

20 May 2020

Fabcot Pty Ltd
1 Woolworths Way
BELLA VISTA NSW 2153

Dear Sir/Madam

Issues Letter

Application No: 8.2020.24.1

Property: 731-741 Military Road

I refer to the above application lodged on 9 March 2020 comprising: Partial demolition, construction of a part one part two storey development with retention and restoration of existing Military Road facades and use for a Woolworths Metro supermarket and cafe, at-grade car park with 20 spaces, loading area, associated signage and landscaping works.

To further progress the assessment of the application, it will be necessary for you to address the following issues:

1. **Lane widening.** Section 7.6 of the Business Centres Development Control Plan (BCDCP) relates to lane and accessway widening and identifies that Lennon Lane is subject to Council's lane widening program. The road dedication for 741 Military Road remains pending. This section of land is required to be dedicated to Council. The design of the proposal is required to be amended to accommodate this dedication.
2. **Traffic/parking.** The following matters are required to be addressed:
 - a. Clear details on how the Newtown, and importantly the Rozelle store, are sufficient comparison sites (and not based on store size or car ownership alone).
 - The Newtown Metro store (assumed to be the store fronting Erskineville Road) is in proximity to two train stations servicing two separate lines (T2 Inner West and T3 Bankstown Line) which has potential to increase the level of public transport use for this Metro store.
 - Rozelle would likely have a different demographic to Mosman and would not be similar in terms of the topography of the catchment area.
 - b. The survey methodology to capture traffic generation, store associated car parking and travel mode share (noting the Traffic Report (TR) states 80% of customers travel to the store by means

other than a car) is unclear. Also, the proposed Mosman store includes a café, it is unclear if the comparative surveys address this land use also. Further detail is required to identify the survey catchment and methodology (i.e. were interview surveys conducted?) to produce the comparative survey.

- c. How the comparative survey consider seasonal fluctuations and its influence on the survey results and the proposed Mosman store.
- d. The proposal includes a Click & Collect function, which would attract short term customers. It is unclear if the comparative surveys include Click & Collect functionality and its impact on traffic and parking generation. Additionally, the proposal does not address how customers utilising the Click & Collect service will be managed (i.e. some stores provided reserved parking for this function, reducing the overall parking availability for other customers).
- e. How staff parking is assessed in both the comparative survey and the proposed Mosman site, noting that the survey methodology is unclear and the documentation provided is inconsistent in regard to staff parking. The TR states that parking for staff will not be provided whilst the Plan of Management (POM) states that there is likely to be between 2-8 staff on-site at any one time and that similar to other Metro stores, the store Manager may require a permanent car space
- f. The TR needs to address the potential changes to on-street parking demand due to the potential underutilisation of the rear-car park due to the design of the rear-car park in its current form not being an attractive option for customers due to the potential difficulty in either finding a park, safety concerns with regards to pedestrian conflict and potential implications with servicing vehicles.
- g. The notion that the on-site car park can be monitored by Council is an unnecessary burden and one which will not be accepted by Council. The TR should address what other measures can be put in place in the event that an enforcement arrangement by Council is not provided.
- h. End-of-trip facilities such as showers should be provided for staff.
- i. Further analysis and justification is required for the traffic generation adopted, and the impacts of the potential higher trip generation of 70 noted in the review.
- j. The traffic generation assignment and future modelling, reliant on SIDRA, is not transparent with the TR. It is unclear if the modelling assessment has appropriately considered the pedestrian priorities at the Gouldsbury Street driveway or pedestrian crossing. Additionally, it is unclear from the modelling results reported in the TR if there is any adverse queueing impacts in either Gouldsbury Street or Military Road. Adverse queueing in Gouldsbury Street may restrict the efficiency and safety of the car park, whilst queueing in Military Road may result in congestion on upstream / downstream signalised intersections (e.g. Belmont Road) or other junctions. The TR is required to be amended to address these matters.
- k. Further details are required on how the proposal results in a low risk environment for all road users and adjacent land uses in the rear laneway. The rear laneway is a considerable constraint on the site and has not been adequately addressed with any practical design solution, considering all applicable road users (cars, bike riders, pedestrians, service vehicles). A comprehensive plan / design (signage, linemarking etc) is required that demonstrates how the proposed Metro store integrates with the existing Gouldsbury Street car park and access, ensuring appropriate protection is provided for pedestrians, as well as wayfinding and management of vehicles to reduce conflict points with all other users.
- l. The forecast increase traffic as a result of the proposed Metro store has potential to exacerbate sight line issues at the Mosman Club car park access resulting in potential incidents.
- m. The TR does not address how the loading operations of the Mosman Club will operate and be unimpeded by traffic and pedestrians generated by the proposed Metro store.

- n. The timing for loading / servicing vehicles overlaps with the potential peak hour on the weekend (typically midday). The timing should be changed to avoid this overlap.
- o. As the interaction of service vehicles, customer / staff vehicles and pedestrians in the rear laneway and car park are considered high risk and create potential congestion and flow on safety implications, the level of detail addressing the management and mitigations provided within a Loading Dock Management Plan (LDMP) or Traffic Management Plan (TMP) is required.
- p. There are no details provided with regard to online deliveries by small Woolworths trucks / vans. The application should address this and the potential impact on traffic generation, car park safety and operation of the loading dock ensuring there are no adverse impacts if online deliveries are facilitated by this store.

Car park design:

- q. Outbound manoeuvring of the MRV shows that the internal landscaping may be impacted (noting that the swept path plan slightly differs to the submitted Architectural drawings in this location, such that it is unclear if there is intended to be landscaping). The inbound movement similarly shows potential conflict with landscaping.
- r. The MRV manoeuvring is required to encroach into the laneway as part of its reverse movement into the dock. This encroachment has potential to result in conflict with pedestrians in the laneway or inbound vehicles who will have restricted sightlines to this driveway location.
- s. Neither inbound or outbound vehicles can see each other from the laneway entry or car park exit and will likely result in vehicles reversing in the laneway or car park to enable passing.
- t. Noting these spaces will need to be deleted to accommodate the lane widening - the spaces within the southern portion of the car park (i.e the small car space and adjacent space) are likely to require the laneway in order to ingress / egress from the respective car space. These spaces are highly likely to exit the car park via the entry driveway which may result in conflict and congestion for other vehicles exiting / entering the narrow laneway.

3. **Economic impact.** The Economic Needs Assessment dated January 2020 fails to address the actual impact of the proposal on particular shopping centres or shopping precincts either in the trade area or just beyond the trade area. Further information is required to analyse the impact of the proposal in economic terms.

The applicant is required to submit additional quantitative analysis on the estimated impact of the proposed development (in dollar (\$) and percentage terms) on existing centres/retailers by estimating sales in the year prior to, and post the proposed development commencing trading. The centres to be analysed are required to include Mosman, Bridgepoint, Spit Junction, Cremorne and Neutral Bay.

4. **Impact on local character.** The proposal presents a single retail use across what is currently six individual shop fronts. Whilst some attempt has been made to distribute the uses across the Military Road frontage (as detailed in Figure 22 of the SEE), the proposed design does not maintain the rhythm and form of the small shop fronts that provide an important contribution to the character and atmosphere of Mosman Junction. The proposal should be amended to provide a development that is consistent with the desired future character.
5. **Active street front (Military Road).** The DCP requires that street frontages provide a continuity of active business uses at street level. Further detail is required in terms of how the proposal satisfies Planning Controls P27, P28, P29 and P30 at Section 5.2 of the BCDGP.
6. **Through-site link.** The BCDGP requires that a through-site link be provided on the site to extend the network of linkages within Mosman Junction to improve pedestrian accessibility,

safety and amenity. Whilst the proposal provides the required linkage on the eastern portion of the site, the linkage is not extended through the car park to Lennon Lane. The proposal is required to be amended to provide a through-site link between Military Road and Lennon Lane that is designed in a manner that will provide for pedestrian amenity and safety. Detail should be provided in terms of the materiality of the through-site link and the link should be designed to match or be sympathetic to the Military Road streetscape, i.e. paving, lighting, seating, bollards.

7. **Rear elevation.** The proposal presents a two storey wall to the rear with little relief or detailing. The proposal should be amended to provide a more considered architectural character to the rear that reflects the desired use of Lennon Lane as a pedestrian link between Military Road and Gouldsbury Street by providing for pedestrian amenity and safety whilst mitigating amenity impacts to the neighbouring residential development.
8. **Heritage.** The proposal is required to be amended to ensure that all doors and windows associated with the retained or reconstructed buildings have timber framing. This design change is required to ensure the significance of the heritage conservation area is conserved through the use of traditional materials, the street frontage remains active and the proposal complies with the planning controls and objectives at sections 5.2 and 6.1 of the BCDCP.
9. **Supermarket use.** As identified under the traffic matter, further detail is required in relation to the intended operation of the supermarket. The POM should be amended to reflect the click and collect service and detail how this will be managed. Clarification is required in terms of whether online deliveries will be made from this site and if so, how this will be managed.
10. **Café.** The proposal includes the use of part of the site as a café. Further detail is required in relation to the hours of operation, number of staff and number of seats proposed associated with the café use.
11. **Hours of operation.** There are discrepancies within the documentation regarding the hours of operation of the supermarket. The SEE states the hours of operation to be 6am-11pm daily. The POM states the hours of operation to be Monday – Saturday 6am-11pm and Sunday 6am-10pm. No detail is provided in terms of the hours of operation of the cafe. Clarification is required.
12. **Acoustic impact.** The following issues have been identified with the acoustic report dated February 2020 and are required to be addressed:
 - a. Revised calculations are required that consider the full scope of use for the car park. The assessed noise from within the car park considers contributions from car doors, engines starting, and low-speed vehicle movement. No consideration has been given to other noise sources that would be typical to a supermarket car park such as trolleys moving through the car park, people talking, and delivery vehicles manoeuvring within the car park to/from the loading dock (including engine noise, refrigerated compressor engine noise, tonal reversing alarm and start/stop noises of manoeuvring and gear changes).
 - b. To approximate the potential impact from noise attributed to shopping trolleys on asphalt surfaces reference should be made to the Bavarian Parking Area Noise Study (Lfu 2007) that advises a +3dB adjustment to the overall parking motion sound power level specific to purchase markets where shopping trolleys are to be considered.
 - c. The proposal involves the closure of the car park between the hours of 10 pm and 7 am. This should be extended to 8 am on Sundays and public holidays to accord with the EPA 'night-time' period.
 - d. Assessment of acoustic impact from the use of the balcony or balconies facing Military Road.

- e. Assessment of acoustic impact from the outdoor seating associated with the use of the café.
13. **Contamination.** The Heritage Impact Statement submitted with the application identifies that Mosman Fuel and Produce Co may have existed on the site or surrounding sites circa 1902-1903. Given the proposal involves a change of use, the potential for contamination associated with this prior use needs to be further investigated in accordance with clause 7(2) of State Environmental Planning Policy No 55 - Remediation of Land. The applicant is required to either provided (a) a Stage 1 - Preliminary Investigation or (b) clear evidence that the Mosman Fuel and Produce Co did not exist either on or adjacent to the site.
14. **Signage.** The documentation submitted in terms of signage is inconsistent. The signage proposed fails to comply with the planning controls in Section 6.2 of the BCDCP and will have adverse effects in terms of the amenity of the area when viewed from both Military Road and the rear. The signage strategy should be reconsidered having regard for the desired future character as outlined within the BCDCP. Particulars:
- a. Signage must only include the approved use and not promote products or promotions (as proposed above the hydrant booster),
 - b. Elevation 2 identifies illuminated signage under the awnings. These signs are not detailed within Drawing A60.01 nor addressed within the SEE,
 - c. The Perspectives Sheet 1 identifies a large sign on the exterior wall of the service desk facing Military Road. This sign is not detailed within Drawing A60.01 nor addressed within the SEE.
 - d. Unless a sign is flush with the wall, detail should be provided of the extent of projection. All signs that project from the wall will be subject to compliance with planning control P5,
 - e. Drawing A60.01 must be amended to detail the content of each sign,
 - f. Sign 1 should be lowered and reduced in size,
 - g. Signs 2, 3, 4 and 5 require detail of content,
 - h. Signs 6 and 8 are not readily visible from the public domain and do not contribute to public way finding. These signs should be deleted,
 - i. Signs 7 and 9. All awning fascia signs will be subject to compliance with planning control P4. The DCP does not permit illumination, projection or extension beyond the perimeter of the awning fascia. No content is provided of Sign 9,
 - j. Sign 10. The SEE states that this sign faces the laneway. Sign 10 is not readily visible from the public domain and does not contribute to public way finding. This sign should be deleted, and
 - k. Sign 11 is located on land that is required to be dedicated to Council and is required to be relocated. Notwithstanding, with dimensions of 3m x 1.5m it is excessive in size and should be reduced.
15. **Energy efficiency.** Further detail is requested in relation to the energy efficient measures that will be incorporated into the design as required by Section 6.5 of the BCDCP.
16. **Preliminary construction management plan.** Having regard the constrained access arrangements a preliminary construction management plan is required.
17. **Impact on existing trees.** The arborist report is required to be amended to consider the possible impacts to trees on neighbouring properties that are within 5m of the proposed works and trees on public land that may be impacted during the construction phase or on-going operation (through truck movements). This includes trees in Gouldsbury Street and Belmont Road.

18. **Canopy planting.** Planning control P6 at Section 6.11 of the BCDCP requires a minimum of 1 canopy tree per 4 car spaces. The proposal shows 20 car spaces and only 2 trees. The proposal should be amended to provide a continuous garden bed on the eastern site boundary between the laneway and carpark to accommodate canopy planting. If no tree root vault system is able to be incorporated into the design, the garden bed should be 1.5m in width. Details are required in terms of how these trees would be protected from car movements in the carpark particularly during establishment.
19. **Trolley Management.** The POM indicates that trolleys will be used. No detail is provided on the plans of where the trolleys will be stored. Further detail is also required of how the use of trolleys will be managed to ensure they are confined to the site and not abandoned off-site.
20. **Site survey.** The site survey submitted with the application does not contain all required information. It fails to provide (a) the boundary dimensions and area of the site and, (b) top of wall RLs for the southern and western boundary walls on Lot 1 DP 784514.
21. **Southern boundary wall.** The plans do not accurately depict the existing boundary wall on the southern boundary. The plans are to either be amended to depict the boundary wall that in fact exists or the proposal is to be amended to identify any new works proposed on the southern boundary within the confines of the site.
22. **Western boundary wall.** The plans show the western boundary wall on Lot 1 DP 784514 being retained. It appears that some modifications may be proposed to the existing wall as the return of the wall at its northern end is not shown. An elevation of this wall is required.
23. **Structural design statement.** The Structural design statement references a set of plans that pre-date the plans submitted with the application. Further advice is required from the consultant that the recommendations within their report dated 20 December 2019 remain valid.
24. **Accessibility.** Clarification is required in relation to the following aspects of the proposal:
 - a. The access report identifies that the passenger lift within the supermarket is capable of compliance with the access requirements. In conflict, on page 4 the BCA report identifies that lift access to Level 1 is not proposed for people with a disability. Noting the accessible sanitary facility is located on Level 1 clarification is requested.
 - b. Further detail is required in relation to accessibility of the café and the first floor level of this part of the building.
 - c. One accessible sanitary facility is proposed at Level 1 that appears to service both the café and supermarket. Clarification is requested that this meets the requirements of the BCA.
25. **Owners consent.** The owners consent provided for the company that owns 731, 733, 735, 737 and 741 Military Road is not sufficient. Pursuant to Section 127(1) of the *Corporations Act 2001* where a common seal is not provided the owners consent is to be signed by either 2 directors of the company; or a director and a company secretary of the company. Only one signature has been provided and no name has been linked to that signature.
26. **Detail on plans.** Further detail is required in relation to the following aspects of the proposal:
 - a. The SEE identifies that 741 Military Road will be used as a small café and click and collect room. The ground floor plan does not identify the click and collect room.
 - b. Comms/Plant door. The plans show a door to the Comms/Plant room on Elevation 4 that opens onto nothing. Further detail is requested in relation to the need for this door.
 - c. Elevation 4 does not depict the chimneys are shown to be retained on the other plans.

- d. Elevation 3 identifies 'New pick up window' however no window is depicted. Further, this elevation does not identify the window that is shown on the ground floor plan near the café prep area.
- e. Confirmation is requested of whether the two balconies facing Military Road that would be accessed from the produce prep area and general office at Level 1 will be blocked off or provided with access.
- f. Additional RLs are required for the roof above the loading dock, the top of the screen to the condensor deck and mechanical plant and the parapet of the new glazed windows.
- g. A detailed drawing or montage of the aluminum framed glazed sliding doors on the northern elevation of 741 Military Road. The design of these doors should provide for activation of the through-site link given their length of approximately 6m.

The application has been referred to the NSW Police for review of the crime risk assessment, a response has not yet been received.

The response to this letter must be in electronic PDF format and include all plans (showing all alterations or additions coloured), documents and a schedule of changes and can be made either:

- Via email to developmentsservices@mosman.nsw.gov.au
- In person on a USB at the Mosman Council Civic Centre
- By mailing a USB to The General Manager, PO Box 211, SPIT JUNCTION NSW 2088.

In making the response you acknowledge the information will be made publically available.

In the case where the amended plans are significantly different to the original plans, the Assessment Officer will contact you to provide a re-notification fee.

The information is required to be submitted in full within 14 days of the date of this letter. Written requests for an extension of time will be considered if you are unable to provide a response within the required time frame. Alternatively, you may wish to consider withdrawing the application, in which case Council may consider a partial refund of fees.

Should the information not be received, nor the application withdrawn, Council will proceed to determine the application on the basis of the current plans.

Yours sincerely
Sarah Wallace
EXECUTIVE TOWN PLANNER