

21 July 2020

2190593

Dominic Johnson  
General Manager  
Mosman Council  
573 Military Road  
Spit Junction NSW 2088

*Attention: Sarah Wallace, Executive Town Planner*

Dear Sarah,

**RE: DA8.2020.24.1 – RESPONSE TO COUNCIL LETTER  
PROPOSED WOOLWORTHS METRO, 731-741 MILITARY ROAD, MOSMAN**

This letter has been prepared by Ethos Urban on behalf of Fabcot Pty Ltd ('Fabcot') in response to the letter issued by Mosman Council (Council) on 20 May 2020, requesting additional information in relation to Development Application (DA) 8.2020.24.1 for the proposed Woolworths Metro store at 731-741 Military Road, Mosman.

Since the issue of Council's letter, Fabcot has met with Council officers on a number of occasions, working closely with Council officers to amend the design of the proposal in order to address the matters raised in Council's letter. As part of this dialogue, it was agreed between Fabcot and Council that an amended proposal would be prepared and submitted, which responds to the issues raised in the letter.

Accordingly, the proposal has been amended as follows:

- In order to realise Council's long-term laneway vision for the Mosman business centre, as requested by Council, Fabcot has agreed to:
  - Widen Lennon Lane as part of the proposed works (being the component of Lennon Lane directly abutting the subject site to the west);
  - Provide a footpath on the western side of Lennon Lane, in line with the proposed widening works;
  - Provide a pedestrian through site link to Lennon Lane from Military Road, running along the southern edge of the car park;
  - A condition of consent requiring a covenant to be prepared benefiting Council, requiring the dedication of part of 741 Military Road to Council to extend the Lennon Lane, once land to the south is acquired for the same purpose;
- The car park and loading dock layout has been amended to clockwise flow, improving safety and operational car park flow, as requested by Council's officers. As a result of the above, the total proposed number of car spaces is reduced from 20 spaces to 18 spaces (plus 2 temporary spaces, which would remain operational until such time as the future lane way extension is realised);
- Fabcot will accept a condition of consent requiring all doors and windows associated with the retained and reconstructed buildings to have timber framing;
- The design of the rear car park wall has been amended to provide more visual interest;
- The signage design has been amended to address concerns raised by Council with the DA set;
- End of trip facilities are proposed on Level 1 for the benefit of employees;
- Clarification is provided that no trolleys are proposed to service the supermarket;
- The landscape design of the car park has been improved with more canopy planting; and
- Click and collect internet shopping is no longer proposed.

**Table 1** of this letter sets out the comments raised in Council's letter, and includes Fabcot's response to each comment and request. Also accompanying this letter are the following technical appendices:

- Revised architectural drawings prepared by BN Group (**Attachment A**);
- Traffic and parking statement addendum letter prepared by CBRK (**Attachment B**);
- Economic needs assessment addendum letter prepared by Location IQ (**Attachment C**);
- A photomontage of the proposal from Military Road prepared by BN Group (**Attachment D**);
- Revised plan of management prepared by Woolworths (**Attachment E**);
- Acoustic assessment addendum letter prepared by The Acoustic Group (**Attachment F**);
- Preliminary site investigation prepared by JK Environments (**Attachment G**);
- Construction management plan prepared by Mainbrace Constructions (**Attachment H**);
- Revised arborist's report prepared by RainTree Consulting (**Attachment I**);
- Revised site survey prepared by LTS Lockley (**Attachment J**);
- Revised structural design statement prepared by James Taylor & Associates (**Attachment K**);
- Revised accessibility statement prepared by Morris Goding Access Consulting (**Attachment L**);
- Updated development application form (**Attachment M**);
- Landscape plan prepared by Ground Ink (**Attachment N**); and
- Revised waste management plan prepared by Waste Audit (**Attachment O**).

We trust that these responses and clarifications will assist with your assessment of the proposed application. Should you have any queries about this matter or require any further information, please do not hesitate to contact me on 9956 6962.



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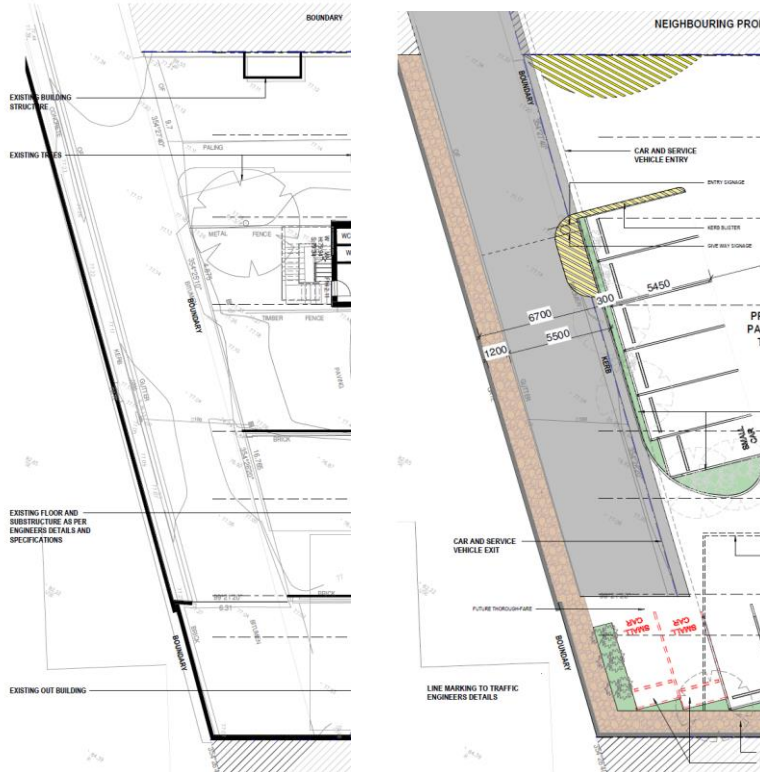
**Chris Ferreira**  
Associate Director  
02 9956 6962  
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**1. Lane widening**

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.

The design has been amended to facilitate the widening of Lennon Lane as requested by Council. This involves the widening of the laneway to the east to facilitate a total road reserve of 6.7m (carriageway of 5.5m), and the construction of a 1.2m footpath along the western side of the laneway, crossing the lane, passing through the southern portion of the site, and continuing through to Military Road. This is shown in **Figure 1** below. The widening and footpath are proposed to be constructed up to and in line with the boundary of the RSL site to the north.



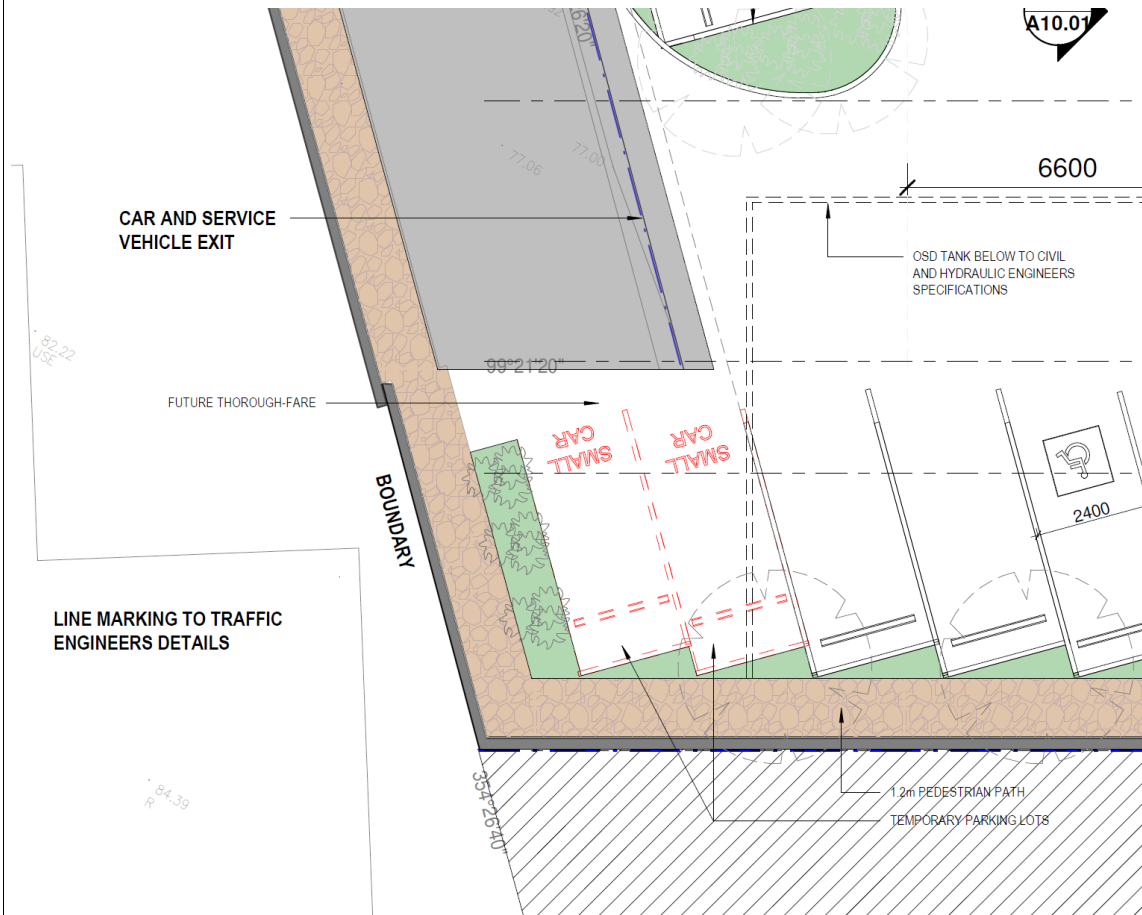
**Figure 1    Updated ground floor plan (right) showing lane widening (before and after)**

With regards to the extension of the laneway through the portion of the site on 741 Military Road, the applicant is willing to accept a condition of consent requiring that the relevant area be dedicated to Council once the land to the south at 743 Military Road is acquired by Council, to complete the laneway extension through to 741 Military Road. The condition can be enforced by requiring a covenant be imposed on the land title prior to an Occupation Certificate being issued. The two proposed temporary parking spaces on Lot 1 DP 784514 (741 Military Road), as seen in the excerpt from the architectural drawings in **Figure 2**, can then be removed to facilitate the future thoroughfare. Suggested wording for the condition is provided below:

*“Prior to the issue of an occupation certificate, a covenant is to be registered on the title of Lot 1 on DP 784514. The covenant is to state that once Mosman Council has acquired land at 743 Military Road (Lot 1 in DP 917786) for the purposes of extending Lennon Lane, land at 741 Military Road (Lot 1 on DP*

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784514) that is within the identified laneway (as shown in Plan XXX) is to be dedicated to Mosman Council at no cost for the purposes of extending the laneway through to Belmont Road.”



**Figure 2    Car spaces to be removed to facilitate future through site link**

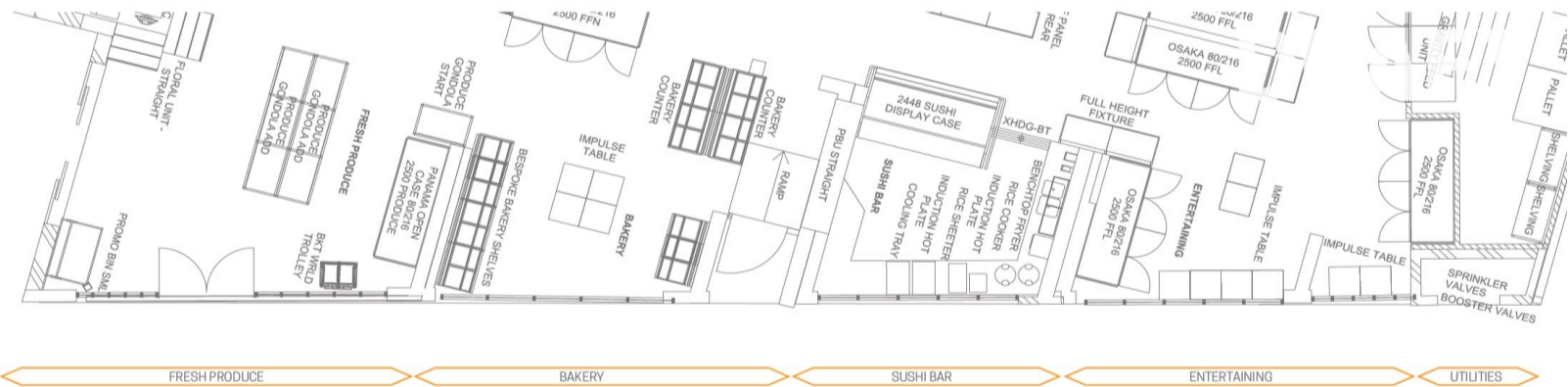
**2. Traffic/parking**

A Traffic and Parking Statement addendum letter has been prepared by CBRK (**Attachment B**), which provides a response to each of the items raised by Council in relation to traffic and parking matters. The response, amended car park layout and Lennon Lane upgrades have been prepared following significant consultation with Council’s traffic engineers. The assessment provides further explanation and justification in relation to the precedent examples used to assess the likely traffic generating impact of the proposal, which is assessed to be minor.

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(Issues listed in response letter, <b>Attachment B</b> )	Please also refer to commentary in the economic needs assessment addendum letter ( <b>Attachment C</b> ) which provides additional information to respond to items 2a and 2c of Council's letter, in relation to why the Newtown and Rozelle metro stores store are sufficient comparison sites, and in relation to seasonal fluctuations and its influence on the survey results.
<p><b>3. Economic impact</b></p> <p><i>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.</i></p> <p><i>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.</i></p>	<p>An economic needs assessment addendum letter has been prepared by Location IQ, which responds directly to the issues raised by Council in relation to the impact of the proposal on shopping centres and precincts in both the trade area and beyond the trade area, and provides additional quantitative analysis of the impact of the proposal on existing centres / retailers (<b>Attachment C</b>). In summary:</p> <ul style="list-style-type: none"> <li>• Forecast sales for the proposed metro supermarket are expected to be in the order of \$8.4 – 12.7 million. This represents only a small proportion of total retail sales in the trade area (4% or less of main trade area for total retail expenditure and 7% or less of main trade area combined food and liquor and food catering spending). This would represent the impact from the proposal across all main trade area retail facilities if all spending was redirected from the main trade area retail facilities (which is unlikely). Therefore, 96% of main trade area total retail spending or 93% of main trade area combined food and grocery and food catering spending would still be available to other facilities both within and beyond the defined main trade area. Accordingly, impacts on existing facilities within and beyond the main trade area would be minimal.</li> <li>• Generally, retail trading impacts between 10% – 15% are considered by the industry to be high but acceptable, with impacts less than 10% considered relatively moderate, and impacts less than 5% generally considered minor/negligible. <b>The indicative average impacts of around 4% would be well within the minor/negligible range.</b> The experience of other existing Woolworths Metro stores at Rose Bay, Rozelle and Erskineville (Newtown) shows that nearby supermarkets have not closed as a result of the opening of these new stores.</li> <li>• All supermarkets in the surrounding area are understood to trade strongly. The three supermarkets at Neutral Bay achieve combined sales in-excess of \$150 million. Average supermarket sales are typically in the order of \$10,000 – \$15,000 per m<sup>2</sup> or approximately \$35 million for a full-line supermarket. As a result, the three supermarkets at Neutral Bay are trading significantly higher than average, indicating demand for the proposed metro.</li> <li>• The immediate Military Road precinct around the proposed supermarket contains only eight food and liquor tenancies (constituting 6% of tenants in the precinct). As these are all specialty stores with established customer bases, the proposed Woolworths Metro supermarket would only compete indirectly with these retailers, given they are specialty retailers with established customer bases. While these retailers are likely to be impacted to some degree, the size of the impact would not limit the future viability of any of these tenants or be detrimental to the overall surrounding precinct. Indeed, the surrounding precinct stands to benefit from increased sales potential and the increase in customer flows retained as a result of the proposed Mosman Woolworths Metro.</li> </ul> <p>Further detailed information and figures supporting the conclusions above are included in the economic needs assessment addendum letter (<b>Attachment C</b>), including the additional quantitative analysis measuring impact (in dollar and percentages) on existing centres including Mosman, Bridgepoint, Spit Junction, Cremorne and Neutral Bay.</p>

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<p><b>4. Impact on local character</b></p> <p><i>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.</i></p>	<p>The primary principle underpinning the design of the proposal is the intention to reflect the existing scale and rhythm of development and shopfronts in the Mosman business centre, which contribute to (and form the foundation of) the streetscape. This principle is in direct response to objective (d) in Section 2 of the Mosman Business Centres DCP, which states:</p> <p><i>Building form and design:</i>  (d) Encourage development that is compatible with the existing 2 storey Federation streetscape, and the existing scale and rhythm of development. The amenity of the centre is found in the scale, form styles, material and details in the streetscape.</p> <p>Whilst the existing scale and rhythm of development in Mosman is provided to some degree through the multitude of individual shops along Military Road, the scale and rhythm of the precinct (and its primary character) is derived from the scale of the individual shopfront facades, including their various form styles, fine grain materials and details, and generally individual (and separate) characters. The mixed visual contribution of each of the shopfronts come together as a visual whole, making the precinct visually iconic and providing strong visual amenity.</p> <p>The designers of the proposal have employed this concept in the design of the proposed metro store, in order to preserve and enhance the existing established village character, via a number of strategies (internally and externally), despite the amalgamation of the tenancies into one store. These include:</p> <ul style="list-style-type: none"> <li>Retention of the individuality of each building's small façade is achieved by accentuating this individuality through differentiation in colour, materiality and finishes for each building. This strategy is effective, particularly as some buildings (such as 731-733 Military Road) do not contribute to the streetscape in their present form. The proposal both emphasises and re-invigorates each of the facades so that they are distinct, and each make a more positive contribution to the streetscape as individual facades;</li> <li>At the same time, the selection of colours on each façade is subtle, chosen in order to complement and respect the character of the streetscape. This ensures that, compared to a typical Woolworths supermarket, the design is much more subtle, ensuring the design for the Mosman Woolworths Metro is unique and tailored to the Mosman business centre through its own special contribution;</li> <li>Internally to the store, a strategy has been employed to separate and allocate different elements of the store to each individual shopfront, including that of a café (for the standalone building at 741 Military Road), produce trading and a bakery within the split shopfronts of 737-739 Military Road, a sushi bar within the shopfront of 735 Military Road, and chilled goods/dairy areas in the shopfront of 731-733 Military Road. By presenting and allocating different sections of the store's fit out outwardly to the street in line with the separation of each shopfront, the individuality of each shopfront within the streetscape is strongly reinforced. This is made distinctly clear in the CGI image in <b>Figure 4</b> and in <b>Attachment D</b>.</li> <li>Internally, a strategy has been employed to retain part of the structural wall at the shopfront edge of each building to further reinforce the concept of the individuality and separation of each building. This ensures there is a tangible structural element which visually contributes to the fine grain rhythm of the streetscape, in combination with the external façade strategy and internal fit out strategy;</li> <li>Finally, the upgrade of the various heritage elements on the facades of 735 Military Road, 737-739 Military Road and 741 Military Road will, in their own right, ensure their respective heritage features make a lasting contribution to the streetscape.</li> </ul> <p>The design measures employed above will ensure that each of the buildings is presented with an original and unique presentation to Military Road, and in doing so, will create visual interest whilst reflecting the rhythm and form of shopfronts along Military Road. The strategies will increase streetscape diversity and prevent the appearance of an excessively uniform and expansive supermarket tenancy in line with the established visual character for the area.</p> <p>The design strategies employed must also be understood in the context of the existing buildings on the site which, whilst individual in their use, make very little contribution to the streetscape in their current state. The proposed metro store will add variety to the Mosman business centre, but will remain modest and compatible in terms of its size, noting that not all stores in Mosman have the same size or proportions.</p>

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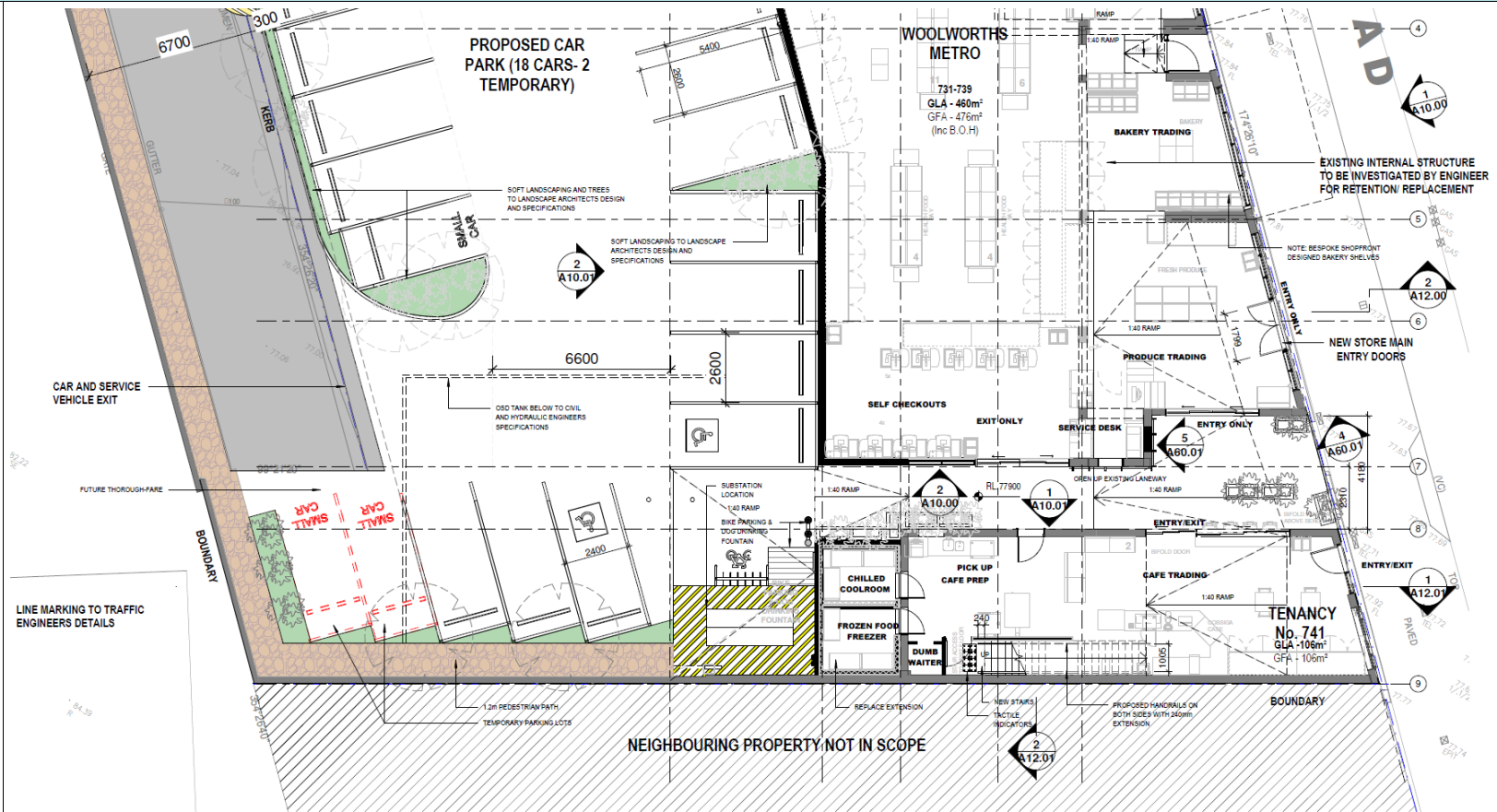
**Figure 3**    Visualisation of presentation of the proposal to Military Road

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<p><b>5. Active street front (Military Road)</b></p> <p><i>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 BCDCP</i></p>	<p>In order to respond comprehensively to Council's request, further assessment of Planning Controls P27, P28, P29 and P30 from Section 5.2 of the DCP is provided below:</p> <table border="1" data-bbox="394 327 2027 837"> <thead> <tr> <th data-bbox="394 327 875 363">Control</th> <th data-bbox="875 327 2027 363">Assessment</th> </tr> </thead> <tbody> <tr> <td data-bbox="394 363 875 491"><i>P27. A continuity of active business uses at street level is to be maintained and enhanced.</i></td> <td data-bbox="875 363 2027 491">The proposed development provides continuity of the active business uses along Military Road frontage by providing an active (glazed) façade and entry points from 737-739 Military Road and 741 Military Road, whilst ensuring that the historical fine grain subdivision rhythm of the area is retained, as demonstrated in the response to item (4) above.</td> </tr> <tr> <td data-bbox="394 491 875 560"><i>P28. Facades to streets are to have shopfront clear glazing.</i></td> <td data-bbox="875 491 2027 560">Clear glazing is proposed to each of the facades of the individual shopfronts, as shown in the architectural drawings and depicted in the CGI in <b>Figure 3</b>.</td> </tr> <tr> <td data-bbox="394 560 875 683"><i>P29. New shopfronts are to use the traditional inset window and corner window arrangement, and traditional materials for the period.</i></td> <td data-bbox="875 560 2027 683">The façade arrangement is sympathetic to the original buildings and the character of the locality, including the window arrangement.</td> </tr> <tr> <td data-bbox="394 683 875 837"><i>P30. Window displays, display cases and well-defined pedestrian entries are encouraged at street level to provide pedestrian interest.</i></td> <td data-bbox="875 683 2027 837">As per the ground level fit out drawings, window displays will be utilised, as well as three well defined pedestrian entries from Military Road. The pedestrian entries are prominent, with the main entry to the supermarket well defined and highly visible from Military Road. These features in tandem will provide visual interest and interactivity and activity at street level. The CGI in <b>Figure 3</b> provides a good visual illustration of the visibility of the entry from Military Road.</td> </tr> </tbody> </table>	Control	Assessment	<i>P27. A continuity of active business uses at street level is to be maintained and enhanced.</i>	The proposed development provides continuity of the active business uses along Military Road frontage by providing an active (glazed) façade and entry points from 737-739 Military Road and 741 Military Road, whilst ensuring that the historical fine grain subdivision rhythm of the area is retained, as demonstrated in the response to item (4) above.	<i>P28. Facades to streets are to have shopfront clear glazing.</i>	Clear glazing is proposed to each of the facades of the individual shopfronts, as shown in the architectural drawings and depicted in the CGI in <b>Figure 3</b> .	<i>P29. New shopfronts are to use the traditional inset window and corner window arrangement, and traditional materials for the period.</i>	The façade arrangement is sympathetic to the original buildings and the character of the locality, including the window arrangement.	<i>P30. Window displays, display cases and well-defined pedestrian entries are encouraged at street level to provide pedestrian interest.</i>	As per the ground level fit out drawings, window displays will be utilised, as well as three well defined pedestrian entries from Military Road. The pedestrian entries are prominent, with the main entry to the supermarket well defined and highly visible from Military Road. These features in tandem will provide visual interest and interactivity and activity at street level. The CGI in <b>Figure 3</b> provides a good visual illustration of the visibility of the entry from Military Road.
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<p><b>6. Through-site link</b></p> <p><i>The BCDCP 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</i></p>	<p>The proposal has been amended to provide for a continuous 1.2m wide pedestrian through site link, extending from Military Road through the gap between 737-739 Military Road and 741 Military Road, through the car park, and across Lennon Lane. It will then run along the western boundary of Lennon Lane, to prevent conflict with vehicles utilising Lennon Lane to service the site or adjacent sites.</p> <p>The proposal represents a significant improvement with regards to pedestrian accessibility, safety and amenity over current arrangements, whilst being sympathetic to the local streetscape. The paving and materials proposed to be employed will be consistent with the fine grain character of Military Road, as depicted on the amended plans in <b>Attachment A</b>. An excerpt of the proposed through site link is shown in <b>Figure 4</b>.</p>										



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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.



**Figure 4    Excerpt from ground floor plan showing through site link**

**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

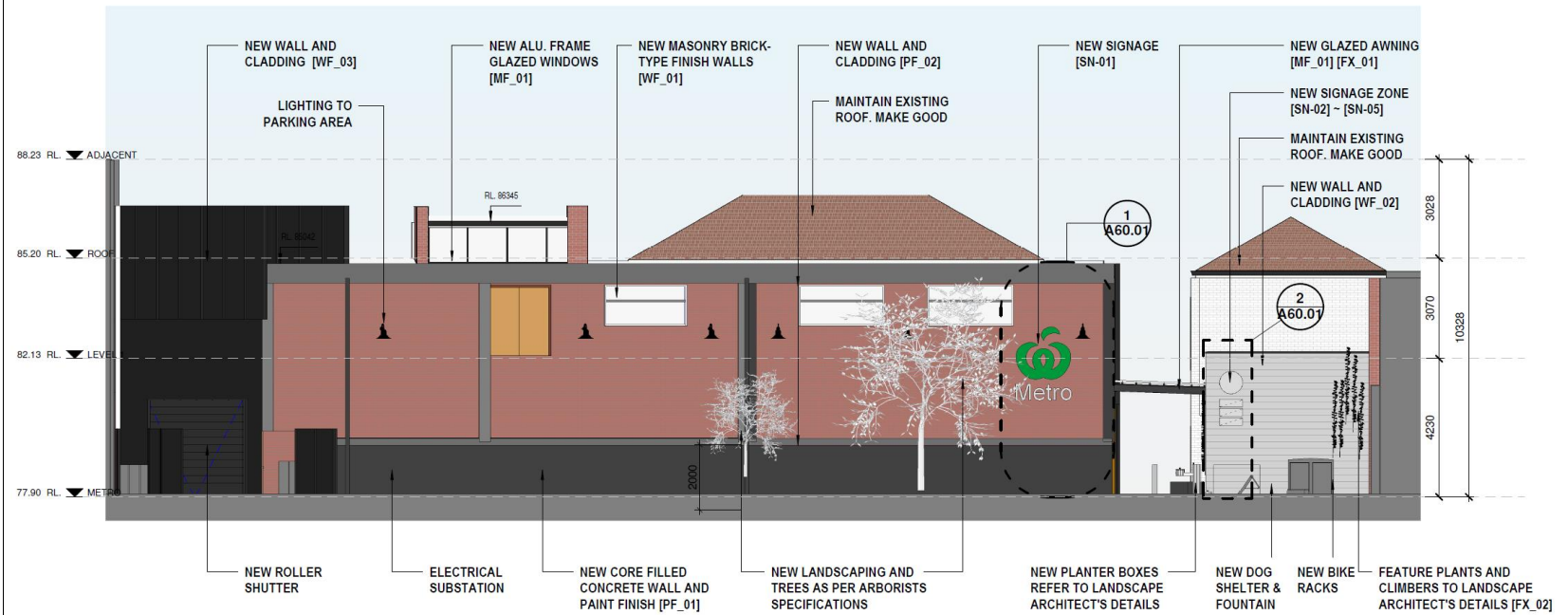
Amendments have been made to the rear elevation to break up the expanse of the rear wall and provide contrasting elements, as shown in the revised architectural drawings (**Attachment A**). The changes provide greater visual interest to the rear of the site, through the incorporation of new architectural elements to 'break down' the brick wall. The key elements include:

- the addition of three large windows to the rear façade, providing a glazed element to the façade and making it active;
- introduction of two vertical cladding elements to break up the width of the façade in recognition of the three buildings which make up the wider structure at its frontage;
- introduction of a darker horizontal painted element along the full extent of the façade at pedestrian level, breaking up the vertical expanse of the facade

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*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.*

An excerpt of the amended rear elevation is provided in **Figure 5**.



**Figure 5    Revised rear elevation, demonstrating incorporation of architectural elements and new windows to improve presentation**

**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*

The applicant is committed to ensuring that all doors and windows associated with the retained and reconstructed buildings have timber framing. As such, the applicant requests that this requirement form a condition of consent.

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<p><i>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.</i></p>	
<p><b>9. Supermarket use</b></p> <p><i>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.</i></p>	<p>A Click and Collect service is no longer proposed for this store. Accordingly, the architectural drawings (<b>Attachment A</b>) and the revised plan of management (<b>Attachment E</b>) have been amended to reflect this.</p>
<p><b>10. Café</b></p> <p><i>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.</i></p>	<p>A revised Plan of Management (PoM) has been prepared by Woolworths and is appended to this response in <b>Attachment E</b>. The PoM includes operational details for the proposed café. The café will operate within the approved hours of operation for the store, be staffed by Woolworths employees from the store, and will seat up to twelve (12) people at any one time. The operation of the café will be regularly reviewed based on customer demand and feedback.</p>

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<p><b>11. Hours of operation</b></p> <p><i>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.</i></p>	<p>The revised PoM (<b>Attachment E</b>) sets out the proposed hours of operation, being:</p> <ul style="list-style-type: none"> <li>• Monday to Saturday – 6am to 11pm</li> <li>• Sunday – 6am to 10pm</li> </ul> <p>As per above, the café will operate within the hours of operation of the broader store, subject to customer demand.</p> <p>These proposed hours of operation supersede those stipulated in the Statement of Environmental Effects submitted with the DA.</p>
<p><b>12. Acoustic impact</b></p> <p>(Issues listed in response letter, <b>Attachment F</b>)</p>	<p>An acoustic assessment addendum letter has been prepared by The Acoustic Group (<b>Attachment F</b>) which provides a response to each of the items raised by Council relating to acoustic matters.</p> <p>At the outset, it is noted that <b>no trolleys will service the proposal, as has been clarified with this RFI response.</b></p> <p>In summary, the additional acoustic assessment identifies that:</p> <ul style="list-style-type: none"> <li>• Noise monitoring from a multitude of studies of shopping centre car parks has revealed the primary issue of noise emission from those carparks relates to vehicle movements, which was comprehensively assessed and considered in the acoustic report which accompanied the DA dated 27 February 2020. In terms of other noise sources, it is also noted that the acoustic report submitted with the DA assessed passenger related noise in the car park. The acoustic report determined the traffic generation associated with customers and servicing of the proposed development satisfies the relevant intrusiveness noise targets with respect to the nearest sensitive residential receivers.</li> <li>• With respect to the operation of trucks attending the site, due to the unloading time associated with such trucks the arrival and reversing of the truck would occur in a different 15 minute time period to that associated with the departure of the truck. The noise from a truck passing through the laneway or the noise emanating from a truck reversing into the dock, combined with noise from vehicle movements through the car park would satisfy the daytime noise target. It is also noted that there is a requirement to have the refrigeration unit switched off when entering the site, with this procedure occurring at a number of other Woolworths stores there in proximity to residential receivers.</li> <li>• In relation to the use of the car park, the night time period identified in Council's letter is also the period utilised in the DA acoustic report as the EPA night-time period. Council is referred to the second paragraph on page 3 of the DA acoustic report which identifies the night-time period utilised by the EPA to include an</li> </ul>

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	<p>extension to 8am on Sundays and public holidays. Furthermore, Council is referred to the third paragraph in the conclusion of the DA acoustic report, which identifies the restriction of the car park in accordance with the EPA’s definition of night-time period.</p> <ul style="list-style-type: none"> <li>In relation to the balconies facing Military Road, further testing as set out in the assessment letter was conducted, testing the impact of the use of these balconies, with the assessment concluding that the predicted noise levels would be below the measured background level.</li> </ul> <p>Refer to the acoustic assessment letter for a more detailed response.</p>
<p><b>13. Contamination</b></p> <p><i>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.</i></p>	<p>A Stage 1 Preliminary Site Investigation has been prepared by JK Environments and is appended to this response in <b>Attachment G</b>.</p> <p>Based on the findings of the investigation, the assessment report concludes that the site can be made suitable for the proposal, subject to the implementation of the following recommendations:</p> <ul style="list-style-type: none"> <li>Undertake a detailed site investigation (DSI) to better assess the risks associated with the areas of environmental concern and inform the site remediation requirements;</li> <li>Prepare a remediation action plan (RAP) to address the contamination issues identified at the site to date. This will include an unexpected finds protocol (UFP);</li> <li>Undertake a Hazardous Building Materials (HAZMAT) survey for the existing buildings and structures; and</li> <li>Undertake a validation assessment documenting the remediation works.</li> </ul>

Item and description	Response	
<p><b>14. Signage</b></p> <p><i>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:</i></p> <p>(refer to table in adjacent column)</p>	A response to each matter raised by Council is provided below.	
	<b>Council comment</b>	<b>Response</b>
	a. <i>Signage must only include the approved use and not promote products or promotions (as proposed above the hydrant booster)</i>	The proposal has been amended such that no signage is proposed above the hydrant booster.
	b. <i>Elevation 2 identifies illuminated signage under the awnings. These signs are not detailed within Drawing A60.01 nor addressed within the SEE.</i>	Drawing A60.01 has been updated to include the graphic content for the proposed signs under the awnings, as well as their dimensions (600 x 600mm). These signs will be illuminated. In accordance with the DCP controls for signage, the illumination of these signs will not have an adverse impact on residential amenity or motorists (P10, Section 6.2).
	c. <i>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</i>	This sign is identified as 'Sign 8' [SN-08] on Signage Drawing A60.01 and its location depicted on the ground floor plan, and is addressed in the SEE as a mounted wall sign (890mm x 720mm).
	d. <i>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</i>	<p>The four projecting wall signs identified as 'SN-12' on the architectural drawings comply with the DCP Control P5 in Section 6.2 of the DCP, as each of the signs:</p> <ul style="list-style-type: none"> <li>• are attached to the building facade below the window sill of the first floor windows</li> <li>• do not exceed 2.5m in length</li> <li>• have a minimum clearance of 2.4m above the footpath level</li> <li>• are set back at least 500mm from the face of the kerb</li> <li>• each of the signs are separated a minimum 3m from each other</li> </ul> <p>It is noted, that the signs are 600mm in height, which is a minor and imperceptible 100mm (10cm) variation to the 500mm stipulated in the control.</p>
	e. <i>Drawing A60.01 must be amended to detail the content of each sign</i>	The signage plan has been updated to show signage content for each sign.
	f. <i>Sign 1 should be lowered and reduced in size</i>	Sign 1 has been amended (both lowered and reduced in size) as requested by Council.
	g. <i>Signs 2, 3, 4 and 5 require detail of content</i>	The signage plan has been updated to show signage content for each sign.
	h. <i>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>	<p>Sign 6 has been deleted.</p> <p>Sign 8 is identified as [SN-08] on Signage Drawing A60.01 and its location depicted on the ground floor plan, and is addressed in the SEE as a mounted wall sign (890mm x 720mm). It is also depicted in Perspective 1 in the DA set.</p>

Item and description		Response	
		The sign is an important wayfinding sign as it faces Military Road, and is the most prominent sign from this viewpoint. Its location set back from the Military Road boundary makes good use of the space in which it is located, and contributes to the visual interest of the proposal.	
	i. <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</i>	Signs 7 and 9 comply with control P4 of the DCP in that they are flush with the fascia, and do not project beyond the perimeter of the awning fascia. Both signs are also useful from a wayfinding perspective looking north along Military Road.	
	j. <i>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</i>	Sign 10 has been deleted.	
	k. <i>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</i>	The dimensions of Sign 11 have been reduced as requested by Council. At the time of dedication, the signage will be removed to facilitate the extension of the laneway.	
<b>15. Energy efficiency</b>	Please find a response below to each of the DCP controls relating to energy efficiency.		
<i>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.</i>	<b>Objectives</b>	<b>DCP Control – Energy efficiency</b>	
	O1. <i>To have energy efficiency principles adopted in the site layout, design, construction and use of non-residential buildings.</i>	P1. <i>Buildings are to be orientated and designed to ensure optimum solar access and natural ventilation is achieved.</i>	This requirement is not relevant given the use as a supermarket. The orientation of the building is to the street and this is not proposed to change.
		P2. <i>Building construction and design are to incorporate energy efficient technologies and products in the areas of lighting, mechanical ventilation, fixtures, electrical appliances and other mechanical plant and equipment.</i>	Energy efficient lighting (LED), refrigeration, heating, ventilation, and air conditioning (HVAC) and hot water systems will be provided as per standard Woolworths supermarket specifications.
		P3. <i>Building construction and design are to incorporate the use of materials that exhibit favourable thermal mass properties in relation to energy efficiency.</i>	Awnings are proposed, which will provide shadow cover to the glass façade, mitigating against heat loss and gain.

Item and description	Response
	<p><i>P4. The design of windows and other glazed surfaces are to provide maximum solar access during winter and reduce solar access during summer.</i></p> <p>This requirement is not relevant given the use as a supermarket. Windows to Level 1 are retained to provide passive solar access.</p>
	<p><i>P5. The construction and design of buildings are to incorporate thermal insulation within the building envelope. Insulation materials are to be selected to suit specific applications and must suit climatic conditions of the area.</i></p> <p>The design of the building is to meet NCC Section J requirements.</p>
	<p><i>P6. Building materials are to be non-polluting, manufactured in an environmentally acceptable manner, and manufactured from abundant or renewable resources.</i></p> <p>The following building materials will be used:</p> <ul style="list-style-type: none"> <li>• timber used to be obtained from certified sustainable sources;</li> <li>• recycled brick</li> <li>• low volatile organic compound (VOC) paint finishes</li> <li>• mechanical fixings instead of adhesives and glues (wherever possible)</li> </ul>
<p><i>O2. To have more sustainable energy sources, fitouts, fixtures and systems incorporated into the design of non-residential buildings.</i></p>	<p><i>P7. Solar hot water systems are encouraged to:</i></p> <ul style="list-style-type: none"> <li>(a) <i>be installed in all new developments, and in all existing buildings as a component of renovation/alteration, except as provided by the following clause;</i></li> <li>(b) <i>have solar collectors that are selected and installed to reduce the visual affect on surrounding premises, public areas and common areas in development (e.g. active systems are preferred over passive systems);</i></li> <li>(c) <i>in the case of active systems, incorporate storage tanks located within the building envelope and close to the most frequently used hot water outlets.</i></li> </ul> <p>This initiative will be explored by the proponent at detailed design stage. Solar hot water systems are typically installed by Woolworths, however, inclusion will be dependent on a number of factors including structural design requirements.</p>



Item and description	Response
	<p><i>P8. In circumstances where solar access is poor, the following should be installed:</i></p> <ul style="list-style-type: none"> <li><i>(a) high efficiency gas storage system,</i></li> <li><i>(b) high efficiency electric heat pump, or</i></li> <li><i>(c) instantaneous gas hot water for small premises requiring low level hot water usage.</i></li> </ul>
	<p><i>P9. Ceiling fans and passive cooling solutions are preferred over air-conditioning systems, but where an air-conditioning system is installed, it should be an energy efficient reverse cycle air-conditioning system with thermostats and autotimers to control the temperature and hours the system is on.</i></p>
	<p><i>P10. Where ducted systems are installed, zoned control systems are preferred with programmable thermostats in each zone.</i></p>
	<p><i>P11. Buildings should be designed to maximise availability of natural light.</i></p>
	<p><i>P12. Buildings are to incorporate energy saving devices in the area of lighting. This includes the use of:</i></p> <ul style="list-style-type: none"> <li><i>a) energy efficient light fittings with high efficiency reflectors;</i></li> <li><i>b) fluorescent lamps, LED lighting or solar lighting;</i></li> <li><i>c) motion detectors to turn lights on and off automatically;</i></li> <li><i>d) motion sensor on and off timers and daylight controls to switch outdoor lighting on and off. Similar</i></li> </ul>

Item and description	Response	
		<p><i>controls are encouraged for common areas such as hallways and stairwalls;</i></p> <p><i>e) individual areas / rooms should have individual light switches installed and clearly labelled for each area;</i></p> <p><i>f) where incandescent or halogen lights are installed they should be controlled by dimmer switches;</i></p> <p><i>g) natural lighting such as skylights and window size and placement should be utilised to minimise the need for additional lighting.</i></p>
<p><i>O3. To have the benefits of passive solar design and natural ventilation maximised</i></p>	<p><i>P13. Reasonable solar access is to be maintained to solar hot water systems, photovoltaic panels or other solar collectors.</i></p>	<p>Will be implemented where possible.</p>
	<p><i>P14. Installation of photovoltaic cells (solar panels) is encouraged in new development.</i></p>	<p>This initiative will be explored by the proponent at detailed design stage. Solar systems are typically installed by Woolworths with new buildings, however, inclusion will be dependent on a number of factors including structural design requirements.</p>
	<p><i>P15. In some cases, Council may require an additional setback to ensure adequate solar access to adjacent buildings is achieved</i></p>	<p>Not applicable / required.</p>
<p><i>O4. To have buildings that decrease water consumption of the occupiers.</i></p>	<p><i>P16. Incorporate the use of water efficient appliances with a minimum star rating of 3 (the higher the star rating the more water efficient), as per the Water Efficiency Labelling Scheme (WELS).</i></p>	<p>Generally, all fittings to be WELS 5 star and above.</p>
	<p><i>P17. Install dual flush toilets.</i></p>	<p>This will be installed as standard with Woolworths specifications.</p>
<p><b>16. Preliminary construction management plan</b></p>	<p>A Construction Management Plan (PCMP) has been prepared by Mainbrace Constructions and is appended to this letter in <b>Appendix H</b>. The plan details the broad principles, methodologies and systems that will be adopted in the delivery of the proposed development.</p>	

Item and description	Response
<p><i>Having regard the constrained access arrangements a preliminary construction management plan is required.</i></p>	
<p><b>17. Impact on existing trees</b></p> <p><i>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.</i></p>	<p>A revised arborist's report has been prepared by RainTree Consulting and is included in <b>Attachment I</b>.</p> <p>The revised report considers possible impacts to trees on neighbouring properties from both the proposed construction and operation of the development, and concludes that impacts to neighbouring trees (identified as trees 9 – 15 in the report) and Council verge trees (identified as trees 16 – 18) are considered to be negligible.</p>
<p><b>18. Canopy planting</b></p> <p><i>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</i></p>	<p>Modifications have been made to the design of the carpark to increase vegetative cover and landscaping, as shown in the architectural drawings and landscape plan in <b>Attachment N</b>. This includes additional soft landscaping elements and trees between the proposed southern parking spaces and the new proposed 1.2m pedestrian path, and between the western parking spaces and Lennon Lane. The revised design allows for the provision of seven (7) trees, in excess of the 1 canopy tree per 4 car spaces limit prescribed by the DCP. A continuous garden bed is provided along Lennon Lane, as requested by Council. Overall, the proposed landscape design is a substantial improvement from the previous design.</p>

Item and description	Response
<p><i>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.</i></p>	
<p><b>19. Trolley Management</b></p> <p><i>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.</i></p>	<p>The provision of trolleys has been removed in the development as proposed to be amended, as demonstrated in the updated Plan of Management in <b>Attachment E</b>. The supermarket will instead utilise basket shopping only, reflecting the small-scale and community-oriented nature of Woolworths Metro.</p>
<p><b>20. Site survey</b></p> <p><i>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</i></p>	<p>A revised Site Survey has been prepared by LTS Lockley and is included in <b>Attachment J</b>. The revised survey includes boundary dimensions and the area of the site, and top of wall RLs for the southern and western boundary walls on Lot 1 DP784514.</p>

Item and description	Response
<i>walls on Lot 1 DP 784514.</i>	
<p><b>21. Southern boundary wall</b></p> <p><i>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.</i></p>	The architectural plans have been amended to accurately depict the southern boundary wall.
<p><b>22. Western boundary wall</b></p> <p><i>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.</i></p>	An elevation plan of the western boundary wall has been provided at Council's request.
<p><b>23. Structural design statement</b></p> <p><i>The Structural design statement references a set of plans that pre-</i></p>	An updated structural design statement has been prepared ( <b>Attachment K</b> ) with the updated plans referenced.

Item and description	Response
<p><i>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.</i></p>	
<p><b>24. Accessibility</b></p> <p>(Issues listed in response letter, <b>Attachment L</b>)</p>	<p>Refer to the accessibility statement in <b>Attachment L</b> for a response to each of the items raised.</p>
<p><b>25. Owners consent</b></p> <p><i>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.</i></p>	<p>The DA form has been amended to include two signatures and the names of the signatories, as requested by Council, and is attached at <b>Attachment M</b>.</p>
<p><b>26. Detail on plans</b></p>	<p>A response to each of the items raised is provided below.</p>

Item and description	Response	
<p><i>Further detail is required in relation to the following aspects of the proposal:</i></p> <p>(refer table in adjacent column)</p>	Council item	Response
	a. <i>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.</i>	The 'Click and Collect' service is no longer proposed.
	b. <i>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.</i>	This has been removed in the amended plans.
	c. <i>Elevation 4 does not depict the chimneys are shown to be retained on the other plans.</i>	Elevation 4 has been amended to depict the chimneys proposed to be retained.
	d. <i>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.</i>	Elevation 3 has been corrected with the window deleted.
	e. <i>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.</i>	As shown at drawing A06.02 of the submitted Architectural Plans, the two balconies adjacent to the produce prep area and general office will not be accessible. However, the balcony from the team dining area and lockers will be accessible to Woolworths staff.
	f. <i>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.</i>	Additional RLs have been added to the elevations, as requested by Council.
	g. <i>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.</i>	The Elevation 3 drawing has been updated to better depict the doors along the northern elevation of 741 Military Road. These doors will be glazed.