

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	25 November 2020
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), David Ryan, Noni Ruker, Martin Zaiter and Sameer Pandey
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Gabrielle Morrish advised her company had prepared a concept master plan for the site, for a different client, in 2015. As such she did not participate in this Panel.

Papers circulated electronically on 17 November 2020.

#### MATTER DETERMINED

PPSSCC-102 – City of Parramatta - DA/1157/2016/H, 657-661 Victoria Road & 4-6 Wharf Road Melrose Park (SP102190, Lot 11 DP1238936, Lots 2 & 3 DP 588575), Section 4.55(2) modification to DA/1157/2016 for a concept plan for 4 stage mixed use development, specifically amendments to approved building envelopes including increases in height, amendment to approved uses, reallocation of floor space & deep soil, deletion of redundant condition and revised timing of approved public domain upgrades (as described in Schedule 1).

#### PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at items 7 and 8 in Schedule 1.

The Panel noted the history of the site and evolution of the concept plan over time. Height non-compliances were considered. Building separation was discussed in relation to ADG guidelines. Flooding conditions were considered.

The Panel determined to approve the development application pursuant to section 4.55 of the Environmental Planning and Assessment Act 1979 for the reasons outlined in the Council Assessment Report. The Panel declined to support the applicant's request for changes to condition 28 for the reasons outlined in the Council response to the applicant's contested conditions, dated 23 November 2020.

The decision was **unanimous**.

#### CONDITIONS






The development application was approved subject to the conditions attached to the Council Assessment Report.

#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during the public exhibition. The Panel notes that issues of concern in written submissions included:

- View loss (sky views, district views and Parramatta River views from main living areas);
- Privacy loss (in private open space);
- Construction noise;
- Height non-compliance (particularly as it occurs on highest part of site);
- Development out of keeping with character of the adjoining low-density residential area.

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Noni Ruker	 Sameer Pandey
 Martin Zaiter	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-102 – City of Parramatta - DA/1157/2016/H
2	PROPOSED DEVELOPMENT	Section 4.55(2) modification to DA/1157/2016 for a concept plan for 4 stage mixed use development, specifically amendments to approved building envelopes including increases in height, amendment to approved uses, reallocation of floor space & deep soil, deletion of redundant condition and revised timing of approved public domain upgrades
3	STREET ADDRESS	657-661 Victoria Road & 4-6 Wharf Road Melrose Park (SP102190, Lot 11 DP1238936, Lots 2 & 3 DP 588575)
4	APPLICANT/OWNER	Applicant - M Projects Pty Ltd (on behalf of Payce) Owner - Tyriel Developments Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) modification
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>State Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>Parramatta Local Environmental Plan 2011</li> </ul> </li> <li>Draft environmental planning instruments: <ul style="list-style-type: none"> <li>Draft Consolidated Parramatta Local Environmental Plan 2020</li> </ul> </li> <li>Development control plans:</li> </ul>

		<ul style="list-style-type: none"> <li>○ Parramatta Development Control Plan 2011</li> <li>○ Planning agreements: Nil</li> <li>○ Provisions of the Environmental Planning and Assessment Regulation 2000</li> <li>○ Coastal zone management plan: [Nil]</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	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council Assessment Report: 13 November 2020</li> <li>• Written submissions during public exhibition: 1</li> <li>• Correspondence contesting conditions, including attachments, received from Keylan on behalf of the applicant, dated 19 November 2020</li> <li>• Council response to applicant's contested conditions, including attachments, dated 23 November 2020</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY</b>	<ul style="list-style-type: none"> <li>• Briefings – 1 July 2020 and 24 November 2020</li> <li>• Site inspection - Site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually.</li> <li>• Papers circulated electronically on 17 November 2020</li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the Council Assessment Report.