

RECORD OF THE PRE-DEVELOPMENT APPLICATION MEETING

Date/Time of meeting: 25 March 2024, 10:00am

Willoughby Council Offices

No. 114118097

Applicant/Proponent details: Stephanie Wu (Mecone)

Property: 57-61 Archer Street & 34 Albert Ave, Chatswood

SP81015 & SP101358.

Description of Proposal: Construction of a shop-top/mixed use building.

Council officers: Patrick Williams, Clare Woods, Andre Vahldieck, Wil Robertson

Attendees: Andrew Hall (Coronation), Aras Labutis (Coronation), Ian Cady (Mecone), Glenn O'Loughlin (Woodsbagot), Gemma Bassett (Mecone), Stephanie Wu (Mecone).

These are the steps that you should follow when preparing a DA:

- Find out what Local, State and Regional instruments, development control plans, policies, codes or guidelines that apply to your development and its site.
- Consider design issues, taking into account what surrounds the site. Review the objectives of controls and legislation and prepare a concept proposal.
- If applicable, contact the Help & Service Centre to organise a pre-DA meeting with a Development Assessment Officer to discuss your proposal and identify issues or areas of non-compliance.
- **Talk with your neighbors** to see if they have any issues with your proposal. If possible, amend your proposal to address their concerns.
- Prepare your DA plans, technical reports and Statement of Environmental Effects.
- Complete the appropriate DA application form and relevant Checklist, providing all required information. Lodge the application at the Help & Service Centre.

Please note: If you make an application and have made a reportable political donation or gift to a Councillor or Council Officer within 2 years before making the submission, you must attach a completed disclosure statement. Read more about political [donations](#) [here](#)

Site Conditions and Zoning

Zoning: MU1 – Mixed Use

Max. Height of Building (LEP): 23m & 90m

Max. FSR 5:1

Conservation Area: No

Heritage Item: Yes

Foreshore Building Line: N/A

Bushfire Prone Area: No

Flood Related Planning Control: No

Classified Road: No

Within 25m from a railway line: No

Road/Lane Widening: Yes

Coastal Management SEPP: N/A

Site Area: 2,644.7m² (Total)

Description of Proposal

Construction of a shop-top/mixed use building with a plaza area and basement.

Site & surrounds

The site has a total area of 2,644.7m² and consists of two lots which are legally identified as SP81015 and SP101358. The site has a frontage to Albert Avenue to the north, Archer Street to the east, and Bertram Street to the west. The site is located approximately 500m from Chatswood Transport Interchange.

The existing development on the site consists of a multi dwelling housing development comprising two two-storey buildings and basement carpark in the west, a single storey heritage listed building currently being used as a boarding house and a two-storey dual occupancy.



Figure 1: Aerial Photo of site

Easements

Sewer easement known. Recommend discussing with Sydney Water prior to lodgement.

Laneway Widening

Site is subject to 3m dedication of 34, 34A and 34B Albert Avenue from the north.



Figure 2: Reference picture. Yellow the area to be dedicated as road reserve.

Willoughby Local Environmental Plan (WLEP)

Willoughby Local Environmental Plan can be found [here](#)

The land is in the MU1 – Mixed Use

Zone MU1 Mixed Use

Objectives of zone

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To allow for city living on the edges of the city centre of Chatswood, which encourages public transport use, shopping and the use of businesses and recreational services that contribute to the vitality of the city, without undermining its commercial role.

Willoughby Development Control Plan 2023 (WDCP)

The key matters to be considered in designing the proposal and preparing a development application include:

- Part B – Residential Development
 - 2 - Performance criteria
 - 4 – Major Developments
 - 4.1 – Strategies and Plans
 - 4.4 - Further controls for residential flat buildings, and the residential components of shop top housing and mixed use developments

- Part D – Commercial Development
 - 6 - Shop top housing and mixed use developments
- Part F – Transport and Parking Management
- Part G – Vegetation Management
- Part I – Stormwater Management
- Part L - Place Based Plans
 - 2 - Strategies and plans
 - 3 - Public art and prominent corner sites
 - 4 – Chatswood CBD

Discussions and Concerns:

Planning Comments

Issues discussed as follows:

- Plans to define setbacks on all levels. Please indicate the split height maximums on a plan to show the tower is within the 90m portion.
- Be aware a 3m portion of Albert Ave is required to be dedicated at road reserve.
- Details for the sewer line will be required as part of the DA. We need to see if the relocation is feasible with the proposed basement design. This also applies for Council's Stormwater.
- Landscaping compliance needs to be reviewed with the amended design. Particularly true deep soil.
- Should a gym be proposed, a ground level is preferred given the noise and vibration nuisance with the use.
- The penthouse on top with communal space raises some use and amenity conflicts. Not an objection outright, but needs further thinking.
- Limited floor plans provided, however some units with minimal solar compliance seem to have lesser amenity. Understanding these are draft plans I leave this comment here.
- The proposed substation location is not supported. It is to be integrated into the building or basement.
- The proposed location of the substation impacts the herniate of the item and also presents impacts to the TPZ and SRZ of the tree.
- The substation also reduces the landscaped area.
- Confirming Willoughby requires residential waste to be collected by Council.
- 4.5m height for the loading area is a non-negotiable.
- Base on the limit info. the parking seems to exceed Council's maximum. Parking rates are to comply.
- A question was raised about using the roof top communal spaces as an integrated space potentially with a health/gym use. Council have considered and believe that the use conflicts would create issues. Noting that families

could take kids to the area to play and would unlikely fit into a health/fitness use business case. Just a comment.

Urban Design Comments

Issues discussed as follows:

Basement Access

Compliant vs non-compliant

Southern through site link basement access

- Prefer reconfiguration to support pedestrian link and improved amenity to Southern 'laneway' urban activation and quality

Levels/interface with southern boundary

- Can this allow for future integration with the adjacent site

Design Excellence (DEX)

Merits identified by the Jury

The Jury identified the following merits within the proposal including:

- the clarity and quality of the architectural concept of a free-standing tower formed through the stacking of repetitive horizontal bands providing continuous spandrel panels and balustrades;
- the shifting and variation of these horizontal bands to support larger residential and commercial floor plates at the base and to accommodate a landscaped communal roof terrace;
- the configuration of the communal open space as a roof terrace with a series of enclosed, semi-enclosed and outdoor spaces;
- the thorough analysis of prospect, views and amenity in determining the configuration of the residential tower floorplate;
- the consistent quality, functionality and amenity of the proposed apartments regardless of their size or location within the tower;
- the proposed architectural language and materiality is robust, legible and well-integrated with the building's program;
- the overall intent of the site strategy including the introduction of a pocket park/lawn to the southeast corner of the site; and
- the potential establishment of a shared way along the southern edge of the site to increase urban connectivity, porosity and potential tree canopy coverage.

Concerns identified by the Jury

The Jury also raised a number of elements for further consideration including:

- the resolution of the waste/loading strategy with specialist consultant input for the compliant and noncompliant options to test the urban, construction and cost benefits of each proposal;
 - I have only seen a Compliant/non-compliant scheme.
 - Is there one with access from Bertram as well?

- improvements to the environmental performance of the apartment glazing through an informed response to each solar aspect that supports the overall architectural facade strategy in a holistic and integrated manner;
 - Not enough detail for this in the Pre-DA plans that I have.
- further refinement of the open space strategy including tree canopy provision;
 - Needs more detail than the pre- document.
- the size, configuration and locations of the residential and commercial lobbies with the wider consideration of the ground floor; and
 - Seem to have addressed this
- the provision of two lifts in tower with this number of apartments.
 - Pre-DA shows two lifts,
 - Have addressed.

Consideration

- Subject to further review
- Provide a clear separate report identifying how the DA has responded to and satisfies the Design Excellence Jury Report
 - The development has satisfied the initial phase of satisfying the WLEP Design Excellence Clause 6.23 through the selection of an Architect and building design.
 - The DA, while subject to relatively minor modifications, still meets with and satisfies the objective of the WLEP Design Excellence Clause 6.23.
 - This development, as presented in the DA will make a positive contribution to the design quality of its context within the Chatswood CBD
 - The proposal faithfully reflects the design and intent of the Design Excellence Jury findings supporting Design Excellence

DeX compliance

- The Pre-DA scheme is generally in accordance with the final scheme reviewed and endorsed as the Competition winner with the following exception.

Public Art

- I didn't find a Strategy or Public Art Plan, only a simplistic page within the Architectural Design Statement
- This will need further elaboration in the DA
 - I suggest a meeting with the Public Art Consultant and Architects

Public Art Plan

- Artist selection process outlining :
- Public Art Brief

- Including location and rationale supporting the contextual suitability.
 - The current information in the Architectural Design Statement provides an overview Public Art Plan.
- Public Art Strategy
 - Clearly outlining the following
 - Demonstration of Excellence
- Composition of the Public Art Panel comprising:
 - Developer representative
 - Willoughby City Council representative
 - Independent Art Specialist
- Project budget including breakdown:
 - Project (building) CIV
 - Public Art budget
- Public Art Ownership:
 - Dedication of the Public Art to the people of Willoughby
 - Agreement between Developer/Body Corporate and WCC regarding ownership
 - Artist Rights
 - Deaccession Plan/Agreement
 - Maintenance regimen and responsibilities
 - Expected annual maintenance budget
 - Insurances

Public Art Prior to OC

- Agreement between the Body Corporate of the subject property and WCC clearly identifying the following:
 - Dedication of the Public Art to the people of Willoughby
 - Agreement between Developer/Body Corporate and WCC regarding ownership
 - Artist Rights
 - Deaccession Plan/Agreement
 - Maintenance regimen and responsibilities
 - Expected annual maintenance budget
 - Insurances

Development Engineering Comments

Issues discussed as follows:

Flooding and Stormwater Drainage

The site is tagged as flood affected – Overland Flow Study (Major). A flood impact study will be required, which must address the following issues:

- Confirm that the proposed development will have no impact on existing flood levels and velocities, as per the requirements of Technical Standard 2.
- The minimum floor levels required to achieve the required freeboard for the building, including entry points into the basement. For habitable floor levels including commercial / retail areas, a minimum freeboard of 500mm is required for

the 1% AEP storm event. For access points to the basement parking area, the minimum level is to the 500mm above the 1%AEP flood level or the PMF, whichever is greater.

- Details of how the flood risk on the site will be managed.

The report is to be in accordance with the requirements of Technical Standard 2, available on Council's website as an appendix to Part I of the WDCP. We note that Council does not support the use of flood barriers in new developments. Flood protection for the basement should be achieved via a crest at the flood planning level.

On-site stormwater detention (OSD) is to be provided in accordance with the requirements of Part I of the Willoughby DCP and Technical Standard 1. An overland flow path must be provided for the overflow from the tank / basin to the roadway. Overflow into an internal chamber with an outlet pipe is not acceptable, as it is not visible and is also subject to blockage. The OSD tank / basin and outlet must be above the 1%AEP flood level. The tank must not be located beneath any units. All access points to the tank must be located in common areas. Calculations are to be provided to confirm that the outlet / orifice for the OSD system is draining freely and is not affected by the downstream water level. For direct connections to the Council in-ground drainage system, a hydraulic grade line analysis is to be provided, with the downstream water level to be the top of kerb level of the pit at which the site drainage system connects to the Council drainage system. A catchment plan is to be provided to detail the areas that drain to the OSD system and the areas that bypass the system. In accordance with Technical Standard 1, a maximum of 5% of the impervious area may bypass the OSD system. If there is bypass area, then the permitted discharge from the tank is to be reduced by the 1%AEP bypass flow rate. A summary of the design is to be provided using Council's OSD checklist, available in Technical Standard 1.

Water quality improvement measures are to be provided as part of the stormwater management system. They are to meet the target requirements detailed in Technical Standard 1. A MUSIC analysis is to be undertaken to confirm targets are reached and a summary of the analysis provided, including parameters used in the model and the catchment plan.

Council records indicate that there is a private stormwater pipe from the adjacent property within the site. Documents submitted are to confirm how this will be managed.

Access and Parking

Access and parking is to be in accordance with AS/NZS 2890.1, AS28909.2 and AS/NZS2890.6 and the requirements of Part F of the WDCP.

The location of the vehicle crossings must be in accordance with Section 4.2 of Part F of the WDCP, AS/NZS 2890.1 and Council's Vehicular Crossing Guidelines", which is available on Council's website at:

<https://www.willoughby.nsw.gov.au/Council/Forms/Vehicular-Driveway-Crossing-Pre-Approval-and-Permit-Applications>

The vehicle crossings for the site will need to be located in a position where the 2m x 2.5m pedestrian sight distance triangles can be obtained. These are to be shown on the plans and must not rely on spaces on adjacent properties to be kept clear to provide the clear area. As a minimum, the edge of the vehicle crossing needs to be a minimum of 1.2m from the boundary in accordance with the requirements of Part F of the WDCP.

Visitor parking associated with the development needs to comply with the requirements of Class 2 parking (medium term) as per AS/NZS 2890.1. Visitor parking is to be readily accessible, and not located behind doors, gates etc.

For the parking associated with the commercial area, the category of parking is to be suitable for the use. If the use results in short term parking, then the spaces need to comply with Class 3 requirements of AS/NZS 2890.1. Justification should be provided for the size spaces proposed.

Parking spaces for adaptable units need to comply with the requirements of AS/NZS2890.6. Headroom at the spaces is to be detailed on the plans or sections to confirm compliance.

Bicycle storage lockers and rails are to be provided in accordance with the requirements of Part F of the Willoughby DCP. Rails are to be located in a visible location, where they are available for visitors. Visitor rails should be located at ground level, so that visitors do not need to enter the basement.

Service vehicle access is to be provided in accordance with Part F of the Willoughby DCP. This is to include removalist vehicles (minimum MRV), general deliveries and Council's waste vehicle. If a single loading dock is provided, details are to be provided to confirm that this is able to be used by / shared with all service vehicles and not just waste vehicles. We note that Council's waste vehicle is 10.5m long and a minimum of 2.0m space is required behind the vehicle, clear of any vehicle circulation paths / aisles. Swept path diagrams are required to show that the service vehicle is able to enter and leave the site in a forward direction. Turntables may not be used as the main method to allow a vehicle to turn around and leave the site in a forward direction. If turn tables are proposed, it must also be possible for the vehicle to turn around using a multi-point turn in the event the turntable is not working.

Headroom is to be provided in accordance with AS/NZS 890.1, AS 2890.2 and AS/NZS 2890.6. A minimum of 4.5m headroom is to be provided between the site entry and the loading dock.

Swept path diagrams are required for the entry to the site, all access aisle and the service bay. For the main entry and the route to the loading dock, the diagrams must show simultaneous movement by the service vehicle and the B99 vehicle. For all other areas, they must show the simultaneous movement by a B99 and B85 vehicle. The service vehicle must be a minimum of a MRV and preferably Council's Waste Vehicle.

A Traffic Report will be required for the development. It is to detail the impact of the development on surrounding roads and address the items raised above. Any traffic data used in the report must be collected during periods of normal traffic flow and not during school holidays or other public holidays.

Plans for the parking areas must include sufficient dimensions to confirm compliance with the Australian Standards, including aisle widths, typical space lengths and widths, ramp grades and sight distance triangles at the exit.

Sydney Water Sewer Main

Concept plans are to be provided to detail how the existing sewer main through the site will be managed. Advice is to be included from a Sydney Water approved designer / water co-ordinator that the concept design complies with Sydney Water's requirements. If

a diversion is proposed, details are to confirm that the proposed grade meets minimum requirements.

Environmental Health Comments

Issues discussed as follows:

- Acoustic report by a member of the AAAC to assess road noise intrusion, commercial tenancies, mechanical plant equipment and construction noise, & provide mitigation measures and recommendations.
- Base building to include provision of means to discharge exhaust ventilation for potential food premises vertically through the building to atmosphere. Plans to also include servicing to grease traps and other associated plant.

Delegations

This type of application will likely be a Regionally Significant Development application and will need to be determined by the North Sydney Planning Panel.

Documents to be supplied (at a minimum):

- A Detailed Cost Summary Report noting the CIV by a member (not affiliate) of the AIQS.
- Access Report
- Acoustic Report
- Wind Assessment
- Arborist Report
- Architectural Plans (site plan, floor plans, elevations, sections, solar access plans, natural cross ventilation plans, GFA plans, shadow diagrams, schedule of colours materials and finishes, signage details, notification plan)
- BASIX Certificate
- BCA Statement
- Construction Management Plan
- DA Form
- Detailed Site Investigation and Remediation Action Plan (if necessary)
- Design Verification Statement
- Erosion and Sediment Control Plan
- Geotechnical Report
- Heritage assessment report
- Heritage interpretation plan and design (if required)
- Landscape Plan
- Photomontage
- Owner's consent and political donations declaration
- Statement of Environmental Effects
- Clause 4.6 variation
- Stormwater Drainage Plan
- Survey Plan
- Traffic and Transport Impact Report
- Waste Management Plan

General Notes:

- **Complying Development:** Please note that Council has not undertaken a detailed assessment in respect of any proposed Complying Development Certificates. You will need to discuss these matters with your certifier. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 can be found [here](#)
- **Checklists:** Council will not accept at lodgement any development application that does not have the required documentation. Refer to the checklists and supplementary information for all required documentation. For links to checklists see below and for definitions please refer to Councils document entitled *Development Application – Supplementary Information* which can be found [here](#)
- **Variations:** Any variations to the WDCP will need to be argued in the Statement of Environmental Effects and shall address all relevant objectives and performance criteria. Variations to a WLEP development standard(s) will require a written submission(s) per clause 4.6 of the LEP.
- **Cost of Works** – Cost Summary Report to be signed off by a suitably qualified person. The cost summary report can be found [here](#) If the cost of works exceed \$750,000 then a Registered Quantity Surveyors Detailed Cost Report will be required.
- **Heritage Impact Statement:** - Will be required if the site is within a heritage conservation area and/or adjoins a heritage item. For further information please refer to Councils document entitled *Development Application – Supplementary Information* which can be found [here](#)
- **BASIX:** A BASIX certificate will be required for residential works over \$50,000 in value.

Development Contributions apply to Developments with Cost of works > \$100,000
<https://www.willoughby.nsw.gov.au/Development/Plan/Development-Contributions>

Forms, Fees & Checklists including Electronic Application requirements
<https://www.willoughby.nsw.gov.au/Council/Forms/Development-Application>

Planning Legislation & Guidelines
<http://www.willoughby.nsw.gov.au/Development/planrules/>

e-Planning Portal (Application Tracking)
<https://eplanning.willoughby.nsw.gov.au/Pages/XC.Track/SearchApplication.aspx>

Heritage & Conservation
<https://www.willoughby.nsw.gov.au/Development/Plan/Heritage-and-Conservation>

Pre-lodgement Meetings
<http://www.willoughby.nsw.gov.au/Development/do-i-need-approval/pre-lodgement-meetings/>

Council thanks you for coming in and trusts that the meeting was of assistance. You are reminded to continue referring to and checking the relevant planning documents (LEP, DCP etc.) as you develop your proposal further to ensure compliance with those documents as these will be the basis for assessment of your application when it is lodged.

Council Officers have not inspected your site for this meeting. They have drawn on their general experience and knowledge of the area in providing you this with advice.

COUNCIL OFFICERS HAVE USED THEIR BEST ENDEAVOURS TO ASSIST YOU AND CANNOT BE HELD RESPONSIBLE SHOULD ANY OTHER MATTERS ARISE DURING THE PROCESSING OF THE APPLICATION. NO UNDERTAKING OR GUARANTEE CAN BE GIVEN THAT YOUR APPLICATION WILL BE APPROVED WHEN IT IS LODGED NOR CAN ANY UNDERTAKING BE GIVEN THAT THE DEVELOPMENT CONTROLS WILL NOT CHANGE BEFORE YOU LODGE YOUR APPLICATION.