



SYDNEY CENTRAL CITY PLANNING PANEL  
COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC-742
DA Number	DA/356/2025
LGA	City of Parramatta Council
Proposed Development	Construction of a 7-23 storey residential flat building containing 227 residential units, 3 basement levels providing 269 car parking spaces, earthworks, landscaping, and public domain works. The application is Integrated Development under s90(2) of the Water Management Act 2000. The application is to be determined by the Sydney Central City Planning Panel.
Street Address	29 Hughes Avenue, ERMINGTON & 82-84 Wharf Road, MELROSE PARK NSW (Lot 1 DP1303954)
Applicant	Sekisui House Australia
Owner	SH Melrose PP Land No. 2 Pty Ltd
Date of DA lodgement	15 July 2025
Number of Submissions	2
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"><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>SEPP (Housing) 2021</li><li>Parramatta Local Environmental Plan 2023</li><li>Parramatta Development Control Plan 2023</li><li>Council Voluntary Planning Agreement</li><li>State Voluntary Planning Agreement</li></ul>
List all documents submitted with this report for the Panel's consideration	Attachment 1 – Conditions of Consent Attachment 2 – Plans used for Assessment Attachment 3 – Design Review Panel Comments Attachment 4 – Integrated Approval
Clause 4.6 requests	N/A
Summary of key submissions	<ul style="list-style-type: none"><li>Couldn't access documents online;</li><li>Only preliminary CPTMP and CEMP provided;</li><li>Need to ensure surrounding road network approved under DA/1100/2021 has progressed enough to support the development prior to the issue of OC;</li><li>Dust and Odour impacts to nearby businesses.</li></ul>
Report prepared by	Darren Wan Executive Planner, City Significant Development
Report date	15 January 2026

<b>Summary of s4.15 matters</b>	Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary	<b>Yes</b>
	of the assessment report?	
<b>Legislative clauses requiring consent authority satisfaction</b>	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?	<b>Yes</b>
<b>Clause 4.6 Exceptions to development standards</b>	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?	<b>No</b>
<b>Special Infrastructure Contributions</b>	Does the DA require Special Infrastructure Contributions conditions (s7.24)?	<b>No</b>
<b>Conditions</b>	Have draft conditions been provided to the applicant for comment?	<b>Yes</b>

## 1. Executive Summary

The proposal is for construction of a 7-24 storey residential flat building. The complex will contain 227 residential units, and 3 basement levels with a total of 269 spaces.

The proposed building generally follows the form for the site envisaged by Parramatta LEP 2023 and Parramatta DCP 2023 with the exception that it has been rotated 180 degrees so that the prescribed south facing courtyard at ground level now faces north. This was a suggestion made by Council's Design Review Panel (DRP) and adopted by the applicant following discussion with Council's Design Excellence team. The variation is considered to be acceptable and any flow on effects of the rotation have been assessed and also considered to be acceptable.

Of note, the Parramatta LEP provides for 1.85:1 floorspace ratio across this precinct, with the site specific DCP allocating floorspace to each development lot. The proposal complies with the gross floor area allocated for the site in the DCP prescribed for the Melrose Park North precinct and a clause 4.6 variation request is not required as the site is currently located on a larger interim lot. This is considered to be acceptable based on the desired future strategic plan for the locality.

The development on Lot K will provide a range of housing stock close to the future Central Park, Western Parklands and Town Centre.

As mentioned above, the development has been subject to review by the DRP and is considered to be consistent with State Environmental Planning Policy (Housing) 2021 – Chapter 4 Design Quality of Residential Apartment Development and the Apartment Design Guide (ADG), providing future occupants with good amenity.

The site constraints include overland flow flooding and contamination, and the applicant has demonstrated that the design adequately accounts for and addresses these risks.

The amenity impacts on adjoining and nearby properties are considered to be reasonable based on the high-density character envisaged for the area. It is considered that the proposed increase in traffic would not compromise the efficient function of the local road network.

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. Key Issues

### Parramatta Local Environmental Plan 2023

- Architectural Roof Features (Clause 5.6)
  - The proposal relies on this clause to slightly exceed the maximum building height development standard by providing a roof feature around the roof top terrace on Building C. The proposal is considered to be acceptable as the area in excess of the maximum building height standard does not contain any GFA and supports the use of the rooftop has a communal open space.

### Parramatta Development Control Plan 2023

- The Building Envelope (8.2.6.2.3)
  - There is a variation to the building envelope prescribed under Figure 8.2.6.7.1. The proposed development has flipped the building to have the courtyard facing the north as per the suggestion of the Design Review Panel. Due to the slopes of the land this has also resulted in variations to the prescribed building height control as discussed below.
- Building Heights in Storeys (8.2.6.2.7)
  - As a result of the rotation of the building and the slope of the land (the site slopes to the south), the podium now sits on the lower southern boundary of the site. This has created the need for a 'lower ground floor' which increases the storey count for Buildings B and C. Although technically not compliant with this control, the non-compliance has been assessed by Council's DRP and Design Excellence team and is considered to be acceptable.

## 3. Site Description, Location and Context

### 3.1 Site

The subject site is known as 29 Hughes Street, Ermington & 82-84 Wharf Road, Melrose Park. The site is part of a larger interim lot, with a current property description of Lot 1 DP 1303954. The development site is known as Lot K of the Melrose Park North Masterplan, is rectangular in shape and will be bound by NSR-2 (Bundil Boulevard) to the east, EWR-5 (Muscat Lane) to the north, NSR-1 (Camden Street) to the west and EWR-6 (Hildergarde Boulevard) to the south. The final lot is anticipated to have a total site area of approximately 4,237m<sup>2</sup>.



Figure 1. Interim lot known as Lot 1 DP 1303954

The development site is located within the western portion of the lot and as per the DCP will allow for a U-shaped building ranging from 6-22 storeys with 21,465<sup>2</sup> of GFA. To the east of the site will be the central park and to the west and south will be the western parklands and stormwater basin (which has a high-voltage electricity transmission line traversing through it). The existing low density residential zone is beyond this along Hughes Avenue.



**Figure 2** Locality Map with subject site outlined in red

### 3.2 Site History

The site was predominantly used for farming and rural residential uses until the mid-20<sup>th</sup> century when it was developed for light industrial / warehouse uses, which continued until recently.

### 3.3 Site Improvements & Constraints

The area the subject of the proposed works has been cleared of the warehouses that previously occupied the site. The wider lot is currently mostly vacant and subject to various development to transform the site into a high density mixed use precinct.

The site is affected by overland flow flooding.

The site is likely contaminated due to its previous industrial use; remediation is approved under DA/1100/2021.

The land is likely to contain Class 5 acid sulphate soils.

The immediately surrounding land is currently high density residential to the north, low density residential to the west and industrial to the south.

### 3.4 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 3.** 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 to ensure the new development is appropriately supported and will have no significant impacts on the wider road network.

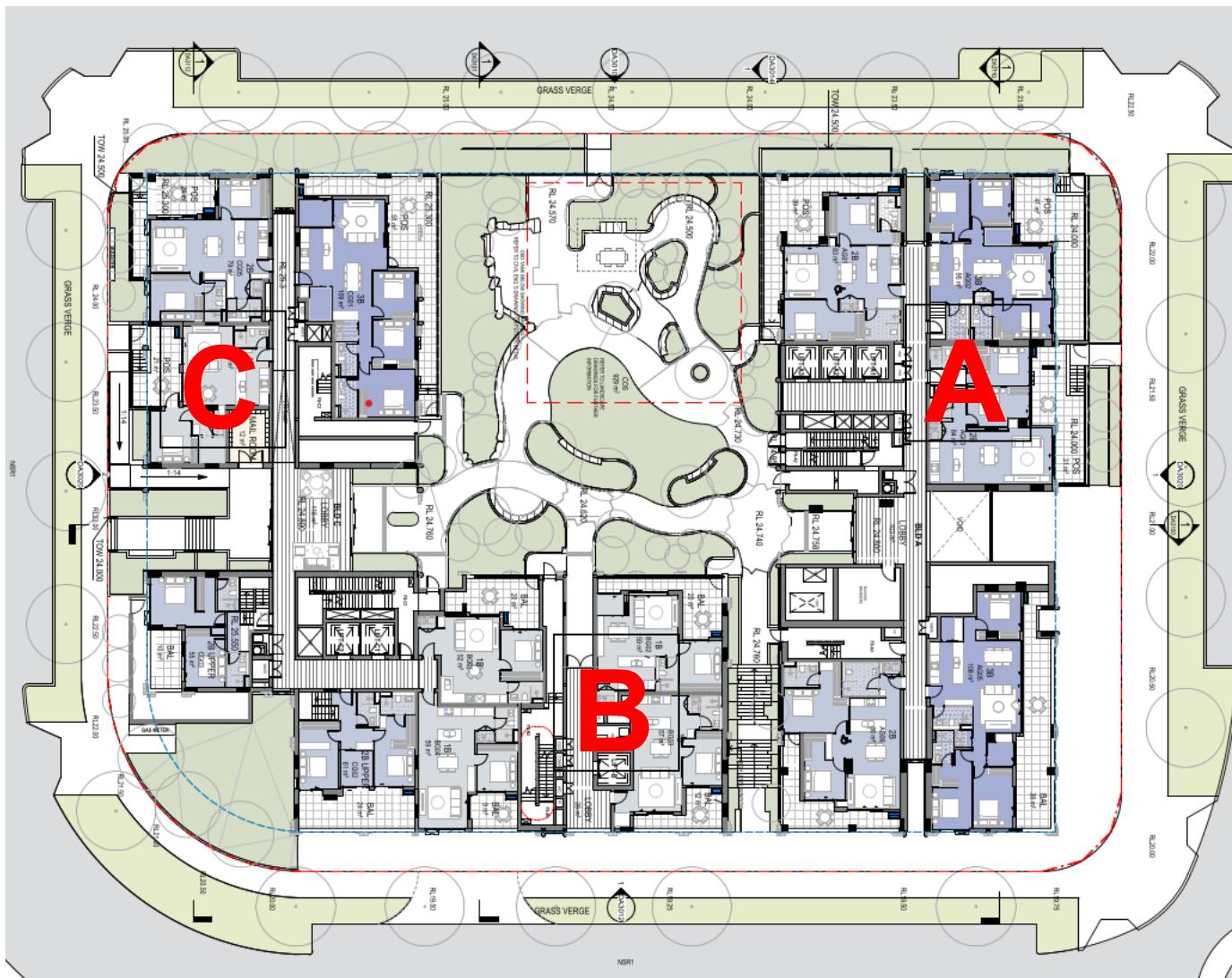
The roads, infrastructure (inc. stormwater basins) and remediation for Melrose Park North were approved under DA/1100/2021. These works have commenced and are ongoing.

## 4. The Proposal

## 4.1 Summary of the Proposal

The proposal seeks consent for the following:

- Construction of a U-shaped residential flat building on the site ranging from 7-23 storeys in 3 wings:
  - Building A – 24 storeys (east side of site),
  - Building B – 7 storeys (south side of site) and
  - Building C – 8 storeys (west side of site).
- The residential flat building will contain a total of 227 units;
  - The unit mix is as follows:
    - 38 x 1 bedroom units (17%);
    - 157 x 2 bedroom units (69%);
    - 32 x 3 bedroom units (14%);
- 3 levels of basement parking and 1 level of lower ground parking as follows:
  - 269 x car parking spaces (residential and visitor)
- Communal open spaces as follows:
  - 2,034m<sup>2</sup> of total communal open space located on the ground floor, level 6 rooftop and level 22 rooftop terraces.



**Figure 4.** Ground floor plan of the development showing location of Buildings A, B and C

## 4.2 List of Amendments During Assessment

During the course of assessment, the applicant submitted revised drawings in response to concerns raised by internal and external stakeholders. These amendments include, but are not limited to, the following:

- Numerous amendments to address comments following the DRP meeting;
- Amended landscape plans to address tree species and soil depth inquiries;
- Additional BASIX details to support ESD compliance;
- Additional geotechnical details to support a drained basement.

## 5. Referrals

The following referrals were undertaken during the assessment process:

### 5.1 Design Review Panel

Parramatta's Design Review Panel reviewed the application. The applicant proactively responded to the Panel's recommendations and had multiple discussions with Council's internal Design Excellence team. The applicant's response to the Panel's comments have been provided below, and the Design Review Panel's comments are provided in full at Attachment 3. Council's Design Excellence team are supportive of the applicant's response to the DRP's comments.

No.	Comments	Applicant Response
1	The Panel supports the rotation of the built form to achieve a north facing courtyard; the resultant massing better accommodates driveway and servicing to the south and improves solar access to the courtyard.	Noted.
2	The Panel also supports the massing and circulation generally, including location of lift cores and through site linking steps; however, greater legibility is recommended throughout the courtyard, where curvaceous paths and extensive raised planters restrict visual and physical access, fail to mediate street landscapes and constrain outdoor amenity.	Landscape design was updated accordingly.
3	The proposal's built form appears very flat, with some sizable areas of blank unrelieved walls and an over-reliance on paint finished precast surfaces – which the Panel does not support. The tower and podium features an excessive amount of unscreened west facing glazing, which is not supported. It is recommended that the materiality of the scheme be substantially reviewed to include integral maintenance free materials such as brick and/or prefinished concrete and well considered screening to full height glazing.	The façade material has been reviewed, with additional pre-finished cladding proposed in areas where blank walls are unavoidable. These include the eastern façade of Building B, the northern façade of Building C, and the south-western corners of Buildings B and C. To further reduce the perceived flatness of these walls, slab projections with capping details have been incorporated.
4.1	The relationship of the podium to the tower element requires greater articulation; without greater differentiation, the podium is not liable to be perceived as street defining at a human scale, as intended by the DCP.	<p>The proposal responds to the design direction recommended by the Design Review Panel, which advised that 'the perimeter block buildings should not have upper-level setbacks on the eastern and western elevations, as such setbacks tend to reinforce the visual dominance of the building unless there is a large setback and clear separation between the tower and podium, such as the model applied in Parramatta CBD'.</p> <p>In line with the DCP and neighbouring developments, the design introduces a "recess level" between the tower and podium levels, where articulation stopped with strong color change. This composition is consistent with the composition established in the neighbouring Lot F development. A change in colour and detailing has also been incorporated to define the</p>

		<p>six-storey street wall.</p> <p>As part of the RFI response, additional capping and slab projections have been integrated within the podium façade articulation zone, while a stronger colour contrast between the tower and podium façades further enhances visual differentiation.</p>
4.2	The northern expression of the western wing is particularly unconvincing (see Renders), with no north facing balconies, applied feature spandrels to painted precast walls and the top two levels not setback but merely given a change in paint colour. It may be better to amend the plans to feature north facing balconies as per the eastern wing, which would also provide additional 3-D modelling.	The apartment type at the north-western corner of Building C has been reconfigured to provide a north facing balcony in line with the DRP's recommendation. For the blank wall portion, panelised prefinished materials are proposed, complemented by slab projections with capping details to introduce shadow and articulation to the façade.
4.3	The Panel notes that the north facing elevation of the southern wing of the courtyard is a much more successful composition, in terms of solid to void and legible bays; this could be used a model to be used more extensively – with integral materials such as brick or dyed concrete.	This comment has been considered in conjunction with item 4.4.
4.4	The legibility and expression of the podium would be improved if it were to extend across the western wing, and setting back the two levels above (perhaps as duplexes) in a different material.	The proposed design changes have considered the recommendations from the DRP, with a detailed response provided in Item 4.1. For Building C, the upper levels incorporate full-height glass panels with a shadow-box detail up to balustrade height, creating a stronger visual distinction between the upper two levels and the lower six levels. An expressed slab-edge projection reinforces the datum line continued from Building B, with this horizontal expression further echoed at the top of the building.
4.5	The single datum line at ground level appears unresolved. It is very compressed at the north west of the built form (making the building appear top heavy and pushed into the ground) and far too high along the southern elevation (thereby emphasizing services and roller shutter – which appears unnecessarily high). It is recommended that the datum be relaxed so that it can appropriately respond to adjacent levels and potential proportions	The datum line is continued from the adjacent Lot F development to maintain a consistent street wall composition. Relacing the datum would result in irregular shifts between orientations – and in some cases multiple breaks within the same frontage – which would be difficult to reconcile in the upper-level design. To support this outcome, one apartment has been repositioned above the loading area, reducing the loading entry to its functional height.
5	The prominent south-west corner is unresolved at present and instead appears like a back-of-house service space. The Panel recommends that the boundary wall be regularised, services better housed and the resultant open space be more purposefully accessed and landscaped.	Fire booster relocated off the south-west corner. Boundary wall regularised as DRP suggested.
6.1	Planting in the courtyard is reliant on an excessive use of raised planters, which block sightlines and restrict legibility to entries. Instead of relying on raised planters, consideration should be given to dropping the slab or using mounding to achieve the required soil depths, especially for the placement and growth of substantial trees.	<p>The introduction of upstand planters to the communal open space allows necessary soil volume to support healthy growth of plants on structure. The landscape proposal works with a 400mm set down to drop planter walls to a minimum height and still encourage a feeling of openness within these spaces.</p> <p>Groundcovers and low-level shrubs are proposed to maintain clear sightlines across the COS. Localised soil mounding will be introduced where trees are proposed to achieve soil depth/volume.</p> <p>A summary of changes have been made to the COS design: Some planter heights have reduced to provide an informal seating edge.</p>

6.2	Whilst the use of indigenous trees for the major public open spaces and habitat corridors is strongly supported, the selection of trees for the courtyard could be more varied, such as the introduction of deciduous or semi deciduous trees for solar access and signature flowering trees for reinforcing identity and character, highlighting circulation routes, building entries and complementing architectural forms and features.	Tree species have been reviewed and where appropriate, updates made to medium or small species with appropriate soil volumes for each tree. Deciduous trees have been proposed as features in the landscape and providing more sunlight into the COS during winter months.
6.3	The BBQ is poorly located at the interface with the street edge and at a significant entry into the courtyard; it would be better relocated to a roof terrace or location with lesser circulation and/or potential user conflicts	A low planter has been introduced adjacent to the BBQ and entertainment area to separate this zone from the main entry path of travel. It provides a more exclusive outdoor entertainment space that still maintains a visual connection to the central lawn and adjacent nature play zone.
7.1	Introduce a green roof treatment to Building C, combined with the proposed solar panels (bisolar roof). This will create a positive index for building sustainability and achieve better outlook from Building A	Green Roof has been introduced on Building C. Design to be developed at DD phase.
7.2	The roof gardens to Building A and B provide a diverse range of communal activities. Due to their heights and orientation, further protection from wind effects will be required, especially for Building A.	Further wind mitigation elements will be developed to communal open spaces to Building A and B at DD phase.  Rooftop tree species have been updated with small size to suit the condition.
7.3	In both cases, the BBQ area is centrally located in the space. To reduce user conflicts, effects of smoke and activity etc, it may be better located in a corner area. This could be reviewed in conjunction with simplifying the design of some of the integrated planting/seating areas to create more user flexibility and reduce maintenance.	Integrated planters and seating areas will be developed to provide more functionality and intimacy to BBQ and entertainment areas.
7.4	The selection and pairing of street trees with the perimeter site trees needs further consideration, especially regarding their compatibility in terms of scale, canopy and root systems. As the designs for the streetscape and site landscape will be prepared by the same landscape architect, further co-ordination of the appropriate species selection, pairing, locations, and framing, especially at street corners, can be achieved.	Tree species at street level and podium have been reviewed and updated in accordance to elevating key entry thresholds, framing key views and introducing a more human-scale to our development.
7.5	Trees such as Angophoras have aggressive root systems and are not suited to some the narrow planters adjacent to the footpaths and should be re-located.	Angophora species have been replaced by other more appropriate species.
8.1	The entry door to unit C0404 and below should be relocated so as not to be in front of elevators	The layout of Unit C0404 and the units below has been revised to relocate the entry door away from the lift lobby.
8.2	Units C0401 and C0408 and below would be improved if they incorporated north-facing balconies	Unit C0408 and below have been revised to have north facing balconies.  Unit C0401 and below remains unchanged to retain a consistent presentation to the courtyard.
8.3	There may be privacy issues between the west facing window to C0404 and below and adjacent window at the end of the access corridor	The size of privacy vertical battens in front of the corridor-end window has been increased to further protect the privacy of Unit C0404 and those below.
8.4	Fan coil units on balconies are a poor outcome.	Fan coil units have been colour-coded to better illustrate the design intent, and condenser units potentially visible from the street are proposed to be housed within screening cages

## 5.2 External

Authority	Comment
Transport for NSW (Traffic Generating Development)	Acceptable subject to conditions.
Ausgrid	Acceptable subject to conditions.
Endeavour Energy	Acceptable subject to conditions.
Sydney Water	Acceptable subject to conditions.
WaterNSW (Integrated)	Acceptable subject to General Terms of Approval.
Quantity Surveyor	<p>The QS Report submitted an estimated development cost of \$158,015,000 (inc. GST). The independent review estimated the EDC to be \$184,041,191 (inc. GST), a significant difference of \$26,026,191 (16%). The applicant responded with tendered costings for the development from two separate builders. One of the quotes provided a construction cost of \$165,000,000. When Council's independent QS included other development fees, they calculated a development cost of approximately \$178,926,642 (inc. GST). Whilst this figure is less than the initial estimate provided by the independent QS, they informed Council that it is within their tolerance and acceptable.</p> <p>In that regard, the EDC for the development has been amended to \$178,926,642 (inc. GST) which will inform the DA fees payable.</p>
Wind Consultant	Acceptable subject to conditions.
Environmentally Sustainable Design Consultant	Acceptable subject to conditions.
Hydrogeological Consultant	Acceptable subject to conditions.

## 5.3 Internal

Authority	Comment
Development/Catchment Engineer	Acceptable subject to conditions.
Tree & Landscape Officer	Acceptable subject to conditions.
Traffic and Transport	Acceptable subject to conditions.
Environmental Health – Acoustic	Acceptable subject to conditions.
Environmental Health – Contamination	Acceptable subject to conditions.
Environmental Health – Waste	Acceptable subject to conditions.
Design Excellence	Acceptable subject to conditions.
Public Domain	Acceptable subject to conditions.
Civil Assets – Waste	Acceptable subject to conditions.
Accessibility	Acceptable 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)(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

## 6.4 Division 4.8: Integrated Development

The proposed development is Integrated Development under s90(2) of the Water Management Act 2000 as it proposes a drained basement in lieu of a basement with tanked (waterproof) construction. Accordingly, the assessment of the development against the provisions of s4.47 has been provided below:

In accordance with subclauses (2) and (3), the development was referred to WaterNSW and General Terms of Approval (GTAs) have been obtained. These terms have been imposed as conditions of consent

Subclauses (4), (4A) and (5) are not relevant to this development as GTAs were obtained.

## 7. Environmental Planning Instruments

### 7.1 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 Buildings) 2022
- SEPP (Housing) 2021 – Chapter 4 Design of Residential Apartment Development
- Parramatta Local Environmental Plan 2023

Compliance with these instruments is addressed below.

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

The proposal has more than 200 car parking spaces and therefore constitutes the proposed development as 'traffic generating development' (per Schedule 3 of the SEPP):

As such, the proposal was referred to TfNSW, who advised that the proposed development reduced the number of apartments compared to the approved masterplan for the site and therefore results in a slight reduction in the traffic generation of the site when compared to the traffic generation estimated in the Transport Management and Accessibility Plan (TMAP). They raised no objections, subject to the implantation of a Construction Pedestrian Traffic Management Plan.

### 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 no tree removal.

Chapter 6 'Water Catchments' applies to land identified as 'Sydney Harbour Catchment' which, by extension,

is all land within the City of Parramatta local government area. The following controls within Chapter 6 are of relevance to the proposal:

Provision	Comment
6.6 Water Quality and Quantity	<p>As outlined later in this report:</p> <ul style="list-style-type: none"> <li>• The proposal will improve the quality of water leaving the site (which eventually makes its way to Sydney Harbour).</li> <li>• The proposal will not result in an increase to the amount of stormwater running off the site.</li> <li>• The proposal incorporates on-site stormwater retention.</li> <li>• The proposal includes adequate sediment controls.</li> <li>• The proposal will not have an unacceptable impact on the level or quality of the ground water table.</li> <li>• The proposal will not affect water flow in a natural body.</li> </ul>
6.7 Aquatic Ecology	The site is considered to be adequately separated from Sydney Harbour so as not to have any impact on aquatic ecology, subject to the proposed water quality treatments and erosion controls.
6.8 Flooding	The proposal will not have an adverse impact on the natural recession of floodwater into wetlands or other riverine ecosystems.
6.9 Recreation and Public Access	The proposal does not result in any loss of recreational land or loss of access to foreshores lands.
6.10 Total Catchment Management	The proposal does not have an adverse impact on downstream local government areas and as such no consultation is required.

## 7.5 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-20<sup>th</sup> century when it was converted to light industrial uses.

The site was part of a site audit statement for the larger precinct. This statement outlined all required investigations and included remediation plans to ensure the site (including Lot K) would be suitable for the intended use. The report was assessed and approved under DA/1100/2021 and remediation works have been completed.

Accordingly, the provisions of this SEPP are considered to be satisfied subject to a condition requiring the remediation works on the site to be appropriately certified, prior to works.

## 7.6 State Environmental Planning Policy (Sustainable Buildings) 2022

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.

## 7.7 State Environmental Planning Policy (Housing) 2021 – Chapter 4 Design of Residential Apartment Development

Chapter 4 of the SEPP applies to the development as the proposal is for a new building, is more than 3 storeys in height and has more than 4 dwellings. Clause 147 requires that residential flat buildings satisfactorily address 9 design quality principles, consider any advice from a Design Review Panel, and consider the recommendations in the Apartment Design Guide.

### ***Design Quality Principles***

A design statement addressing the quality principles prescribed under Schedule 9 of the SEPP 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	The area is currently characterised by industrial and low-density residential uses. The site is zoned R4 High Density Residential and the proposal is consistent with this desired future character of the area.

Requirement	Council Officer Comments
<b>Character</b>	<p>The buildings have been reviewed by Council's Design Review Panel, a trio of architectural and landscaping experts, who outlined concerns with the application which were subsequently sufficiently rectified in the opinion of Council officers. As such the proposal is considered to establish a good precedent for the future residential buildings in the precinct.</p> <p>The proposal provides for high quality landscape treatments that would provide for an upgrade to the neighbourhood character.</p>
<b>Principle 2: Built Form and Scale</b>	<p>As discussed earlier in this report, the built form is not consistent with the built form anticipated by the DCP but has been varied at the request of the DRP and is considered to be acceptable.</p> <p>The resultant building is considered to be sufficiently modulated to add visual interest and reduce apparent bulk.</p> <p>Council's Urban Design and Public Domain team consider the development to have an acceptable presentation to each street frontage.</p>
<b>Principle 3: Density</b>	<p>The density of the proposal is consistent with the floor space distribution anticipated under the DCP GFA Allocation map.</p> <p>The associated infrastructure DA and VPAs applicable to the site set out appropriate supporting infrastructure for the proposal, including roads, school land and open space.</p>
<b>Principle 4: Sustainability</b>	<p>The proposal meets the relevant BASIX requirements.</p> <p>The application was referred to an external ESD consultant who raised no objection to the application, subject to the imposition of conditions of consent.</p>
<b>Principle 5: Landscape</b>	<p>This development proposal is consistent with the objectives of the Parramatta DCP and provides a courtyard, on-structure planting and planting along the public domain to create an appropriate landscape setting.</p>
<b>Principle 6: Amenity</b>	<p>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.</p>
<b>Principal 7: Safety</b>	<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"> <li>• The proposal provides additional passive surveillance to the surrounding street network.</li> <li>• The vehicular entries have security gates.</li> <li>• The entry lobbies will provide appropriate access.</li> <li>• Landscaping is used to demarcate public and private spaces.</li> </ul>
<b>Principal 8: Housing Diversity and Social Interaction</b>	<p>The proposal provides additional housing choice in close proximity to planned public transport.</p> <p>The proposal provides adaptable and liveable accommodation in a variety of sizes.</p> <p>The large ground floor courtyard provides social interaction, including a communal multi-purpose space.</p>
<b>Principle 9: Aesthetics</b>	<p>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.</p>

### **Design Review Panels**

The proposal was referral to Council's Design Review Panel. See Attachment 3 for their comments.

### **Apartment Design Guide**

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

Standard	Requirement	Proposal	Compliance
<b>Part 3</b>			
3B-1: Orientation	As mentioned, the proposal deviates from the preferred building orientation as set out in the Melrose Park North DCP by request of the DRP. The variation of the layout has been assessed and accepted by Council's Design Excellence team and is considered to still satisfactorily maximise sunlight protection whilst minimising wind and noise impacts. The proposed		

Standard	Requirement	Proposal	Compliance																								
	development will reinforce the desired high-density urban streetscape. The ground level communal open space now faces north and will receive more solar access in mid-winter than if it remained facing the south and is considered to be a positive outcome.																										
3B-2: <i>Overshadowing</i>	Even though the building has been rotated from the prescribed orientation set out in PDCP23, there will be no additional overshadowing to any adjoining residential uses as a result. This is due to the land south of the subject site being occupied by the Western Parklands. The park is still considered to receive sufficient sunlight.																										
3C: <i>Public Domain Interface</i>	The building would contribute positively to Melrose Park by maximising activation and providing high quality materials, street trees and direct residential ground floor access along both the Central Park interface and the Western Parklands Interface.  Further, the public domain materials are in keeping with the requirements of Parramatta's Public Domain Guidelines.																										
3D: <i>Communal &amp; Public Open Space</i>	Min. 25% of site area (1,059.25m <sup>2</sup> )  Min. 50% direct sunlight to main communal open space for minimum two (2) hours 9:00am & 3:00pm, June 21 <sup>st</sup>	48% (2,054m <sup>2</sup> ) of residential communal open space is provided within the ground level courtyard, on level 6 and on level 22. 678m <sup>2</sup> (68% of required open space) of the main ground level courtyard, as well as the roof terraces on Levels 6 and 22, will receive 2 hours of sunlight in midwinter between 9am and 3pm.	Yes  Yes																								
3E: <i>Deep Soil</i>	Min. 7% with min. dimensions of 6m (296m <sup>2</sup> )  The proposal complies if the 6m minimum dimension is varied to 3-5m. The concession is considered to be acceptable for the following reasons: <ul style="list-style-type: none"> <li>The DCP, in setting the desired density for the site, acknowledged difficulty in achieving the 6m dimension and allows for the inclusion of smaller spaces within the deep soil zone (DSZ) calculation.</li> <li>Accordingly, the same concession has been applied to other Melrose Park North developments at Lot A and Lot F.</li> <li>Alternative forms of on-structure planting has been provided.</li> <li>The proposed development is located in a planned dense urban environment where ADG compliant deep soil zones are not necessarily appropriate/achievable.</li> </ul>	464m <sup>2</sup> (10.9%) with min dimensions of 3-5m	Yes, with concessions.																								
3F: <i>Visual Privacy</i>	<table border="1" style="display: inline-table; vertical-align: middle;"> <thead> <tr> <th>Height</th> <th>Hab</th> <th>Non-Hab</th> </tr> </thead> <tbody> <tr> <td>&lt;4</td> <td>6m</td> <td>3m</td> </tr> <tr> <td>5-8</td> <td>9m</td> <td>4.5m</td> </tr> <tr> <td>&gt;9</td> <td>12m</td> <td>6m</td> </tr> </tbody> </table> <table border="1" style="display: inline-table; vertical-align: middle;"> <thead> <tr> <th>Buildings</th> <th>Req.</th> <th>Prop.</th> </tr> </thead> <tbody> <tr> <td>A-B</td> <td>6m</td> <td>N/A</td> </tr> <tr> <td>A-C</td> <td>18m</td> <td>27m</td> </tr> <tr> <td>B-C</td> <td>9m</td> <td>N/A</td> </tr> </tbody> </table>	Height	Hab	Non-Hab	<4	6m	3m	5-8	9m	4.5m	>9	12m	6m	Buildings	Req.	Prop.	A-B	6m	N/A	A-C	18m	27m	B-C	9m	N/A	N/A Yes N/A	
Height	Hab	Non-Hab																									
<4	6m	3m																									
5-8	9m	4.5m																									
>9	12m	6m																									
Buildings	Req.	Prop.																									
A-B	6m	N/A																									
A-C	18m	27m																									
B-C	9m	N/A																									
	<p>The building envelope maintains the required 5m setback to the eastern boundary, and the 3m setback to the northern, western and southern boundaries throughout each level.</p> <p>This is acceptable as the development takes up the entire block and will not have privacy impacts to sites across the road.</p> <p>The building separation between buildings has been assessed above and is also satisfactory. The main assessment is between Building A-C as the separation between A-B and B-C are negligible.</p> <p>Where there are localised privacy impacts between the proposed units, conditions have been included to require the appropriate screening.</p>																										
3G: <i>Pedestrian Access and Entries</i>	The proposal includes clearly demarcated, easily identifiable, at-grade pedestrian entrances.  Where steps and ramps are included, they are integrated into the overall building and landscape design.																										
3H: <i>Vehicle Access</i>	The entry/exit point for the basement carpark is located on EWR-6 (Hildergarde Boulevard) on the southern elevation. Vehicles will directly access LG which will have ramps down to B1 and below.																										
3J: <i>Bicycle and car parking</i>	Bicycle storage assessment is located in the DCP section below.	See DCP bicycle parking assessment.	N/A																								
<b>Part 4</b>																											
4A: <i>Daylight / Solar Access</i>	At least 70% of apartments in a building receive a minimum of 2	175 out of 227 apartments (77%) receive 2 hours to balcony and	Yes																								

Standard	Requirement	Proposal	Compliance
	hours direct sunlight between 9 am and 3 pm at mid winter	internal between 9am and 3:30pm	
		On merit, the applicant was permitted to extend the required solar hours by 30 minutes in order to achieve the solar access requirements. This is due to the off-north orientation of the street network in the DCP, as well as the prescriptive built forms required by the DCP.	
	Max 15% apartments receiving no direct sunlight 9am & 3pm mid-winter	27 out of 227 apartments (7.5%)	Yes
<i>4B: Natural Ventilation</i>	Min. 60% of apartments below 9 storeys naturally ventilated	79 out of 129 apartments (61.2%)	Yes
<i>4C: Ceiling heights</i>	Min. 2.7m habitable	3.25m floor to floor, 3.05m ceiling height	Yes
	Min 2.4m non-habitable	3.0m	Yes
	Min 3.3m for mixed use	N/A	N/A
<i>4D: Apartment size &amp; layout</i>	1B – Min 50m <sup>2</sup>	1B–min 54m <sup>2</sup>	Yes
	2B – Min 75m <sup>2</sup> (2 baths)	2B–min 76m <sup>2</sup>	Yes
	3B – Min 95m <sup>2</sup> (2 baths)	3B–min 96m <sup>2</sup>	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 <sup>2</sup>	Complies	Yes
	Other Bed - 9m <sup>2</sup>	Complies	Yes
	Min. 3m dimension for bedrooms	>9m <sup>2</sup>	Yes
<i>4E: Private open space &amp; balconies</i>	Min. area/depth:		
	1B - 8m <sup>2</sup> /2m	Complies	Yes
	2B - 10m <sup>2</sup> /2m	Complies	Yes
	3B - 12m <sup>2</sup> /2.4m	Complies	Yes
	Courtyard – 15m <sup>2</sup> /3m	Complies	Yes
<i>4F: Common circulation &amp; spaces</i>	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	7	Yes
	For buildings of 10 storeys and over, the maximum number of apartments sharing a single lift is 40	Building A has 3 lifts Building B has 1 lift Building C has 2 lifts	Yes
	Corridors >12m length from lift core to be articulated.	Not articulated (all straight)	No (acceptable, due to below)
	The corridors are also provided with extra width and natural light and ventilation.	All corridors for Buildings A, B and C have windows for natural light.	Yes
<i>4G: Storage</i>	Min. 50% required in units	Storage provided in apartments and there is space for carpark storage provided in the basements and lower ground level. A condition of consent will	Yes

Standard	Requirement	Proposal	Compliance
		ensure the adequate quantum of storage is provided.	
<i>4H: Acoustic Privacy</i>	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.		
<i>4J: Noise and pollution</i>	The application includes an acoustic report which recommends construction methods/materials/treatments to be used to meet the criteria for the site, given both internal and external noise sources and some unit's proximity to the internal courtyard. A condition is included requiring the implementation of the report's recommendations.		
<i>4K: Apartment Mix</i>	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.		
<i>4L: Ground Floor Apartments</i>	Where possible, ground floor access has been provided for ground floor apartments. Ground level terraces are elevated above the footpath level and will maintain privacy and safety without obstructing casual surveillance.		
<i>4M: Facades</i>	Materials have been selected in response to the local context. Brick, metal cladding and off-form concrete are used within the development to relate to the existing character of the area.		
<i>4N: Roof design</i>	Roof space has been utilised for communal or private open space with good levels of amenity. Plant areas are appropriately screened.		
<i>4O: Landscape Design</i>	The application includes a landscape plan which demonstrates that the proposed development will be adequately landscaped. The proposal includes ground level internal courtyards and rooftop communal open spaces.  Council's Landscape Officer has no objections subject to the imposition of conditions of consent.		
<i>4P: Planting on structures</i>	The landscape drawings outline that planting on structures would have adequate soil depth to accommodate good quality planting. Council's Landscape Officer has raised no objections to the development subject to the imposition of conditions of consent.		
<i>4Q: 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. Can be secured by a condition.	Yes
<i>4U: Energy Efficiency</i>	The BASIX Certificate demonstrates the development meets the pass mark for energy efficiency (Score: 65, Target: 63).		
<i>4V: Water management</i>	The BASIX Certificate demonstrates that the development exceeds the pass mark for water conservation (Score: 55, Target: 40).		
<i>4W: 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 Lower Ground level, are provided in each building core. From there waste will be transported to the main waste storage room. Recycling bins will be located on each floor, adjacent each waste chute. From there recycling will be transported to the main waste storage room. 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.		
<i>4X: Building maintenance</i>	The proposed materials are considered to be sufficiently robust, minimising the use of render and other easily stained materials.		

## 7.8 Parramatta Local Environmental Plan 2023

Development standard	Proposal	Compliance
<b>2.3 Zoning</b> R4 High Density Residential	The proposal seeks to develop a residential flat building, which is permissible with consent within the R4 High Density Residential zone.	Yes
<b>Zone Objectives</b>	<p>The proposal is considered to be in keeping with the objectives of the R4 High Density Residential zone for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposal provides for the housing needs of the community within a high density residential environment.</li> <li>• The proposal provides a variety of housing types within a high density residential environment.</li> <li>• The proposal provides high density residential development close to open space, major transport nodes, services and employment opportunities.</li> </ul>	Yes
<b>4.1 Minimum Subdivision Lot Size</b> No minimum specified for site	N/A	N/A
<b>4.3 Height of Buildings</b> 80m	82.4m	No, but acceptable. Refer to Clause 5.6.
<b>4.4 Floor Space Ratio</b> 1.85:1	<p>The GFA proposed on Lot K is consistent with the anticipated density outlined in both the Masterplan and PDCP23. The development provides a total GFA of 21,468m<sup>2</sup> which is 3m<sup>2</sup> greater than the maximum GFA permitted under the Melrose Park masterplan.</p> <p>The FSR prescribed to Lot K under PLEP23 is a density of 1.85:1 projected for the entire Melrose Park North Precinct and was anticipated to be read in conjunction with the GFA requirements written into PDCP23.</p> <p>Currently, the precinct is separated into 2 larger interim lots. The GFA for Lot K and the other approved development on the lot (Lots A and F) complies with the FSR development standard as the lots are currently configured. In that regard, a Clause 4.6 variation request is not required.</p>	Yes
<b>4.6 Exceptions to Development Standards</b>	N/A – Please refer to Clause 5.6 below.	N/A
<b>5.6 Architectural Roof Features</b>	<p>The proposal seeks to have high decorative arches around the perimeter of the Level 22 Communal open space that will be integrated with the building as a roof feature. They will cause the building to slightly exceed the 80m height limit as demonstrated in Figure 4 below.</p> 	Yes

**Figure 5:** Proposed exceedance of 80m height limit

Development standard	Proposal	Compliance
	<p>The roof feature is considered to be acceptable for the following reasons:</p> <ul style="list-style-type: none"> <li>• It comprises a decorative element on the uppermost portion of a building</li> <li>• It is not an advertising structure</li> <li>• It does not include floor space and is not reasonably capable of being converted to include floor space</li> <li>• Will cause minimal overshadowing</li> <li>• All equipment for servicing the building has been incorporated into the design of the roof feature and sit below where the feature exceeds the height.</li> <li>• The design was referred to both DRP and Council's Design Excellence team who raised no objections.</li> </ul> <p>In that regard, the exceedance to Clause 4.3 is acceptable and a Clause 4.6 Variation Statement is not required as the standard is being varied under this clause.</p>	
<b>5.10 Heritage conservation</b>	<p>The site is not heritage listed but is within proximity to a heritage item of local significance known as '<i>Landscaping, including millstones at Reckitt</i>'.</p> <p>The proposal will not affect the landscaping or millstone.</p> <p>There is low potential for locally significant archaeology to be existent within the site.</p>	Yes
<b>5.21 Flood Planning</b>	<p>The site is not directly affected by fluvial flooding but is subject to overland flow.</p> <p>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.</p>	Yes
<b>6.1 Acid Sulfate Soils</b>	<p>The proposal is above 5m AHD and is not likely to lower the water table.</p>	N/A
<b>6.2 Earthworks</b>	<p>A significant drop in elevation occurs between Victoria Road and Hope Street. The intervening block, of which the subject site is a part, has historically been locally flattened into a series of steps to provide for large warehouses and factory buildings. The future residential character of the development, and the associated road network, requires that this stepping be flattened to achieve a consistent shallower gradient to maximise accessibility. As part of the associated infrastructure development application, the road levels were set. This proposal matches the levels approved for the surrounding roads.</p> <p>The applicant has demonstrated that the proposal would have an acceptable impact on drainage patterns.</p> <p>The fill is sufficiently setback from the nearest adjoining residential properties so as not to impact their amenity. The closest residential properties are located on Hughes Avenue over 30m from the western extent of the development site. As such, the proposal is considered to have an acceptable impact on the amenity of adjoining and nearby properties.</p> <p>The proposal includes the relevant sediment controls plans. Further sediment control conditions are included in the consent.</p>	Yes
<b>9.2 GFA for Residential and Non-Residential Purposes</b>	Residential GFA all Area 1	Area 1 total residential GFA total after development: 138,320m <sup>2</sup>
		Yes

Development standard	Proposal	Compliance	
buildings <434,023sqm	(subject development is the fourth development with residential GFA in the area)		
<b>9.3 Design Excellence</b>	<p>The proposal was referred to Council's Design Review Panel. See Attachment 3 for their comments.</p> <p>Refer to Clause 9.4 discussion below which clarifies how the proposal satisfies the requirements of this clause and consent can be granted.</p>	Yes	
<b>9.4 Consideration of Design Excellence.</b>	<p>In considering whether the development exhibits design excellence, the matters specified in clause 6.13(4)(a)-(d) have been assessed below:</p> <ul style="list-style-type: none"> <li>a) As discussed above, the development was referred to Council's DRP as well as the internal Design Excellence team. Amendments have been made to the overall development, and it is now considered to satisfy this subclause.</li> <li>b) The amendments include street level vegetation amendments which improves the quality and amenity of the public domain.</li> <li>c) The development is generally consistent with the prescribed building envelope controls and will not detrimentally impact the north-south view corridor through the Melrose Park precinct.</li> <li>d) Through discussions within this report, the development has been deemed to satisfactorily address site suitability, proposed use and mix, heritage constraints, building envelope, bulk and massing, street frontage, environmental impacts, pedestrian and cycle networks, public domain, ground level interface and landscape design and green infrastructure.</li> <li>e) Additionally, the entrance to the basement is from the southern elevation and the development proposes a reasonable ground floor FFL that does not detrimentally impact the streetscape, whilst also providing enough freeboard to meet flooding requirements.</li> </ul>	Yes	
<b>9.5 Concurrence</b>	Concurrence of Planning Secretary required	Concurrence is not required at this stage as there are less than 11,000 dwellings proposed in the precinct.	N/A

## 8. Development Control Plans

### 8.1 Parramatta Development Control Plan 2023

Development Control	Proposal	Comply
Part 2 – Design in Context		
2.8 Views and Vistas	A significant district view from Victoria Road, over the site, is identified in the DCP. This view is generally protected, in part, by the provision of north-south roads throughout the wider concept site.	Yes
2.9 Public Domain	The application was referred to Council's Public Domain team who raised no objection to the proposed treatment of the public domain, subject to conditions.	Yes
2.10 Accessibility and Connectivity	The ground level courtyard is clearly delineated as a private area to not cause confusion with the public.	Yes
2.11 Access for people with a disability	The application was referred to Council's Accessibility Officer who raised no objections, subject to the imposition of conditions of consent.	Yes
2.13 Culture and Public Art	Public Art will be considered as a precinct wide initiative in lieu of being on an individual lot basis.	N/A
2.14 Safety and Security	<p>Each lift core has clear entrances on their respective street elevation to activate the streets around the development. The lift cores are also accessible from the private courtyard.</p> <p>The ground level units will provide passive surveillance of the</p>	Yes

Development Control	Proposal	Comply
	<p>adjacent streets.</p> <p>The mailboxes are located in clear and convenient areas for both residents and deliverers.</p>	
<b>Part 3 – Residential Development</b>		
3.1 Housing Diversity and Choice	Dwelling Mix - See Melrose Park specific controls below.  Adaptable – 15% required (15% provided)	N/A  Yes
3.5 Apartment Buildings	See Melrose Park specific controls below.	N/A
<b>Part 5 – Environmental Management</b>		
5.1 Water Management	<p>The site is not directly affected by fluvial flooding but is subject to overland flow. See LEP assessment above.</p> <p>In addition, the applicant seeks to capture, treat and re-use both rainwater and groundwater infiltrating the site. This was assessed by Council's Catchment Engineer as well as an external Groundwater Consultant. No objections were raised subject to the imposition of conditions of consent.</p>	Yes
5.2.4 Earthworks and Development on Sloping Land	See LEP assessment above.	Yes
5.2.5 Land Contamination	See SEPP assessment above.	Yes
5.2.6 Air Quality	The proposed development is only for residential uses and the site is not withing 100m of a classified road and as such an air quality report was not considered to be required.	N/A
5.4.1 Energy Efficiency	See ESD assessment above.	Yes
5.4.2 Water Efficiency	See ESD assessment above.	Yes
5.4.3 Urban Cooling	<p>The majority of roof space of Buildings A and B have been reserved for communal or private open space. On Level 8 of Building C, there are a series of Solar Panels provided near.</p> <p>Additionally, more than 50% of each COS is either shaded or covered by vegetation.</p>	Yes
5.4.4 Solar Light Reflectivity	<p>The façade of the building includes articulation features such as frames, louvres and angled glazing that would assist in ensuring glare is kept at acceptable levels.</p> <p>Council's ESD consultant reviewed the Solar Glare report and found it acceptable. The recommendations of the report have been imposed as a condition of consent.</p>	Yes
5.4.5 Natural Refrigerants in Air Conditioning	Similarly to Lot F, this requirement has been conditioned but will allow a GWP of <700 to align with currently available residential standards.	Yes
5.4.6 Bird Friendly Design	The façade of the development is largely covered in louvres and is considered to be bird friendly.	Yes
5.4.7 Wind Mitigation	See Melrose Park specific controls below.	
5.4.8 Waste Management	See Melrose Park specific controls below.	
<b>Part 6 – Traffic and Transport</b>		
6.2 Parking and Vehicular Access	See Melrose Park specific controls below.	
6.3 Bicycle Parking	See Melrose Park specific controls below.	
<b>Part 8.2.6 Melrose Park Urban Renewal Precinct</b>		
<b>8.2.6.1 Introduction</b>		
<i>Design Excellence</i>	The application was referred to DRP and Council's Urban Design team. No objections were raised, subject to the imposition of conditions of consent.	Yes
<i>Water Management Plan</i>	The application was referred to Council's Catchment Engineer who raised no objection to the development subject to the imposition of conditions of consent.	Yes
<b>8.2.6.2 Built Form</b>		
<i>Allocation of GFA</i>		
<21,465sqm	The development provides a total GFA of 21,468m <sup>2</sup> which is 3m <sup>2</sup> greater than the maximum GFA permitted under the Melrose Park masterplan.	No, acceptable

Development Control	Proposal	Comply
	Whilst non-compliant, a variation of 3m <sup>2</sup> is considered to be minor and will not jeopardise the delivery of future developments.	
<i>Street, Block Open Space and Building Layouts</i>		
Subdivision consistent with masterplan	Boundary as set out in masterplan	Yes
<i>Street Setbacks</i>		
North 3m	3m	Yes
East 5m	5m	Yes
West 3m	3m	Yes
South 3m	3m	Yes
<i>Building Separation</i>		
24m across courtyards	27m	Yes
<i>Tower Design and Slenderness</i>		
Tower Floorplate over 8 storeys <1,000sqm	Building A = 928sqm	Yes
Tower Length <50m	Building A = 50m Building C = 50m	Yes
<i>Building Height</i>		
A = 22 storeys B = 6 storeys C = 8 storeys	23 storeys 7 storeys 8 storeys	No (minor) No (minor) Yes
	As discussed previously, the building orientation has been rotated from what had been prescribed in the Masterplan. As a result, the bulk of the building now sits on the low end of the site (the southern boundary) and has resulted in the introduction of the Lower Ground Floor. This has meant that Buildings A and B now have an additional storey but this is considered acceptable.	
<i>Floor to Floor Heights</i>		
Residential >3.1m	3.25m	Yes
<i>The Perimeter Block Buildings and Podium</i>	The application was referred to Council's Public Domain team who raised no objection to the presentation of the buildings to the street, subject to the imposition of conditions of consent.	Yes
<i>Residential Ground Floor Frontage</i>		
Basements located under footprints of buildings and courtyards	Basement levels are contained under the building footprints and courtyard areas.	Yes
Ground floor apartments levels should be a minimum of 500mm and maximum of 1500mm above the adjacent footpath level	Ground floor apartments have varying levels above the footpath level due to the slope and flooding requirements. The proposed FFLs were referred to Council's Catchment Engineer, Public Domain Officer and Urban Design Officer. No objections were raised subject to the imposition of conditions of consent.	Yes
Apartments not to be located below street level	No apartments are located below street level.	Yes
<i>Residential Apartment Design Quality</i>		

Development Control	Proposal	Comply
Upper levels not extend over lower levels	Satisfied	Yes
Buildings create positive spaces	Satisfied	Yes
Indentations 2:1 width: depth	Satisfied	Yes
High level windows not relied on as primary source of light/ventilation	Clerestory windows have been provided to two units to improve ventilation. This is a solution that has been used in similar developments and is acceptable.	Yes
Daylight/ventilation to common circulation	Provided	Yes
Balcony long edges out	Mostly provided	Yes
Solid balcony division	Provided	Yes
Common open space inc. WC, seating, shading, BBQs, sinks.	Provided	Yes
HVAC, downpipes, etc concealed and integrated.	Can be conditioned	Yes
<i>Solar Access (residential)</i>	See ADG assessment.	Yes
Design criteria of the ADG		
<i>Winter Gardens</i>		
Only permitted above 8 storeys	N/A – no winter gardens proposed	N/A
<i>Climate Control and Privacy</i>		
Louvres/blinds provided to exposed facades	Louvres have been provided to the exterior of the building and achieve design excellence.	Yes
<i>Dwelling Mix</i>		
1 bed – 10-20%	38 x 1 bedroom units (17%);	Yes
2 bed – 60-75%	157 x 2 bedroom units (69%);	Yes
3 bed – 10-20%	32 x 3 bedroom units (14%);	Yes
<i>Materials</i>		
Buildings not to stand out.	The materials were assessed by Council's Urban Design team. No objections were raised in regard to the materials of the development.	Yes
<i>Courtyards</i>		
Location in accordance with DCP	As per DCP, albeit it has been flipped to address the northern boundary instead of the southern. This was a suggestion by the DRP and is acceptable.	Yes
<i>Servicing and Utilities</i>		
Substations within building	Achieved.	Yes
Minimise servicing	The ground floor servicing is generally limited to the southern elevation.	Yes
<b>8.2.6.3 Public Domain</b>		
<i>Street Network and Footpaths and Street Trees</i>		
Street network per masterplan	Proposal does not modify approved street widths.	Yes

Development Control	Proposal	Comply
Footway, materials, street trees per Public Domain Guidelines	Covered by DA/1100/2021.	N/A
<i>Overhead Powerlines</i>		
To be underground	Can be conditioned.	Yes
<i>Pedestrian Access and Mobility</i>		
Access in accordance with relevant legislation	Can be conditioned.	Yes
<i>Solar Access &amp; Overshadowing of Public Spaces</i>		
Demonstrate solar access to parks and public spaces.	The site is west of Central Park and north of the Western Parklands and the revised orientation of the building has been shown to not unduly overshadow either park.	Yes
<i>Landscape Design</i>		
Landscape Maintenance Plan	Provided	Yes
Canopy trees in front setbacks	Proposed landscaping, including the canopy trees within the front setbacks, have been reviewed by Council's Landscape Officer and Public Domain Officer. No objections were raised.	Yes
<i>Planting on Structures</i>		
Minimum soil depths	Proposed landscaping has been reviewed by Council's Landscape Officer and Public Domain Officer. No objections were raised.	Yes
Drainage		
Maximise width of planters 1 tree/80sqm		
<b>8.2.6.4 Vehicular Access, Parking, Servicing</b>		
<i>Access and Parking</i>		
Minimise entry points	1 entry on the southern elevation.	Yes
Vehicle access from less busy streets	South side is appropriate.	Yes
Shared access	Not applicable.	N/A
Access ramps not parallel to street	The access ramp is not parallel to the street.	Yes
Doors behind façade.	Provided	Yes
High quality vehicle entry materials	Enforced by condition.	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
Vehicular entrances not to terminate views at end of street, connections	Achieved	Yes
<i>On-Site Parking</i>		

Development Control	Proposal	Comply
Residential Occupants <1/1 bed (x38 units) = 38 <1.25/2 bed (x157 units) = 197 <1.5/3 bed (x 32 units) = 48 Total = <283	256	Yes
Residential Visitors <0.25/unit (x227) = 57	13	Yes
Motorcycle <1/50 car parking spaces (x501) = 10	7	Yes
<i>Bicycle Parking</i>		
Residential 1 unit (227 units) = 227	253	Yes
Visitor 1/10 units (227 units) = 23		
=250		
<b>8.2.6.5 Sustainability</b>		
<i>Energy and Water Efficiency</i>	See ESD discussion above.	Yes
<i>Recycled Water</i>		
Dual reticulation	Proposed. Will be secured with a condition.	Yes
<i>Electric Vehicle Charging Infrastructure</i>		
Charging infrastructure for residential cars and commercial cars and bicycles	Proposed. Will be secured with a condition.	Yes
<i>Urban Heat – Roofs</i>		
Surfaces used for open space to be landscaped/shaded.	Landscaped open space significantly landscaped and shaded.	Yes
75% of the total roof or podium surface covered by vegetation.	The landscape plans show that a large majority of the Level 6 and Level 22 and rooftop COS is covered by vegetation.	Yes
<i>Vertical Facades</i>		
To be appropriately shaded	Elevations include articulation measures such as framing and louvres.	Yes
<i>Heating and Cooling Systems – Heat Rejection</i>		
Heat rejection grouped on roof	Similarly to Lot F, the AC condensers are proposed to be on the individual balconies. This is a result of 2 of the 3 rooftops being used for additional communal open space. Each balcony is larger than required to account for the additional AC unit and a condition has also been imposed to ensure adequate screening to protect amenities of occupants.	No, but acceptable.
<i>Green Roofs and Walls</i>		
Irrigation	The landscaped elements located on the Level 6 and Level 22 Communal Open Spaces have been assessed by Council's Landscape Officer. No objections have been raised, subject to the imposition of conditions of consent.	Yes
<i>Solar Light Reflectivity</i>		
Glare report required	Shown to comply. Can be secured with a condition.	Yes

Development Control	Proposal	Comply
<i>Building Form and Wind Mitigation</i>  Qualitative Wind Study required	Despite what the DRP comments and applicant response regarding this matter discussed in Section 5.1 above, the Wind Study provided by the applicant was independently reviewed by an external Wind consultant who deemed it satisfactory.	Yes

## 9. 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.

## 10. 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.

## 11. 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.

## 12. 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.

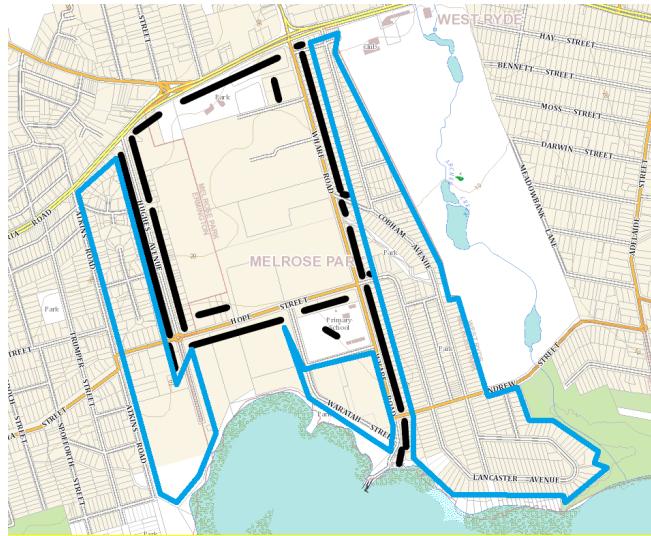
Suitable contamination investigations and planning has been provided to demonstrate that the site can be made suitable for the proposed uses subject to remediation works and subsequent validation.

The proposal is considered to have an acceptable impact on biodiversity as it results in a significant 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.

## 13. Submissions

The application was notified in accordance with Council's Notification DCP. The notification ran for a 28-day period between 24 July and 21 August 2025. It is noted that the notification was carried out to an area wider than required by the Parramatta Notification Procedures.



**Figure 6.** Notification map (black - required area, blue, notified area)

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

Issues Raised	Comment
Documents not available online	<p>Following receipt of this submission, Council's DA tracker was checked and the documents were accessible.</p> <p>Council also received another submission that didn't raise any issues with accessing the documents.</p>
Only preliminary CPTMP and CEMP documents provided	Similarly to the developments at Lot A and Lot F, the requirement for the submission of up-to-date CPTMP and CEMP documentation has been conditioned prior to the issue of the Construction Certificate. This allows for the most up to date routes for construction vehicles as the road network around the development site is constructed.
No OC until sufficient road access to the site has been established	Construction of the approved road network under DA/1100/2021 is underway and it is anticipated that the roads around the site will be complete prior to the release of the OC for this development. This can be secured by a condition of consent.
Dust and Odour impact to surrounding businesses during construction.	Mitigation measures to control dust and odour during construction will be further detailed in the CEMP that is conditioned prior to the issue of the Construction Certificate.
Parking and Traffic impacts to surrounding businesses during construction.	Mitigation measures to control parking and traffic during construction will be further detailed in the CPTMP that is conditioned prior to the issue of the Construction Certificate.

## 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

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.

## 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 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 generally 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 close to two public parks, the town centre, and a future light rail stop.

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/356/2025 for construction of Construction of a 7-23 storey residential flat building containing 227 residential units, 3 basement levels providing 269 car parking spaces, earthworks, landscaping, and public domain works at 29 Hughes Avenue, Ermington & 82-84 Wharf Road, Melrose Park (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.