

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	13 December 2023
<b>DATE OF PANEL DECISION</b>	12 December 2023
<b>DATE OF PANEL MEETING</b>	12 December 2023
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), David Ryan, Steve Murray, Jane Fielding
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Sameer Pandey

Public meeting held videoconference on 12 December 2023, opened at 10:30am and closed at 11.01am.

#### MATTER DETERMINED

PPSSCC-316 – City of Parramatta – DA/1100/2021 - 38-42 Wharf Road, Melrose Park - Melrose Park North street network (roads, footways, trees, landscaping, drainage, services, and associated infrastructure); including tree removal, remediation and bulk earthworks; and Torrens subdivision.

#### PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at the public meeting and briefings and the matters listed at item 8 in Schedule 1.

#### Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in the council assessment report.

#### CONDITIONS



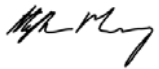

The development application was approved subject to the conditions in the council assessment report.

#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

- Excessive tree loss
- Heritage impacts
- Procedural issues
- Traffic and parking impacts
- Construction impacts
- Insufficient supporting infrastructure

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
Abigail Goldberg (Chair) 	David Ryan 
Steve Murray 	Jane Fielding 

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-316 – City of Parramatta – DA/1100/2021
2	PROPOSED DEVELOPMENT	Melrose Park North street network (roads, footways, trees, landscaping, drainage, services, and associated infrastructure); including tree removal, remediation and bulk earthworks; and Torrens subdivision.
3	STREET ADDRESS	38-42 Wharf Road, Melrose Park
4	APPLICANT/OWNER	Applicant: M Projects – Nik Frank Owner: Constant 15 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
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 (Transport and Infrastructure) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>Parramatta Local Environmental Plan 2011</li> <li>Parramatta Local Environmental Plan 2023</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Parramatta Development Control Plan 2023</li> </ul> </li> <li>Planning agreements: <ul style="list-style-type: none"> <li>Council Voluntary Planning Agreement</li> <li>State Voluntary Planning Agreement</li> </ul> </li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil</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	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 4 December 2023</li> <li>Written submissions during public exhibition: 11</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Vince Cusumano, Peter Wotton on behalf of the Melrose Park Action Group</li> <li>Council assessment officer – Alex McDougall, Myfanwy McNally, Darren Wan</li> <li>On behalf of the applicant – Adam Burns</li> </ul> </li> <li>Total number of unique submissions received by way of objection: 11</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Council Briefing: 16 June 2022 <ul style="list-style-type: none"> <li>Panel members: Abigail Goldberg (Chair), David Ryan, Roberta Ryan, Sameer Pandey, Jane Fielding</li> <li>Council assessment staff: Alex McDougall, Myfanwy McNally</li> </ul> </li> <li>Final briefing to discuss council's recommendation: 12 December 2023</li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Steve Murray, Sameer Pandey, Jane Fielding</li><li>○ <u>Council assessment staff</u>: Alex McDougall, Myfanwy McNally</li></ul> <p>Note: during the public meeting Sameer Pandey became aware that he had a conflict of interest and recused himself from the meeting.</p>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report