

Ms Debra Just
General Manager
Willoughby City Council
PO Box 57
Chatswood NSW 2057

Dear Ms Just

Request for endorsement of the Chatswood CBD Planning and Urban Design Strategy

I refer to Council's letter seeking endorsement of the Chatswood CBD Planning and Urban Design Strategy, adopted by Council at its 27 June 2017 meeting.

I wish to congratulate Council on the completion of the strategy. It is a comprehensive document that provides a platform for growth, management and direction of the Chatswood CBD for the next 20 years.

The Department supports the intention of the strategy to boost and support new commercial development and promote good urban design within the CBD which align with the actions and priorities of the North District Plan. However, further work is required to inform some of the strategy's key approaches.

Therefore, I advise that the strategy has been reviewed and endorsement has been approved by the Department but only where it relates to the CBD core area subject to the following conditions:

1. That no residential development is to be permitted in those areas of the CBD Core area where this land is located west of the North Shore railway line. The reason for this is that this part of the CBD is currently characterised as commercial core and still has opportunity for office space growth.
2. That mixed used development can be permitted within appropriate parts of the remaining CBD Core area (i.e. east of the North Shore rail line), but only where this results in demonstratable, significant and assured job growth, thereby aligning with the key objective of the District Plan to support job growth.
3. That any planning proposals for the CBD Core area do not result in significant traffic or transport impacts, as sites in this part of the CBD are highly accessible to Chatswood rail and bus interchange.
4. Council is to only utilise appropriate mechanisms within the parameters of the *Environmental Planning and Assessment Act 1979* for the provision of local infrastructure to support new development such as revisions to its Section 7.12 or Section 7.11 Plans or inserting a new clause in Willoughby LEP 2012 for the

delivery of on-site essential infrastructure. No value capture mechanism or the like will be supported by the Department.

For the purposes of these conditions the 'CBD core area' relates to all land in Chatswood CBD that is identified under Figure 4 of the strategy as 'Office and Retail Core area'.

With regard to the remainder of the land identified under the strategy (being those areas identified as 'Mixed Use' in Figure 4 of the strategy) the Department recommends that it does not support the proposed strategy directions for this land and that the following be carried out to review and revise key aspects of the strategy to ensure that impacts to surrounding development, traffic and heritage values are minimised:

1. Council is to consult with Department of Transport (formerly Transport for NSW and Roads and Maritime Services) regarding whether transport and traffic analysis is required to determine whether growth anticipated by the fuller strategy can be accommodated by current and future transport and road networks. This additional work may require the preparation of a Transport Management Action Plan (TMAP) or equivalent.
2. Council is to reconsider the proposed B4 Mixed use zoning within the CBD periphery, including permitting a minimum 1:1 commercial floor space outcome for all mixed-use areas identified in the strategy area is appropriate. The concern is that shop top type housing may not always be a suitable outcome for nominated mixed use areas and many are at some distance from other commercial areas and key transport nodes. This should be justified by further economic feasibility testing, which could additionally assess the potential impact of this large B4 zoned area on the economic viability of the CBD core.
3. Council is to undertake a detailed built form analysis and assessment of proposed building heights and FSRs for the land in the mixed-use areas identified by the strategy area. This analysis to review impacts to adjacent HCAs and/or retained low density development and is determine what appropriate built form transitions in terms of FSR and buildings are appropriate in mixed use areas to ensure that future development is compatible with adjacent existing and retained development outside of the strategy area.

This analysis work is to expressly include:

- visual impact analysis to illustrate how future built development in the strategy area will look along road and laneway streetscapes that will form the edge to the strategy area; and
 - an analysis of potential amenity impacts to the neighbouring low-density sites and/or existing development in HCAs by using accurate block modelling of potential future development to show extent of shadowing impacts, particularly during mid-winter.
4. Council is to only utilise appropriate mechanisms within the parameters of the *Environmental Planning and Assessment Act 1979* for the provision of local infrastructure to support new development such revisions to its Section 7.12 Contributions Plan, developing a Section 7.11 Contributions Plan or inserting a new clause in Willoughby LEP 2012 for the delivery of on-site essential infrastructure.

Once these matters have been addressed then the Department can re-evaluate the revised strategy with a view to look to wholly endorse it.

In the meantime, it is recommended that any planning proposal for sites within the CBD Core area will be considered by the Department where these satisfy the endorsement conditions outlined above.

All other planning proposals for land in the mixed-use areas under the strategy and with the Department with request for Gateway determination will be returned to Council. These will need to be revised to address the abovementioned criteria so as to consider the cumulative impacts to nearby existing development and to demonstrate suitable site-specific outcomes.

The Department will consider granting Gateway determination for these updated proposals or any new proposals for land in the mixed-use areas where these conditional matters have been adequately addressed and resolved as they pertain to each planning proposal.

The Department remains committed to working collaboratively with Council and other government agencies on planning for Chatswood's growth, and welcomes a further meeting with Council to work through next steps based upon the above.

If you have any more questions, please contact Ms Amanda Harvey, Director, Sydney Region East, at the Department of Planning, Industry and Environment on 8275 1128.

Yours sincerely



Marcus Ray
Group Deputy Secretary
Planning and Assessment

CC: Ian Arnott
Norma Shankie-Williams

09/08/2019