

<b>DATE OF DETERMINATION</b>	7 November 2017
<b>PANEL MEMBERS</b>	Edward Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell and Richard Thorp
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	<p>David Ryan declared a conflict of interest. He has not had direct involvement with this development, but his company is undertaking planning work in relation to a nearby property and he is also involved with a separate project with the applicant. As such, it could be perceived that he has an interest in the outcome of this development, so he will not participate in this determination.</p> <p>Mary-Lynne Taylor declared a conflict of interest. She has not had direct involvement with this development, but she has worked with Payce Consolidated Limited. Due to the involvement of Payce in this development, it could be perceived that she has an interest in the outcome of this development, so she will not participate in this determination.</p>

Electronic determination meeting between 31 October 2017 and 7 November 2017

**MATTER DETERMINED**

2016SWC008 – City of Parramatta – 1157/2016 AT 657-661 Victoria Rd & 4-6 Wharf Road, Melrose Park (AS DESCRIBED IN SCHEDULE 1)

**PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

**REASONS FOR THE DECISION**

The Panel determined the application by way of deferred commencement approval for the following reasons:


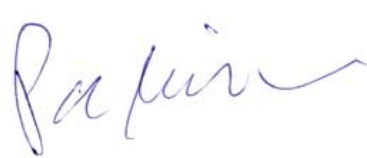

1. The development will result in productive re-use and rehabilitaton of a site formerly used for waste disposal purposes.
2. There will be public benefit from both the provision of additional housing on the site and remediation to improve its currently contaminated state.
3. The local and broader transport network can satisfactorily accommodate the forecast increase in travel demand.
4. The proposal satisfies nearly all applicable development standards and guidelines, with the exception of minor variations to the maximum building height standard.
5. In regard to the building height breach, a request to vary the standard has been received. The Panel believes that adherence to the standard is unnecessary in this instance and that there are sufficient

planning and public interest grounds to vary the standard (basically, that a superior built form will result). Overall, the Panel believes this written request is satisfactory and approves the requested variation.

### CONDITIONS

The development application was approved subject to the conditions attached to the Addendum Council Assessment Report dated 23 October 2017.

The Panel considered the applicant's request to change the required setback from proposed Road NSR-2 from 5m to 3m, but agreed with Council that a 5m setback was required, given the density of proposed development in the area and the importance of proposed Road NSR-2 to future development in the Melrose Park precinct.

PANEL MEMBERS	
 Edward Blakely (Chair)	 Paul Mitchell OAM
 Richard Thorp AM	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SWC008 – City of Parramatta – 1157/2016
2	PROPOSED DEVELOPMENT	<ul style="list-style-type: none"> <li>Staged concept plan, pursuant to s83B of the Environmental Planning and Assessment Act 1979, for up to 1,077 dwellings and associated buildings and roads over 4 stages; and</li> <li>Detailed development application for Stage 1 in the north-east corner of the site comprising superlot subdivision of the site; 277 units in 3 residential flat buildings, a 71sqm retail space, public open space area (the western plaza), associated basement parking, site works and strata subdivision.</li> </ul>
3	STREET ADDRESS	657-661 Victoria Rd & 4-6 Wharf Road, Melrose Park
4	APPLICANT OWNER	M Projects Pty Ltd City of Parramatta Council (Lot 2 DP 588575) and Tyriel Developments Pty Ltd (remainder of site)
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy No 55 – Remediation of Land</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development</li> <li>State Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>Parramatta Local Environmental Plan 2011</li> <li>Parramatta Development Control Plan 2011</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 27 September 2017</li> <li>Written submissions during public exhibition: four (4)</li> <li>Verbal submissions at the public meeting on 11 October 2017: <ul style="list-style-type: none"> <li>Object – Dyalan Govender on behalf of City of Ryde Council</li> <li>On behalf of the applicant – Miled Akle, Michael Woodland and Michael Heenan</li> </ul> </li> <li>Addendum Council Assessment Report dated 23 October 2017.</li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing meeting on 10 May 2017</li> <li>Final briefing meeting on 11 October 2017 to discuss council's recommendation. Attendees: <ul style="list-style-type: none"> <li><b>Panel members:</b> Edward Blakely (Chair), Paul Mitchell and Richard Thorp</li> <li><b>Council assessment staff:</b> Phillip Bull, David Eckstein, Alex McDougall and Myfanwy McNally</li> </ul> </li> <li>Electronic meeting from 31 October 2017 to 7 November 2017</li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report