



## SYDNEY CENTRAL CITY PLANNING PANEL

### COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	PPSSCC-518
<b>DA Number</b>	DA/47/2024
<b>LGA</b>	City of Parramatta Council
<b>Proposed Development</b>	Signalisation/reconfiguration of Kissing Point Road/Bundil Blvd and Victoria Road intersection, reconfiguration of Marsden Road/Wharf Road and Victoria Road intersection, widening/reconfiguration of Victoria Road, and widening/reconfiguration of Wharf Road and Torrens Subdivision (to dedicate roads). This application is to be determined by the Sydney Central City Planning Panel.
<b>Street Address</b>	Lot 4 - 7 DP 1248652 Victoria Road, Melrose Park and 700 Victoria Rd, Ermington (Lot 4, 5, 6 and 7 DP 1248652 and Lot 17A DP 440585)
<b>Applicant</b>	SH Melrose PP Land Pty Limited
<b>Owner</b>	SH Melrose PP Land Pty Limited
<b>Date of DA lodgement</b>	25 January 2024
<b>Number of Submissions</b>	2
<b>Recommendation</b>	Approval
<b>Regional Development Criteria</b>	Pursuant to Clause 2 of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021, the development has a capital investment value of more than \$30 million.
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act 1979</li> <li>• Environmental Planning and Assessment Regulation 2021</li> <li>• SEPP (Resilience and Hazards) 2021</li> <li>• SEPP (Transport and Infrastructure) 2021</li> <li>• SEPP (Planning Systems) 2021</li> <li>• SEPP (Biodiversity and Conservation) 2021</li> <li>• Parramatta Local Environmental Plan 2023</li> <li>• Parramatta Development Control Plan 2023</li> <li>• Roads Act 1993</li> <li>• State Voluntary Planning Agreement</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	Attachment 1 – Strategic Design Plan Attachment 2 – Proposed Subdivision Plan Attachment 3 –Transport Management and Accessibility Plan for Melrose Park North Precinct (Relevant Extract) Attachment 4 – State Voluntary Planning Agreement (Relevant Extract)
<b>Clause 4.6 requests</b>	N/A
<b>Summary of key submissions</b>	<ul style="list-style-type: none"> <li>• Traffic impacts</li> <li>• Intersection impacts</li> <li>• Variation from Transport Management Access Plan for the Melrose Park North Precinct</li> </ul>
<b>Report prepared by</b>	Paul Sartor Senior Development Assessment Officer
<b>Report date</b>	20 August 2024

**Summary of s4.15 matters**

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

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**Legislative clauses requiring consent authority satisfaction**

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**

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**Clause 4.6 Exceptions to development standards**

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **No**

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**Special Infrastructure Contributions**

Does the DA require Special Infrastructure Contributions conditions (s7.24)? **No**

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**Conditions**

Have draft conditions been provided to the applicant for comment? **Yes**

## 1. Executive Summary

The proposal is for the upgrade and reconfiguration of both the Kissing Point Road/Bundil Boulevard and the Marsden Road/Wharf Road intersections on Victoria Road, widening/reconfiguration of Victoria Road, reconfiguration of Wharf Road, Kissing Point Rd and Marsden Rd as well as Torrens subdivision (to dedicate roads) and the removal of 29 trees. The application will allow for the partial construction of the expanded road network as required to be delivered by the Transport Management Action Plan (TMAP) which underpins the recent upzoning of Melrose Park North. The proposal is consistent with the requirements of a Voluntary Planning Agreement between the applicant and the State Government. Per the VPA, practical completion of this roadwork must be achieved prior to the issue of the Occupation Certificate for the 1,900<sup>th</sup> dwelling in the Melrose Park North Precinct.

The roadwork required to be completed under this VPA is located on land in both City of Parramatta and City of Ryde. While this DA only relates to the works in Parramatta, a separate application is under assessment with City of Ryde for the portion of works in that Council. The roadworks subject to this DA will not commence until both applications have been approved as the works are also subject to Transport for NSW (TfNSW) Works Authorisation Deed (WAD), before works can commence.

The development will allow for the extension of bus lanes and turn lanes on Victoria Rd and the ability of both the Wharf Rd and Kissing Point Rd intersections to better accommodate the increased traffic resulting from the ongoing redevelopment of Melrose Park North. The new Kissing Point Road intersection will allow for all turning movements to/from the new Bundil Boulevard that will traverse the entire Melrose Park North precinct, creating a four-way intersection. The application will also lead to the extension of the 3m wide shared user path along the south side of Victoria Rd.

Following the assessment of the relevant Environmental Planning Instruments as detailed in this report the application has been recommended for approval, subject to conditions as detailed in appendix 1.

## 2. Key Issues

- VPA
  - This application proposes the interim road works required by the State VPA. This plan is different to the ultimate Victoria Rd design as proposed in the Melrose Park Precinct Transport Management Access Plan (TMAP) which was prepared in support of the Planning Proposal for the area. The interim solution will be able to accommodate 95% of the traffic anticipated by the planning controls. The full TMAP network cannot be provided at this time as some of the land is outside the applicant's control. This interim approach is of concern to the City of Ryde on traffic grounds, who object to the application as it stands. Their issues have been considered in this report and responded to in section 13 of the report.

### 3. Site Description, Location and Context

#### 3.1 Site

The works are largely proposed within the Victoria Rd, Kissing Point Road, Marsden Road and Wharf road reserves and adjoining lots as follows:

Lot/DP	Lot size (sq.m)	Site description
4/DP1248652	6683	Residue land adjacent Wharf Road, Wykoff Ln and Lemon Tree Ave roads.  These roads are currently under the ownership of the applicant and will be dedicated to the City of Parramatta as per DA/1157/2016.
5/DP1248652	446.7	Residue land at the south western side of the Kissing Point Rd/Victoria Rd intersection.  To be dedicated to Transport for NSW under the Planning Agreement for road widening. This lot will be subject to a future and separate road widening to occur once land further to the west is secured.
6/DP1248652	2074	Deceleration lane and part of Bundil Boulevard and will be dedicated to Council per DA/316/2021.
7/DP1248652	2434	Residue land to the south of Victoria Rd and to the west side of Wharf Rd.  Land to be dedicated to Council/Transport for NSW along Victoria Rd.
17A/DP440585 (700 Victoria Rd, Ermington)	1910	Metro Petroleum site on northern western side of Kissing Point Rd/Victoria Rd intersection.



Figure 1 - Site Map, subject sites highlighted in yellow



**Figure 2 - Aerial map, subject site highlighted in yellow**

### 3.2 Site History

The site is predominantly within the road reserve. Aerial records indicate that the site at 700 Victoria Rd has been a petrol station since 1970. The new local road reserves are on land previously used by the City of Parramatta as a local waste facility. Following this, the most recent uses of this portion of the site were as a public park known as Bartlett Park and the remaining part of the site, on the corner of Victoria and Wharf Road, was used as a 'Putt-Putt' mini golf centre.

### 3.3 Site Improvements & Constraints

The site and surrounds have undergone a transformation over the past 7 years with the site of the former Bartlett Park and Putt Putt Park to the south of Victoria Rd being developed into a mixed-use development with up to 1077 apartments across four different stages. This development was approved on 7 November 2017 under a concept development DA (DA/1157/2016), see approved stages and status in figure 1.

Further, the broader Melrose Park Urban Renewal Precinct is subject to a number of rezonings and is undergoing redevelopment from the former employment lands to a mixed-use precinct. This is detailed further in section 3.4 of this report below.

### 3.4 Statutory Context

Victoria Road is a classified State Road and divided carriageway with three eastbound lanes and three westbound lanes. It acts as a major east-west connection providing access between the Sydney CBD to the east and Parramatta CBD to the west. It is a major thoroughfare through Melrose Park which contains multiple planning precincts as detailed below.

## Melrose Park North

The site is near a wider precinct that was subject to a Planning Proposal (PP) process which resulted in the desired future character of the area transitioning from its current industrial character to high density residential and mixed use. The PP, known as Melrose Park North, resulted in revised LEP zoning, height and FSR controls as well as a new DCP.

The Melrose Park North Precinct - which is owned by the applicant of this application and Deicorp - will contain up to 5500 dwellings. Several applications have since been approved or lodged on this site.

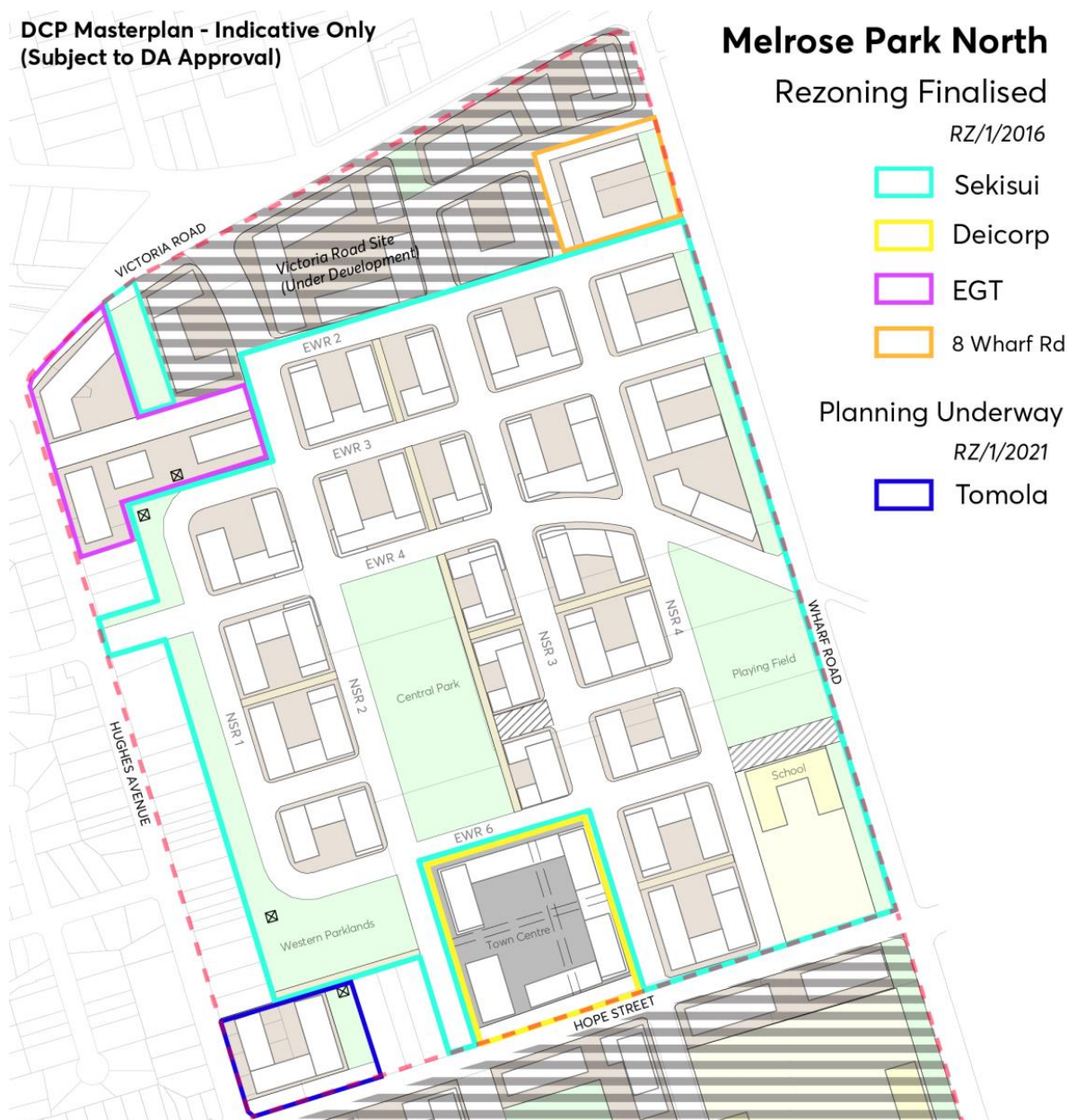


Figure 3 - Melrose Park North Precinct map and ownership

A Transport Management and Accessibility Plan (TMAP) was developed as part of the PP. The TMAP outlines the ultimate upgrade to road infrastructure in the vicinity of the site that will be necessary - as the number of new dwellings passes certain trigger points - to accommodate the new development and ensure impacts on the efficiency of the wider road network will be

minimised. The TMAP requires widening of the southern carriageway of Victoria Road between Hughes Avenue and Cobham Ave, widening of Wharf Road south of Victoria Road and upgrades to the Kissing Point Road and Wharf Road intersections (see Figure 4 below).



Figure 4. Ultimate (Stage 3) upgrade as anticipated by the TMAP (Figure 7.5 in that document).

The centre of Wharf Road is the boundary between City of Parramatta Council (on the west) and City of Ryde Council (on the east). The TMAP included works between Wharf Road and Cobham Avenue in Ryde. These works are subject to a concurrent application to the City of Ryde (LDA2024/0062).

As part of this redevelopment the applicant entered into a voluntary planning agreement with the City of Parramatta (local VPA) as well as a separate VPA with the NSW Government (state VPA), the state VPA is most relevant to this application and is explored further below.

#### *State VPA*

In July 2023, Sekisui House Australia (SHA) (along with others) entered into the state VPA with the Minister for Planning and Public Spaces. The agreement included commitment to the provision of the following items:

- Land dedication for public open space;
- Social and community benefits; and
- Road infrastructure upgrades and associated land dedication

The works included in the TMAP represent the ultimate works to these two intersections. However, as the applicant does not own two key properties the State VPA secures more limited works that still align with the TMAP plans. The remaining work required in the TMAP will be undertaken by TfNSW at a later date.

Consistent with the recommendations of the TMAP, the State VPA requires the road upgrades be delivered across 3 stages which correlate with the delivery of the number of dwellings:

- Stage 1 (Prior to the issue of the OC for the first dwelling):
  - Bundil Boulevard Left in / Left Out
  - Wharf Road Left Out

- Stage 2 (600 dwellings):
  - Wharf Road / Victoria Road intersection upgrade
  - Victoria Road southern widening
- Stage 3 (1900 dwellings):
  - Kissing Point Road / Victoria Road intersection upgrade.

Stage 1 works have been approved (DA/316/2021 & DA/1157/2016 respectively). The Stage 1 Bundil Boulevard works are complete and operational. The Stage 1 Wharf Road works are in design development. This subject DA includes works required to satisfy Stage 2 and Stage 3 of the state VPA.

To construct Stage 2 and Stage 3, the applicant is required to enter a Works Authorisation Deed (WAD) with TfNSW. The WAD is specific to the proposed modifications of the State Road network (Victoria Road) and associated intersections to provide access to the Melrose Park development. Under the WAD, the works will be delivered as a single package to meet the relevant TfNSW road construction requirements related to traffic and access management, road design, provision of landscaping and asset protection. The applicant has obtained the relevant Traffic Control Signal Agreement-in-Principle (TCS 0192) from TfNSW, this gives approval for the interim layouts, movements and geometries currently proposed.

As the applicant was not able to obtain all of the sites required for the ultimate redevelopment works of Victoria Rd required under the TMAP, the VPA only requires the applicant to complete the works proposed under this application and a progressive payment is to be made to the NSW Government to the value of \$15,606,971 for the acquisition of additional land and the eventual completion of the some of the road works by TfNSW when they deem appropriate (“TfNSW works”). These works include the westbound left turn lane from Victoria Road into Wharf Road (could not acquire one of the residential dwellings), and the road widening of Victoria Road between Bundil Boulevard and the EGT site (it is most logical/economical to do all the widening works between Bundil Boulevard and Hughes Avenue together).

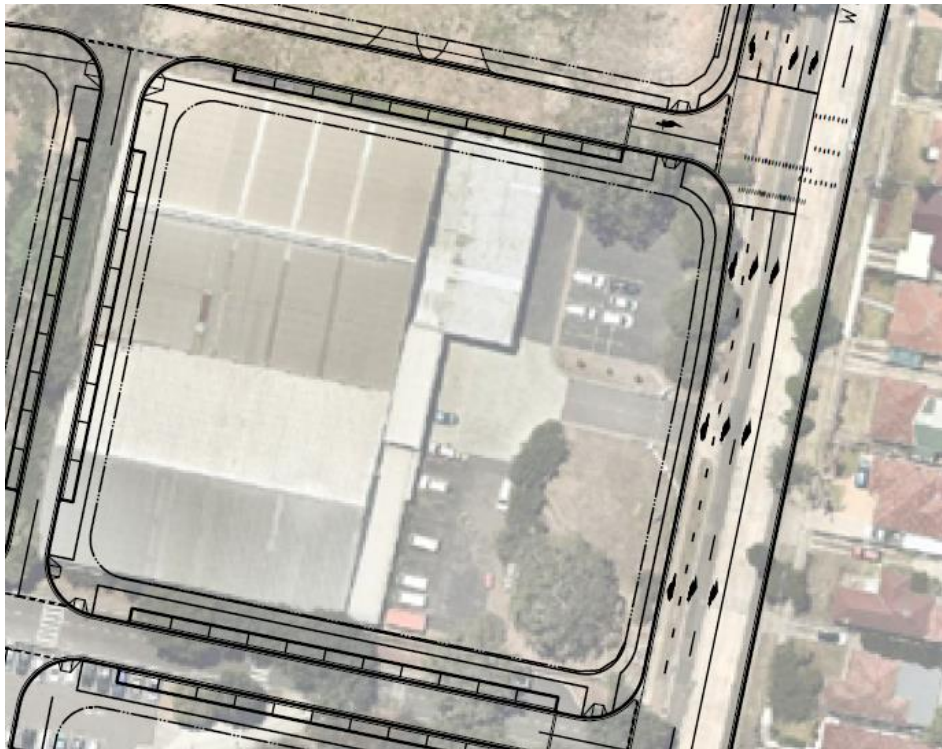
The rest of the TMAP works will be provided as part of the redevelopment of the following sites:

#### *Ermington Gospel Trust Site*

The Ermington Gospel Trust (“EGT”) a.k.a. Brethren Church site (outlined in purple in Figure 3 above) will be subject to a separate VPA requiring provision of the remainder of the Victoria road widening (bus lane) land between Hughes Avenue and Bundil Boulevard.

#### *8 Wharf Road*

8 Wharf Road (site outlined in orange in Figure 3 above) will be subject to a separate VPA requiring provision of additional lane widening on Wharf Road. Until this widening is delivered, the southern approach to the Victoria Road intersection cannot be configured per the TMAP. See below excerpt of proposed road alignment in front of this site.



**Figure 5 - Proposed Wharf Rd alignment under the TMAP in front of 8 Wharf Rd**

### *Melrose Park South*

In addition, there are also separate PPs for the industrial land to the south of Hope Street, known as Melrose Park South. The structure plan for the precinct is outlined in the figure below. A number of these sites are currently subject to site-specific DCP's and new LEP Planning controls.



**Figure 6. Melrose Park South Precinct Structure Plan (adopted 16 December 2019).**

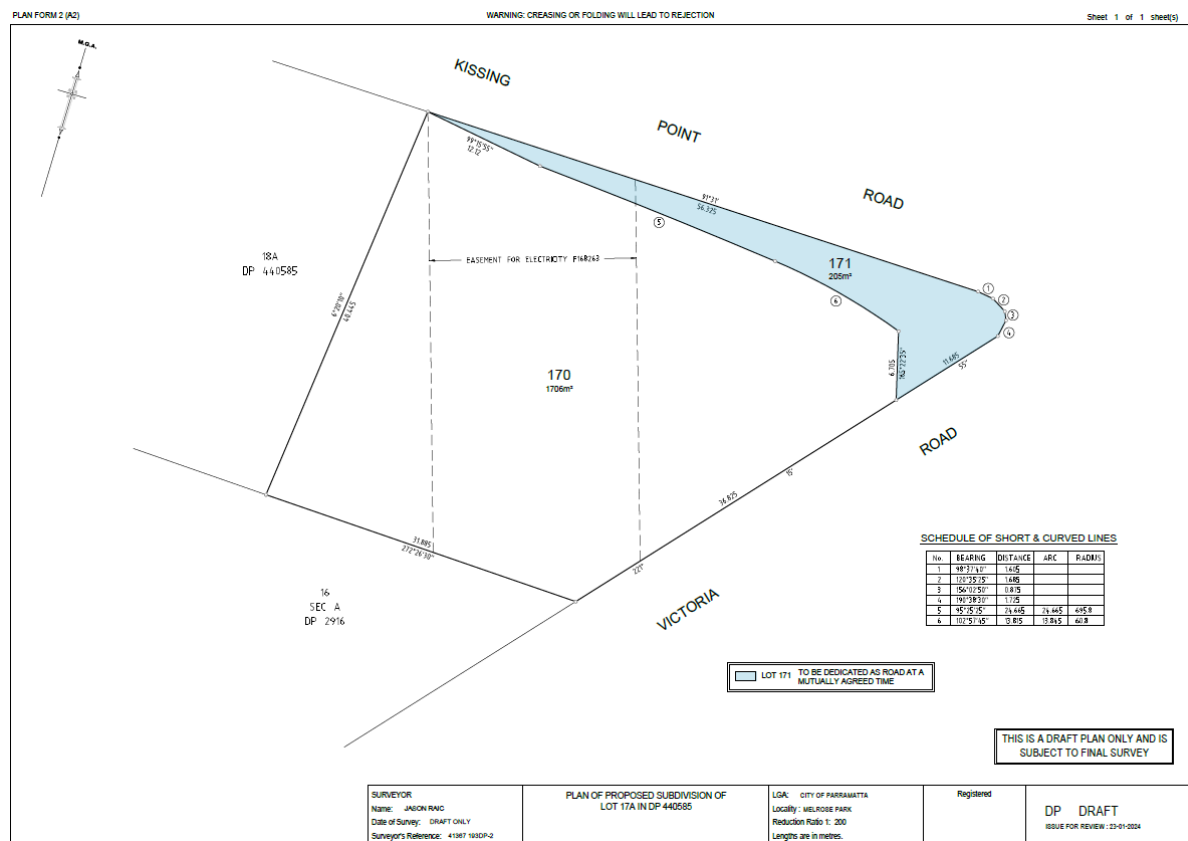
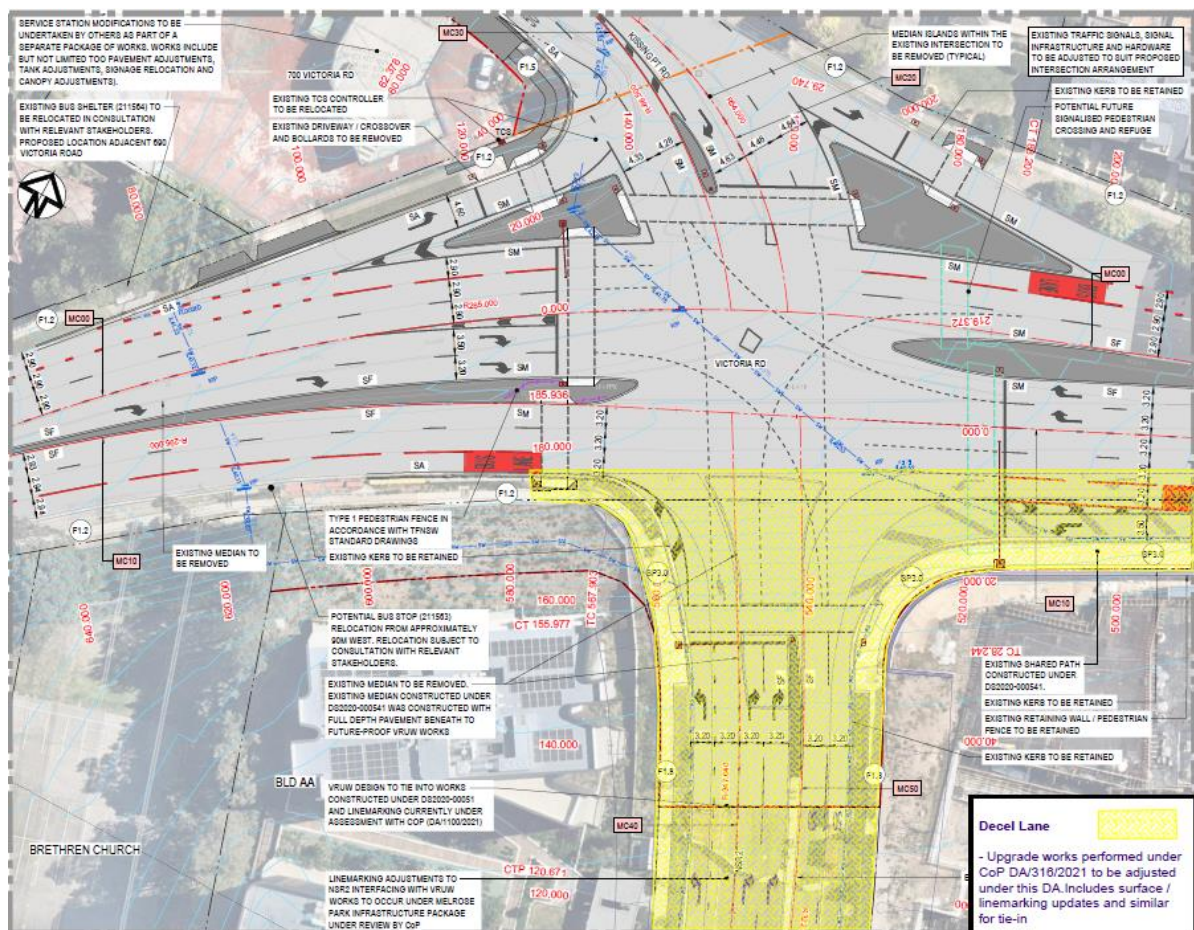
Two State Significant Development Applications have been lodged for the construction of affordable rental housing developments on this site.

#### **4. The Proposal**

This application includes significant traffic and capacity improvements, road alignment adjustments, traffic control signal (TCS) modifications, drainage upgrades and utilities adjustments. Specifically, the following works are proposed under this application:

- Widening of approximately 500-600m of Victoria Road including;
  - Provision of Peak Hour Bus Lanes to the East and West linking between the existing bus lane at Hughes Ave and Cobham Ave.
  - Increased lane widths to westbound lanes
- Increase in right hand turn lane length from Victoria Road to Wharf Road (Approximately 35m up to 175m in length) with an additional turn lane added to improve network operations.
  - Adjustment and line marking of approximately 200m of Kissing Point Road.
- Upgrade of Kissing Point Road / Bundil Boulevard Intersection to a 4-leg signalised intersection including;
  - Increase in Right-Hand Turn (RHT) lane length from Victoria Road to Kissing Point Road (Approximately 40m up to 375m in length) with an additional turn lane added to improve network operations.
  - Provision of Signalised Pedestrian Crossing facilities at Kissing Point Road where no facilities previously existed.
    - Adjustment and line marking of approximately 30m of Bundil Boulevard to provide 1 left turn lane, 1 straight lane, and 2 right turn lanes.
- Public utility adjustments including protection or relocation of existing services, including the undergrounding of the existing powerlines, relocation and reconstruction of bus stops and relocation of some stormwater pipes/pits.
- A 3m wide Shared User Path (SUP) is to be provided within the Southern verge of Victoria Road between Wharf Road and Bundil Boulevard and linking to the existing SUP within Marsden Road. It is proposed the signalised crossings of Victoria Road, Wharf Road and Bundil Boulevard will have bicycle lanterns provided.
- Removal of 29 trees along southern side of Victoria Rd
- Subdivision of the land as follows:
  - Lot 17A (700 Victoria Rd, Ermington) – To be subdivided into two lots consisting of lot 170 and 171, with 171 to be the residue lot for future road dedication, see figure 9.
  - Lots 4 and 7 DP 1248652 – To be subdivided into four lots for future road dedication to both Transport for NSW and City of Parramatta, see figure 10. Lot 70 is to be dedicated to the state government as per the SVPA.





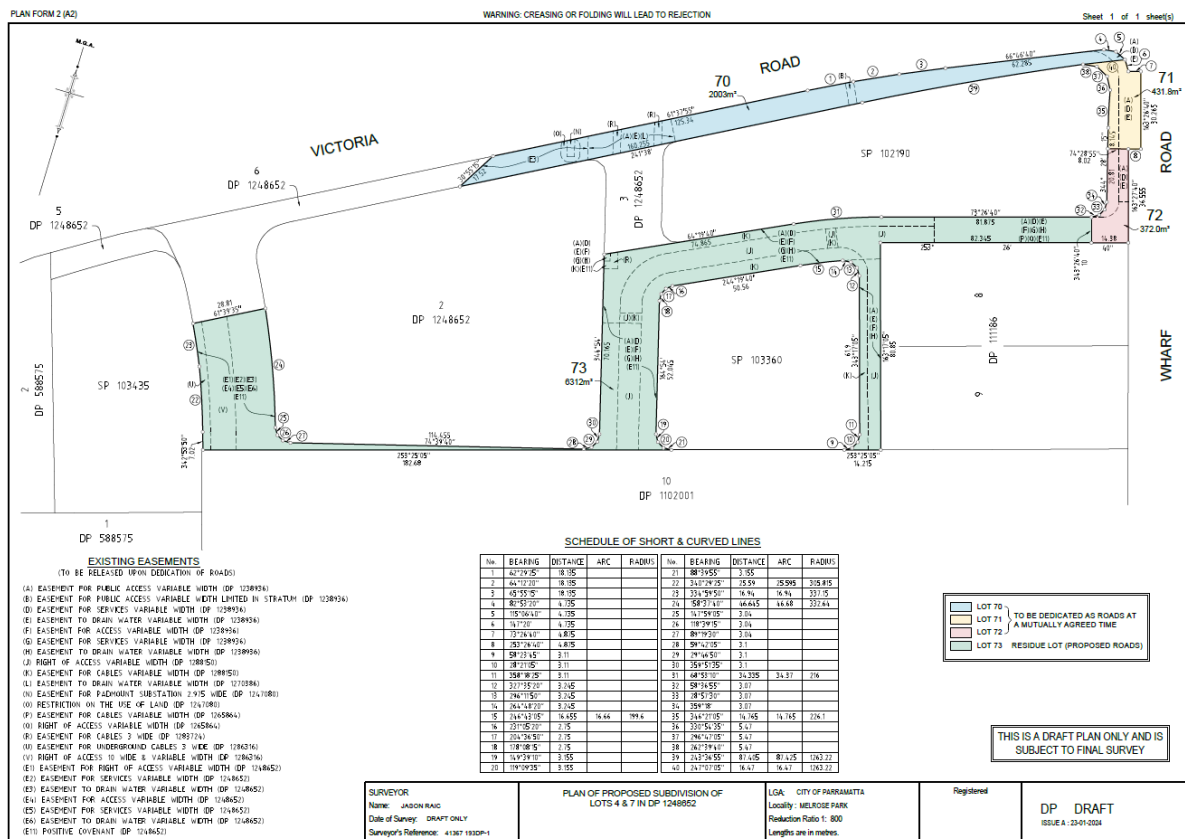


Figure 11 - Proposed subdivision plan of lots 4 and 7 DP 1248652

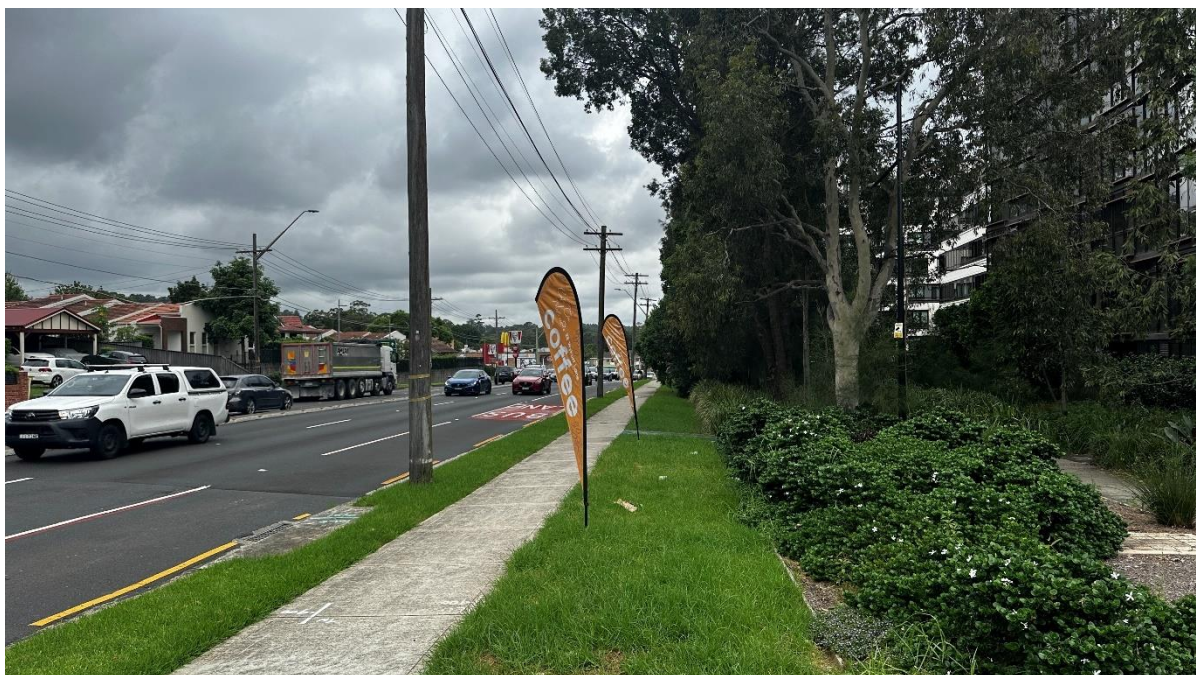


Figure 12 - Site inspection photo looking east down Victoria Rd from Putt Putt park.



**Figure 13 - Site inspection photo looking north from Bundil Blvd towards Kissing Point Road/Victoria Rd intersection**



**Figure 14 - Site inspection photo looking northeast on Victoria Rd at Wharf Rd/Marsden Rd intersection**

## **5. Referrals**

The following referrals were undertaken during the assessment process:

### **5.1 Sydney Central City Planning Panel**

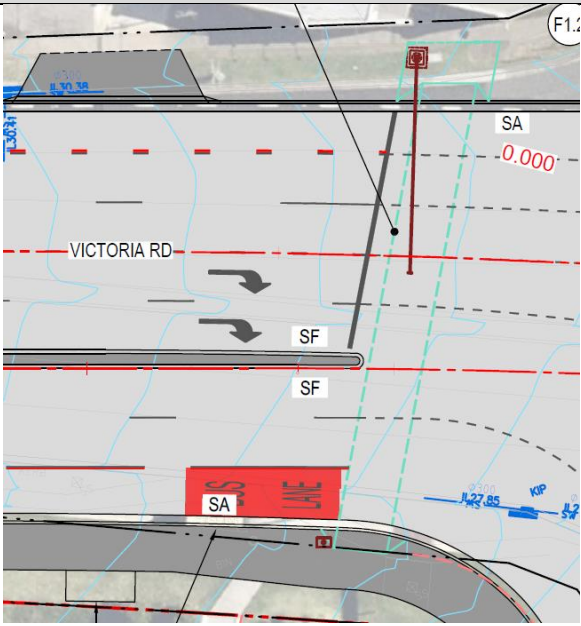
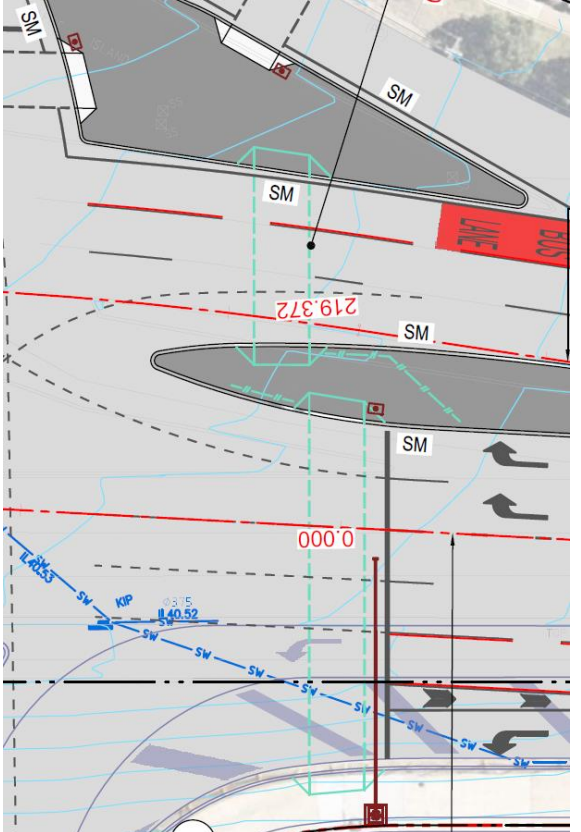
This application was not subject to a briefing.

## 5.2 External

Authority	Comment
Transport for NSW	Accepted the proposal and considers that the development is consistent with the State VPA. Conditions provided.
Endeavour Energy (General Electrical Infrastructure)	Endeavour Energy provided their support for the proposal and have provided a number of conditions for the applicant to consider.
Ausgrid (High Voltage Power line to the west of the site)	Confirmed that they have no comments given that the works are located outside their area of service.
Sydney Water	Acceptable subject to conditions for Building Plan Approval and Tree Planting conditions prior to CC.
Quantity Surveyor	Council's Independent Quantity Surveyor has found that the cost of works submitted are fair and accurate.

## 5.3 Internal

Authority	Comment
Development/Catchment Engineer	No concern given that the works are largely located on existing or future public land.
Tree & Landscape Officer	Landscaping has agreed to the proposed tree removal given the strategic intent of the works. Conditions provided.
Traffic and Transport	Acceptable subject to conditions requiring approval for any works on Council roads by the Parramatta Traffic Committee beyond the TfNSW scope of works.
Strategic Transport	<p>Requested additional pedestrian crossings be provided at the two intersections.</p> <p>The applicant and TfNSW advised that this could not be provided at this interim stage as the intersection design and modelling did not allow for these additional pedestrian crossings.</p> <p>The plans show that it is possible to include additional pedestrian crossings in the ultimate works as per the TMAP approved design, see figure 13 and 14 below.</p>

Authority	Comment
	 <p data-bbox="671 808 1386 864"><b>Figure 15 - Wharf Rd intersection, future pedestrian crossing shown in aqua</b></p>  <p data-bbox="671 1727 1386 1783"><b>Figure 16 - Possible location of additional pedestrian crossings on Kissing Point Rd intersection</b></p>
Internal Assets – Roads	Acceptable subject to conditions
Internal Assets – Stormwater	<p data-bbox="671 1868 1386 1980">As majority of assets in the scope of works are TfNSW stormwater assets their capacity and location will be reviewed under the detailed WAD process with TfNSW.</p> <p data-bbox="671 2002 1386 2036">Appropriate conditions are recommended that any</p>

Authority	Comment
	changes to Council stormwater assets will require approval by Council and will be subject to Council standards.
Public Domain	<p>Public Domain requested the following:</p> <ul style="list-style-type: none"> <li>• a consistent 3m wide shared path should be provided along the whole length of Victoria road at kerb</li> <li>• any excess area available be shown as verge at the property boundary and</li> <li>• Large trees are planted in this verge where possible to provide some shade to the shared path.</li> <li>• The shared path should have a cross fall of 2.5 percent or less towards the road</li> </ul> <p>3m wide path is provided. It has been clarified that many large trees are to be removed, this has been reviewed by Landscaping and Trees team. There is limited opportunity to plant replacement trees given the 3m wide shared user path, this has been considered with mature trees being planted under DA/1157/2016 within the stage 1 and 2 site. The applicant has explored the opportunity to plant more trees within the road verge and confirmed that it is not possible.</p> <p>This tree planting plan is consistent with the TfNSW Landscape design guideline for June 2023.</p>
Contaminated Council Land	Supported, subject to conditions
Accessibility	Supported, subject to conditions

## 6. Environmental Planning and Assessment Act 1979

The sections of the Environmental Planning and Assessment Act 1979 (the Act) which require consideration are addressed below:

### 6.1 Section 1.7: Application of Part 7 of Biodiversity Conservation Act 2016

The site is not known to be inhabited by any threatened species, populations or ecological communities, or their habitats.

### 6.2 Section 2.15: Function of Sydney District and Regional Planning Panels

The Sydney Central City Planning Panel is the consent authority for this application as the proposal has a Capital Investment Value of more than \$30 million.

### 6.3 Section 4.15: Evaluation

This section specifies the matters that a consent authority must consider when determining a development application, and these are addressed in the Table below:

<b>Provision</b>	<b>Comment</b>
Section 4.15(1)(a)(i) – Environmental planning instruments	Refer to section 7
Section 4.15(1)(a)(ii) – Draft environmental planning instruments	Not applicable
Section 4.15(1)(a)(iii) – Development control plans	Refer to section 8
Section 4.15(1)(a)(iia) – Planning Agreement	Refer to section 3.4
Section 4.15(1)(a)(iv) – The Regulations	Refer to section 10
Section 4.15(1)(a)(v) – Coastal zone management plan	Not applicable.
Section 4.15(1)(b) – Likely impacts	Refer to section 11
Section 4.15(1)(c) – Site suitability	Refer to section 12
Section 4.15(1)(d) – Submissions	Refer to section 13
Section 4.15(1)(e) – The public interest	Refer to section 14

#### **6.4 Section 4.24(2): Compliance with Concept Approval**

Section 4.24(2) of the Act requires that,

*While any consent granted on the determination of a concept development application for a site remains in force, the determination of any further development application in respect of the site cannot be inconsistent with the consent for the concept proposals for the development of the site.*

The proposal includes road works within parts of the site subject the concept approval DA/1157/2016. As such the proposal must be consistent with the requirements of this consent.

An assessment of the proposal against the concept plan conditions of the consent is provided below:

<b>Concept Plan Condition</b>	<b>Assessment of Compliance</b>
<b>1. Approved Concept Plan</b>	The approved concept anticipated (with appropriate setbacks) the future widening of Victoria Road and readjustment of the property boundary. The proposal includes part of that widening. As such the proposal is considered to be consistent with the concept plan.
<b>2. Development Sequence</b>	Remediation of the land the subject of this application will be required per this consent (see further assessment below).
<b>3. Design Modifications</b>	Condition deleted.
<b>4. The Approved Building Envelopes</b>	Building envelopes not applicable.  The proposal does not reduce the existing site setbacks.
<b>5. Road Widening</b>	This condition requires part of the Stage 1 road works be done (Wharf Road widening). The subject application includes new line markings and lane configurations within the roadway approved as part of the concept approval. As such the proposal is considered to be consistent with the concept plan.
<b>6. Lots to be Dedicated for Public Use</b>	The condition requires all dedicated land have a covenant placed on it restricting use of the land to generate floor space. DA/1157/2016 'used' all GFA from this land.  As this is identified as a roadway under the SVPA to be dedicated to the road authority, it is not considered likely that further development could occur on this land and GFA be extracted from the land under 4.5 of the PLEP.

<b>7. Site Floor Space</b>	Not applicable.
<b>8. Electromagnetic Radiation</b>	Works not in vicinity of high voltage power lines.
<b>9. Public Safety</b>	Not applicable – Endeavour Energy have provided similar conditions for the subject application
<b>10. Maximum Height</b>	Not applicable.
<b>11. Concept Drainage Plan</b>	The proposed drainage infrastructure is consistent with the concept drainage plan. A condition is included requiring any changes to Council's stormwater system be signed off by Council.
<b>12. Site Audit Statement Prior to any Building Works</b>	A condition is included requiring validation (per the approved Remediation Action Plan) and auditing prior to any works associated with the road. As such the proposal will be consistent with the concept requirements.
<b>13. Site Investigation &amp; Site Audit Statement</b>	
<b>14. Hazardous/Intractable Waste Disposed Legislation</b>	A similar condition is reproduced in the draft consent.
<b>15. Imported Fill</b>	A similar condition is reproduced in the draft consent.
<b>16. Signage – Contamination</b>	A similar condition is reproduced in the draft consent.
<b>17. Requirement to Notify About New Contamination Evidence</b>	A similar condition is reproduced in the draft consent.
<b>18. Discharge of Contaminated Groundwater</b>	The proposed works are not likely to encounter groundwater.
<b>19. Contaminated Waste to Licensed EPA Landfill</b>	A similar condition is reproduced in the draft consent.
<b>20. Wayfinding Signage Strategy</b>	Not applicable.
<b>21. Road and Transport Design – General</b>	As outlined in this report, the proposal is considered to be sufficiently consistent with the TMAP.
<b>22. Environmental Performance</b>	Not applicable.
<b>23. Road Dedications</b>	<p>This condition requires dedication of the road reserves within the DA/1157/2016 site – which include the Victoria Road widening lot and the Wharf Road widening lot - at a mutually agreeable time. This was primarily to allow the internal roads to remain in private ownership while residential building work was being undertaken (works which could damage the roads).</p> <p>The state VPA requires dedication of the Victoria Road widening lot no more than 3 months after works are complete.</p>

<b>24. Drainage Easement</b>	The proposed works would not significantly alter the drainage strategy for Victoria Road. Planning for the downstream stormwater system has anticipated the proposed widening.
<b>25. Overland Flow</b>	The proposed road is not considered likely to result in an unacceptable impact to the overland flow design for the wider concept plan site.
<b>26. Consistency with Concept Plan</b>	Subject of this table.
<b>27. Landscaping</b>	Not applicable.
<b>28. Power Lines</b>	This condition requires undergrounding of the power lines on the southern side of Victoria Road. The subject application also includes removal of the above ground power lines and undergrounding. As such, the proposal is consistent. A condition is included to this effect.
<b>29. Land Dedications (open space)</b>	Not applicable.

## 7. Environmental Planning Instruments

### 7.1 Overview

The instruments applicable to this application comprise:

- SEPP (Transport and Infrastructure) 2021
- SEPP (Planning Systems) 20A21
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021
- Parramatta Local Environmental Plan 2023
- Roads Act 1993

Compliance with these instruments is addressed below.

### 7.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

SEPP (Transport and Infrastructure) 2021 (TISEPP) provides a planning framework for infrastructure in NSW – including for the provision of essential services such as roads. This application was required to be referred to TfNSW by the following sections of the SEPP:

- 2.119 – Development with frontage to classified road
- 2.122 – Traffic Generating Development (as this is development for ‘any other purpose’ which will have 50 or more motor vehicles per hour)

TfNSW confirmed on 2 May 2024 that they support the proposal under these clauses. TfNSW advised that:

*It has been working closely with Council and the Applicant regarding the civil works package that aligns with previous Development Consents for the Melrose Park precinct, the development’s approved Transport Management Access Plan (TMAP) and the executed Voluntary Planning Agreement (VPA) that pertains to the development.*

*The Applicant will be required to enter a major Works Authorisation Deed (WAD) with TfNSW for all the civil works described in DA/47/2024 that involved signalised intersections and the*

classified road network.

*The Applicant should be advised that a conceptual ‘agreement-in-principle’ with TfNSW as part of the TMAP is not formal approval under section 87 (4) of the Roads Act, 1993. TfNSW WAD process that involves detailed design is the formal approval and concurrence under the Roads Act, 1993. As such, the Applicant should be aware that as part of the detailed design process it will need to address TfNSW comments as part of this process. To assist the proponent, TfNSW has provided preliminary detailed design feedback and will commence the formal WAD process upon formal Development Consent being issued by the relevant Planning Authority.*

TfNSW has provided its support, subject to conditions, under these sections of the TISEPP and the Roads Act 1993 (see section 7.6 below).

### **7.3 State Environmental Planning Policy (Planning Systems) 2021**

As this proposal has a Capital Investment Value of more than \$30 million, Part 2.4 of this Policy provides that the Sydney Central City Planning Panel is the consent authority for this application.

### **7.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021**

Chapter 2 of this Policy, which applies to the whole of the Paramatta local government area, controls clearing of vegetation in non-rural areas. The proposal includes the removal of 29 trees including the following species:

- *Glochidion ferdinandi* (Cheese Tree)
- *Magnolia grandiflora* (Southern Magnolia)
- *Jacaranda mimosifolia* (Jacaranda)
- *Corymbia maculata* (Spotted gum)
- *Angophora floribunda* (Rough barked apple)
- *Casuarina cunninghamiana* (River sheoak)
- *Triadica sebifera* (Chinese tallowwood)

Under section 2.6 of the SEPP, clearing of vegetation in a non-rural area must not be undertaken without the authority conferred by a permit granted by the relevant Council. The application has been submitted with an Arboricultural Impact Assessment which has been reviewed by Council’s Trees and Landscaping team and supported, subject to conditions. It is noted that significant tree replacement planting has been considered under the assessment of DA/1157/2016 (stage 1 and concept DA) within the private development lot as it was anticipated that the trees within the road reserve and residue lot would need to be removed for this road widening.

### **7.5 State Environmental Planning Policy (Resilience and Hazards) 2021**

Chapter 4, Remediation of Land within SEPP (Resilience and Hazards) 2021, provides a Statewide planning approach to the remediation of contaminated land.

In the assessment and approval of the Concept Proposal (DA/1157/2016), a Site Audit Statement (SAS) and Remediation Action Plan (RAP) was required for the site to be considered fit for future use. A Remedial Action Plan (RAP) was prepared, which included consideration of the proposed road widening along the south side of Victoria Road and west side of Wharf Road, and came to the conclusion that the area can be suitable for the proposed land uses following successful implementation of mitigation strategies mentioned in the RAP. Subject to

conditions of consent requiring implementation of the RAP, that part of the site will be suitable for the proposed use.

700 Victoria Ave has been used as a petrol station since 1970. Part of the site is proposed to be dedicated as Public Road (see figure 8). A Detailed Site Investigation (DSI) was prepared in 2017 for this site, which is considered to be sufficiently current. The DSI confirmed that the site can be made suitable notwithstanding the current use as a petrol station. A Remediation Action Plan and a construction environment management plan will be required to be completed and approved by Council prior to the release of a Subdivision Works Certificate. The RAP will inform the required works and validation. Following the works, a Validation report will be required to enable a Site Audit Statement (SAS) and Site Audit Report (SAR) to be issued. It is considered that this land can be made suitable for the proposed use as a road. Any works to the petrol station including relocation of any tanks will be considered under a separate application for alterations and additions.

The remainder of the site is currently used as a road and as such is considered to be suitable for continued use as a road.

## 7.6 Roads Act 1993

The application is subject to the following sections of the Roads Act 1993:

- Section 87(4) – Traffic Control Facilities – Approval required from TfNSW for the construction, installation and replacement of the existing traffic control lights at Wharf Rd and Kissing Point Road intersections.
- Section 138 – Works and structures – Concurrence is required from TfNSW for any works in, on or over a public road. Victoria Rd is identified as a classified road.

TfNSW, on 2 May 2024, provided their approval and concurrence for the above sections of the Roads Act. They have provided their conditions requiring works to be completed to TfNSW standards and requiring a Works Authorisation Deed to be entered into.

## 7.7 Parramatta Local Environmental Plan 2023

Development standard	Proposal	Compliance
<b>2.3 Zoning</b>  MU1 – Mixed Use, R2 Low Density Residential and SP2 Classified Roads	Roads are permitted with consent in all three land use zones.	Yes
<b>Zone Objectives</b>	The proposal is considered to be in keeping with the objectives of all three zones.  The development will support the growth of the Mixed Use and adjoining high density residential zone while ensuring that Victoria Rd is built with appropriate capacity to minimise impacts on existing nearby low density residential areas.	Yes
<b>2.6 Subdivision</b>	Subdivision is being applied for under this application	Yes

Development standard	Proposal	Compliance
<b>4.1 Minimum Subdivision Lot Size</b>  700 Victoria Rd, Ermington has a minimum lot size of 550sq.m. No control applies for the remaining sites.	<p>The subdivision of lot 17A will lead to the creation of two lots. Proposed lot 171 will be 205sq.m for road widening and the remaining site being 1706sq.m. The road must be dedicated to TfNSW as per the SVPA.</p> <p>Given that lot 171 exists only to be for road widening and will be amalgamated into the adjoining road reserve, is not a development lot and lot 170 will remain above the minimum lot size this minimum lot size control is not considered to be breached.</p>	Yes
<b>4.3 Height of Buildings</b>  700 Victoria Rd, Ermington has a building height control of 9m. 28m control applies to the remaining sites.	No building proposed	N/A
<b>4.4 Floor Space Ratio</b>  700 Victoria Rd, Ermington has a FSR control of 0.5:1. The remaining site has a control of 2:1.	No FSR proposed	N/A
<b>4.6 Exceptions to Development Standards</b>	None required.	N/A
<b>5.10 Heritage conservation</b>	<p>The site is not heritage listed.</p> <p>The works are located near a heritage item at 2 Fitzgerald Rd, Ermington which faces Victoria Rd. The proposal is not considered to have an impact to the heritage item.</p>	Yes
<b>5.21 Flood Planning</b>	<p>The site is not directly affected by fluvial flooding but is subject to overland flow flooding. The proposal itself will contribute to additional overland flow flooding due to increased hard stand areas. However, this water will generally follow existing overland flow paths. As outlined under clause 5.6 below, the stormwater drainage system which currently exists on Victoria Road will be updated to accommodate the additional flows. It is not anticipated that the additional overland flow will top the southern kerb and as such will not affect the adjoining properties.</p>	Yes

Development standard	Proposal	Compliance
	Council's Catchment engineer has reviewed the application and can confirm that the development will not have an unacceptable flood impact on adjoining properties.	
<b>6.1 Acid Sulfate Soils</b>	<p>The Proposed Development would not disturb or drain acid sulfate soils and cause environmental damage.</p> <p>The Proposed Development is not located within 500m of Class 1, 2, 3 or 4 land. It is unlikely that the Proposed Development would result in lowering of the water table.</p>	Yes
<b>6.2 Earthworks</b>	Satisfactory	Yes
<b>6.3 Biodiversity</b>	N/A	-
<b>6.5 Stormwater Management</b>	<p>Existing stormwater infrastructure within Victoria Rd will be appropriately sized and upgraded as required. This will be designed during the WAD phase, as majority of the stormwater infrastructure is under the management of TfNSW.</p> <p>A separate condition will be applied requiring that any knock-on upgrades to Council assets on surrounding roads will require the separate approval of Council staff, as per Council standards, before any construction works commences.</p>	Yes

## 8. Development Control Plans

### 8.1 Parramatta Development Control Plan 2023

An assessment of the proposal against the relevant controls in the Parramatta Development Control Plan 2023 is provided below:

Development Control	Proposal	Comply
PART 2 – Design in Context		
2.9 Public Domain	The proposal will comply with the City of Parramatta Public Domain Guidelines and any relevant TfNSW requirements along Victoria Rd. A 3m wide Shared User Path will be provided to the south of Victoria Rd which will connect from the existing SUP approved under DA/316/2021, this will align with the COP Bike Plan to include a shared pathway along Victoria Rd. This pathway and the expansion of Victoria Rd does lead to the removal of 29 significant trees along Victoria Rd, however, this is being offset with tree planting within the residential development sites.	Yes
2.10 Accessibility and Connectivity	The proposal has been submitted with a Transport Management and Accessibility Report which has been reviewed and considered to be acceptable by Council's Universal Accessibility officer. This will be supported by	Yes

Development Control	Proposal	Comply
	relevant conditions and further review during the WAD phase to ensure that appropriate shore lining and ramping is provided.	
PART 5 – Environmental Management		
5.1.3 Stormwater Management	Refer to 6.5 of the Parramatta LEP 2023, above.	Yes
5.2.1 Control of soil erosion and sedimentation	The development consent will have an applicable condition of consent requiring sedimentation control barriers.	Yes
5.2.2 Acid Sulfate Soils	Refer to 6.1 of the Parramatta LEP 2023, above.	Yes
5.2.5 Land Contamination	Refer to assessment under clause 4.6 of the Resilience and Hazards SEPP 2021. Any changes that are required to the existing petrol station to accommodate this development will be subject to a separate development application. A condition of consent will be recommended clarifying this.	Yes
5.3.4 Tree and Vegetation Preservation	<p>The 28 trees proposed to be removed under this application are not heritage listed or located within a heritage conservation area nor are they protected under chapter 2 of the Biodiversity and Conservation SEPP.</p> <p>However, they are significant trees which aerial maps show were planted around the year 2000.</p> <p>Removal of these trees is considered to be acceptable in the context of significant tree planting required within the adjoining development sites between the apartment buildings and Victoria Rd.</p>	Yes
PART 8 – Centers, Precincts, Special Character Areas and Specific Sites		
8.2.6 Melrose Park Urban Renewal Precinct	These controls do not apply to the subject site.	Yes

## 9. Planning Agreements

Refer to section 3.4 Statutory Context for a detailed description of the State VPA that requires this work to be completed by the applicant.

## 10. The Regulations

The recommendation of this report includes conditions to ensure the provisions of the Regulations would be satisfied.

## 11. The Likely Impacts of the Development

### Subdivision

The proposed subdivision of the site will allow for the works to be completed as subdivision works as per the Environmental Planning and Assessment Act 1979 (EP&A Act).

Per Section 6.13 of the EP&A Act, a Subdivision Work Certificate (SWC) is required before the applicant can carry out subdivision work in accordance with a development consent. A SWC is a certificate that operates in the same manner as a Construction Certificate (CC) but for subdivision works. It certifies that subdivision work will be completed in accordance with specified plans/specifications and will comply with any requirements in the regulations.

Previous roadworks for the Melrose Park Precinct, under separate consents, had been issued CCs by certifiers. However, the CC requirements for subdivision works ceased to apply after 1 December 2019 unless the development consent was granted before 1 December 2019.

Section 6.1 of the EP&A Act defines “subdivision work” as any physical activity authorised to be carried out in connection with a subdivision under the conditions of a development consent for the subdivision of land.

Examples of works that might be covered by this definition include civil works such as sewerage works, roadworks and earthworks in connection with appropriate conditions of consent.

The SWC provisions in Part 6 of the EP&A Act commence on 1 December 2019. To support this, changes have been made to the Environmental Planning and Assessment Regulation 2000. These changes operationalise the new SWC framework for subdivision works.

This is the same approach that has been taken for the Victoria Rd deceleration lane approval (under DA/316/2021/A). As such all conditions of consent will be structured to read to refer to a ‘Subdivision Works Certificate’ rather than a ‘Construction Certificate’.

### **Traffic monitoring**

The ultimate design as per the TMAP will provide for a level of service E<sup>1</sup> or better for both intersections, accounting for the full future development.

The AIMSUM Traffic Modelling, dated 3 March 2023, shows that the proposed interim design will not be able to support a level of service E for the full traffic demand in 2036 in the morning peak (i.e. will perform at Level of Service F). This is primarily caused by a lack of ‘storage’ for waiting vehicles in the various turn lanes in Wharf Road. However, the interim design provides for a level of service C and D at both intersections in the evening peak at full future development demand.

Overall, the proposed interim design can support 95% of the ultimate demand for the Melrose Park Precinct, an ultimate demand that will not be achieved for many years.

Development of the 8 Wharf Road and EGT sites, and the TfNSW works, are likely to be completed at this time, thus providing the full capacity required by the TMAP.

Council’s Traffic and Transport team have reviewed the proposal as well as relevant excerpts of the traffic modelling and consider that the proposal is acceptable.

The blister adjacent Wykoff Lane reduces traffic storage in Wharf Road. However, it is required to provide the safe operation of the Wykoff Lane / Wharf Road intersection, for both pedestrians and motorists. TfNSW may, during the WAD process, require the blister be reduced in size to accommodate more traffic storage. If they do, it would only improve what Council already consider to be an acceptable interim scenario.

Appropriate conditions will be applied that any works on Council roads outside of the TfNSW scope of works will be subject to approval by the Parramatta Traffic Committee. This will be

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<sup>1</sup> Level A being best, to Level F being worse.

required before the issue of a Subdivision Works Certificate.

### **Bus Routes/Stops**

The proposal will impact the location of the following bus stops:

- Kissing Point Rd at William St (Stop ID: 211529)
- Kissing Point Rd after Victoria Rd (Stop ID: 211512)
- Bartlett Park, Victoria Rd (Stop ID: 211561)
- Victoria Rd opp Bartlett Park (Stop ID: 211562)
- Victoria Rd at Wharf Rd (Stop ID: 211511)
- Wharf Rd, opp Cobham Lane (Stop ID: 211457)
- Wharf Rd after Cobham Lane (Stop ID: 211460) – Located within Ryde LGA

While any temporary or permanent relocation of the bus stops will be subject to approval by TfNSW and the bus operators, the approved plans show indicative locations for the bus stops and that they can be accommodated within the road alignment. Appropriate conditions will be recommended ensuring this.

It is noted that the plans indicate that the Bartlett Park, Victoria Rd (211561) stop will be moved into the existing Putt Putt Park, this cannot be accommodated in this site as this is an operational park that is owned by City of Parramatta and not the applicant. A condition will also be recommended to ensure its removal from the proposed location in any future plans.

Further, the bus stop infrastructure will also be conditioned to all be upgraded to the current Council standards. This includes upgrading stops to include shelters and shorelining given the predicted increased patronage. The cost of this will be borne by the developer.

### **Pedestrians/Cyclists**

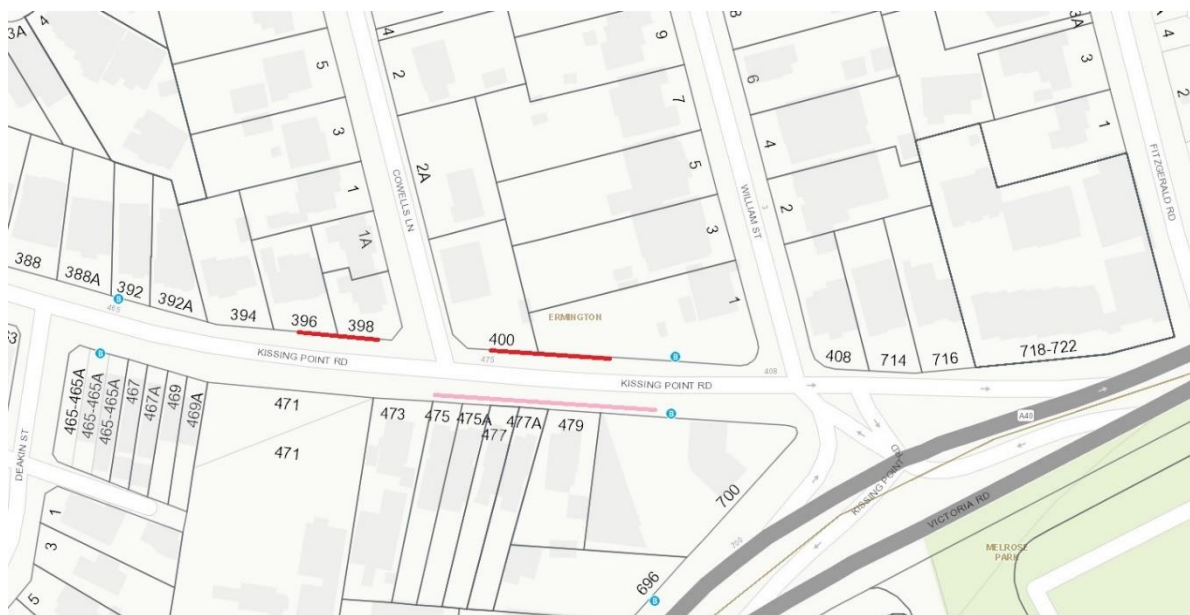
The proposal includes new crossing facilities at Kissing Point Road (where none currently exist), new shared path on the south side of Victoria Road, and allows for future provision of additional crossing legs in the future at both intersections. The interim design could not provide all legs due to the fact that this would reduce the level of service that each intersection could provide under the interim design. This is considered to be acceptable because they have demonstrated that it is possible for these legs to be added in under the ultimate design. Further, it is anticipated that additional bus routes and stops will reduce the need for pedestrians to cross Victoria Road to access Sydney CBD and Parramatta CBD bound services.

### **Street parking**

The plans are indicating an extension to the no stopping zones along Kissing Point Rd which will lead to the removal of some on-street parking.

The no stopping zones are proposed in the following sections:

- Southern Side (removal of 5 spaces, shown as a pink line in Figure 16 below) – This is to allow for the extension of the dual through lanes from the Victoria Rd intersection and merging of northbound lanes.
- Northern side (removal of ~10 spaces, shown as red lines in Figure 16 below)- This is proposed due to the decreased lane width being 5m to accommodate the dual through lanes in the other direction.



**Figure 17 - Map showing proposed extended no stopping zones**

At this stage the proposed extension of the no stopping zones along Kissing Point Road will be subject included in the TfNSW WAD scope of works. If this changes in the future the proposed no stopping zones will be subject to approval by the Parramatta Traffic Committee.

## 12. Site Suitability

Suitable contamination investigations and planning has been provided to demonstrate that the site can be made suitable for the proposed uses subject to remediation works and subsequent validation.

No other natural hazards or site constraints are likely to have a significant adverse impact on the proposed development. Accordingly, the site is considered to be suitable for the proposed development subject to the conditions provided within the recommendation to this report.

## 13. Submissions

The application was notified in accordance with Council's Notification DCP. The notification ran for a 21-day period. It is noted that the notification was carried out to an area wider than required by the Parramatta Notification Procedures due to the large scope of the development and potential for impacts.

2 submissions were received. The public submission issues are summarised and commented on as follows:

Issues Raised	Comment
	<b>Public</b>
Impacts on existing sewerage and drinking water supply	Sydney Water support the application subject to conditions. Any impacts during construction to the existing water and sewerage supply will be managed during construction with the relevant utility supplier. Intermittent impacts during construction cannot be anticipated during DA stage.
	Appropriate Before You Dig conditions have been

	recommended to manage this process.
Impact on existing Victoria Rd traffic	As outlined above, the interim design is considered capable of accommodating existing traffic plus up to 95% of the new traffic anticipated by the planning controls at the level of service recommended by the TMAP. The ultimate design, which is subject to future works by TfNSW and other landowners, will achieve the full level of service required.
<b>City of Ryde</b>	
<b>1. Public Domain</b>	
Deviation from TMAP plans caused by the inability to acquire Lot 11 DP128851. This lot should be compulsorily acquired by TfNSW, and the final works completed at this stage.	<p>This relates to land in Ryde Council area, not subject of this application.</p> <p>The applicant attempted to purchase this property to enable completion of the works, but does not have compulsory acquisition Powers.</p> <p>The inability to acquire this property has been considered under the SVPA, with the developer to provide a monetary contribution to TfNSW up to \$15,606,971 for the acquisition of this land and completion of the works. This means that the entire payment will be made prior to the 5000<sup>th</sup> dwelling being settled.</p> <p>TfNSW, as the road owner, has deemed this to be an adequate approach given the traffic modelling for the interim solution and the eventual development of Melrose Park as has been agreed within the SVPA.</p>
Existing electricity utilities are to be undergrounded	<p>This is proposed under this DA for the existing electricity assets along Victoria Rd within City of Parramatta.</p> <p>The undergrounding of assets within City of Ryde is a matter for their development application.</p>
Footpath and kerb reconstruction on Wharf Rd are to extend to Appleroth St	<p>The footpath is proposed to be reconstructed up to Wykoff Lane (as part of works approved under DA/1157/2016).</p> <p>The frontage of 8 Wharf Road (Wykoff Lane to Appleroth Street) is subject to road widening per the TMAP. As such redevelopment of that site will be required to provide an additional lane and new kerb and footpath.</p>
Details required for bus stop relocation outside 7 Wharf Rd	<p>This bus stop is located within City of Ryde and will be subject to review under their DA.</p> <p>The relocation of all the bus stops and impact on the bus network will be considered wholistically by TfNSW and the relevant bus operators during the WAD phase.</p>
No mill and resheet approach for the pavement of Wharf Rd within Ryde Council	<p>Relevant conditions have been recommended requiring the completion of a Pavement Design Report for all Council roads to be submitted and considered by City of Parramatta.</p> <p>This report will need to demonstrate a uniform road sheeting method for both sides of the road considering both Council's design standards.</p>
Drawings are to show amended kerb	Cobham Lane is located within City of Ryde and any

alignment for the conversion of Cobham Lane to one way	realignment of the kerb will be considered under the City of Ryde DA. A condition of consent will be included clarifying that no works are approved in the City of Ryde.
<b>2. Traffic</b>	
The following variations from the TMAP will lead to the following impacts on Traffic within City of Ryde:	<p>As outlined above, the interim design, including the shorter turn lanes and reduced number of turn lanes, will be able to accommodate up to 95% of the traffic anticipated by the controls.</p> <p>The additional works which the VPA will fund will be undertaken by TfNSW when deemed necessary.</p> <p>The additional works to complete the TMAP plan, will be undertaken by others when those sites are developed.</p> <p>The interim layouts, movements and geometries have been approved via the State VPA and relevant Traffic Control Signal Agreement in Principle (TCS 0192).</p> <p>TfNSW has accepted this design as an interim design based off the relevant traffic modelling which considers the potential for queuing. TfNSW has supported the proposal and these concerns were a matter for consideration by them during the assessment of the VPA. The traffic modelling that supports this design has been provided to Ryde Council since this submission by the applicant.</p> <p>The traffic control signalling will be further finetuned to consider these matters during the completion of the WAD.</p>
- Shorter turning lanes on Wharf Rd is likely to result in longer queues affecting access to adjoining public roads and driveways.	
- There is no longer two dedicated right turn lanes from Wharf Rd. This may cause extensive queuing.	
- Conversion of the westbound Victoria Rd lane into a bus lane. This will cause rat running in Cobham Ave.	
- Right turn movement bans (out of Cobham Lane) will result in inconvenience for residents exiting onto Wharf Road.	
The Shared User Path (SUP) is to link with the existing path within City of Ryde	<p>The SUP will extend to the Wharf Rd intersection and to Wykoff Lane.</p> <p>The extension of the SUP within Ryde Council is a matter for their development application and is not subject to this DA.</p>
Bus lanes are to be a minimum of 3.5m	<p>The bus lanes are designed by TfNSW. The bus lane on the southern side of the road is 2.9m west of the Kissing Point Rd intersection due to the inability to acquire land at 655 Victoria Rd.</p> <p>Lane widths will be provided in accordance with the agreed geometries in the VPA and finalised in the TfNSW WAD detailed design.</p>
The final design will need to be reviewed by the Ryde Local Traffic Committee and submitted to Council formally for approval.	<p>A relevant condition is recommended that any works on City of Parramatta roads beyond the scope of the TfNSW works will require the approval of the Parramatta Traffic Committee.</p> <p>Any works on City of Ryde roads will be subject to approval of their Local Traffic Committee.</p>
<b>3. Strategic Transport</b>	
The design is harsh to pedestrians and active transport users and does not adequately consider their needs.	As outlined above, the proposal is considered to result in a net increase to pedestrian and cycling amenity.

Specifically, it would take up to 5 sets of pedestrian crossings to get from the northern side of Victoria Rd to the southern side and vice versa.	Further, cycle lanterns are proposed within this development and will be conditioned appropriately. Under the NSW Road Rules 2014 bicycle riders are only legally allowed to ride across marked foot crossings (ie signalised crossings) when bicycle crossing lights are installed, this will therefore increase the usability of the shared user path.
The design is not consistent with the stated objectives for Melrose Park as set out in the 2019 TMAP.	The design allows for future introduction of the fourth leg pedestrian crossing at a future time.
The proposed intersection design does not favour pedestrians and can lead to an increase in car reliance.	The provided layouts are in accordance with the executed State VPA and provide a suitable layout for vehicles and pedestrians for this stage of works.
The design is not consistent with Transport for NSW's Order of Road User Space Considerations and should provide single-leg crossings or a high-quality pedestrian bridge from the Payce development site across Victoria Road.	This design is not intended to wholly meet the TMAP objectives and the extra monetary contribution under the VPA for future TfNSW works will increase its pedestrian experience as the precinct expands.
City of Ryde requests a review into how this project aligns with the Allocation Policy and, where it does not, amendments to the design that better reflect the values of the Policy.	
The slip lane from Kissing Point Road into Victoria Road Eastbound should provide a raised pedestrian 'wombat' crossing, or a continuous signalised pedestrian crossing with the Victoria Road crossing.	The design of these intersections, including the crossings, are as per TfNSW design.  The proposed signalised pedestrian crossing will be an on demand service and not require the pedestrian to wait for a long period of time. This will provide greater safety for the pedestrian than a raised wombat crossing.
A high quality DDA-compliant bridge at Melrose Park would partially mitigate the need for improved pedestrian amenity at the two intersections. We suggest the proponent consider creative ways to meet the objectives of the TMAP while delivering on the VPA mandated upgrades.	A bridge is beyond the scope of this application and the SVPA. It is not clear that there is space to locate such a bridge. As outlined above, the proposal results in net improvements to pedestrian amenity.
<b>4. Tree Removal</b>	
The development requires the removal of 29 trees. A tree replanting scheme should be implemented to offset the removal of significant trees. A 2:1 ratio of replanting is suggested to be demonstrated on a landscape plan, showing the indicative location of tree replanting within the precinct.	The Tree removal was considered by Council's Landscaping and Trees team and considered to be acceptable.  There is not any appropriate space within the expanded road corridor for new trees. Transport for NSW does not allow tree planting within road reserves with speeds over 70mk/h within an unsafe distance from a road kerb or that impacts sightlines. The existing residential developments along Victoria Rd in Melrose Park, provide extensive landscaping within their Victoria Road setbacks as was required under approvals DA/1157/2016, DA/295/2020 and DA/1042/2017. The Melrose Park North precinct also plans for extensive tree planting along the proposed streets and parks.

## **14. Public Interest**

Subject to implementation of conditions of consent outlined in the recommendation below, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

## **15. Disclosure of Political Donations and Gifts**

No disclosures of any political donations or gifts have been declared by the applicant or any organisation / persons that have made submissions in respect to the proposed development.

## **16. Developer Contributions**

The City of Parramatta (Outside CBD) Development Contributions Plan 2021 (Amendment 1) applies to this site. This plan calculates a contribution given the anticipated increase in demand to local infrastructure which is calculated off an increase in residential units or gross floor area. As this development does not propose any increase in residential units or GFA, no council contribution is required to be paid under section 7.11.

The NSW Housing Productivity Contribution commenced on 1 October 2023. This contribution is calculated based off an increase in residential or commercial floor space. This development application does not propose an increase in either.

## **17. Summary and Conclusion**

The application has been assessed against section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

Having regard to the assessment of the proposal from a merit perspective, Council officers are satisfied that the development is of an appropriate design and provides for acceptable levels of road network performance as an interim design.

It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Further, the development will be further refined during detailed WAD phase by TfNSW. Any impacts on Council roads beyond the WAD works will be further considered prior to works commencing, as per the relevant conditions of consent.

The proposal is considered to adequately respond to the site constraints subject to conditions of consent.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 and approval is recommended subject to conditions.

## 18. Recommendation

- A. **That** the Sydney Central City Planning Panel as the consent authority grant **Consent** to Development Application No. DA/47/2024 for construction of the signalisation/reconfiguration of Kissing Point Road/Bundil Blvd and Victoria Road intersection, reconfiguration of Marsden Road/Wharf Road and Victoria Road intersection, widening/reconfiguration of Victoria Road, and widening/reconfiguration of Wharf Road and Torrens Subdivision (to dedicate roads) at Lot 4 - 7 DP 1248652 Victoria Road, Melrose Park and 700 Victoria Rd, Ermington for a period of five (5) years from the date on the Notice of Determination subject to the conditions under Appendix 1.
- B. **That** submitters be notified of the decision.