achieving the North Sydney LGA housing target by:

- Delivering approximately 140 diverse dwellings that increase housing choice and provide new homes that can cater to the changing needs of the population;

- Foster the delivery of transit-oriented development by increasing the supply of residential floor space in proximity to existing B-line rapid bus stops; and
- Support essential residential needs by co-locating housing with the key services and infrastructure in existing town centre.

### NSW Housing targets

The NSW Government has released 5-year housing completion targets for 43 councils across Greater Sydney, Illawarra-Shoalhaven, Central Coast, Lower Hunter and Greater Newcastle and 1 target for regional NSW.

These targets replace outdated targets previously set by the Greater Sydney Commission and have been published ahead of the commencement of the National Housing Accord period and reflect NSW's commitment to deliver 377,000 new homes across the state by 2029 – as part of the broader Federal Government target to build 1.2 million homes across the Country. North Sydney Council has been given a housing target of 5,900 to meet over the next 5 years, which is more than double of the previous target of 2,835 for 2021-2026. The North Sydney LHS notes the LGA was set to reach the target of 2,835 based on the current rate of approvals. Given the state-wide pressure to deliver more housing and new housing target for the North Sydney LGA, additional housing needs to be approved in North Sydney in order for council to meet its housing target. The Proposal will contribute approximately 140 new dwellings in the North Sydney LGA, helping to meet the housing supply target of North Sydney.

### Future Transport Strategy

Future Transport Strategy 2056 is a 40-year strategy to achieve the Government's vision for the city's transport system, supported by the Greater Sydney Region Plan and relevant District Plans. Given the increasing emphasis on growth of jobs and housing in Greater Sydney, and the need to maximise the existing public transport network, it places a significant focus in the new plan on transit-oriented development and public transport investment. The Planning Proposal is consistent with the Strategy as it will:

- Integrate land use and transport by increasing density in close proximity to B-line rapid bus stops;
- Improve liveability and pedestrian amenity by providing a renewed 730m<sup>2</sup> community centre, expanded pedestrian footpath and two additional through-site links to the future Grosvenor Lane Plaza.
- Supporting the role of NBTC by renewing key retail services, community facilities and employment floorspace within NBTC which has been earmarked as a local centre, thereby allowing residents to work locally and meet the objectives of the '30-minute city'; and
- Improve sustainability by reducing reliance on private motor vehicles at the Site.

### Q6. Is the Planning Proposal consistent with applicable State Environment Planning Policies?

The State Environmental Planning Policies directly applicable to the Planning Proposal are identified in **Table 16**

**Table 16** Consistency with State Environmental Planning Policies

| SEPP  | Consistent |    | N/A | Comment  |
|---|------------|----|-----|--|
|   | Yes        | No |     |  |
| State Environmental Planning Policy (Biodiversity and Conservation) 2021          |            |    | ✓   | Not relevant to proposed LEP amendment.  |
| State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 |            |    | ✓   | Not directly relevant to the proposed LEP amendment. May apply to future development on the Site   |
| State Environmental Planning Policy (Planning Systems) 2021                       |            |    | ✓   | Not directly relevant to the proposed LEP amendment. May apply to future development on the Site   |
| State Environmental Planning Policy (Housing) 2021                                | ✓          |    |     | A high-level ADG assessment has been carried out to confirm that the proposed building envelopes have capacity to deliver development that is consistent with the ADG design criteria, refer <b>Appendix A</b> . A detailed assessment against |

| SEPP   | Consistent | N/A | Comment   |
|--|------------|-----|---|
|  |            |     | ADG provisions will be included at the detailed DA stage.   |
| State Environmental Planning Policy (Sustainable Buildings) 2022           |            | ✓   | Not directly relevant to the proposed LEP amendment. May apply to future development on the Site.       |
| State Environmental Planning Policy (Transport and Infrastructure) 2021    |            | ✓   | Not directly relevant to the proposed LEP amendment. May apply to future development on the Site.       |
| State Environmental Planning Policy (Industry and Employment) 2021         |            | ✓   | Not relevant to proposed LEP amendment.   |
| State Environmental Planning Policy (Precincts—Central River City) 2021    |            | ✓   | Not relevant to proposed LEP amendment.   |
| State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021  | ✓          |     | No amendments to the Eastern Harbour City SEPP are necessary as a result of the proposed LEP amendment. |
| State Environmental Planning Policy (Precincts—Regional) 2021              |            | ✓   | Not relevant to proposed LEP amendment.   |
| State Environmental Planning Policy (Precincts—Western Parkland City) 2021 |            | ✓   | Not relevant to proposed LEP amendment.   |
| State Environmental Planning Policy (Primary Production) 2021              |            | ✓   | Not relevant to proposed LEP amendment.   |
| State Environmental Planning Policy (Resilience and Hazards) 2021          |            | ✓   | Not relevant to proposed LEP amendment.   |
| State Environmental Planning Policy (Resources and Energy) 2021            |            | ✓   | Not relevant to proposed LEP amendment.   |

#### Q7. Is the Planning Proposal consistent with the applicable Ministerial Directions (Section 9.1 Directions) or key government priority?

The proposal's consistency with applicable Section 9.1 Directions is assessed in **Table 17**.

**Table 17 Assessment of Section 9.1 Directions**

| Ministerial Direction                           | Consistent |    |     | Comment  |
|---|------------|----|-----|--|
|   | Yes        | No | N/A |  |
| Focus area 1: Planning Systems                  |            |    |     |  |
| 1.1 Implementation of Regional Plans            | ✓          |    |     | The Proposal is consistent with the Greater Sydney Regional Plan, as demonstrated in Section 6.2.          |
| 1.2 Development of Aboriginal Land Council land |            |    | ✓   | Not applicable.  |
| 1.3 Approval and Referral Requirements          | ✓          |    |     | The Planning Proposal is not designated development, and it would not require the concurrence of the DPHI. |

| Ministerial Direction   | Consistent | Comment   |
|---|------------|---|
| 1.4 Site Specific Provisions  | ✓          | The Planning Proposal does not seek to amend an environmental planning instrument to permit a certain land use. |
| <b>Focus area 1: Planning Systems – Place-based</b>   |            |   |
| 1.5 Parramatta Road Corridor Urban Transformation Strategy  | ✓          | Not applicable.   |
| 1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan                 | ✓          | Not applicable.   |
| 1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan | ✓          | Not applicable.   |
| 1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan             | ✓          | Not applicable.   |
| 1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor   | ✓          | Not applicable.   |
| 1.10 Implementation of Western Sydney Aerotropolis Plan   | ✓          | Not applicable.   |
| 1.11 Implementation of Bayside West Precincts 2036 Plan   | ✓          | Not applicable.   |
| 1.12 Implementation of Planning Principles for the Cooks Cove Precinct  | ✓          | Not applicable.   |
| 1.13 Implementation of St Leonards and Crows Nest 2036 Plan   | ✓          | Not applicable.   |
| 1.14 Implementation of Greater Macarthur 2040   | ✓          | Not applicable.   |
| 1.15 Implementation of the Pyrmont Peninsula Place Strategy   | ✓          | Not applicable.   |
| 1.16 North West Rail Link Corridor Strategy   | ✓          | Not applicable.   |
| 1.17 Implementation of the Bays West Place Strategy   | ✓          | Not applicable.   |
| 1.18 Implementation of the Macquarie Park Innovation Precinct   | ✓          | Not applicable.   |
| 1.19 Implementation of the Westmead Place Strategy  | ✓          | Not applicable.   |
| 1.20 Implementation of the Camellia-Rosehill Place Strategy   | ✓          | Not applicable.   |
| 1.21 Implementation of South West Growth Area Structure Plan  | ✓          | Not applicable.   |
| 1.22 Implementation of the Cherrybrook Station Place Strategy   | ✓          | Not applicable.   |
| <b>Focus area 2: Design and Place</b>   |            |   |
| <b>Focus area 3: Biodiversity and Conservation</b>  |            |   |



| Ministerial Direction   | Consistent | Comment  |
|---|------------|--|
| 3.1 Conservation Zones  | ✓          | Not applicable.  |
| 3.2 Heritage Conservation   | ✓          | The Proposal has thoroughly considered the existing heritage item adjacent the site, the development concept includes setbacks to the heritage item, consistent with that envisaged in the NBVPS.  |
| 3.3 Sydney Drinking Water Catchments  | ✓          | Not applicable.  |
| 3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs | ✓          | Not applicable.  |
| 3.5 Recreation Vehicle Areas  | ✓          | Not applicable.  |
| 3.6 Strategic Conservation Planning   | ✓          | Not applicable.  |
| 3.7 Public Bushland   | ✓          | Not applicable.  |
| 3.8 Willandra Lakes Region  | ✓          | Not applicable.  |
| 3.9 Sydney Harbour Foreshores and Waterways Area                                      | ✓          | Not applicable.  |
| 3.10 Water Catchment Protection   | ✓          | Not applicable.  |
| <b>Focus area 4: Resilience and Hazards</b>   |            |  |
| 4.1 Flooding  | ✓          | Not applicable.  |
| 4.2 Coastal Management  | ✓          | Not applicable.  |
| 4.3 Planning for Bushfire Protection  | ✓          | Not applicable.  |
| 4.4 Remediation of Contaminated Land  | ✓          | While a Preliminary Site Investigation has not been prepared for this Planning Proposal, it is recognised that the potential for contamination on the site is low given its historic use for small-scale retail and commercial space. It is therefore not considered to be a risk for the future development of the site as proposed in the indicative concept scheme. |
| 4.5 Acid Sulfate Soils  | ✓          | Not applicable.  |
| 4.6 Mine Subsidence and Unstable Land   | ✓          | Not applicable.  |
| <b>Focus area 5: Transport and Infrastructure</b>                                     |            |  |
| 5.1 Integrating Land Use and Transport  | ✓          | The Proposal will deliver much needed high-density housing in close proximity to local bus routes, jobs and services, the Proposal will provide a diverse amount of housing that will respond to the community's changing housing needs.   |
| 5.2 Reserving Land for Public Purposes  | ✓          |  |
| 5.3 Development Near Regulated Airports and Defence Airfields                         | ✓          | Not applicable.  |
| 5.4 Shooting Ranges   | ✓          | Not applicable.  |
| <b>Focus area 6: Housing</b>  |            |  |
| 6.1 Residential Zones   | ✓          | The site is strategically positioned to accommodate residential uses, increasing supply within close proximity to public transport and local services. Redevelopment of the site will deliver a mix of   |

| Ministerial Direction  | Consistent | Comment   |
|--|------------|---|
|  |            | apartments, contributing to meeting the need of greater diversity in housing products. The proposal will also provide a mix of retail and commercial uses to support local jobs and strengthen the local economy.   |
| 6.2 Caravan Parks and Manufactured Home Estates                              | ✓          | Not applicable.   |
| <b>Focus area 7: Industry and Employment</b>                                 |            |   |
| 7.1 Business and Industrial Zones  | ✓          | The proposal responds to this focus area by improving the commercial amenity and viability of Neutral Bay through facilitating renewed future retail and employment spaces to support local jobs and businesses. The proposed new community centre, through site links to the new Grosvenor Plaza will also enhance the safety, amenity, services and overall appeal of the local centre. |
| 7.2 Reduction in non-hosted short-term rental accommodation period           | ✓          | Not applicable.   |
| 7.3 Commercial and Retail Development along the Pacific Highway, North Coast | ✓          | Not applicable.   |
| <b>Focus area 8: Resources and Energy</b>                                    |            |   |
| 8.1 Mining, Petroleum Production and Extractive Industries                   | ✓          | Not applicable.   |
| <b>Focus area 9: Primary Production</b>                                      |            |   |
| 9.1 Rural Zones  | ✓          | Not applicable.   |
| 9.2 Rural Lands  | ✓          | Not applicable.   |
| 9.3 Oyster Aquaculture   | ✓          | Not applicable.   |
| 9.4 Farmland of State and Regional Significance on the NSW Far North Coast   | ✓          | Not applicable.   |

## 6.2 Site-specific merit

### 6.2.1 Section C – environmental, social and economic impact

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

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

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

Due to the site's urban location, there are no likely environmental effects as a result of the Planning Proposal.

#### **Q10. Has the Planning Proposal adequately addressed any social and economic effects?**

A Social and Economic Impact Statement has not been prepared at this time, however can be prepared to support the future resolution of this Planning Proposal with Council and DPHI. Notwithstanding this, the Planning Proposal will contribute to a number of positive social and economic outcomes, including:

- Protecting and renewing the existing retail / commercial capacity;
- Accommodating additional height and density to deliver Council's desired public benefits;
- Encourages high-quality building design to enrich the experience of the NBTC;
- Comprises sensitive height transitions to protect solar access to public open spaces and residential areas;
- Ensures a human-scaled streetscape to enhance the village atmosphere;
- Preserves and is sensitive to heritage items;
- Integrates land use and transport by increasing density in close proximity to B-line rapid bus stops;
- Improves liveability and pedestrian amenity by providing a renewed 730m2 community centre, expanded pedestrian footpath and two additional through-site links to the future Grosvenor Lane Plaza;
- Supports the role of NBTC by renewing key retail services, community facilities and employment floorspace, supporting residents to work locally and meet the objectives of the '30-minute city'; and
- Improve sustainability by reducing reliance on private motor vehicles at the Site.
- Delivery of up to 15% affordable housing for 15 years.

### 6.2.2 Section D – Infrastructure (Local, State and Commonwealth)

#### **Q11. Is there adequate public infrastructure for the Planning Proposal?**

The site is within convenient proximity on Military Road outside three (3) separate bus stops known as Stand A, Stand B and Stand C. Each bus stand provides numerous high-frequency bus services that travel to the Sydney CBD, greater North Shore, Northern Beaches and Western Suburbs. The Proposal will deliver much needed high-density housing in close proximity to local bus routes, jobs and services, the Proposal will provide a diverse amount of housing that will respond to the community's changing housing needs.

As noted in **Section 5.6**, the Proponent has prepared a Voluntary Public Benefit offer (Refer to **Appendix C**), which will provide a new 730m2 community centre, two new through-site links and an expanded pedestrian footpath along Military Road, with associated public domain embellishment. This will enable new public infrastructure to be developed in NBTC and allows for a more liveable and pedestrian friendly town centre.

### 6.2.3 Section E – State and Commonwealth Interests

#### **Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?**

Where necessary, further consultation with relevant authorities will be undertaken as required in accordance with the Gateway Determination. State and Commonwealth authorities will have the opportunity to provide comment on the Planning Proposal as part of its formal exhibition.

## 7.0 Environmental Assessment

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

As outlined in **Section 4.0**, the indicative concept scheme (**Appendix A**) developed by Ethos Urban informs preparation of the Planning Proposal and demonstrates how a future development can be accommodated on Site in accordance with the proposed height and non-residential floor space controls. Accordingly, the outcomes of these investigations and analysis have largely guided the content of this Planning Proposal.

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

### 7.1 Built form and Scale

#### 7.1.1 Height and Massing

The proposed built form and massing has been informed by the future vision for the site set out in MRCPS and NBVPS. The MRCPS and NBVPS identifies that the NBTC is suitable for greater density, accommodating additional housing and retaining and renewing existing retail floorspace. The proposed concept design directly responds to this vision.

The indicative concept scheme responds to the urban design principles set out in the Urban Design Report (refer to **Appendix A**) prepared by Ethos Urban, to achieve Council's desired future character for NBTC. In particular, it:

- Protects the existing retail / commercial capacity;
- Proposes additional height and density to deliver the required public benefit;
- Encourages high-quality building design to enrich the experience of the Neutral Bay town centre;
- Comprises sensitive height transitions to protect solar access to public open spaces and residential areas;
- Ensures a human-scaled streetscape to enhance the village atmosphere; and
- Preserves and is sensitive to heritage items.

The proposed podium form will establish an appropriate scale that does not result in an overwhelming impact on the amenity of the public domain to create a welcoming human-scale neighbourhood centre. The proposed 2-storey podium will provide a visual buffer to the slender towers above and establish the site as a retail hub, creating a village feel with sufficient non-residential floorspace to generate interest and vibrancy.

Above podium level, the indicative height and massing of the proposed built form has responded to the desired land use outcomes and strategic intent of the MRCPS and NBVPS, including the delivery of a new community centre, through site links and mixed-use commercial and residential development. The proposed massing for the site has been developed taking into consideration the built form outcomes espoused in the NBVPS. Further, the indicative concept scheme height of up to twelve storeys is consistent with the height envisaged for parts of the Site in the MRCPS.

The surrounding context comprise development of 9 to 13 storeys in height (refer **Figure 34**), and therefore the indicative scheme's 9 to 12 storeys does not set a precedent, and is considered appropriate in scale relative to both existing and future development.

The indicative concept scheme's four slender residential towers over a 2-storey podium (**Figure 35**) vary in height in response to contextual analysis and retention of solar amenity to existing residential development to the south, as well as existing and future open space in the NBTC. Site 2A comprises an 11 storey tower to the west and a 12 storey tower to the east. Site 2B comprises a 9 storey tower to the east and a 12 storey tower to the west.

The tower envelopes have been sculpted (angled and stepped back with reduced height) to protect the solar amenity of 165-173 Military Road, and to achieve solar amenity to apartments within the proposed towers. The sculpting modulates the envelopes, reducing their visual mass when viewed from both Military Road and the future Grosvenor Lane Plaza. Building heights are related to and reduced from the heights stipulated for the site under the MRCPS, and have been further articulated to break down their linear scale, with upper level setbacks to further reduce bulk and scale. Slender depths ensure the future apartment configuration will optimise solar access, natural cross ventilation and visual amenity. Overall, the proposed height increase to 12 storeys is generally consistent with the character of NBTC and would act as a natural transition from the town centre to lower scale development adjacent the NBTC (**Figure 36**).





**Figure 34** The indicative concept scheme in its setting

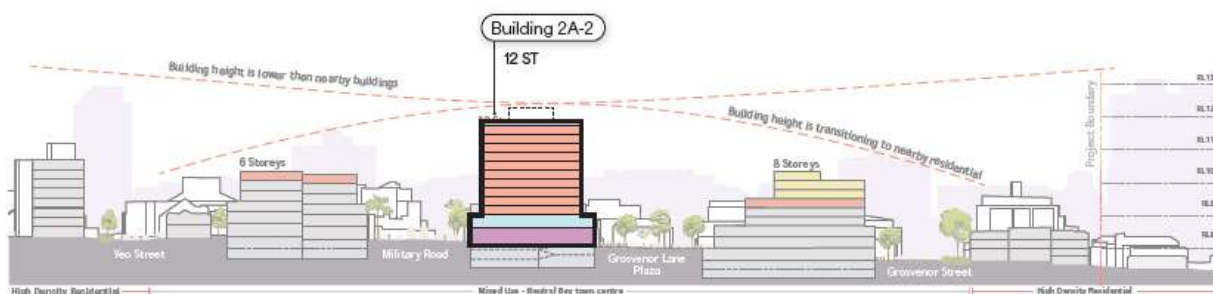
Source: Ethos Urban



**Figure 35** 3D massing of the proposal within its future built form context - view looking north

Source: Ethos urban





**Figure 36** Overlay of the proposal over a north-south section through Neutral Bay Town Centre

Source: Ethos Urban, MRCPS

### 7.1.2 Visual Impact

The indicative concept scheme has been designed to deliver a well-scaled and visually interesting built form. The proposal comprises regular separation to ground level, to create an inviting and open environment, leading to the future plaza.

The concept arrangement is guided by the desired future setbacks for the site contained within the MRCPS and NBVPS, to both the boundaries and between towers, including to the heritage properties at the centre of the site.

The stepping and angled facades of the towers, in response to retention of solar amenity in the precinct, provide visual mitigation of the scale of towers. This is further enhanced by the landscaped open space opportunities to podium and rooftops, which will serve to soften the built form.

### 7.1.3 Residential amenity

The indicative concept scheme has been developed having regard to the requirements of State Environmental Planning Policy (Housing) 2021 and the accompanying Apartment Design Guide (ADG). Although the ultimate built form on the site will be determined at a future detailed design stage, the concept design is capable of achieving an acceptable level of internal amenity for future residents with regard to solar access, natural ventilation and privacy.

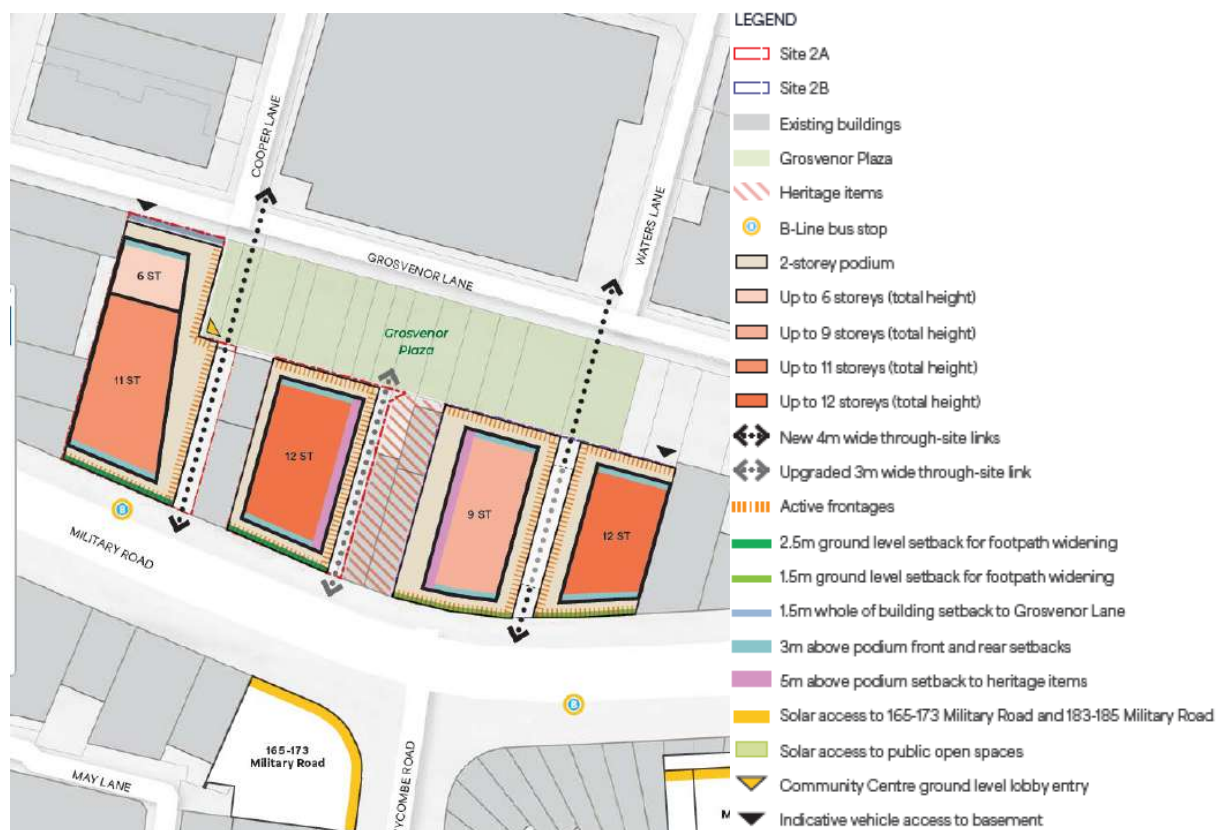
Further, the building separation provided responds to the requirements of the ADG as they relate to habitable and non-habitable facades to each tower. Further information is provided at **Appendix A**.

### 7.1.4 Setbacks

The indicative concept scheme is generally consistent with the ground level setbacks outlined in the NBVPS. The proposed variation to provide the Military Road setbacks at the ground level only still achieves the intent to widen the footpath and modulate the podium form above.

The Ground level setbacks improve the amenity of the highly pedestrianised street and bus waiting areas. For Site 2A, the proposed envelope includes a 2.5m setback at ground level only. The objective to widen the footpath and provide additional circulation to the bus stopping area is achieved. Further, by extending the built form of the podium above to the boundary, wind impact from the tower is appropriately mitigated as the podium acts as a buffer. An awning to Military Road above the footpath will be indistinguishable from a podium extension to boundary above. For Site 2B, the proposed envelope includes a 1.5m setback to ground level consistent with this requirement.

Above podium setbacks are proposed as guided by the NBVPS, retaining a human scale to the streetscape and providing increased separation from the towers to the existing heritage items centrally located within the site. Setbacks on the upper levels assist to reduce bulk and scale, contributing to a slender built form outcome. Further detail is provided in the Urban Design Report at **Appendix A**, illustrated in the structure plan at **Figure 37**.



**Figure 37 Proposed structure plan**

Source: Ethos Urban

## 7.2 Public domain and community centre

A key component of this Planning Proposal is to establish a highly permeable and connected ground floor plane that prioritises pedestrians and public accessibility. The indicative concept scheme consists of generous Military Road footpath widening, through site links and connectivity to the future Neutral Bay plaza. The public domain on site will be embellished with robust floor finishes, accessibility measures and landscape. An Indicative ground floor plan is illustrated at **Figure 38**.

The indicative concept scheme includes an upgraded and widened central through-site link (open to the sky) connecting Military Road to the future plaza. In addition, two new through-site links strategically located to align with the street network to the north of the site provide increased permeability across the site. The western link is open to the sky (**Figure 39**), while the eastern link (**Figure 40**) is partially covered in its central portion to provide weather protection and a specialised retail experience.

Further, a level 1 community centre, accessed via a ground floor lobby strategically located at the corner of the plaza, serves to activate the plaza and be visible from the public domain, revitalising a sense of community-centredness in the town centre.

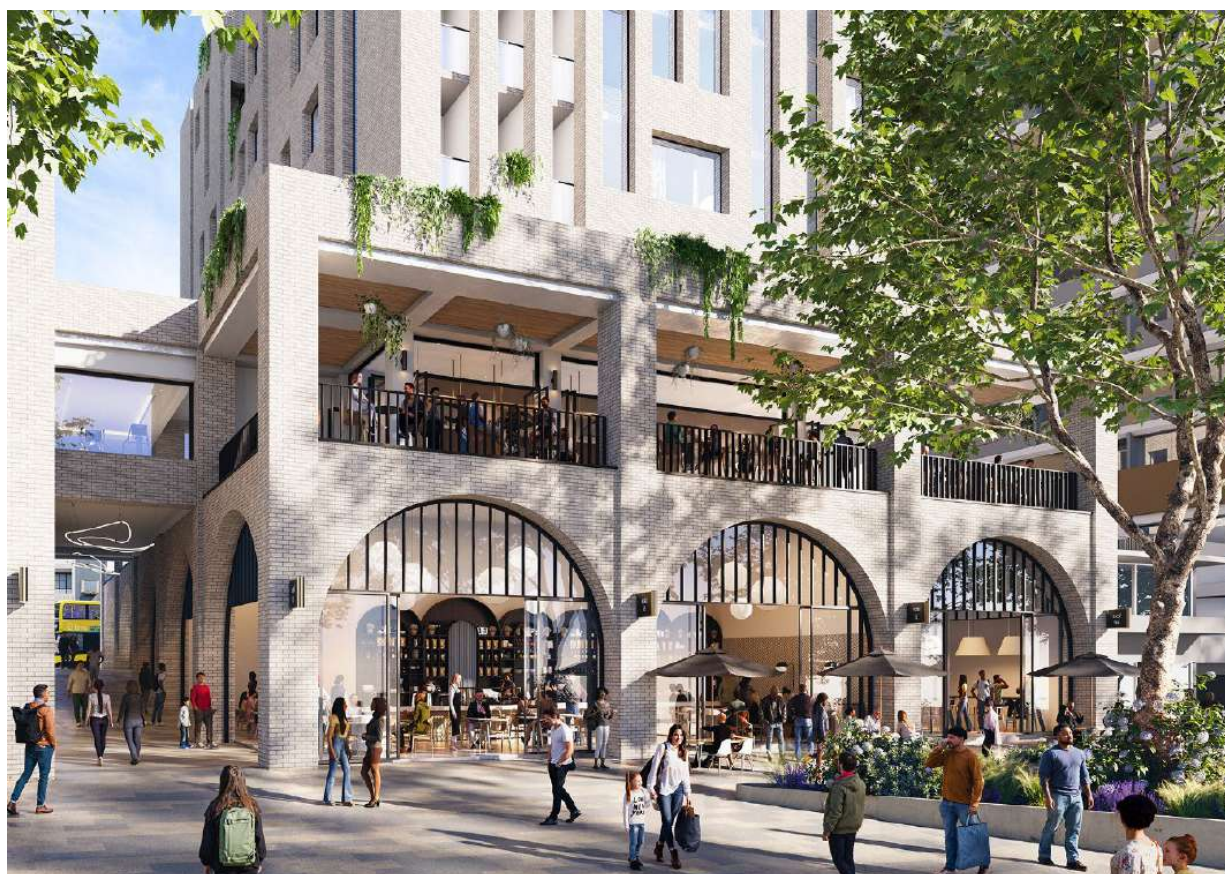
The highly activated ground plane will greatly improve the existing condition, where development preceded creation of the central car park and so presents a “rear frontage” to the existing car park, retrofitted to be a new frontage. The indicative concept scheme provides seamless north south connections and provide opportunities for outdoor dining in a high-quality public domain setting. The proposed community centre will provide a genuine focal point for the local community. The site will become a destination for the local community, enhancing the retail and dining experience within Neutral Bay, and breathing new life into the town centre.





**Figure 38** Indicative Ground Floor Plan

Source: Ethos Urban



**Figure 39** View from the future plaza through the new eastern through site link to Military Road

Source: Virtual Vision





**Figure 40** View from to the new community centre, with adjacent new western through site link

Source: Virtual Vision

### 7.3 Overshadowing

A comprehensive overshadowing analysis is provided at **Appendix A** and illustrated at **Figure 41**. The indicative scheme envelopes have been sculpted to eliminate adverse additional overshadowing impact to adjacent existing resident development and existing and future open space.

#### May Gibbs Place and Rangers Road Plaza

The NBVPS requires solar access to be provided to a minimum 50% of the site area of May Gibbs Place and Rangers Road Plaza between 10am-1pm at mid-winter. The shadow diagrams below demonstrate that the proposal does not overshadow either of these open spaces between these hours.

Further detailed consideration of any overshadowing impacts would be undertaken as part of a future development application for the Site.

#### 183-185 Military Road

The proposed 12-storey development at 183-185 Military Road, which consists of residential uses in its upper levels, has recently received conditional gateway approval. The shadow analysis demonstrates that the indicative concept scheme only starts to overshadow 183-185 Military Road at 12pm at midwinter.

The north-facing units at 183-185 Military Road will receive the minimum 2 hours of direct sunlight required by the ADG in the morning.

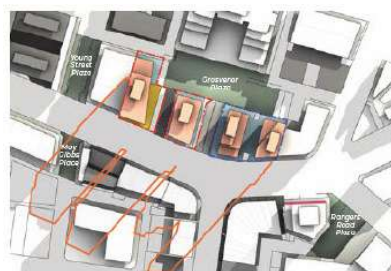


Figure 116. June 21 - 9am

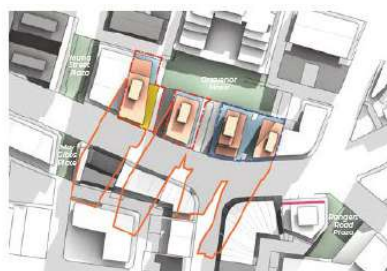


Figure 117. June 21 - 10am

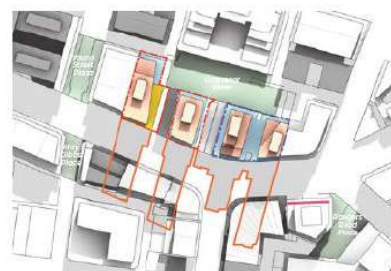


Figure 118. June 21 - 11am

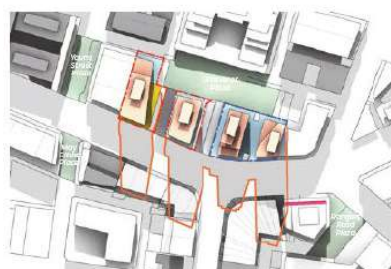


Figure 119. June 21 - 12pm

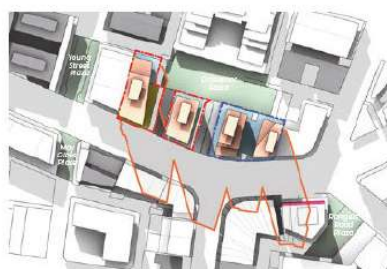


Figure 120. June 21 - 1pm

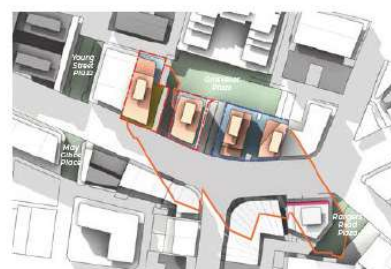


Figure 121. June 21 - 2pm



Figure 122. June 21 - 3pm

**Figure 41 Shadow diagrams of the proposal on June 21 (9am – 3am)**

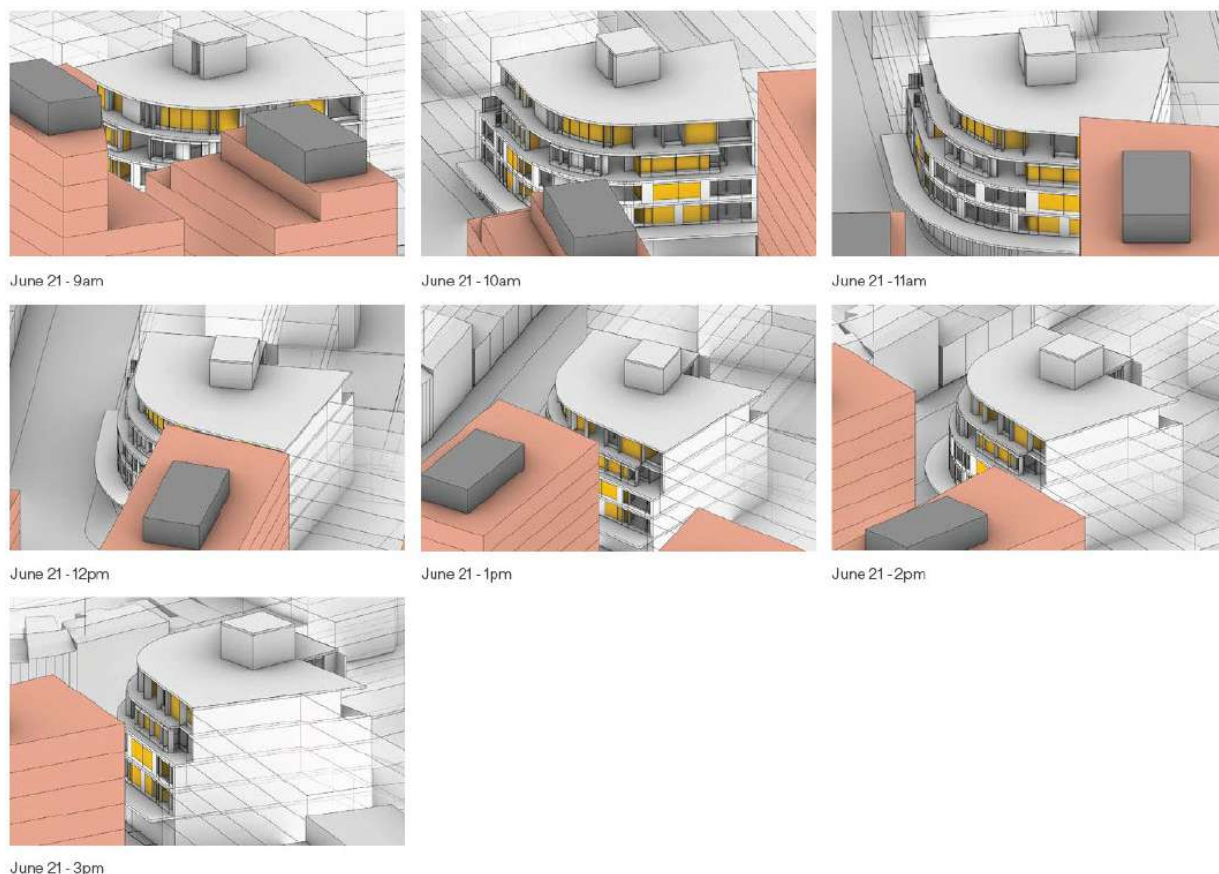
Source: Ethos Urban

**165-173 Military Road**

The recently approved residential development opposite the site on Military Road, in its current state, achieves two hours direct solar to 61% of living rooms. The sculpting of the indicative concept scheme towers retains the current exposure of the development to direct solar, thus presenting no additional adverse impact (**Figure 42**).

In comparison, the MRCPS's scheme with up to 12 storeys, when compared to the existing condition, reduces the solar compliance of living rooms (3 units) and private open spaces (2 units), reducing overall solar amenity. The indicative concept scheme therefore represents a refinement to the MRCPS.





**Figure 42** Views from the sun to 165-173 Military Road with the indicative concept scheme

Source: Ethos Urban

## 7.4 Transport and traffic

A Transport Assessment has been prepared by JMT Consulting as attached at **Appendix B**. The report provides an analysis of existing transport conditions, including the surrounding road network, site access and parking and public transport provisions. The study also provides an assessment of the indicative access arrangements, additional traffic movements resulting from the Planning Proposal and impacts to the adjacent roads.

### 7.4.1 Public Transport accessibility

The traffic assessment confirms that the site is served by an established bus network that caters for a wide range of trips. The current bus network contains a variety of all-stops, limited stops and express services, joining and leaving the corridor at several locations. A number of bus stops are located directly opposite the site on Military Road as well as Wycombe Road. The Assessment identifies that number of key employment centres across Sydney can be reached within 30 minutes public transport travel time of the site, including Central / Redfern, Sydney CBD, North Sydney CBD, St Leonards, Chatswood and Manly. The highly accessible nature of the site will facilitate the use of public transport, particularly the Military Road bus corridor.

Further to public transport, the assessment identifies that good quality footpaths are provided along all streets in the vicinity of the site. The site is located on the 'Route 5' cycleway as identified in the North Sydney Integrated Cycling Strategy, which will ultimately provide a connection between the North Sydney CBD and Mosman via Neutral Bay.

### 7.4.2 Site access

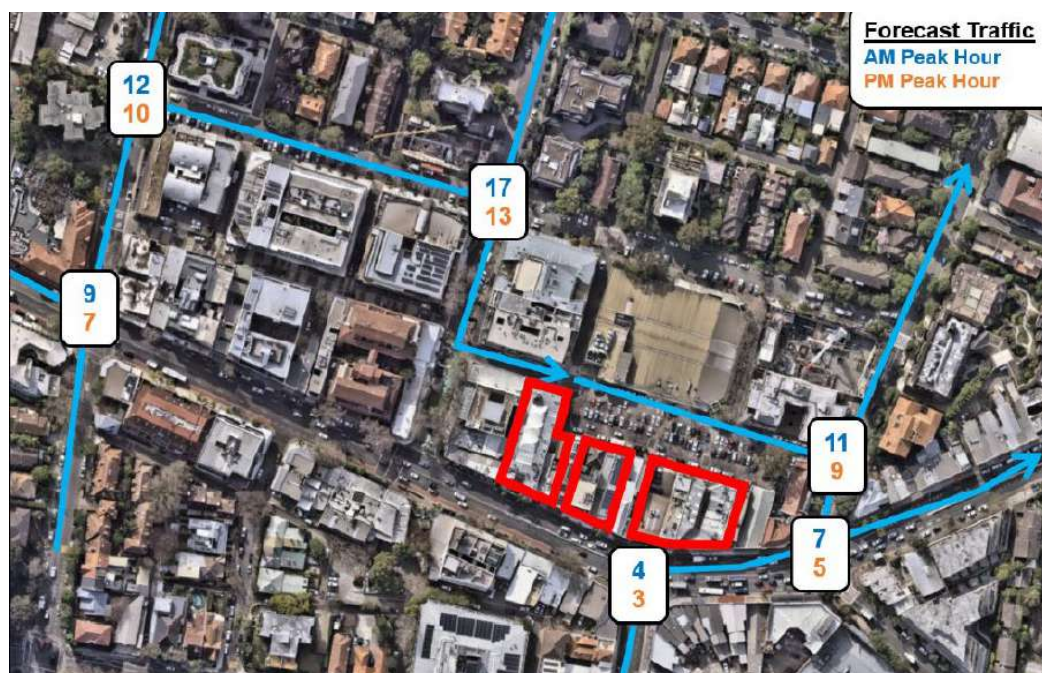
The assessment identifies that the access arrangements outlined in **Appendix A**, which are consistent with those identified for the site in Council's NBVPS, are similar to current conditions and benefit from the significant improvement of relocating all vehicle parking and servicing to within the site boundaries, with no reliance of parking/loading within the Grosvenor Lane car park itself.

### 7.4.3 Traffic generation impacts

The assessment identifies that the existing quantum of non-residential floor space is effectively equivalent to the indicative future site development. In this context there would be no additional traffic generated from non-residential uses as part of a future development of the site as envisaged under the Planning Proposal when compared to current conditions.

With respect to the additional traffic generated by residential on the site, the assessment concludes that the projected level of traffic generation arising from the proposal is considered to be negligible and would not be expected to result in any adverse impacts on the surrounding road network nor any operational or safety issues on surrounding key intersections. It would not register any difference in any traditional traffic modelling program in a 'with development' and 'without development' traffic scenarios.

A Green Travel Plan (GTP) with a complementary Transport Access Guide (TAG) is recommended for the site to shift travel away from car and onto public or active transport.



**Figure 43 Forecast traffic generation and distribution**

Source: JMT Consulting

## 8.0 Conclusion

This Planning Proposal seeks amendments to the *North Sydney Local Environmental Plan 2013* relating to 166-178, 186-192 and 198-214 Military Road, to facilitate the future redevelopment of the site and revitalisation of the Neutral Bay Town Centre. A future mixed-use redevelopment comprising four slender towers up to 12 storeys in height, over a podium that achieves a human-scale activation of the ground plane. The proposed height increase is specified to each tower, and associated with an increase to the non-residential Floor Space Ratio to increase, retain and renew employment floor space on the site.

The Planning Proposal is underpinned by a shared vision with Council to allow additional site-specific uplift on this site to deliver a new mixed-use development together with significant community benefits in the form of a new 730m<sup>2</sup> community centre, widened existing through site link, two new through site links and Military Road footpath widening and embellishment. The Planning Proposal is supported by an indicative concept scheme, demonstrating achievement of urban design objectives including protection of solar amenity to adjacent residential development (**Appendix A**).

The Planning Proposal will facilitate a valuable contribution to the renewal and revitalisation of the Neutral Bay town centre and help catalyse further investment in the area, as well as providing much needed additional housing in Neutral Bay, inclusive of up to 15% affordable housing on the site for 15 years.

This Planning Proposal will establish the planning framework to facilitate:

- A high-quality mixed-use development offering a diverse mix of housing to address critical housing shortage changing household needs in Neutral Bay Town Centre.
- Extensive community benefits through a new community centre facilitating community gathering and socialising.
- Upgrade to existing and delivery of two new through site links that will achieve activated ground plane permeability and support activation of the future public plaza.
- Significant public domain upgrades to achieve a widened and pedestrian-focused Military Road frontage.
- Optimal employment outcomes for the site, given that it is economically unfeasible to be redeveloped under the current planning controls.
- A valuable contribution to the revitalisation of a cluster of ageing and detracting buildings, located prominently adjacent the future plaza, which will act as the heart of Neutral bay.

The Planning Proposal is justified for the following reasons:

- It gives effect to the intended outcomes identified under the MRCPS and NBVPS report, unlocking additional mixed-use uplift to support local retail and residential land uses.
- It gives appropriate uplift of the site to facilitate delivery of significant public benefits as identified in MRCPS and NBVPS via a VPA with Council.
- It will revitalise Neutral Bay town centre in the form of a new 730sqm community centre, two through-site links to the new plaza and widened footpaths. This will bring investment that will revitalise and act as a catalyst for further investment and renewal.
- It optimises the site's capacity to accommodate identified demand for housing growth, greater than what is achievable through the existing planning controls. The site under the existing controls is limited to a height of 16m, which restricts its ability to support greater density on site and in turn deliver the new community centre and through site links. By contrast, the proposed planning controls will provide the opportunity to:
  - Deliver much needed additional housing to Neutral Bay to meet increasing housing demand ;
  - Ensure the highest and best use of the site;
  - Deliver slender tower forms that avoid a “street wall” effect;
  - Liberates ground plane for better pedestrian connectivity;
  - Achieves visual permeability (sight lines) through the site;
  - Deliver a renewed community facility for NBTC;
  - Deliver new high quality housing in a location with very high public transport accessibility; and
  - Renovating retail spaces in the NBTC, helping to reinforce its retail and employment function within the local community and provide improved activation along Military Road.
- The Planning Proposal will better capitalise on existing and future public transport, aligning with council and state government strategy.

- The Planning Proposal will give both Council and the landowner certainty as to the development outcomes expected on the site.
- The proposal is consistent with the objects of the Environmental Planning and Assessment Act 1979, in that it promotes the orderly and economic use and development of land;
- The proposal is consistent with the applicable SEPPs and Ministerial Directions;
- Traffic modelling undertaken indicates that the proposal is not anticipated to result in unacceptable traffic impacts on the surrounding road network subject to mitigation measures identified.
- Accordingly, considering the proposal and the overall strategic nature of the site and justification provided in addressing planning issues, the Planning Proposal is considered to have sufficient strategic merit to support the proposed uplift within the Neutral Bay Town Centre.
- This Planning Proposal's indicative concept scheme also demonstrates that the proposed land use mix and density sought can be appropriately accommodated on the site in an attractive urban form which maximises neighbourhood amenity and greening, improves social and economic outcomes and enhances vibrancy, whilst minimising amenity impacts of surrounding residential receivers. This supports the site-specific merit of the Planning Proposal.

The site is a sizeable, latent, highly appropriate location for such a proposal. This Planning Proposal demonstrates that it can suitably deliver a high-quality mixed use scheme, comprising of residential, commercial, retail and community uses, while minimising environmental impact and delivering a built form that responds to the context and aspirations for the Neutral Bay Town Centre. More broadly, this report outlines that the Planning Proposal has demonstrable strategic and site-specific merit and will deliver the vision and implementation of Council's MRCPS and NBVPS, given it supports greater density to ensure retention of employment floor space and delivery of critically needed housing, sufficient to economically support community floor space and public benefits.

In light of the above, we would have no hesitation in recommending that the Planning Proposal for Gateway Determination.



# Grosvenor Quarter

URBAN DESIGN REPORT

PREPARED BY ETHOS URBAN ON BEHALF OF ARKADIA FOR SUBMISSION TO NORTH SYDNEY COUNCIL  
16 OCTOBER 2024 | 2230460



Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

|                |                 |   |
|----------------|-----------------|---|
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This document has been prepared by: This document has been reviewed by:

| Ping Chien Ng | 16/10/2024    | Stefan Meissner | 16/10/2024  |
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## Executive Summary

### This Report

This Urban Design Report has been prepared by Ethos Urban on behalf of Arkadia Property Services Pty Ltd (Arkadia) to support a Planning Proposal to request amendments to the North Sydney Local Environmental Plan 2013 (LEP) relating to 166-178, 184-192 Military Road (Site 2A) and 198-214 Military Road (Site 2B) in Neutral Bay (Sites 2A and 2B are collectively referred to as 'the site').

This report seeks to demonstrate that the Planning Proposal has sufficient merit to proceed to a gateway determination by addressing strategic and urban design considerations. It has been prepared based on a first principles analysis of the urban and strategic planning context as well as a review and analysis of publicly available government documents as at July 2024.

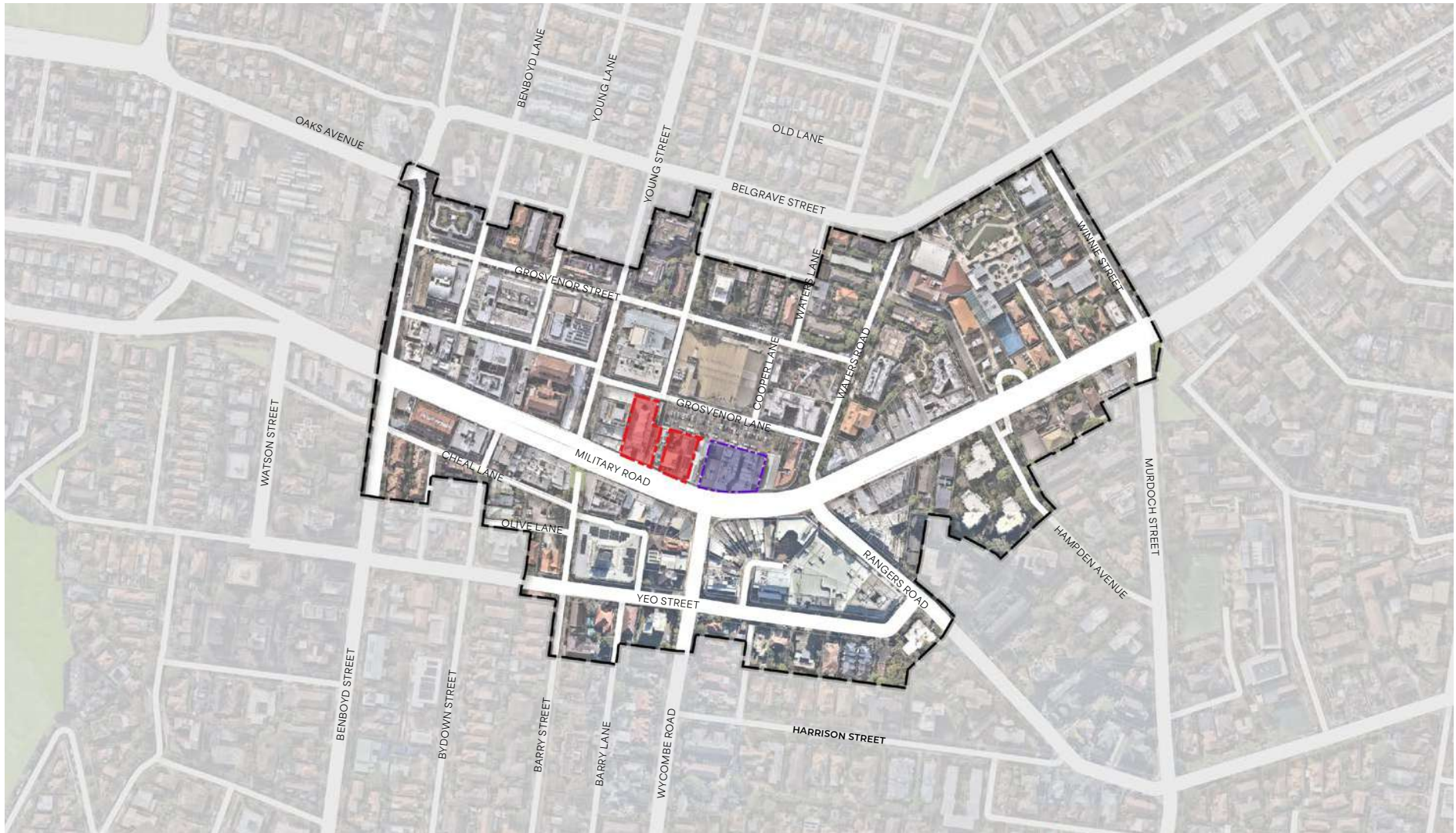
### The Planning Proposal

The purpose of the Planning Proposal is to introduce a new Non-residential Floor Space Ratio (FSR) development standard and amend the height limit for parts of the site to facilitate a future mixed-use development outcome.

The future redevelopment of the site within the framework established by the Planning Proposal aligns with the objectives and intended outcomes of North Sydney Council (Council)'s rescinded Military Road Corridor Planning Strategy (MRCPS), recently endorsed Neutral Bay Village Planning Study (NBVPS), North Sydney Local Strategic Planning Statement (LSPS), the North District Plan as well as the National Housing Accord. It delivers much needed housing supply in the area as well as significant public benefits within the Neutral Bay Town Centre (NBTC) whilst ensuring the protection, enhancement and growth of public amenity.

To achieve the strategic vision and indicative concept scheme presented in this report, the Planning Proposal seeks to amend the LEP as follows:

- Increase the maximum building height from 16m to facilitate four slender towers above a two-storey podium. The increased height is proposed to be specific to the location of each tower:
  - Building 2A-1: 42m (11 storeys)
  - Building 2A-2: 45m (12 storeys)
  - Building 2B-1: 36m (9 storeys)
  - Building 2B-2: 45m (12 storeys)
  - Through-site links: No change proposed (to remain at 16m)
- Increase the minimum non-residential FSR for the site from 0.5:1 to 1.2:1.



**Figure 1.** Subject Site within the Neutral Bay Town Centre Study Area identified in the Neutral Bay Village Planning Study (NBVPS) (North Sydney Council, May 2024)  
Source: Nearmap & Ethos Urban



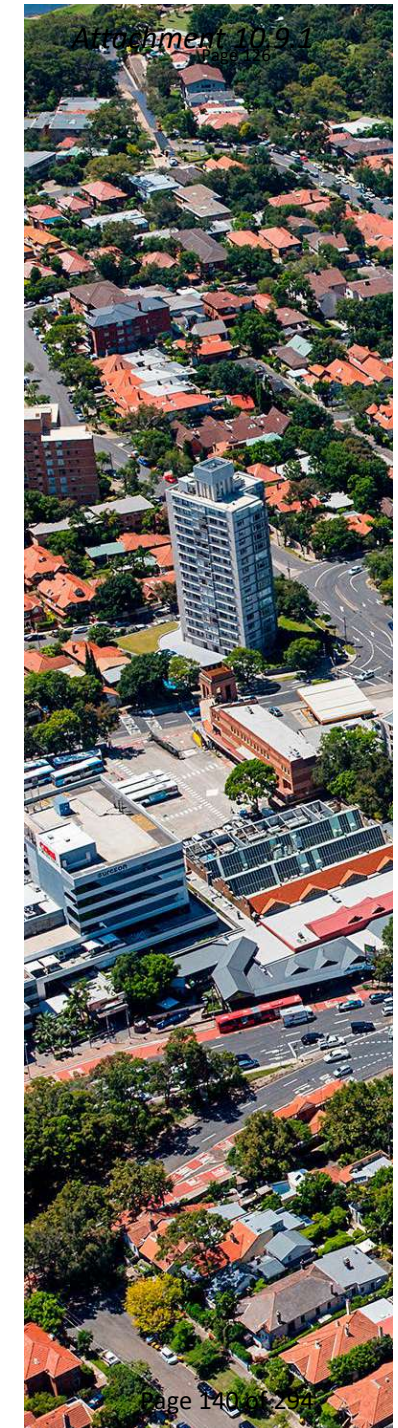
#### LEGEND

Site 2A

Site 2B

Neutral Bay Town Centre Study Area  
identified in the NBVPS





## The Vision

A local destination that combines a vibrant mix of retail, hospitality and employment uses that enhance the village character of the Neutral Bay Town Centre, while delivering much-needed housing in a strategic location with superior public transport links alongside a new community centre for existing and future residents.

## The Indicative Concept Scheme

The indicative concept scheme presented in this report proposes a mixed-use development that includes residential, retail and commercial land uses and community facilities. It also includes the delivery of significant community benefits in the form of:

- A 730 sqm community centre
- Upgrades to the existing through-site link on site
- Two new through-site links connecting Military Road with the future Grosvenor Plaza
- Pedestrian footpath widening and embellishment at ground level along Military Road
- These public benefits will be secured via a Voluntary Planning Agreement (VPA) that is proposed to be entered into with Council. The public benefits are outlined in the Public Benefit Offer, which is included under separate cover at Appendix C.

The indicative concept scheme totals some 20,120 sqm of Gross Floor Area (GFA), comprising 2,096 sqm of retail GFA, 2,570 sqm of commercial GFA and 14,724 sqm of residential floorspace, consisting of approximately 140 dwellings. A new community facility and public domain will activate the site and provide a new civic heart and focal point for NBTC.

## The Proponent

Arkadia is a business that manages assets in excess of \$2 billion, which are either wholly owned or owned in joint venture. Arkadia is owned by the Karedis family who started their business in Neutral Bay 68 years ago. They are long term custodians of Neutral Bay and want to ensure that the town centre operates successfully into the future for the community and small businesses. Arkadia's website for reference is [www.arkadia.com.au](http://www.arkadia.com.au). The business has significant capability in retail, commercial, hospitality and accommodation development and management.

Arkadia's proposal is aligned with the strategic intent for their site in the NBTC. Specifically, the proposal:

- Protects the existing retail / commercial capacity
- Proposes additional height and density to deliver Council's desired public benefits
- Encourages high-quality building design to enrich the experience of the NBTC
- Comprises sensitive height transitions to protect solar access to public open spaces and residential areas
- Ensures a human-scaled streetscape to enhance the village atmosphere
- Preserves and is sensitive to heritage items

Arkadia ultimately seeks to deliver an exceptional development outcome for the site. Arkadia is seeking to deliver public benefit, contribute to housing supply and employment opportunities and retain and enhance the viability of the NBTC into the future, enabled by planning framework that supports development viability.

Figure 2. Artist's impression of the proposal within its indicative future built form context







# 1 Planning Context

## 1.1 Statutory Planning Context

### North Sydney Local Environmental Plan 2013 (NSLEP)

The North Sydney Local Environmental Plan 2013 (NSLEP 2013) is the principal environmental planning instrument applying to the site.

There is no stipulated maximum FSR for the site. The site is zoned as MU1 Mixed Use. Development for the purposes of retail, commercial and residential uses are permissible within the site. Development consent must not be granted for development for the purpose of a residential flat building on land to which this clause applies. The consent authority must be satisfied that the residential flat building is part of a mixed-use development, and no part of the ground floor of the building that is facing a street is used for residential accommodation.

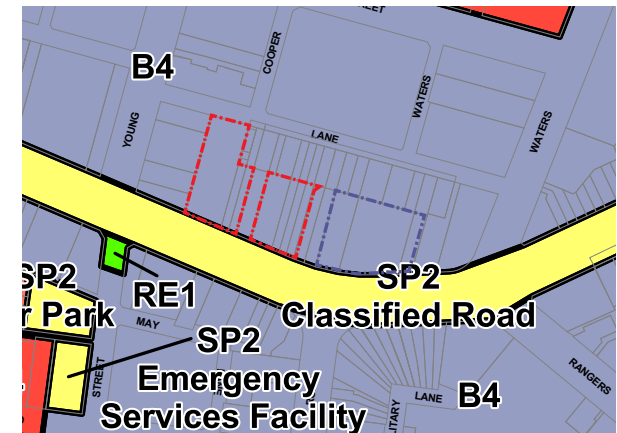


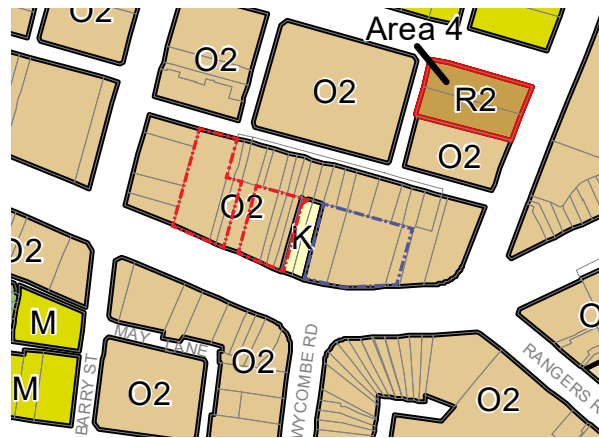
Figure 3. Land Zoning Map  
Source: North Sydney LEP & Ethos Urban

#### LEGEND

|              |                             |
|--------------|-----------------------------|
| Site 2A      | R4 High Density Residential |
| Site 2B      | RE1 Public Recreation       |
| B4 Mixed Use | SP2 Infrastructure          |

### Land Zoning (LZN)

The site is zoned as MU1 Mixed Use. Development for the purposes of retail, commercial and residential uses are permissible with development consent.



**Figure 4.** Height of Building Map  
Source: North Sydney LEP & Ethos Urban



#### Height of Building (HOB)

The maximum height of buildings on site is limited to 16m.



**Figure 5.** Non-residential FSR Map  
Source: North Sydney LEP & Ethos Urban

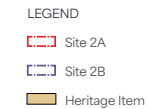


#### Non-residential Floor Space Ratio (FSR)

The minimum non-residential FSR for the site is 0.5:1.



**Figure 6.** Heritage Map  
Source: North Sydney LEP & Ethos Urban



#### Heritage

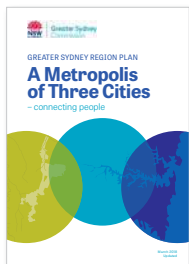
Sites 2A and 2B divided by a local heritage item I0675 Shop and I0676 Shop. Development consent is required if construction is likely to cause disturbance.

## 1.2 Strategic Planning Context

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

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

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



### North District Plan

The District Plan contains the planning priorities and actions to implement the Regional Plan at a district level. The Plan sets the 20-year vision for the district through 24 'Planning Priorities' that are linked to the Region Plan.

The purpose of the District Plan is to support councils in planning for growth and assists to align the Local Strategic Planning Statements (LSPS) with place-based outcomes. The strategic intent of the District Plan is to provide for services, shops, cultural infrastructure, education and transport within close reach of residents. The District Plan acknowledges that places are evolving and that infrastructure and services need to adapt to meet people's changing needs.

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

The District Plan identifies Neutral Bay as a local centre. It outlines an overall population growth of around 196,000 (2016-2036) for the District. This equates to an additional 92,000 homes that will be required in the District by 2036.

Arkadia, being longstanding landholders in Neutral Bay, is committed to the vitality and growth of the centre and is well-positioned to deliver much-needed housing in a strategic location.

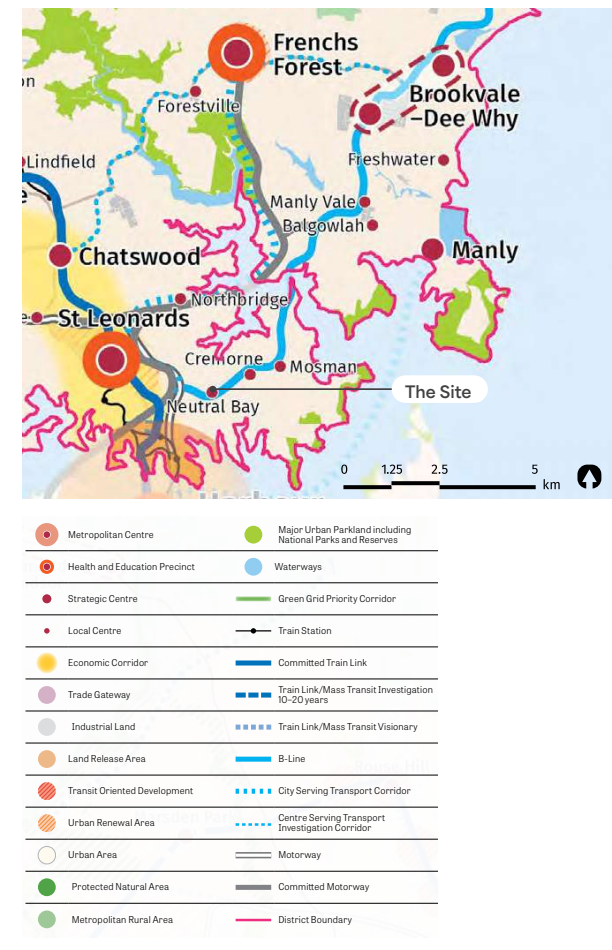
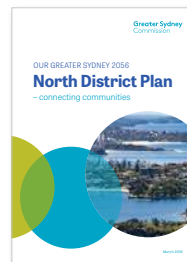


Figure 7. North District Plan - Structure Plan  
Source: North District Plan (Greater Sydney Commission, 2018)

## North Sydney Local Strategic Planning Statement (LSPS)

The LSPS sets out a 20-year vision and planning priorities for the LGA that intend to manage future land uses across the area and implement the community's values and visions. The LSPS will inform changes to Councils' LEP, and other planning policies.

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



This is outlined through the four themes of the LSPS, Infrastructure & Collaboration, Liveability, Productivity and Sustainability. The proposal which is located within the Neutral Bay local centre plays a role in achieving the following priorities of the LSPS:

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

The proposed redevelopment of the site to include an activated ground plane with upgraded and new through-site links, a new community centre, a vibrant mix of retail and commercial uses as well as residential dwellings above will enhance the Neutral Bay local centre. It will facilitate a future development that directly responds to the Planning Priorities identified above and further add to the realisation of the vision outlined in the LSPS.

The LSPS also identifies the Military Road corridor that runs between Neutral Bay and Cremorne as a Planning Study Area, as shown in the figure below. This led to the preparation of the Military Road Corridor Planning Study (refer to Sections 1.3 and 1.4 for further information on the study).

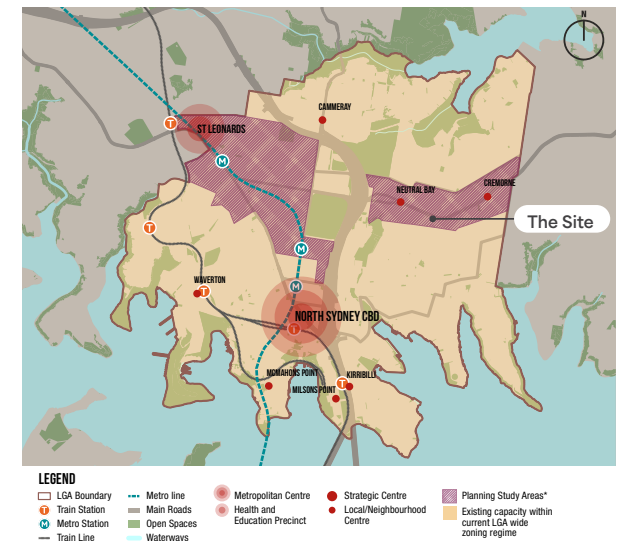


Figure 8. Housing supply map  
Source: North Sydney LSPS (North Sydney Council, 2020)



### 1.3 Strategic Plans for the Neutral Bay Town Centre

Council has prepared a series of strategic plans for the Neutral Bay Town Centre, which include:

- Stage 1 of the Military Road Corridor Planning Study: Objectives and Ideas
- Stage 1 of the Military Road Corridor Planning Study: Future Directions (MRCPS)
- Neutral Bay Town Centre Planning Study: Draft Report (Draft NBTCPs)
- Neutral Bay Village Planning Study: Final Report (NBVPS)

However, throughout their preparation and subsequent consideration by Councillors, division between Council planning staff and Councillors has resulted in strategic planning efforts either being rescinded (after endorsement by a previous Council) or significantly downscaled, rendering the growth of the town centre unviable. In particular, Council's decision-making has compromised meeting the present and future demand for residential floor space in the locality.

Notwithstanding Council's progressive withdrawal of support for density on the site, the public benefits identified for delivery on the site have either been retained or further developed with each study, further compromising economically viable development and in effect withholding public benefit from delivery.

The timeline on the right provides an overview of the strategic plans that have been prepared for the Neutral Bay Town Centre and the corresponding heights identified for the site. Further information on these plans as applicable to the site are outlined in the following sections of this report.

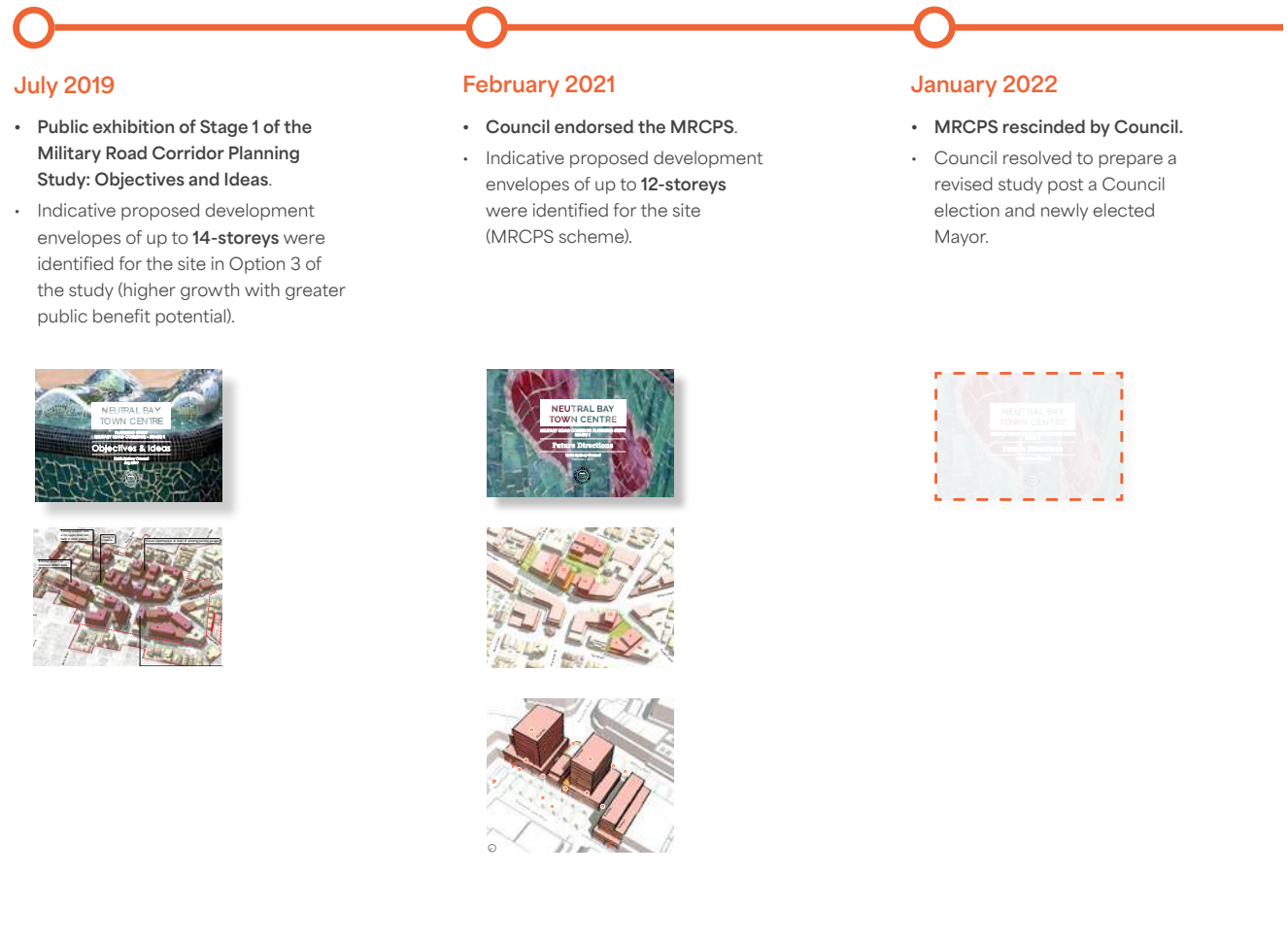


Figure 9. Timeline of the strategic plans prepared from 2019 to date

Source: Image extracts from the 2019 Military Road Corridor Planning Study: Objectives and Ideas, 2021 MRCPS, 2024 Draft NBTCPs and 2024 NBVPS (North Sydney Council)

### February 2024

- Public exhibition of the Neutral Bay Town Centre Planning Study: Draft Report (Draft NBTCPs).
- **8-storeys** identified for the site (reduced from 12-storeys).



### May 2024

- The renamed NBVPS recommended for endorsement by Council.
- Councillors resolved to **not accept the NBVPS as prepared** and instead further reduce height for the site to **6-storeys**.



### June 2024 - On-going

- Council in the process of reviewing and revising the study following the resolution to reduce the height for the site to 6-storeys.

## 1.4 Rescinded MRCPS

### Envisioned Heights

Following public exhibition, the MRCPS was formally adopted by Council in February 2021. The building heights envisioned for the Neutral Bay Town Centre by the MRCPS are shown in the figures on the right, which include buildings up to 12-storey for the site. At the time, Council had also concluded that the proposed increased height of 12-storeys in the town centre was a natural transition to the existing 16-storey towers in the area as well as future adjacent built form.

### Requirements

The MRCPS outlined a series of controls and requirements for the site, which include the following:

- Provide a non-residential floor space with a minimum 1.5:1 FSR
- Provide a maximum building height of 12-storeys, with residential towers to appear slender, maximise above podium habitable facades to all sides and provide generous tower breaks to avoid a continuous 'wall effect' along Military Road
- Protect solar amenity to existing and future public domain when increasing building heights
- Improve streetscape amenity by providing:
  - Through-site-links
  - A 2.5m whole of building setback that expands the tree canopy along Military Road
- Expand tree canopy on Military Road and in new open space on Grosvenor Lane Plaza
- Sensitive incorporate existing heritage item into the development site

However, the decision to adopt the MRCPS was rescinded by the newly elected Council in January 2022.

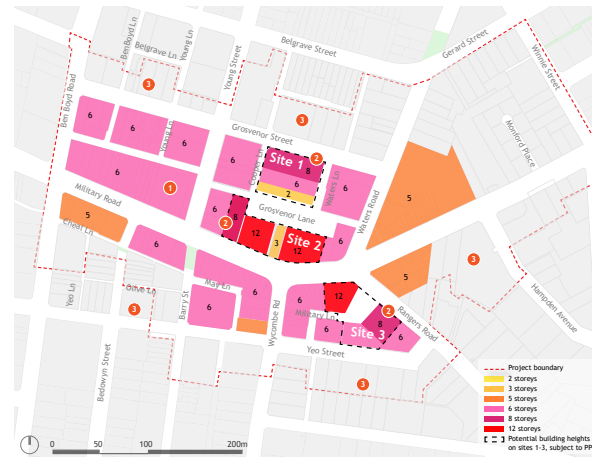


Figure 10. Proposed building heights in the MRCPS  
Source: MRCPS (North Sydney Council, 2021)



Figure 11. Indicative proposed development envelopes in the MRCPS  
Source: MRCPS (North Sydney Council, 2021)

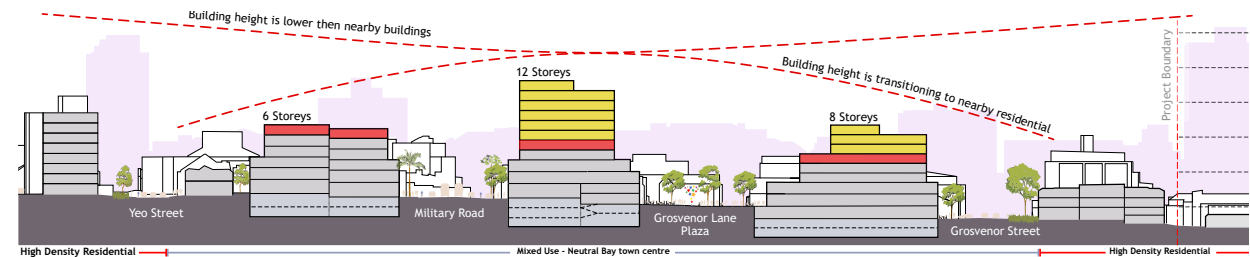


Figure 12. North-south section through Neutral Bay Town Centre looking west, with 12-storeys identified for the site  
Source: MRCPS (North Sydney Council, 2021)



## 1.5 NBVPS

### Reduced Heights

The NBVPS was developed after the MRCPS had been rescinded by the newly elected Council in January 2022. The NBVPS identified five key sites in the Neutral Bay Town Centre, with the subject Arkadia sites identified as Site 2A and Site 2B. It also identified reduced building heights of up to 8-storeys for all five key sites, as shown in the figures on this page.



Figure 13. Proposed building heights in the NBVPS  
Source: NBVPS (North Sydney Council, 2024)

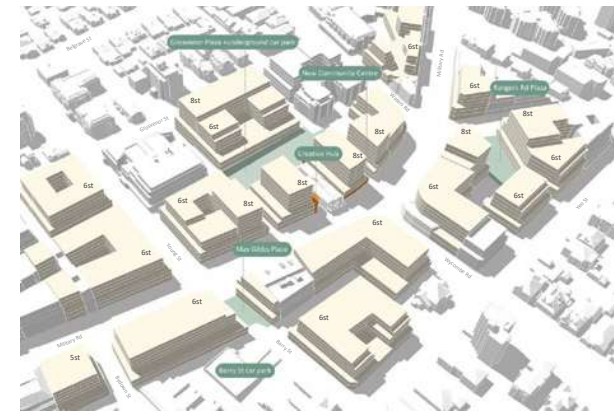


Figure 14. Indicative proposed development envelopes in the NBVPS  
Source: NBVPS (North Sydney Council, 2024)



Figure 15. Five key sites identified in the NBVPS  
Source: NBVPS (North Sydney Council, 2024)



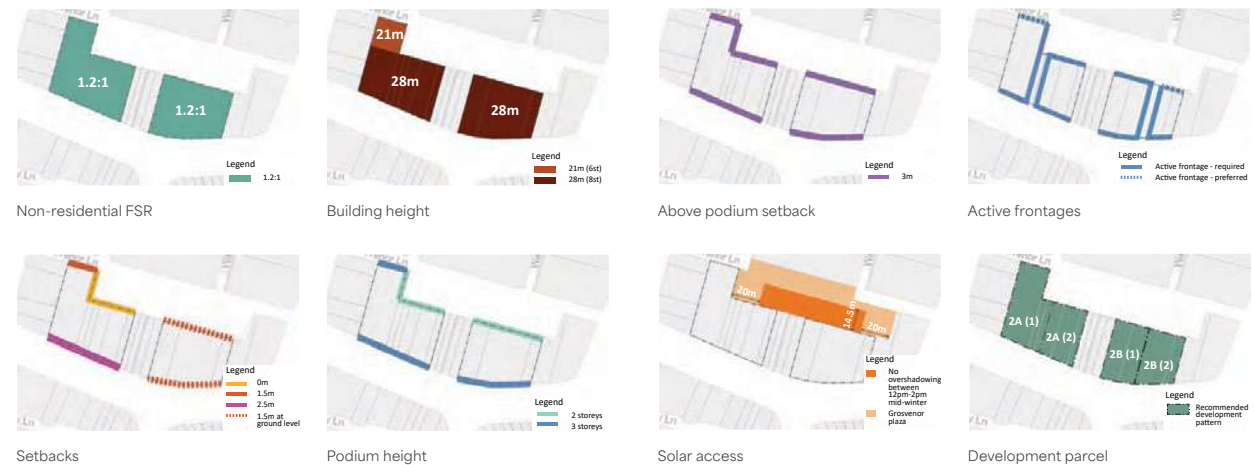
Figure 16. 8-storey scheme identified for the site in the NBVPS  
Source: NBVPS (North Sydney Council, 2024)

## Key Guidelines

The NBVPS included the following key guidelines for the site:

- Provide non-residential floor space with a minimum 1.2:1 FSR
- Provide a maximum height of 8 storeys or 28 metres
- Improve streetscape amenity by:
  - A 2.5m whole of building setback at Site 2A along Military Road
  - A 1.5m ground level setback at Site 2B with additional street trees and landscaping
- Maximise above podium habitable facades on all sides and provide generous building separations
- Protect solar amenity to Grosvenor Plaza
- Deliver two new through-site links with a 6m width
- Deliver new 1,000 sqm community facility with separated lobby accessible from plaza
- Ensure built form sensitively responds to existing heritage items

However, Council resolved to not accept the NBVPS as prepared in May 2024, and instead further reduced the height for the key sites from 8-storeys to 6-storeys. The resulting endorsed height is 2-storeys greater than the current LEP building height for the site (currently 16m or 4 storeys).



**Figure 17.** Key site guidelines for Site 2A and Site 2B outlined in the NBVPS  
Source: NBVPS (North Sydney Council, 2024)



## 1.6 Recent Planning Proposals

Despite Council's recent endorsement of a reduced 6-storey height for key sites in the Neutral Bay Town Centre, the rescinded MRCPS has formed the basis of strategic support for two site specific Planning Proposals that have recently received conditional gateway approval from the Sydney North Planning Panel (SNPP):

- Key Site 3A
  - 12-storey proposal at 183-185 Military Road
- Key Site 3B
  - 8-storey proposal at 3-7 Rangers Road, 50 Yeo Street

The SNPP stated:

*“The previously endorsed, though rescinded, Military Road Corridor Planning Study and current work in the Neutral Bay Town Centre Planning Study, provide a clear indication of the Council's and community's desire to revitalise and renew the Neutral Bay Town Centre”.*

These two Planning Proposals provide precedent, strategic merit and justification for using the 12-storey scheme presented in the MRCPS as a benchmark for increased density on this site. Furthermore, the increased density on the site will also enable Arkadia to deliver the desired public benefits for the site in an economically viable manner.



Figure 18. Key Site 3A - 12-storey proposal at 183-185 Military Road  
Source: AJ+C



Figure 19. Key Site 3B - 8-storey proposal at 183-185 Military Road  
Source: Koichi Takada Architects

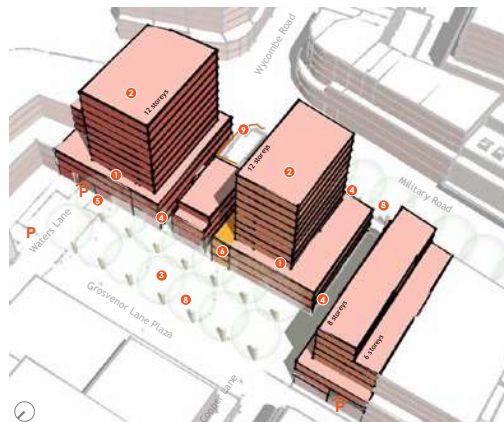


Figure 20. 12-storey scheme originally identified for the site in the MRCPS  
Source: MRCPS (North Sydney Council, 2021)

## 2 Urban Design Analysis



Figure 21. View along Military Road looking east



## 2.1 Topography

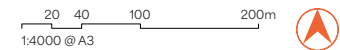
The site sits within the heart of the Neutral Bay Town Centre and is located along Military Road, which runs along a ridge line. The elevated position of the town centre affords existing taller buildings in the area with views north towards the Middle Harbour as well as south towards the Sydney Harbour and beyond.



Figure 22. Military Road runs along a ridge line with existing taller buildings in the area



Figure 23. Map showing topography for the site and surrounding Neutral Bay Town Centre Study Area.



## 2.2 Open Space Network

While the site is located in the highly urban area of the Neutral Bay Town Centre, it is in close proximity to a range of public open spaces. Cammeray Park, Forsyth Park and North Sydney Oval provide active recreational open spaces for the area, while the existing May Gibbs Place, Cheal Park, Watersleigh Park and Weaver Park function as local pocket parks for residents. Brightmore Reserve and the Primrose Park waterfront are also within a 15-minute walk to the north.

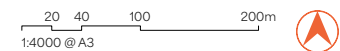
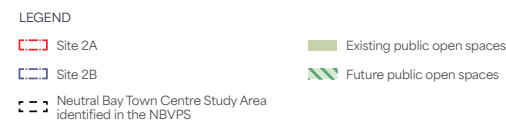
There are several public open spaces planned directly adjacent to and within the immediate surroundings of the site, including Grosvenor Plaza, Young Street Plaza and Rangers Road Plaza. These proposed open spaces will provide increased amenity for current and future residents in the town centre.



Figure 24. Public art and outdoor dining at May Gibbs Place



Figure 25. Map showing topography for the site and surrounding Neutral Bay Town Centre Study Area.





## 2.3 Street Hierarchy

The site is located on the northern side of Military Road. As a key arterial road facilitating high traffic volumes, Military Road provides a critical connection between Sydney's northern suburbs and the Sydney CBD, while distributor roads off Military Road such as Wycombe Road and Murdoch Street connect the surrounding residential areas of Neutral Bay and Cremorne Point to the town centre.

As a major transport spine with large volumes of vehicular movement, Military Road results in a busy corridor with significant noise levels. In contrast to this, the surrounding local roads and laneways such as Young Street, Waters Road and Grosvenor Lane are generally calmer and quieter in nature, providing relief from the noise generated along Military Road.



Figure 26. Existing condition along Military Road



Figure 27. Map showing street hierarchy and access surrounding the site.

### LEGEND

Site 2A

Site 2B

Neutral Bay Town Centre Study Area  
identified in the NBVPS

Arterial roads

Distributor roads

Local roads

Laneways

20 40 100 200m  
1:4000 @ A3





## 2.4 Public Transport

The site is well serviced by the existing bus network, which provide strong connectivity to the Sydney CBD, North Sydney, Chatswood and Northern Beaches. The main B1 B-Line Interchange is located directly adjacent to the site (west-bound at the doorstep of Site 2A, east-bound across the road of Site 2B), supporting fast and efficient public transport access to and from the Sydney CBD.

Several other bus routes also connect the site to the CBD, North Sydney, Milson's Point, Chatswood, St Leonards and Manly, all accessible within a 15-30 minute bus ride. As such, the site is strategically located at the centre of key movement corridors, offering excellent transport amenity for local and future residents.



Figure 28. Existing B-Line bus stop in front of Site 2A

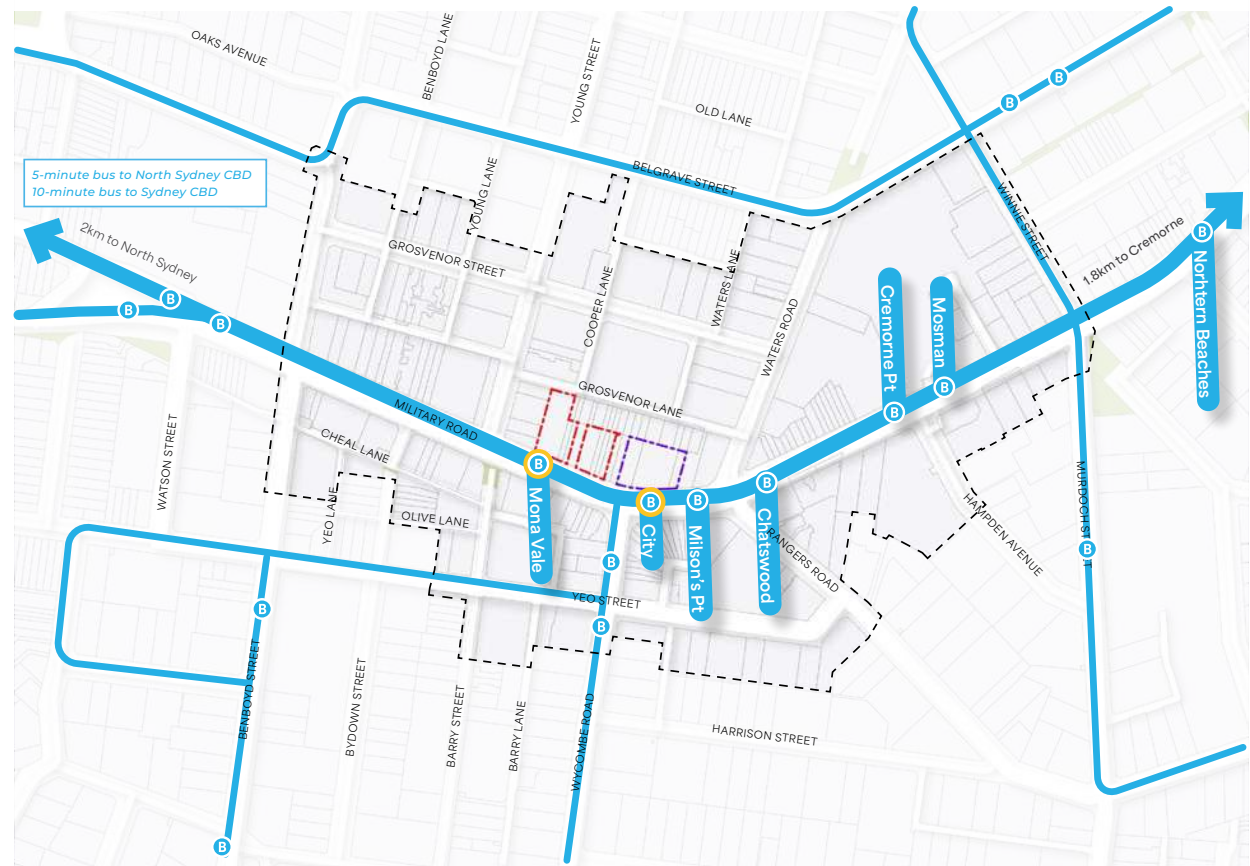


Figure 29. Map showing public transport connections surrounding the site.

### LEGEND

- Site 2A Site 2A
- Site 2B Site 2B
- Neutral Bay Town Centre Study Area identified in the NBVPS

- B B-Line bus stops
- B Bus stops
- Bus routes

20 40 100 200m  
1:4000 @ A3



## 2.5 Active Transport

Several active transport links are located around the site and the broader area. The majority of existing cycleways are unmarked, on-road routes. Potential future cycle routes, subject to further investigation, have been identified in the *North Sydney Cycling Guide and Map* by Council. The *North Sydney Integrated Cycling Strategy* also identifies that despite being a major vehicular movement corridor, Military Road has strong patronage for cycling.



Figure 30. Cyclist along Young Street southbound towards Military Road



Figure 31. Map showing cycling routes and walking catchments around the site.

### LEGEND

Site 2A

Site 2B

Neutral Bay Town Centre Study Area identified in the NBVPS

Existing high usage, unmarked on-road cycle route

Existing unmarked, on-road cycle route

Existing marked on-road cycle route

Potential future bicycle route identified in the North Sydney Cycling Guide and Map by Council

20 40 100 200m  
1:4000 @ A3





## 2.6 Social Infrastructure

The site is well-served by a wide range of social infrastructure within walking distance of the site. It exhibits strong characteristics of being in the heart of a town centre, with three major supermarkets, an abundance of retail offerings, medical and allied health services, as well as a range of community and recreation facilities. There are also a number of education facilities, including child care centres and a public and private school campus. A new 1,000sqm community centre is also planned across the road as part of the future development at 183-185 Military Road (has gateway approval). As such, the site is well serviced by social infrastructure that adequately supports the current and future residents.



Figure 32. Existing Neutral Bay Community Centre frontage to Military Road

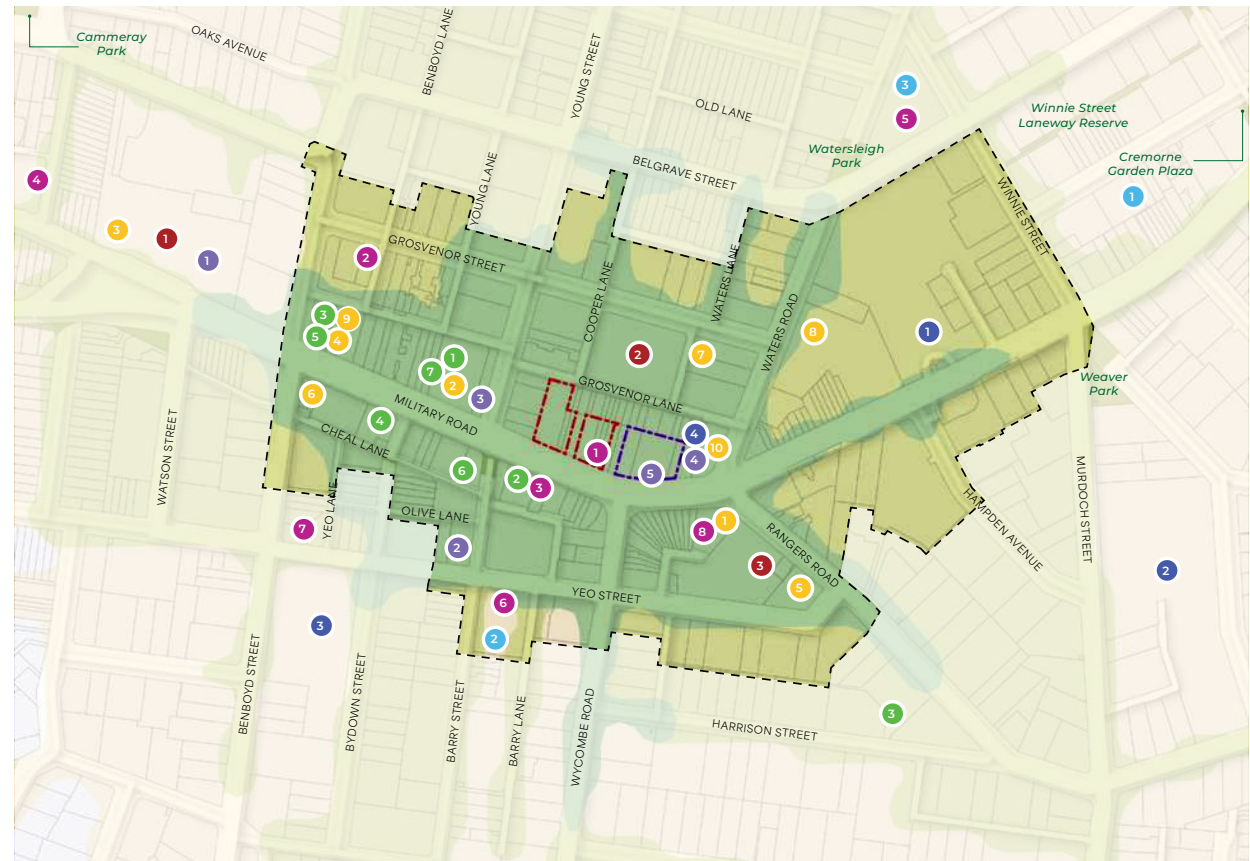
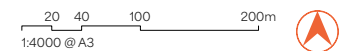


Figure 33. Map showing social infrastructure and local services surrounding the site.

### LEGEND

- Site 2A
- Site 2B
- Neutral Bay Town Centre Study Area identified in the NBVPS

- 5-minute walking catchment
- 10-minute walking catchment
- 15-minute walking catchment



1:4000 @ A3

## LEGEND

## Early Learning

- 1 Only About Children Cremorne
- 2 St Johns Child Care Centre
- 3 Neutral Bay Kindergarten

## Education

- 1 Redlands School
- 2 Redlands Junior Campus
- 3 Neutral Bay Public School
- 4 Kumon Education Centre

## Medical and Allied Health

- 1 Zebra Psychology
- 2 Neutral Bay Medical Practice
- 3 Neutral Bay Medical Centre
- 4 Mind Your Health Medical Centre
- 5 Baylife Medical
- 6 Full Face Orthodontics
- 7 Neutral Bay Orthodontics
- 8 Cremorne Podiatry
- 9 Active Physiowell Physiotherapy
- 10 Shore Dental

## Sports &amp; Recreation

- 1 Transform Physio & Pilates
- 2 F45 Training Neutral Bay
- 3 Anytime Fitness
- 4 Wild Physio Fitness
- 5 JAB Functional Fitness
- 6 Power Living Yoga Neutral Bay
- 7 BX1 Boxing

## Civic and Community

- 1 Neutral Bay Community Centre
- 2 Willow House Community Support
- 3 Community Moves
- 4 Mandarin Culture Club
- 5 St Peter's Anglican Church
- 6 Neutral Bay Uniting Church
- 7 Cremorne Synagogue
- 8 Future Community Centre at 183-185 Military Road (has conditional gateway approval) - 1,000sqm GFA

## Supermarkets

- 1 Coles
- 2 Woolworths
- 3 Woolworths Neutral Bay Village

## Local Services

- 1 Neutral Bay Post Office
- 2 Neutral Bay Fire Station
- 3 Neutral Bay Newsagency
- 4 ANZ Bank Neutral Bay
- 5 Commonwealth Bank Neutral Bay



Figure 34. Existing local services and gym along Military Road



Figure 35. Existing retail offerings along Young Street



Figure 36. Existing tutoring facilities fronting Grosvenor Lane car park



Figure 37. Existing pharmacy and cafe fronting Grosvenor Lane car park



## 2.7 Lot Size

The majority of the lots along Military Road in the Neutral Bay Town Centre consist of fine grain retail and commercial uses which typically sit on smaller lots that range between 100-500 sqm. Medium sized lots in the area accommodate developments such as The Grove and Theo's Arcade shopping centres as well as other mixed-use developments and residential flat buildings, whereas larger lots above 3,000sqm typically accommodate uses such as major supermarkets, schools and larger residential developments.



Figure 38. Existing Woolworths supermarket on Grosvenor Lane sits on a large lot (approx. 4,200 sqm)



Figure 39. Map showing average lot size for the site and the surrounding context.

### LEGEND

- Site 2A
- Site 2B
- Neutral Bay Town Centre Study Area identified in the NBVPS

- 0 - 500 sqm
- 500 - 1,000 sqm
- 1,000 - 1,500 sqm
- 1,500 - 2,000 sqm

- 2,000 - 2,500 sqm
- 2,500 - 3,000 sqm
- 3,000 - 4,000 sqm
- 4,000 - 5,000 sqm

20 40 100 200m  
1:4000 @ A3



- 5,000 - 10,000 sqm
- >10,000sqm



## 2.8 Permissible Heights

The LEP prescribes a maximum building height of 16m (4-storeys) along the Military Road corridor, with heights stepping down to 12m and 8.5m to the north and south of this corridor. Notwithstanding the above, there are a number of residential point towers in and around the Neutral Bay Town Centre that significantly exceed the prescribed maximum heights. These buildings from the 1960s-70s predate the LEP and range in height between 22m-50m (6-16 storeys), providing a precedent for increased height in the area.



Figure 40. Image showing existing point towers in the area  
Source: Nearmap and Ethos Urban

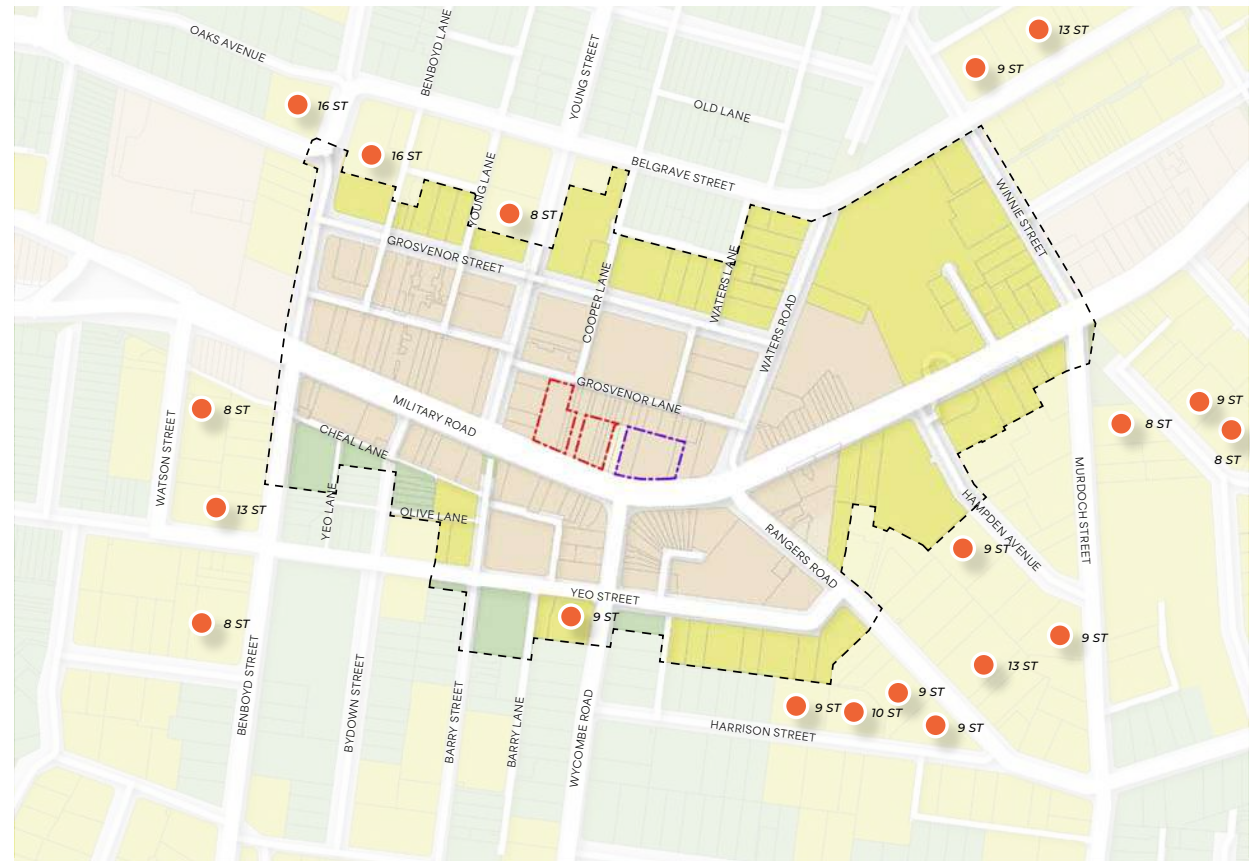


Figure 41. Map identifying existing buildings around the site that exceed the current LEP height limit

### LEGEND

Site 2A

Site 2B

Neutral Bay Town Centre Study Area  
identified in the NBVPS

Permissible HOB - 8.5m

Permissible HOB - 12m

Permissible HOB - 16m

Existing buildings that exceed the  
permissible HOB

20 40 100 200m  
1:4000 @ A3



## 2.9 Existing Built Form Context

Apart from the residential towers discussed previously, the existing built form around the site consists predominantly of low to medium rise developments. 2-storey fine grain retail and commercial buildings along Military Road exemplify the village character of the Neutral Bay Town Centre. Many of these developments include arcades or courtyards with internal-facing shopfronts, with some more activated than others. More recent mixed-use developments that range between 5-6 storeys can be found to the west of the site, amongst the existing 2-storey buildings along Military Road. Buildings of this scale are also located away from the Military Road corridor and act as a transition to the lower scale walk-up apartments and detached dwellings in the surrounding residential areas.



Figure 42. Map showing existing building heights around the site.

### LEGEND

Site 2A

Site 2B

1-2 storeys

3-4 storeys

5-8 storeys

9 storeys and above

10 20 50 100m  
1:2000 @ A3







Figure 43. Mix of 2-storey and more recent 5-6 storey developments along Military Road



Figure 44. Internal arcade at 129-133 Military Road consisting of a mix of occupied and vacant retail and commercial tenancies



Figure 45. Courtyard with internal-facing retail tenancies with residential apartments above at 4-8 Waters Road



Figure 46. Existing 3-4 storey mixed use buildings along Grosvenor Street



Figure 47. Existing 4-storey mixed use building along Waters Road



Figure 48. Existing 4-5 storey mixed use buildings along Young Street

## 2.10 Future Built Form Context

The area surrounding the site is undergoing change with a number of planned and underway developments:

- Under construction:
  - 12-14 Waters Road (6-storeys mixed use)
  - 32 Grosvenor Street (4-storeys residential)
- Approved development:
  - 165-173 Military Road (5-storeys mixed use)
- Has gateway approval:
  - 183-185 Military Road (12-storeys mixed use)
  - 3-7 Rangers Road and 50 Yeo Street (8-storeys mixed use)
- Development Application (DA) lodged with Council:
  - 41-53 Grosvenor Lane (7-storeys mixed use)
- Indicative future built form:
  - Maximum heights ranging between 6 and 12-storeys envisioned in the MRCPS (as shown below)



Figure 49. Indicative future built form envisioned in the MRCPS  
Source: MRCPS (North Sydney Council, 2021)



Figure 50. Map showing future building heights around the site.

### LEGEND

- Site 2A
- Site 2B
- Future public open spaces

- Existing buildings
- Under construction
- Approved development

- Has conditional gateway approval
- DA lodged with Council
- Indicative future built form (MRCPS)







**Figure 51.** Development currently under construction at 12-14 Waters Road  
Source: Central Element



**Figure 52.** Development currently under construction at 32 Grosvenor Street  
Source: Team 2 Architects



**Figure 53.** Approved 6-storey development at 165-173 Military Road  
Source: EM BE CE Architects



**Figure 54.** 12-storey proposal at 183-185 Military Road - has conditional gateway approval  
Source: AJ+C



**Figure 55.** 8-storey proposal at 3-7 Rangers Road, 50 Yeo Street - has conditional gateway approval  
Source: Koichi Takada Architects



**Figure 56.** Development Application at 41-53 Grosvenor Lane - lodged with Council  
Source: SJB Architects

### 3 Site Analysis



Figure 57. Public art at May Gibbs Place

This section identifies the existing conditions of the site and outlines the key site constraints and opportunities.



### 3.1 Land Ownership

The majority of lots within Sites 2A and 2B are currently owned by Arkadia, with the only exception being 190-192 Military Road (existing Neutral Bay Community Centre and adjoining laneway that are Council-owned). Lot details of the site are outlined below:

| Site               | Lot No. | Deposited Plan No. | Address   | Ownership             | Site Area |           |
|--------------------|---------|--------------------|-----------|-----------------------|-----------|-----------|
| 2A                 | 1       | 7                  | DP 786399 | 166-174 Military Road | Arkadia   | 1,089 sqm |
|                    | 2       | 11                 | DP 600315 | 176 Military Road     | Arkadia   | 145 sqm   |
|                    | 3       | 1                  | DP 227611 | 178 Military Road     | Arkadia   | 145 sqm   |
|                    |         |                    |           |                       |           | 1,379 sqm |
| 2A                 | 4       | 1                  | DP 814194 | 184-186 Military Road | Arkadia   | 452 sqm   |
|                    | 5       | 28                 | DP 231494 | 188 Military Road     | Arkadia   | 162 sqm   |
|                    | 6       | 9                  | DP 229737 | 190 Military Road     | Council   | 153 sqm   |
|                    | 7       | 10                 | DP 229737 | 190 Military Road     | Council   | 165 sqm   |
|                    | 8       | 1                  | DP 561167 | 192 Military Road     | Council   | 36 sqm    |
|                    | 9       | 1                  | DP 737344 | 192 Military Road     | Council   | 3 sqm     |
|                    |         |                    |           |                       |           | 971 sqm   |
| Site 2A - Subtotal |         |                    |           |                       |           | 2,350 sqm |
| 2B                 | 10      | 1                  | DP 528917 | 198-200 Military Road | Arkadia   | 500 sqm   |
|                    | 11      | 1                  | DP 802102 | 202-212 Military Road | Arkadia   | 1,120 sqm |
|                    | 12      | 3                  | DP 613732 | 214 Military Road     | Arkadia   | 218 sqm   |
| Site 2B - Subtotal |         |                    |           |                       |           | 1,838 sqm |
| Total Site Area    |         |                    |           |                       |           | 4,188 sqm |

The following lots do not form part of the subject site:

- 180-182 Military Road (existing Blue & White dry cleaners)
- 194-196 Military Road (local heritage items I0675 and I0676 in between Sites 2A and 2B)

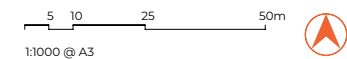
|   |    |    |           |                       |         |         |
|---|----|----|-----------|-----------------------|---------|---------|
|   | 13 | 22 | DP 232918 | 180-182 Military Road | Private | 287 sqm |
| - | 14 | 2  | DP 737344 | 194 Military Road     | Private | 202 sqm |
|   | 15 | 15 | DP 231564 | 196 Military Road     | Private | 246 sqm |



Figure 58. Map showing existing lot ownership

#### LEGEND

|          |                  |
|----------|------------------|
| Site 2A  | Owned by Arkadia |
| Site 2B  | Owned by Council |
| Heritage |                  |



## 3.2 Existing Site Conditions

This section of the report documents the observations made while on site with photographs and accompanying text, including key takeaways from the site analysis process.

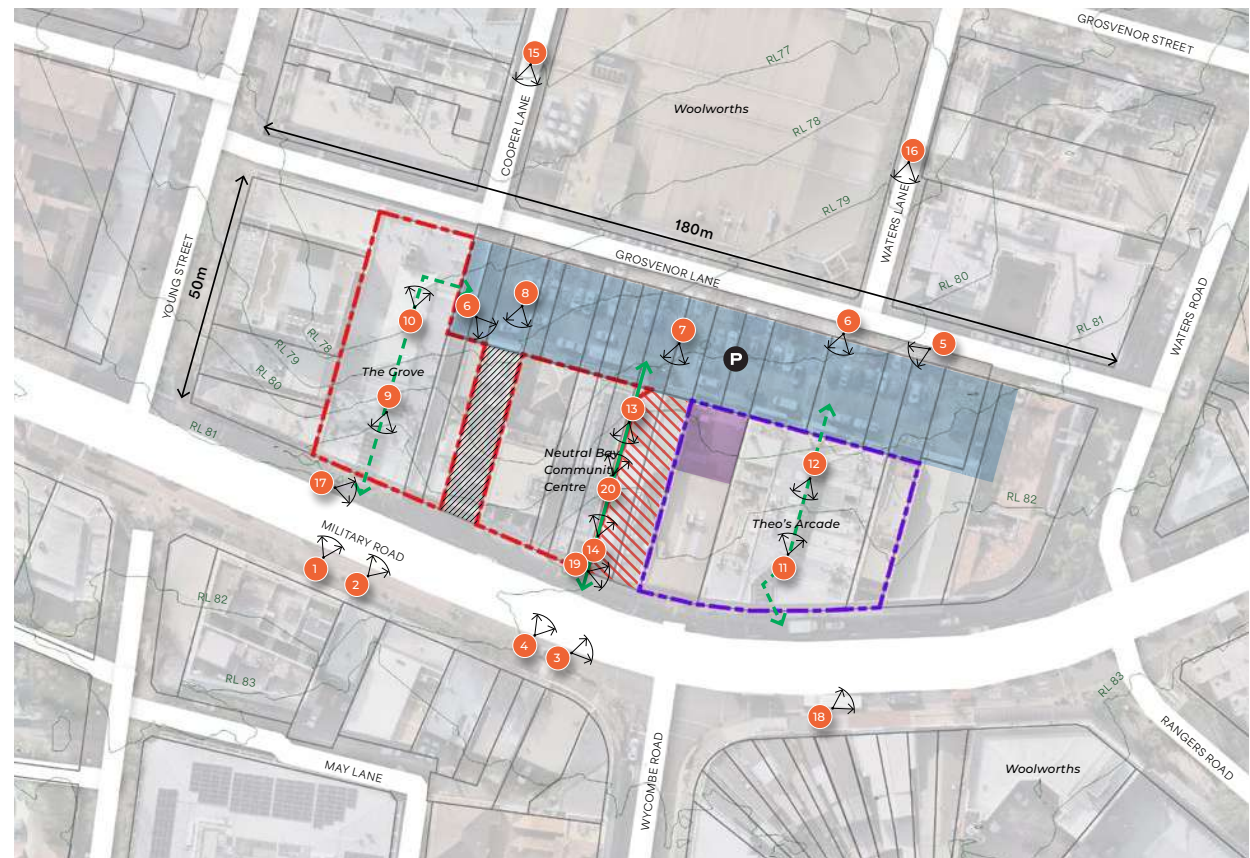


Figure 59. Existing site conditions and photo locations

### LEGEND

Site 2A

Site 2B

Cadastre lots

Heritage items

180-182 Military Road  
(privately owned)

RL XX Contour lines

Grosvenor Lane car park

Private car park

Existing laneway

Existing arcades

Photo locations

5 10 25 50m  
1:1000 @ A3





## Military Road

Site 2A's frontage along Military Road consists predominantly of two-storey fine grain retail tenancies, exemplifying the village character of Neutral Bay. The site is bookended by The Grove shopping centre at its western end and the existing Neutral Bay Community Centre at its eastern end. Similarly, Site 2B presents a consistent two-storey street wall along Military Road, with the majority of it being Theo's Arcade shopping centre. Sites 2A and 2B are separated by local heritage items 10675 Shop and 10676 Shop.

### Key Takeaway

Redevelopment of the site should seek to retain the existing fine grain retail character along Military Road while responding sensitively to the existing heritage items.



Figure 60. Site 2A - The Grove shopping centre



Figure 61. Site 2A - fine grain retail frontages along Military Road



Figure 62. Site 2B - Theo's Arcade



Figure 63. Existing heritage buildings along Military Road

### Grosvenor Lane Car Park

The existing Grosvenor Lane car park sits at the rear of the site. While it may appear to be heavily dominated by vehicles, including loading and servicing, the perimeter of the car park is activated by a range of fine grain retail offerings, similar to those along Military Road. The Grosvenor Lane car park is also a shared zone, but this is only identified with road paint and signage. The future Grosvenor Plaza envisioned in the NBVPS will provide a significant improvement to this part of Neutral Bay.

#### Key Takeaway

While the existing Grosvenor Lane car park / future Grosvenor Plaza is not part of the site, redevelopment of the site should seek to provide active frontages to the future plaza.



Figure 64. Grosvenor Lane car park looking south-west towards Site 2A



Figure 65. Grosvenor Lane car park looking south towards Site 2B



Figure 66. Rear of the existing heritage items in between Sites 2A and 2B



Figure 67. Rear of the existing Blue & White dry cleaners at 180-182 Military Road (not owned by Arkadia) and adjoining retail tenancies on Site 2A



### Internal Arcades

The retail activation along both Military Road and the Grosvenor Lane car park continue through the existing buildings on site, particularly in the case of The Grove and Theo's Arcade. Internal arcades in these shopping centres offer a range of retail offerings at street level. The level change across the site is managed with escalators in these buildings, connecting the Military Road street level with the lower Grosvenor Lane car park level.

#### Key Takeaway

The redevelopment of the site should seek to continue to provide retail activation at ground level on both sites and carefully manage the level differences across the site.



Figure 68. Retail tenancies inside The Grove



Figure 69. Retail tenancies and escalators inside The Grove connecting Military Road down to the Grosvenor Lane car park level



Figure 70. Retail tenancies inside Theo's Arcade



Figure 71. Escalators inside Theo's Arcade connecting Military Road down to the Grosvenor Lane car park level

### Through-site Link

The block that the site sits on is approximately 180m in length and ranges between 50-60m in depth. Apart from the internal arcades that run through The Grove and Theo's Arcade, there is currently only one external through-site link that connects Military Road with the Grosvenor Lane car park. This narrow link runs through the middle of the block, alongside the existing Neutral Bay Community Centre and includes some active frontages.

#### Key Takeaway

The redevelopment of the site, including the existing Neutral Bay Community Centre currently owned by Council, will provide an opportunity to upgrade this central through-site link.



Figure 72. Retail tenancies along the existing through-site link adjacent to the Neutral Bay Community Centre



Figure 73. Through-site link adjacent to the Neutral Bay Community Centre connecting Grosvenor Lane car park with Military Road

### Existing Laneways

There are currently unobstructed sight lines from Grosvenor Street (north of the site) down Cooper Lane and Waters Lane towards Sites 2A and 2B respectively. These existing lanes are located on either side of the existing central through-site link.

#### Key Takeaway

The redevelopment of the site should seek to provide additional through-site links across Sites 2A and 2B that align with these existing lanes to improve the north-south permeability of the block.



Figure 74. View along Cooper Lane looking south towards Site 2A



Figure 75. View along Waters Lane looking south towards Site 2B



## Existing Footpaths

While the B-Line provides excellent public transport connectivity, it results in congestion along the footpath during peak commuting hours. Fences, planting and planter boxes are also used along parts of both sides of Military Road to provide a physical barrier between pedestrians and vehicles.

### Key Takeaway

There is an opportunity for the redevelopment of the site to improve pedestrian safety and amenity by widening and embellishing the footpath along Military Road.



Figure 76. B-Line bus stop along Military Road in front of Site 2A



Figure 77. B-Line bus stop across the road from Site 2B, with fencing and planting barriers

## Neutral Bay Community Centre

The existing Neutral Bay Community Centre is located on Site 2A and its entry is discreetly located off the existing central through-site link. The NBVPS notes that the need to upgrade the community centre has been identified since 2016, as part of Council's *Community Uses on Council Land Study*.

### Key Takeaway

The redevelopment of the site will allow for a new community centre to be provided on Site 2A, with a more prominent ground floor lobby fronting the future Grosvenor Plaza.



Figure 78. Existing Neutral Bay Community Centre signage off Military Road



Figure 79. Existing Neutral Bay Community Centre entry off the existing central through-site link

### 3.3 Key Constraints

A number of key constraints for the site have been identified following the urban design and site analysis discussed previously.

- ① **Site topography**  
Redevelopment of the site will need to carefully manage the level change between the lowest and highest points across the site (approximately 4m level change across Site 2A).
- ② **Solar access to future open spaces**  
Redevelopment of the site will need to ensure that May Gibbs Place and Rangers Road Plaza receive solar access in line with the requirements outlined in the NBVPS.
- ③ **Solar access to future mixed-use developments south of Military Road**  
Redevelopment of the site will need to ensure that the future residential levels of 165-173 Military Road (approved development) and 183-185 Military Road (has conditional gateway approval) are able to meet ADG solar access requirements.
- ④ **Interface with heritage item**  
A sensitive built form response should be provided to the existing heritage items in between Sites 2A and 2B.
- ⑤ **Vehicle access**  
Vehicle access to the site is limited and will need to be provided off the existing laneways to the north of the site, while minimising impact on the pedestrian amenity of Grosvenor Plaza.
- ⑥ **Lot ownership**  
180-182 Military Road is not owned by Arkadia and divides Site 2A into two parts, which may limit vehicle access to the eastern portion of Site 2A.
- ⑦ **Noise along Military Road**  
Redevelopment of the site will need to consider the noise levels generated by the high traffic volume along Military Road.

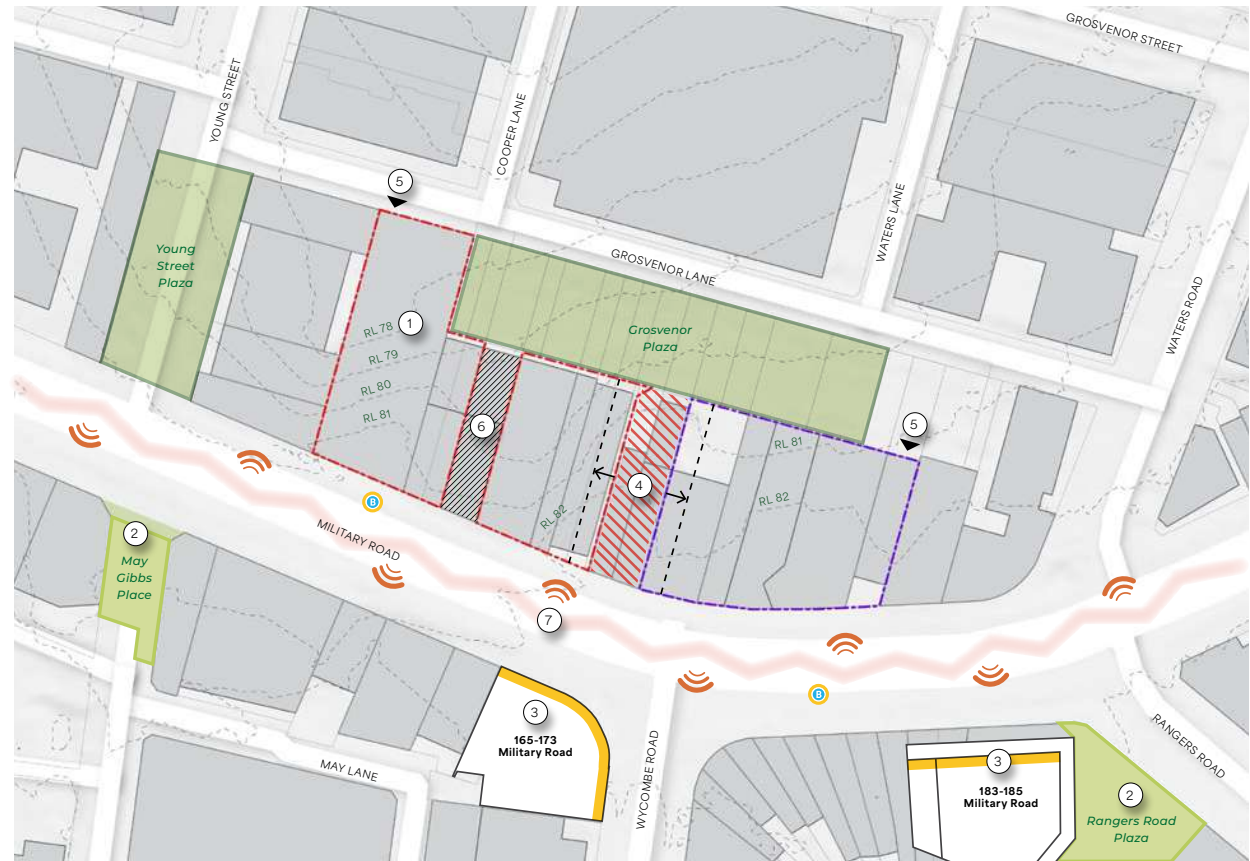


Figure 80. Key Constraints Map

#### LEGEND

- Site 2A
- Site 2B
- Existing buildings

- Contour lines
- Heritage items
- 180-182 Military Road (not owned by Arkadia)

- Solar access to public open spaces
- Solar access to 165-173 Military Road and 183-185 Military Road

- Indicative vehicle access to basement
- Noise along Military Road

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1:1000 @ A3



### 3.4 Key Opportunities

The analysis has also identified a number of key opportunities for the site:

- ① **Consolidated lot ownership**  
The majority of Sites 2A and 2B are under a single ownership, with the only exception being 190-192 Military Road (Council-owned) on Site 2A.
- ② **Proximity to public transport**  
A number of bus stops, including a B-Line bus stop in front of Site 2A and one across the road from Site 2B provide excellent connectivity between the site, North Sydney, the Sydney CBD, Mosman, Manly, Crows Nest, Chatswood and beyond.
- ③ **Excellent open space amenity**  
The site is in close proximity to a number of existing and planned public open spaces, including Grosvenor Plaza, Young Street Plaza, May Gibbs Place and Rangers Road Plaza, providing future residents with excellent open space amenity.
- ④ **Future Grosvenor Plaza**  
Future north-facing public open space directly adjacent to the site provides opportunity for activation along this edge.
- ⑤ **Upgraded and new through-site links**  
Redevelopment of the site will provide an opportunity to upgrade the existing central through-site link along the existing Neutral Bay Community Centre, as well as new through-site links in the form of activated laneways that connect Military Road with the new Grosvenor Plaza.
- ⑥ **New community centre**  
Redevelopment of the site will allow for a new community centre to be provided on Site 2A, with access provided off the corner of Grosvenor Plaza and the new through-site link.
- ⑦ **Village character along Military Road**  
Redevelopment of the site should seek to retain the human-scale streetscape along Military Road by providing appropriate street wall heights and upper level setbacks, supported by fine grain retail activation at street level.

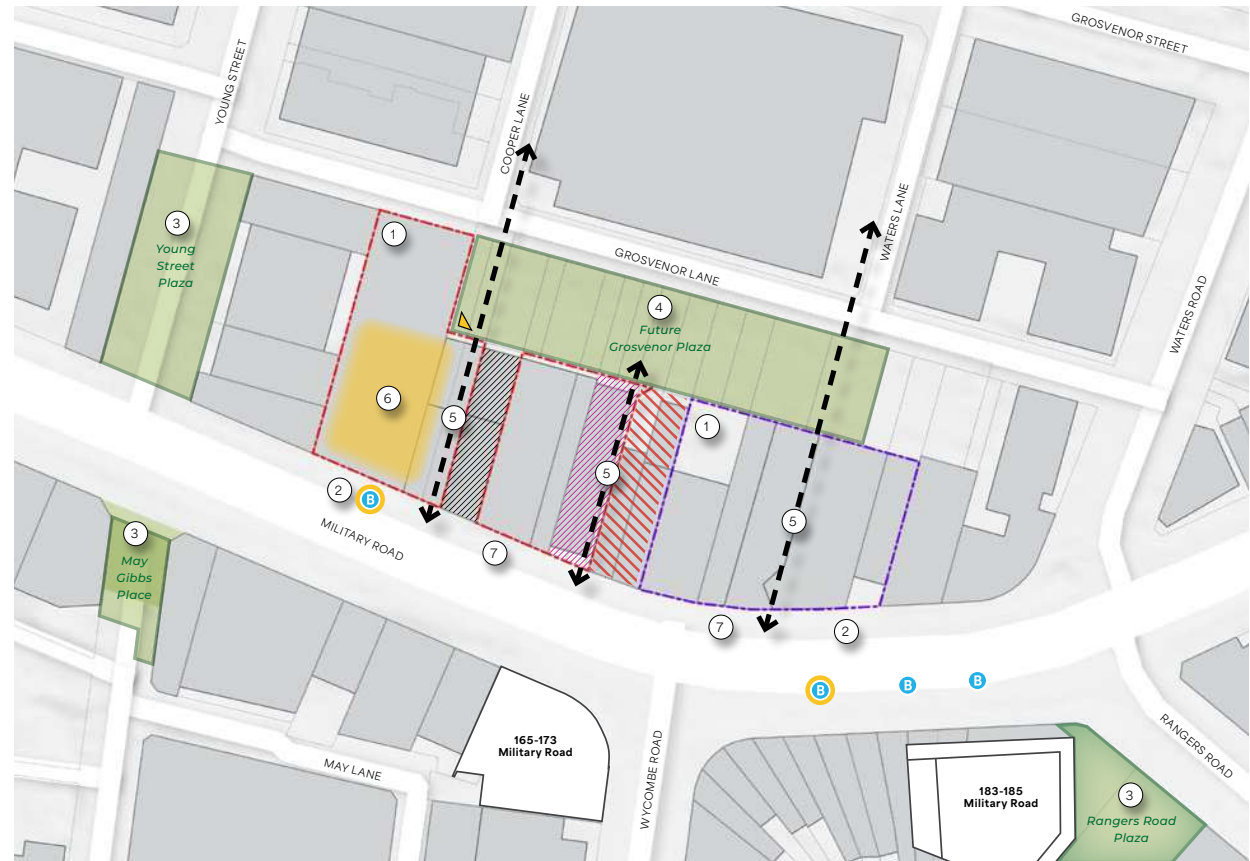


Figure 81. Key Opportunities Map

#### LEGEND

- Site 2A
- Site 2B
- Existing buildings

- Heritage items
- 180-182 Military Road (not owned by Arkadia)
- Council-owned lots

- Indicative location of new community centre
- Community Centre ground level lobby entry

- Bus stops
- B-Line bus stops

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1:1000 @ A3





## 4 Design Framework

### 4.1 Our Vision

A local destination that combines a vibrant mix of retail, hospitality and employment uses that enhance the village character of the Neutral Bay Town Centre, while delivering much-needed housing in a strategic location with superior public transport links alongside a new community centre for existing and future residents.

Figure 82. Artist's impression of the active retail frontages along Grosvenor Plaza and the new Eastern Laneway on Site 2B



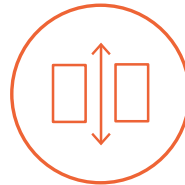






## 4.2 Urban Design Principles

The following urban design principles have been established to support our vision for the site and to help guide future development of the site. They have been developed with consideration to the key guidelines for Sites 2A and 2B outlined in the NBVPS (refer to Section 1.5 of this report).



### Improve north-south permeability of the block

Provide upgraded and new pedestrian through-site links in the form of laneways that run through Sites 2A and 2B to connect Military Road with Grosvenor Plaza.



### Ensure a human-scale streetscape including public domain embellishments

Provide a 2-storey street wall height with appropriate upper level setbacks above the street wall height along Military Road and Grosvenor Plaza to retain the existing village character of the Neutral Bay Town Centre and provide public domain improvements along Military Road.



### Activate street level frontages and laneways

Ensure that street level frontages along Military Road, the new laneways and Grosvenor Plaza are activated where possible with a mix of uses, including retail, food and beverage offerings as well as commercial and residential lobbies.



### Increase density on site while protecting solar amenity of future residential development and open spaces to the south

Seek to introduce additional height on the site consistent with the MRCPS while ensuring that proposed building envelopes allow for sufficient solar access to 165-173 Military Road (approved development), 183-185 Military Road (has conditional gateway approval) as well as May Gibbs Place and Rangers Road Plaza.



### Respond sensitively to existing heritage building

Ensure that the proposed building envelopes respond sensitively to the existing heritage building in between Sites 2A and 2B.



### Ensure visibility and accessibility of the new community centre

Locate the new community centre on Level 1 (consistent with the Draft NBTCPs), with the ground level entry lobby located along the new laneway, while ensuring its visibility from Grosvenor Plaza.



Figure 83. Mural along laneway adjacent to 244 Military Road

## 4.3 Structure Plan

The proposed structure plan on the right illustrates how the established urban design principles can be applied to ensure a good urban design and built form outcome for the site, while also giving consideration to the guidelines for the site outlined by the NBVPS (see Section 1.5). Future redevelopment of the site should seek to align with this proposed structure plan.

### LEGEND

- Site 2A
- Site 2B
- Existing buildings
- Grosvenor Plaza
- Heritage items
- B-Line bus stop
- 2-storey podium
- Up to 6 storeys (total height)
- Up to 9 storeys (total height)
- Up to 11 storeys (total height)
- Up to 12 storeys (total height)
- New 4m wide through-site links
- Upgraded 3m wide through-site link
- Active frontages
- 2.5m ground level setback for footpath widening
- 1.5m ground level setback for footpath widening
- 1.5m whole of building setback to Grosvenor Lane
- 3m above podium front and rear setbacks
- 5m above podium setback to heritage items
- Solar access to 165-173 Military Road and 183-185 Military Road
- Solar access to public open spaces
- Community Centre ground level lobby entry
- Indicative vehicle access to basement

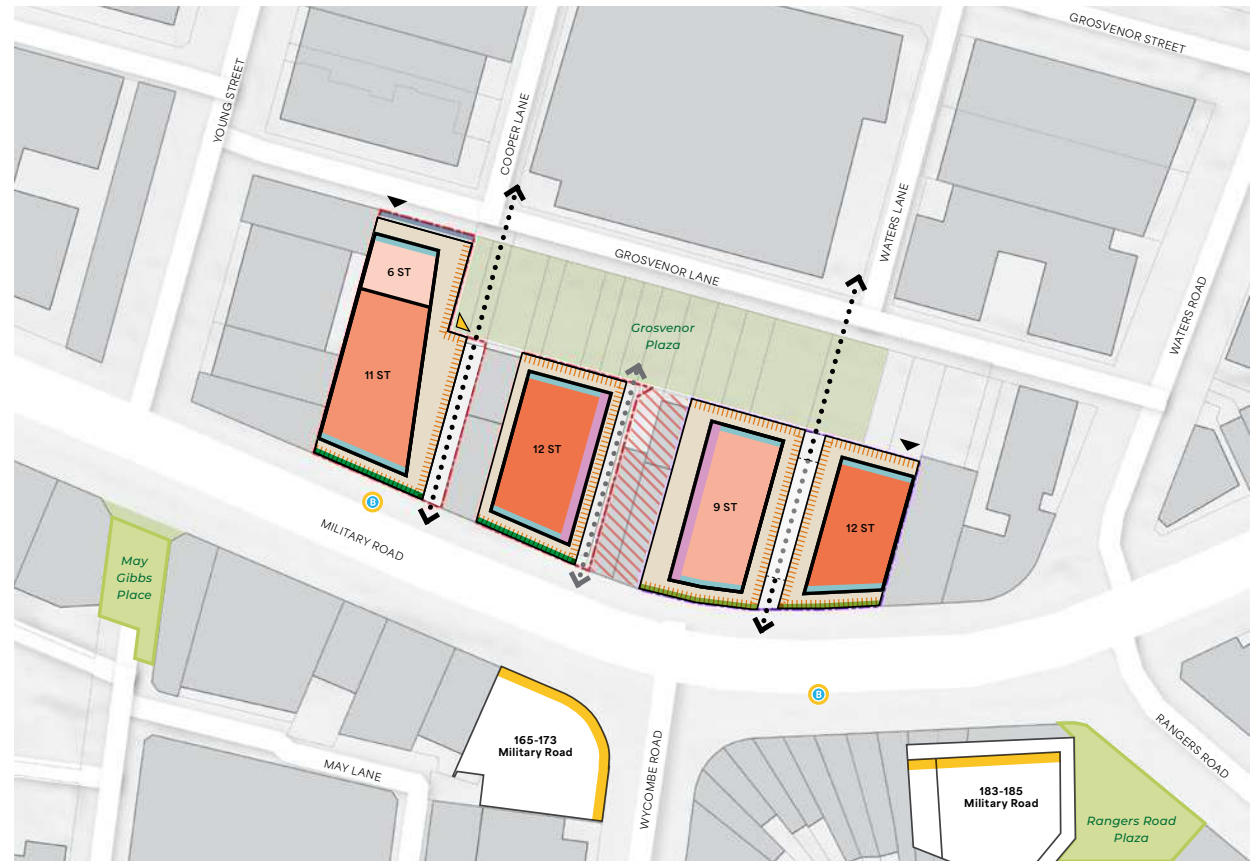
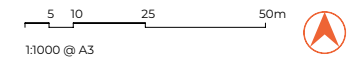


Figure 84. Proposed structure plan





### Alignment with the NBVPS

The table on the right compares the parameters identified in the proposed structure with the NBVPS. It demonstrates that the proposed structure plan largely aligns with the NBVPS, with a few alternative approaches proposed.

As discussed in Sections 1.4 and 1.6, the maximum height of up to 12-storeys proposed for the site is consistent with the maximum height envisioned in the MRCPS.

| Parameter                                     |   | NBVPS  | The Proposal   | Alignment with the NBVPS |
|---|---|--|--|--------------------------|
| <b>Non-residential FSR</b>                    |   |  |  |                          |
| Site 2A                                       |   | 1.2 : 1  | 1.2 : 1  | ✓                        |
| Site 2B                                       |   | 1.2 : 1  | 1.3 : 1  | ✓                        |
| <b>Heights</b>                                |   |  |  |                          |
| Maximum building height                       | Military Road                             | 8-storeys (likely to be reduced further to 6-storeys)  | 12-storeys with variations in height across buildings (aligns with the MRCPS)  | ○                        |
|   | West of Grosvenor Plaza (rear of Site 2A) | 6-storeys  | 6-storeys  | ✓                        |
| Podium height                                 | Military Road                             | 3-storeys  | 2-storeys  | ○                        |
|   | Grosvenor Lane                            | 3-storeys  | 2-storeys  | ○                        |
|   | Grosvenor Plaza                           | 2-storeys  | 2-storeys  | ✓                        |
| <b>Setbacks</b>                               |   |  |  |                          |
| Site 2A                                       | Military Road                             | 2.5m whole of building   | 2.5m at ground level   | ○                        |
|   | Grosvenor Lane                            | 1.5m whole of building   | 1.5m whole of building   | ✓                        |
|   | Grosvenor Plaza                           | 0m   | 0m   | ✓                        |
| Site 2B                                       | Military Road                             | 1.5m at ground level   | 1.5m at ground level   | ✓                        |
|   | Grosvenor Plaza                           | 1.5m at ground level   | 0m whole of building   | ○                        |
| Above podium setbacks                         |   | 3m at all street and plaza frontages   | 3m at all street and plaza frontages   | ✓                        |
| <b>Through-site links</b>                     |   |  |  |                          |
| Western Laneway                               |   | 6m wide, open to the sky, aligned with Cooper Lane   | 4m wide, open to the sky, aligned with Cooper Lane   | ○                        |
| Central Laneway                               |   | 3m wide, open to the sky, adjacent to heritage building  | 3m wide, open to the sky, adjacent to heritage building  | ✓                        |
| Eastern Laneway                               |   | 6m wide, open to the sky, aligned with Waters Lane   | 4m wide, partially covered, aligned with Waters Lane   | ○                        |
| <b>Active frontages</b>                       |   |  |  |                          |
| Active frontages                              |   | Along Military Road, Grosvenor Plaza and through-site links  | Along Military Road, Grosvenor Plaza and through-site links  | ✓                        |
| <b>Community use</b>                          |   |  |  |                          |
| Community Centre                              |   | New 1,000 sqm Community Centre on Site 2B - entire floorplate on Level 1 with ground floor lobby off Grosvenor Plaza | 876 sqm GBA / 730 sqm GFA on Site 2A - partial floorplate on Level 1 with ground floor lobby off Grosvenor Plaza / Western Laneway | ○                        |
| Secondary community facility ('Creative Hub') |   | Via upgrades to existing Neutral Bay Community Centre  | Consolidated with new Community Centre on Site 2A  | ○                        |

#### LEGEND

- ✓ Aligns with the NBVPS
- Alternative approach proposed

## 5 Indicative Concept Scheme

Guided by the established urban design principles and the proposed structure plan, the indicative concept scheme demonstrates how the site may be redeveloped to realise Arkadia's vision for the site.

Figure 85. Artist's impression of the proposal, looking south west from Grosvenor Lane







## 5.1 Indicative Building Envelope Plan

The plan on the right shows the indicative concept scheme within its future built form context. It sets out the various setbacks applied, building separation, building heights and through-site links proposed for the site, consistent with the parameters set out in the proposed structure plan in Section 4.3.

The indicative concept scheme includes:

- Four mixed-use buildings consisting of 2-storey podiums with slender towers above (total heights of 9-storeys, 11-storeys and 12-storeys).
- Adjusted building envelopes above the podium (angled and stepped back) to protect the solar amenity of 165-173 Military Road.
- Ground level setbacks along Military Road for footpath widening.
- Above podium setbacks to retain a human scale streetscape, while responding sensitively to the existing heritage items.
- Upgraded central through-site link (open to the sky) and two new through-site links (one open to the sky, one partially covered).
- A new Level 1 community centre on Site 2A, with a ground floor lobby located at the corner of the future Grosvenor Plaza and the new western through-site link.

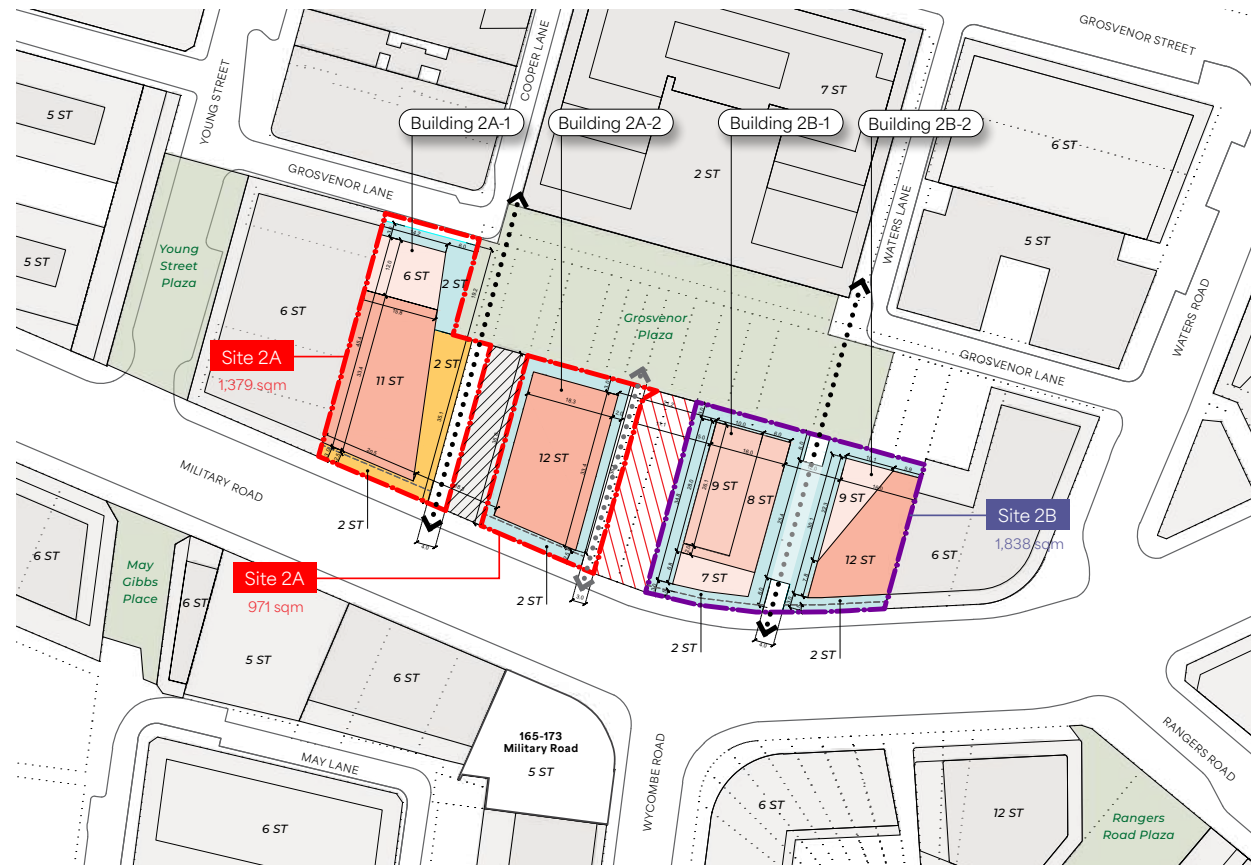


Figure 86. Indicative building envelope plan

### LEGEND

Site 2A

Site 2B

180-182 Military Road  
(not owned by Arkadia)

Existing and future public open spaces

Existing and indicative future context

Existing heritage items

Proposed residential use

Proposed community use

Proposed commercial / non-residential use

Proposed upgraded through-site link

Proposed new through-site links

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1:1000 @ A3





## 5.2 Indicative Building Envelope Massing

### Proposed Uses

The indicative concept scheme proposes the following land uses for the site:

| Building 2A-1                 |   |
|-------------------------------|---|
| Ground                        | Retail / other non-residential uses<br>Community centre lobby |
| Level 1                       | Commercial / other non-residential uses<br>Community centre   |
| Level 2 and above             | Residential   |
| Buildings 2A-2, 2B-1 and 2B-2 |   |
| Ground                        | Retail / other non-residential uses                           |
| Level 1                       | Commercial / other non-residential uses                       |
| Level 2 and above             | Residential   |

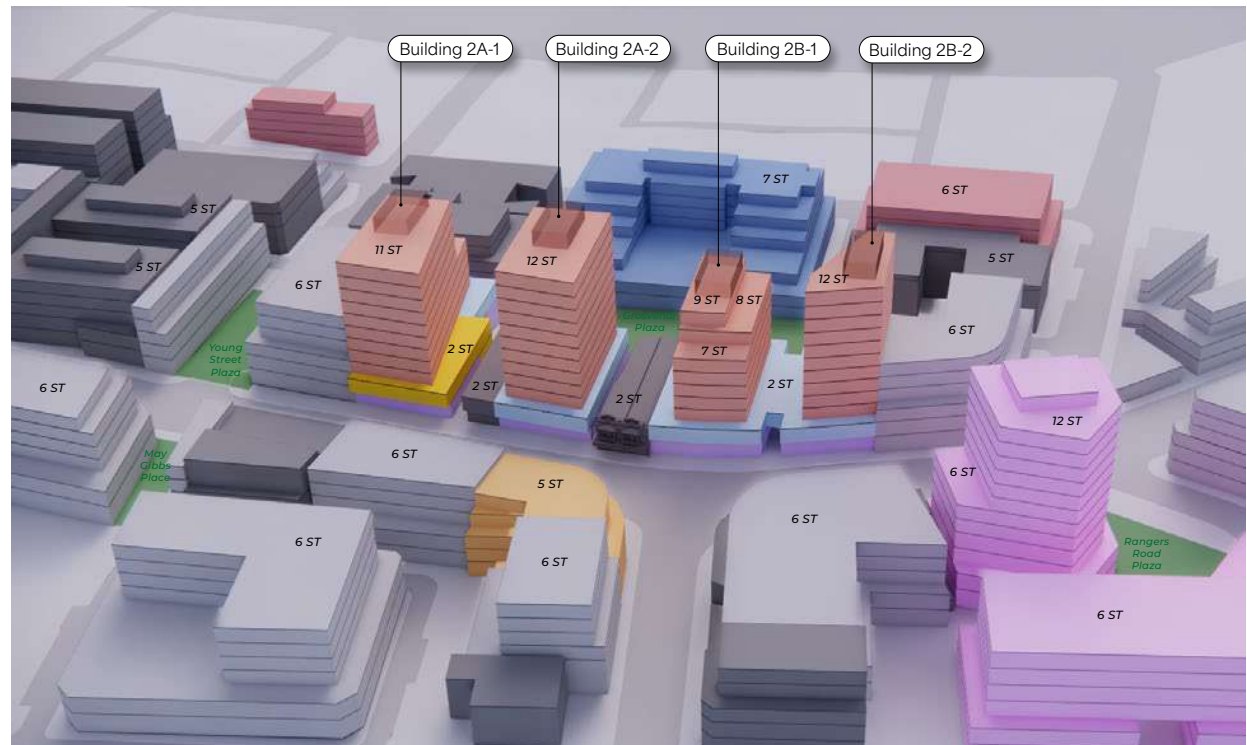


Figure 87. 3D massing of the proposal within its future built form context - view looking north

#### LEGEND

|  |                                  |                           |
|--|----------------------------------|---------------------------|
| Existing and future public open spaces | Under construction               | Proposed community centre |
| Existing buildings                     | Approved by Council              | Proposed commercial       |
| Indicative future context (MRCPS)      | Has conditional gateway approval | Proposed retail           |
|  | DA lodged to Council             | Proposed residential      |

### Slender Built Forms

The distribution of height across the site, coupled with the slender built forms proposed, reduces the perceived visual bulk of the proposal. When compared with the indicative development envelopes presented in the MRCPS (see below), the proposal also provides better solar outcomes for the surrounding context, particularly for the approved mixed-use development to the south at 165-173 Military Road (refer to Section 7.7 for detailed solar analysis).



**Figure 88.** Indicative development envelopes in the MRCPS  
Source: MRCPS (North Sydney Council, 2021)



**Figure 89.** 3D massing of the proposal within its future built form context - view looking south

#### LEGEND

|  |                                  |                           |
|--|----------------------------------|---------------------------|
| Existing and future public open spaces | Under construction               | Proposed community centre |
| Existing buildings                     | Approved by Council              | Proposed commercial       |
| Indicative future context (MRCPS)      | Has conditional gateway approval | Proposed retail           |
|  | DA lodged to Council             | Proposed residential      |

### Indicative Built Form Context

As discussed in Sections 1.4 and 1.6, the maximum 12-storey height proposed on the site is consistent with what was proposed in the MRCPS and forms a natural transition to the existing 16-storey towers in the area. The four slender buildings proposed are spaced apart and their varying heights, ranging between 9-12 storeys, providing visual interest along Military Road.

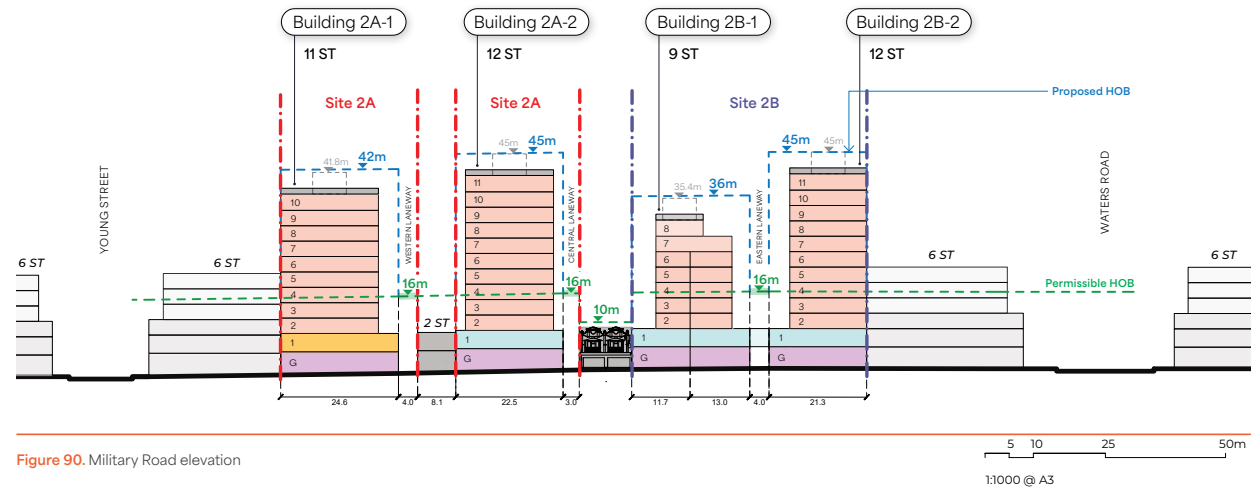


Figure 90. Military Road elevation

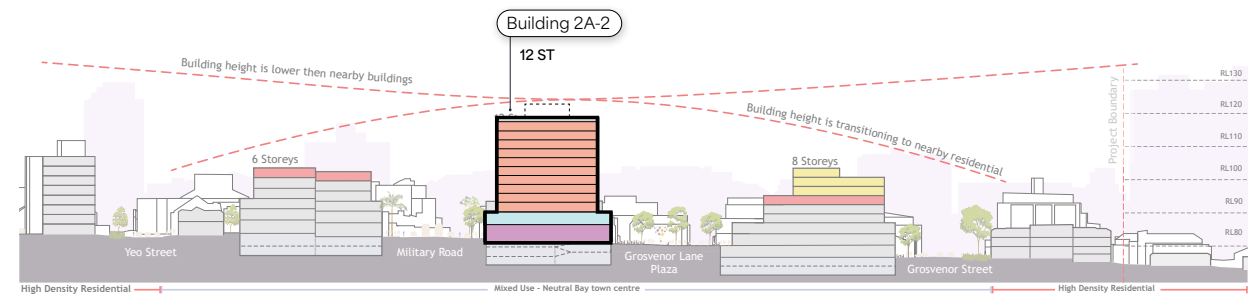
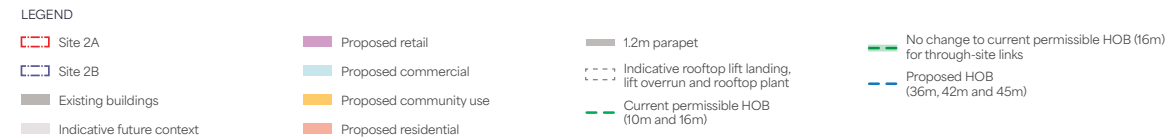


Figure 91. Approximate overlay of the proposal over a north-south section through Neutral Bay Town Centre looking west  
Source: Section drawing from the MRCPS (North Sydney Council, 2021) with overlay by Ethos Urban





Figure 92. Artist's impression of the new Community Centre on Site 2A with ground level entry provided off Grosvenor Plaza, alongside active retail frontages

## 5.3 Indicative Ground Floor Plan

The plan on the facing page represents a potential configuration of the site at ground level. It is indicative only and does not represent a final design for the site. It illustrates the proposal's intent to:

- Provide widened footpaths and public domain upgrades along Military Road.
- Provide active frontages along Military Road, the proposed laneways and Grosvenor Plaza.
- Provide new through-site links in the form of laneways that align with Cooper Lane and Waters Lane to the north.
- Provide a ground floor lobby entry to the new Community Centre on Site 2A at the corner of Grosvenor Plaza and the Western Laneway.
- Provide each of the proposed residential buildings with an address to Military Road.



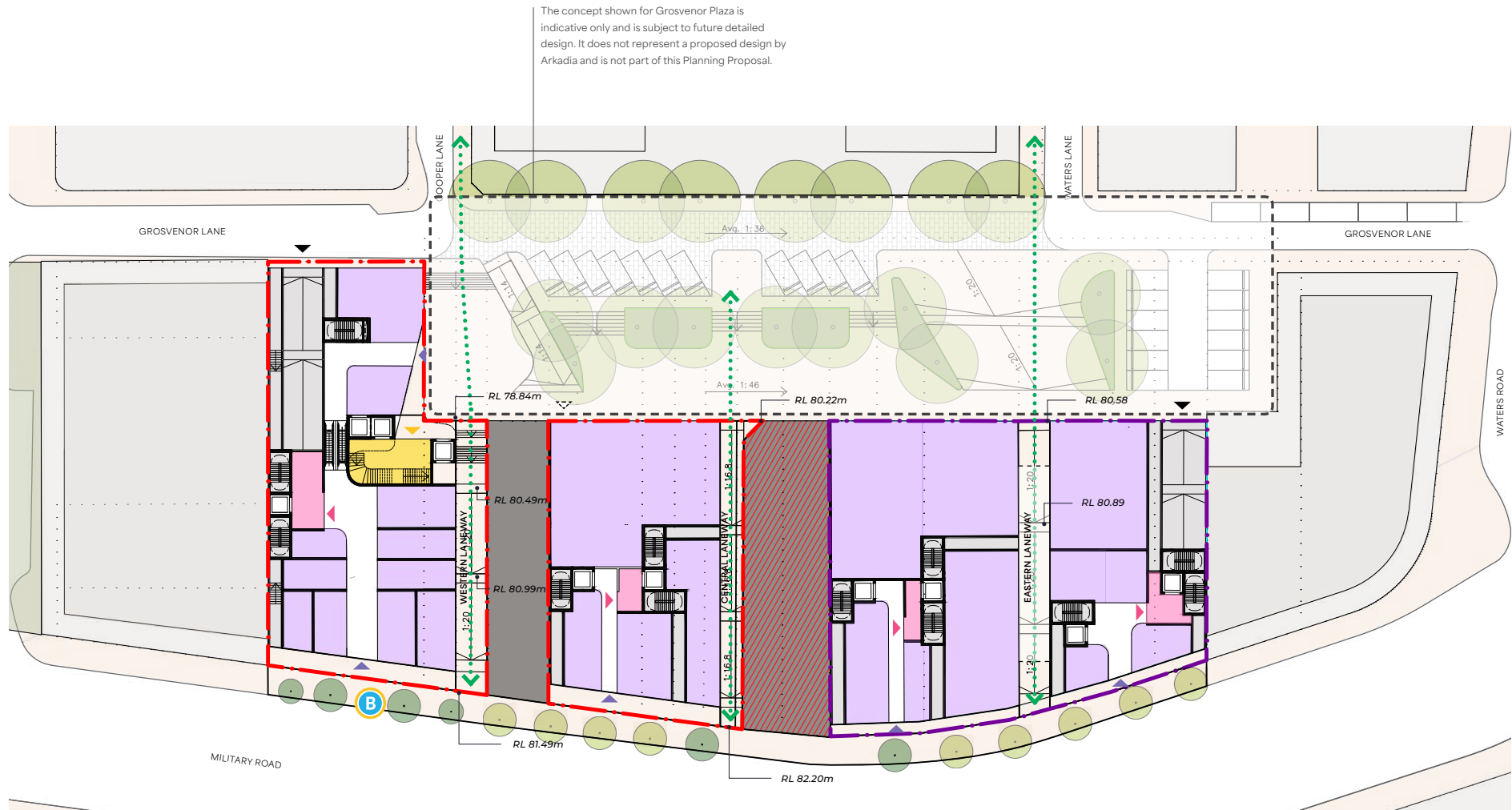


Figure 93. Indicative Ground Floor plan



## LEGEND

Site 2A

Site 2B

Heritage item

Existing buildings

Indicative future context

Existing B-Line bus stop

Retail

Community Centre lobby

Residential lobby

Indicative retail access

Indicative community centre access

Indicative residential lobby access

Indicative vehicle access to basement

Potential vehicle access to basement (refer to Section 5.4)

Proposed through-site links

Existing trees

Indicative new trees

Indicative landscape concept for Grosvenor Plaza (not part of this Planning Proposal)

## 5.4 Indicative Basement Access

All vehicle basement access points are to minimise impact on the pedestrian amenity on Grosvenor Plaza.

### Building 2A-1

Basement access is able to be provided off Grosvenor Lane without impacting Grosvenor Plaza (consistent with the NBVPS).

### Building 2A-2

The proposed access arrangement for Building 2A-2 is via the existing at-grade accessway from Grosvenor Lane across the potential future Grosvenor Plaza (**Option 1**). If the future plaza comes to fruition, the legal access the site currently enjoys will need to be facilitated in the proposal. This may mean that the access remains over the plaza or an alternative option may be appropriate. Arkadia has developed alternative options to facilitate access that are shown in the figure on the right and are summarised below:

- **Option 2** - Shared access with Building 2A-1, under Grosvenor Plaza. This will involve negotiation with Council.
- **Option 3** - Shared access with Buildings 2B-1 and 2B-2, under Grosvenor Plaza. This will involve negotiation with Council.

All three potential access options will be subject to the future design of Grosvenor Plaza (not part of this Planning Proposal).

Access through neighbouring sites (180-182 Military Road or 194-196 Military Road) may also be implemented, subject to negotiation with adjoining landowners.

### Buildings 2B-1 and 2B-2

Shared basement access is able to be provided off the eastern end of Grosvenor Plaza (consistent with the NBVPS).



## 5.5 Yield Summary

A yield summary of the indicative concept scheme is provided below. Both Sites 2A and 2B are able to meet the proposed minimum non-residential FSR requirement of 1.2:1.

Refer to Section 7.1 for a more detailed breakdown of the yield for each of the proposed buildings.

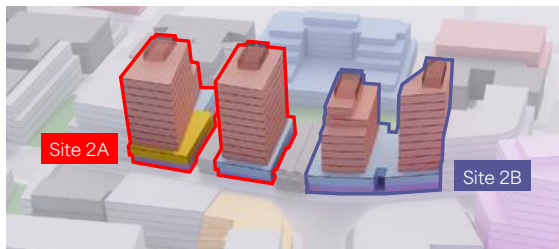


Figure 95. 3D massing of the proposal

| Site 2A              |            | Site 2B              |           |
|----------------------|------------|----------------------|-----------|
| Site area            | 2,350 sqm  | Site area            | 1,838 sqm |
| Total GFA            | 12,011 sqm | Total GFA            | 8,109 sqm |
| Residential GFA      | 9,102 sqm  | Residential GFA      | 5,622 sqm |
| Non-residential GFA  | 2,909 sqm  | Non-residential GFA  | 2,487 sqm |
| Approx. no. of units | 91         | Approx. no. of units | 57        |
| Non-residential FSR  | 1.24 : 1   | Non-residential FSR  | 1.35 : 1  |
| Overall FSR          | 5.1 : 1    | Overall FSR          | 4.4 : 1   |

| Site 2A + Site 2B    |            |
|----------------------|------------|
| Site area            | 4,188 sqm  |
| Total GFA            | 20,120 sqm |
| Residential GFA      | 17,724 sqm |
| Non-residential GFA  | 5,396 sqm  |
| Approx. no. of units | 148        |
| Non-residential FSR  | 1.29 : 1   |
| Overall FSR          | 4.8 : 1    |

## 5.6 Compliance with Solar Access Requirements

The proposal is able to meet the solar access requirements summarised below.

### Solar Access to the Proposal

The proposal is capable of meeting the ADG requirements for:

- Solar access to living rooms and private open spaces
- Solar access to communal open spaces

Refer to Sections 7.3 and 7.4 for the relevant solar access diagrams.

### Solar Access to Public Open Spaces

The NBVPS requires solar access to be provided to a minimum 50% of the site area of May Gibbs Place and Rangers Road Plaza between 10am-1pm at mid-winter.

The proposal does not overshadow either of these open spaces between these hours.

Refer to Section 7.5 for the relevant shadow diagrams.

### Solar Access to 183-185 Military Road

The proposal will only start to overshadow this future development (with conditional gateway approval) from 12pm at mid-winter. This future development will be able to receive the minimum 2 hours of direct sunlight required by the ADG in the morning.

Refer to Section 7.6 for the relevant shadow diagrams.

### Solar Access to 165-173 Military Road

The proposal does not reduce the overall solar compliance of the living rooms and private open spaces of this approved development. It retains the overall compliance of the building and **achieves a better outcome when compared with the MRCPS scheme.**

Refer to Section 7.7 for detailed solar analysis of 165-173 Military Road.

## 5.7 Public Benefits

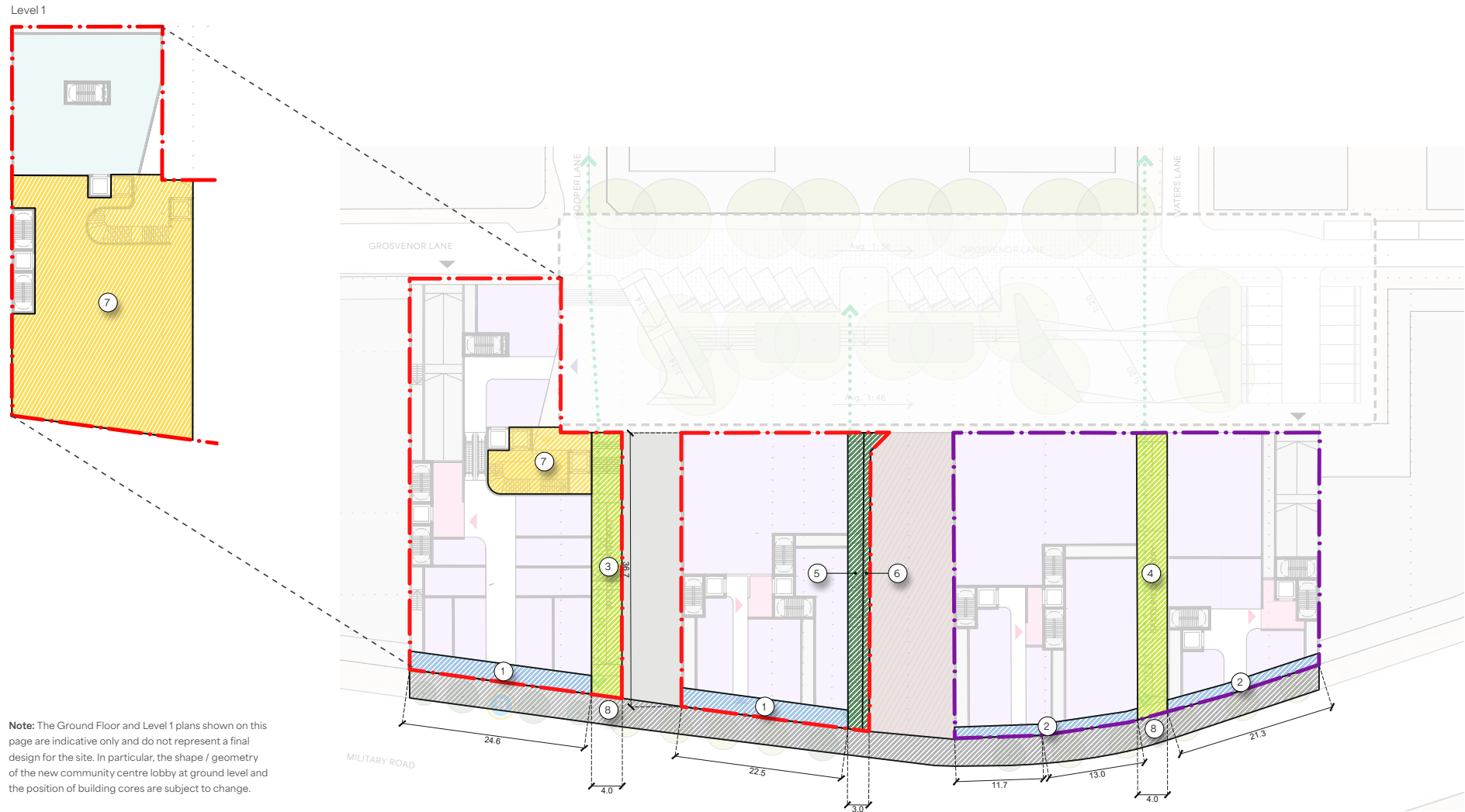
As part of this Planning Proposal, Arkadia is committed to delivering the following public benefits on the site:

- Ground level footpath widening along Military Road:
  - 2.5m footpath widening and embellishment along Site 2A
  - 1.5m footpath widening and embellishment along Site 2B.
- Two new through-site links in the form of laneways that connect Military Road with the future Grosvenor Plaza:
  - Western Laneway (Site 2A) - 4m wide, open to the sky, aligns with Cooper Lane.
  - Eastern Laneway (Site 2B) - 4m wide, partially covered, aligns with Waters Lane.
- Upgrades to the existing through-site link that runs alongside the existing Neutral Bay Community Centre:
  - Central Laneway (Site 2A) - 3m wide, open to the sky.
- A new 730 sqm community centre on Site 2A to replace the existing Neutral Bay Community Centre. The new community centre will be located on Level 1, with a ground level entry lobby accessed off the corner of Grosvenor Plaza and the proposed Western Laneway.
- Public domain upgrades along Military Road.

These public benefits will be secured via a Voluntary Planning Agreement (VPA) that is proposed to be entered into with Council. The public benefits are outlined in the Public Benefit Offer, which is included under separate cover at Appendix C.

| Item   | Description   | Area                           |
|--|---|--------------------------------|
| <b>Ground level footpath widening along Military Road (within site boundary)</b>                                 |   |                                |
| ①  | 2.5m footpath widening within Site 2A   | 115 sqm                        |
| ②  | 1.5m footpath widening within Site 2B   | 68 sqm                         |
| <b>New through-site links in the form of laneways that connect Military Road with the future Grosvenor Plaza</b> |   |                                |
| ③  | Western Laneway (Site 2A) - 4m wide, open to the sky, aligns with Cooper Lane   | 143 sqm                        |
| ④  | Eastern Laneway (Site 2B) - 4m wide, partially covered, aligns with Waters Lane | 153 sqm                        |
| <b>Upgrades to existing through-site link</b>  |   |                                |
| ⑤  | Central Laneway (Site 2A) - Widening of existing through-site link              | 81 sqm                         |
| ⑥  | Central Laneway (Site 2A) - Upgrades to existing through-site link              | 39 sqm                         |
| <b>New community centre</b>  |   |                                |
| ⑦  | Community centre, including ground floor lobby                                  | 876 sqm (GBA)<br>730 sqm (GFA) |
| <b>Public domain upgrades along Military Road frontage (outside of site boundary)</b>                            |   |                                |
| ⑧  | Public domain upgrades along Military Road (outside of site boundary)           | 449 sqm                        |





## 6 Proposed Planning Controls

The following amendments to the North Sydney Local Environmental Plan 2013 are sought to achieve the strategic vision and indicative concept scheme presented in this report.

## 6.1 Proposed HOB

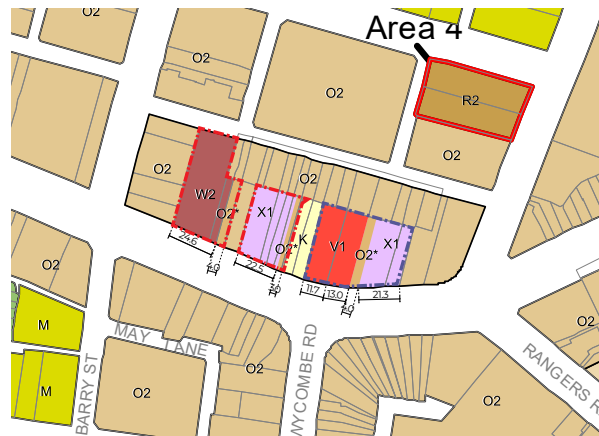


Figure 97. Proposed changes to the HOB map

### LEGEND

|  |   |   |
|--|---|---|
| <span style="border: 1px dashed red; padding: 2px;"> </span> Site 2A                             | <span style="background-color: #f4a460; border: 1px solid black; padding: 2px;"> </span> O2 - 16m   | <span style="background-color: #ff0000; border: 1px solid black; padding: 2px;"> </span> V1 - 36m |
| <span style="border: 1px dashed blue; padding: 2px;"> </span> Site 2B                            | <span style="background-color: #f4a460; border: 1px solid black; padding: 2px;"> </span> O2* - 16m (no change to the current permissible HOB) | <span style="background-color: #800000; border: 1px solid black; padding: 2px;"> </span> W2 - 42m |
| <span style="background-color: #ffff00; border: 1px solid black; padding: 2px;"> </span> K - 10m | <span style="background-color: #8b4513; border: 1px solid black; padding: 2px;"> </span> R2 - 22m   | <span style="background-color: #800080; border: 1px solid black; padding: 2px;"> </span> X1 - 45m |
| <span style="background-color: #008000; border: 1px solid black; padding: 2px;"> </span> M - 12m |   |   |

The permissible HOB for the site is proposed to be amended from the existing 16m to the various heights shown in the figure above and listed on the right, to be able to accommodate the following floor-to-floor heights:

- 4.5m - Ground floor retail
- 3.8m - Level 1 Community Centre / retail / commercial uses
- 3.2m - Upper level residential use
- 3.4m - Top level residential use
- 4.5m - Rooftop communal open space and associated shade structure(s), lift landing, lift overrun and rooftop plant

The various heights proposed for the site are calculated as follows:

### Site 2A

- **45m**
  - $4.5\text{m} + 3.8\text{m} + 3.2\text{m} (\times 9) + 3.4\text{m} + 4.5\text{m} = 45\text{m}$
- **42m**
  - $4.5\text{m} + 3.8\text{m} + 3.2\text{m} (\times 8) + 3.4\text{m} + 4.5\text{m} = 41.8\text{m}$   
(rounded up to 42m)
- **16m**
  - No change to the current permissible HOB for the western and central through-site links

### Site 2B

- **45m**
  - $4.5\text{m} + 3.8\text{m} + 3.2\text{m} (\times 9) + 3.4\text{m} + 4.5\text{m} = 45\text{m}$
- **36m**
  - $4.5\text{m} + 3.8\text{m} + 3.2\text{m} (\times 6) + 3.4\text{m} + 4.5\text{m} = 35.4\text{m}$   
(rounded up to 36m)
- **16m**
  - No change to the current permissible HOB for the eastern through-site link

## 6.2 Proposed Non-residential FSR



Figure 98. Proposed changes to the non-residential FSR map

### LEGEND

|   |  |
|---|--|
| <span style="border: 1px dashed red; padding: 2px;"> </span> Site 2A  | <span style="background-color: #00bfff; border: 1px solid black; padding: 2px;"> </span> D - 0.5:1 |
| <span style="border: 1px dashed blue; padding: 2px;"> </span> Site 2B | <span style="background-color: #f4a460; border: 1px solid black; padding: 2px;"> </span> P - 1.2:1 |

The minimum non-residential FSR control for the site is proposed to be increased from the existing 0.5:1 to **1.2:1**.

# 7 Supporting Studies

## 7.1 Yield Tables

The number of units shown in the yield tables in this section of the report has been derived from applying the following unit mix and size:

| Unit Type | Size    | Mix |
|-----------|---------|-----|
| 1 Bedroom | 60 sqm  | 20% |
| 2 Bedroom | 85 sqm  | 45% |
| 3 Bedroom | 110 sqm | 35% |

The total number of units (148 dwellings) shown below is approximate only and is subject to further design and the final unit mix and size. Retail and commercial uses indicated on the ground level and Level 1 are also indicative only and may be interchanged or replaced with other non-residential uses appropriate for the site.

### Yield Summary

| Name             | Levels | Height | Total GBA     | Total GFA     | Total NSA     | UNITS      | Site Area (m²) | FSR           | Non Residential FSR |
|------------------|--------|--------|---------------|---------------|---------------|------------|----------------|---------------|---------------------|
| <b>Site 2A</b>   |        |        |               |               |               |            | 2,350          |               |                     |
| Building 2A-1    | 11     | 41.8   | 8,593         | 6,393         | 5,400         | 47         |                |               |                     |
| Building 2A-2    | 12     | 45.0   | 7,536         | 5,618         | 4,751         | 44         |                |               |                     |
| <b>Sub-total</b> |        |        | <b>16,129</b> | <b>12,011</b> | <b>10,151</b> | <b>91</b>  | <b>2,350</b>   | <b>5.11:1</b> | <b>1.24:1</b>       |
|                  |        |        |               |               |               |            |                |               |                     |
| <b>Site 2B</b>   |        |        |               |               |               |            | 1,838          |               |                     |
| Building 2B-1    | 9      | 35.4   | 5,409         | 4,018         | 3,387         | 26         |                |               |                     |
| Building 2B-2    | 12     | 45.0   | 5,488         | 4,091         | 3,457         | 31         |                |               |                     |
| <b>Sub-total</b> |        |        | <b>10,897</b> | <b>8,109</b>  | <b>6,844</b>  | <b>57</b>  | <b>1,838</b>   | <b>4.41:1</b> | <b>1.35:1</b>       |
| <b>Total</b>     |        |        | <b>27,026</b> | <b>20,120</b> | <b>16,996</b> | <b>148</b> | <b>4,188</b>   | <b>4.80:1</b> | <b>1.30:1</b>       |

|                  |               |
|------------------|---------------|
| Residential GFA  | 14,724        |
| Retail GFA       | 2,096         |
| Commercial GFA   | 2,570         |
| Community GFA    | 730           |
| <b>Total GFA</b> | <b>20,120</b> |



## Building 2A-1

|               | LEVEL             | HEIGHTS       | GBA              | USE         | %   | GFA              | %   | NSA              | Type+ Size       | Mix | # Units   |
|---------------|-------------------|---------------|------------------|-------------|-----|------------------|-----|------------------|------------------|-----|-----------|
| <b>Totals</b> | <b>11 stories</b> | <b>41.8 m</b> | <b>8,093 sqm</b> |             |     | <b>6,393 sqm</b> |     | <b>5,400 sqm</b> |                  |     | <b>47</b> |
| Sub totals    | lift overrun      | 4.5 m         |                  | Residential |     | 4,685 sqm        |     | 3,982 sqm        | 1Bed 60 sqm 20%  |     | 13        |
|               |                   |               |                  | Retail      |     | 650 sqm          |     | 520 sqm          | 2Bed 85 sqm 45%  |     | 21        |
|               |                   |               |                  | Commercial  |     | 329 sqm          |     | 280 sqm          | 3Bed 110 sqm 35% |     | 13        |
|               |                   |               |                  | Community   |     | 730 sqm          |     | 618 sqm          |                  |     |           |
|               | Ground            | 4.5           | 1,084            | Retail      | 60% | 650              | 80% | 520              |                  |     |           |
|               |                   |               | 60               | Community   | 60% | 36               | 80% | 29               |                  |     |           |
|               | 1                 | 3.8           | 816              | Community   | 85% | 694              | 85% | 590              |                  |     |           |
|               |                   |               |                  | Commercial  | 85% | 387              | 85% | 329              |                  |     |           |
|               | 2                 | 3.2           | 794              | Residential | 75% | 590              | 85% | 506              |                  |     |           |
|               | 3                 | 3.2           | 794              | Residential | 75% | 590              | 85% | 506              |                  |     |           |
|               | 4                 | 3.2           | 794              | Residential | 75% | 590              | 85% | 506              |                  |     |           |
|               | 5                 | 3.2           | 794              | Residential | 75% | 590              | 85% | 506              |                  |     |           |
|               | 6                 | 3.2           | 614              | Residential | 75% | 461              | 85% | 391              |                  |     |           |
|               | 7                 | 3.2           | 614              | Residential | 75% | 461              | 85% | 391              |                  |     |           |
|               | 8                 | 3.2           | 614              | Residential | 75% | 461              | 85% | 391              |                  |     |           |
|               | 9                 | 3.2           | 614              | Residential | 75% | 461              | 85% | 391              |                  |     |           |
|               | 10                | 3.4           | 614              | Residential | 75% | 461              | 85% | 391              |                  |     |           |

## Building 2A-2

|               | LEVEL             | HEIGHTS     | GBA              | USE         | %   | GFA              | %   | NSA              | Type+ Size       | Mix | # Units   |
|---------------|-------------------|-------------|------------------|-------------|-----|------------------|-----|------------------|------------------|-----|-----------|
| <b>Totals</b> | <b>12 stories</b> | <b>45 m</b> | <b>7,536 sqm</b> |             |     | <b>5,618 sqm</b> |     | <b>4,751 sqm</b> |                  |     | <b>44</b> |
| Sub totals    | lift overrun      | 4.5 m       |                  | Residential |     | 4,418 sqm        |     | 3,755 sqm        | 1Bed 60 sqm 20%  |     | 13        |
|               |                   |             |                  | Retail      |     | 477 sqm          |     | 382 sqm          | 2Bed 85 sqm 45%  |     | 20        |
|               |                   |             |                  | Commercial  |     | 723 sqm          |     | 615 sqm          | 3Bed 110 sqm 35% |     | 12        |
|               | Ground            | 4.5         | 795              | Retail      | 60% | 477              | 80% | 382              |                  |     |           |
|               | 1                 | 3.8         | 851              | Commercial  | 85% | 723              | 85% | 615              |                  |     |           |
|               | 2                 | 3.2         | 589              | Residential | 75% | 442              | 85% | 375              |                  |     |           |
|               | 3                 | 3.2         | 589              | Residential | 75% | 442              | 85% | 375              |                  |     |           |
|               | 4                 | 3.2         | 589              | Residential | 75% | 442              | 85% | 375              |                  |     |           |
|               | 5                 | 3.2         | 589              | Residential | 75% | 442              | 85% | 375              |                  |     |           |
|               | 6                 | 3.2         | 589              | Residential | 75% | 442              | 85% | 375              |                  |     |           |
|               | 7                 | 3.2         | 589              | Residential | 75% | 442              | 85% | 375              |                  |     |           |
|               | 8                 | 3.2         | 589              | Residential | 75% | 442              | 85% | 375              |                  |     |           |
|               | 9                 | 3.2         | 589              | Residential | 75% | 442              | 85% | 375              |                  |     |           |
|               | 10                | 3.2         | 589              | Residential | 75% | 442              | 85% | 375              |                  |     |           |
|               | 11                | 3.4         | 589              | Residential | 75% | 442              | 85% | 375              |                  |     |           |

## Building 2B-1

|               | LEVEL            | HEIGHTS       | GBA              | USE         | %   | GFA              | %   | NSA              | Type+ Size       | Mix | # Units   |
|---------------|------------------|---------------|------------------|-------------|-----|------------------|-----|------------------|------------------|-----|-----------|
| <b>Totals</b> | <b>9 stories</b> | <b>35.4 m</b> | <b>5,409 sqm</b> |             |     | <b>4,016 sqm</b> |     | <b>3,387 sqm</b> |                  |     | <b>26</b> |
| Sub totals    | lift overrun     | 4.5 m         |                  | Residential |     | 2,569 sqm        |     | 2,183 sqm        | 1Bed 60 sqm 20%  |     | 7         |
|               |                  |               |                  | Retail      |     | 569 sqm          |     | 455 sqm          | 2Bed 85 sqm 45%  |     | 12        |
|               |                  |               |                  | Commercial  |     | 881 sqm          |     | 749 sqm          | 3Bed 110 sqm 35% |     | 7         |
|               | Ground           | 4.5           | 948              | Retail      | 60% | 569              | 80% | 455              |                  |     |           |
|               | 1                | 3.8           | 1,036            | Commercial  | 85% | 881              | 85% | 749              |                  |     |           |
|               | 2                | 3.2           | 544              | Residential | 75% | 408              | 85% | 347              |                  |     |           |
|               | 3                | 3.2           | 544              | Residential | 75% | 408              | 85% | 347              |                  |     |           |
|               | 4                | 3.2           | 544              | Residential | 75% | 408              | 85% | 347              |                  |     |           |
|               | 5                | 3.2           | 544              | Residential | 75% | 408              | 85% | 347              |                  |     |           |
|               | 6                | 3.2           | 544              | Residential | 75% | 408              | 85% | 347              |                  |     |           |
|               | 7                | 3.2           | 446              | Residential | 75% | 335              | 85% | 284              |                  |     |           |
|               | 8                | 3.4           | 259              | Residential | 75% | 194              | 85% | 165              |                  |     |           |

## Building 2B-2

|               | LEVEL             | HEIGHTS     | GBA              | USE         | %   | GFA              | %   | NSA              | Type+ Size       | Mix | # Units   |
|---------------|-------------------|-------------|------------------|-------------|-----|------------------|-----|------------------|------------------|-----|-----------|
| <b>Totals</b> | <b>12 stories</b> | <b>45 m</b> | <b>5,488 sqm</b> |             |     | <b>4,091 sqm</b> |     | <b>3,487 sqm</b> |                  |     | <b>31</b> |
| Sub totals    | lift overrun      | 4.5 m       |                  | Residential |     | 3,053 sqm        |     | 2,595 sqm        | 1Bed 60 sqm 20%  |     | 9         |
|               |                   |             |                  | Retail      |     | 400 sqm          |     | 320 sqm          | 2Bed 85 sqm 45%  |     | 14        |
|               |                   |             |                  | Commercial  |     | 638 sqm          |     | 542 sqm          | 3Bed 110 sqm 35% |     | 8         |
|               | Ground            | 4.5         | 687              | Retail      | 60% | 400              | 80% | 320              |                  |     |           |
|               | 1                 | 3.8         | 750              | Commercial  | 85% | 638              | 85% | 542              |                  |     |           |
|               | 2                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 3                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 4                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 5                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 6                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 7                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 8                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 9                 | 3.2         | 328              | Residential | 75% | 246              | 85% | 209              |                  |     |           |
|               | 10                | 3.2         | 328              | Residential | 75% | 246              | 85% | 209              |                  |     |           |
|               | 11                | 3.4         | 328              | Residential | 75% | 246              | 85% | 209              |                  |     |           |

## 7.2 Indicative Typical Floor Plans

The typical floor plans presented in this section of the report illustrate one way of configuring the internal layout of the residential levels in the proposed buildings. They are indicative only and are subject to further design.

### Building 2A-1

|                              |           |             |
|------------------------------|-----------|-------------|
| 1 Bedroom                    | 13        | 29%         |
| 2 Bedroom                    | 17        | 39%         |
| 3 Bedroom                    | 14        | 32%         |
| <b>Total number of units</b> | <b>44</b> | <b>100%</b> |

### Building 2A-2

|                              |           |             |
|------------------------------|-----------|-------------|
| 1 Bedroom                    | -         | -           |
| 2 Bedroom                    | 10        | 25%         |
| 3 Bedroom                    | 30        | 75%         |
| <b>Total number of units</b> | <b>40</b> | <b>100%</b> |

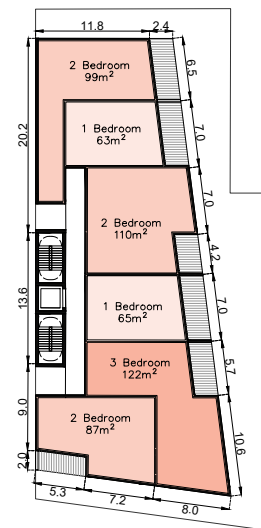


Figure 99. Building 2A-1 - Levels 2-5

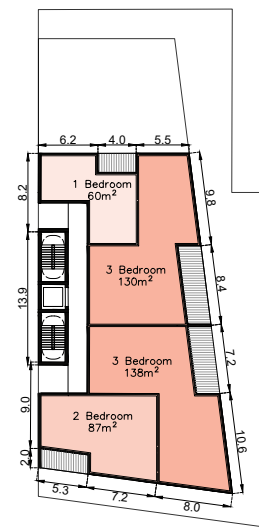


Figure 100. Building 2A-1 - Levels 6-10

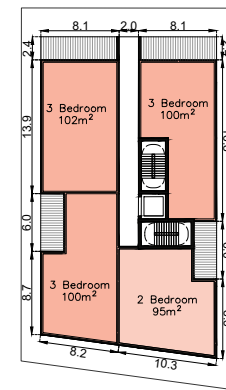


Figure 101. Building 2A-2 - Levels 2-11

#### LEGEND

- 1 Bedroom
- 2 Bedroom
- 3 Bedroom

1 5 10 15 20 25m  
1:500 @ A3



**Building 2B-1**

|                              |           |             |
|------------------------------|-----------|-------------|
| 1 Bedroom                    | 6         | 25%         |
| 2 Bedroom                    | 11        | 46%         |
| 3 Bedroom                    | 7         | 29%         |
| <b>Total number of units</b> | <b>24</b> | <b>100%</b> |

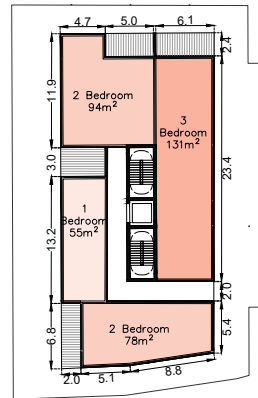


Figure 102. Building 2B-1 - Levels 2-6

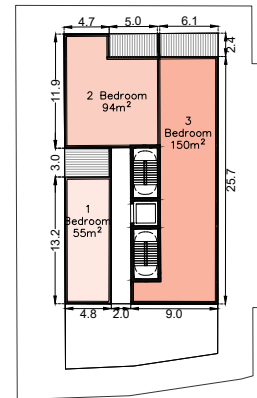


Figure 103. Building 2B-1 - Level 7

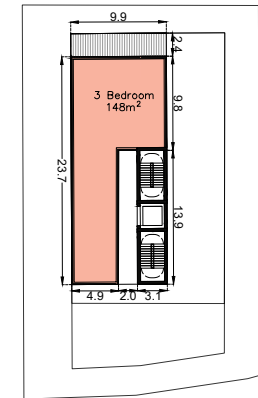


Figure 104. Building 2B-1 - Level 8

**Building 2B-2**

|                              |           |             |
|------------------------------|-----------|-------------|
| 1 Bedroom                    | 10        | 37%         |
| 2 Bedroom                    | 7         | 26%         |
| 3 Bedroom                    | 10        | 37%         |
| <b>Total number of units</b> | <b>27</b> | <b>100%</b> |

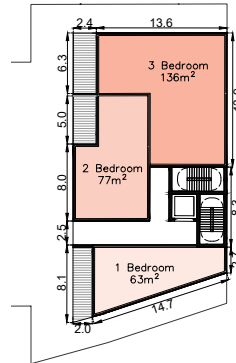


Figure 105. Building 2B-2 - Levels 2-8

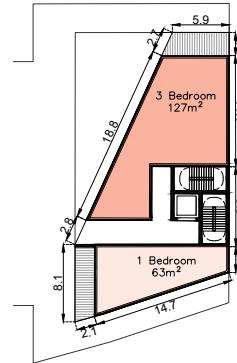


Figure 106. Building 2B-2 - Levels 9-11

## LEGEND

- 1 Bedroom
- 2 Bedroom
- 3 Bedroom

1 5 10 15 20 25m  
1:500 @ A3



## 7.3 Key ADG Compliance Diagrams

The ADG requires:

- Living rooms and private open spaces of at least 70% of apartments in a building to receive a minimum of 2 hours direct sunlight between 9am-3pm at mid-winter.
- At least 60% of apartments in a building to be naturally cross ventilated.

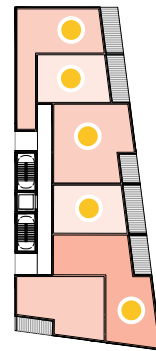
The diagrams presented in this section of the report demonstrate that the proposal is capable of meeting the above requirements.

### Building 2A-1

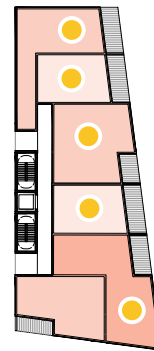
#### Solar access

This building is capable of meeting the 70% requirement.

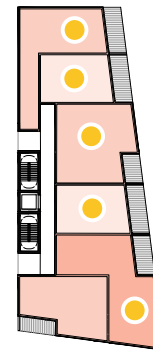
|                       |            |
|-----------------------|------------|
| Total number of units | 44         |
| Compliant units       | 35         |
| <b>Compliance</b>     | <b>79%</b> |



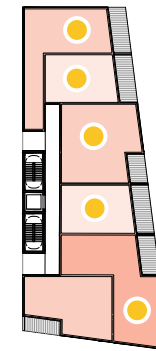
Level 2 - 3/4



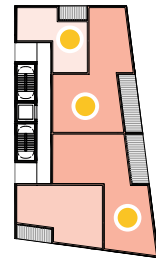
Level 3 - 3/4



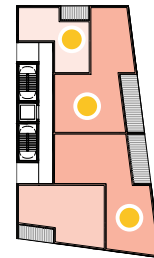
Level 4 - 3/4



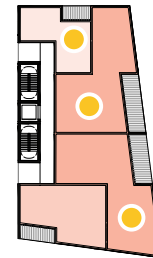
Level 5 - 3/4



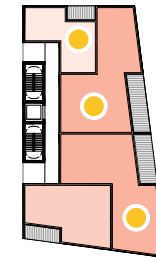
Level 6 - 2/3



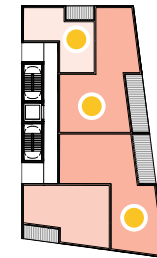
Level 7 - 2/3



Level 8 - 2/3




Level 9 - 2/3



Level 10 - 2/3

Figure 107. Building 2A-1 - solar access diagrams

Not to scale 

#### LEGEND

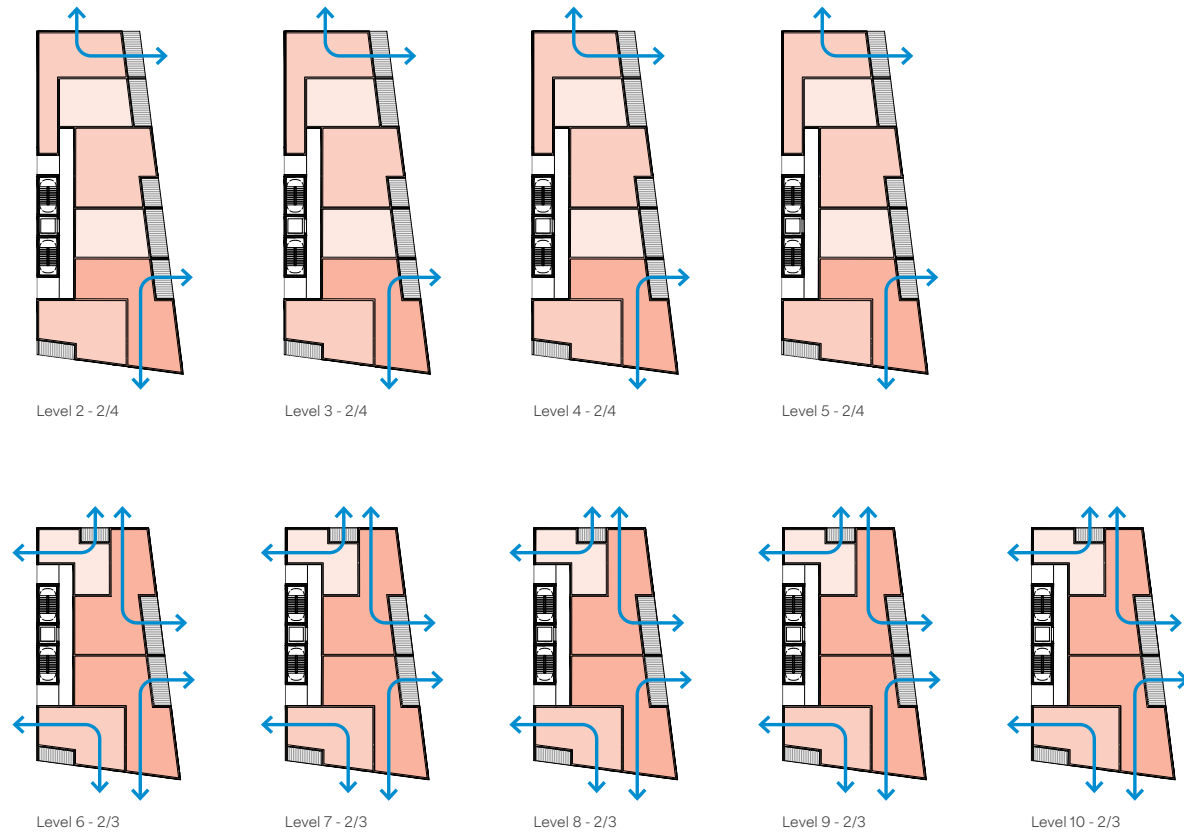
- Solar access - compliant units



**Building 2A-1****Cross ventilation**

This building is capable of meeting the 60% requirement.

|                       |            |
|-----------------------|------------|
| Total number of units | 44         |
| Compliant units       | 28         |
| <b>Compliance</b>     | <b>63%</b> |



**Figure 108.** Building 2A-1 - cross ventilation diagrams

Not to scale

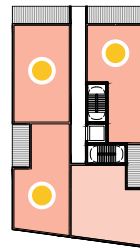
**LEGEND**

Cross ventilation - compliant units

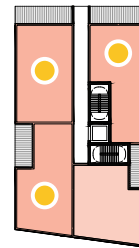
**Building 2A-2****Solar access**

This building is capable of meeting the 70% requirement.

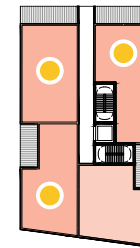
|                       |            |
|-----------------------|------------|
| Total number of units | 40         |
| Compliant units       | 30         |
| <b>Compliance</b>     | <b>75%</b> |



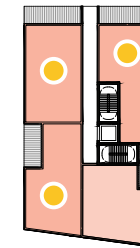
Level 2 - 3/4



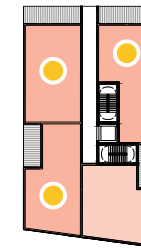
Level 3 - 3/4



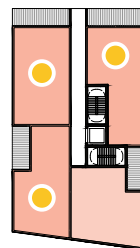
Level 4 - 3/4



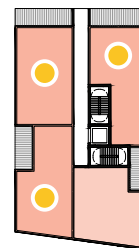
Level 5 - 3/4



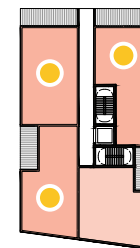
Level 6 - 3/4



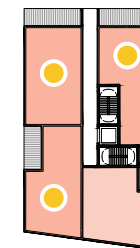
Level 7 - 3/4



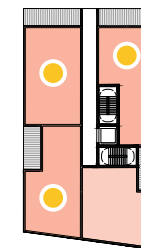
Level 8 - 3/4



Level 9 - 3/4



Level 10 - 3/4



Level 11 - 3/4

**Figure 109.** Building 2A-2 - solar access diagrams

Not to scale

**LEGEND**

● Solar access - compliant units

**Building 2A-2****Cross ventilation**

This building is capable of meeting the 60% requirement.

|                       |             |
|-----------------------|-------------|
| Total number of units | 40          |
| Compliant units       | 40          |
| <b>Compliance</b>     | <b>100%</b> |

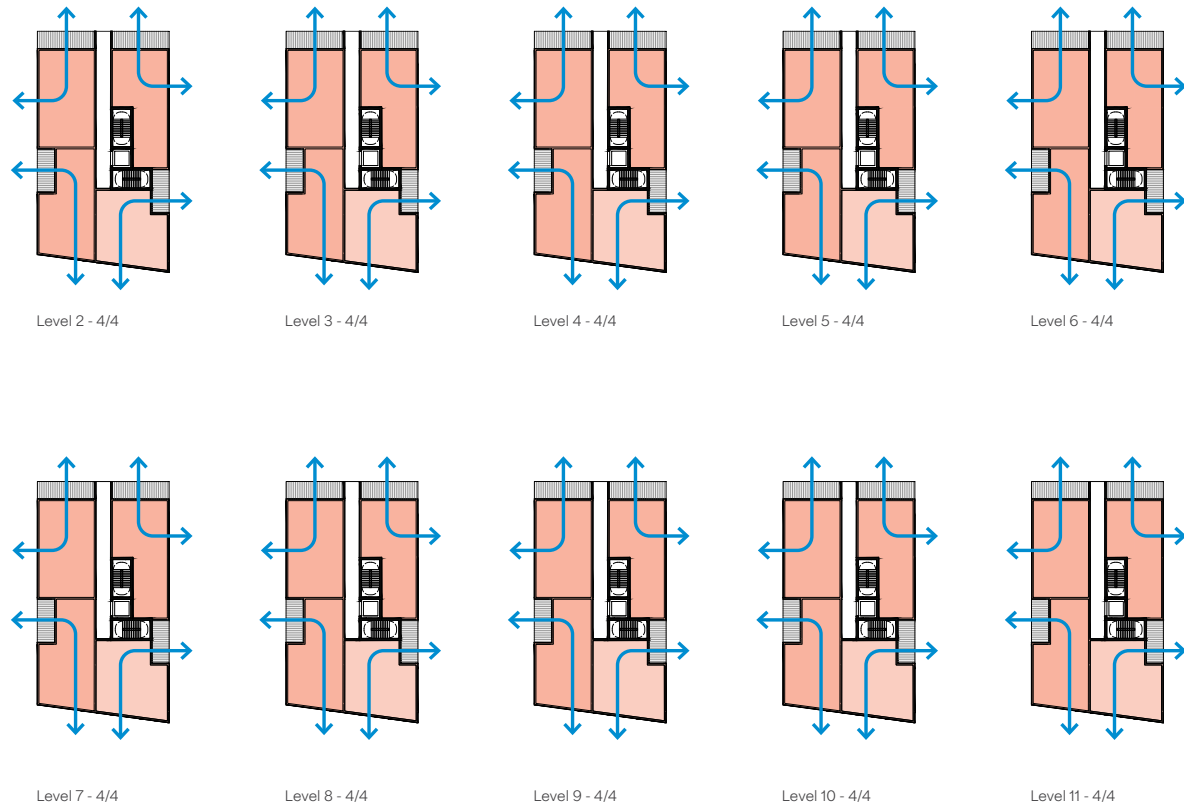


Figure 110. Building 2A-2 - cross ventilation diagrams

Not to scale

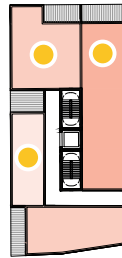
## LEGEND

↔ Cross ventilation - compliant units

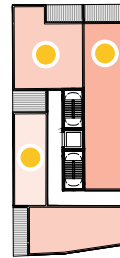
**Building 2B-1****Solar access**

This building is capable of meeting the 70% requirement.

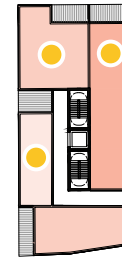
|                       |            |
|-----------------------|------------|
| Total number of units | 24         |
| Compliant units       | 20         |
| <b>Compliance</b>     | <b>83%</b> |



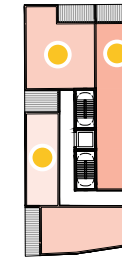
Level 2 - 3/4



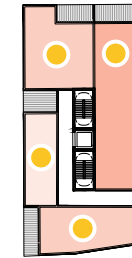
Level 3 - 3/4



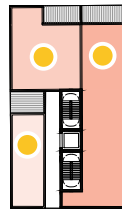
Level 4 - 3/4



Level 5 - 3/4



Level 6 - 4/4



Level 7 - 3/3



Level 8 - 1/1

Figure 111. Building 2B-1 - solar access diagrams

Not to scale

## LEGEND

● Solar access - compliant units



**Building 2B-1****Cross ventilation**

This building is capable of meeting the 60% requirement.

|                       |            |
|-----------------------|------------|
| Total number of units | 24         |
| Compliant units       | 19         |
| <b>Compliance</b>     | <b>79%</b> |

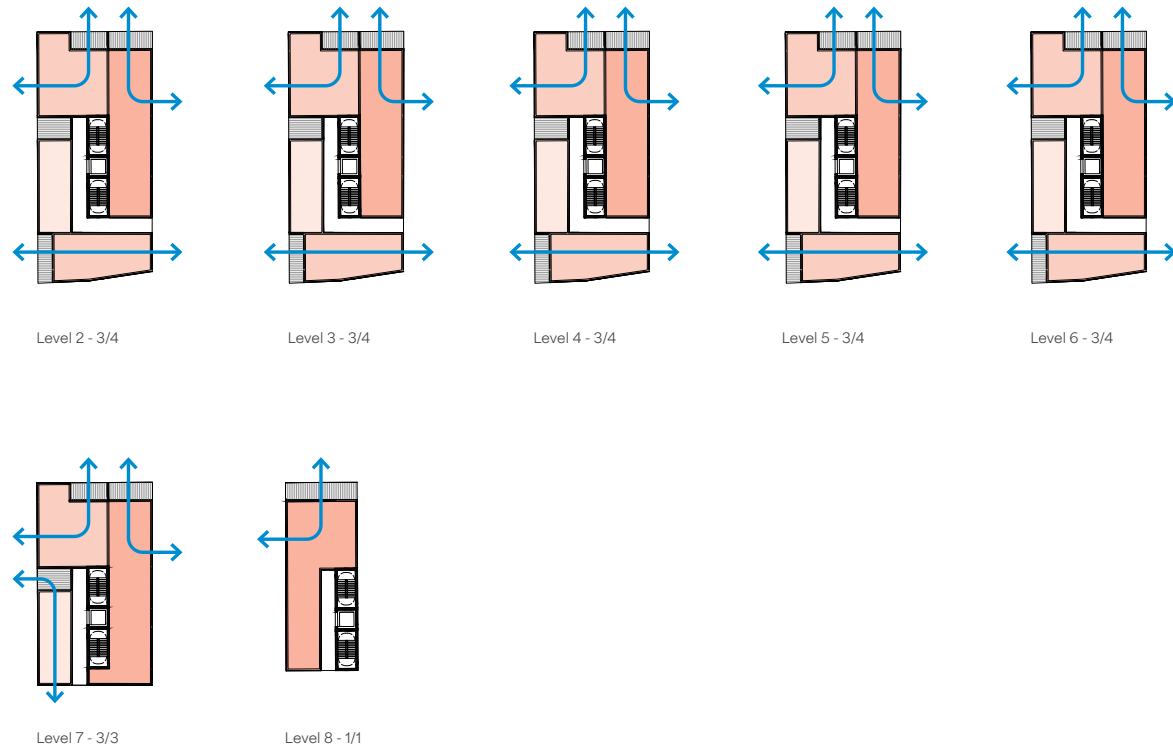


Figure 112. Building 2B-1 - cross ventilation diagrams

Not to scale

## LEGEND

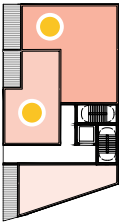
Cross ventilation - compliant units

**Building 2B-2**

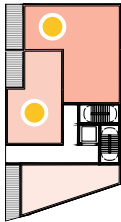
**Solar access**

This building is capable of meeting the 70% requirement.

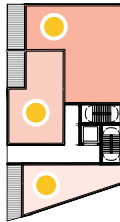
|                       |     |
|-----------------------|-----|
| Total number of units | 27  |
| Compliant units       | 25  |
| Compliance            | 92% |



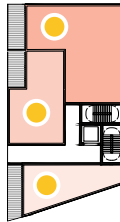
Level 2 - 2/3



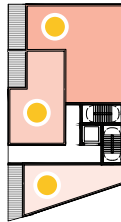
Level 3 - 2/3



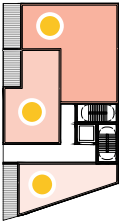
Level 4 - 3/3



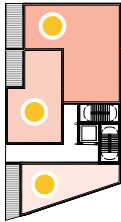
Level 5 - 3/3



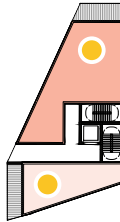
Level 6 - 3/3



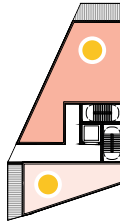
Level 7 - 3/3



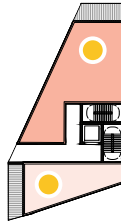
Level 8 - 3/3



Level 9 - 2/2



Level 10 - 2/2



Level 11 - 2/2

Figure 113. Building 2B-2 - solar access diagrams

Not to scale 

LEGEND  
● Solar access - compliant units

**Building 2B-2****Cross ventilation**

This building is capable of meeting the 60% requirement.

|                       |            |
|-----------------------|------------|
| Total number of units | 27         |
| Compliant units       | 20         |
| <b>Compliance</b>     | <b>74%</b> |

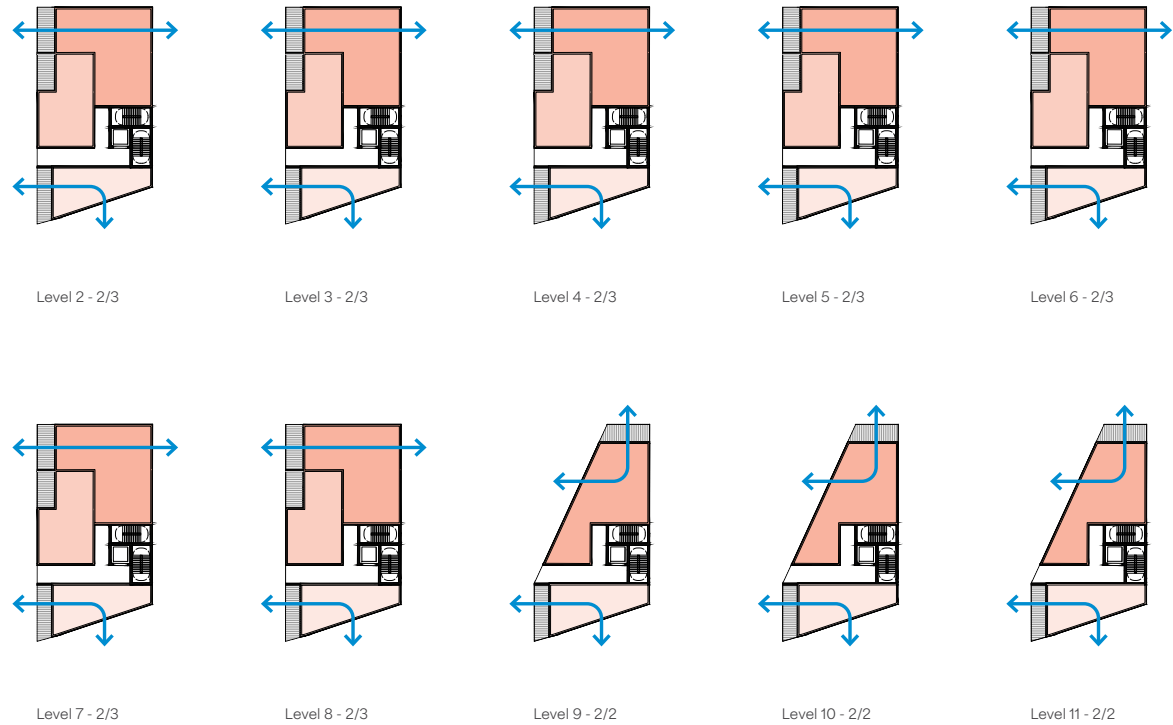


Figure 114. Building 2B-2 - cross ventilation diagrams

Not to scale

## LEGEND

↔ Cross ventilation - compliant units

## 7.4 Solar Access to Communal Open Spaces

The ADG requires:

- Minimum 25% of the site area to be provided as communal open space (C.O.S.).
- Minimum 2 hours of direct sunlight to be provided to at least 50% of the principal usable part of the C.O.S. between 9am-3pm at mid-winter.

The C.O.S. locations and areas shown on the right are indicative only and are subject to change and further design. They are intended to demonstrate that the proposal is capable of meeting the above requirements.

Furthermore, as outlined in Section 2.2, the site is located in close proximity to a number of public open spaces, including the future Grosvenor Plaza that adjoins the site, providing additional open space amenity for future residents.

### Site 2A

This site is able to meet the C.O.S. requirements.

|   |           |                  |  |
|---|-----------|------------------|--|
| Site area   | 2,350 sqm |                  |  |
| Minimum requirements  | 587 sqm   | 25% of site area | 50% of C.O.S. area to receive at least 2 hours direct sunlight at mid-winter   |
| Indicative C.O.S. provided on rooftops of Buildings 2B-1 and 2B-2 | 717 sqm   | 30% of site area | 85-100% of C.O.S. area receives at least 2 hours direct sunlight at mid-winter |

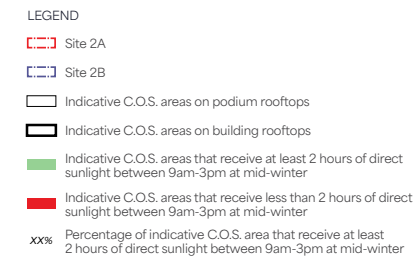
### Site 2B

This site is able to meet the C.O.S. requirements.

|   |           |                  |  |
|---|-----------|------------------|--|
| Site area   | 1,838 sqm |                  |  |
| Minimum requirements  | 460 sqm   | 25% of site area | 50% of C.O.S. area to receive at least 2 hours direct sunlight at mid-winter   |
| Indicative C.O.S. provided on rooftops of Buildings 2B-1 and 2B-2 | 579 sqm   | 31% of site area | 68-100% of C.O.S. area receives at least 2 hours direct sunlight at mid-winter |



Figure 115. Communal open space - solar access diagram





## 7.5 Solar Access to Public Open Spaces

### May Gibbs Place and Rangers Road Plaza

The NBVPS requires solar access to be provided to a minimum 50% of the site area of May Gibbs Place and Rangers Road Plaza between 10am-1pm at mid-winter.

The shadow diagrams on the right demonstrate that the proposal does not overshadow either of these open spaces between these hours.



Figure 116. June 21 - 9am



Figure 117. June 21 - 10am



Figure 118. June 21 - 11am

## 7.6 Solar Access to 183-185 Military Road

### Future Development with Gateway Approval

The proposed 12-storey development at 183-185 Military Road, which consists of residential uses in its upper levels, has recently received conditional gateway approval. Sufficient solar access will need to be provided to its north-facing units in accordance with the ADG.

The shadow diagrams on the right demonstrate that the proposal will only start to overshadow 183-185 Military Road at 12pm at mid-winter. The north-facing units at 183-185 Military Road will receive the minimum 2 hours of direct sunlight required by the ADG in the morning.



Figure 119. June 21 - 12pm

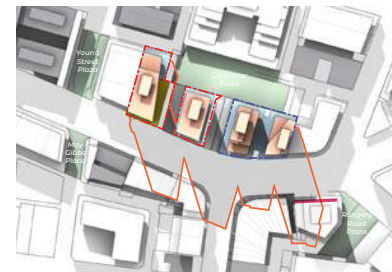


Figure 120. June 21 - 1pm

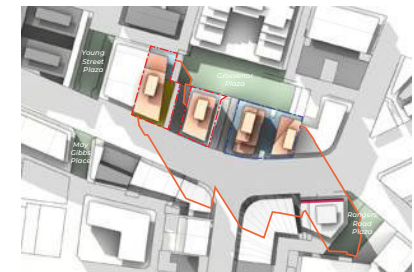


Figure 121. June 21 - 2pm

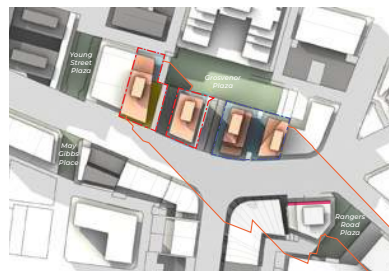


Figure 122. June 21 - 3pm

#### LEGEND

- Site 2A
- Site 2B
- Existing buildings
- Indicative future built form context
- Extent of shadows cast by the proposal
- Public open spaces
- North-facing residential interface at 183-185 Military Road

## 7.7 Solar Access to 165-173 Military Road

As discussed in Sections 2.10 and 3.3, the Development Application for a 5-storey mixed use development at 165-173 Military Road has recently been approved. It will consist of ground floor retail with a total of 18 residential units above. Uses by level are as follows:

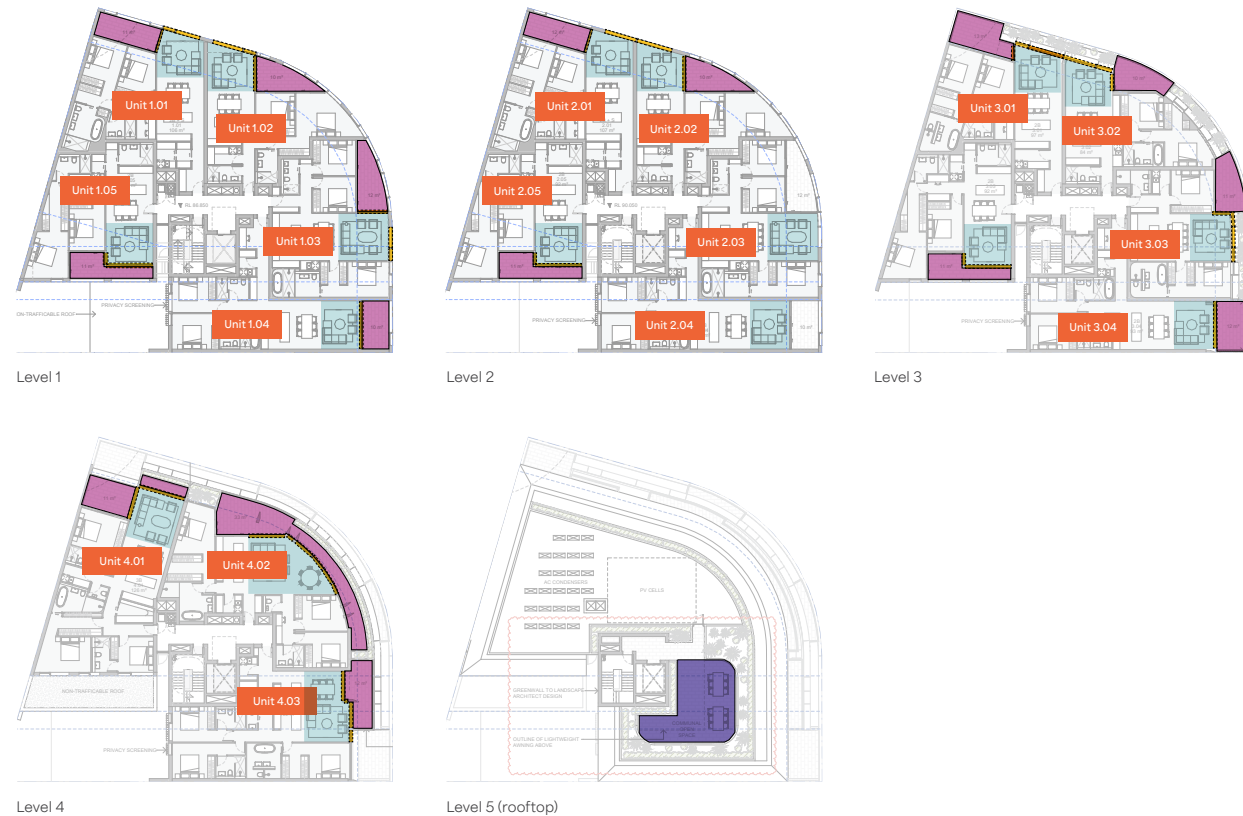
- Ground (not shown) - Retail, services and vehicle access
- Level 1 - 5 residential units
- Level 2 - 5 residential units
- Level 3 - 5 residential units
- Level 4 - 3 residential units
- Level 5 - Communal Open Space

The living rooms, windows / sliding doors to living rooms and private open spaces for the residential units and the communal open space of 165-173 Military Road are identified on the right.

Redevelopment of the subject site should seek to minimise its overshadowing impact on these interfaces to ensure that it is able to meet the ADG solar access requirements.

### Solar Analysis Approach

The solar analysis of 165-173 Military Road outlined in this section of the report has been prepared with reference to Objective 3B-2 of the ADG: "overshadowing of neighbouring properties is minimised during mid-winter".



**Figure 123.** Identification of living rooms, windows / sliding doors to living rooms, private open spaces and communal spaces at 165-173 Military Road  
Source: Floor plans by EM BE CE Architects with overlay by Ethos Urban

#### LEGEND

- |  |   |
|--|---|
| <span style="display: inline-block; width: 15px; height: 10px; background-color: lightblue; border: 1px solid black;"></span> Living rooms | <span style="display: inline-block; width: 15px; height: 10px; background-color: pink; border: 1px solid black;"></span> Private open spaces      |
| <span style="display: inline-block; width: 15px; height: 10px; border: 2px dashed yellow;"></span> Windows / sliding doors to living rooms | <span style="display: inline-block; width: 15px; height: 10px; background-color: darkblue; border: 1px solid black;"></span> Communal open spaces |

### Solar Criteria

- Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am-3pm at mid-winter.
  - At least 13 of the 18 units in the 165-173 Military Road building will need to meet this requirement to comply with the above.
- A maximum of 15% of apartments in a building receive no direct sunlight between 9am-3pm at mid-winter.
  - Up to 3 of the 18 units in the 165-173 Military Road building is allowed to receive no direct sunlight to comply with the above.\*
- At least 50% of the principal usable part of the communal open space receives a minimum of 2 hours of direct sunlight between 9am-3pm at mid-winter.

\*The approved development consists of 6 units that do not comply with this requirement.

### Measuring Sunlight

- Living room windows
  - Measure the area of sunlight (minimum 1 sqm for at least 15 minutes) to living room windows on the glazed (vertical) surface of the windows / sliding doors (shown as yellow surfaces).
- Private open spaces (P.O.S.)
  - Measure the area of sunlight (minimum 1 sqm for at least 15 minutes) for P.O.S. on an imaginary horizontal plane 1m above the floor level of the P.O.S. (shown as purple surfaces).
- Communal open space (C.O.S.)
  - Measure the area of sunlight to the principal usable part of the C.O.S. (shown as the light purple surface).

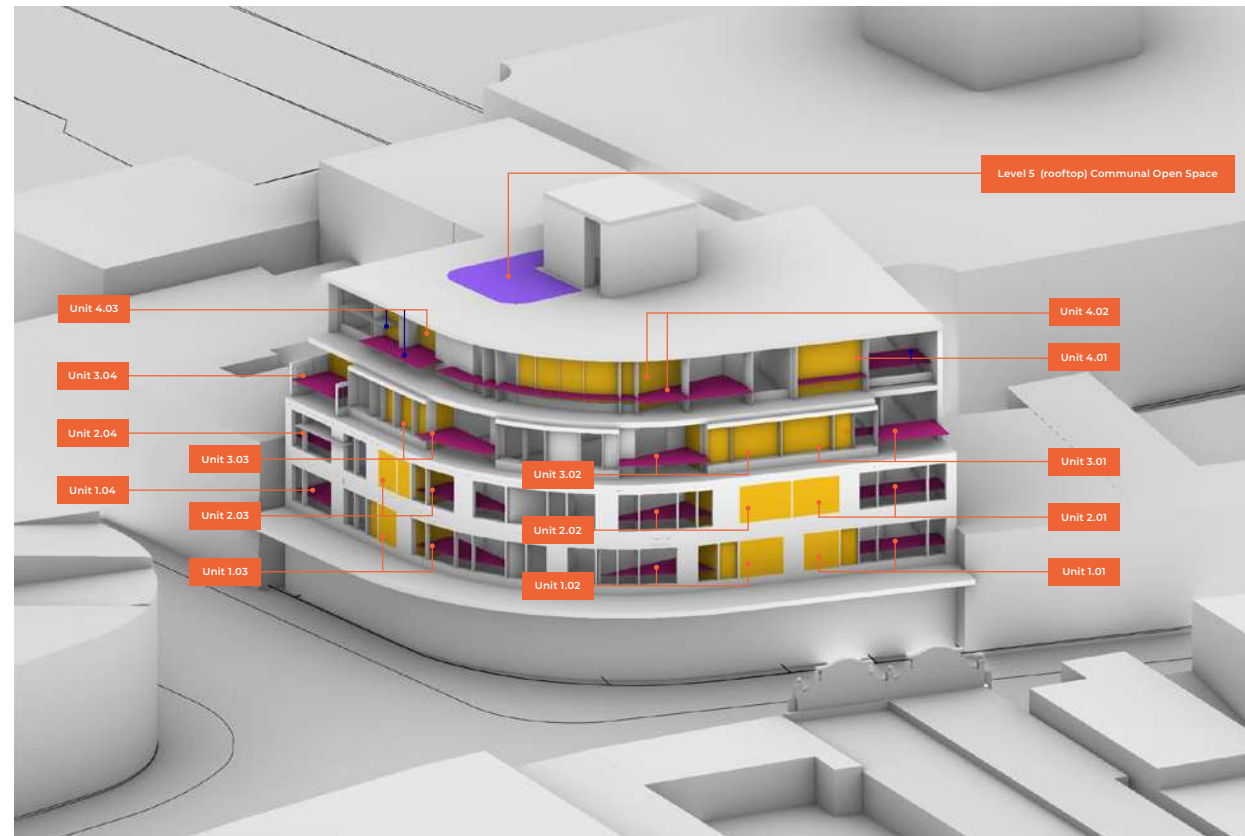


Figure 124. 3D view of the surfaces analysed as part of the solar analysis for 165-173 Military Road

#### LEGEND

- Windows / sliding doors to living rooms
- Private open spaces
- Communal open spaces

**Note:** Only windows / sliding doors to living rooms and private open spaces are shown in the figure above. Walls and openings on the ground level (retail use) as well as internal and external walls on the upper levels that do not impact the solar analysis have been excluded from the model.

Comparison of Overshadowing Impacts

Base Case (Existing Conditions)

Detailed solar analysis for 165-173 Military Road has been undertaken under the existing built form conditions to establish a 'base case' for comparison purposes. The solar access compliance for living rooms and private open spaces are summarised below.

| Base Case (Existing Conditions)                                | No. of units | Compliance across building |
|--|--------------|----------------------------|
| Units with at least 2 hours of direct sunlight to living rooms | 11           | 61%                        |
| Units with at least 2 hours of direct sunlight to P.O.S.       | 13           | 72%                        |

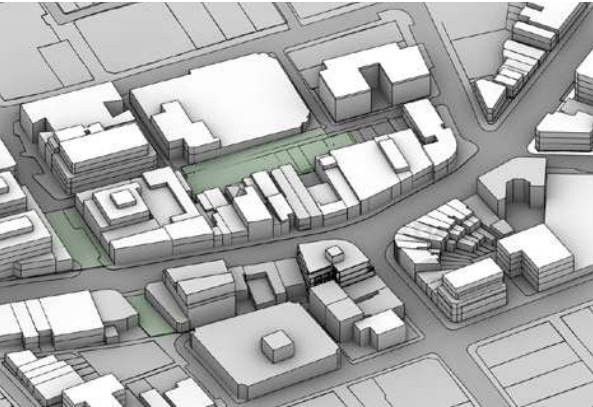


Figure 125. Base case (existing conditions)

MRCPS Scheme

As previously outlined in Section 1.4, the 12-storey scheme presented in the MRCPS provides a reasonable benchmark for increased density on the site. Detailed solar analysis revealed that when compared with the base case (existing conditions), the MRCPS scheme reduces the solar compliance of living rooms (3 units) and private open spaces (2 units), thus reducing the overall compliance of the building.

| MRCPS Scheme   | No. of units | Compliance across building |
|--|--------------|----------------------------|
| Units with at least 2 hours of direct sunlight to living rooms | 8            | 44%                        |
| Units with at least 2 hours of direct sunlight to P.O.S.       | 11           | 61%                        |

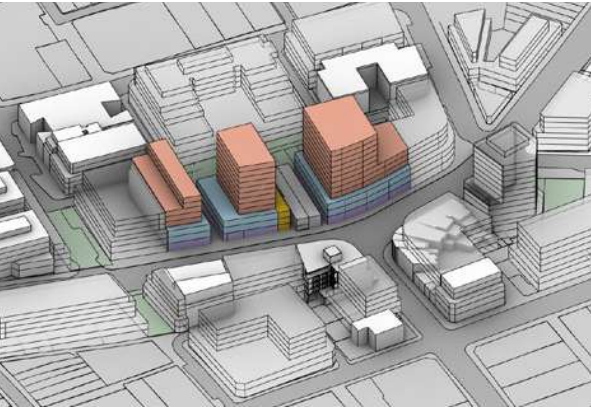


Figure 126. MRCPS scheme within its indicative future built form context (as per the MRCPS)

The Proposal

Detailed solar analysis has also been undertaken for the proposal to identify its overshadowing impact when compared with the base case (existing conditions) and the MRCPS scheme. The analysis revealed that when compared with the base case (existing conditions), the proposal does not reduce the overall solar compliance to the living rooms and private open space, thus retaining the overall compliance of the building and performing better than the MRCPS scheme.

| The Proposal   | No. of units | Compliance across building |
|--|--------------|----------------------------|
| Units with at least 2 hours of direct sunlight to living rooms | 11           | 61%                        |
| Units with at least 2 hours of direct sunlight to P.O.S.       | 13           | 72%                        |

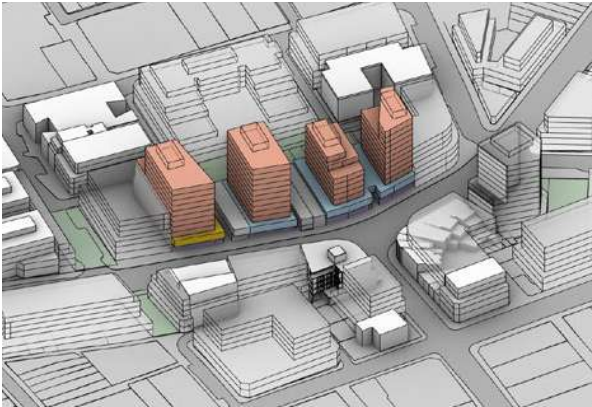


Figure 127. The proposal within its indicative future built form context (as per the MRCPS)



Overshadowing Impact on Living Rooms

Base Case (Existing Conditions)

In the base case (existing conditions), the overall building achieves 61% compliance for its solar access to living rooms.

| Living rooms  | No. of units | Compliance across building |
|---|--------------|----------------------------|
| Units with at least 2 hours of direct sunlight to living rooms  | 11           | 61%                        |
| Units with less than 2 hours of direct sunlight to living rooms | 2            | 11%                        |
| Units with no direct sunlight to living rooms                   | 5            | 28%                        |
| Total no. of units in building                                  | 18           |                            |

| Level | Unit | Living room |
|-------|------|-------------|
| 1     | 1.01 | Y           |
|       | 1.02 | Y           |
|       | 1.03 | Y           |
|       | 1.04 | N           |
|       | 1.05 | N           |
| 2     | 2.01 | Y           |
|       | 2.02 | Y           |
|       | 2.03 | Y           |
|       | 2.04 | N           |
|       | 2.05 | N           |
| 3     | 3.01 | Y           |
|       | 3.02 | Y           |
|       | 3.03 | Y           |
|       | 3.04 | N           |
|       | 3.05 | N           |
| 4     | 4.01 | Y           |
|       | 4.02 | Y           |
|       | 4.03 | N           |

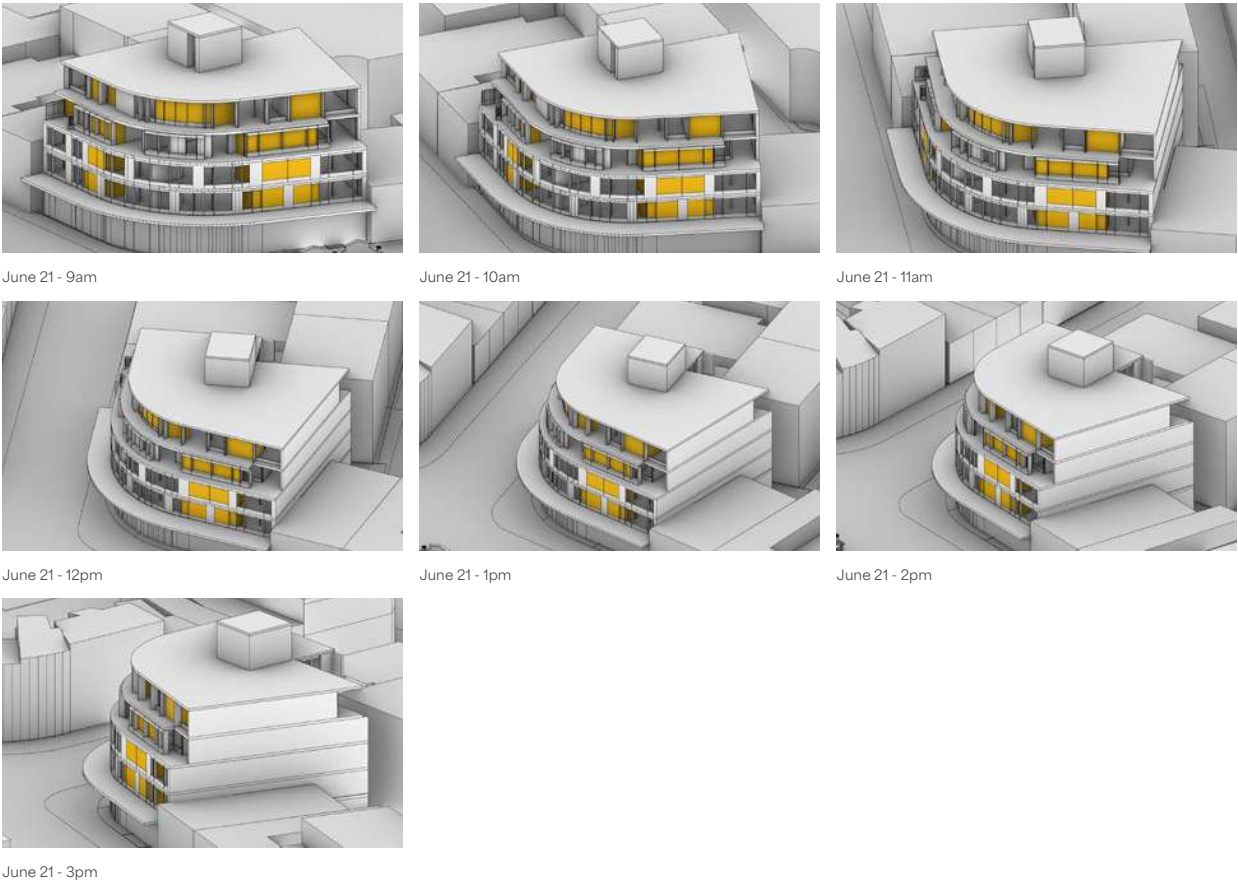


Figure 128. Base case (existing conditions) - sun eye diagrams to windows / sliding doors to living rooms of 165-173 Military Road

LEGEND

Y

Receives at least 2 hours of direct sunlight between 9am and 3pm at mid-winter

N

Receives less than 2 hours of direct sunlight between 9am and 3pm at mid-winter

Existing context buildings

Windows / sliding doors to living rooms

### MRCPS Scheme + Indicative Future Built Form Context

When compared with the base case (existing conditions), the MRCPS scheme will reduce the compliance of 3 units, reducing the overall building compliance from 61% to 44%.

| Living rooms  | No. of units | Compliance across building |
|---|--------------|----------------------------|
| Units with at least 2 hours of direct sunlight to living rooms  | 8            | 44%                        |
| Units with less than 2 hours of direct sunlight to living rooms | 5            | 28%                        |
| Units with no direct sunlight to living rooms                   | 5            | 28%                        |
| Total no. of units in building                                  | 18           |                            |

| Level | Unit | Living room |
|-------|------|-------------|
| 1     | 1.01 | Y           |
|       | 1.02 | Y           |
|       | 1.03 | N           |
|       | 1.04 | N           |
|       | 1.05 | N           |
| 2     | 2.01 | Y           |
|       | 2.02 | Y           |
|       | 2.03 | N           |
|       | 2.04 | N           |
|       | 2.05 | N           |
| 3     | 3.01 | Y           |
|       | 3.02 | Y           |
|       | 3.03 | N           |
|       | 3.04 | N           |
|       | 3.05 | N           |
| 4     | 4.01 | Y           |
|       | 4.02 | Y           |
|       | 4.03 | N           |

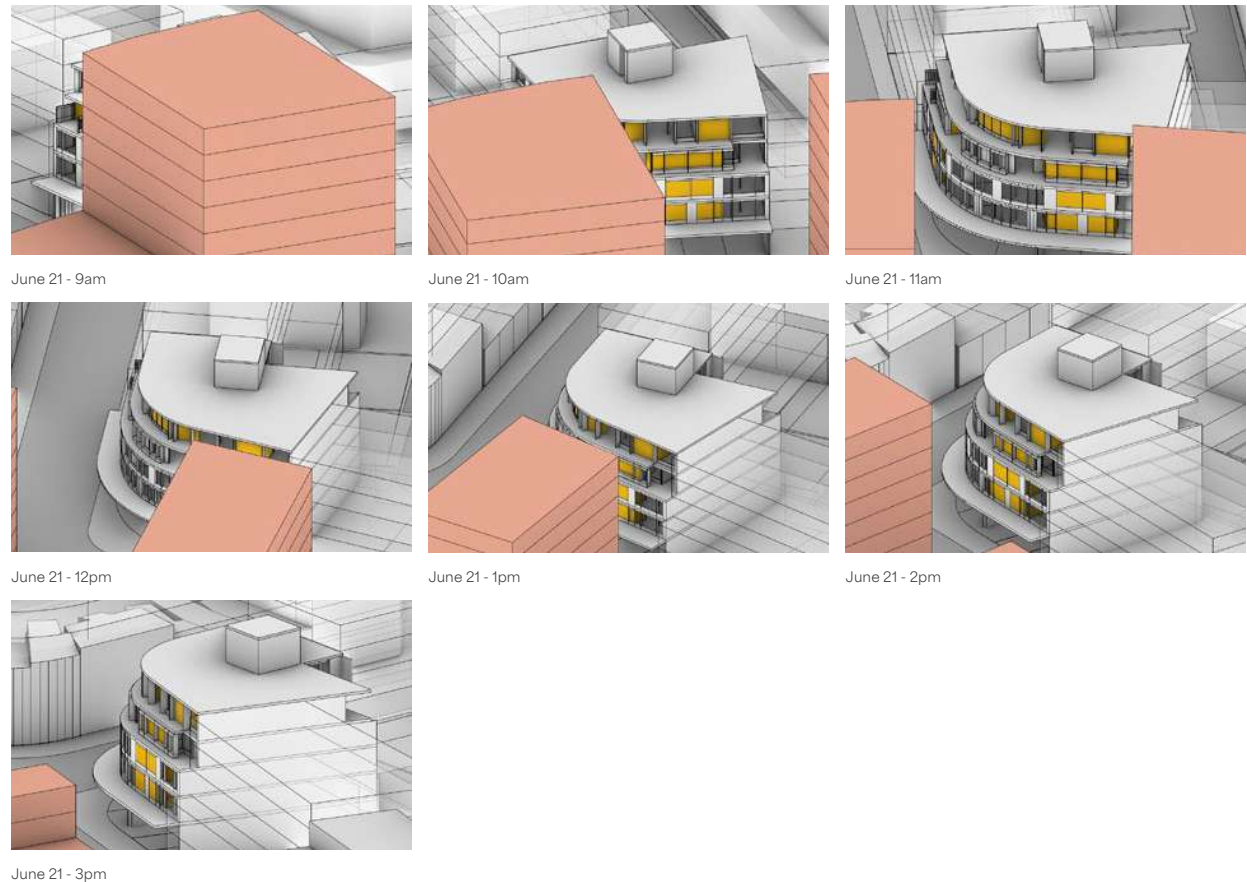


Figure 129. MRCPS scheme - sun eye diagrams to windows / sliding doors to living rooms of 165-173 Military Road

#### LEGEND

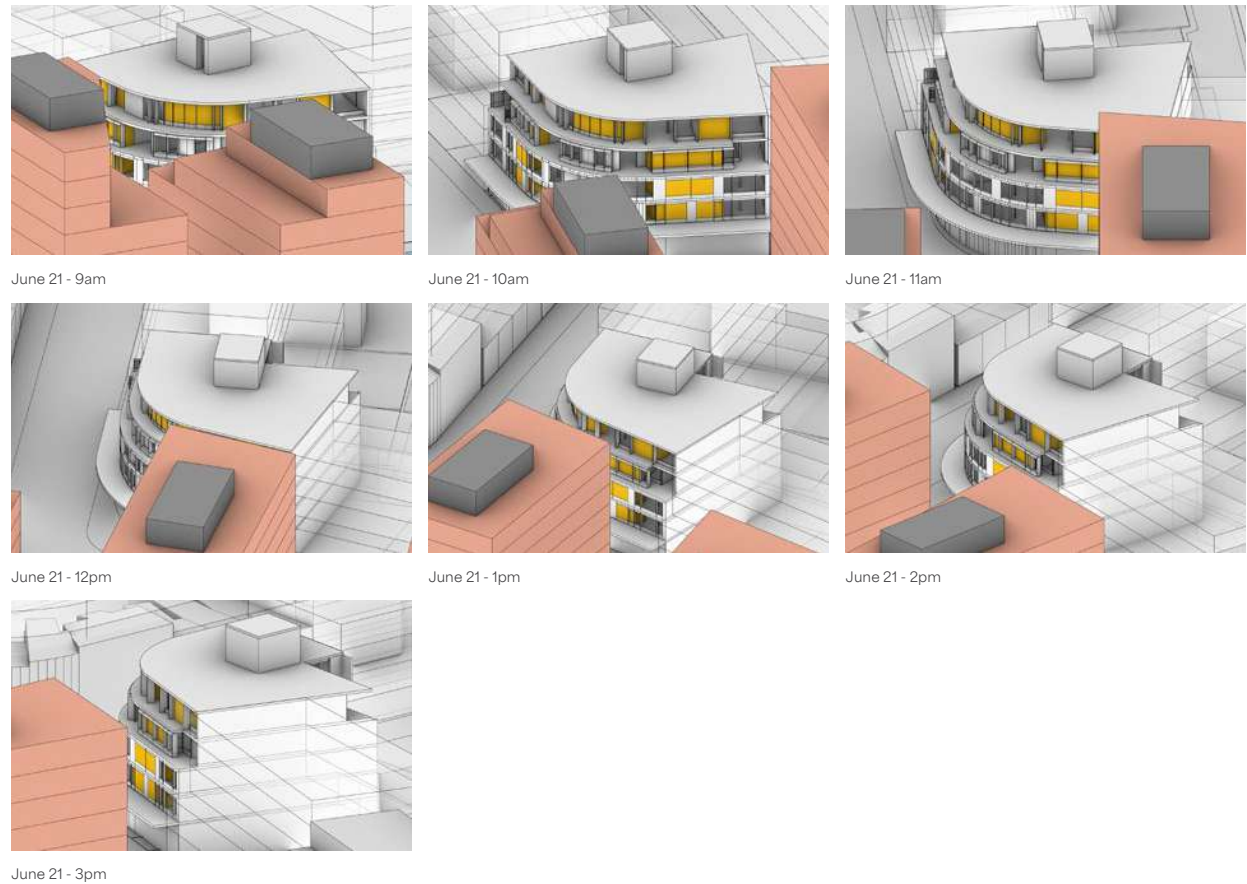
|   |   |  |   |
|---|---|--|---|
| Y | Receives at least 2 hours of direct sunlight between 9am and 3pm at mid-winter  | Indicative building envelopes on site as per the MRCPS | Windows / sliding doors to living rooms |
| N | Receives less than 2 hours of direct sunlight between 9am and 3pm at mid-winter | Indicative future context as per the MRCPS             |   |

### The Proposal + Indicative Future Built Form Context

When compared with the base case (existing conditions), the proposal will not reduce the overall compliance of the building, retaining its compliance at 61%.

| Living rooms  | No. of units | Compliance across building |
|---|--------------|----------------------------|
| Units with at least 2 hours of direct sunlight to living rooms  | 11           | 61%                        |
| Units with less than 2 hours of direct sunlight to living rooms | 2            | 11%                        |
| Units with no direct sunlight to living rooms                   | 5            | 28%                        |
| Total no. of units in building                                  | 18           |                            |

| Level | Unit | Living room |
|-------|------|-------------|
| 1     | 1.01 | Y           |
|       | 1.02 | Y           |
|       | 1.03 | Y           |
|       | 1.04 | N           |
|       | 1.05 | N           |
| 2     | 2.01 | Y           |
|       | 2.02 | Y           |
|       | 2.03 | Y           |
|       | 2.04 | N           |
|       | 2.05 | N           |
| 3     | 3.01 | Y           |
|       | 3.02 | Y           |
|       | 3.03 | Y           |
|       | 3.04 | N           |
|       | 3.05 | N           |
| 4     | 4.01 | Y           |
|       | 4.02 | Y           |
|       | 4.03 | N           |



**Figure 130.** The proposal - sun eye diagrams to windows / sliding doors to living rooms of 165-173 Military Road

#### LEGEND

|   |   |  |   |
|---|---|--|---|
| Y | Receives at least 2 hours of direct sunlight between 9am and 3pm at mid-winter  | Proposed building envelopes                | Windows / sliding doors to living rooms |
| N | Receives less than 2 hours of direct sunlight between 9am and 3pm at mid-winter | Indicative future context as per the MRCPS |   |

## Overshadowing Impact on Private Open Spaces and Communal Open Space

### Base Case (Existing Conditions)

In the base case (existing conditions), the overall building achieves 72% compliance for its solar access to private open spaces.

| Private open space  | No. of units | Compliance across building |
|---|--------------|----------------------------|
| Units with at least 2 hours of direct sunlight to P.O.S.  | 13           | 72%                        |
| Units with less than 2 hours of direct sunlight to P.O.S. | 2            | 11%                        |
| Units with no direct sunlight to P.O.S.                   | 3            | 17%                        |
| Total no. of units in building                            | 18           |                            |

| Level | Unit | P.O.S. / C.O.S. |
|-------|------|-----------------|
| 1     | 1.01 | Y               |
|       | 1.02 | Y               |
|       | 1.03 | Y               |
|       | 1.04 | N               |
|       | 1.05 | N               |
| 2     | 2.01 | Y               |
|       | 2.02 | Y               |
|       | 2.03 | Y               |
|       | 2.04 | N               |
|       | 2.05 | N               |
| 3     | 3.01 | Y               |
|       | 3.02 | Y               |
|       | 3.03 | Y               |
|       | 3.04 | Y               |
|       | 3.05 | N               |
| 4     | 4.01 | Y               |
|       | 4.02 | Y               |
|       | 4.03 | Y               |
| 5     | N/A  | Y               |

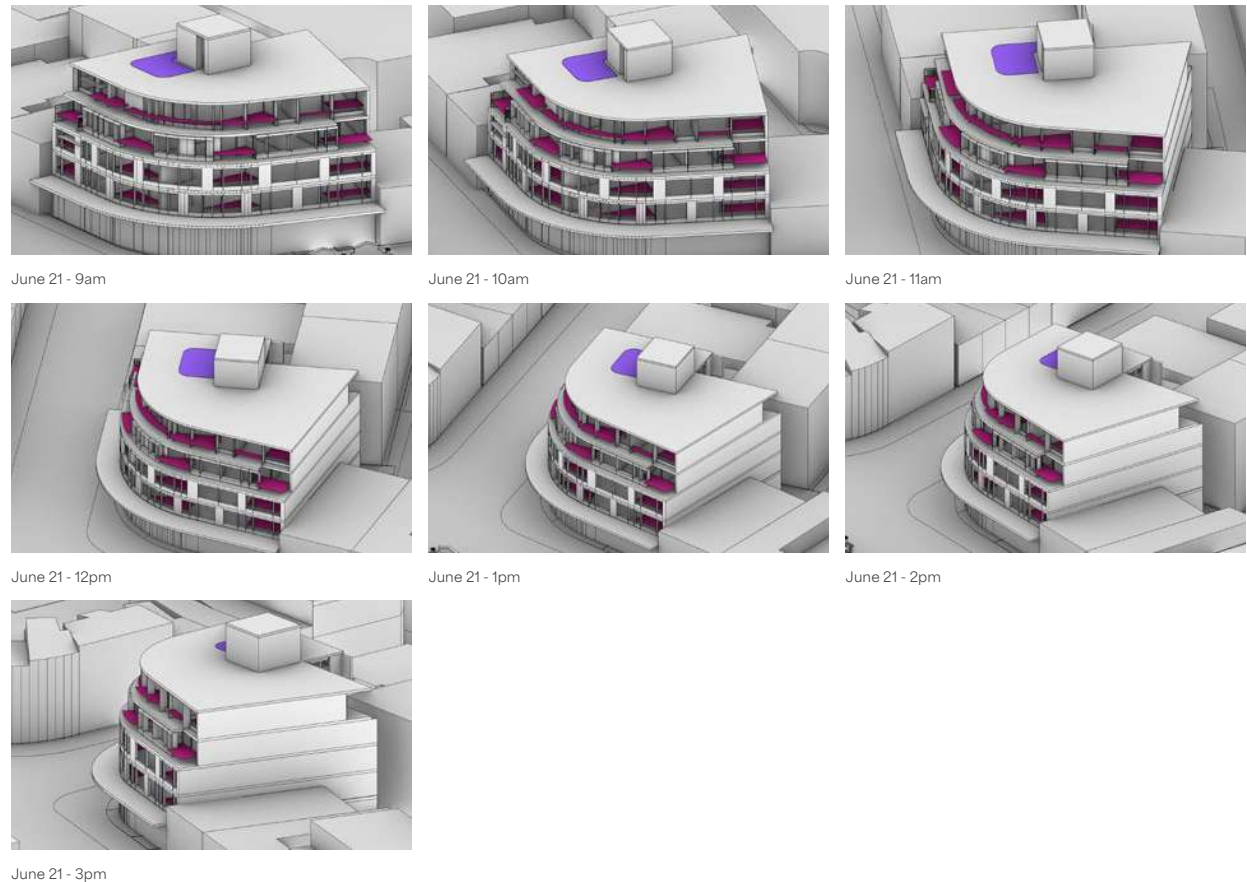


Figure 131. Base case (existing conditions) - sun eye diagrams to private open spaces and rooftop communal open space of 165-173 Military Road

#### LEGEND

|   |   |                            |                     |
|---|---|----------------------------|---------------------|
| Y | Receives at least 2 hours of direct sunlight between 9am and 3pm at mid-winter  | Existing context buildings | Private open spaces |
| N | Receives less than 2 hours of direct sunlight between 9am and 3pm at mid-winter |                            | Communal open space |



### MRCPS Scheme + Indicative Future Built Form Context

When compared with the base case (existing conditions), the MRCPS scheme will reduce the compliance of 2 units, reducing the overall building compliance from 72% to 61%.

| Private open space  | No. of units | Compliance across building |
|---|--------------|----------------------------|
| Units with at least 2 hours of direct sunlight to P.O.S.  | 11           | 61%                        |
| Units with less than 2 hours of direct sunlight to P.O.S. | 4            | 22%                        |
| Units with no direct sunlight to P.O.S.                   | 3            | 17%                        |
| Total no. of units in building                            | 18           |                            |

| Level | Unit | P.O.S. / C.O.S. |
|-------|------|-----------------|
| 1     | 1.01 | Y               |
|       | 1.02 | Y               |
|       | 1.03 | N               |
|       | 1.04 | N               |
|       | 1.05 | N               |
| 2     | 2.01 | Y               |
|       | 2.02 | Y               |
|       | 2.03 | N               |
|       | 2.04 | N               |
|       | 2.05 | N               |
| 3     | 3.01 | Y               |
|       | 3.02 | Y               |
|       | 3.03 | Y               |
|       | 3.04 | Y               |
|       | 3.05 | N               |
| 4     | 4.01 | Y               |
|       | 4.02 | Y               |
|       | 4.03 | Y               |
| 5     | N/A  | Y               |

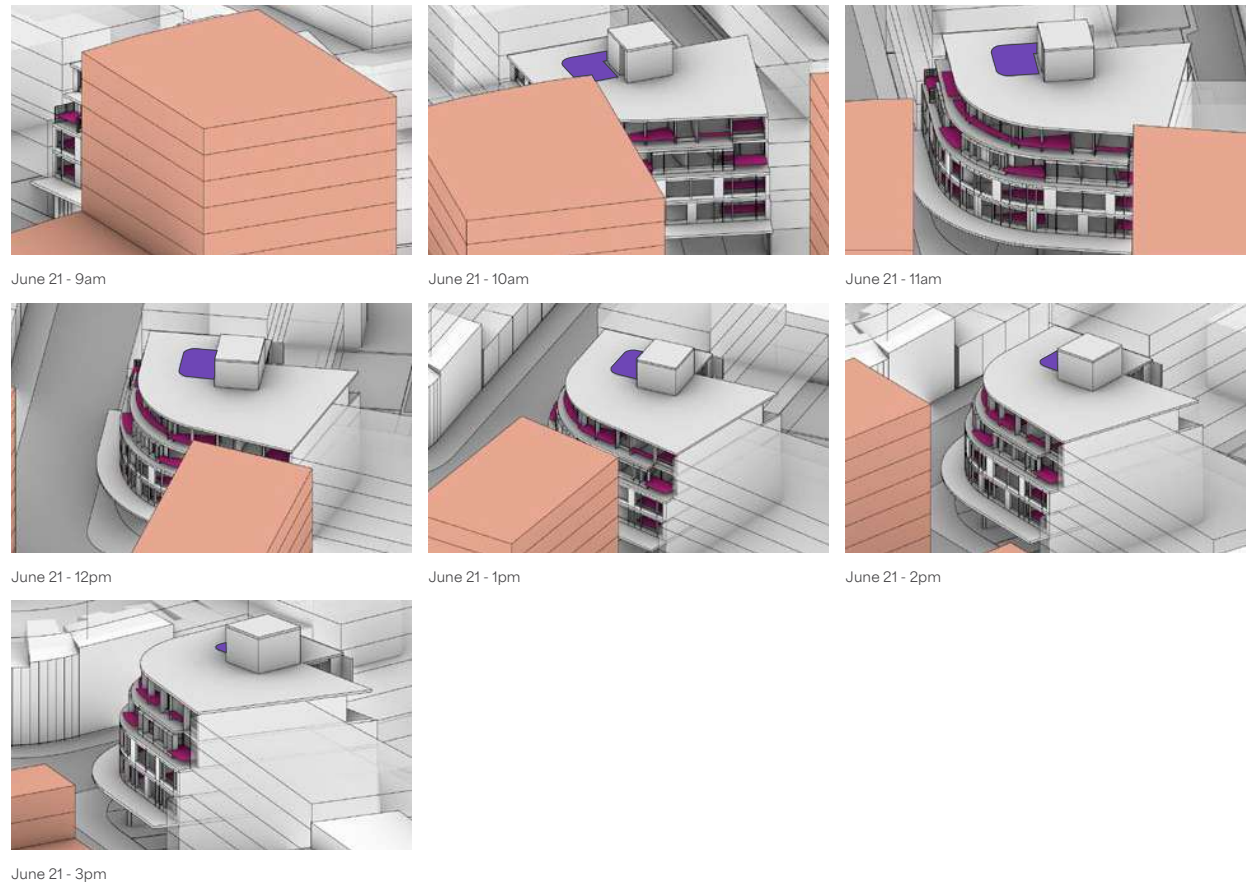


Figure 132. MRCPS scheme - sun eye diagrams to private open spaces and rooftop communal open space of 165-173 Military Road

#### LEGEND

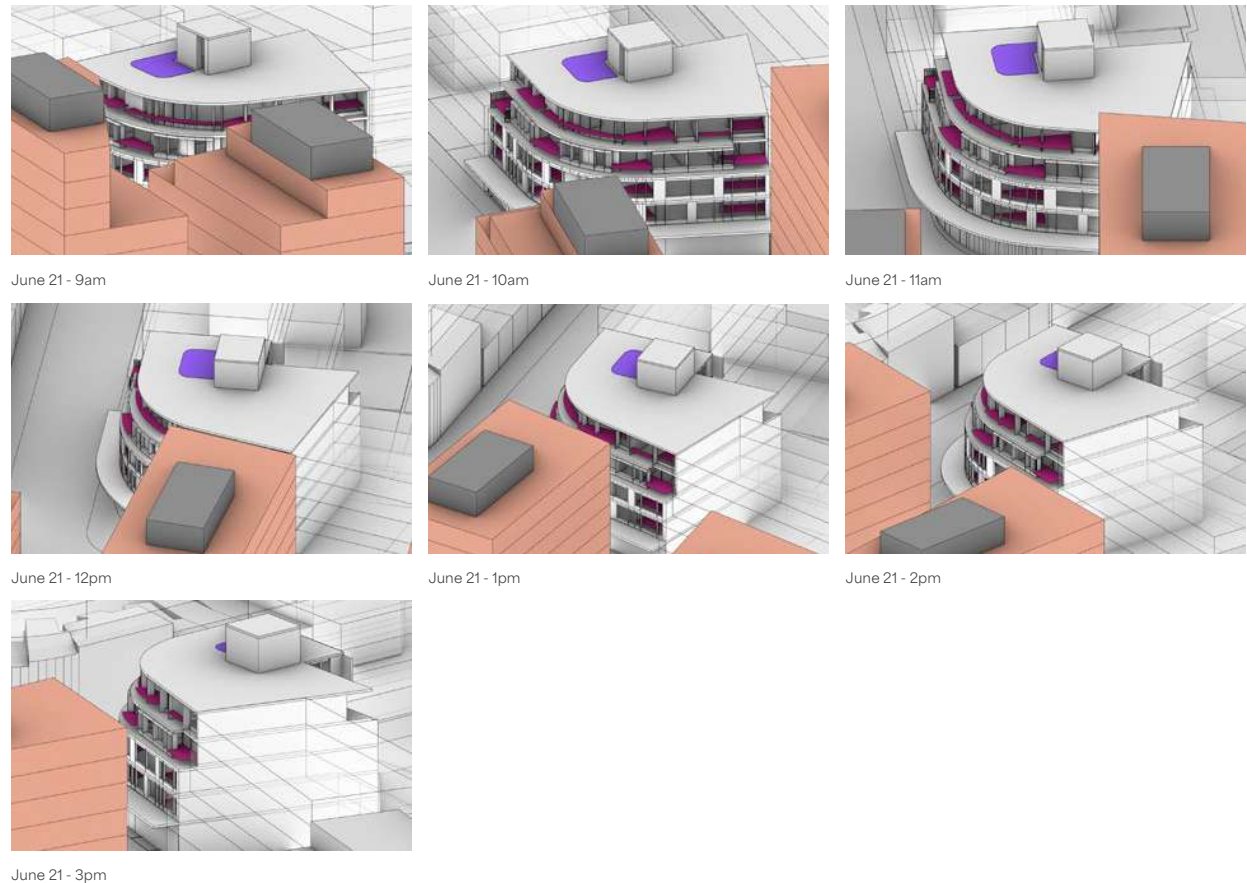
|   |   |  |                     |
|---|---|--|---------------------|
| Y | Receives at least 2 hours of direct sunlight between 9am and 3pm at mid-winter  | Indicative building envelopes on site as per the MRCPS | Private open spaces |
| N | Receives less than 2 hours of direct sunlight between 9am and 3pm at mid-winter | Indicative future context as per the MRCPS             | Communal open space |

### The Proposal + Indicative Future Built Form Context

When compared with the base case (existing conditions), the proposal will not reduce the overall compliance of the building, retaining its compliance at 72%.





| Private open space  | No. of units | Compliance across building |
|---|--------------|----------------------------|
| Units with at least 2 hours of direct sunlight to P.O.S.  | 13           | 72%                        |
| Units with less than 2 hours of direct sunlight to P.O.S. | 2            | 11%                        |
| Units with no direct sunlight to P.O.S.                   | 3            | 17%                        |
| Total no. of units in building                            | 18           |                            |

| Level | Unit | P.O.S. / C.O.S. |
|-------|------|-----------------|
| 1     | 1.01 | Y               |
|       | 1.02 | Y               |
|       | 1.03 | Y               |
|       | 1.04 | N               |
|       | 1.05 | N               |
| 2     | 2.01 | Y               |
|       | 2.02 | Y               |
|       | 2.03 | Y               |
|       | 2.04 | N               |
|       | 2.05 | N               |
| 3     | 3.01 | Y               |
|       | 3.02 | Y               |
|       | 3.03 | Y               |
|       | 3.04 | Y               |
|       | 3.05 | N               |
| 4     | 4.01 | Y               |
|       | 4.02 | Y               |
|       | 4.03 | Y               |
| 5     | N/A  | Y               |



**Figure 133.** The Proposal - sun eye diagrams to private open spaces and rooftop communal open space of 165-173 Military Road

#### LEGEND

|          |   |   |  |   |                     |
|----------|---|---|--|---|---------------------|
| <b>Y</b> | Receives at least 2 hours of direct sunlight between 9am and 3pm at mid-winter  |  | Proposed building envelopes                |  | Private open spaces |
| <b>N</b> | Receives less than 2 hours of direct sunlight between 9am and 3pm at mid-winter |  | Indicative future context as per the MRCPS |  | Communal open space |

## Solar Compliance Tables (15-minute Intervals)

## Base Case (Existing Conditions)

| LIVING ROOMS |      | 9:00 | 9:15 | 9:30 | 9:45 | 10:00 | 10:15 | 10:30 | 10:45 | 11:00 | 11:15 | 11:30 | 11:45 | 12:00 | 12:15 | 12:30 | 12:45 | 13:00 | 13:15 | 13:30 | 13:45 | 14:00 | 14:15 | 14:30 | 14:45 | 15:00 | Min. 2 Hour Compliance |
|--------------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| 1            | 1.01 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 1.02 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 1.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 1.04 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 1.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 2            | 2.01 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 2.02 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 2.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 2.04 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 2.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 3            | 3.01 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 3.02 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 3.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 3.04 | Y    | Y    | Y    | Y    | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 3.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 4            | 4.01 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 4.02 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 4.03 | Y    | Y    | Y    | Y    | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |

| PRIVATE OPEN SPACES |      | 9:00 | 9:15 | 9:30 | 9:45 | 10:00 | 10:15 | 10:30 | 10:45 | 11:00 | 11:15 | 11:30 | 11:45 | 12:00 | 12:15 | 12:30 | 12:45 | 13:00 | 13:15 | 13:30 | 13:45 | 14:00 | 14:15 | 14:30 | 14:45 | 15:00 | Min. 2 Hour Compliance |
|---------------------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| 1                   | 1.01 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 1.02 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 1.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                     | 1.04 | Y    | Y    | Y    | Y    | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                     | 1.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 2                   | 2.01 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 2.02 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 2.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                     | 2.04 | Y    | Y    | Y    | Y    | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                     | 2.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 3                   | 3.01 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 3.02 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 3.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 3.04 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                     | 3.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 4                   | 4.01 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 4.02 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 4.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |

| COMMUNAL OPEN SPACE |     | 9:00 | 9:15 | 9:30 | 9:45 | 10:00 | 10:15 | 10:30 | 10:45 | 11:00 | 11:15 | 11:30 | 11:45 | 12:00 | 12:15 | 12:30 | 12:45 | 13:00 | 13:15 | 13:30 | 13:45 | 14:00 | 14:15 | 14:30 | 14:45 | 15:00 | Min. 2 Hour Compliance |
|---------------------|-----|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| 5                   | N/A | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |

Figure 134. Base case (existing conditions) - solar compliance table for living rooms, private open spaces and rooftop communal open space of 165-173 Military Road

## LEGEND

## Compliance at 15-minute intervals

- At least 1 sqm of the analysed surface receives direct sunlight for 15 minutes
- Less than 1 sqm of the analysed surface receives direct sunlight for 15 minutes

## Overall compliance

- Receives at least 2 hours of direct sunlight between 9am and 3pm at mid-winter
- Receives less than 2 hours of direct sunlight between 9am and 3pm at mid-winter

MRCPS Scheme +  
Indicative Future Built Form Context

| LIVING ROOMS |      | 9:00 | 9:15 | 9:30 | 9:45 | 10:00 | 10:15 | 10:30 | 10:45 | 11:00 | 11:15 | 11:30 | 11:45 | 12:00 | 12:15 | 12:30 | 12:45 | 13:00 | 13:15 | 13:30 | 13:45 | 14:00 | 14:15 | 14:30 | 14:45 | 15:00 | Min. 2 Hour Compliance |
|--------------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| 1            | 1.01 | N    | N    | N    | N    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 1.02 | N    | N    | N    | N    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 1.03 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 1.04 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 1.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 2            | 2.01 | N    | N    | N    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 2.02 | N    | N    | N    | N    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 2.03 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 2.04 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 2.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 3            | 3.01 | N    | N    | N    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 3.02 | N    | N    | N    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 3.03 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 3.04 | Y    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 3.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 4            | 4.01 | N    | N    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 4.02 | N    | N    | N    | N    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 4.03 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |

| PRIVATE OPEN SPACES |      | 9:00 | 9:15 | 9:30 | 9:45 | 10:00 | 10:15 | 10:30 | 10:45 | 11:00 | 11:15 | 11:30 | 11:45 | 12:00 | 12:15 | 12:30 | 12:45 | 13:00 | 13:15 | 13:30 | 13:45 | 14:00 | 14:15 | 14:30 | 14:45 | 15:00 | Min. 2 Hour Compliance |
|---------------------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| 1                   | 1.01 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 1.02 | N    | N    | N    | N    | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 1.03 | N    | N    | N    | N    | N     | N     | N     | N     | N     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                     | 1.04 | Y    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                     | 1.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 2                   | 2.01 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 2.02 | N    | N    | N    | N    | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 2.03 | N    | N    | N    | N    | N     | N     | N     | N     | N     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                     | 2.04 | Y    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                     | 2.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 3                   | 3.01 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 3.02 | N    | N    | N    | N    | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 3.03 | N    | N    | N    | N    | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 3.04 | Y    | N    | N    | N    | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                     | 3.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 4                   | 4.01 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 4.02 | N    | N    | N    | N    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                     | 4.03 | N    | N    | N    | N    | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |

| COMMUNAL OPEN SPACE |     | 9:00 | 9:15 | 9:30 | 9:45 | 10:00 | 10:15 | 10:30 | 10:45 | 11:00 | 11:15 | 11:30 | 11:45 | 12:00 | 12:15 | 12:30 | 12:45 | 13:00 | 13:15 | 13:30 | 13:45 | 14:00 | 14:15 | 14:30 | 14:45 | 15:00 | Min. 2 Hour Compliance |
|---------------------|-----|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| Roof                | N/A | N    | N    | N    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |

Figure 135. MRCPS scheme - solar compliance table for living rooms, private open spaces and rooftop communal open space of 165-173 Military Road

## LEGEND

## Compliance at 15-minute intervals

- At least 1 sqm of the analysed surface receives direct sunlight for 15 minutes
- Less than 1 sqm of the analysed surface receives direct sunlight for 15 minutes

## Overall compliance

- Receives at least 2 hours of direct sunlight between 9am and 3pm at mid-winter
- Receives less than 2 hours of direct sunlight between 9am and 3pm at mid-winter



## The Proposal + Indicative Future Built Form Context

| LIVING ROOMS |      | 9:00 | 9:15 | 9:30 | 9:45 | 10:00 | 10:15 | 10:30 | 10:45 | 11:00 | 11:15 | 11:30 | 11:45 | 12:00 | 12:15 | 12:30 | 12:45 | 13:00 | 13:15 | 13:30 | 13:45 | 14:00 | 14:15 | 14:30 | 14:45 | 15:00 | Min. 2 Hour Compliance |
|--------------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| 1            | 1.01 | N    | N    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | Y     | Y                      |
|              | 1.02 | N    | N    | N    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | Y                      |
|              | 1.03 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | Y                      |
|              | 1.04 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 1.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 2            | 2.01 | N    | N    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | Y                      |
|              | 2.02 | N    | N    | N    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | Y                      |
|              | 2.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | Y                      |
|              | 2.04 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 2.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 3            | 3.01 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 3.02 | N    | N    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 3.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | Y                      |
|              | 3.04 | N    | Y    | Y    | Y    | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|              | 3.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 4            | 4.01 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 4.02 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|              | 4.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |

| PRIVATE OPEN SPACE |      | 9:00 | 9:15 | 9:30 | 9:45 | 10:00 | 10:15 | 10:30 | 10:45 | 11:00 | 11:15 | 11:30 | 11:45 | 12:00 | 12:15 | 12:30 | 12:45 | 13:00 | 13:15 | 13:30 | 13:45 | 14:00 | 14:15 | 14:30 | 14:45 | 15:00 | Min. 2 Hour Compliance |
|--------------------|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| 1                  | 1.01 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N                      |
|                    | 1.02 | N    | N    | N    | N    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | N     | N     | N                      |
|                    | 1.03 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                    | 1.04 | N    | Y    | Y    | Y    | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                    | 1.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 2                  | 2.01 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | Y     | Y                      |
|                    | 2.02 | N    | N    | N    | N    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | N     | N     | N                      |
|                    | 2.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | Y                      |
|                    | 2.04 | N    | Y    | Y    | Y    | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                    | 2.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 3                  | 3.01 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                    | 3.02 | N    | N    | N    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                    | 3.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | Y                      |
|                    | 3.04 | N    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
|                    | 3.05 | N    | N    | N    | N    | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |
| 4                  | 4.01 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                    | 4.02 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |
|                    | 4.03 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | N     | N     | N     | N     | N     | N     | N     | N     | N     | N                      |

| COMMUNAL OPEN SPACE |   | 9:00 | 9:15 | 9:30 | 9:45 | 10:00 | 10:15 | 10:30 | 10:45 | 11:00 | 11:15 | 11:30 | 11:45 | 12:00 | 12:15 | 12:30 | 12:45 | 13:00 | 13:15 | 13:30 | 13:45 | 14:00 | 14:15 | 14:30 | 14:45 | 15:00 | Min. 2 Hour Compliance |
|---------------------|---|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|
| Roof                | 1 | Y    | Y    | Y    | Y    | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y     | Y                      |

Figure 136. The proposal - solar compliance table for living rooms, private open spaces and rooftop communal open space of 165-173 Military Road

### LEGEND

#### Compliance at 15-minute intervals

- At least 1 sqm of the analysed surface receives direct sunlight for 15 minutes
- Less than 1 sqm of the analysed surface receives direct sunlight for 15 minutes

#### Overall compliance

- Receives at least 2 hours of direct sunlight between 9am and 3pm at mid-winter
- Receives less than 2 hours of direct sunlight between 9am and 3pm at mid-winter

## 7.8 Solar Access to Potential Future Development to the South

### Potential Future Development to the South

| Building | Address                                | Status                           | Land Use Assumptions   |
|----------|--|----------------------------------|--|
| ①        | 183-185 Military Road                  | Has conditional gateway approval | Non-residential uses on Ground Level and Levels 1-3 - excluded from solar analysis.<br>Residential use on Levels 4 and above - included in solar analysis. |
| ②        | 157 Wycombe Road-<br>181 Military Road | Indicative future development    | Non-residential uses on Ground Level and Level 1 - excluded from solar analysis.<br>Residential use on Levels 2 and above - included in solar analysis.    |
| ③        | 165-173 Military Road                  | Approved DA                      | Refer to Section 7.7 for detailed solar analysis.  |
| ④        | 153-161 Military Road                  | Indicative future development    | Non-residential uses on Ground Level and Level 1 - excluded from solar analysis.<br>Residential use on Levels 2 and above - included in solar analysis.    |
| ⑤        | 151 Military Road                      | Existing development             | Non-residential uses on Ground Level - excluded from solar analysis.<br>Residential use on Levels 1 and above - included in solar analysis                 |
| ⑥        | 139 Military Road                      | Indicative future development    | Non-residential uses on Ground Level - excluded from solar analysis.<br>Residential use on Levels 1 and above - included in solar analysis                 |



Figure 137. Potential future development to the south

#### LEGEND

|                                      |                                     |                       |
|--------------------------------------|-------------------------------------|-----------------------|
| Existing built form context          | Proposed community use              | 165-173 Military Road |
| Indicative future built form context | Proposed residential                | 153-161 Military Road |
| Public open spaces                   | 183-185 Military Road               | 151 Military Road     |
| Proposed retail                      | 157 Wycombe Road- 181 Military Road | 139 Military Road     |
| Proposed commercial                  |                                     |                       |

### Sun Eye Diagrams - NBVPS Scheme

- The NBVPS scheme results in some overshadowing impacts on Buildings 4, 5 and 6 between 9am-10am.

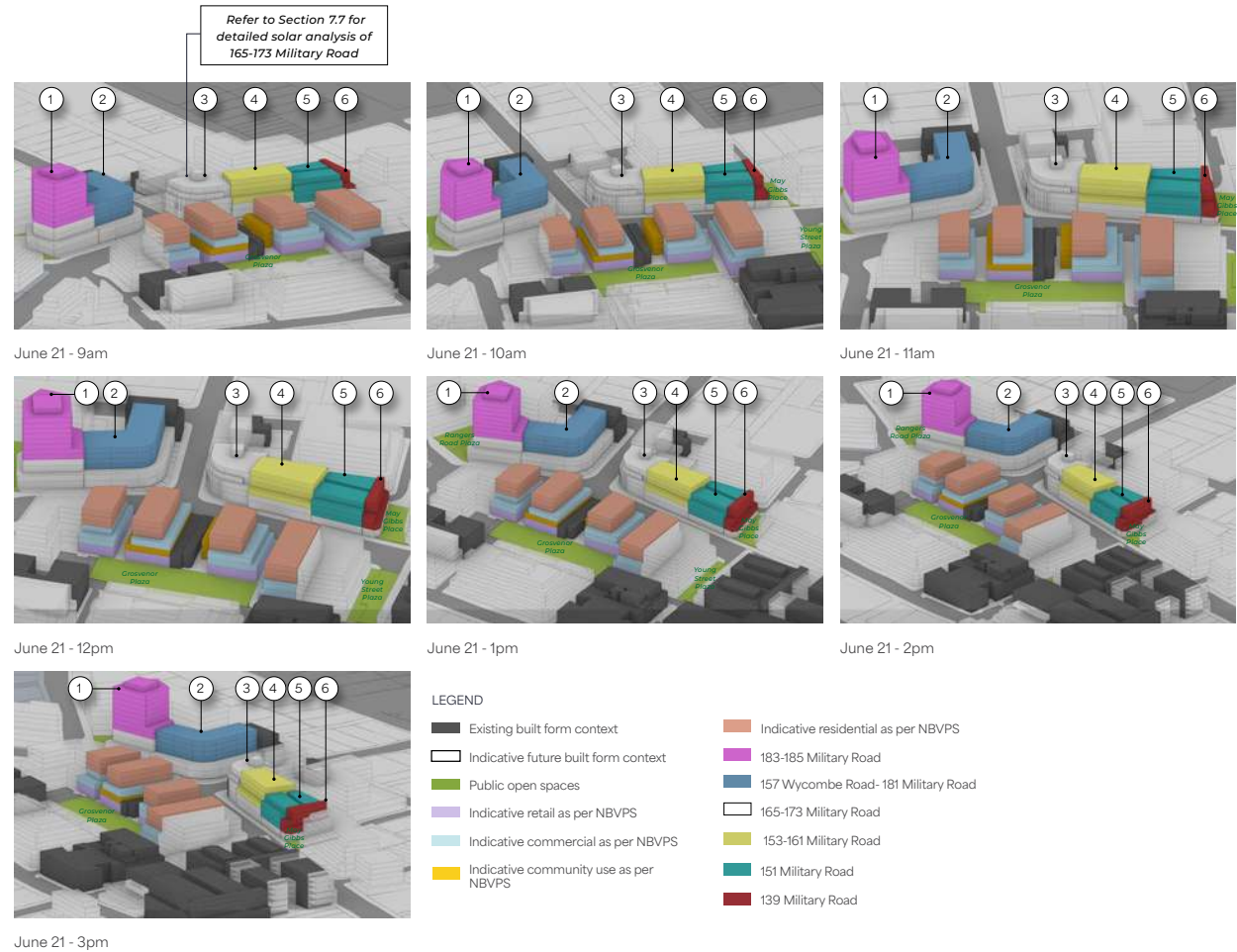


Figure 138. NBVPS Scheme - sun eye diagrams to potential future development to the south

### Sun Eye Diagrams - The Proposal

- The Proposal results in:
  - minimal overshadowing impacts on Buildings 1 and 2 throughout the day.
  - some overshadowing impacts on Building 4 between 9am-2pm.
  - some overshadowing impacts on Building 5 between 9am-12pm.
  - some overshadowing on Building 6 between 9am-10am.
- Notwithstanding the above, further solar analysis has identified that the Proposal does not reduce the ability of these potential future buildings to meet ADG solar access requirements (refer to next page).

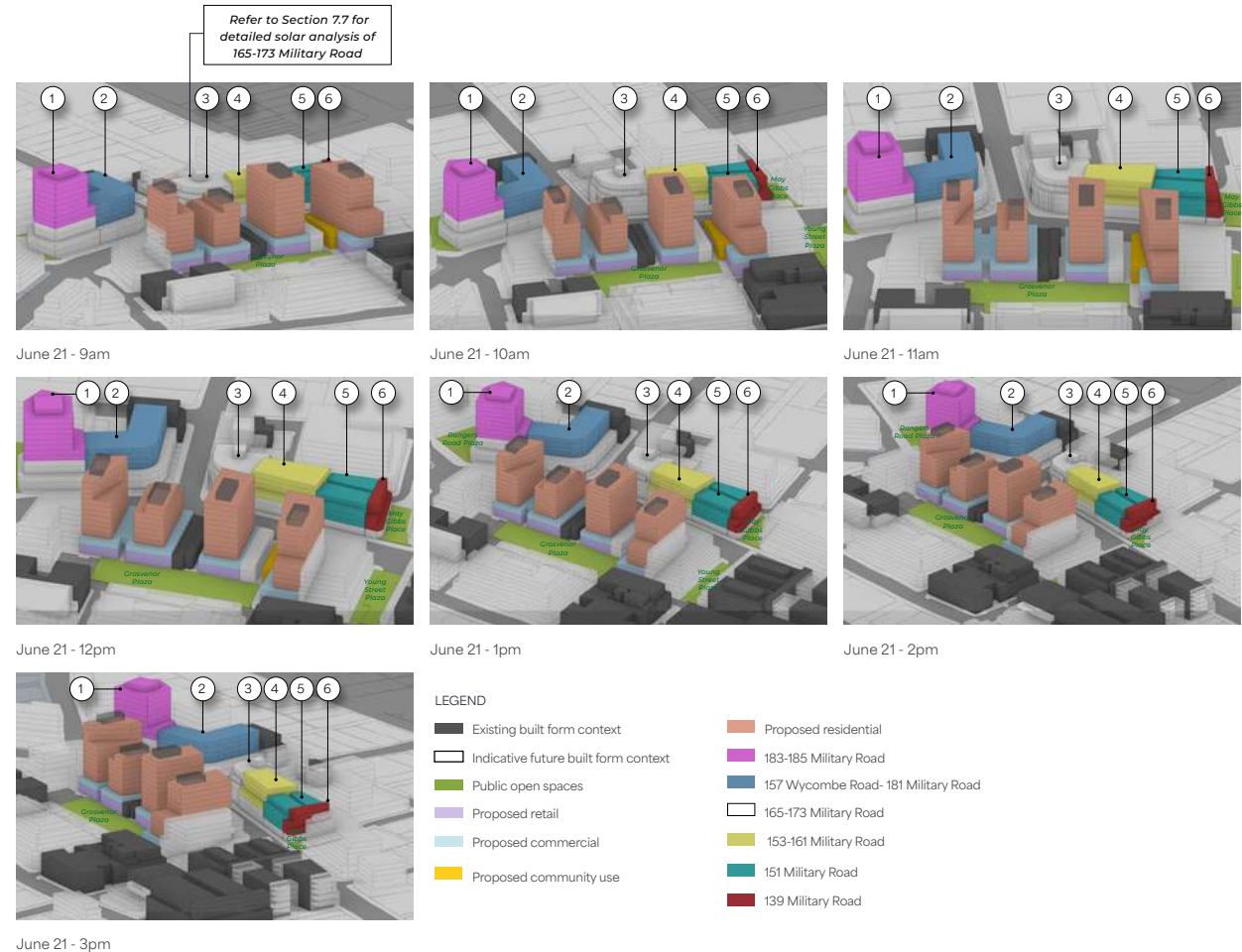


Figure 139. The Proposal - sun eye diagrams to potential future development to the south



## High-level Solar Analysis


- High-level solar analysis has also been undertaken for the facades of Buildings 1, 2, 4, 5 and 6.
- Green surfaces indicate areas of the facade that receive at least 2 hours of direct sunlight between 9am-3pm at mid-winter. Red surfaces indicate areas that receive less than 2 hours.
- **The figures on the right illustrate that both the NBVPS Scheme and the Proposal do not impact the ability of these potential future buildings to receive at least 2 hours of direct sunlight between 9am-3pm at mid-winter along their northern and western facades (green surfaces).**
- The units within these potential future buildings would be able to be designed to meet ADG solar compliance, subject to the configuration of their internal layouts and future detailed design.



**Figure 140.** Solar analysis of potential future development to the south



PREPARED BY ETHOS URBAN ON BEHALF OF ARKADIA FOR SUBMISSION TO NORTH SYDNEY COUNCIL  
16 OCTOBER 2024 | 2230460



# Grosvenor Quarter

RFI RESPONSE

PREPARED BY ETHOS URBAN ON BEHALF OF ARKADIA FOR SUBMISSION TO NORTH SYDNEY COUNCIL

11 APRIL 2025 | 2230460

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

| Contact                             | Stefan Meissner | smeissner@ethosurban.com<br>+61 423 766 499 |             |
|-------------------------------------|-----------------|---|-------------|
| This document has been prepared by: |                 | This document has been reviewed by:         |             |
| Ping Chien Ng                       | 11/4/2025       | Stefan Meissner                             | 11/4/2025   |
| Version No.                         | Date of issue   | Version by                                  | Approved by |
| 1.0 (DRAFT)                         | 4/4/2025        | PN  | SM          |
| 2.0                                 | 11/4/2025       | PN  | SM          |

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## Purpose of this Document

### 1 Site Isolation of 180-182 Military Road, Inclusion and Proposed Redevelopment of Council Land

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|-----|----------------------------|----|



## Purpose of this Document

This document has been prepared in response to the *Independent Assessment of Planning Proposal (PP4/2024) - 166-178, 184-192 and 198-214 Military Road, Neutral Bay - Request for Information (RFI)* (13 March 2025) prepared by Ingham Planning on behalf of North Sydney Council.

It includes an amended Indicative Concept Scheme for the site, supported by additional drawings and content that responds to the matters raised in the RFI.

This document should be read in conjunction with the Response to Request for Further Information Letter prepared by Ethos Urban (11 April 2025).

# 1 Site Isolation of 180-182 Military Road, Inclusion and Proposed Redevelopment of Council Land

## 1.1 Amended Site 2A Boundary

The proposed boundary for Site 2A has been amended to include 180-182 Military Road (not owned by Arkadia) and to exclude 190-192 Military Road (owned by Council). Lot details of the site are outlined below:

| Site               | Lot No. | Deposited Plan No. | Address               | Ownership | Site Area |
|--------------------|---------|--------------------|-----------------------|-----------|-----------|
| 2A                 | 1       | DP 786399          | 166-174 Military Road | Arkadia   | 1,089 sqm |
|                    | 2       | DP 600315          | 176 Military Road     | Arkadia   | 145 sqm   |
|                    | 3       | DP 227611          | 178 Military Road     | Arkadia   | 145 sqm   |
|                    | 4       | DP 232918          | 180-182 Military Road | Private   | 287 sqm   |
|                    | 5       | DP 814194          | 184-186 Military Road | Arkadia   | 452 sqm   |
|                    | 6       | DP 231494          | 188 Military Road     | Arkadia   | 162 sqm   |
| Site 2A - Subtotal |         |                    |                       |           | 2,280 sqm |
| 2B                 | 13      | DP 528917          | 198-200 Military Road | Arkadia   | 500 sqm   |
|                    | 14      | DP 802102          | 202-212 Military Road | Arkadia   | 1,120 sqm |
|                    | 15      | DP 613732          | 214 Military Road     | Arkadia   | 218 sqm   |
| Site 2B - Subtotal |         |                    |                       |           | 1,838 sqm |
| Total Site Area    |         |                    |                       |           | 4,118sqm  |

The following lots do not form part of the subject site:

|    |    |           |                   |         |         |
|----|----|-----------|-------------------|---------|---------|
| 7  | 9  | DP 229737 | 190 Military Road | Council | 153 sqm |
| 8  | 10 | DP 229737 | 190 Military Road | Council | 165 sqm |
| 9  | 1  | DP 561167 | 192 Military Road | Council | 36 sqm  |
| 10 | 1  | DP 737344 | 192 Military Road | Council | 3 sqm   |
| 11 | 2  | DP 737344 | 194 Military Road | Private | 202 sqm |
| 12 | 15 | DP 231564 | 196 Military Road | Private | 246 sqm |

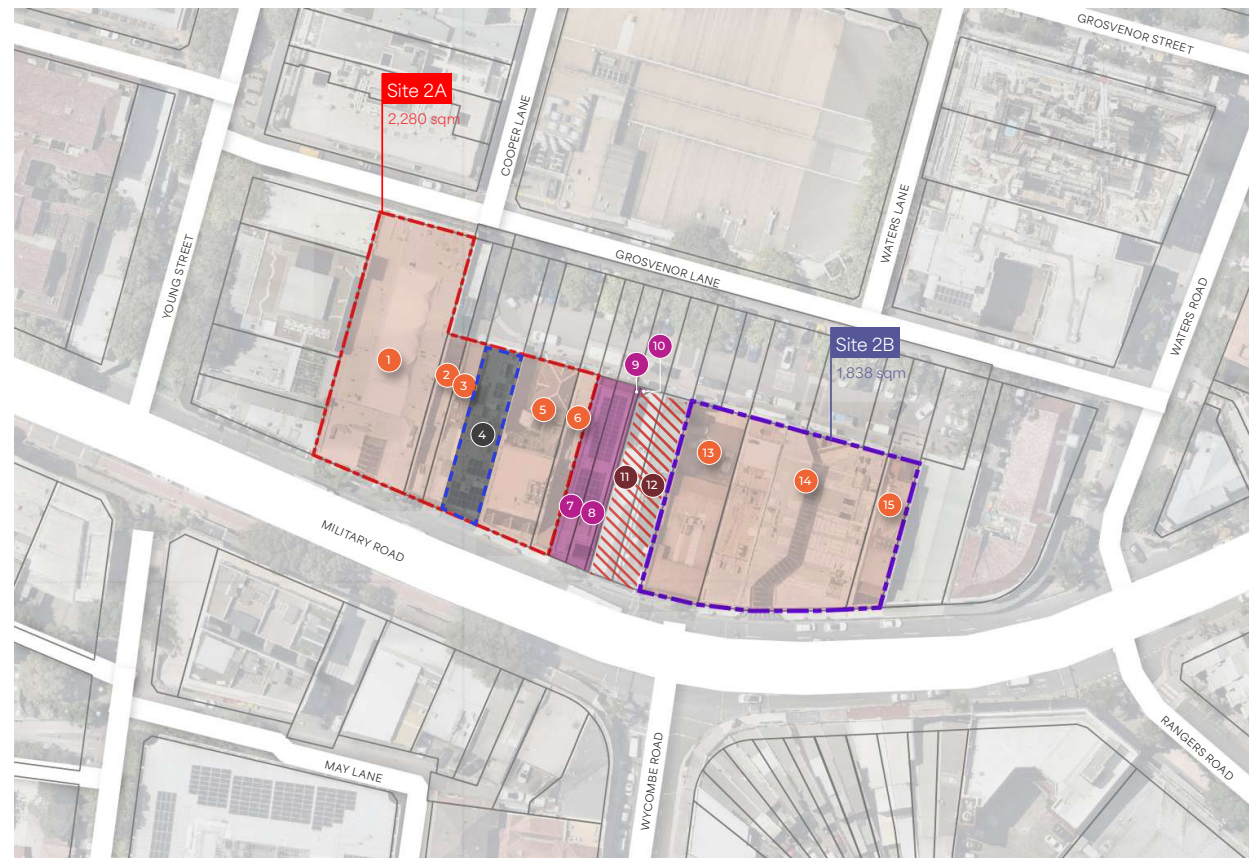
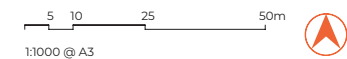


Figure 1. Map showing existing lot ownership

|          |                  |  |
|----------|------------------|--|
| Site 2A  | Owned by Arkadia | 180-182 Military Road (not owned by Arkadia) |
| Site 2B  | Owned by Council |  |
| Heritage | Owned by Others  |  |





## 1.2 Western Through-site Link

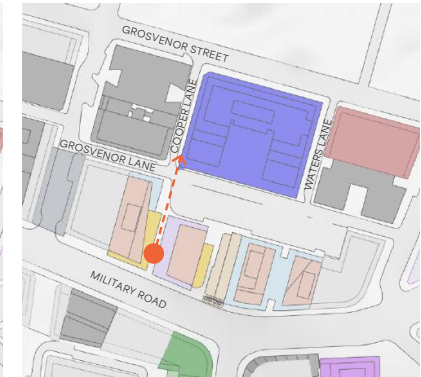
Figures 2 and 3 illustrate that the alignment of the proposed Western Through-site Link is able to provide a direct physical and visual connection between Coopers Lane and Military Road, consistent with the intended outcome for this through-site link in the NBVPS.



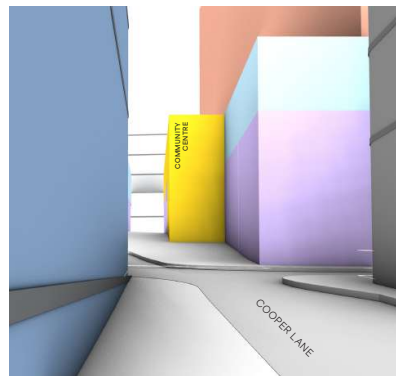
Key plan - View 1



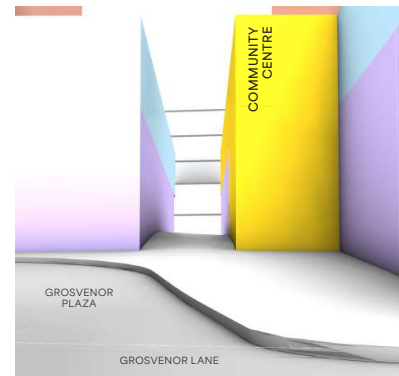
Key plan - View 2



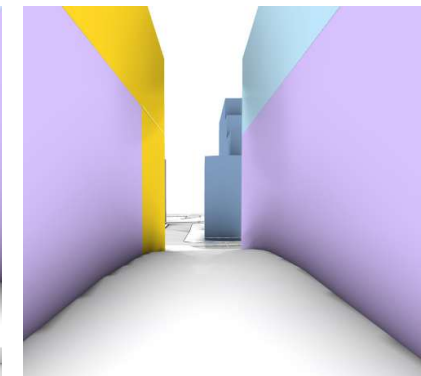
Key plan - View 3



View from 3D model - View 1



View from 3D model - View 2



View from 3D model - View 3

**Figure 2.** Views from Cooper Lane eastern footpath looking south towards Military Road

**Figure 3.** View from proposed Western Through-site Link looking north towards Cooper Lane

### 1.3 Eastern Through-site Link

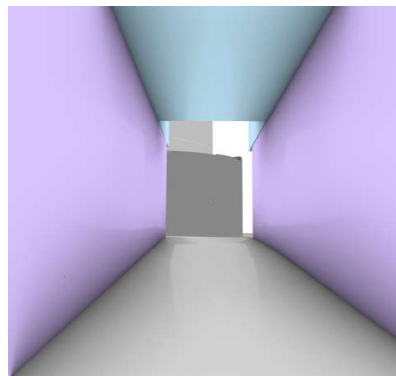
Figures 4 and 5 illustrate that the proposed partially covered Eastern Through-site Link is able to provide a direct physical and visual connection between Military Road and Waters Lane, consistent with the intended outcome for this through-site link in the NBVPS.



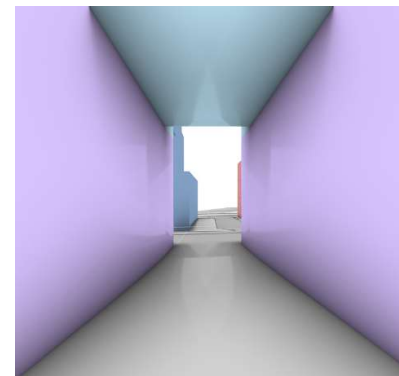
Key plan - View 1



Key plan - View 1



View from 3D model - View 1



View from 3D model - View 2

**Figure 4.** View from proposed Eastern Through-site Link looking south towards Military Road

**Figure 5.** View from proposed Eastern Through-site Link looking north towards Waters Lane

## 2 Setbacks and Through-site Link Requirements

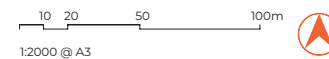
## 2.1 Proposed Setbacks

Figures 6 and 7 identify the proposed primary and secondary setbacks (above podium) for the site.

Primary Setbacks



Figure 6. Primary setbacks



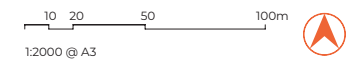
### LEGEND

- Site 2A
- Site 2B
- Cadastre lots
- Heritage items
- 0m setback
- 1.5m whole of building setback
- 1.5m setback at ground level
- 2.5m setback at ground level

Secondary Setbacks (Above Podium)



Figure 7. Secondary setbacks (above podium)



### LEGEND

- Site 2A
- Site 2B
- Cadastre lots
- Heritage items
- 0m setback
- 1.5m whole of building setback
- 3m setback from podium edge
- 5m setback to heritage items



## 2.2 Through-site Link and Laneway Precedents

This section provides examples of through-site links and laneways with widths less than 6m that are capable of providing activation as well as physical and visual connections. These examples demonstrate the functionality and activation opportunities that may be provided by the proposed 4m wide through-site links. Centre Place and Scott Alley in particular are very close in scale to the proposed through-site links.

These examples run through urban blocks and are typically longer than the proposed through-site links. In the context of the Neutral Bay site, narrower through-site links are more appropriate as these connections function as pedestrian-only through-site links that run across the depth of the proposed buildings (35m and 37m), as opposed to laneways that run across the depth of full urban blocks, which typically need to be wide enough to accommodate both pedestrians and vehicle access.

### Centre Place, Melbourne

- 3.5m wide, 48m long.
- Similar scale to the proposed through-site links.
- Pedestrian-only with active frontages.
- Clear sightlines from one end to the other.



Figure 8. Centre Place, Melbourne  
Source: City of Melbourne

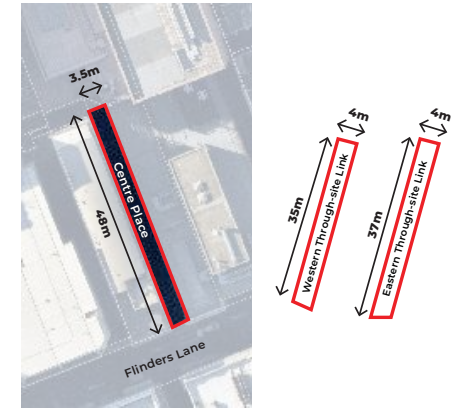


Figure 9. Scale comparison of Centre Place, Melbourne with the proposed through-site links

### Scott Alley, Melbourne

- 3.5m wide, 28m long.
- Similar scale to the proposed through-site links.
- Shared zone with active frontages.



Figure 10. Scott Alley, Melbourne  
Source: Australian Good Food Guide

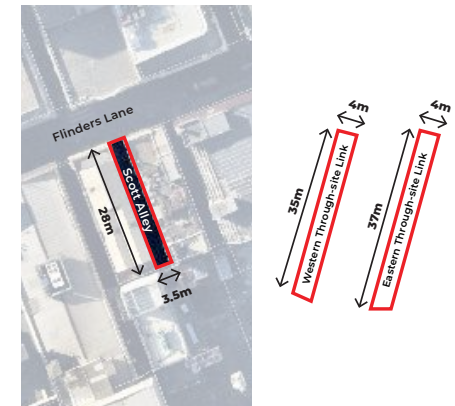


Figure 11. Scale comparison of Scott Alley, Melbourne with the proposed through-site links

5 10 25 50m  
1:1000 @ A3



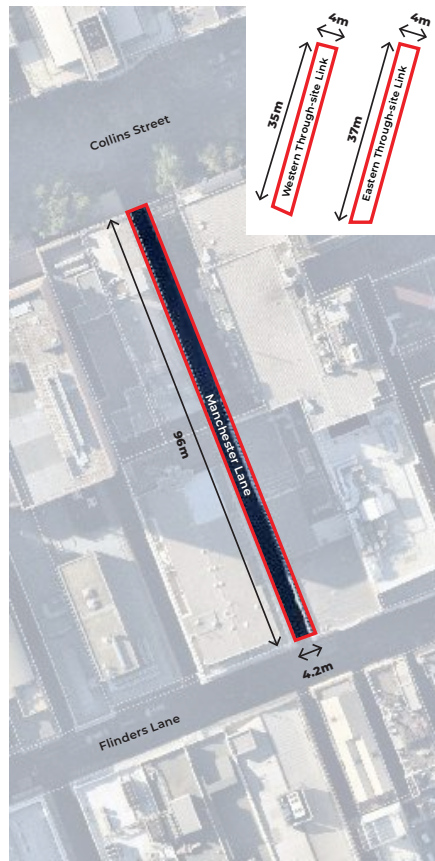
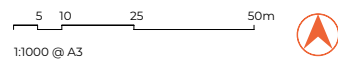


Figure 12. Scale comparison of Manchester Lane, Melbourne with the proposed through-site links



### Manchester Lane, Melbourne

- 4.2m wide, 96m long.
- Similar width but more than double the length of the proposed through-site links.
- Shared zone with a mix of active frontages, service and carpark access.



Figure 13. Manchester Lane, Melbourne  
Source: Harcourts

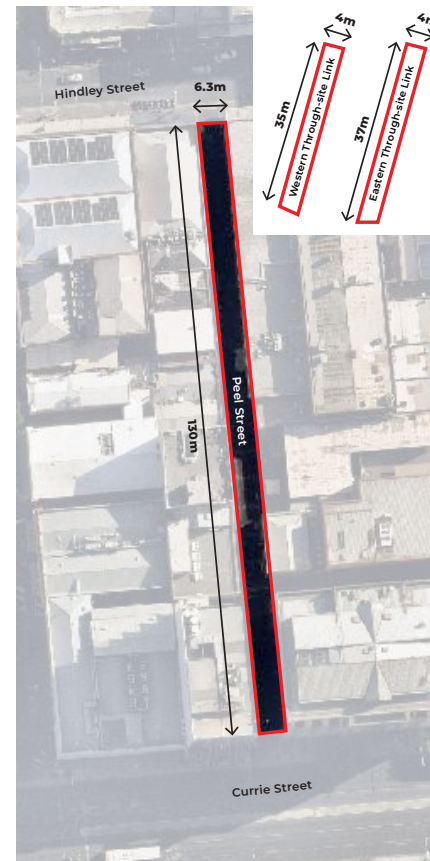


Figure 14. Scale comparison of Peel Street, Adelaide with the proposed through-site links

### Peel Street, Adelaide

- 6.3m wide, 130m long.
- Similar width to the through-site links envisaged in the NBVPS, but more than triple the length.
- Primary retail trade areas are provided along the length of this example, creating spaces to dwell. However, in the context of the Neutral Bay site, primary retail activation is envisaged to be focused to the north, fronting the future Grosvenor Plaza. The proposed through-site links are envisaged to provide clear physical and visual connections from Military Road to Grosvenor Plaza, while also providing opportunities for some activation where suitable.



Figure 15. Peel Street, Adelaide  
Source: Experience Adelaide

## 3 Building Separation

### 3.1 Amended Indicative Concept Scheme

The indicative concept scheme has been amended to reflect the proposed change in boundary for Site 2A and to further demonstrate the proposal's ability to meet ADG requirements.

Figure 16 shows the amended indicative concept scheme within its future built form context. It sets out the various setbacks applied, building separation, building heights and through-site links proposed for the site.

The indicative concept scheme includes:

- Four mixed-use buildings consisting of 2-storey podiums with slender towers above (total heights of 9-storeys, 11-storeys and 12-storeys).
- Adjusted building envelopes above the podium (angled and stepped back) to protect the solar amenity of 165-173 Military Road.
- Ground level setbacks along Military Road for footpath widening.
- Above podium setbacks to retain a human scale streetscape, while responding sensitively to the existing heritage items.
- Two new through-site links (one open to the sky, one partially covered).

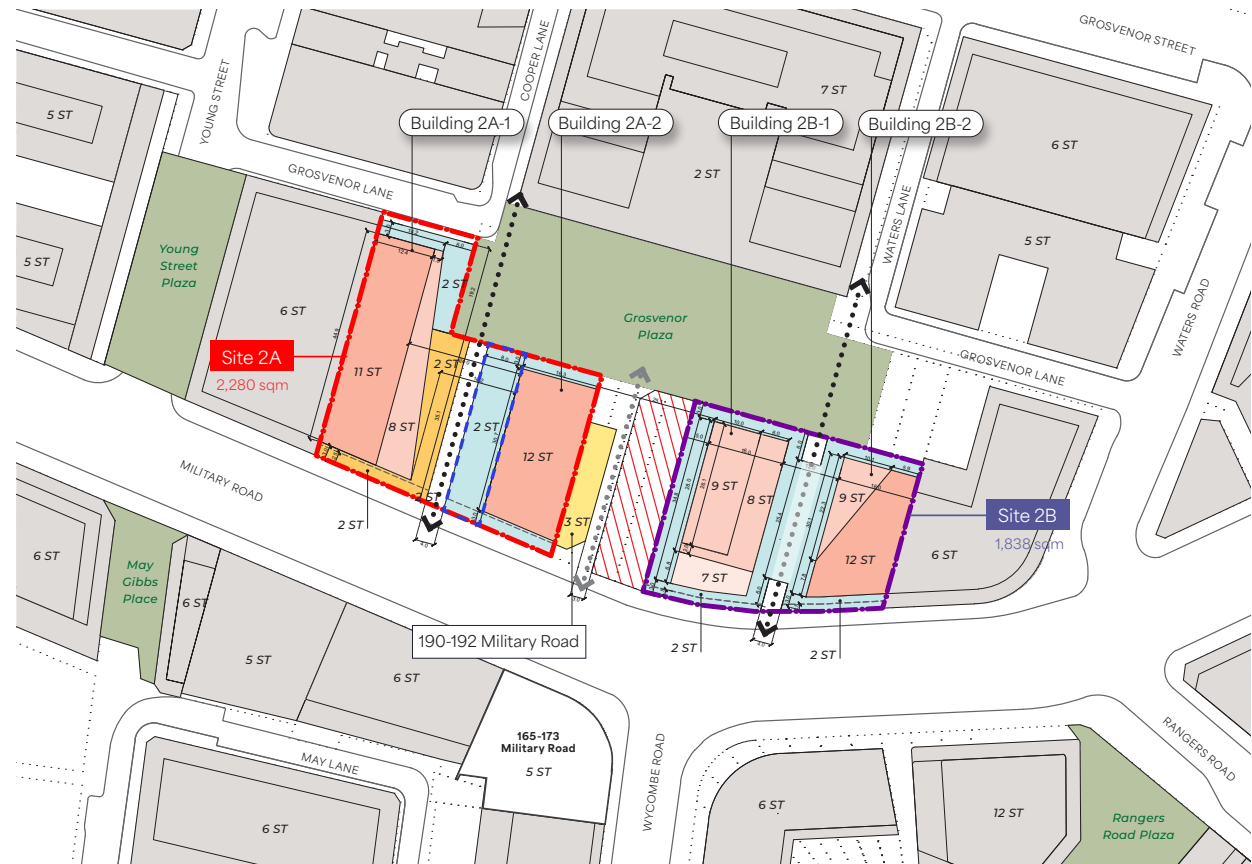


Figure 16. Indicative building envelope plan

#### LEGEND

Site 2A

Site 2B

190-192 Military Road (owned by Council, upgrade to existing community centre as per NBVPS)

180-182 Military Road (not owned by Arkadia)

Existing and future public open spaces

Existing and indicative future context

Existing heritage items

Proposed residential use

Proposed community use

Proposed commercial / non-residential use

5 10 25 50m  
1:1000 @ A3



Upgraded through-site link on Council-owned land (as per NBVPS)

Proposed new through-site links on Sites 2A and 2B



## 3.2 Positioning of Towers

Figures 17 and 18 illustrate that the NBVPS Scheme does not consider lot ownership, whereby the envisaged through-site link and eastern building on Site 2A do not align with existing lot boundaries. These figures also illustrate that the NBVPS Scheme relies on 180-182 Military Road to provide building separation between the two 6-storey buildings envisaged on Site 2A.

In contrast, the Proposal as shown in Figure 19 illustrates a built form outcome that considers lot ownership and includes 180-182 Military Road (not owned by Arkadia) as part of Site 2A. Building separation between the proposed Building 2A-1 and Building 2A-2 is provided over 180-182 Military Road, consistent with the built form configuration envisaged in the NBVPS.

NBVPS Scheme

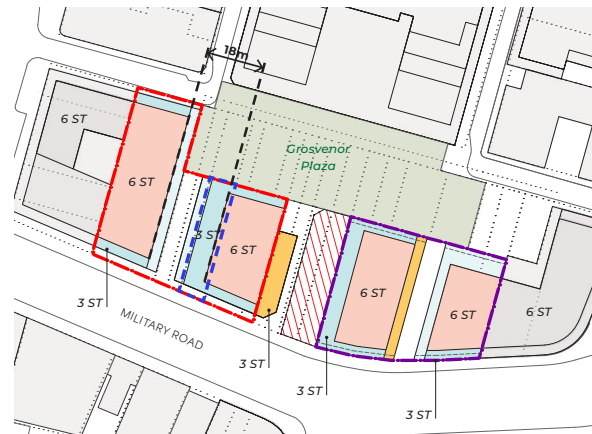


Figure 17. Building envelope plan - NBVPS Scheme

| LEGEND   |   |
|--|---|
| <span style="border: 1px dashed red; padding: 2px;"> </span> Site 2A                                       | <span style="border: 1px dashed red; padding: 2px;"> </span> Existing heritage items  |
| <span style="border: 1px dashed blue; padding: 2px;"> </span> Site 2B                                      | <span style="background-color: yellow; border: 1px solid black; padding: 2px;"> </span> Indicative community use as per NBVPS   |
| <span style="border: 1px dashed blue; padding: 2px;"> </span> 180-182 Military Road (not owned by Arkadia) | <span style="background-color: lightcoral; border: 1px solid black; padding: 2px;"> </span> Indicative residential as per NBVPS |
|  | <span style="background-color: lightblue; border: 1px solid black; padding: 2px;"> </span> Indicative commercial as per NBVPS   |



Figure 18. Extract from the NBVPS with overlay by Ethos Urban

The Proposal

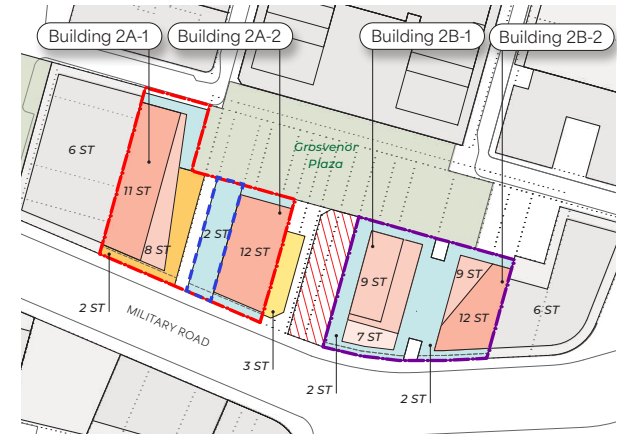


Figure 19. Building envelope plan - The Proposal

| LEGEND  |  |
|---|--|
| <span style="border: 1px dashed red; padding: 2px;"> </span> Site 2A  | <span style="border: 1px dashed red; padding: 2px;"> </span> Existing heritage items   |
| <span style="border: 1px dashed blue; padding: 2px;"> </span> Site 2B   | <span style="background-color: yellow; border: 1px solid black; padding: 2px;"> </span> Proposed community use                       |
| <span style="border: 1px dashed blue; padding: 2px;"> </span> 180-182 Military Road (not owned by Arkadia)  | <span style="background-color: lightcoral; border: 1px solid black; padding: 2px;"> </span> Proposed residential use                 |
| <span style="background-color: yellow; border: 1px solid black; padding: 2px;"> </span> 190-192 Military Road (owned by Council, upgrade to existing community centre as per NBVPS) | <span style="background-color: lightblue; border: 1px solid black; padding: 2px;"> </span> Proposed commercial / non-residential use |

### 3.3 Amended Indicative Building Envelope Massing

#### Proposed Uses

No land use changes are proposed in the amended indicative concept scheme. They remain as follows:

#### Building 2A-1

|                   |   |
|-------------------|---|
| Ground            | Retail / other non-residential uses<br>Community centre lobby |
| Level 1           | Commercial / other non-residential uses<br>Community centre   |
| Level 2 and above | Residential   |

#### Buildings 2A-2, 2B-1 and 2B-2

|                   |   |
|-------------------|---|
| Ground            | Retail / other non-residential uses     |
| Level 1           | Commercial / other non-residential uses |
| Level 2 and above | Residential                             |

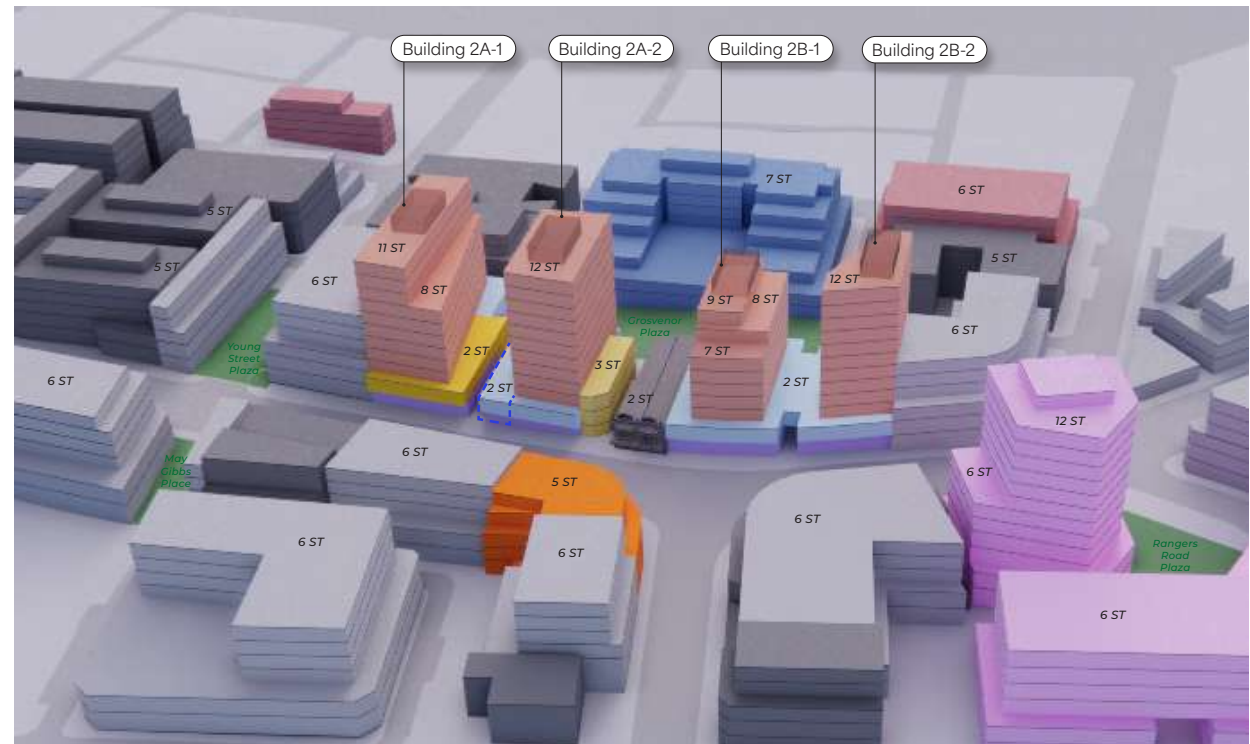


Figure 20. 3D massing of the proposal within its future built form context - view looking north

#### LEGEND

|   |  |                           |
|---|--|---------------------------|
| Existing and future public open spaces  | 180-182 Military Road (not owned by Arkadia) | Proposed community centre |
| Existing buildings  | Under construction                           | Proposed commercial       |
| Indicative future context (MRCPS)   | Approved by Council                          | Proposed retail           |
| 190-192 Military Road (owned by Council, upgrade to existing community centre as per NBVPS) | Has conditional gateway approval             | Proposed residential      |
|   | DA lodged to Council                         |                           |

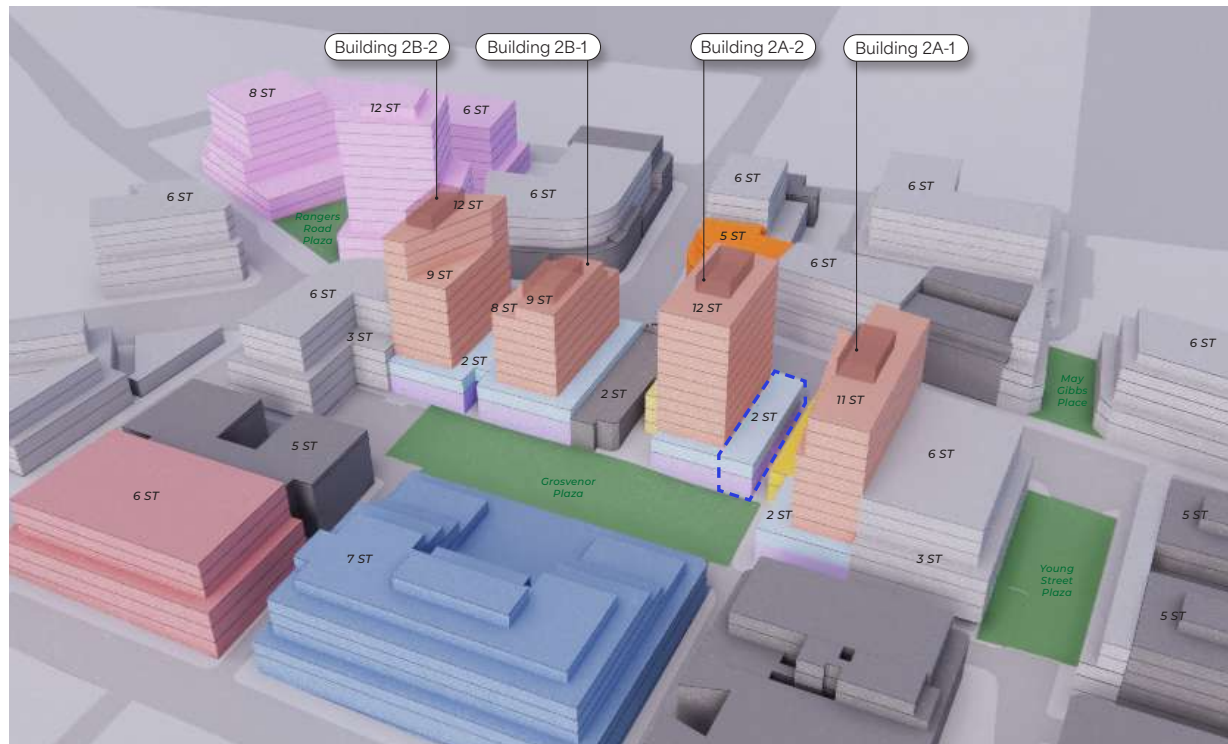


Figure 21. 3D massing of the proposal within its future built form context - view looking south

#### LEGEND

|   |  |                           |
|---|--|---------------------------|
| Existing and future public open spaces  | 180-182 Military Road (not owned by Arkadia) | Proposed community centre |
| Existing buildings  | Under construction                           | Proposed commercial       |
| Indicative future context (MRCPs)   | Approved by Council                          | Proposed retail           |
| 190-192 Military Road (owned by Council, upgrade to existing community centre as per NBVPS) | Has conditional gateway approval             | Proposed residential      |
|   | DA lodged to Council                         |                           |

### 3.4 Amended Indicative Ground Floor Plan

The indicative ground floor plan has been amended to reflect the proposed change in boundary for Site 2A. **Figure 22** on the next page represents a potential configuration of the site at ground level. It is indicative only and does not represent a final design for the site. It illustrates the proposal's intent to:

- Provide widened footpaths and public domain upgrades along Military Road.
- Provide active frontages along Military Road, the proposed through-site links and Grosvenor Plaza.
- Provide new through-site links that align with Cooper Lane and Waters Lane to the north.
- Provide a ground floor lobby entry to the new Community Centre on Site 2A at the corner of Grosvenor Plaza and the Western Through-site Link.
- Provide each of the proposed residential buildings with an address to Military Road.

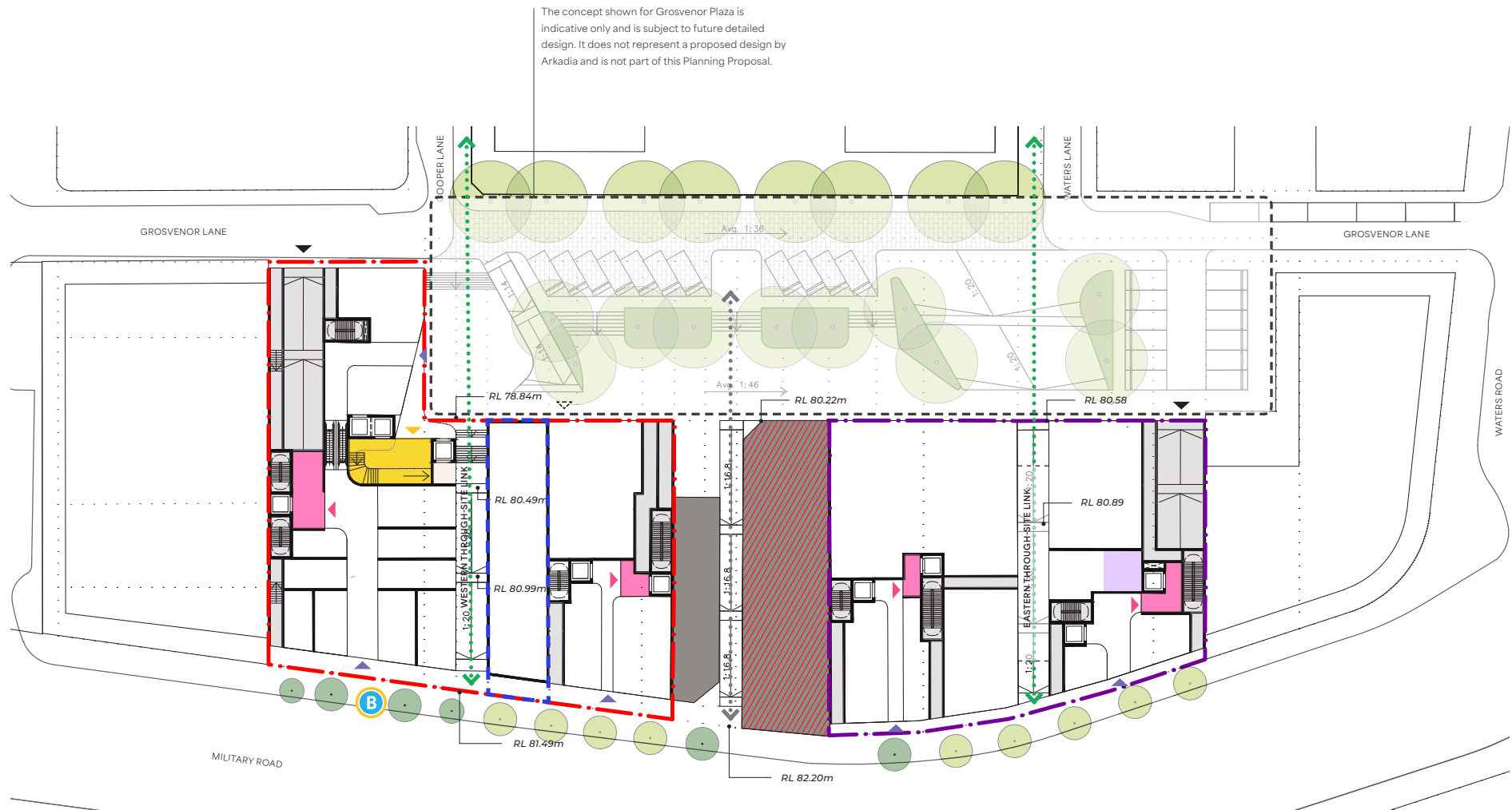
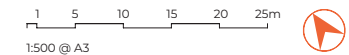


Figure 22. Indicative Ground Floor plan



## LEGEND

Site 2A

Site 2B

Heritage item

190-192 Military Road (owned  
by Council, upgrade to existing  
community centre as per NBVPS)180-182 Military Road  
(not owned by Arkadia)

Existing B-Line bus stop

Indicative future context

Retail

Community Centre lobby

Residential lobby

Indicative retail access

Indicative community centre access

Indicative residential lobby access

Indicative vehicle access to basement

Potential vehicle access to basement

Proposed through-site links

Upgraded through-site link on  
Council-owned land (as per NBVPS)

Existing trees

Indicative new trees

Indicative landscape concept for  
Grosvenor Plaza (not part of this  
Planning Proposal)



### 3.5 Amended Yield Summary

A yield summary of the amended indicative concept scheme is provided below. Both Sites 2A and 2B are able to meet the proposed minimum non-residential FSR requirement of 1.2:1.

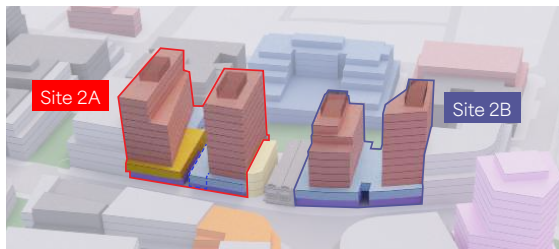


Figure 23. 3D massing of the proposal

| Site 2A  |            | Site 2B              |           |
|--|------------|----------------------|-----------|
| Site area  | 2,280 sqm  | Site area            | 1,838 sqm |
| Total GFA  | 11,680 sqm | Total GFA            | 8,109 sqm |
| Residential GFA  | 8,701 sqm  | Residential GFA      | 5,622 sqm |
| Non-residential GFA  | 2,571 sqm  |                      |           |
| Non-residential GFA (180-182 Military Road - not owned by Arkadia) | 408 sqm    | Non-residential GFA  | 2,487 sqm |
| Approx. no. of units   | 87         | Approx. no. of units | 57        |
| Non-residential FSR  | 1.31:1     | Non-residential FSR  | 1.35:1    |
| Overall FSR  | 5.1:1      | Overall FSR          | 4.4:1     |

| Site 2A + Site 2B   |            |                      |        |
|---------------------|------------|----------------------|--------|
| Site area           | 4,118 sqm  | Approx. no. of units | 144    |
| Total GFA           | 19,789 sqm | Non-residential FSR  | 1.33:1 |
| Residential GFA     | 14,323 sqm | Overall FSR          | 4.8:1  |
| Non-residential GFA | 5,466 sqm  |                      |        |

### 3.6 Amended Yield Tables

The number of units shown in the yield tables in this section of the report has been derived from applying the following unit mix and size:

| Unit Type | Size    | Mix |
|-----------|---------|-----|
| 1 Bedroom | 60 sqm  | 20% |
| 2 Bedroom | 85 sqm  | 45% |
| 3 Bedroom | 110 sqm | 35% |

The total number of units (144 dwellings) shown below is approximate only and is subject to further design and the final unit mix and size. Retail and commercial uses indicated on the ground level and Level 1 are also indicative only and may be interchanged or replaced with other non-residential uses appropriate for the site.

#### Yield Summary

| Name           | Levels | Height | Total GBA     | Total GFA     | Total NSA     | UNITS      | Site Area (m²) | FSR           | Non Residential FSR |
|----------------|--------|--------|---------------|---------------|---------------|------------|----------------|---------------|---------------------|
| <b>Site 2A</b> |        |        |               |               |               |            |                |               |                     |
| Building 2A-1  | 11     | 41.8   | 8,818         | 6,562         | 5,544         | 49         | 2,280          |               |                     |
| Building 2A-2  | 12     | 45.0   | 6,871         | 5,117         | 4,325         | 39         |                |               |                     |
| Sub-total      |        |        | 15,689        | 11,680        | 9,868         | 87         | 2,280          | 5.12:1        | 1.31:1              |
| <b>Site 2B</b> |        |        |               |               |               |            |                |               |                     |
| Building 2B-1  | 9      | 35.4   | 5,409         | 4,018         | 3,387         | 26         | 1,838          |               |                     |
| Building 2B-2  | 12     | 45.0   | 5,488         | 4,091         | 3,457         | 31         |                |               |                     |
| Sub-total      |        |        | 10,897        | 8,109         | 6,844         | 57         | 1,838          | 4.41:1        | 1.35:1              |
| <b>Total</b>   |        |        | <b>26,586</b> | <b>19,789</b> | <b>16,712</b> | <b>144</b> | <b>4,118</b>   | <b>4.81:1</b> | <b>1.33:1</b>       |

|                  |               |
|------------------|---------------|
| Residential GFA  | 14,323        |
| Retail GFA       | 2,123         |
| Commercial GFA   | 2,613         |
| Community GFA    | 730           |
| <b>Total GFA</b> | <b>19,789</b> |

Note: Total yield above includes floorspace on 180-182 Military Road (not owned by Arkadia).

## Building 2A-1

|               | LEVEL             | HEIGHTS       | GBA              | USE         | %   | GFA              | %   | NSA              | Type+ Size       | Mix | # Units   |
|---------------|-------------------|---------------|------------------|-------------|-----|------------------|-----|------------------|------------------|-----|-----------|
| <b>Totals</b> | <b>11 stories</b> | <b>41.8 m</b> | <b>8,818 sqm</b> |             |     | <b>6,562 sqm</b> |     | <b>5,644 sqm</b> |                  |     | <b>49</b> |
| Sub totals    | lift overrun      | 4.5 m         |                  | Residential |     | 4,853 sqm        |     | 4,125 sqm        | 1Bed 60 sqm 20%  |     | 14        |
|               |                   |               |                  | Retail      |     | 650 sqm          |     | 520 sqm          | 2Bed 85 sqm 45%  |     | 22        |
|               |                   |               |                  | Commercial  |     | 329 sqm          |     | 280 sqm          | 3Bed 110 sqm 35% |     | 13        |
|               |                   |               |                  | Community   |     | 730 sqm          |     | 618 sqm          |                  |     |           |
|               | Ground            | 4.5           | 1,084            | Retail      | 60% | 650              | 80% | 520              |                  |     |           |
|               |                   |               | 80               | Community   | 60% | 36               | 80% | 29               |                  |     |           |
|               | 1                 | 3.8           | 816              | Community   | 85% | 694              | 85% | 590              |                  |     |           |
|               |                   |               | 387              | Commercial  | 85% | 329              | 85% | 280              |                  |     |           |
|               | 2                 | 3.2           | 794              | Residential | 75% | 596              | 85% | 506              |                  |     |           |
|               | 3                 | 3.2           | 794              | Residential | 75% | 596              | 85% | 506              |                  |     |           |
|               | 4                 | 3.2           | 794              | Residential | 75% | 596              | 85% | 506              |                  |     |           |
|               | 5                 | 3.2           | 794              | Residential | 75% | 596              | 85% | 506              |                  |     |           |
|               | 6                 | 3.2           | 794              | Residential | 75% | 596              | 85% | 506              |                  |     |           |
|               | 7                 | 3.2           | 794              | Residential | 75% | 596              | 85% | 506              |                  |     |           |
|               | 8                 | 3.2           | 569              | Residential | 75% | 427              | 85% | 363              |                  |     |           |
|               | 9                 | 3.2           | 569              | Residential | 75% | 427              | 85% | 363              |                  |     |           |
|               | 10                | 3.4           | 569              | Residential | 75% | 427              | 85% | 363              |                  |     |           |

## Building 2A-2

|               | LEVEL             | HEIGHTS     | GBA              | USE         | %   | GFA              | %   | NSA              | Type+ Size       | Mix | # Units   |
|---------------|-------------------|-------------|------------------|-------------|-----|------------------|-----|------------------|------------------|-----|-----------|
| <b>Totals</b> | <b>12 stories</b> | <b>45 m</b> | <b>6,871 sqm</b> |             |     | <b>5,117 sqm</b> |     | <b>4,325 sqm</b> |                  |     | <b>59</b> |
| Sub totals    | lift overrun      | 4.5 m       |                  | Residential |     | 3,848 sqm        |     | 3,270 sqm        | 1Bed 60 sqm 20%  |     | 11        |
|               |                   |             |                  | Retail      |     | 504 sqm          |     | 403 sqm          | 2Bed 85 sqm 45%  |     | 17        |
|               |                   |             |                  | Commercial  |     | 765 sqm          |     | 651 sqm          | 3Bed 110 sqm 35% |     | 10        |
|               | Ground            | 4.5         | 571              | Retail      | 60% | 343              | 80% | 274              |                  |     |           |
|               |                   |             | 269              | Retail      | 60% | 161              | 80% | 129              |                  |     |           |
|               | 1                 | 3.8         | 611              | Commercial  | 85% | 519              | 85% | 441              |                  |     |           |
|               |                   |             | 290              | Commercial  | 85% | 247              | 85% | 210              |                  |     |           |
|               | 2                 | 3.2         | 513              | Residential | 75% | 385              | 85% | 327              |                  |     |           |
|               | 3                 | 3.2         | 513              | Residential | 75% | 385              | 85% | 327              |                  |     |           |
|               | 4                 | 3.2         | 513              | Residential | 75% | 385              | 85% | 327              |                  |     |           |
|               | 5                 | 3.2         | 513              | Residential | 75% | 385              | 85% | 327              |                  |     |           |
|               | 6                 | 3.2         | 513              | Residential | 75% | 385              | 85% | 327              |                  |     |           |
|               | 7                 | 3.2         | 513              | Residential | 75% | 385              | 85% | 327              |                  |     |           |
|               | 8                 | 3.2         | 513              | Residential | 75% | 385              | 85% | 327              |                  |     |           |
|               | 9                 | 3.2         | 513              | Residential | 75% | 385              | 85% | 327              |                  |     |           |
|               | 10                | 3.2         | 513              | Residential | 75% | 385              | 85% | 327              |                  |     |           |
|               | 11                | 3.4         | 513              | Residential | 75% | 385              | 85% | 327              |                  |     |           |

Floorspace on 180-182 Military Road  
(not owned by Arkadia)

## Building 2B-1

|               | LEVEL            | HEIGHTS       | GBA              | USE         | %   | GFA              | %   | NSA              | Type+ Size       | Mix | # Units   |
|---------------|------------------|---------------|------------------|-------------|-----|------------------|-----|------------------|------------------|-----|-----------|
| <b>Totals</b> | <b>9 stories</b> | <b>35.4 m</b> | <b>6,409 sqm</b> |             |     | <b>4,018 sqm</b> |     | <b>3,387 sqm</b> |                  |     | <b>26</b> |
| Sub totals    | lift overrun     | 4.5 m         |                  | Residential |     | 2,569 sqm        |     | 2,183 sqm        | 1Bed 60 sqm 20%  |     | 7         |
|               |                  |               |                  | Retail      |     | 569 sqm          |     | 455 sqm          | 2Bed 85 sqm 45%  |     | 12        |
|               |                  |               |                  | Commercial  |     | 881 sqm          |     | 748 sqm          | 3Bed 110 sqm 35% |     | 7         |
|               | Ground           | 4.5           | 948              | Retail      | 60% | 569              | 80% | 455              |                  |     |           |
|               | 1                | 3.8           | 1,036            | Commercial  | 85% | 881              | 85% | 748              |                  |     |           |
|               | 2                | 3.2           | 544              | Residential | 75% | 408              | 85% | 347              |                  |     |           |
|               | 3                | 3.2           | 544              | Residential | 75% | 408              | 85% | 347              |                  |     |           |
|               | 4                | 3.2           | 544              | Residential | 75% | 408              | 85% | 347              |                  |     |           |
|               | 5                | 3.2           | 544              | Residential | 75% | 408              | 85% | 347              |                  |     |           |
|               | 6                | 3.2           | 544              | Residential | 75% | 408              | 85% | 347              |                  |     |           |
|               | 7                | 3.2           | 446              | Residential | 75% | 335              | 85% | 284              |                  |     |           |
|               | 8                | 3.4           | 259              | Residential | 75% | 194              | 85% | 165              |                  |     |           |

## Building 2B-2

|               | LEVEL             | HEIGHTS     | GBA              | USE         | %   | GFA              | %   | NSA              | Type+ Size       | Mix | # Units   |
|---------------|-------------------|-------------|------------------|-------------|-----|------------------|-----|------------------|------------------|-----|-----------|
| <b>Totals</b> | <b>12 stories</b> | <b>45 m</b> | <b>5,488 sqm</b> |             |     | <b>4,091 sqm</b> |     | <b>3,457 sqm</b> |                  |     | <b>31</b> |
| Sub totals    | lift overrun      | 4.5 m       |                  | Residential |     | 3,053 sqm        |     | 2,595 sqm        | 1Bed 60 sqm 20%  |     | 9         |
|               |                   |             |                  | Retail      |     | 400 sqm          |     | 320 sqm          | 2Bed 85 sqm 45%  |     | 14        |
|               |                   |             |                  | Commercial  |     | 638 sqm          |     | 542 sqm          | 3Bed 110 sqm 35% |     | 8         |
|               | Ground            | 4.5         | 667              | Retail      | 60% | 400              | 80% | 320              |                  |     |           |
|               | 1                 | 3.8         | 750              | Commercial  | 85% | 638              | 85% | 542              |                  |     |           |
|               | 2                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 3                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 4                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 5                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 6                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 7                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 8                 | 3.2         | 441              | Residential | 75% | 331              | 85% | 281              |                  |     |           |
|               | 9                 | 3.2         | 328              | Residential | 75% | 246              | 85% | 209              |                  |     |           |
|               | 10                | 3.2         | 328              | Residential | 75% | 246              | 85% | 209              |                  |     |           |
|               | 11                | 3.4         | 328              | Residential | 75% | 246              | 85% | 209              |                  |     |           |

### 3.7 Amended Indicative Floor Plans

#### ADG Compliance

The indicative floor plans provided on the following pages illustrate that all four buildings proposed in the Amended Indicative Concept Scheme are capable of achieving ADG solar and cross-ventilation requirements.

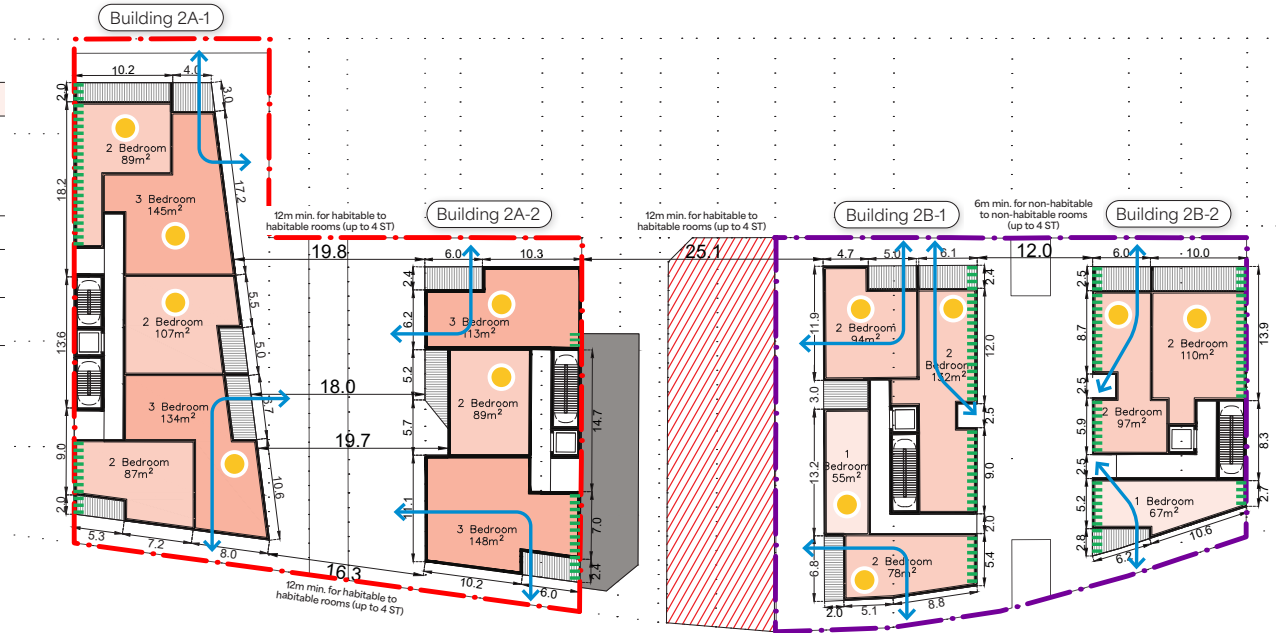
The total number of units as shown in these indicative floor plans (120 dwellings) is not representative of the final proposed outcome for the site. These plans have been prepared to illustrate the scheme's ability to meet ADG requirements only and are subject to change.

#### Overview

| Total                               | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 1             | 0             | 6             | 10            |
| 2 Bedroom                           | 20            | 10            | 16            | 11            |
| 3 Bedroom                           | 18            | 20            | 2             | 6             |
| Total No of Units                   | 39            | 30            | 24            | 27            |
| Solar Access - Compliant Units      | 30 (76%)      | 24 (80%)      | 24 (100%)     | 20 (74%)      |
| Cross Ventilation - Compliant Units | 24 (61%)      | 21 (70%)      | 19 (79%)      | 23 (85%)      |

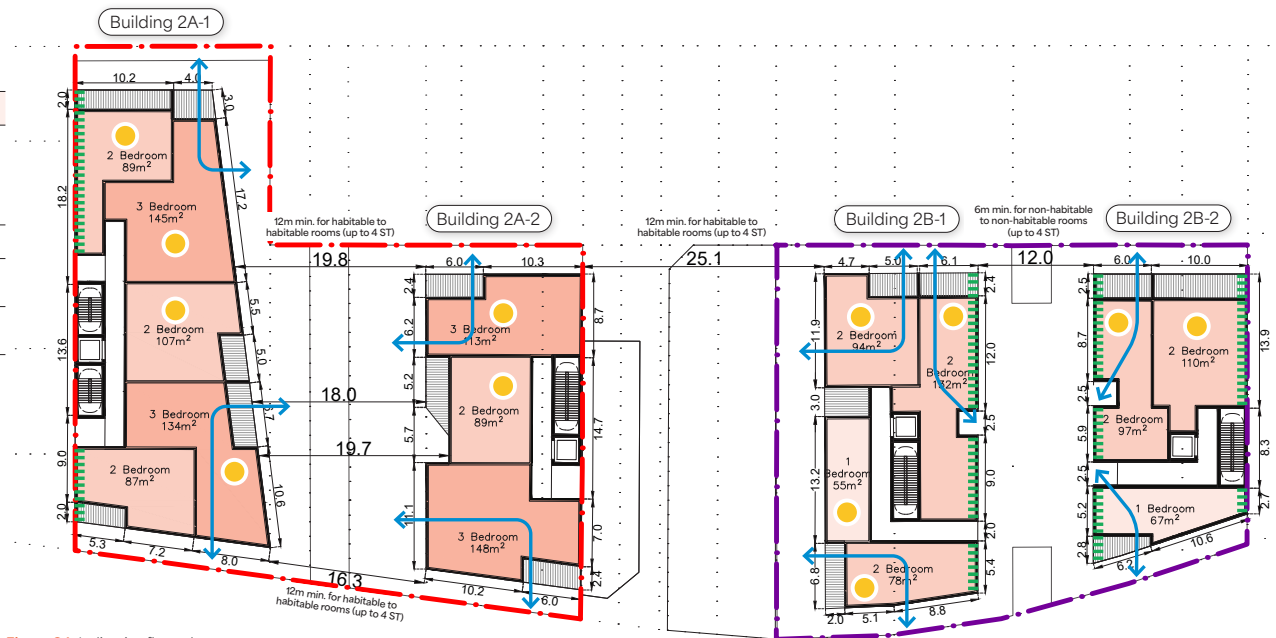
## Level 2

|                                     | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 0             | 0             | 1             | 1             |
| 2 Bedroom                           | 3             | 1             | 3             | 2             |
| 3 Bedroom                           | 2             | 2             | 0             | 0             |
| <b>Total No of Units</b>            | <b>5</b>      | <b>3</b>      | <b>4</b>      | <b>3</b>      |
| Solar Access - Compliant Units      | 4             | 2             | 4             | 2             |
| Cross Ventilation - Compliant Units | 2             | 2             | 3             | 2             |



## Level 3

|                                     | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 0             | 0             | 1             | 1             |
| 2 Bedroom                           | 3             | 1             | 3             | 2             |
| 3 Bedroom                           | 2             | 2             | 0             | 0             |
| <b>Total No of Units</b>            | <b>5</b>      | <b>3</b>      | <b>4</b>      | <b>3</b>      |
| Solar Access - Compliant Units      | 4             | 2             | 4             | 2             |
| Cross Ventilation - Compliant Units | 2             | 2             | 3             | 2             |



## LEGEND

|  |  |   |
|--|--|---|
| <span style="border: 1px dashed red; padding: 2px;"> </span> Site 2A                                     | <span style="background-color: #f8d7da; border: 1px solid #f5c6cb; padding: 2px;"> </span> 1 bedroom | <span style="color: yellow;">●</span> Solar access - compliant units    |
| <span style="border: 1px dashed blue; padding: 2px;"> </span> Site 2B                                    | <span style="background-color: #fff3f3; border: 1px solid #ffe5e5; padding: 2px;"> </span> 2 bedroom | <span style="color: blue;">↔</span> Cross ventilation - compliant units |
| <span style="background-color: #f8d7da; border: 1px solid #f5c6cb; padding: 2px;"> </span> Heritage item | <span style="background-color: #fff3f3; border: 1px solid #ffe5e5; padding: 2px;"> </span> 3 bedroom | <span style="color: green;">    </span> Non-habitable interfaces        |

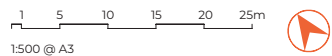
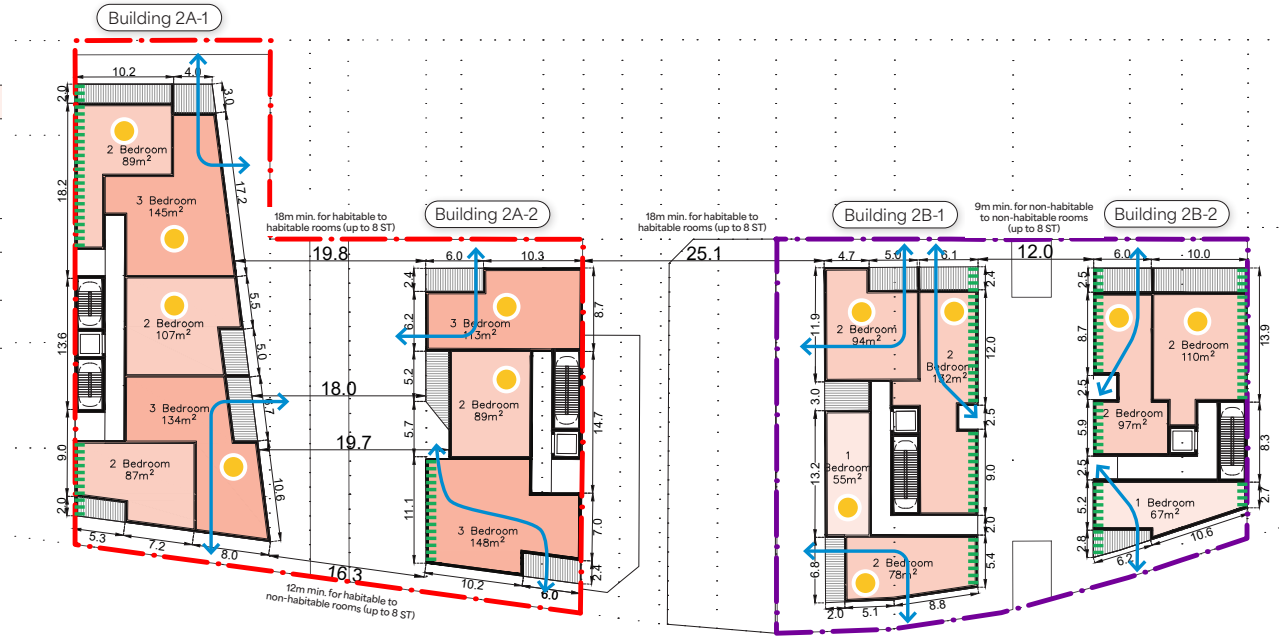


Figure 24. Indicative floor plans



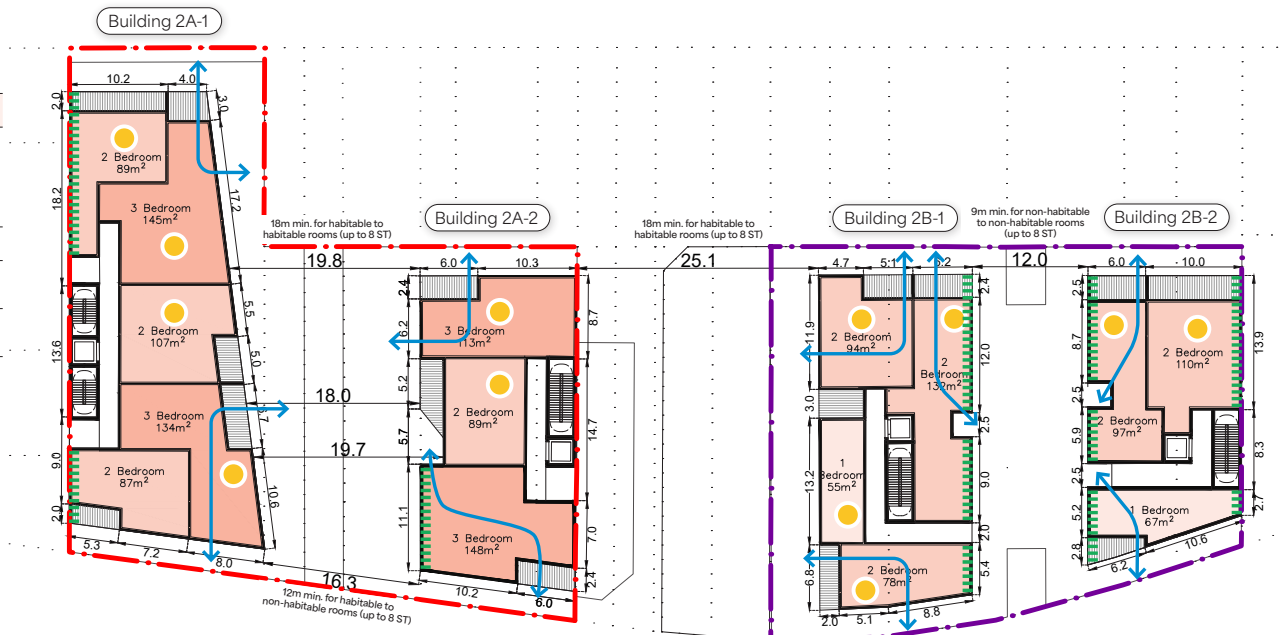
## Level 4

|                                     | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 0             | 0             | 1             | 1             |
| 2 Bedroom                           | 3             | 1             | 3             | 2             |
| 3 Bedroom                           | 2             | 2             | 0             | 0             |
| <b>Total No of Units</b>            | <b>5</b>      | <b>3</b>      | <b>4</b>      | <b>3</b>      |
| Solar Access - Compliant Units      | 4             | 2             | 4             | 2             |
| Cross Ventilation - Compliant Units | 2             | 2             | 3             | 2             |



## Level 5

|                                     | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 0             | 0             | 1             | 1             |
| 2 Bedroom                           | 3             | 1             | 3             | 2             |
| 3 Bedroom                           | 2             | 2             | 0             | 0             |
| <b>Total No of Units</b>            | <b>5</b>      | <b>3</b>      | <b>4</b>      | <b>3</b>      |
| Solar Access - Compliant Units      | 4             | 2             | 4             | 2             |
| Cross Ventilation - Compliant Units | 2             | 2             | 3             | 2             |



## LEGEND

|  |               |  |           |  |                                     |
|--|---------------|--|-----------|--|-------------------------------------|
|  | Site 2A       |  | 1 bedroom |  | Solar access - compliant units      |
|  | Site 2B       |  | 2 bedroom |  | Cross ventilation - compliant units |
|  | Heritage item |  | 3 bedroom |  | Non-habitable interfaces            |

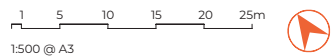
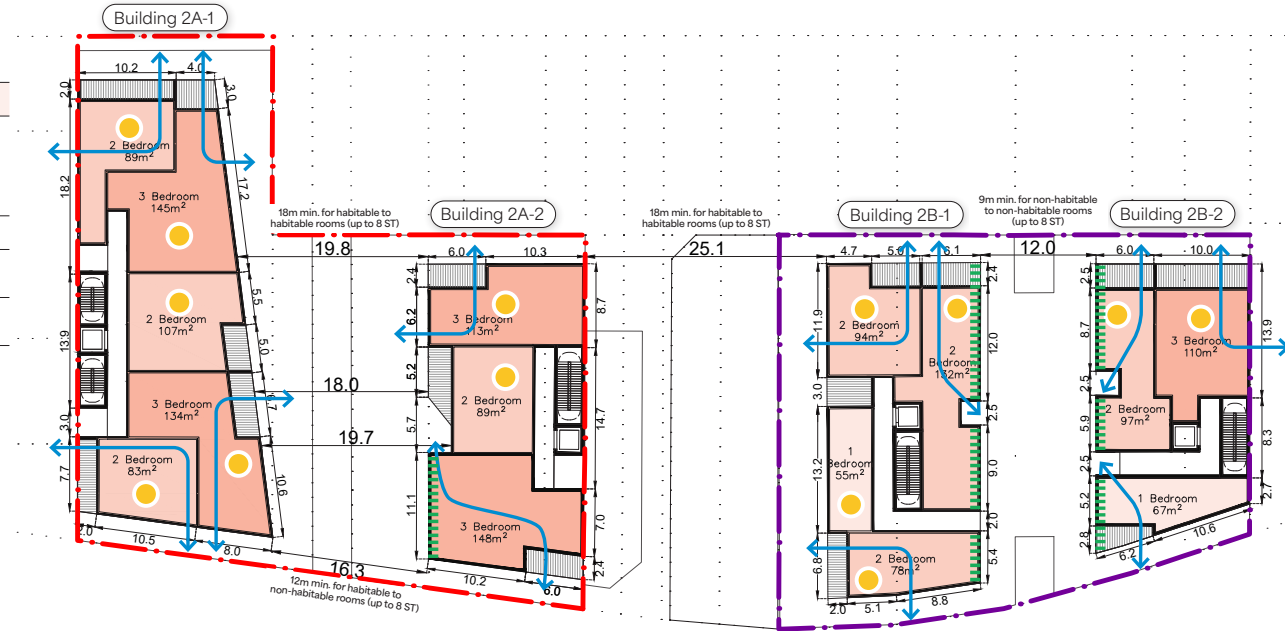


Figure 25. Indicative floor plans

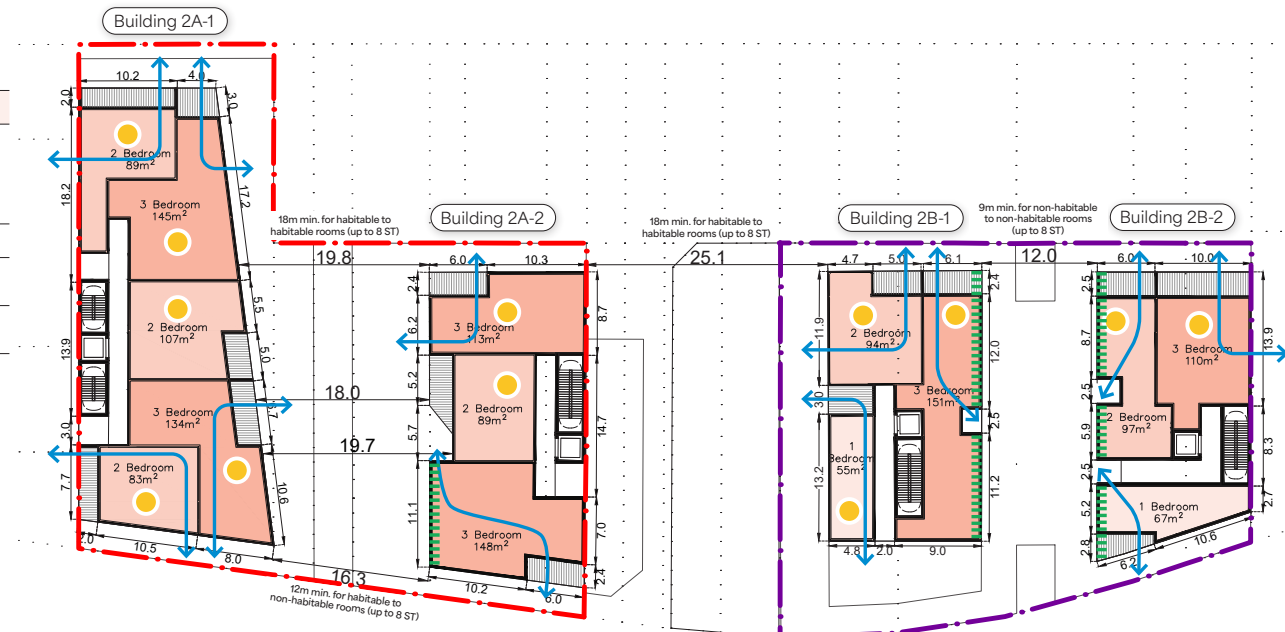
## Level 6

|                                     | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 0             | 0             | 1             | 1             |
| 2 Bedroom                           | 3             | 1             | 3             | 1             |
| 3 Bedroom                           | 2             | 2             | 0             | 1             |
| <b>Total No of Units</b>            | <b>5</b>      | <b>3</b>      | <b>4</b>      | <b>3</b>      |
| Solar Access - Compliant Units      | 5             | 2             | 4             | 2             |
| Cross Ventilation - Compliant Units | 4             | 2             | 3             | 3             |



## Level 7

|                                     | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 0             | 0             | 1             | 1             |
| 2 Bedroom                           | 3             | 1             | 1             | 1             |
| 3 Bedroom                           | 2             | 2             | 1             | 1             |
| <b>Total No of Units</b>            | <b>5</b>      | <b>3</b>      | <b>3</b>      | <b>3</b>      |
| Solar Access - Compliant Units      | 5             | 2             | 3             | 2             |
| Cross Ventilation - Compliant Units | 4             | 2             | 3             | 3             |



## LEGEND

|               |           |                                     |
|---------------|-----------|-------------------------------------|
| Site 2A       | 1 bedroom | Solar access - compliant units      |
| Site 2B       | 2 bedroom | Cross ventilation - compliant units |
| Heritage item | 3 bedroom | Non-habitable interfaces            |

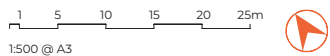
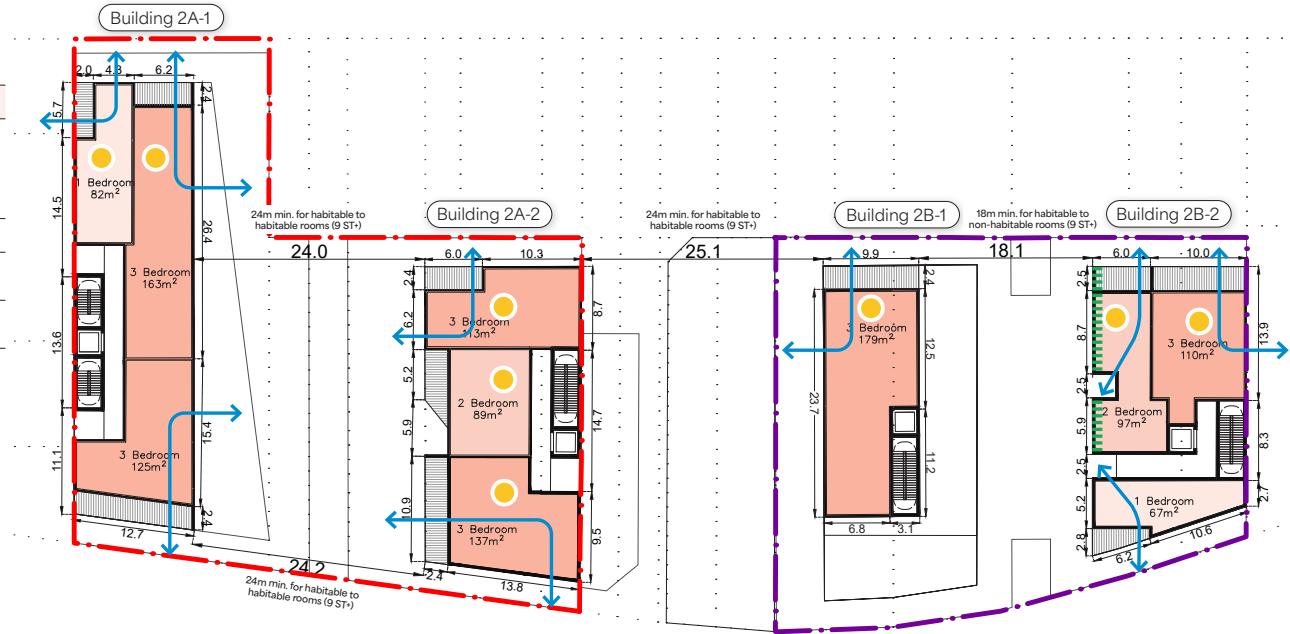


Figure 26. Indicative floor plans

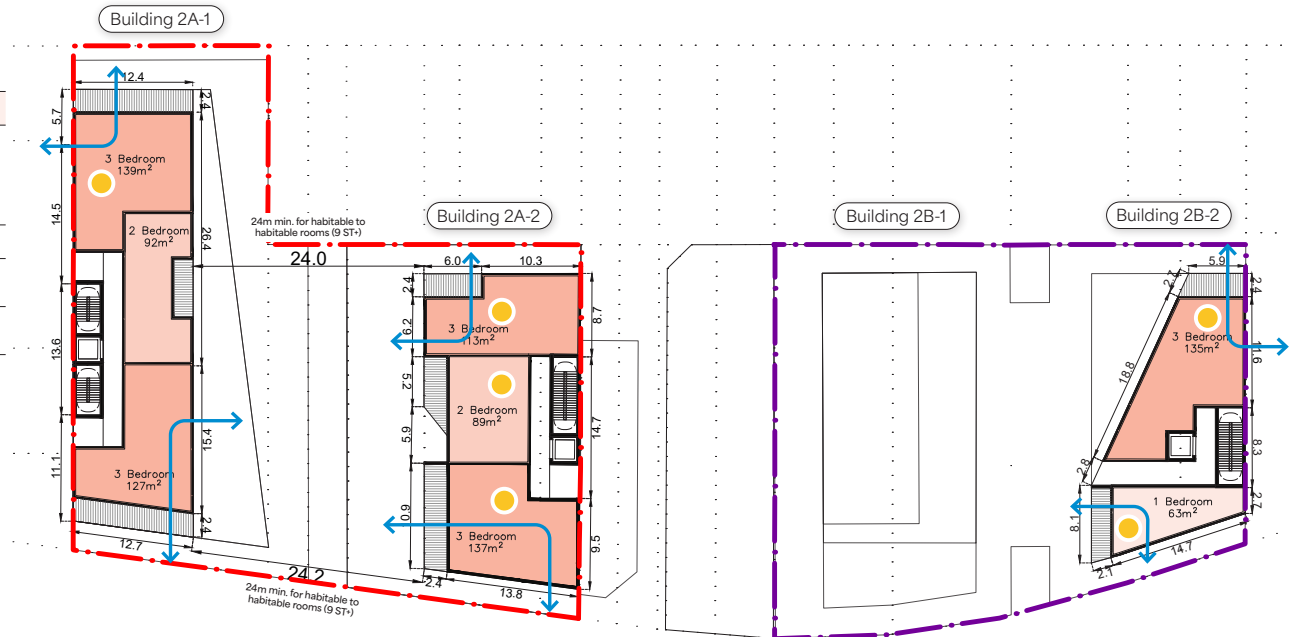
## Level 8

|                                     | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 1             | 0             | 0             | 1             |
| 2 Bedroom                           | 0             | 1             | 0             | 1             |
| 3 Bedroom                           | 2             | 2             | 1             | 1             |
| <b>Total No of Units</b>            | <b>3</b>      | <b>3</b>      | <b>1</b>      | <b>3</b>      |
| Solar Access - Compliant Units      | 2             | 3             | 1             | 2             |
| Cross Ventilation - Compliant Units | 3             | 2             | 1             | 3             |



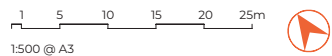
## Level 9

|                                     | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 0             | 0             | 0             | 1             |
| 2 Bedroom                           | 1             | 1             | 0             | 0             |
| 3 Bedroom                           | 2             | 2             | 0             | 1             |
| <b>Total No of Units</b>            | <b>3</b>      | <b>3</b>      | <b>0</b>      | <b>2</b>      |
| Solar Access - Compliant Units      | 1             | 3             | 0             | 2             |
| Cross Ventilation - Compliant Units | 2             | 2             | 0             | 2             |



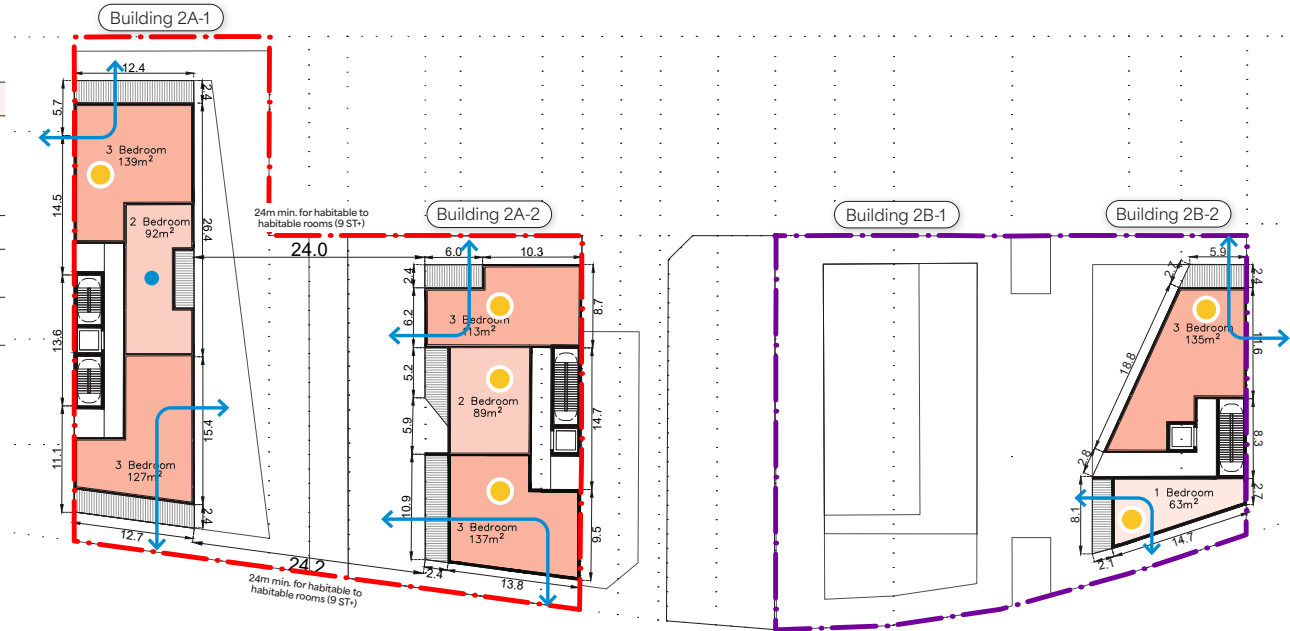
## LEGEND

|               |           |                                     |
|---------------|-----------|-------------------------------------|
| Site 2A       | 1 bedroom | Solar access - compliant units      |
| Site 2B       | 2 bedroom | Cross ventilation - compliant units |
| Heritage item | 3 bedroom | Non-habitable interfaces            |



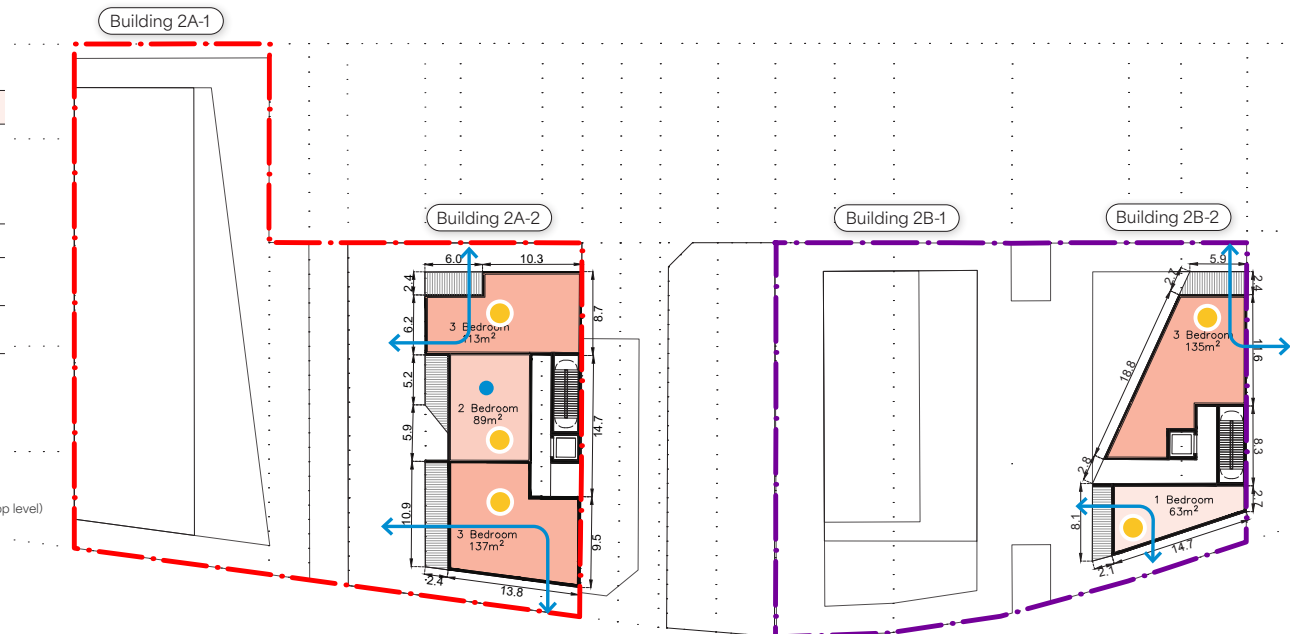
## Level 10

|                                     | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 0             | 0             | 0             | 1             |
| 2 Bedroom                           | 1             | 1             | 0             | 0             |
| 3 Bedroom                           | 2             | 2             | 0             | 1             |
| <b>Total No of Units</b>            | <b>3</b>      | <b>3</b>      | <b>0</b>      | <b>2</b>      |
| Solar Access - Compliant Units      | 1             | 3             | 0             | 2             |
| Cross Ventilation - Compliant Units | 3             | 2             | 0             | 2             |



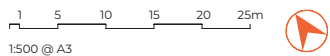
## Level 11

|                                     | Building 2A-1 | Building 2A-2 | Building 2B-1 | Building 2B-2 |
|-------------------------------------|---------------|---------------|---------------|---------------|
| 1 Bedroom                           | 0             | 0             | 0             | 1             |
| 2 Bedroom                           | 0             | 1             | 0             | 0             |
| 3 Bedroom                           | 0             | 2             | 0             | 1             |
| <b>Total No of Units</b>            | <b>0</b>      | <b>3</b>      | <b>0</b>      | <b>2</b>      |
| Solar Access - Compliant Units      | 0             | 3             | 0             | 2             |
| Cross Ventilation - Compliant Units | 0             | 3             | 0             | 2             |



## LEGEND

|  |               |  |           |  |   |
|--|---------------|--|-----------|--|---|
|  | Site 2A       |  | 1 bedroom |  | Solar access - compliant units                  |
|  | Site 2B       |  | 2 bedroom |  | Cross ventilation - compliant units (top level) |
|  | Heritage item |  | 3 bedroom |  | Cross ventilation - compliant units             |





## 4 Shadow Diagrams Demonstrating the Impact on Properties to the South

## 4.1 Solar Access to Public Open Spaces

### May Gibbs Place and Rangers Road Plaza

The NBVPS requires solar access to be provided to a minimum 50% of the site area of May Gibbs Place and Rangers Road Plaza between 10am-1pm at mid-winter.

The shadow diagrams on the right demonstrate that the proposal does not overshadow either of these open spaces between these hours.



Figure 27. June 21 - 9am



Figure 28. June 21 - 10am



Figure 29. June 21 - 11am

## 4.2 Solar Access to 183-185 Military Road

### Future Development with Gateway Approval

The proposed 12-storey development at 183-185 Military Road, which consists of residential uses in its upper levels, has recently received conditional gateway approval. Sufficient solar access will need to be provided to its north-facing units in accordance with the ADG.

The shadow diagrams on the right demonstrate that the proposal will only start to overshadow 183-185 Military Road at 12pm at mid-winter. The north-facing units at 183-185 Military Road will receive the minimum 2 hours of direct sunlight required by the ADG in the morning.



Figure 30. June 21 - 12pm

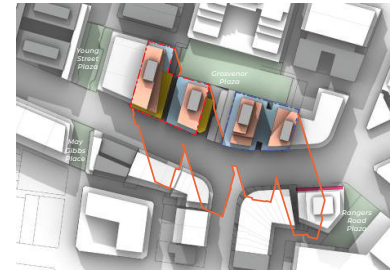


Figure 31. June 21 - 1pm

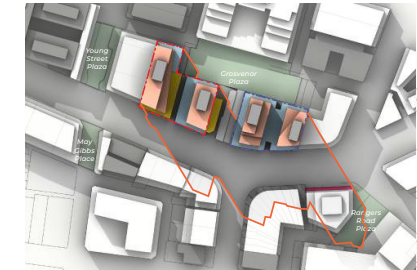


Figure 32. June 21 - 2pm



Figure 33. June 21 - 3pm

#### LEGEND

- Site A
- Site B
- Existing buildings
- Indicative future built form context
- Extent of shadows cast by the proposal
- Public open spaces
- North-facing residential interface at 183-185 Military Road

## 4.3 Solar Access to Potential Future Development to the South

### Potential Future Development to the South

| Building | Address                                | Status                           | Land Use Assumptions   |
|----------|--|----------------------------------|--|
| ①        | 183-185 Military Road                  | Has conditional gateway approval | Non-residential uses on Ground Level and Levels 1-3 - excluded from solar analysis.<br>Residential use on Levels 4 and above - included in solar analysis. |
| ②        | 157 Wycombe Road-<br>181 Military Road | Indicative future development    | Non-residential uses on Ground Level and Level 1 - excluded from solar analysis.<br>Residential use on Levels 2 and above - included in solar analysis.    |
| ③        | 165-173 Military Road                  | Approved DA                      | Refer to Urban Design Report by Ethos Urban (16 October 2024) for detailed solar analysis.   |
| ④        | 153-161 Military Road                  | Indicative future development    | Non-residential uses on Ground Level and Level 1 - excluded from solar analysis.<br>Residential use on Levels 2 and above - included in solar analysis.    |
| ⑤        | 151 Military Road                      | Existing development             | Non-residential uses on Ground Level - excluded from solar analysis.<br>Residential use on Levels 1 and above - included in solar analysis                 |
| ⑥        | 139 Military Road                      | Indicative future development    | Non-residential uses on Ground Level - excluded from solar analysis.<br>Residential use on Levels 1 and above - included in solar analysis                 |



Figure 34. Potential future development to the south

#### LEGEND

|  |                        |                                      |
|--|------------------------|--------------------------------------|
| Existing built form context  | Proposed retail        | 157 Wycombe Road - 181 Military Road |
| Indicative future built form context   | Proposed commercial    | 165-173 Military Road                |
| Public open spaces   | Proposed community use | 153-161 Military Road                |
| 190-192 Military Road - owned by Council (Upgrade to the existing Neutral Bay community centre as proposed in the NBVPS) | Proposed residential   | 151 Military Road                    |
|  | 183-185 Military Road  | 139 Military Road                    |

### Sun Eye Diagrams - NBVPS Scheme

- The NBVPS scheme results in minor overshadowing impacts on:
  - Building 3 between 9am and 10am
  - Building 4 between 9am and 9.30am
  - Building 5 between 9am and 10.15am
  - Building 6 between 9am and 9:15am

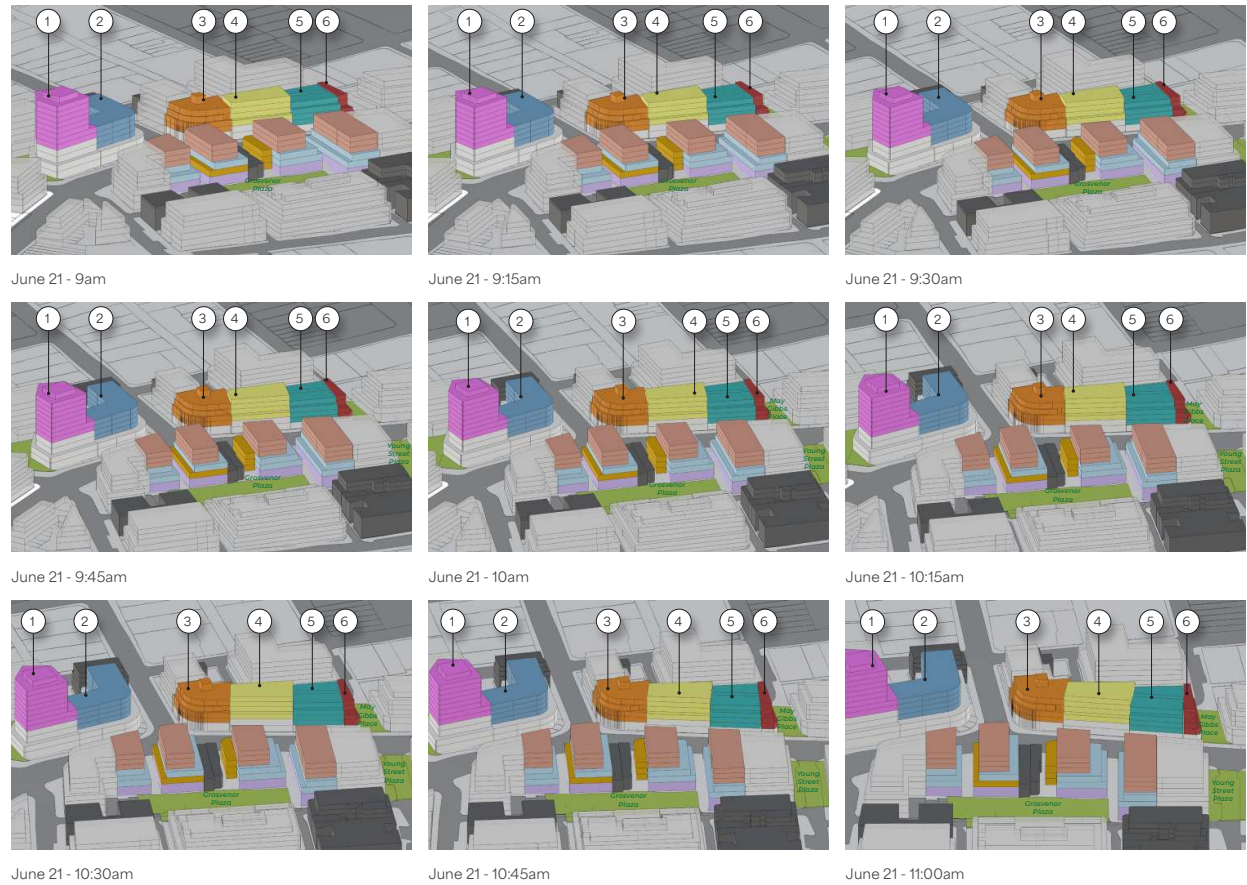


Figure 35. NBVPS Scheme- sun eye diagrams to potential future development to the south



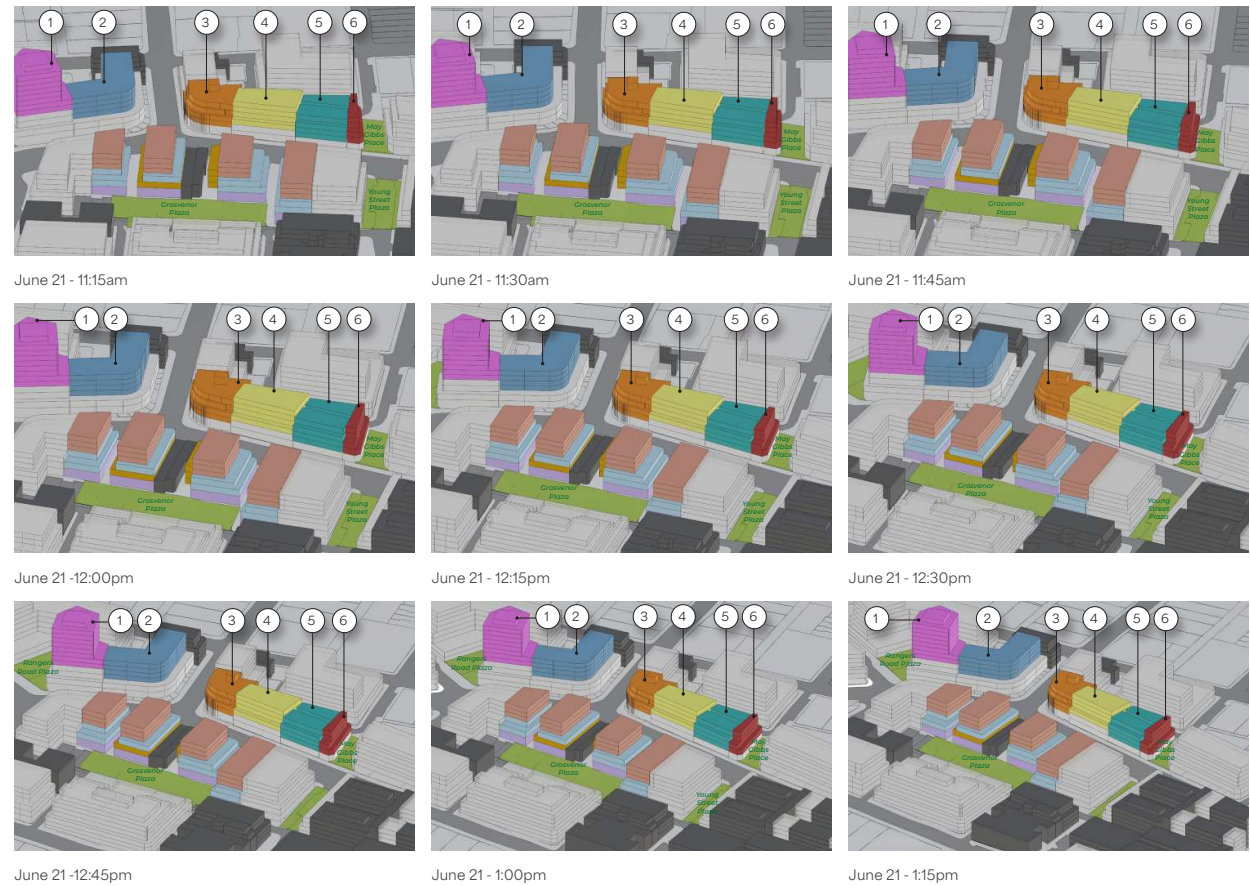


Figure 36. NBVPS Scheme - sun eye diagrams to potential future development to the south

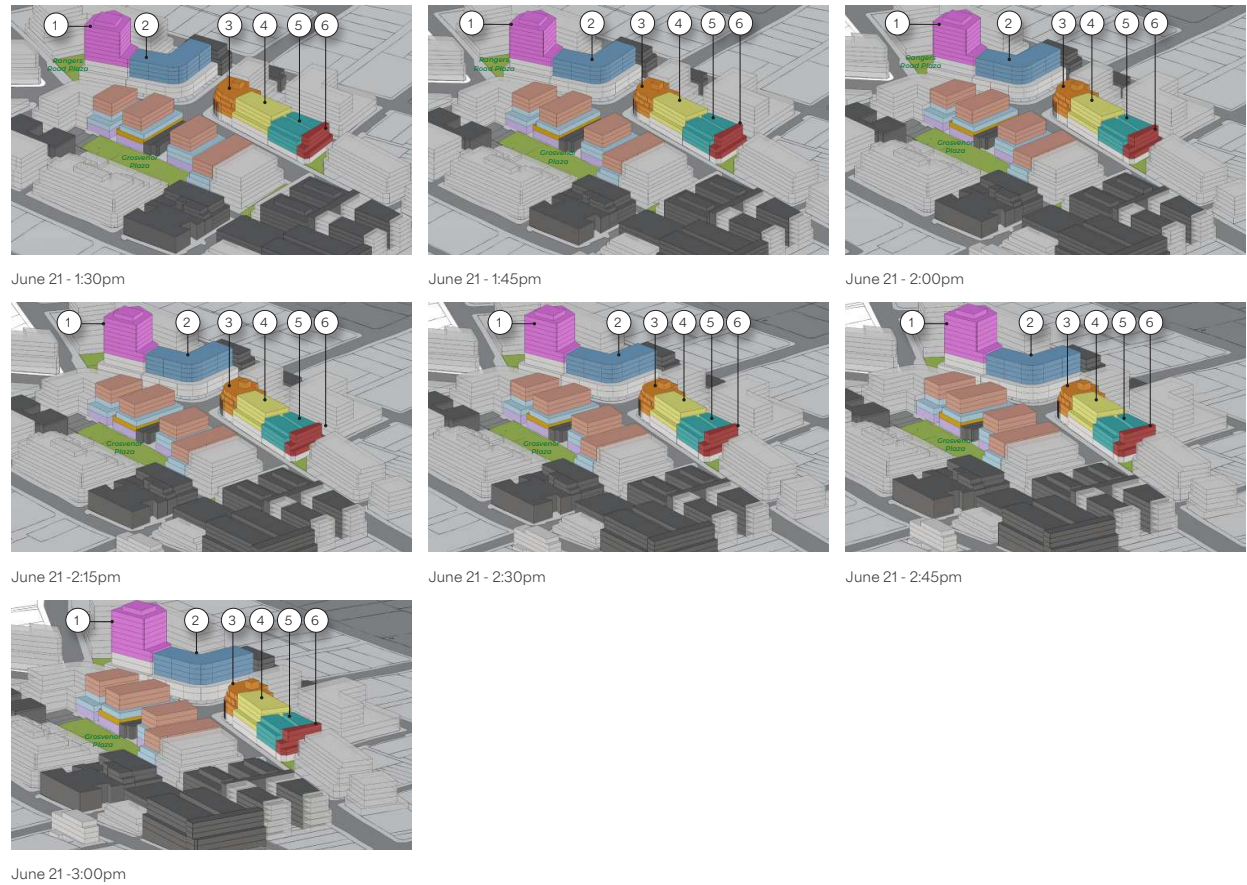


Figure 37. NBVPS Scheme - sun eye diagrams to potential future development to the south

### Sun Eye Diagrams - The Proposal

- The Proposal results in:
  - minimal overshadowing impacts on Buildings 1 between 12:30-3pm
  - some overshadowing impacts on Building 2 between 9:45am-3pm.
  - some overshadowing impacts on Building 3 between 9am-3pm.
  - some overshadowing impacts on Building 4 between 9am-2:30pm.
  - some overshadowing impacts on Building 5 between 9am-12:30pm.
  - some overshadowing on Building 6 between 9am-10am.
- Notwithstanding the above, further solar analysis has identified that the Proposal does not reduce the ability of these potential future buildings to meet ADG solar access requirements (refer to High-level Solar Analysis and Figure 31 on page 36).

#### LEGEND

|  |   |  |                                      |
|--|---|--|--------------------------------------|
|  | Existing built form context   |  | 183-185 Military Road                |
|  | Indicative future built form context  |  | 157 Wycombe Road - 181 Military Road |
|  | Public open spaces  |  | 165-173 Military Road                |
|  | 190-192 Military Road (owned by Council, upgrade to existing community centre as per NBVPS) |  | 153-161 Military Road                |
|  | Proposed retail   |  | 151 Military Road                    |
|  | Proposed commercial   |  | 139 Military Road                    |
|  | Proposed community use  |  |                                      |
|  | Proposed residential  |  |                                      |

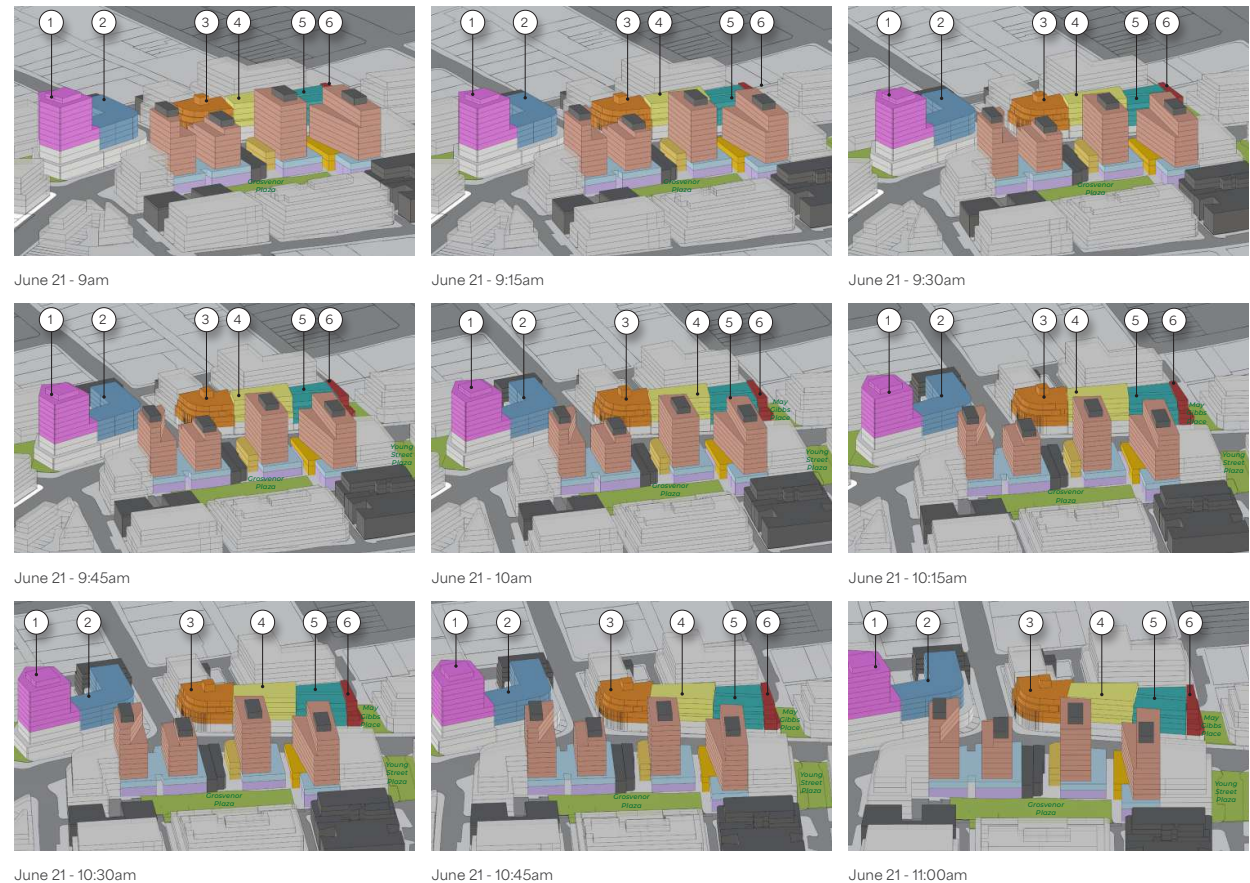


Figure 38. The Proposal - sun eye diagrams to potential future development to the south



## LEGEND

- Existing built form context
- Indicative future built form context
- Public open spaces
- 190-192 Military Road (owned by Council, upgrade to existing community centre as per NBVPS)
- Proposed retail
- Proposed commercial
- Proposed community use
- Proposed residential
- 183-185 Military Road
- 157 Wycombe Road - 181 Military Road
- 165-173 Military Road
- 153-161 Military Road
- 151 Military Road
- 139 Military Road

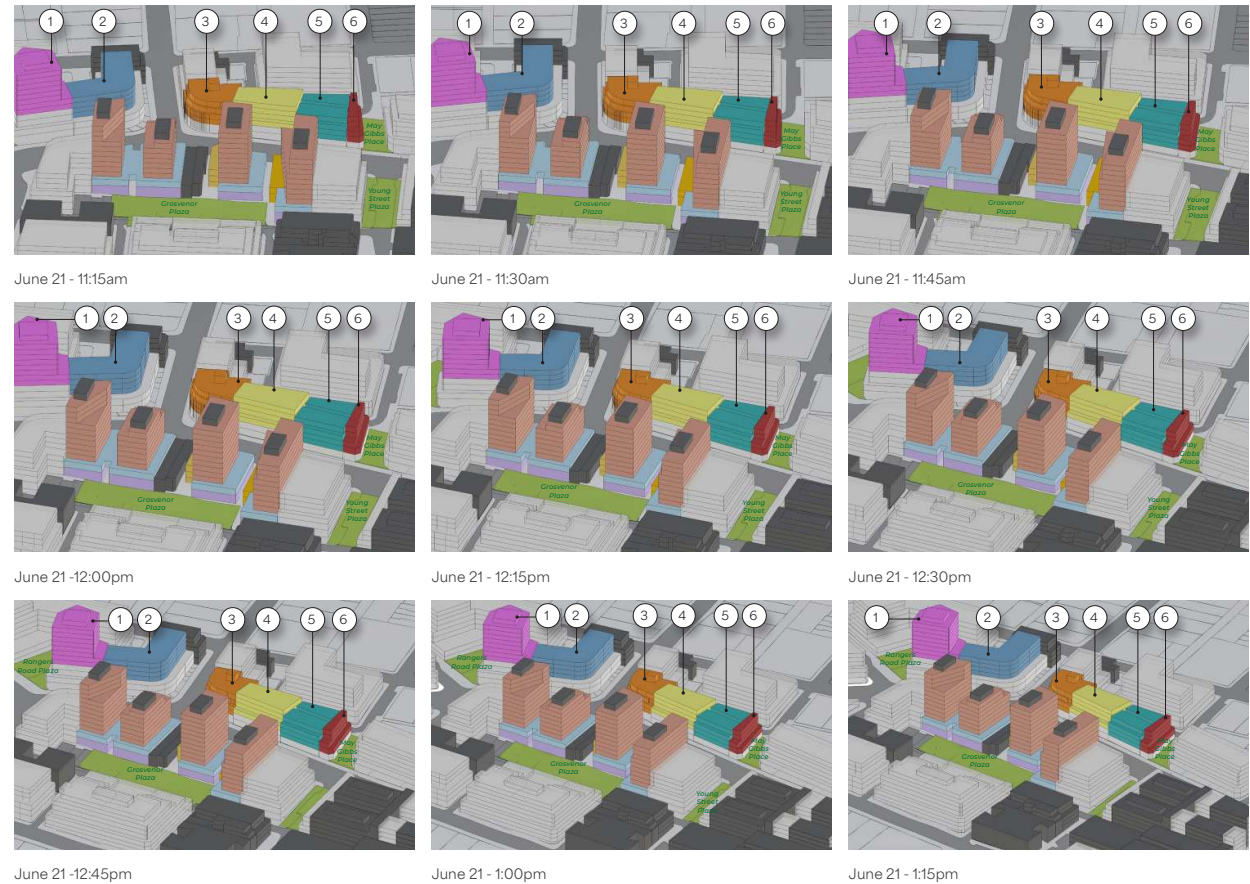
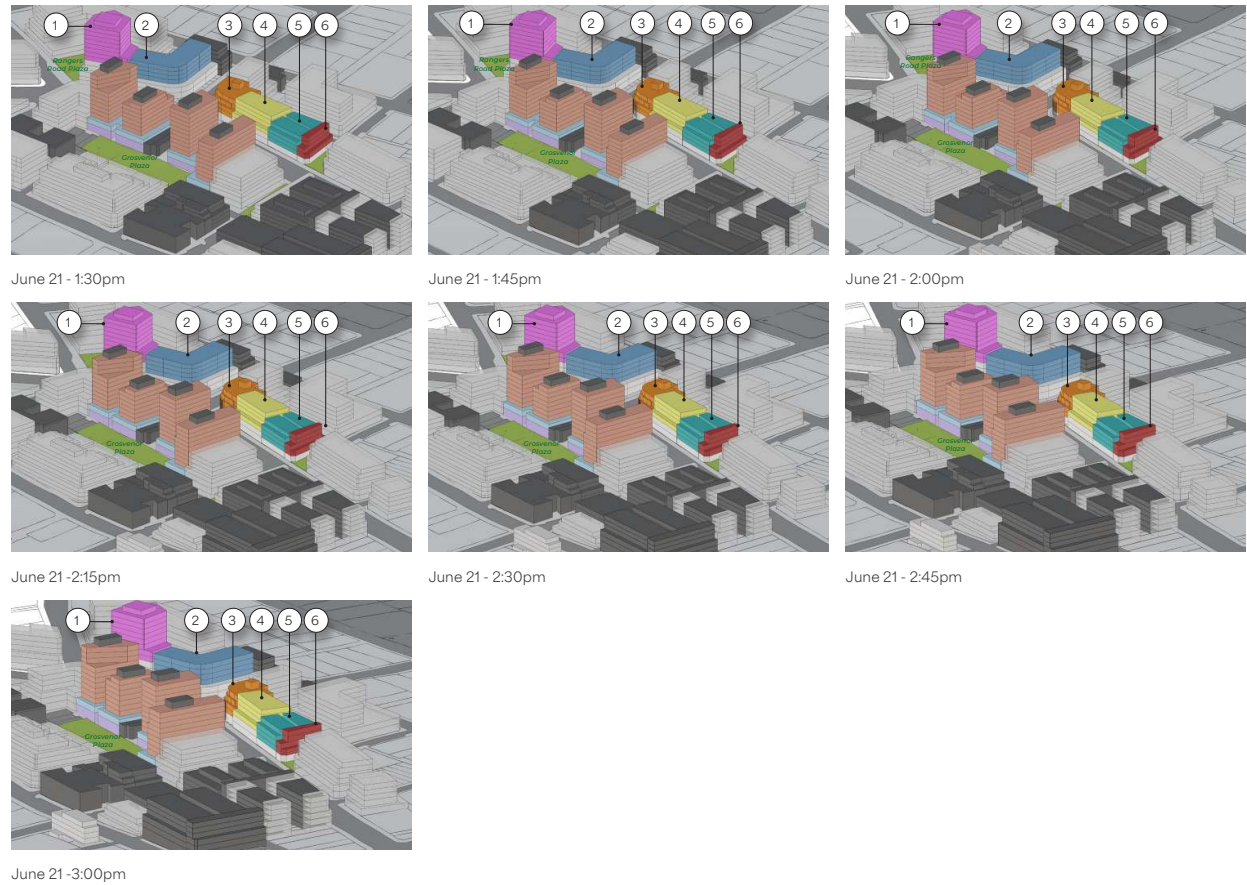


Figure 39. The Proposal - sun eye diagrams to potential future development to the south





**Figure 40.** The Proposal - sun eye diagrams to potential future development to the south

### High-level Solar Analysis

- High-level solar analysis has also been undertaken for the facades of Buildings 1, 2, 4, 5 and 6.
- Green surfaces indicate areas of the facade that receive at least 2 hours of direct sunlight between 9am-3pm at mid-winter. Red surfaces indicate areas that receive less than 2 hours.
- The figures on the right illustrate that both the NBVPS Scheme and the Proposal do not impact the ability of these potential future buildings to receive at least 2 hours of direct sunlight between 9am-3pm at mid-winter along their northern and western facades (green surfaces).
- The units within these potential future buildings would be able to be designed to meet ADG solar compliance, subject to the configuration of their internal layouts and future detailed design.



NBVPS Scheme



The Proposal

#### LEGEND

- Existing built form context
- Indicative future built form context
- Public open spaces

- Receives at least 2 hours of direct sunlight between 9am and 3pm at mid-winter
- Receives less than 2 hours of direct sunlight between 9am and 3pm at mid-winter

Figure 41. Solar analysis of potential future development to the south

## 5 Amended Proposed Planning Controls

## 5.1 Proposed Planning Controls

The proposed planning controls for Site 2A has been amended to include 180-182 Military Road (not owned by Arkadia) and to exclude 190-192 Military Road (owned by Council).

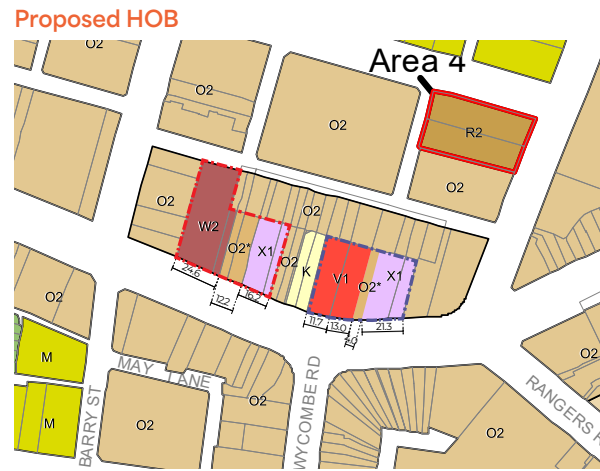


Figure 42. Proposed changes to the HOB map

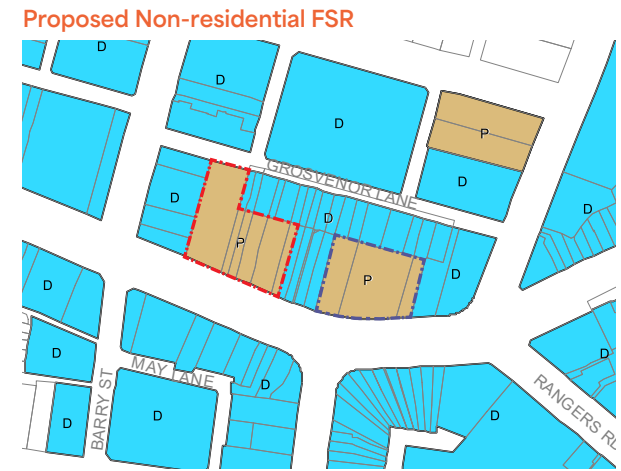
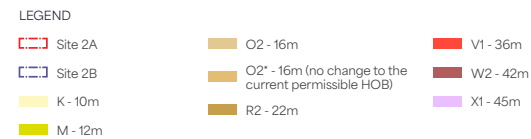



Figure 43. Proposed changes to the non-residential FSR map







PREPARED BY ETHOS URBAN ON BEHALF OF ARKADIA FOR SUBMISSION TO NORTH SYDNEY COUNCIL  
11 APRIL 2025 | 2230460



# Grosvenor Quarter

CAR PARK OPTIONS

PREPARED BY ETHOS URBAN ON BEHALF OF ARKADIA FOR SUBMISSION TO NORTH SYDNEY COUNCIL

11 APRIL 2025 | 2230460

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture. We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

|                                     |                 |   |
|-------------------------------------|-----------------|---|
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| This document has been prepared by: |                 | This document has been reviewed by:         |

| Aayushi Sejpal & Ping Chien Ng | 11/4/2025     | Stefan Meissner | 11/4/2025   |
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| 2.0                            | 11/4/2025     | PN              | SM          |

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Level 4, 180 George Street, Sydney (Gadigal Land) NSW 2000 | ethosurban.com

# 1 Option 1

Public Plaza + Swimming Pool +  
Parking

Option 1 includes a public plaza, a swimming pool and public parking within two levels of basement. Access to public parking is through ramps on Site 2. There are lifts and stairs provided as pedestrian access to the basements and the swimming pool.

The plaza includes the following and is consistent with Council's requirements:

- A Community Lawn
- Outdoor Dining
- Public Seating
- Landscaping
- Bicycle Parking
- Disability Parking
- Loading Service Bay

## Public Parking

| Level        | Public Car Parking | Disabled Car Parking | Motorcycle Parking |
|--------------|--------------------|----------------------|--------------------|
| Ground       | 11                 | 2                    | -                  |
| Basement 1   | 38                 | 4                    | 11                 |
| Basement 2   | 51                 | -                    | -                  |
| <b>Total</b> | <b>100</b>         | <b>6</b>             | <b>11</b>          |



# Ground Floor

## Grosvenor Plaza

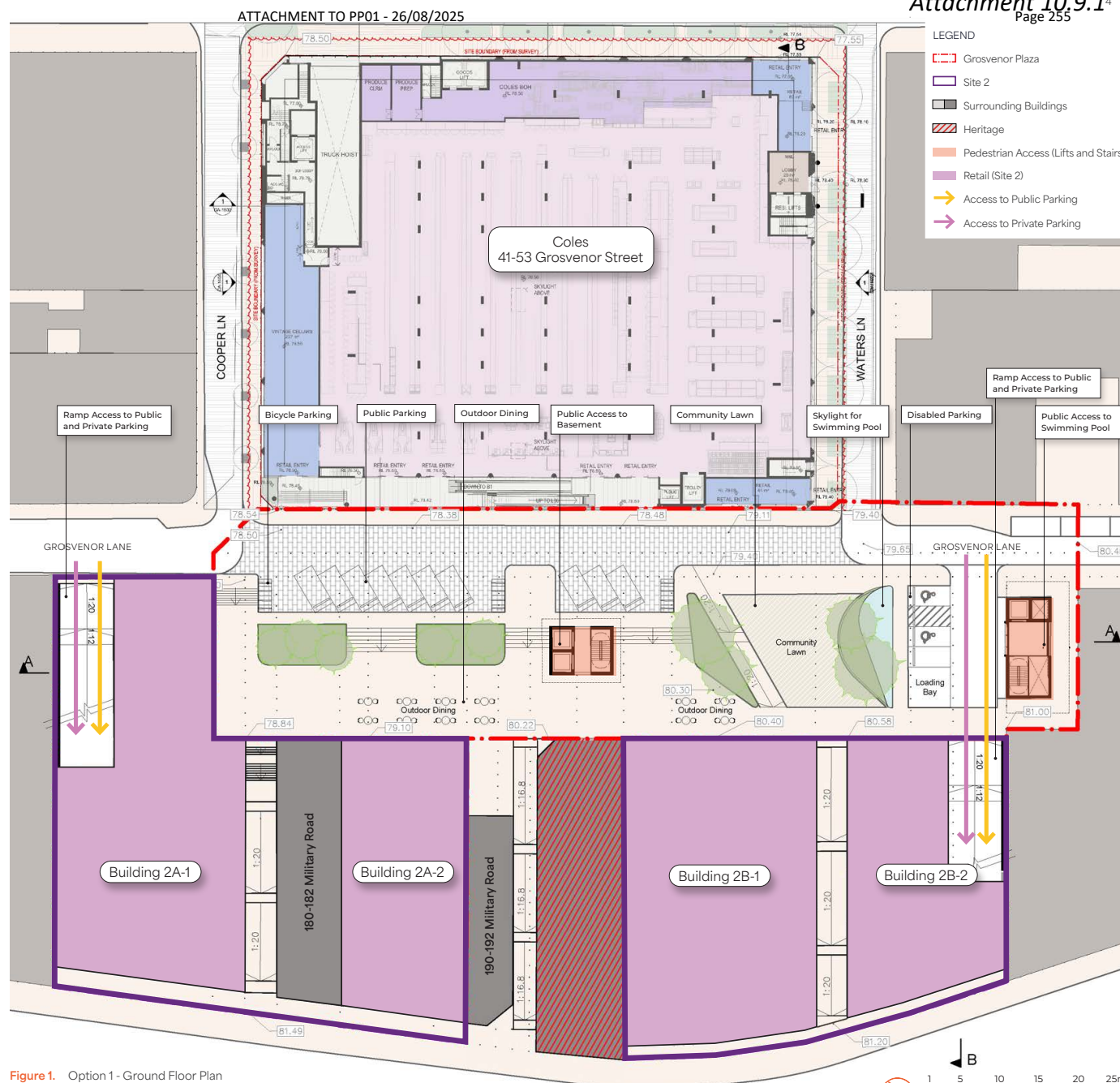
- A Community Lawn
- Outdoor Dining
- Public Seating
- Landscaping
- Bicycle Parking
- 11 parking spaces at-grade
- 2 disabled parking spaces at-grade
- Loading bay

## Public Parking

| Level  | Public Car Parking | Disabled Car Parking | Motorcycle Parking |
|--------|--------------------|----------------------|--------------------|
| Ground | 11                 | 2                    | -                  |

## Basement Access Points

- 2 x ramp access points to basement parking
- 1 x lift access to basement parking
- 1 x lift access to swimming pool



# Basement 1

## Swimming Pool

- 1 x 25m pool, 6 lanes
- Back of house
- 1 x lift access via Grosvenor Plaza

## Public Parking

| Level      | Public Car Parking | Disabled Car Parking | Motorcycle Parking |
|------------|--------------------|----------------------|--------------------|
| Basement 1 | 38                 | 4                    | 11                 |

- 38 parking spaces
- 4 disabled parking spaces
- 11 motorcycle parking spaces
- 1 x lift access via Grosvenor Plaza
- Access to public parking via ramps through private parking on Site 2
- Potential future connection to Coles basement

## Private Parking Access

- Building 2A-1 - Via ramp from Grosvenor Lane above
- Building 2A-2 - Through public car park
- Buildings 2B-1 and 2B-2 - Via ramp from Grosvenor Lane above

ATTACHMENT TO PP01 - 26/08/2025

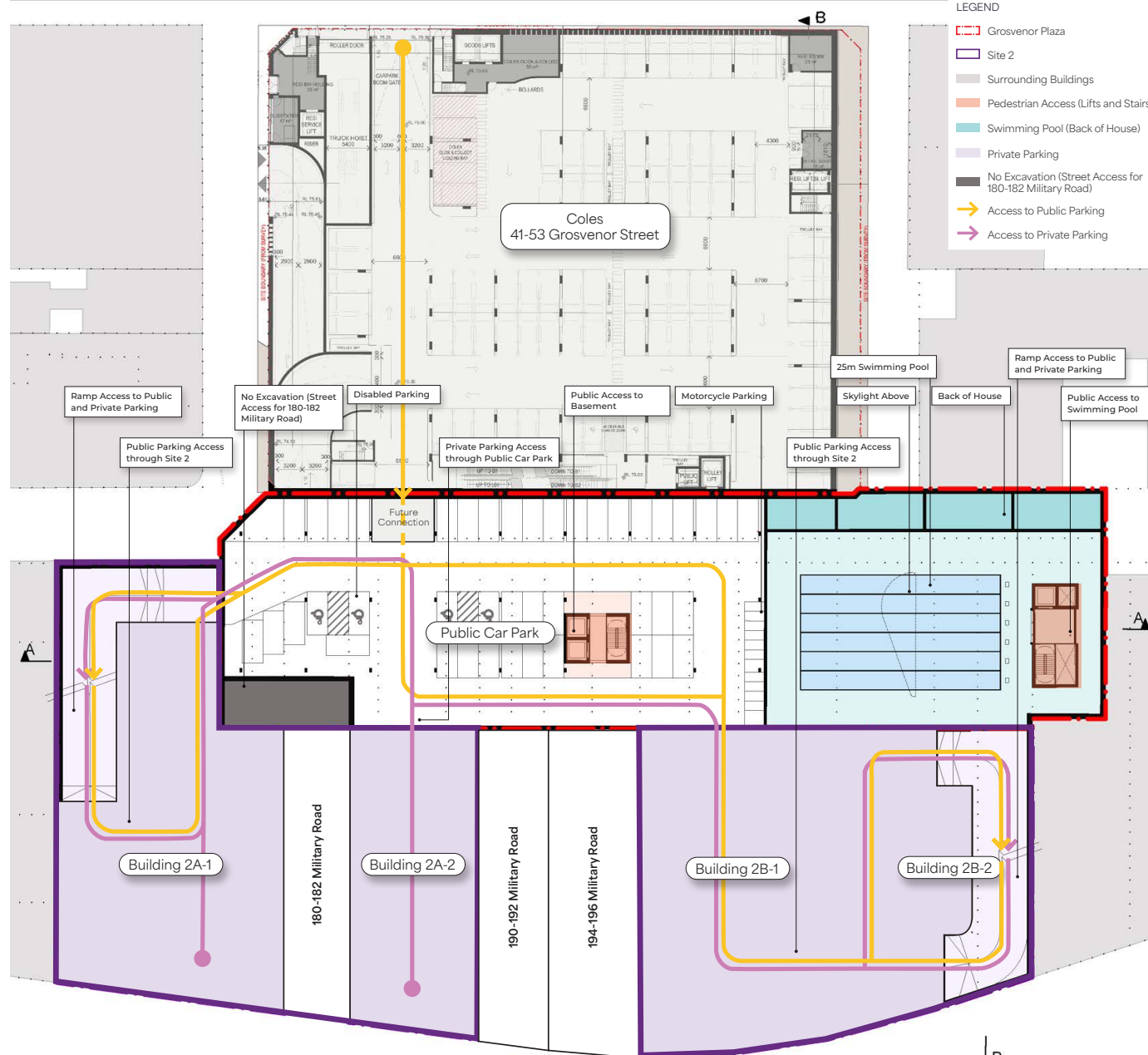


Figure 2. Option 1 - Basement 1 Plan

# Basement 2

## Public Parking

| Level      | Public Car Parking | Disabled Car Parking | Motorcycle Parking |
|------------|--------------------|----------------------|--------------------|
| Basement 2 | 51                 | -                    | -                  |

- 51 parking spaces
- 1 x lift access via Grosvenor Plaza
- Access to public parking via ramps through private parking on Site 2
- Potential future connection to Coles basement

## Private Parking Access

- Building 2A-1 - Via ramp from Basement 1 above
- Building 2A-2 - Through public car park
- Buildings 2B-1 and 2B-2 - Via ramp from Basement 1 above

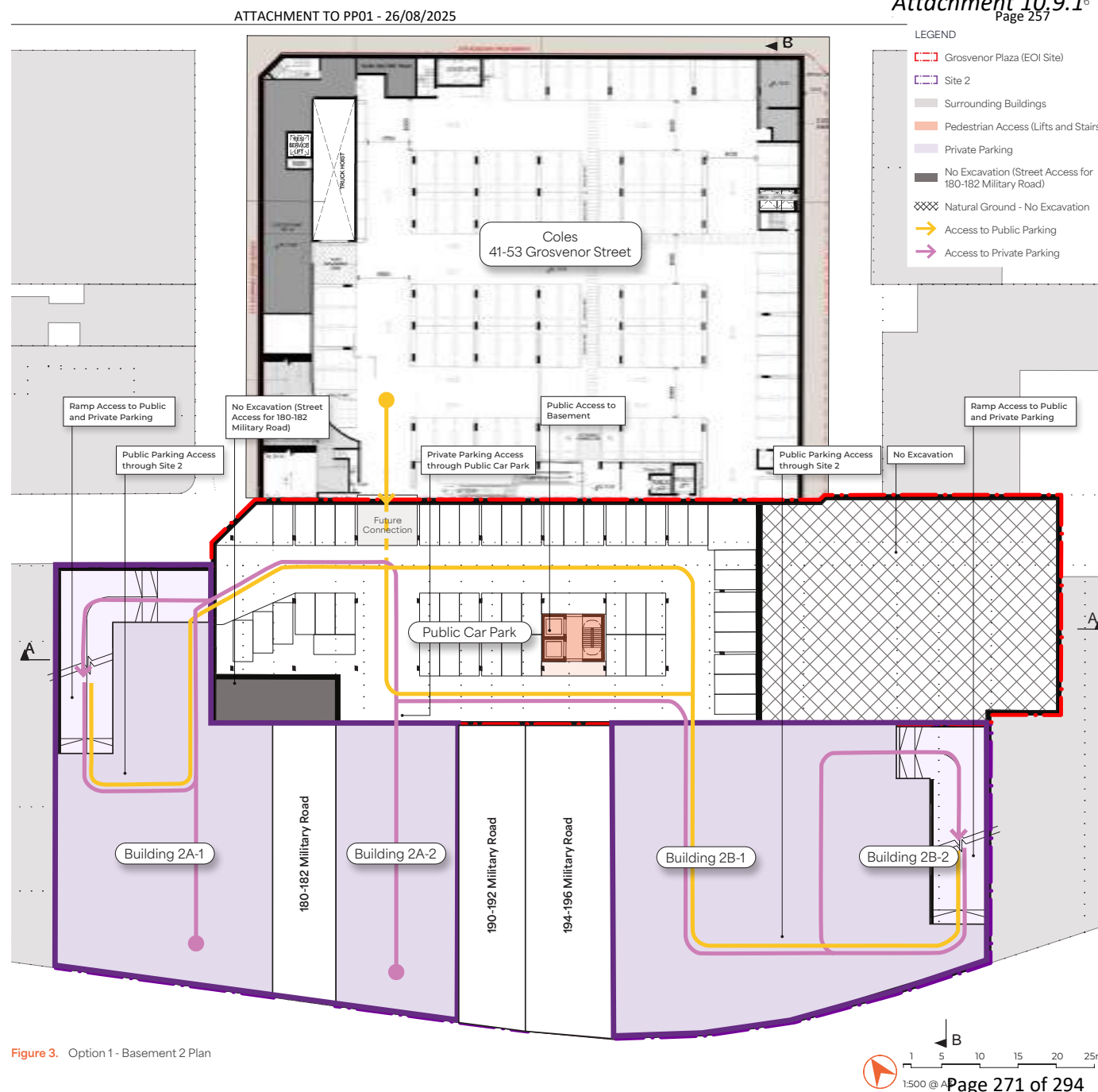


Figure 3. Option 1 - Basement 2 Plan

# Sections

ATTACHMENT TO PP01 - 26/08/2025

Attachment 10.9.17  
Page 258



Figure 4. Option 1 - Section AA

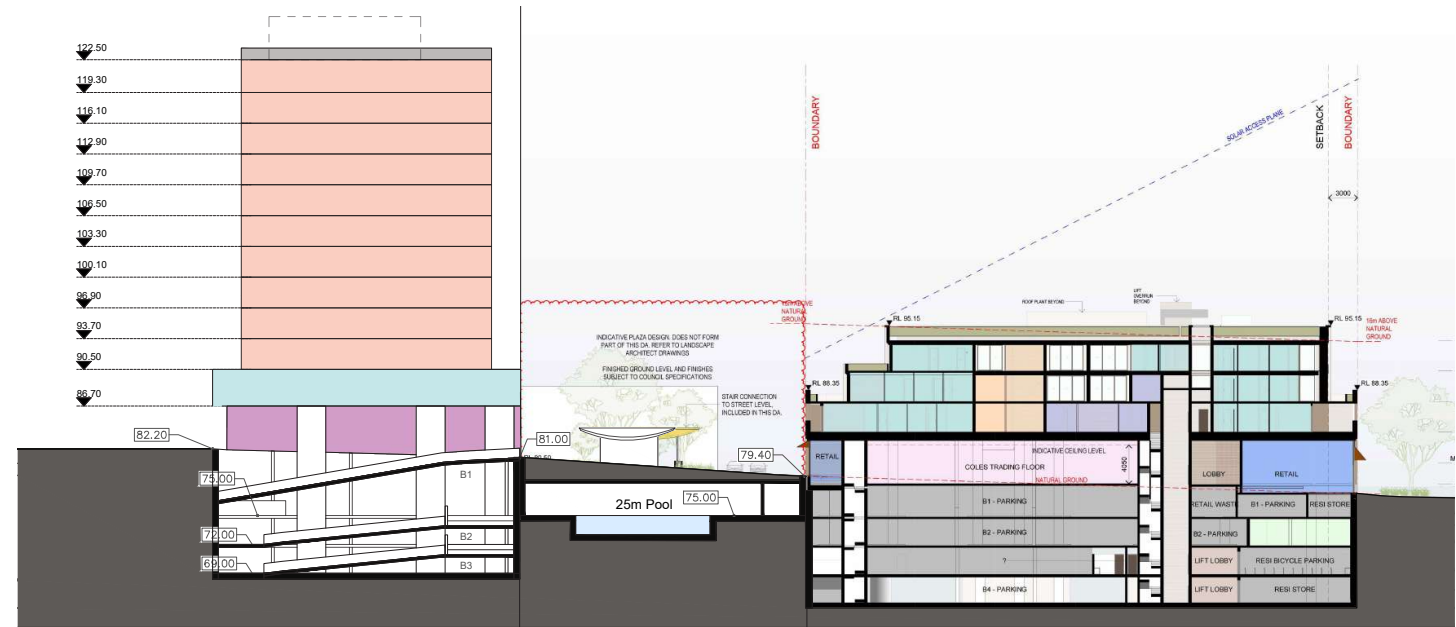


Figure 5. Option 1 - Section BB



## 2 Option 2

### Public Plaza + Parking

Option 2 includes a public plaza and public parking within one basement level. Access to public parking is through ramps on Site 2. There are lifts and stairs provided as pedestrian access to the basement.

The plaza includes the following and is consistent with Council's requirements:

- A Community Lawn
- Outdoor Dining
- Public Seating
- Landscaping
- Bicycle Parking
- Disability Parking
- Loading Service Bay

### Public Parking

| Level        | Public Car Parking | Disabled Car Parking | Motorcycle Parking |
|--------------|--------------------|----------------------|--------------------|
| Ground       | 14                 | 4                    | -                  |
| Basement 1   | 61                 | 4                    | 11                 |
| Basement 2   | -                  | -                    | -                  |
| <b>Total</b> | <b>75</b>          | <b>8</b>             | <b>11</b>          |

# Ground Floor

## Grosvenor Plaza

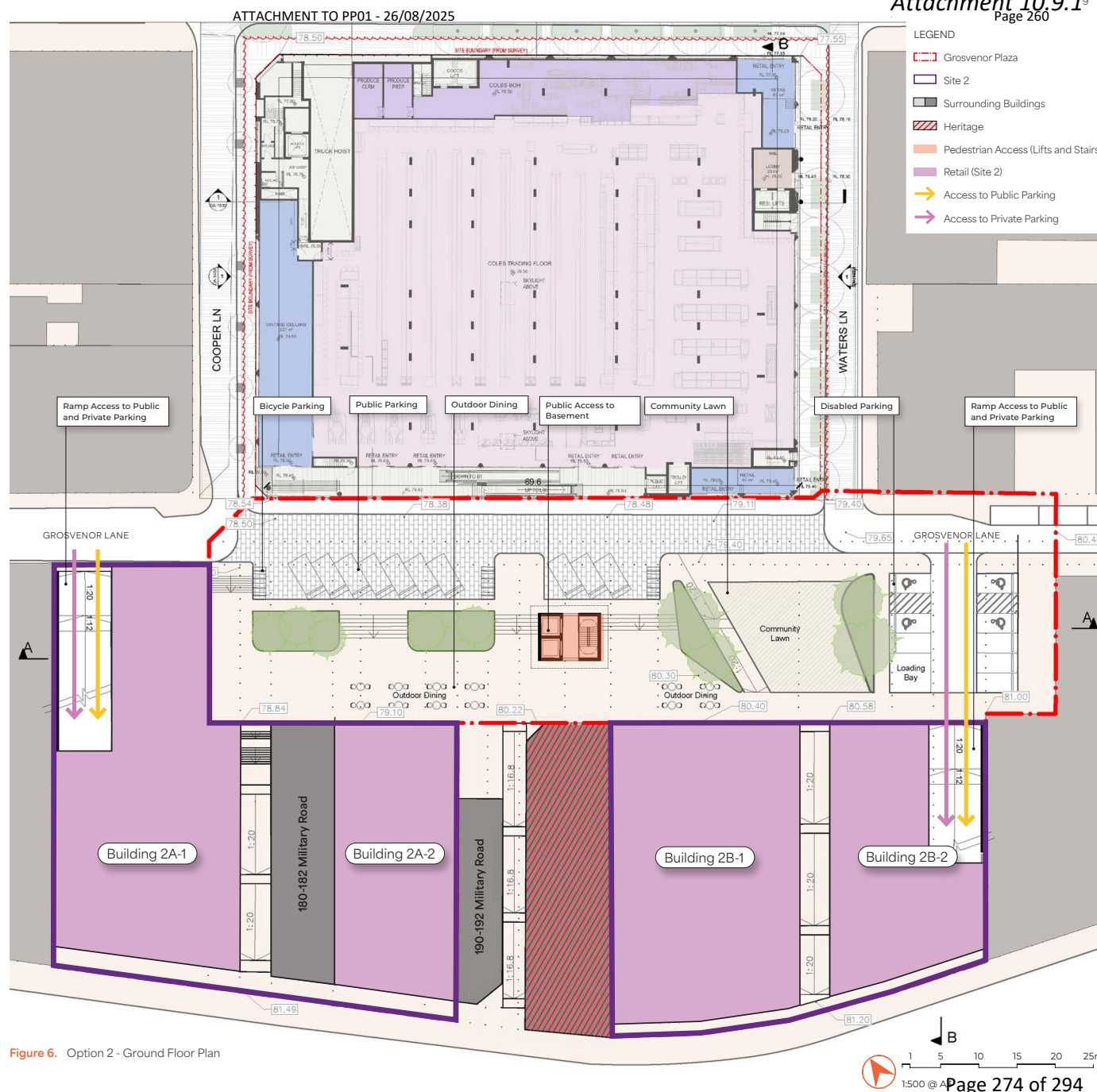
- A Community Lawn
- Outdoor Dining
- Public Seating
- Landscaping
- Bicycle Parking
- 14 parking spaces at-grade
- 4 disabled parking spaces at-grade
- Loading bay

## Public Parking

| Level  | Public Car Parking | Disabled Car Parking | Motorcycle Parking |
|--------|--------------------|----------------------|--------------------|
| Ground | 14                 | 4                    | -                  |

## Basement Access Points

- 2 x ramp access points to basement parking
- 1 x lift access to basement parking



# Basement 1

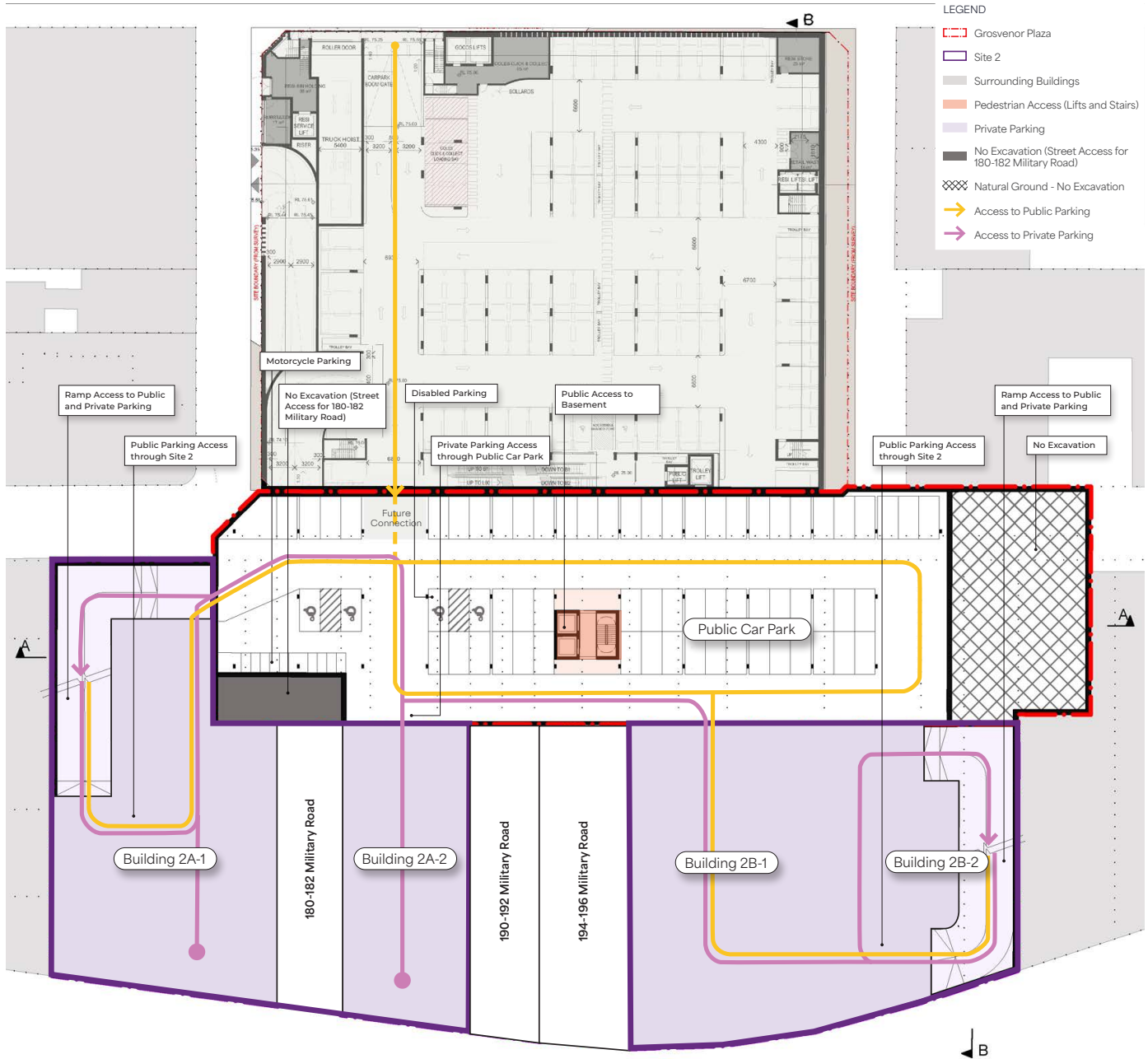
## Public Parking

| Level      | Public Car Parking | Disabled Car Parking | Motorcycle Parking |
|------------|--------------------|----------------------|--------------------|
| Basement 1 | 61                 | 4                    | 11                 |

- 61 parking spaces
- 4 disabled parking spaces
- 11 motorcycle parking spaces
- 1 x lift access via Grosvenor Plaza
- Access to public parking via ramps through private parking on Site 2
- Potential future connection to Coles basement

## Private Parking Access

- Building 2A-1 - Via ramp from Grosvenor Lane above
- Building 2A-2 - Through public car park
- Buildings 2B-1 and 2B-2 - Via ramp from Grosvenor Lane above



**LEGEND**

- Grosvenor Plaza
- Site 2
- Surrounding Buildings
- Pedestrian Access (Lifts and Stairs)
- Private Parking
- No Excavation (Street Access for 180-182 Military Road)
- Natural Ground - No Excavation
- Access to Public Parking
- Access to Private Parking

Figure 7. Option 2 - Basement 1 Plan

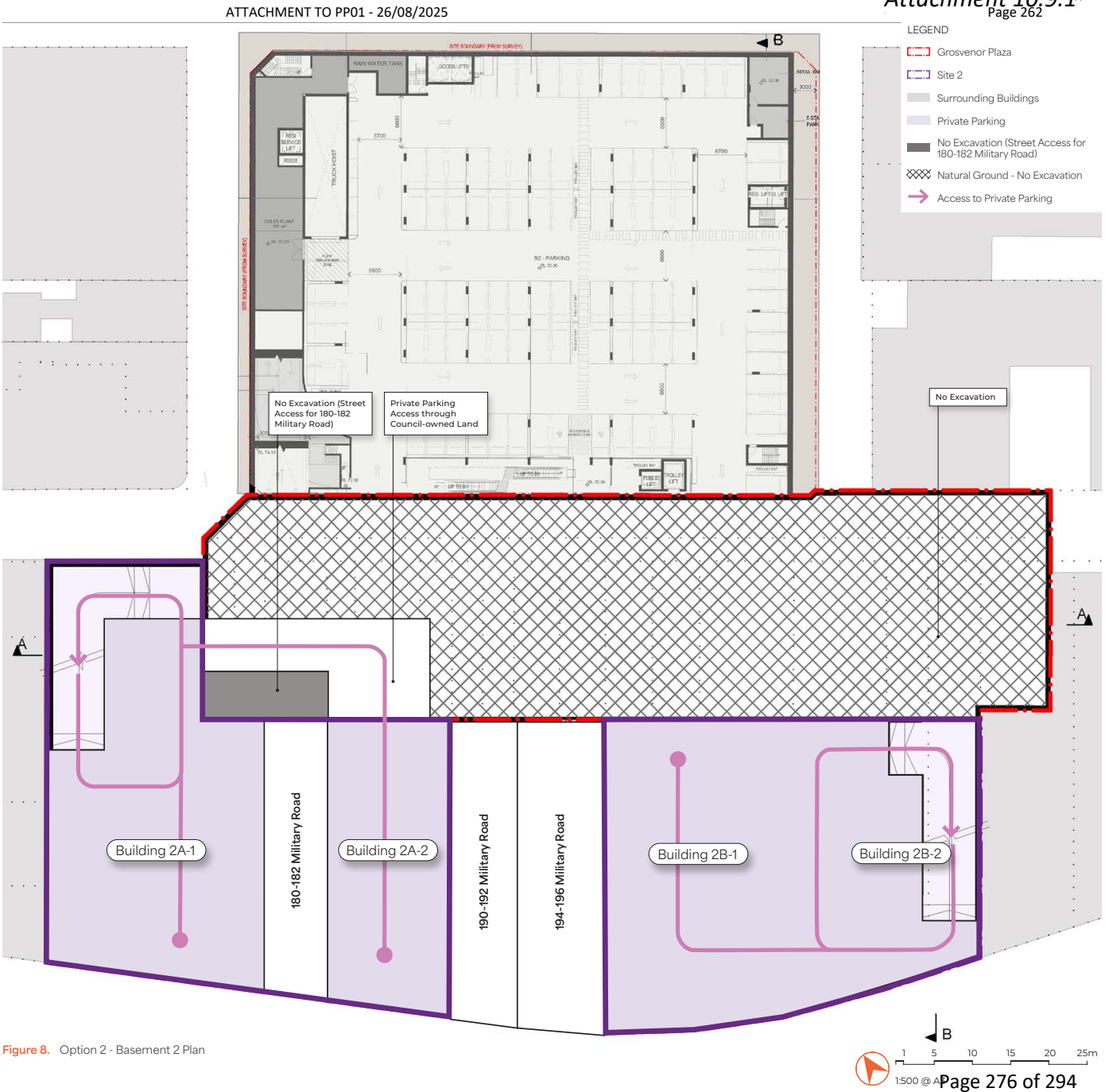
# Basement 2

## Public Parking

| Level      | Public Car Parking | Disabled Car Parking | Motorcycle Parking |
|------------|--------------------|----------------------|--------------------|
| Basement 2 | -                  | -                    | -                  |

## Private Parking Access

- Building 2A-1 - Via ramp from Basement 1 above
- Building 2A-2 - Through Council-owned land
- Buildings 2B-1 and 2B-2 - Via ramp from Basement 1 above

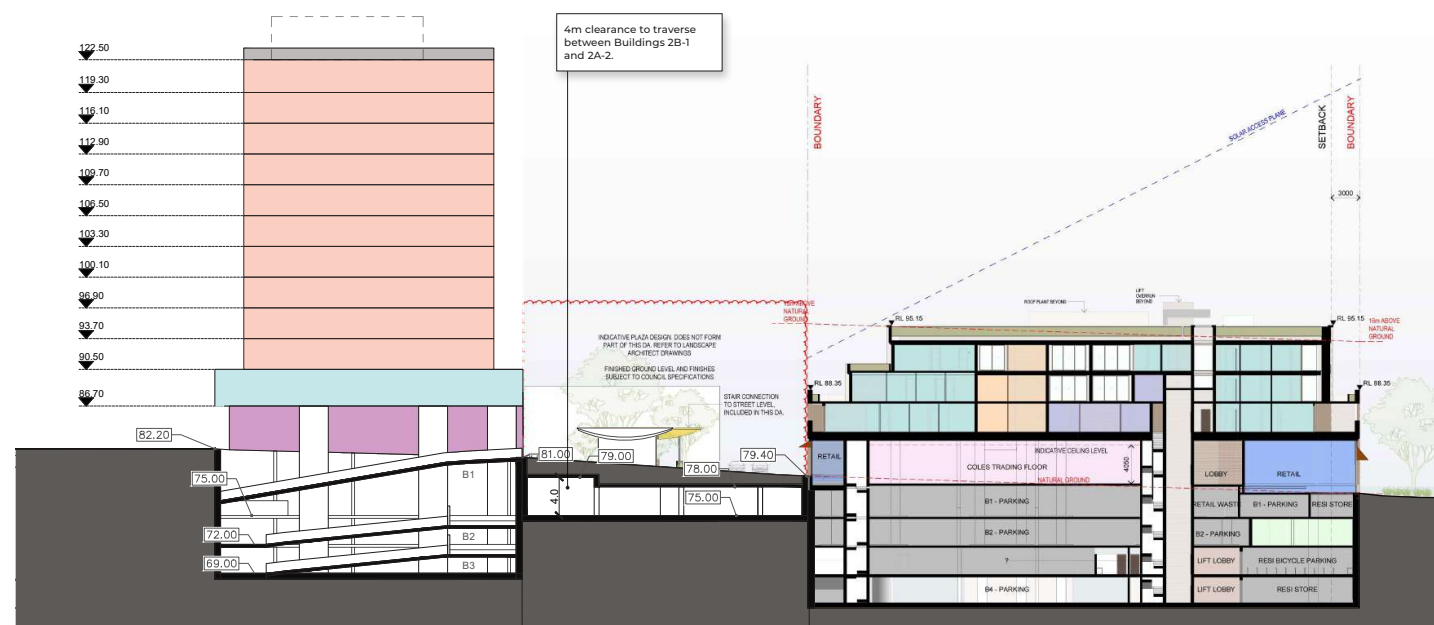




## Sections



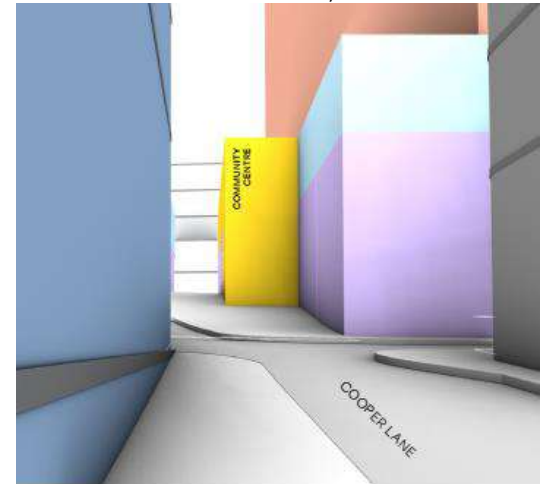
**Figure 9.** Option 2 - Section AA



**Figure 10.** Option 2 - Section BB



PREPARED BY ETHOS URBAN ON BEHALF OF ARKADIA FOR SUBMISSION TO NORTH SYDNEY COUNCIL  
11 APRIL 2025 | 2230460

| Request for information process   |   |   |
|---|---|---|
| Issue Raised By Council's consultant  | Applicant's Response  | Consultant's Comment  |
| <b>a Site isolation of 180-182 Military Road</b>  |   |   |
| <p>The exclusion of 180-182 Military Road to provide separation between the tower elements of Sites 2A-1 and 2A-2 has implications on the alignment of the western through-site link, which should provide a direct physical and visual connection to Coopers Lane.</p> | <p>180-182 is now included in the Planning Proposal, refer <b>Attachment A</b>. Notwithstanding, the proposed alignment of the western through-site link achieves a direct visual connection to Coopers Lane, as demonstrated by the 3D view provided in the Updated Concept Design Documentation at <b>Attachment A</b>. Importantly, the direct visual connection has prioritised pedestrians walking alongside the Coopers Lane carriageway.</p> | <p>The inclusion of 180-182 Military Road is noted and supported. However, the tower of Site 2A-2 has been located to avoid this property, unfairly reducing its development potential. The tower also has a nil setback to the Council owned land to the east which means that no openings can be provided. This will result in a poor visual outcome for a 12 storey building.</p> <p>The location of the western through-site link is still unacceptable. The information provided shows that the intended vista between Military Road and Grosvenor Street is impeded due to the location of the proposed link and the related built form (see below - noting that the viewpoint chosen is not at the centre of the lane).</p>  <p>View from 3D model - View 1</p> <p>Source - p7 of Applicant's RFI Response</p> |


| Request for information process   |  |   |
|---|--|---|
| Issue Raised By Council's consultant  | Applicant's Response   | Consultant's Comment  |
| Vehicular access to the proposed basement car park of Building 2A-2 is also impacted as a result of the exclusion of 180-182 Military Road and access arrangements need to be identified that do not compromise Council's aspirations for Grosvenor Lane Plaza.   | <p>While Council's strategic planning envisions Site 2A being developed as a single amalgamated lot, and the Planning Proposal has been revised to include 180-182 Military Road, future detailed development may require lodgement of separate applications given mixed ownership. While it would be unreasonable to impose a requirement to amalgamate, separate applications can still achieve an outcome that is consistent with Council's aspiration, as demonstrated in the concept scheme at <b>Attachment A</b>.</p> <p>With respect to vehicular access to Building 2A-2, this must be considered in conjunction with the adjacent redevelopment of the at-grade car park to become a plaza with public parking below, as set out in Council's Expression of Interest (EOI) for the development of the plaza released late 2024. It is noted that Arkadia submitted an EOI to Council in response, offering to develop the plaza and incorporate into development of the subject Planning Proposal site. Indicative plaza and basement plans were prepared by Ethos Urban, comprising two options. Both options achieve below-grade basement access to Site 2A-2, refer to <b>Attachment B</b>.</p> | The submitted information indicates that suitable access to site 2A-2 can be provided as part of the redevelopment of Grosvenor Plaza and basement parking. However, it is unclear how access will be provided for 180-182 Military Road. |
| The proposal must demonstrate how it will allow for the reasonable economic development of neighbouring sites, particularly 180-182 Military Road. It is recommended that the proposal is amended to include the 180-182 Military Road site to achieve a coherent built form outcome and achieve the public domain outcomes of the NBVPS. | 180-182 Military Road is now included in the Planning Proposal, refer to <b>Attachment A</b> . This site can achieve the reasonable economic development anticipated in Council's NBVPS. Importantly, in both Council's strategy and the indicative concept scheme, the land associated with 180-182 Military Road is necessary to achieve the ADG design criteria for privacy (building separation) between the two towers in Site 2A. As such, the land necessarily comprises extension of the two-storey non-residential podium.  | The inclusion of 180-182 Military Road is noted and supported, however, as noted above, the proposed Building 2A-2 tower location allows limited potential for the redevelopment of 180-182 Military Road.                                |



| Request for information process  |   |  |
|--|---|--|
| Issue Raised By Council's consultant   | Applicant's Response  | Consultant's Comment   |
| <b>b. Inclusion and proposed redevelopment of Council land</b>   |   |  |
| <p>The proposed inclusion and redevelopment of Council land to facilitate a 12-storey mixed use development is inconsistent with the NBVPS and Council's resolved position from 27 May 2024:</p> <p>2. THAT Council reiterates its commitment to maintaining public ownership of public land.</p> <p>This aligns with Council's strategic objectives of maintaining control over key infrastructure and fostering enduring community benefits within the Neutral Bay area.</p> | <p>The Planning Proposal extent has been amended to exclude Council's land, refer <b>Attachment A</b>. As such, Council's commitment to maintaining ownership of public land is upheld. The existing community centre land (with upgrade to community centre to be the contemplated 'creative hub' not currently included in the Arkadia VPA offer) remains as an enduring public benefit.</p>  | <p>The exclusion of Council land is noted and supported. The comment about an enduring public benefit is not understood as the proponent has made no offer to upgrade the existing community centre as envisaged by the NBVPS.</p>   |
| <p>The proposed 40-year peppercorn lease arrangement for the new community facility at Site 2A does not provide a sustainable or equitable framework, ensuring long-term benefits for the Council and the local community. A community facility dedicated to Council ownership would provide the status of a genuine critical public asset and guarantee its availability for community use in the future.</p>   | <p>Arkadia's offer is subject to negotiation in order to prepare and finalise a VPA with Council. Importantly, the indicative scheme submitted with the Planning Proposal demonstrates that a large community facility can be accommodated alongside the rezoning. Separately, the revised Planning Proposal scheme which now excludes the existing community centre land at 190-192 Military Road, has reduced yield capacity. As such, the reduced economic value that would result from the rezoning must be considered in any future VPA negotiation.</p> | <p>It is noted that the public benefit offer is subject to further negotiation. However, as discussed below, the proposed location within Site 2A instead of Site 2B, size (730sqm instead of 1000sqm) and tenure (40 year peppercorn lease instead of dedication in perpetuity) is not consistent with the NBVPS and is not acceptable and so further negotiations cannot occur until this issue is resolved.</p> <p>Council's land should never have formed part of the applicant's yield capacity and so the economic value resulting from the proposed rezoning would be more than enough to cover the costs of the public benefits outlined in the NBVPS (based on the previous feasibility assessment of the NBVPS).</p> |

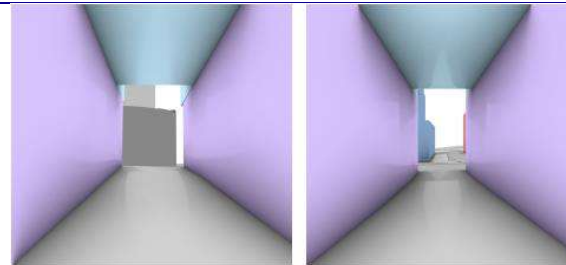
| Request for information process   |  |  |
|---|--|--|
| Issue Raised By Council's consultant  | Applicant's Response   | Consultant's Comment   |
| <p>Further justification is required for the proposed alternate location for the new community facility at Site 2A. The NBVPS identifies Site 2B as the preferred location for the new community centre due to its proximity to the future proposed at-grade car park at the eastern end of the plaza and its direct adjacency to the Military Road pedestrian crossing at Wycombe Road. This location provides excellent accessibility from the northern and southern sides of Neutral Bay, with a prominent, highly visible frontage overlooking the future plaza and a north facing aspect with good solar access.</p> | <p>The indicative position of the community centre at Site 2A has excellent exposure to Military Road and the future Grosvenor Plaza. The community centre will be directly outside the B-line bus stop, promoting ease of access and use of public transport. This location affords direct lift access from the basement, which has opportunity to be connected to the public basement parking below the future plaza.</p> <p>Community workshop questioning sought feedback on what was important about the potential future development of the community centre. Among other things, a key design feature preferred by local community members was a connection of the community centre to any future public space or plaza at ground level. Regardless of the community centre's location in Building 2A or 2B, interface with a future plaza is maintained by a ground level entrance point, supporting community desire.</p> <p>The indicative community centre location also has clear visual connection from Grosvenor Plaza, with indicative primary entry facing the plaza, as well as having full length frontage to the new western lane, with opportunity for the community centre's activities to extend to the new Grosvenor Plaza. This is in line with Council's envisaged outcome for the community centre.</p> <p>The proposed widened Military Road footpath, connecting to the new through site link within Site 2A will enable safe and well-served connectivity from the Wycombe Road crossing to the indicative community centre at Site 2A.</p> | <p>The proposed community centre location has poor ground level connectivity to Grosvenor Plaza as it is limited to an entry foyer and vertical access to the main area above. Further, it is noted that the main area is at first floor level to Military Road with no access to ground level at this frontage. Also due to the fall in topography towards Grosvenor Plaza, the community centre will be the equivalent of 1.5-2 levels above the Plaza level.</p> <p>Notwithstanding that the NBVPS indicated a similar arrangement where the majority of floor space is at first floor level (the NBVPS provides a slightly larger area at ground level), in light of the community consultation undertaken by the applicant, it would be preferable if a more substantive area of the centre was located at the Plaza level.</p> <p>The reasons given by the applicant in relation to other locational benefits of the proposed location are not accepted:</p> <ul style="list-style-type: none"> <li>• It will not have full length frontage to the western through-site link as it is shown to be at first floor level at Military Road;</li> <li>• Having poor solar access is not considered to be a positive attribute for a community centre; and</li> <li>• The comments regarding access to basement parking are irrelevant as the Site 2B location also provides this potential to link to the proposed public underground car park.</li> </ul> |

| Request for information process   |  |   |
|---|--|---|
| Issue Raised By Council's consultant  | Applicant's Response   | Consultant's Comment  |
|   | <p>The primary glazed façade of the indicative community centre is oriented to receive southern daylight rather than direct northern solar exposure. Direct solar exposure would result in adverse overheating, reliance on mechanical air conditioning, produce glare on presentation screens and result in discomfort for the elderly and children that will be key users of the centre.</p> <p>While Council has contemplated a small extent of on grade parking to the eastern edge of the future plaza, connecting the community centre to basement parking via a lift presents a far greater level of amenity, as users can safely access the community centre from their car in a weather protected, fully accessible manner.</p>   |   |
| <b>c. Setback and through-site link requirements</b>  |  |   |
| <p>The proposal does not provide the required 2.5m whole of building setback along Military Road. The NBVPS makes clear differentiation between the requirements for ground level only setbacks and whole of building setbacks.</p> | <p>The 2.5m setback provided at ground level in the indicative concept scheme achieves the intent to widen the footpath for enhanced pedestrian amenity, particularly to the waiting zone at the B-Line bus stop.</p> <p>Importantly, the anticipated urban design outcomes remain achieved. The towers are set back from the podium edge above, mitigating their visual scale. The widened footpath enhances accessibility and safety, as well as supporting the local economy by providing an improved frontage to ground floor retail and commercial premises.</p> <p>A whole of building setback would further compromise the already small tower footprints, in turn compromising apartment amenity. Also, this would result in a disjointed, visually inconsistent, urban outcome as development to the west of Site 2A and to the east of Site 2B would remain to their current boundary. The indicative upper level of the podium, extending to the current boundary, aligns with development on either side.</p> <p>The 2.5m ground level setback continues to facilitate street tree planting that is consistent with the street trees to other parts of Military Road, enhancing streetscape amenity and the visual appeal of the local centre.</p> | <p>Whilst the NBVPS only refers to the purpose of this setback being for 'pedestrian safety and amenity' it is differentiated from other setbacks by being a 'whole of building' setback. It can be assumed the intent of this is to create a greater sense of openness at ground level with more sky being visible above. Whilst an awning would still be required, this could be glazed to allow light and an outlook through the structure. This requirement does not result in the GFA able to be achieved less than envisaged in the NBVPS feasibility analysis.</p> |

| Request for information process  |   |  |
|--|---|--|
| Issue Raised By Council's consultant   | Applicant's Response  | Consultant's Comment   |
|  | <p>Regardless of the 2.5m setback being constrained to ground floor, community walkshop feedback on the Military Road frontage of the site identified that ground floor improvements would address significant local resident and visitor feedback. Walkshop participants suggested, among other things, improving how the space accommodates busy commuter foot traffic (particularly around bus stops), improving safety, accessibility and sight-lines (especially the connection with the through-site link), making improvements to the overall amenity and environment (making it a more welcoming, pleasant and greener space), and connecting the space better to ground floor retailers.</p> <p>Ground floor improvements enabled by the 2.5m setback respond directly to community preferences for the area, and are not compromised by that setback being provided at the ground level only.</p> |  |
| The proposal does not provide the 1.5m ground level setback required to Grosvenor Plaza for Site 2B, and confirmation is required that a 1.5m whole of building setback is provided to Grosvenor Lane for Site 2A-1. | Notwithstanding the proposed nil setback to the future plaza at Site 2B, the objective to improve pedestrian amenity, accessibility and safety to enhance the village atmosphere and support the local economy remains achievable. The detailed design of the plaza will seek to enhance the active ground floor retail frontage of Site 2B, prioritising pedestrian amenity. Importantly, a consistent urban interface approach is employed in the indicative scheme, whereby all plaza fronting development extends to the plaza boundary. This is the Council endorsed case for Site 2A as well as for development to the north of the plaza. Notwithstanding this, to ensure suitable vehicular circulation of Grosvenor Lane, a 1.5m whole of building setback is provided to Site 2A as per the NBVPS.  | <p>The submitted plans do not indicate the provision of any 1.5m setback to Grosvenor Plaza (see below). A 1.5m ground level setback is required for Site 2B as per the NBVPS.</p>  <p>Source - p 18 of the Applicant's RFI response</p> |
| Diagrams that clearly show the proposed setbacks to all frontages are required.  | Noted. Setback Diagrams have been provided as part of the Updated Concept Design Documentation at <b>Attachment A</b> .   | As noted elsewhere, the reasons for variation to the building setbacks from the NBVPS requirements are not accepted.   |



| Request for information process   |   |   |
|---|---|---|
| Issue Raised By Council's consultant  | Applicant's Response  | Consultant's Comment  |
| The proposed western and eastern through-site links are 4m wide, which falls short of the 6m minimum width requirement outlined in the NBVPS and NSDCP 2013. This narrower design may constrain opportunities for outdoor dining and retail activation along these links, reducing their functionality and amenity. | The indicative 4m wide through site links, rather than constraining opportunity for outdoor dining and retail activation, serve to enhance the activity and viability of the pedestrian / retail interface. A detailed study of laneway precedents of commensurate width at <b>Attachment A</b> demonstrates the functionality and amenity of a 4m wide link. We note that Council's endorsed strategy identifies the existing laneway adjacent the current community centre to be widened to 3m (by reducing the width of the community centre when upgrading it to be the contemplated 'creative hub'). As such, it is clear that Council views a 3m width to be appropriate for two-way accessible movement. The proposed 4m width of the new east and west laneways will therefore offer greater amenity. | <p>The 3m wide through-site link in the NBVPS is for the Council land and this only needs to provide for pedestrian access as outdoor dining is not needed in relation to the existing/upgraded community centre and heritage constraints may prevent such for the adjoining heritage items.</p> <p>For the eastern and western links, outdoor dining opportunities are intended to be encouraged by the required 6m wide links. In the Melbourne examples given, it appears that the footway is 3.5m wide but additional space is provided for very limited seating on either side. Whilst the examples given appear to be appropriately activated, they have a different character from the links proposed in the NBVPS. The other examples only appear to be activated on one side which is a less desirable outcome in this case.</p> <p>The reasons given for varying from the NBVPS requirements are not supported.</p> |
|   | Further, community walkshop participants provided detailed feedback on their preferences for an improved site link. Local residents and visitors highlighted the need for a pathway that accommodates two-way pedestrian access, enough width to accommodate pram or wheelchair users in both directions, improved visibility through the pathway, improved level change, and overhead shelter to protect from rain (with people noting rain currently makes the path slippery and unsafe). A 4m wide pathway provides more than enough safe, accessible and comfortable access for two-way pedestrian traffic, as demonstrated in the precedent studies at <b>Attachment A</b> and a partially covered path supports safe access in all weather conditions, in line with community preferences.              |   |

| Request for information process   |  |  |
|---|--|--|
| Issue Raised By Council's consultant  | Applicant's Response   | Consultant's Comment   |
| The eastern link is proposed as a covered structure, whereas the NBVPS specifies that it should be open-to-sky to provide clear visual connections to the Military Road/Wycombe Road intersection and reinforce the role of this link as a key pedestrian connection between the north and south sides of the centre. | The NBVPS states that <i>"a covered arcade link may however be considered at Site 2A provided the maximum length of any building over 6 storeys in height avoids the 'wall effect' along Military Road. This is subject to further investigation."</i> As such, a covered laneway was envisaged to be within the site not contemplated to include the community centre (presumably to maximise visibility of the community centre). The scheme, in locating the community centre in Site 2A, has proposed a partially covered link in Site 2B. Importantly, notwithstanding the partial link coverage, the covered portion does not extend to the Military Road boundary, retaining the visual separation of 2A-1 and 2A-2 and voiding any 'wall effect'. Further, the towers above remain separate and slender with a north-south orientation (as opposed to presenting a wider face to Military Road), reinforcing the separation of built form along Military Road. | The quoted section of the NBVPS states that a covered section of the eastern link 'may' be considered. Elsewhere in the document the link is noted as being open to the sky. The applicant has not given sufficient reasoning as to why the link cannot be open to the sky, which is considered to be a better urban design outcome. The proposed FSR is significantly higher than that indicated as being necessary in the feasibility analysis that accompanied the NBVPS. |
|   | Notwithstanding the partial coverage of the Site 2B link, the objective of the link remains achieved. A clear visual connection continues to be provided from the Military Road/Wycombe Road intersection through the site to the future plaza, reinforcing the role of this link as a key pedestrian connection between the north and south sides of the centre. Further, the partial coverage enhances pedestrian safety and amenity, by protecting from weather and enhancing capacity for adjacent retail to interface with the link. As identified in the above item, the outcomes desired by the community for the improved through-site link are achieved, notwithstanding the pathway width or overhead coverage.  | As indicated in the submitted information, the proposed building above the link will unreasonably reduce the visual connection between the public areas (see below).   |
|   |  |  <p>View from 3D model - View 1</p> <p>View from 3D model - View 2</p> <p>Source – p8 of Applicant's RFI Response</p>  |

| Request for information process      |                      |                      |
|--------------------------------------|----------------------|----------------------|
| Issue Raised By Council's consultant | Applicant's Response | Consultant's Comment |
| d. Building Separation               |                      |                      |
|                                      |                      |                      |

| Request for information process   |   |  |
|---|---|--|
| Issue Raised By Council's consultant  | Applicant's Response  | Consultant's Comment   |
| <p>Section 2F of the ADG deals with building separation and notes that: <i>Building separation controls should be set in conjunction with height controls</i>. The recommended building separation relates not only to the provision of privacy but a range of factors including to:</p> <ul style="list-style-type: none"> <li>• ensure that new development is scaled to support the desired future character with appropriate massing and spaces between buildings</li> <li>• assist in providing residential amenity including visual and acoustic privacy, natural ventilation, sunlight and daylight access and outlook</li> <li>• provide suitable areas for communal open spaces, deep soil zones and landscaping.</li> </ul> <p>The proposed building separation does not comply with the ADG where a minimum separation distance is required for buildings 9 storeys and above.</p> | <p>Noted. The Updated Concept Design Documentation includes revisions to tower separation to be consistent with the ADG design criteria, refer <b>Attachment A</b>.</p> | <p>The building separations shown in the submitted documentation does not indicate compliance with the ADG setback/separation design criteria. In this regard:</p> <ul style="list-style-type: none"> <li>• the 12m separation requirement applies up to proposed Level 3 (Ground and Level 1 being non-residential). The proposal is compliant with this requirement;</li> <li>• the 18m separation requirement applies to proposed Levels 4-7 (Ground and Level 1 being non-residential). The proposal is non-compliant with this requirement as Buildings 2B-1 and 2B-2 only have a 12m separation at all these levels. Whilst 'non-habitable' interfaces are indicated, this does not appear achievable given the indicative design;</li> <li>• the 24m separation requirement applies from proposed Level 8 and higher. The proposal is non-compliant with this requirement as Buildings 2B-1 and 2B-2 only have an 18.1m separation at Level 8. Whilst the 'non-habitable' interface of Building 2B-2 indicated does not appear achievable given the indicative design, Building 2B-1 could allow for compliance to be achieved.</li> </ul> <p>As noted, the separation between towers is not solely a visual privacy issue (which is dealt with by the ADG) but also an urban design issue. Whilst the NBVPS indicated that separation should be as per the ADG, Council has advised that this was based on some facing elevations having non-habitable rooms (although this detail was not evident in the NBVPS). The current concept plans do not adequately demonstrate that compliance with the ADG can be achieved.</p> <p>Further, not only is the separation provided inadequate but the setbacks to side boundaries (ie half of the separation requirement) are also not met. This is an issue as in 3 locations, the adjoining land is not part of the PP. In this regard:</p> |



| Request for information process      |                      |   |
|--------------------------------------|----------------------|---|
| Issue Raised By Council's consultant | Applicant's Response | Consultant's Comment  |
|                                      |                      | <ul style="list-style-type: none"> <li>• Building 2A-1 has a nil setback to the western boundary and is 6 storeys above the 4 storeys currently permitted. The indicative concept indicates openings facing this boundary which will not be permitted. A blank wall would result in a poor visual outcome and would not be acceptable.</li> <li>• Building 2B-2 has a nil setback to the eastern boundary and is 7 storeys above the 4 storeys currently permitted. The indicative concept indicates openings facing this boundary which will not be permitted. A blank wall would result in a poor visual outcome and would not be acceptable.</li> <li>• Building 2A-2 has a nil setback to the eastern boundary adjoining the Council owned land and through-site link and is 9 storeys above the existing buildings on this land. The indicative concept indicates openings may be needed to this boundary which will not be permitted. A blank wall would result in a poor visual outcome and would not be acceptable. Notwithstanding, some amendment is required to ensure an appropriate visual outcome.</li> </ul> <p>The PP should not proceed until these issues are sufficiently addressed.</p> |

**e. Shadow diagrams demonstrating the impact on properties to the south**

|  |   |  |
|--|---|--|
| <p>Further details are required to support the conclusion that the proposal does not reduce the ability of future potential buildings on the south side of Military Road to meet ADG solar access requirements.</p> <p>15-minute interval sun eye view diagrams are required with indicative apartment locations shown where there is any doubt the requirements can be met.</p> | <p>Noted. 15-minute sun-eye diagrams are added to the Updated Concept Design documentation at <b>Attachment A</b>, which demonstrates that ADG solar access requirements to future potential buildings to the south is achieved. Importantly, the originally submitted scheme included coloured solar exposure diagrams that are computer-generated, measuring surfaces that receive 2 or more hours of direct solar exposure. Notwithstanding, we appreciate that sun-eye views assist to illustrate the outcomes of the computer-generated study.</p> | <p>The further information submitted confirms that the proposed concept demonstrates the ability to comply with the ADG with regard to the future development of sites south of Military Road (ie 70% of future dwellings will receive a minimum of 2 hours solar access at midwinter). In this regard:</p> <ul style="list-style-type: none"> <li>• the residential levels of Building 1 (183-185 Military Road) are unaffected between 9-11am;</li> <li>• the easternmost units in Building 2 (157 Wycombe Road-181 Military Road) are unaffected between 9-11am;</li> </ul> |
|--|---|--|

| Request for information process      |                      |   |
|--------------------------------------|----------------------|---|
| Issue Raised By Council's consultant | Applicant's Response | Consultant's Comment  |
|                                      |                      | <ul style="list-style-type: none"> <li>the next easternmost units in Building 2 are unaffected between 9-10am and 12.45-2.15pm;</li> <li>the corner and west-facing units in Building 2 are unaffected between 12-2.15pm;</li> <li>as detailed in the separate detailed analysis more than 70% of units in Building 3 (165-173 Military Road) will receive more than 2 hours solar access at midwinter;</li> <li>the eastern end of Building 4 (153-161 Military Road) receives solar access between 9-10am, 12-1.15pm and 2.30-3pm;</li> <li>the eastern/middle part of Building 4 receives solar access between 10.45am-12.45pm and 2-3pm;</li> <li>the western/middle part of Building 4 receives solar access between 10.15am-12.30pm and 2-3pm;</li> <li>the western end of Building 4 receives solar access between 9.45-11.45am and 1-3pm;</li> <li>the eastern end of Building 5 (151 Military Road) receives solar access between 12.15-3pm;</li> <li>the middle part of Building 5 receives solar access between 11.30am-3pm;</li> <li>the western end of Building 5 receives solar access between 10.15am-12.30pm and 2-3pm;</li> <li>the western end of Building 5 receives solar access between 10.30am-3pm;</li> <li>Building 6 (139 Military Road) is unaffected between 10.15am-3pm.</li> </ul> |

| Request for information process   |  |   |
|---|--|---|
| Issue Raised By Council's consultant  | Applicant's Response   | Consultant's Comment  |
| <b>f. Basement vehicular access, parking and circulation details</b>  |  |   |
| Provide details of the manner in which vehicular access to the sites may be achieved through the redevelopment of Grosvenor Plaza and how and when (in terms of the staging of development) access to parking on Site 2A-2 could be achieved. | <p>As stated above, with respect to vehicular access to 2A-2, this must be considered in conjunction with the adjacent redevelopment of the on-grade car park to become a plaza with public parking below, as set out in Council's Expression of Interest released late 2024. Arkadia's EOI makes an offer to Council to develop the plaza and incorporate into development of the subject Planning Proposal site. Indicative plaza and basement plans were prepared by Ethos Urban, comprising two options. Both options achieve below-grade basement access to Site 2A-2, refer <b>Attachment B</b>.</p> <p>The two vehicular entry locations (one for Site 2A and one for Site 2B) as identified in the NBVPS are adopted in the indicative concept scheme.</p> | It is accepted that vehicular access will be dependent on the staging of development in the vicinity of the site. Buildings 2A-1 and 2B-1/2B-2 are able to be developed using existing access or potentially via the future basement Grosvenor Plaza car park. Building 2B-2 is able to be developed based on existing access if the consent of the owner of No 180-182 Military Road (now included in the Planning Proposal), is achieved. Failing this, it is likely that access will need to be provided via the future basement Grosvenor Plaza car park. |



N O R T H   S Y D N E Y   C O U N C I L

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**NORTH SYDNEY LOCAL PLANNING PANEL  
PLANNING PROPOSAL**

**RECOMMENDATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL MEETING HELD IN  
THE SUPPER ROOM, NORTH SYDNEY,  
ON TUESDAY 26 AUGUST 2025, AT 12.30PM.**

**PRESENT**

**Chair:**

Vince Hardy in the Chair

**Panel Members:**

Annelise Tuor, Panel Member

Sue Weatherley, Panel Member

Lindsey Dey, Community Representative

**Staff:**

Neal McCarry, Service Unit Manager, Strategic Planning

Katerina Papas, Senior Strategic Planner

Stephanie Lum, Team Leader Policy

Jack Li, Strategic Planner

**Administrative Support**

Peita Rose Governance Officer (Minutes)

This meeting was otherwise conducted by remote (Teams) means.

The Chair acknowledged the Cammeraygal people being the traditional owners of the land on which this meeting is held. The Chair further noted that the proceedings were being recorded and reminded speakers that neither the Panel nor the Council assumed liability for any statements made by speakers.

**1. Declarations of Interest**

Sue Weatherley declared that she has known Neal McCarry, Manager Strategic Planning at North Sydney Council for over 30 years as having previously been his manager at two other councils, but in a professional relationship only.

The Chair acknowledged the declaration but determined that the nature of the potential conflict was not sufficient to exclude her from panel deliberations or voting.

**2. Business Items**

*The North Sydney Local Planning Panel is a NSW Government mandated Local Planning Panel exercising the functions of North Sydney Council, as the Consent Authority, under Section 4.8(2) of the Environmental Planning and Assessment Act, 1979 as amended, and acts pursuant to a Direction of the Minister for Planning issued under Section 9.1 of the Act, dated 23 February 2018.*



The Panel has considered the following Business Item and resolves as described within these minutes.

|                        |  |
|------------------------|--|
| <b>PP No:</b>          | 4/24   |
| <b>ADDRESS:</b>        | 166-188 and 198-214 Military Road, Neutral Bay   |
| <b>PROPOSAL:</b>       | <p>To amend the North Sydney Local Environmental Plan (NSLEP) 2013 as follows:</p> <ul style="list-style-type: none"> <li>• Increase the maximum building height control for the site from 16m to 36-45m (excludes 180-182 Military Road and the areas where through-site links are proposed, which are to retain the existing 16m control); and</li> <li>• Increase the minimum non-residential floor space ratio control from 0.5:1 to 1.2:1</li> </ul> <p>The Planning Proposal (PP) is accompanied by an offer to enter into a Voluntary Planning Agreement (VPA) with Council to deliver:</p> <ul style="list-style-type: none"> <li>• A 730m<sup>2</sup> community centre (40-year peppercorn lease to Council);</li> <li>• 2 publicly accessible through-site links;</li> <li>• Footpath widening and other public domain upgrades</li> </ul> |
| <b>REPORT BY NAME:</b> | Brett Brown, Ingham Planning (Consultant Town Planner)   |
| <b>APPLICANT:</b>      | Arkadia Property Services Pty Ltd  |

## 2 Written Submissions

### Registered to Speak:

| Submitters   | Applicant/Representatives                            |
|--|--|
| Meredith Trevallyn-Jones - Chair Willoughby Bay Precinct | Bernard Gallagher - Managing Director, Ethos Urban   |
| Cathy Peters - Chair Neutral Precinct                    | Stefan Meissner, Director, Urban Design, Ethos Urban |
| Rob McKay - Co-Chair Brightmore Precinct                 |  |

The Panel members have undertaken a site inspection prior to the meeting. The Panel also has the benefit of the Council officer's report and submissions made by the Community and the Applicant's representatives during the public meeting.

### Panel Recommendation

The Panel advises Council that the planning proposal has strategic merit for buildings from 8 to 12 storey's provided it will deliver the key public domain and public benefits outlined in the Neutral Bay Village Planning Study.

However, it is recommended that the Planning Proposal, in its current form, not be supported to proceed to Gateway. The Panel is of the view that the following amendments to the Planning Proposal are required:

- The proposed height and FSR controls should apply to 180-182 Military Road, Neutral Bay;
- A mechanism be included to exclude additional heights above 8 to 12 stories through the application of Clause 4.6 or any bonus provision in other planning instruments.
- The reference document be amended to resolve key issues raised in the assessment report including the inconsistencies with the Neutral Bay Village Planning Study (NBVPS):
  - The location, width and form of the proposed through-site links.
  - Compliance with the ADG building separation requirements and reliance on blank walls.
  - The location and size of the proposed Community Centre.
  - The building setbacks generally on the ground floor.

For the reasons in the Council's consultant planners report, Annelise Tuor, supports the Panel recommendation that the Planning Proposal, in its current form, should not proceed to Gateway and that further amendments are required. However, in her opinion, the proposed changes to the height of buildings (HOB) map, to permit up to 45m (12 storeys) do not have strategic or site specific merit. She acknowledged that heights above the 6 storeys nominated in the adopted NBVPS could be appropriate due to planning changes and other recent proposals. However, the maximum height needs to be considered within the context of the town centre and its surrounds. In her opinion, increased residential yield and an optimum urban form could be achieved if changes to HOB and FSR for all land to the north of the proposed plaza were to be included in the planning proposal. Also, greater certainty as to the urban form and public domain outcomes sought for the location of through site links; street wall heights; and setbacks, would be provided through a more detailed HOB map or a site specific LEP clause. Furthermore, the mechanism to achieve the provision of affordable housing should form part of the planning proposal and its supporting information.

Voting was as follows:

| Panel Member   | Yes | No | Community Representative | Yes | No |
|----------------|-----|----|--------------------------|-----|----|
| Vince Hardy    | Y   |    | Lindsey Dey              | Y   |    |
| Annelise Tuor  | Y   |    |                          |     |    |
| Sue Weatherley | Y   |    |                          |     |    |

The meeting concluded at 1:05pm.

The Panel Determination session commenced at 1:06pm.

The Panel Determination session concluded at 2:12pm.

Endorsed by Vince Hardy

Chair

North Sydney Local Planning Panel

**26 August 2025**