

Report to Sydney Central City Planning Panel

Panel Reference	PPSSCC-557
DA Number	DA/296/2024
LGA	City of Parramatta Council
Proposed Development	Construction of two separate apartment buildings up to 23 storeys containing 468 apartments and sharing three levels of basement parking with 584 parking, spaces, earthworks, landscaping, and public domain works.
Street Address	84 Wharf Road, MELROSE PARK NSW (Lot 1 DP1303954)
Applicant	Sekisui House Australia
Owner	SH Melrose PP Land Pty Ltd
Date of DA lodgement	13 March 2024
Number of Submissions	4
Recommendation	Approval
Regional Development Criteria	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.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • Environmental Planning and Assessment Regulation 2021 • SEPP (Resilience and Hazards) 2021 • SEPP (Transport and Infrastructure) 2021 • SEPP (Planning Systems) 2021 • SEPP (Biodiversity and Conservation) 2021 • SEPP (Industry and Employment) 2021 • SEPP (Housing) 2021 • Parramatta Local Environmental Plan 2023 • Parramatta Development Control Plan 2023 • Council Voluntary Planning Agreement • State Voluntary Planning Agreement
List all documents submitted with this report for the Panel's consideration	Attachment 1 – Conditions of Consent Attachment 2 – Architectural Plans Attachment 3 – Internal Architectural Plans Attachment 4 – Landscaping Plans Attachment 5 – DEAP Advisory Notes
Clause 4.6 requests	N/A
Report prepared by	Paul Sartor Senior Development Assessment Officer
Report date	3rd April 2025

Summary of Sec 4.15 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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e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

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?	Yes
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Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (Sec 7.24)?	No
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Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment?	Yes
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Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

1. Executive Summary

The subject development application was lodged on the 29 May 2024 and is seeking approval for two separate apartment buildings up to 23 storeys containing 468 apartments and sharing three levels of basement parking with 584 parking spaces.

The site is located within the Melrose Park North Urban Renewal Precinct which is a master planned development precinct that is currently seeing redevelopment from industrial uses to a high density residential neighbourhood. The proposal is located on what is identified as 'Lot A' under the Melrose Park DCP and follows the height, density and setbacks that are prescribed under this DCP.

The development on Lot F will provide a range of housing stock close to the future Central Park and will provide an appropriately located publicly accessible north south through site link.

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant State and local planning controls. On balance, the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework. Accordingly, consent is recommended subject to conditions.

2. Site Description, Location and Context

2.1 Site

The development site known as Lot A is located within Lot 1 DP 1303954 known as 84 Wharf Rd, Melrose Park. The entire lot is 10.69 hectares in size with this specific development lot (lot A) being 8,466sq.m. The site is currently cleared and falls approximately 4.5m from north to south with a gradient of approximately 6.6%. The site also has a west to east crossfall of 5.7m with a gradient of approximately 4.5%.

The subject site is also mapped as being part of a heritage item (I290) under the Parramatta LEP 2023, see figure 2. This item is described as Landscaping, including millstones at Reckitt. This previous industrial landscaping has since been cleared under DA/1100/2021.

The Parramatta Light Rail stage 2 is currently planned to have a stop at Melrose Park along Hope St in front of the approved Town Centre development.

Lot A is bound by the future extension of Bundil Blvd approved under DA/1100/2021 to the west which will be the key north south connection within the Melrose Park precinct. To the east (Lemon Tree Ave) and south (Unnamed Road) of the site new local roads have been approved under DA/1100/2021 but have not yet been constructed. Appleroth St already exists to the north of the development site and is currently open to the public.

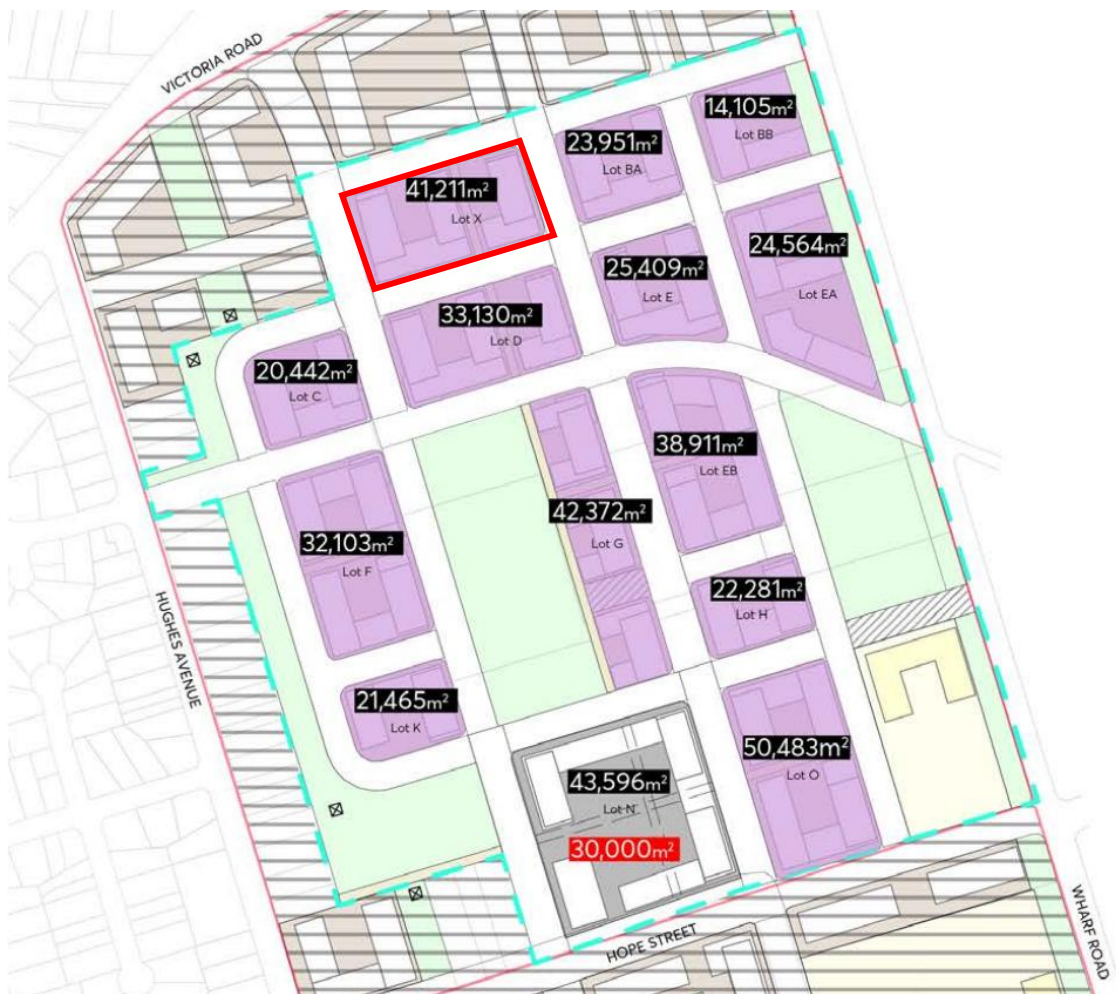


Figure 1 – Melrose Park Precinct Map with subject site outlined in red, with DCP prescribed FSR's



Figure 2 - Marked up aerial map, subject site highlighted in yellow (Nearmap, Jan 2025)



Figure 3 – Approximate view of subject site looking south from Appleroth St



Figure 4 - Stage 4 of Victoria Rd development site, under construction in June 2024, which is to the north of the proposed development site

2.2 Site History

The site was predominantly used for farming and rural residential uses until the mid-20th century when it was developed for light industrial / warehouse uses.

The site has been largely cleared from all previous industrial buildings, see aerial map in figure 2, with early works commencing under DA/1100/2021 for roads and earthworks. Lot A specifically was used as at grade carpark until 2019.

The following recent development applications have been lodged within the Melrose Park North Precinct:

DA Number	DA description	Status
DA/1100/2021	Melrose Park North street network (roads, footways, street trees, landscaping, drainage, services, and associated infrastructure); including tree removal, remediation and bulk earthworks; and Torrens subdivision. The application was determined by the Sydney Central City Planning Panel.	Approved 13/12/2023
DA/764/2022	Mixed-use 'town centre' development comprising 5 storey commercial podium and 6 x 6-24 storey shop-top housing towers, consisting of approximately 30,000sqm non-residential floor space (retail, business, office, medical centre, centre-based child care centre, and an indoor recreation facility), 494 residential apartments, 1,412 commercial and residential car parking spaces; 2 basement levels; business identification signage zones; to be constructed in 2 stages; 6 lot stratum subdivision, strata subdivision; and public domain works. The application is to be determined by the Sydney Central City Planning Panel.	Approved 13/12/2023
DA/156/2024	Construction of a 6-10 storey residential flat building (south side of site) and a 6-10 storey residential flat building (north side of site) containing 368 residential units, 3 basement levels providing 501 car parking spaces, earthworks, landscaping, and public domain works. The application is to be determined by the Sydney Central City Planning Panel.	Approved 12/12/2024
DA/358/2024	Melrose Park North 'Central Park' Recreation Area, including earthworks, landscaping, amenities building, pathways, recreation equipment, drainage, seating, shelters, and lighting.	Approved 18/12/2024
DA/460/2024	Melrose Park North 'Western Parklands' Recreation Areas including	Approved

	earthworks, landscaping, pathways, recreation equipment, drainage, seating, shelters and lighting.	19/12/2024
DA/459/2024	Melrose Park North 'Playing Field' and 'Wharf Road Gardens' Recreation Areas and recreation area within approved 'Wetlands', including earthworks, landscaping, amenities building, pathways, recreation equipment, drainage, seating, shelters and lighting.	Approved 20/12/2024

2.3 Statutory Context

Melrose Park North

The site is part of 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 (Council Ref: RZ/1/2016), known as Melrose Park North, resulted in revised LEP zoning, height and FSR controls as well as a new DCP, which contains the following masterplan for the site:



Figure 5 - Parramatta DCP Masterplan for Melrose Park North (subject site in red)

A Transport Management and Accessibility Plan (TMAP) was developed as part of the Planning Proposal. The TMAP outlines upgrades to road infrastructure in the vicinity of the site that will be necessary as the number of new dwellings passes certain trigger points in order to ensure the new development is appropriately supported and will have no significant impacts on the wider road network.

3. The Proposal

The proposal seeks consent for the construction of a residential flat building containing three distinct tower forms above a 6 storey podium, in alignment with the Melrose Park Masterplan.

The proposed tower massing is as follows:

- Tower A (western tower): 23 storeys.
- Tower B (central tower): 8 storeys.
- Tower C (eastern tower): 22 storeys.

The development will contain a total of 468 units, comprising of;

- 111 x 1-bedroom units (24%)
- 308 x 2-bedroom units (67%)
- 49 x 3-bedroom units (10%)

The application also proposes three full levels of basement carparking over the entire site and one partial basement level with a total of 586 parking spaces. The application also proposes a north south through site link and two courtyards.



Figure 6 - 3D montage of proposed development, looking north west

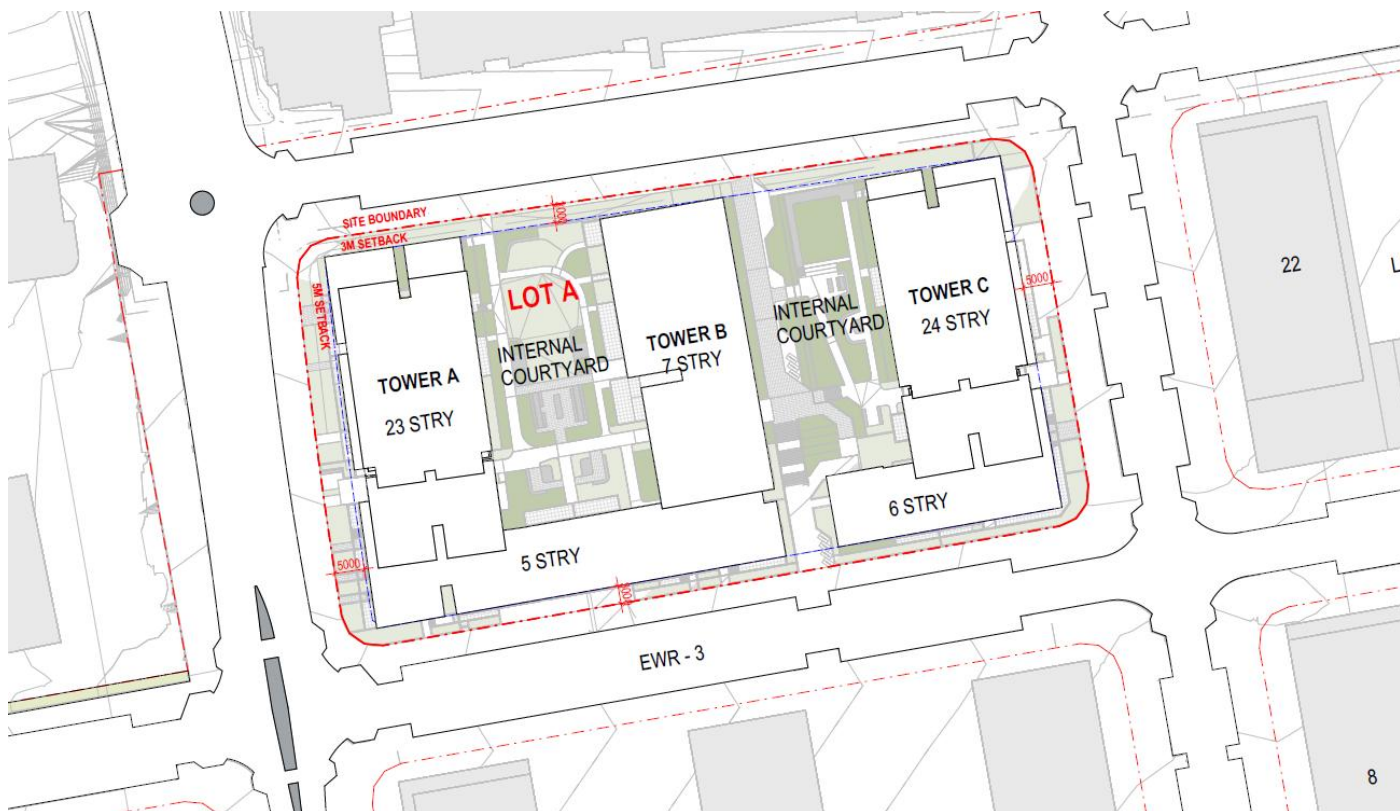


Figure 7 - Proposed site plan and indicative building form

4. Referrals

The following referrals were undertaken during the assessment process:

4.1 Design Review Panel

Parramatta's Design Review Panel reviewed the application on 11 July 2024. The applicant proactively responded to the Panel's recommendations and had multiple discussions with Council's internal Urban Design to resolve as many of these issues as possible. Council staff are satisfied that that following key concerns have been resolved:

- The L5 suspended bridge is not supported – This has been removed.
- The ground floor and open courtyards need to better respond to the slope of the land – The ground floor has been stepped further to reduce the height of retaining walls.

4.2 External

Authority	Comment
Transport for NSW	Supported the development in accordance with S2.122 State Environmental Planning Policy (Transport and Infrastructure) 2021, traffic generating development.
Endeavour Energy	Acceptable, subject to conditions.
Sydney Water	Acceptable, subject to conditions. Sydney Water confirmed that they do not comment on water reuse proposals including the proposed reuse of the groundwater for toilet flushing.
Quantity Surveyor	While the market rate of the EDC was higher as per EDC guidelines the applicant was able to adequately demonstrate that the costs were a fair and reasonable representation of the actual development costs anticipated.

Wind Consultant	Supported the provided pedestrian wind study. The study was supported by a wind tunnel test that was based off the complete redevelopment of the precinct.
Environmentally Sustainable Design Consultant	Supported, subject to conditions. Minor concerns were raised regarding the solar compliance given the external building façade, however, this is considered to have a negligible impact on the overall solar compliance.

4.3 Internal

Authority	Comment
Development Catchment Engineer	Has reviewed the provided flood study and is satisfied that the ground floor levels comply with the precinct wide 1% AEP flood levels plus freeboard as agreed by the developer and Council. The internal OSD and stormwater system is also considered to be acceptable subject to conditions and comply with Councils DCP standards.
Tree & Landscape Officer	Accept the proposed internal courtyard planting plan and tree selection as well as the rooftop planting plan.
Traffic and Transport	Have reviewed the proposed vehicular access and parking layout and are satisfied that the design and parking quantum is acceptable to Councils DCP and the Australian Standards subject to conditions.
Environmental Health – Contamination	Are satisfied that the contamination remediation and validation are addressed under DA/1100/2021 for the early works and road construction. A standard condition requiring a site audit statement has been recommended.
Waste management	Are satisfied that the development can be adequately serviced by Council waste vehicles within the site. Standard conditions are recommended for the registration of an access easement and a waste bin lock box prior to OC.
Public Domain	Acceptable, subject to conditions.
Accessibility	Acceptable, subject to conditions.
Heritage advisor	Acceptable, subject to conditions.
Urban Design	Were supportive of the design amendments made post lodgement to lower the ground floor to the street interface. Minor design changes have been conditioned to be completed prior to the issue of a Construction Certificate.

5. Environmental Planning and Assessment Act 1979

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

5.1 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.

5.2 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.

5.3 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:

Provision	Comment
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)(iiia) – Planning Agreement	Refer to section 9
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

Table 2: Section 4.15(1)(a) considerations

6. Environmental Planning Instruments

6.1 Overview

The instruments applicable to this application comprise:

- SEPP (Transport and Infrastructure) 2021
- SEPP (Planning Systems) 2021
- SEPP (Biodiversity and Conservation) 2021
- SEPP (Resilience and Hazards) 2021
- SEPP (Sustainable Building) 2023
- SEPP (Housing) 2021
- Parramatta Local Environmental Plan 2023

Compliance with these instruments is addressed below.

6.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

The proposal meets the following triggers which constitute ‘traffic generating development’ (per Schedule 3 of the SEPP):

- 200 or more car parking spaces
- >300 dwellings

As such, the proposal was referred to TfNSW, who provided their support.

6.3 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.

6.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 of this Policy, which applies to the whole of the Parramatta local government area, controls clearing of vegetation in non-rural areas. The proposal includes no tree removal.

Chapter 10 of this Policy, which applies to the whole of the Parramatta local government area, aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole. The nature of this project and the location of the site are such that there are no specific controls which directly apply, with the exception of the objective of improved water quality. The proposal includes water treatment devices for stormwater.

6.5 State Environmental Planning Policy (Resilience and Hazards) 2021

As outlined in the site history section, the site was used for agricultural and rural residential uses until the mid-20th century when it was converted to light industrial uses.

Site testing and remediation of the site has been addressed via DA/1100/2021 which approved the delivery of precinct infrastructure and earthworks. It is to be noted that remediation, validation and submission of a site audit statement has been agreed as part of the consent DA/1100/2021.

Council's Environmental Health team reviewed the application and consider the site and the existing approvals suitable for the proposed uses.

6.6 State Environmental Planning Policy (Sustainable Buildings) 2023

The application is accompanied by a BASIX certificate that lists sustainability commitments by the applicant as to the manner in which the development will be carried out. The requirements outlined in the BASIX certificate have been satisfied in the design of the proposal. Nonetheless, a condition will be imposed to ensure such commitments are fulfilled during the construction of the development.

6.7 State Environmental Planning Policy (Housing) 2021

The former SEPP 65 controls have been rolled into chapter 4 of the SEPP Housing 2021. These controls apply to the development as the proposal is for a new building that is more than 3 storeys in height and would have more than 4 units. SEPP 65 requires that residential flat buildings satisfactorily address 9 design quality principles, be reviewed by a Design Review Panel, and consider the recommendations in the Apartment Design Guide.

Design Quality Principles

A design statement addressing the quality principles prescribed by SEPP 65 was prepared by the project architect and submitted with the application. The proposal is considered to be consistent with the design principles for the reasons outlined below:

Requirement	Council Officer Comments
Principle 1: Context and Neighbourhood Character	<p>The area is currently surrounded by former industrial land and an emerging high density residential zone. This site is zoned R4 High Density Residential and its planning controls are underpinned by the precincts structure plan. The proposal is consistent with this desired future character of this area.</p> <p>The buildings have been reviewed by Council's Design Excellence Advisory Panel and have been generally found to be acceptable given the constraints. As such, the proposal is well considered within the Melrose Park North Precinct controls. The site will also provide adequate context to the existing 8 storey buildings to the north of the site.</p> <p>The proposal provides for high quality landscape treatments that would provide for an upgrade to the neighbourhood character.</p>
Principle 2: Built Form and Scale	<p>The built form is consistent with the built form anticipated by the DCP.</p> <p>The buildings are considered to be sufficiently modulated to add visual interest and reduce apparent bulk. The podium is well integrated in the planned street structure of the precinct and the towers are setback and adequately designed. As required by the DCP there is careful definition of the spaces between the buildings, and preservation of all views to the sky and discrete modulation of the buildings to ensure variety and interest in the public domain and amenity in the apartments.</p>
Principle 3: Density	<p>The density of the proposal is consistent with the floor space distribution anticipated under the DCP GFA Allocation map.</p> <p>This density is adequately spread through the site as required by the DCP masterplan for this block.</p> <p>The associated infrastructure DA and VPAs applicable to the site set out appropriate supporting infrastructure for the proposal, including roads and open space.</p>
Principle 4: Sustainability	<p>The proposal meets the relevant BASIX requirements as well as the sustainability requirements under the Melrose Park DCP.</p> <p>The proposal also includes photovoltaics at roof level.</p> <p>The application was referred to an ESD consultant who was satisfied with the application, subject to the imposition of conditions of consent.</p>
Principle 5: Landscape	<p>This development proposed is consistent with the objectives of the Parramatta DCP and provides on-structure planting and setback planting to create an appropriate landscape setting.</p>

Requirement	Council Officer Comments
Principle 6: Amenity	Generally, the proposal is considered to be satisfactory in this regard, optimising internal amenity through appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, outlook, efficient layouts and service areas.
Principal 7: Safety	<p>The proposal is considered to provide appropriate safety for occupants and the public for the following reasons:</p> <ul style="list-style-type: none"> • The proposal provides additional passive surveillance to the surrounding street network and internal public courtyards and connections • The development provides open space that is only accessible by residents and their guests. • The vehicular entries have security gates. • The entry lobbies will provide appropriate access. • Landscaping and access gates is used to demarcate public and private spaces.
Principal 8: Housing Diversity and Social Interaction	<p>The proposal provides additional housing choice in close proximity to future and existing public transport.</p> <p>The proposal provides adaptable and liveable accommodation in a variety of sizes.</p> <p>The large podium-top communal open space would provide for social interaction, including a communal multi-purpose space.</p>
Principle 9: Aesthetics	The proposed development is considered to be appropriate in terms of the composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the resultant building. The proposed building is considered to aesthetically respond to the environment and context, contributing in an appropriate manner to the desired future character of the area.

Design Review Panels

The proposal was referred to Council's Design Excellence Advisory Panel. See Attachment 2 for their full comments, which have been summarised above.

Apartment Design Guide

The relevant provisions of the ADG are considered within the following assessment table:

Standard	Requirement	Proposal	Compliance
Part 3			
3B-1: Orientation	The preferred location and orientation of towers is set out in the Melrose Park North DCP. The layouts were developed to maximise sunlight protection in the entire precinct whilst minimising wind and noise impacts. The proposal is generally consistent with these controls. The proposed buildings provides a north south through site connections and reinforces a high-density urban streetscape. A variety of communal and public open spaces at street and podium level receive solar access in mid-winter at different times of the day between 9am and 3pm.		
3B-2: Overshadowing	The developments heights and setbacks are generally consistent with the Melrose Park North DCP, which has identified where the towers are to be located and orientated to ensure the overshadowing impacts on the adjoining buildings and the future open spaces will be minimised. The proposal will primarily overshadow the future development site to the south and part of the future Central Park. The applicant has provided an overshadowing diagram which shows the future development of the precinct as envisaged by the DCP. Given the proposed density for this area the proposal is designed to reduce overshadowing as much as possible.		
3C: Public Domain Interface	<p>The building would contribute positively to the Melrose Park interface by providing significant landscaping along the street. Required streets and footpaths have been approved under DA/1100/2021. Under this DA the public domain materials are in keeping with the requirements of Parramatta's Public Domain Guidelines.</p> <p>The proposed courtyards are provided at levels that are compliant with the overland flow flood levels in the Melrose Park Precinct. This has been considered by the DEAP panel in their review and considered to be satisfactory considering the site constraints.</p>		
3D: Communal & Public Open Space	Min. 25% of site area (2117m ²)	31% (2643m ²) of residential communal open space in the communal courtyards and podium rooftop open space	Yes
	Min. 50% direct sunlight to main communal open space for minimum two (2) hours 9:00am & 3:00pm, June 21 st	~55% will receive 2 hours of sunlight in midwinter	Yes
	The landscape plan outlines details for a pool, communal facilities, seating nooks and arbours, open grass areas and a variety of soft and hard landscaping which is considered to provide good amenity for future occupants.		
3E: Deep Soil	Min. 7% with min. dimensions of 6m (593m ²)	No deep soil has a minimum dimension of 6m. Proposed deep soil is located within side setbacks which have a minimum dimension of 5m and 3m. 1266m ² or 15% is provided in this space.	No, but acceptable given the minimum width of 5m and the overall provision of 15%.
	<p>The proposed deep soil is not consistent with the ADG minimum dimensions.</p> <p>However, the non-compliance is considered to be acceptable for the following reasons:</p> <ul style="list-style-type: none"> The podium level provides non-residential uses at ground floor level and above. Alternative forms of on structure planting has been provided. The proposed development is for a dense urban town centre where deep soil zones are not necessarily appropriate. The Melrose Park North precinct envisages deep soil across the entire precinct in parklands and natural spaces. 		

Standard	Requirement			Proposal	Compliance
3F: Visual Privacy	Height (storeys)	Hab	Non-Hab	The proposed towers are consistent with the Melrose Park Masterplan and provides 24m setbacks between the towers. This also complies with the ADG requirements. A setback of ~25m is provided to the 8 storey RFB that is under construction to the north.	Yes
	<4	6m	3m		
	5-8	9m	4.5m		
	>9	12m	6m		
	The proposal generally complies with the appropriate building separation distances to facilitate visual privacy between apartments.				
	Privacy glazing, screening and high level windows have been provided where living spaces are opposite others within the cut outs of the buildings.				
3G: Pedestrian Access and Entries	The proposal includes clearly demarcated, easily identifiable pedestrian entrances.				
	Each tower has a street entrance or through site link entrance which is provided at grade where possible. The entrances for tower A and C are located above the flood planning level.				
3H: Vehicle Access	The vehicle entrance point is located on the southern elevation. This location has been reviewed and accepted by Councils Traffic and Transport team.				
3J: Bicycle and car parking	The site will have a future light rail stop to the south, however the DCP control for Melrose Park has a maximum parking rate which prevails.			See DCP car parking assessment.	N/A
	Car share required			To be conditioned.	Yes
	Bicycle storage assessment is located in the DCP section below.			See DCP bicycle parking assessment.	N/A

Part 4			
4A: Daylight / Solar Access	At least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter	326 out of 468 apartments (70%) receive 2 hours to balcony <i>and</i> internal between 9am and 3:30pm. The additional half an hour is accepted due to the dense nature of the Melrose Park North Precinct.	Yes
	Max 15% apartments receiving no direct sunlight 9am & 3pm mid-winter (<70)	66 out of 468 apartments (14%)	Yes
4B: Natural Ventilation	Min. 60% of apartments below 9 storeys naturally ventilated (>149)	117 out of 245 apartments (49%)	Yes
	This variation is considered acceptable given the long building form required for the first 9 levels of the building. The application originally proposed plenums to achieve compliance, however, given concerns for long running maintenance costs for future residents this has been removed at Councils request and replaced with Clerestory windows to breezeways where appropriate.		
4C: Ceiling heights	Min. 2.7m habitable	3.15m floor to floor, 3.0m ceiling height	Yes
	Min 2.4m non-habitable	3.1m for basements	Yes
	Min 3.3m for mixed use	N/A	
4D: Apartment size & layout	Studio - 35m ² 1B – Min 50m ² 2B – Min 75m ² (2 baths) 3B – Min 95m ² (2 baths)	Studio – 42m ² 1B–min 50m ² 2B–min 75m ² 3B–min 103m ²	Yes Yes Yes Yes
	All rooms to have a window in an external wall with a total minimum glass area not less than 10% of the floor area of the room.	Complies	Yes
	Habitable room depths max. 2.5 x ceiling height (7.5m)	Complies	Yes
	Max. habitable room depth from window for open plan layouts: 8m.	>8m	Yes
	Min. internal areas: Master Bed - 10m ²	Complies	Yes
	Other Bed - 9m ²	Complies	Yes
	Min. 3m dimension for bedrooms	>9m ²	Yes
	Min. width living/dining: • 1B and studio – 3.6m • 2B – 4m • 3B – 4m	>3.6m >3.8m >4m	Yes No (minor) Yes
	The dimensional non-compliances relate only to a small percentage of units. The non-compliances are considered to be minor and do not unacceptably compromise the amenity of future occupants.		

4E: Private open space & balconies	Min. area/depth: Studio – 4m ² /- 1B - 8m ² /2m 2B - 10m ² /2m 3B - 12m ² /2.4m Courtyard – 15m ² /3m	Complies Complies Complies Complies Complies	Yes Yes Yes Yes Yes
	Principle private open spaces are provided off living rooms with secondary access from bedrooms where possible	Compliant	Yes
	Max. apartments –off circulation core on single level: 8-12	Up to 12	Yes
4F: Common circulation & spaces	For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	All buildings have 2 or 3 lifts. The lift per apartment ratio is high for towers A and C. A lift report has been provided to ensure the level of service is high despite this which is acceptable. Levels 6 and 7 of tower B has one lift only, however, this is to 4 apartments only.	Yes
	Corridors >12m length from lift core to be articulated.	Most corridors are straight in the tower. The corridors in the podium are articulated.	No, but acceptable given the masterplan controls for the tower form
	The corridors are also provided with extra width and natural light and ventilation.	Each core has at least one natural light source and ventilation where possible.	Yes
4G: Storage	Min. 50% required in units	Storage provided in apartments and there is space for carpark storage provided. A condition of consent will be imposed to ensure the adequate quantum of storage is maintained.	Yes
4H: Acoustic Privacy	The proposal has generally been designed so that like-use areas of the apartments are grouped to avoid acoustic disturbance where possible. Noisier areas such as kitchens and laundries are designed to be located away from bedrooms where possible.		
4J: Noise and pollution	Apartments are setback from podium edges. Loading and waste collection is provided internally to minimise noise. Plant areas have been located away from apartments or treated where appropriate.		
4K: Apartment Mix	The proposed units vary in size, amenity, orientation and outlook to provide a mix of options for future residents. A variety of apartments sizes are provided across all levels of the apartment building as per the Melrose Park DCP unit mix requirements.		
4M: Facades	There are a number of façade treatments, to distinguish different uses and respond to the environment. Materials have been selected in response to the local context brick, steel and off-form concrete are used within the development to relate to the existing character of the area. The materials also assist to delineate between the tower and podium levels. The façades are integrated with landscaping to provide a green and appropriate amenity development.		
4N: Roof design	Solar PV panel arrays are proposed for the roof of the towers. Roof design maximises solar access to apartments during winter and provides shade during summer.		
4O: Landscape Design	The application includes a landscape plan, which demonstrates that the proposed development will be adequately landscaped. The proposal includes green roofs and extensive podium landscaping providing high quality communal open spaces for future residents.		

4P: <i>Planting on structures</i>	The landscape drawings outline that planting on structures would have adequate soil depth to accommodate good quality planting.		
4Q: <i>Universal Design</i>	Universal design features are included in apartment design to promote flexible housing for all community members. Developments achieve a benchmark of 20% of the total apartments incorporating the Liveable Housing Guideline's silver level universal design features.	The development achieves 20% of the total apartments incorporating the Liveable Housing Guideline's silver level universal design features.	Yes
4S: <i>Mixed Use</i>	N/A		
4T: <i>Awnings and Signage</i>	The Melrose Park DCP only requires awnings for activated retail frontages. No signage is proposed.		
4U: <i>Energy Efficiency</i>	The BASIX Certificate demonstrates the development meets the pass mark for energy efficiency (Project Score of 66)		
4V: <i>Water management</i>	The BASIX Certificate demonstrates that the development exceeds the pass mark for water conservation (Project score of 55)		
4W: <i>Waste management</i>	All units are provided with sufficient areas to store waste/recyclables internally before disposal. Waste chutes, with associated collection rooms in the basement, are provided in each building core. From there waste will be transported to the main waste storage room adjacent the service bay. Recycling bins will be located on each floor, adjacent each waste chute. From there recycling will be transport to the main waste storage room adjacent the service bay. Waste will be collected off-street from the servicing area. Appropriate conditions are included to ensure smooth maintenance and operations of the waste management system. A waste management plan has been prepared by a qualified consultant, demonstrating compliance with Council's waste controls.		
4X: <i>Building maintenance</i>	The proposed materials are considered to be sufficiently robust, minimising the use of render and other easily stained materials.		

6.8 Parramatta Local Environmental Plan 2023

Development standard	Proposal	Compliance
2.3 Zoning R4 – High Density Residential	Residential flat buildings are permitted with consent in this zone.	Yes
Zone Objectives	<p>The proposal is consistent with the objectives of the R4 High Density zone as follows:</p> <ul style="list-style-type: none"> To provide for the housing needs of the community within a high density residential environment. To provide a variety of housing types within a high density residential environment. To enable other land uses that provide facilities or services to meet the day to day needs of residents. To provide for high density residential development close to open space, major transport nodes, services and employment opportunities. To provide opportunities for people to carry out a reasonable range of activities from their homes if the activities will not adversely affect the amenity of the neighbourhood. 	Yes

Development standard	Proposal	Compliance
4.1 Minimum Subdivision Lot Size No minimum specified for site	N/A	N/A
4.3 Height of Buildings 80m	80m proposed for tower A, this height has been confirmed as compliant within a 3D height plane.	Yes
4.4 Floor Space Ratio 1.85:1	Site A is permitted a maximum GFA of 41,211m ² in the Melrose Park North Site Specific DCP. This application proposes a total GFA of 41,211m ² , which complies with the DCP control for its allocated GFA for this development lot. The GFA for Lot 1 DP 1303954 when included with the approved but not yet constructed Lot F development 73,274sq.m, which is a FSR of 0:68:1 which is compliant with the LEP.	Yes
4.6 Exceptions to Development Standards	N/A	Yes
5.10 Heritage conservation	The site is identified as containing a local heritage item 'I290 - Landscaping, including millstones at Reckitt' Much of this landscaping has been removed by the approved infrastructure DA (DA/1100/2021). The application has been considered by Councils Heritage Officer and given the changing nature of the Melrose Park Precinct from industrial to high density residential the development is considered to be aligned with the emerging future character of the area.	Yes
5.21 Flood Planning	The site is not directly affected by fluvial flooding but is subject to overland flow. The applicant has undertaken overland flow analysis and has designed the proposed floor levels to be at or above the adopted flood planning level. As such the proposal is considered to adequately respond to the risk. The flood risk analysis has considered the 2024 City of Parramatta Flood levels and the agreed modelling under the infrastructure DA (DA/1100/2021).	Yes
6.1 Acid Sulfate Soils	The subject site is identified as being affected by Class 5 Acid Sulphate Soils under Parramatta Local Environmental Plan 2023. The proposal is not located within 500m of adjacent Class 1, 2, 3 or 4 Acid Sulphate Soils and the proposal will not have any adverse impact on site or on its surrounds.	N/A
6.2 Earthworks	The subject site has a crossfall of 9.5m in a south west direction. This lot is the northern most within the Melrose Park North Precinct and will provide the pedestrian connection from the existing Appleroth St to a future EWR-3 to the south and onwards to the Town Centre. The application proposes up to 14.3m for the four levels of basements at the deepest point (including the LG level of parking). The applicant has demonstrated that the proposal would have an acceptable impact on drainage patterns.	Yes

Development standard	Proposal	Compliance
	<p>The potential for disturbing archaeology relics is covered by the recommended condition of consent for unexpected finds during excavation.</p> <p>The proposal includes the relevant sediment controls plans. Further sediment control conditions are included in the draft consent.</p>	
9.2 GFA for Residential and Non-Residential Purposes Residential GFA all Area 1 buildings <434,023sqm	Area 1 total residential GFA total after development: 116,892sqm	Yes
9.4 Design Excellence	<p>The proposal was referral to Council's Design Excellence Advisory Panel. See Attachment 2 for their comments.</p> <p>In that regard, the proposal satisfies the requirements of this clause.</p>	Yes
9.5 Concurrence Concurrence of Planning Secretary required	<p>Concurrence is not required as there are not more than 11,000 dwellings proposed in the Melrose Park Precinct.</p> <p>This development will result in 1330 total dwellings approved across the entire North Precinct.</p>	Yes

7. Development Control Plans

7.1 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		
2.6 Fences	Low open style fences are proposed above the retaining walls on the property boundary. This is consistent with the other consents in Melrose Park North.	Yes
2.7 Open Space and landscape	As outlined above, the proposal is considered to provide sufficient landscaping as per the site-specific controls for the Melrose Park North Precinct.	Yes
2.8 Views and Vistas	A significant district view from Victoria Road, over the site, is identified in the DCP. This view is protected, in part, by the provision of north-south roads throughout the wider concept site.	Yes
2.9 Public Domain	The proposed public domain interface for the development has been reviewed by Council's Public Domain Officer, who raised no objections subject to the imposition of conditions of consent. The levels of the building will align with the street levels approved under DA/1100/2021.	Yes
2.10 Accessibility and Connectivity	The proposed through site link is integrated with the surrounding street network and is designed to meet the levels and align with future extensions of the link.	Yes
2.11 Access for people with a disability	The development has been submitted with an access report which has been reviewed by Council's Accessibility Advisor and considered to be satisfactory. Suitable access is provided to the building as per the Disability Discrimination Act 1992 (DDA), the relevant Australian Standards and the Building Code of Australia (BCA)	Yes
2.13 Culture and Public Art	Public art will be provided across the entire precinct within the future open spaces. Therefore, a separate arts plan is not required for this DA.	Yes
2.14 Safety and Security	The proposal would provide passive surveillance of the public domain	Yes

Development Control	Proposal	Comply
	<p>including the through site link and courtyards.</p> <p>Mailboxes are located within access-restricted lobbies which will reduce theft.</p> <p>Residential storage is located in secure access controlled rooms within car park.</p>	
2.15 Signage	No signage proposed	Yes
Part 3 – Residential Development		
3.1 Housing diversity and choice		
3.1.2 Dwelling Mix	Dwelling Mix is assessed in 8.2.6.2.16	
3.1.3 Accessible and Adaptable Housing	Relevant condition will be applied to ensure that a minimum of 15% of the total dwellings are adaptable as per Class C adaptability under Australian Standard 4299 - Adaptable Housing.	
3.5 Apartment buildings	These development controls are dictated as per the Melrose Park section of the DCP.	
Part 5 – Environmental Management		
5.1 Water Management		
5.1.1 Flooding	See LEP assessment above.	
5.1.2 Water Sensitive Urban Design	See Melrose Park specific controls below.	
5.1.3 Stormwater management	See SEPP assessment above.	
5.14 On site detention management	OSD tanks have been provided which has been reviewed by Councils Catchment Management team. The ongoing maintenance of this has been conditioned as a positive covenant.	
5.15 Groundwater	The development proposal seeks to collect the groundwater from the basement levels and implement an assessment and treatment plan for reuse for landscaping and toilet flushing. This is considered to be acceptable in this case given the anticipated amount of ground water and the demand from both toilet and landscaping requirements.	
5.2 Hazard and Pollution Management		
5.2.1 Control of soil erosion and sedimentation	The erosion and sediment control plan submitted with the application is considered to be appropriate.	
5.2.2 Acid sulfate soils	See LEP assessment above.	
5.2.4 Earthworks and development on sloping land	The ground floor responds to the slope of the site within the context of the overland flow flood impacts.	
5.2.5 Land Contamination	See LEP assessment above.	
5.3 Protection of the natural environment		
5.3.1 Biodiversity	The proposal does not include the removal of any trees. However, the site was cleared of all substantive vegetation in July/August 2017.	

Development Control	Proposal	Comply
	Street trees have been approved on all roads surrounding this block under DA/1100/2021. Significant planting is also proposed under this DA within the deep soil zones surrounding the building and within the internal courtyards. Minor planting is provided within the rooftop terraces.	
5.4 Environmental performance		
5.4.1 Energy Efficiency	A BASIX Certificate has been provided with all relevant commitments noted on the relevant plans. The development has provided photovoltaic panels on the rooftop of the towers.	
5.4.2 Water Efficiency	A BASIX Certificate has been provided with all relevant commitments noted on the relevant plans. A relevant condition has been recommended to ensure the water standards are met.	
5.4.3 Urban Cooling	The development provides sufficient urban cooling standards. The roof surface is covered with vegetation or a shade structure where appropriate. The open space within the two courtyards contains sufficient landscaping and canopy cover. The facades are sufficiently shaded by external screening where required. A solar heat report has been submitted which has been peer reviewed, the report found that each relevant façade will achieve the minimum percentage shading required for compliance.	
5.4.4 Solar light reflectivity	The roof of the podium provides sufficient green roof infrastructure which has been designed with the building. A solar light reflectivity report has been submitted as part of this DA which has been peer reviewed. The report found that the incorporation of the reports recommendations, the results of this study indicate that the subject development will not cause adverse solar glare to motorists or pedestrians in the surrounding area, or to occupants of neighbouring buildings, and will comply with the planning controls for solar glare from SEPP65 and the Parramatta DCP.	
5.4.5 Natural refrigerants in air conditioning	A condition of consent will be recommended that all new air-conditioning and refrigeration equipment are to use refrigerants with a GWP of less than 10.	
5.4.7 Wind mitigation	The development has been submitted with a wind tunnel study which has been considered and peer reviewed. The study found that the development will meet the required comfort levels for pedestrians and users of the open spaces in both the interim and final developed state.	
5.4.8 Waste Management	Waste collection is to be completed within the development. A Waste Management plan has been submitted with the development which has been reviewed by Councils Waste Management team and considered to be satisfactory subject to the recommended conditions.	
Part 6 Traffic and Transport		
6.1 Sustainable Transport		
Car Share		
1 car share if over 50 units	No car share spaces are provided, one space has been conditioned to be provided.	Yes
3.6.2 Parking and Vehicular Access		
Car & Bicycle Parking	See Melrose Park specific controls below.	N/A
3.6.3 Accessibility and Connectivity		
Through Site Links	See Melrose Park specific controls below.	N/A

Development Control	Proposal	Comply
Part 8 – Centres, Precincts, Special Character Areas and Special Sites		
Part 8.2.6 Melrose Park Urban Renewal Precinct		
8.2.6.1 Introduction		
8.2.6.1.1 <i>Desired Future Character</i>	<p>The proposal is considered to be consistent with the general objectives in that:</p> <ul style="list-style-type: none"> Is a building that forms a coherent outcome, addresses the streets and provides pedestrian connections; Provides high quality public domain spaces; Meets the ESD requirements; and Ensures that infrastructure is delivered 	Yes
8.2.6.1.2 <i>Design Excellence</i>	<p>Relevant sections have been provided.</p> <p>Public domain has been considered under DA/1100/2021, this application will align with this approval.</p>	Yes
1:20 sections Public Domain Alignment drawings		Yes
8.2.6.1.3 <i>Water Management Plan</i>	<p>A water management control plan has been submitted and reviewed by Councils Catchment Engineer. The plan details the flooding and flow management, flood restriction and WSUD standards.</p> <p>The proposed ground floor levels are located above the 1% AEP flood levels when modelled with 100% blockage. This flood levels are based off the final built situation.</p>	Yes
8.2.6.2 Built Form		
8.2.6.2.1 <i>Allocation of GFA</i>		Yes
<41,211sqm residential		
41,211sq.m		
8.2.6.2.2 <i>Street, Block Open Space and Building Layouts</i>	Towers and boundaries as set out in masterplan.	Yes
Subdivision consistent with masterplan		
8.2.6.2.3 <i>The Building Envelope</i>	<p>23 storeys – part nil setback proposed to the east and north from the podium. Southern setback varies from 13.2m to 12.6m.</p> <p>7 storeys – 14.7m setback proposed to the south</p> <p>24 storeys – 1.4m setback to the east from the podium, 12m setback to the south</p> <p>Towers align on the northern boundary.</p>	No, however the proposal is acceptable as it generally complies and will not create significant visual impact in regard to the presentation of the development to the surrounding precinct.
Tower A – 22 storeys – nil setback to east and west and 13-14m setback to the south		
Tower B – 8 storeys – nil setback to the east and west and 13-14m setback to the south		
Tower C – 20 storeys – nil setback to the east and west and 13-14m setback to the south		
Building A1, A2 and A4 align on the southern side		
8.2.6.2.4 <i>Street Setbacks</i>		
Podium:		

Development Control	Proposal	Comply
North 3m East 5m West 5m South 3m	3m 5m 5m 3m	Yes Yes Yes Yes
8.2.6.2.5 <i>Building Separation</i> 24m between all three towers	24m	Yes
8.2.6.2.6. <i>Tower Design and Slenderness</i> Tower Floorplate <1,000sqm Tower Length <50m	Tower A – 921.5sq.m Tower B – 900sq.m Tower C – 918sq.m Tower A – 47.6m Tower B – 50m Tower C – 47.8m	Yes
8.2.6.2.7 <i>Building Height</i> A - 22 storeys B - 8 storeys C - 20 storeys	23 storeys 7 storeys 22 storeys	No, however the development remains within the 80m height limit and masterplan setbacks
8.2.6.2.8 <i>Floor to Floor Heights</i> Residential >3.1m Ground Floor Active >3.6m	3.15m 3.7m	Yes
8.2.6.2.9 <i>The Perimeter Block Buildings and Podium</i> Define Street Edge Modulated in Vertical Increments Be articulated horizontally Predominantly Masonry Depth/Relief Plinths No undercrofts Detailed Drawings	The street edge was reviewed by Council's Public Domain Officer who raised no objections, subject to the imposition of conditions of consent. Yes Yes Yes Yes Yes No undercrofts provided. Street façade drawings have been reviewed and considered to be satisfactory, subject to conditions.	Yes Yes Yes Yes Yes Yes Yes

Development Control	Proposal	Comply
<p>8.2.6.2.11 Residential Ground floor frontage</p> <p>Basements to be under footprint of the building</p> <p>Ground floor apartments are to be minimum of 500mm and maximum of 1500mm above the adjacent footpath level.</p> <p>Ramp access to be provided to building entrances</p> <p>Apartments to not be below street level</p> <p>Setback area to be landscaped</p>	<p>Basements are below building footprint</p> <p>Ground floor apartments comply with the flood planning levels and have been reduced to street level as much as possible.</p> <p>Ramps are provided.</p> <p>No apartments are proposed below street level</p> <p>Deep soil zone is landscaped appropriately.</p>	Yes
<p>8.2.6.2.12 Residential Apartment Design Quality</p> <p>Upper levels not extend over lower levels</p> <p>Buildings create positive spaces</p> <p>Indentations 2:1 width: depth</p> <p>High levels windows not relied on for light/ventilation</p> <p>Daylight/ventilation to common circulation</p> <p>Balcony long edges out</p> <p>Solid balcony division</p> <p>Common open space inc. WC, seating, shading, BBQs, sinks.</p> <p>Balcony balustrades opaque lower / transparent higher</p> <p>HVAC, downpipes, etc concealed and integrated.</p>	<p>Satisfied</p> <p>Satisfied</p> <p>None provided</p> <p>None provided.</p> <p>Provided</p> <p>Mostly provided</p> <p>Provided</p> <p>Provided</p> <p>Can be conditioned to comply.</p> <p>HVAC to be conditioned to be concealed and integrated.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>8.2.6.2.13 Solar Access (residential)</p> <p>Design criteria of the ADG</p>	<p>Apartments comply with ADG solar access minimum</p>	Yes
8.2.6.2.14 Winter Gardens		

Development Control	Proposal	Comply
Only permitted above 8 storeys	N/A – no winter gardens proposed	N/A
8.2.6.2.15 Climate Control and Privacy Louvres/blinds provided to exposed facades	The development was accompanied by an ESD report which was reviewed by an external ESD consultant. The report is considered to be satisfactory subject to conditions.	Yes
8.2.6.2.16 Dwelling Mix 1 bed – 10-20% 2 bed – 60-75% 3 bed – 10-20% A max of 25% of the total apartments can be split into dual key apartments	111 x 1-bedroom units (24%) 308 x 2-bedroom units (67%) 49 x 3-bedroom units (10%) 4 dual key apartments are proposed and are considered as separate apartments in dwelling mix. All dual key apartments are ADG compliant	Yes Yes Yes
8.2.6.2.17 Materials Buildings not to stand out. Low embodied energy Durable, maintainable Complement public domain	The materials have been amended as per the request of Council's Urban Design team. The presentation of the buildings are considered to be acceptable. A condition has been recommended for the removal of one building material to reduce the amount of materials prior to the issue of a CC.	Yes
8.2.6.2.18 Retaining Walls	All retaining walls are located within the lot boundaries and meet the public domain guidelines.	Yes
8.2.6.2.19 Fencing	Fencing is of low scale and open style. Fences are below 2m in height while also providing suitable privacy to ground floor apartments courtyards.	Yes
8.2.6.2.20 Courtyards	Courtyards provide a minimum width of 24m and are visually linked to the street where it can. The courtyards provide adequate protection to comply with the flood planning levels along EWR-2.	
8.2.6.2.21 Servicing and Utilities Substations within building Minimise servicing	Achieved. Services are minimized on the ground floor frontage where possible. They have been placed on the corners and screened with landscaping in some occasions.	Yes Yes

8.2.6.3 Public Domain		
<p>8.2.6.3.1 Street Network and Footpaths and Street Trees</p> <p>Street network per masterplan</p> <p>Footway, materials, street trees per Public Domain Guidelines</p>	<p>Proposal does not modify approved street widths.</p> <p>Public domain to be as per the approved infrastructure DA. No public domain is proposed.</p>	<p>Yes</p> <p>Yes</p>
<p>8.2.6.3.2 Pedestrian Connections</p> <p>Consistent with Masterplan</p> <p>Extend from street to street</p> <p>Fully accessible</p> <p>Width >6m</p>	<p>Through site link is consistent with the masterplan. Sufficient landscaping and site views are provided.</p> <p>Achieved</p> <p>Achieved</p> <p>Footpath width is 6m</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>8.2.6.3.6 Pedestrian Access and Mobility</p> <p>Access in accordance with relevant legislation</p>	<p>The development was reviewed by Council's Accessibility Officer who raised no objections subject to the imposition of conditions of consent.</p>	<p>Yes</p>
<p>8.2.6.3.7 Solar Access & Overshadowing of Public Spaces</p> <p>Demonstrate solar access to parks and public spaces.</p>	<p>The development complies with the masterplan tower locations and setbacks which is designed to minimize overshadowing.</p>	<p>Yes</p>
<p>8.2.6.3.9 Landscape Design</p> <p>Landscape Maintenance Plan</p> <p>Canopy trees in front setbacks</p>	<p>Provided</p> <p>Trees in the public domain have been proposed on the western, northern and eastern setbacks.</p>	<p>Yes</p> <p>Yes</p>
<p>8.2.6.3.10 Planting on Structures</p> <p>Minimum soil depths</p> <p>Drainage</p> <p>Maximise width of planters 1 tree/80sqm</p>	<p>The application was reviewed by Council's Landscape Officer, who raised no objection to the rooftop landscaping in regard to soil depth, drainage or plant selection.</p>	<p>Yes</p>
8.2.6.4 Vehicular Access, Parking, Servicing		
<p>8.2.6.4.1 Access and Parking</p> <p>Minimise entry points</p> <p>Vehicle access from less busy streets</p>	<p>One entry is proposed along the southern boundary</p> <p>The vehicle entry is from a lesser busy street as opposed to Bundil Blvd to the west.</p>	<p>Yes</p> <p>Yes</p>

Shared access	Not applicable.	N/A
Access ramps not parallel to street	Access ramp is not parallel to the street	Yes
Doors behind façade.	Provided	Yes
High quality vehicle entry materials	Provided	Yes
<i>Vehicular Driveways and Maneuvering Areas</i>		
Driveways >10m from intersections	>10m	Yes
Enter and exit in forward direction	Achieved	Yes
Pedestrian access >3m from driveways	>3m	Yes
Loading docks consolidated	Achieved	Yes
Vehicular entrances not to terminate views at end of street, connections	Achieved	Yes
<i>8.2.6.4.2 On-Site Parking</i>		
Rate not within 800m of LR stop)	The not within 800m of the LR parking rate has been used as the PLR Stage 2 has not received a funding commitment for the main works.	Yes
Residential Occupants		
Studio - 0.6 space per dwelling (x2)	1.2 spaces	
1 bed - 1 space per dwelling (x104)	104 spaces	
2 bed - 1.25 space per dwelling (x329)	406.25 spaces	
3 bed - 1.5 space per dwelling (x33)	49.5 spaces	
	Total resi: 461 spaces minimum	
	500 spaces proposed	
Visitor spaces: 0.25 spaces/dwelling	Max. 117 visitor spaces – 86 spaces proposed	
Motorcycle >1/50 car parking spaces (x405) = 8	13 motorcycle spaces provided	
<i>Bicycle Parking</i>		
Residential 1/2unit (x 468 units) = 234	474 residents 58 residents	Yes
<i>8.2.6.5 Sustainability</i>		
<i>8.2.6.5.1 Energy and Water Efficiency</i>		

BASIX Energy 45 (16-30 storeys) BASIX Water 55	Basix Energy Score of 66 BASIX Water score of 55	Yes
8.2.6.5.2 Recycled Water Dual reticulation	To be conditioned.	Yes
8.2.6.5.3 Electric Vehicle Charging Infrastructure Charging infrastructure for residential cars and commercial cars and bicycles	Proposed. Will be secured with a condition.	Yes
8.2.6.5.4 Urban Heat – Roofs Surfaces used for open space to be landscaped/shaded. 75% of the total roof or podium surface covered by vegetation.	Landscaped open space significantly landscaped and shaded. The landscape plans show that a large majority of the podium COS is covered by vegetation.	Yes Yes
8.2.6.5.6 Vertical Facades To be appropriately shaded	The development was accompanied by an ESD report which was reviewed by an external ESD consultant. No objections were raised, subject to the imposition of conditions of consent. Suitable vertical facades are provided.	Yes
8.2.6.5.7 Heating and Cooling Systems – Heat Rejection Heat rejection grouped on roof	Not grouped on roofs as located on private balconies. The units will be screened, exceed the current Minimum Energy Performance standards and the balconies have been oversized to accommodate them.	
8.2.6.5.8 Green Roofs and Walls Irrigation	The application was referred to Council's Senior Landscape Officer, who raised no objection to the rooftop landscaping in regard to soil depth, drainage or plant selection.	Yes
8.2.6.5.9 Solar Light Reflectivity Glare report required	The development was accompanied by a reflectivity report which was reviewed by an external ESD consultant. No objections were raised, subject to the imposition of conditions of consent.	Yes
8.2.6.5.10 Building Form and Wind Mitigation Wind report required	The development was accompanied by a wind impact report which was reviewed by an external wind consultant. No objections were raised, subject to the imposition of conditions of consent.	Yes

8. Planning Agreements

Voluntary Planning Agreements (VPAs) with both Council and the State government apply to the site.

These requirements are secured by the VPA and by conditions of consent, this includes the requirement to pay Council contributions based off cost of works and NSW Government contributions that would overwrite any HPC requirements.

9. The Regulations

The recommendation of this report includes conditions to ensure the provisions of the Regulations, such as the Building Code of Australia, would be satisfied.

10. The Likely Impacts of the Development

Other

Fire safety is addressed by way of appropriate conditions. The other likely impacts of the development have been considered in this report.

11. Site Suitability

The subject site and locality are affected by overland flow flooding. Council’s engineers have assessed the application and consider the proposal to be satisfactorily designed to minimise risk to human safety and property.

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.

The proposal is considered to have an acceptable impact on biodiversity as it results in a significance net increase of planting on the site.

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.

12. Submissions

The application was notified in accordance with Council’s Notification DCP. The notification ran for a 21-day period between 7 June to 1 July 2024. It is noted that the notification was carried out to an area wider than required by the Parramatta Notification Procedures.

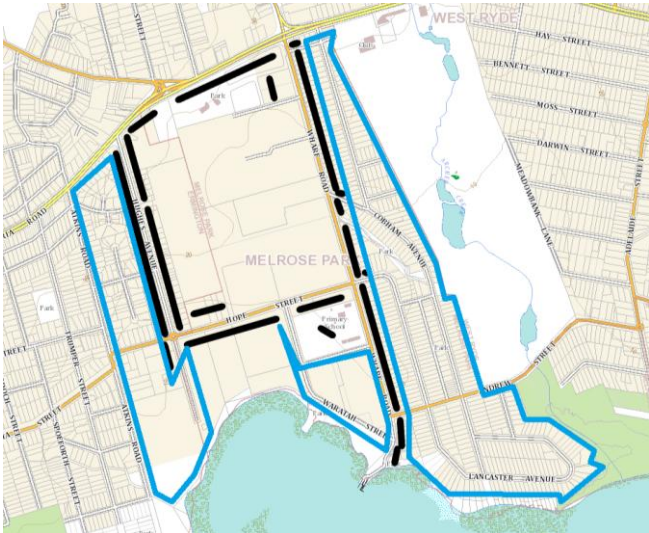


Figure 8 - Notification map (black - required area, blue, notified area)

4 submissions were received within the notification period and two outside. The public submission issues are summarised and commented on as follows:

Issues Raised	Comment
Amendments to the Melrose Park North Masterplan is still outstanding	The amendments to the Melrose Park DCP masterplan to align with the road layout as approved under DA/1100/2021 is separate to this application.

	There are no changes to the alignment of the roads surrounding Lot A nor the GFA allocated to it. This application can proceed while the masterplan variation is under consideration.
Notification insufficiencies	<p>The SEE and plans were publicly notified which identifies where the development is proposed to occur.</p> <p>The notification was as per the EPA and COPC standards and was notified to a wider catchment than required under the COPC Consolidated Notification Requirements.</p>
FSR	The development complies with the FSR requirements under the LEP and DCP. The FSR is assessed across the entire Melrose Park North Precinct and a clause 4.6 is not required.
Number of stories proposed	The number of stories proposed is not compliant with the relevant sections of the DCP, this has been addressed in the assessment table above. The building remains fully compliant with the 80m maximum height and other key DCP standards.
Deep soil	The development application does not comply with the ADG Deep Soil standards. Considering the high density of the precinct the deep soil standard is assessed against the entire precinct and flooding and overland flow impacts of the entire precinct has been modelled under DA/1100/2021 considering deep soil will not be provided on each development block.
Tree species selection is not adequate or in accordance with DCP.	The tree species selection was reviewed by Council's Landscape Officer. The assessment concluded that certain locations could benefit with different plant species selections.
Insufficient Unit Mix	The unit mix now complies with the Melrose Park North DCP standards including the requirement of 3 bedroom units.
The application does not meet design excellence	<p>It is contended that since the DSZ requirements are not met, the development can not exhibit design excellence.</p> <p>The development was reviewed by the Design Review Panel, as well as Council's Urban Design team. No objections have been raised in regard to the design of the development, subject to the imposition of conditions of consent.</p>
In "the public interest", 10% of the total number of dwellings (units) proposed in the development need to be provided as "affordable housing"	There is no requirement for affordable housing for this specific application. The Council VPA requires the dedication of 14 affordable housing units at no cost to Council across the entire Melrose Park North precinct, there is no requirement that this is to be under this application.
The proposed "adaptable dwellings" need to be provided in accordance with the dwelling mix requirements specified in Clause 8.2.6.2.16 of PDCP 2023	Adaptable dwellings to comply with the DCP 15% standard are to be provided and will be conditioned to be provided.
Traffic/ redevelopment of roads/ work zones during construction/ construction impacts on nearby school	<p>The subject site is within a larger site, and it is not anticipated it will generate an appreciable impact to the surrounding road network will occur.</p> <p>Standard conditions of consent have been imposed to ensure the construction of the development does not adversely impact on surrounding neighbours. These conditions are considered to satisfactorily address the impacts during the construction phase.</p>
Traffic impacts on local street network	The wider traffic impacts have been considered under the Melrose Park North Transport Management Access Plan (TMAP). The proposed parking rate is compliant with the DCP standards and has been considered by TfNSW as Traffic Generating Development.

13. 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.

14. 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.

15. Developer Contributions

As provided under Section 8 of the VPA, the agreement excludes the application of s7.11, s7.12 and s7.14 of the Environmental Planning and Assessment Act 1979 to the development. However, Section 7.8 requires that the developer pay an additional monetary contribution of 1% of proposed cost of works. As such, a monetary contribution is required and a condition of consent has been imposed requiring the contribution to be paid in accordance with the VPA.

16. 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 amenity for future residents.

It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties and does not compromise the redevelopment of adjoining sites.

The proposal is consistent with the GFA allocation for the site envisaged by the DCP and would not prejudice the development of the remainder of the precinct.

The development is consistent with the objectives of the relevant planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

The proposed development is located within a locality earmarked for high density redevelopment. The proposal would provide additional housing and public through site link in an area currently not accessible to the public.

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.

17. Recommendation

- A. **That** the Sydney Central City Planning Panel as the consent authority grant **Consent** to Development Application No. DA/296/2024 for construction of Construction of two separate apartment buildings up to 23 storeys containing 468 apartments and sharing three levels of basement parking with 584 parking, spaces, earthworks, landscaping, and public domain works at 84 Wharf Road, MELROSE PARK NSW (Lot 1 DP1303954) 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.