

Discussion Paper on Public Open Space in the Chatswood CBD Precinct

Background:

At the council meeting on 23 October 2017, council passed a motion that will result in a Modification of Sun Access Controls in the Chatswood CBD Planning And Urban Design Strategy. The original Chatswood CBD Planning And Urban Design Strategy was passed by council on 26 June 2017.

The following motion was carried at the council meeting on 23 October 2017:

MOTION

That Council replace the previously endorsed Recommendation 12 from the Council Resolution dated 26 June 2017 with Recommendation 12 outlined below as the basis for the Willoughby Council Chatswood CBD Planning and Urban Design Strategy:

R12. Height limits in the centre should be based on Fig 6.2.6, including raising to the airspace limits for core areas, except where sun access protection applies.

**MOVED COUNCILLOR ERIKSSON
SECONDED COUNCILLOR ZHU**

CARRIED

Voting

For the Motion: Councillors Giles-Gidney, Campbell, Eriksson, Fernandez, Rozos, Tuon and Zhu.

Against: Councillors Norton and Saville

Definitions in this paper:

- **Living open space** – a majority of the open space area is living (i.e. grass, gardens). For example Garden of Remembrance, Tennis and Croquet Club area, Chatswood Oval, Chatswood Park, Currey Park, Kenneth Slessor Park, Civil Place Gardens, Day Street Corner (corner of Railway Street and Day Street)
- **Mixed open space (usually as a result of building development)** – part of the open space is living open space and part of the open space is paved open space with street furniture. For example:
 - 1) Pacific Place open space, next to the new ERA building at 7 Railway Street, this consists of gardens and paved areas with street furniture
 - 2) Quest Development open space, south west corner of Albert and Archer streets, this consists of grass, garden and some paved areas.
- **Open space** – a majority of this open space is paved areas or artificial grass with street furniture. For example Victoria Street Mall, open space around The Concourse (limited living open space being Civil Place Gardens).

Open space is an important part of Chatswood CBD. In the last 10 year the residential development in the Chatswood CBD area has been extensive and open space has not kept up.

Goals for each type of open space should be discussed and a framework set, for example:

- **Living open space:**
 - All living open space should be maintained and expanded if the opportunity exists;
 - No living open space should be converted to open space (i.e. gardens to paved areas or grass to artificial grass)
- **Mixed open space:**
 - As per the Chatswood CBD Planning And Urban Design Strategy encourage public open spaces as part of new developments
 - At least 50% of the open space should be living open space
 - Keep this open space as protected as possible from busy roads and pollution

All the open space in the Chatswood CBD will be effected in some way (some more than others) by the Chatswood CBD Planning And Urban Design Strategy. The open space most impacted will probably be Currey Park (all day) and Chatwood Park in the morning before 11am.

This paper covers public open space in Chatswood West Ward, only within the Chatswood CBD precinct (picture of Chatswood CBD boundaries below (in Part A)).

All maps are from the Draft Architectus CBD Report in council papers on 26 June 2017. (reference: <http://edocs.willoughby.nsw.gov.au/DocumentViewer.ashx?dsi=4648468>)

This discussion papers is divided into the following sections:

- Part A (page 3) – Draft Architectus Report released in council papers 26 June 2017
- Part B (page 5) – Council Meeting 26 June 2017 & the Councilors Vote on the Item 18.3
- Part C (page 7) – Council Meeting on 23 October 2017 Item 18.1
- Part D (page 8) – Effect Of Modification Of Sun Access Controls In The Chatswood CBD Planning And Urban Design Strategy
- Part E (page 11) – Open Space Discussion points
- Part F (page 13) – Possible New Open Space Sites

Part A – Draft Architectus Report released in council papers 26 June 2017

The original Draft Architectus Report proposed the following Sun Protections:



The sun access protection in Figure 6.2.5 should be incorporated into the LEP controls, to ensure no additional overshadowing and protection mid-winter of:

- Victoria Avenue (between interchange and Archer St) 12pm – 2pm.
- Concourse 12pm – 2pm.
- Garden of Remembrance 12pm – 2pm.
- Tennis and Croquet Club 12pm – 2pm.
- Chatswood Oval 11am – 2pm.

Key principals for determining the above protections:

- Protecting sun access to key public spaces, through location and times.
- Minimising the impact of protection on the strategic development potential of the centre.

Further, Architectus provided a map (Figure 6.2.6) of what the height limits in the city centre should be (this includes raising to the airspace limits for core areas, except where sun access protection applies):



Figure 6.2.6 Recommended height

So under the draft Architectus plan, both sides of Albert Avenue, between Orchard Road and Archer Street would be zoned B3 (Office and Retail) with a height limit:

- North side of Albert Avenue of 246.8 metres except where sun access protection limits the height; and
- South side of Albert Avenue of 90 metres

Part B - Council Meeting 26 June 2017

As part of agenda item "18.3 Chatswood CBD Draft Planning And Urban Design Strategy Next Steps" put to councilors on 26 June 2017, the council officer proposed to councilors approve 27 recommendations as the basis for the *Willoughby Council Chatswood CBD Draft Planning and Urban Design Strategy*, most of these recommendations were from the Draft CBD Strategy Architectus Report.

Councillors approve 25 of these 27 recommendations and debated the 3 others and separate resolutions were moved regarding each of these recommendations.

The vote of the Chatswood CBD strategy – 26 June 2017

Item 18.3-The council officers motion (excluding recommendation 12 and 22) was moved and carried.

3 Separate motions were also proposed on 26 June 2017.

Additional Motion – Regarding Recommendation 12

Original Officer recommendation - defeated

R12. That height limits in the CBD should be based on Figure 6.2.6, including raising to the airspace limits for core areas, except where sun access protection applies.

Amended Motion - carried

That Council endorse recommendation 12 outlined below as the basis for the *Willoughby Council Chatswood CBD Draft Planning and Urban Design Strategy*.

R12. That height limits in the CBD should be based on Figure 6.2.6, including raising to the airspace limits for core areas, except where sun access protection applies and in particular ensuring no additional overshadowing of Currey Park and Chatswood Park between 10:00am and 2:00pm mid-winter which in turn also protects Chatswood Oval.

Commentary: The major change here is no additional overshadowing of Currey Park and Chatswood Park between 10am and 2pm. Originally, Currey Park had no sun access protection and Chatswood Park only had sun access protection between 11am and 2pm.

Additional Motion – Regarding Amending Recommendation 2

Amendment Motion - defeated

That Council rezone the Post Office site and the Mandarin Centre site to have mixed development zoned B4.

Commentary: The purpose of this motion was to change the zoning of the Post Office site and the Mandarin Centre site from B3 (Commercial/retail only) to B4 (Commercial/Retail/Residential)

Additional Motion – Regarding Recommendation 22

Original Officer recommendation - defeated

R22. Substations to be provided within buildings, not within the streets, open spaces or setbacks.

Amended Motion - carried

That Council endorse recommendation 22 outlined below as the basis for the *Willoughby Council Chatswood CBD Draft Planning and Urban Design Strategy*.

R22. That substations be provided within buildings, not within the streets open spaces or setbacks and substation enclosures be designed to ensure protection of residents from Electro Magnetic Radiation (EMR).

Commentary: Same as the original council officer recommendations with additional requirements regarding EMR emissions.

Part C – Council Meeting on 23 October 2017 Item 18.1

On 23 October 2017, council officers advised councilors that they have successfully incorporated the amended Recommendation 22 (carried at meeting on 26 June 2017) into the Chatswood CBD Strategy.

Further, they advised councilors it was not possible to incorporate the amended Recommendation 12 into the Chatswood CBD plan.

Council officers advised they referred the Amended Motion 12 to Architectus for incorporation into the Chatswood CBD Strategy and they came back with the response and the council officer have recommended councilors repeal the amendment to Recommendation 12 and revert back to the original Recommendation 12.

Council officers reason is as follows:

In reviewing the Strategy to address Recommendation 12 as amended, Architectus have advised that this will have significant implications in achieving the Strategic objectives. In summary they conclude that:

- There will be a considerable reduction in the future capacity and potential of Chatswood as an office centre.
- Many existing sites very close to the centre will be unable to redevelop and existing buildings will not be renewed.
- There is likely to be a visual divide in the centre, with taller development primarily west of the railway and east of Archer St.
- There will be a considerable impact on the future development potential of Council's sites, including the carpark and youth centre.
- The areas protected from overshadowing in Chatswood Park primarily include the skate park and areas with existing substantial trees.

Following consideration of this additional Architectus analysis, it is considered that the Council resolution amending Recommendation 12 will significantly restrict growth in the Chatswood CBD and result in an outcome not envisioned in the *Chatswood CBD Planning and Urban Design Strategy*. On this basis it is considered that Council replace the previously endorsed Recommendation 12 from the Council Resolution dated 26 June 2017 with the recommendation contained in this report, being Recommendation 12 originally recommended in the Officer's report dated 26 June 2017 and considered appropriate by Architectus.

The following Motion was proposed and carried (see page 1 of this document for full details) at the 23 October 2017 council meeting:

MOTION

That Council replace the previously endorsed Recommendation 12 from the Council Resolution dated 26 June 2017 with Recommendation 12 outlined below as the basis for the Willoughby Council Chatswood CBD Planning and Urban Design Strategy:

R12. Height limits in the centre should be based on Fig 6.2.6, including raising to the airspace limits for core areas, except where sun access protection applies.

Part D – Effect Of Modification Of Sun Access Controls In The Chatswood CBD Planning And Urban Design Strategy

The effect of the draft CBD Plan passed by council on 26 June 2017 and the amendments to the CBD plan passed on 23 October 2017 will have the following effect on the public open space areas in the Chatswood CBD:

Kenneth Slessor Park (South of Toyota (cnr Fullers Road and Pacific Highway), North of 692 Pacific Highway (next to Chatswood Public School))

- No sun protection in the CBD Strategy.
- The Chatswood CBD Strategy does not change the height limits or zoning on the western side of the Pacific Highway, buildings adjacent to Kenneth Slessor Park on the eastern of the Pacific Highway can be up to 246.8 meters (approx.. 50 levels.
- Buildings currently on the eastern side of the Pacific Highway between Victoria Avenue and Help Street are up to 30 levels
- Chatswood CBD Strategy impact: if further development occurs on the eastern side of the Pacific Highway, the park will potentially lose further sun access from the east (i.e. approx 7am to 11am)
- More likely impact on the sun access of the park will be development to the north of the park (i.e. the Toyota and Holden Car Dealership sites)

Day Street Corner (corner of Railway Street and Day Street)

- No sun protection in the CBD Strategy
- Currently the space has limited sun access
- Already surrounded by tall buildings being Pacific Place (Epica, Altura, ERA) and the Zenith Centre
- The space broadly faces south east
- Additional building development under the Chatswood CBD Strategy will unlikely reduce sun access of this space

Garden of Remembrance

- Sun access protection “No additional overshadowing between 12pm and 2pm mid winter” under the Chatswood CBD Strategy
- The protection in the Chatswood CBD Strategy will limited the height of any future developments mainly on the Metro Station site, 1-5 Railway Street site and the Chelsea Hotel/Mantra site
- Sun access to the Garden of Remembrance will be further limited over and above current overshadowing by development above the current building height on the following sites Westfield, Mandarin Centre, The Sebel, Old Post office site, old Sydney Water site and the southern side of Victoria Avenue Mall between the train station and Victor Street
- Approved development on the above mentioned sites ranges from 160 metres to 246.8 meters

Civil Place Gardens & The Concourse

- Sun access protection “No additional overshadowing between 12pm and 2pm mid winter” under the Chatswood CBD Strategy
- Buildings will be allowed to develop to the east, north and west of this space ranging from 90 to 180 meters
- Any developments near these heights will impact sun access at this space outside of the hours of 12pm and 2pm

Currey Park

- No sun access protection at any time during the day.
- If development was to occur to the level of the Draft CBD plan,
 - To the north of Currey Park (currently the car park) would be a commercial/retail building to 90 metres, and 246.8 metres on the north side of Albert Avenue,
 - To the east mixed use buildings (i.e. commercial/retail/residential) to a height of 90 metres,
 - To the south mixed use buildings (i.e. commercial/retail/residential) to a height of 90 metres,
 - To the west mixed use buildings (i.e. commercial/retail/residential) to a height of 90 metres,
 - What is the future of Currey Park with this level of development considering the western side of Currey Park (closest to the car park) has limited grass, most likely due to the current amount of light access?
- What is the future of Currey Park with this level of development?
- The current situation in Currey Park especially on the western side of Currey Park (north of the public path, areas between the public path and the car park) has limited grass, most likely due to the current amount of light/sun access?

Northern End of Chatswood Park (i.e. Skate Park and Children's Playground)

- Sun access protection "No additional overshadowing of Chatswood Oval between 11am and 2pm mid winter" under the Chatswood CBD Strategy
- It cannot be assumed that Northern End of Chatswood Park (i.e. Skate Park and Children's Playground) will have sun access protection between 11am – 2 pm mid-winter as this only applies for Chatswood oval.
- Future developments in the area around Chatswood RSL and 1-22 Thomas Street may cause further overshadow (to the Skate park and children's playground) over and above the current overshadowing between 11am and 2pm mid-winter and be in compliance with the no additional overshadowing of Chatswood Oval 11am to 2pm mid-winter. It is likely future developments at the old post office site (Victor street), Mandarin Centre, old Sydney water site, will have less of an impact on overshadowing of this space as they will also have to comply with the sun access protection for the Garden of Remembrance.
- Future development due east of Chatswood Park (i.e. Baptist Church site, council carpark and youth centre, Dougherty Apartments) will be allowed up to 90 meters
- Future developments on the Mandarin Centre or Westfield sites will be allowed ranging from 160m to 246.8 m.
- The above development possibilities may cause a significant reduction in easterly sun received by the North and South end of Chatswood Park

Southern End of Chatswood Park (i.e. Chatswood Oval)

- Sun access protection "No additional overshadowing of Chatswood Oval between 11am and 2pm mid winter" under the Chatswood CBD Strategy
- Future development due east of Chatswood Park (i.e. Baptist Church site, council carpark and youth centre, Dougherty Apartments) will be allowed up to 90 meters
- Future developments on the Mandarin Centre or Westfield sites will be allowed ranging from 160m to 246.8 m.
- The above development possibilities may cause a significant reduction in easterly sun received by the North and South end of Chatswood Park
- Future developments to the west of Chatswood Oval (689 to 753 Pacific Highway), allowable height under the plan 90 meters could cause additional overshadowing after 2pm of Chatswood Oval, Tennis and Croquet Club & Bowling Club area

Tennis and Croquet Club & Bowling Club area

- Future developments to the west of Chatswood Oval (689 to 753 Pacific Highway), allowable height under the plan 90 meters could cause additional overshadowing after 2pm of Chatswood Oval, Tennis and Croquet Club & Bowling Club area
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Part E – Open Space Discussion points

The discussion points are some ideas to consider regarding the Chatswood CBD Plan and can be used as the starting point of any discussions with council to find out what councils current plans for the areas are. CWWPA seeks comment on these points.

Currey Park

- 1) What is the future Currey Park going to look like if the council properties (car park and youth centre) and other properties around it are developed to 90 metres?
- 2) Will Currey Park change and evolve or will it stay the same whilst everything around it changes?
- 3) Is it better to have a plan for Currey Park so when the development applications start the park can evolve?
- 4) If future developments around Currey Park go ahead and those developments cause additional overshadowing to the current overshadowing, should the community be advocating for additions to be made to the CBD strategy to require developments to make their normal contributions to council and an additional contribution for Currey Park to upgrade the space?
- 5) What links should the community be advocating for that are covered in Figure 6.2.7 of the Draft Architectus CBD Strategy?
- 6) Figure 6.2.7 suggests 3 new open spaces east of the railway corridor. One on the site of the current youth centre, in the current car park site opposite Anderson Street on Albert Avenue and the other on corner of Spring Place and Spring Street.
- 7) Instead of the open space in the current car park site opposite Anderson Street on Albert Avenue and a 24 hour through link from Currey Park through to Archer Street, should we advocate for a 20-25 meter wide through site park (i.e. similar to Currey park, path and grass and garden on edges with seats to sit) between the redeveloped car park and the Quest development on the corner of Albert Avenue and Archer Street? The Park would be basically north south facing, nearly line up with Spring Street, thus during the middle of the day in 50 years time, there might just be minimal overshadowing of this park through link.
- 8) Concern is that the proposed open spaces in Albert Avenue in 20, 30, 40 years' time will be significantly overshadowed during the hours of 10am and 3pm as they are directly south of B3 commercial zone land with a height restriction of 246.8 meters
- 9) When buildings are being developed around the park, what voluntary planning agreements (VPA's) (if any) would the community accept for evolving the park?

Northern End of Chatswood Park (i.e. Skate Park and Children's Playground)

- 1) Should there be setbacks for any development along the eastern side of Orchard Road between Albert Avenue and Johnson Street?
- 2) Should any development of the Baptist church site and the council youth center site be a joint site redevelopment so any new building can be placed in the middle of the two sites to increase the set back from Chatswood Park (Skate park and children's playground)?

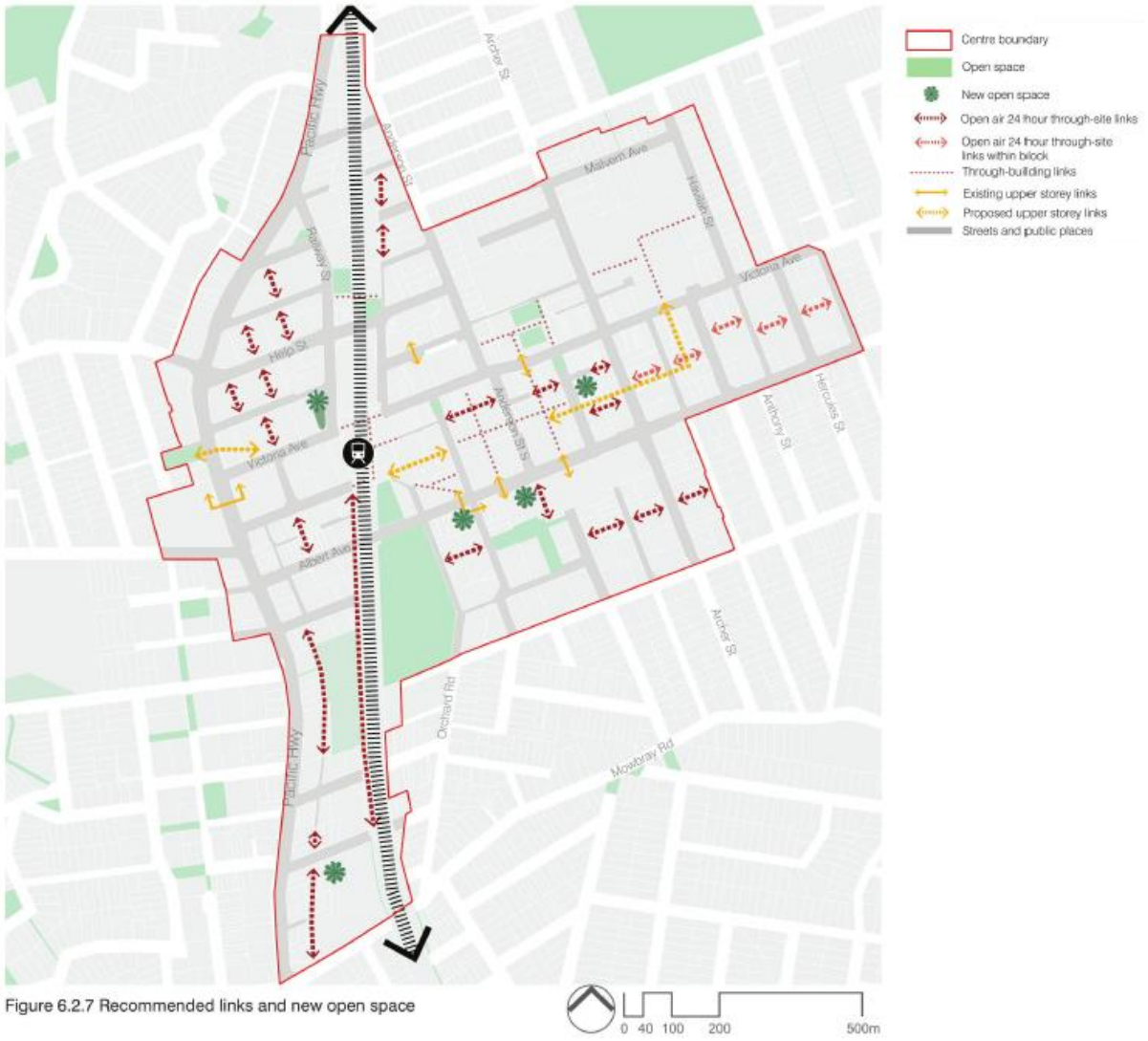


Figure 6.2.7 Recommended links and new open space

Part F – Possible New Open Space Sites

The discussion points are some ideas to consider regarding the Chatswood CBD Plan and can be used as the starting point of any discussions with council to find out what councils current plans for the areas are. CWWPA seeks comment on these points.

Proposed Open space Per CBD Strategy (cnr Spring Street and Sping Place)

- 1) PP 2017/2 1-13 Spring Street, 56 Archer Street, 35 Albert Avenue Chatswood, currently before council
- 2) Planning proposal 2017/2 includes the proposed open space site per the Chatswood CBD Strategy.
- 3) Should we be reminding council of the CBD strategy and part of this planning proposal should include an open space open to the public per the CBD strategy?
- 4) Further does the community get input on what will be put in place at one of these new public open spaces or will the developers get to choose what goes there?
- 5) If this planning proposal went ahead and it was conditional on a VPA, where would the community like the money directed?

Railway Corridor (Adjacent to 1 – 5 Railway Street)

- Pacific Place is the Mirvac development bound by Railway Avenue, Help Street and Cambridge Lane and Day Street (i.e. Altura, Epica, ERA, Cambridge Apartment Buildings)
- With this Mirvac development, the railway line through the development has been encased in a concrete tube and an open space/garden above the Railway corridor which is accessible only by the residents of the Mirvac development.
- If 1-5 Railway Street is redeveloped, can we advocate council to ensure the CBD strategy and development of 1-5 Railway Avenue will include the developer encasing the railway line between Chatswood Station and Help Street in a concrete tube (like at the Mirvac development) and there is a public park, open space above the railway line accessible to the public (i.e. create a public square like at the concourse, etc..)
- Would the community accept this as the VPA for any development of 1-5 Railway Street?

Close Orchard Road (Between Albert Avenue and Johnson Street)

- Under this scenario, traffic would be diverted onto Victor Street and Johnston Street
 - This section of Orchard Road is absorbed into Chatswood Park/ Chatswood Oval
-