

Date of Determination	5 December 2024
Panel Members	Julie Savet Ward (Chair) Philip Bull (Independent Expert) Susan Hobley (Independent Expert)
Apologies	NIL
Declarations of Interest	NIL

Electronic meeting held on 5 December 2024. Papers circulated electronically on 27 November 2024.

MATTER DETERMINED

LDA2024/0062

Address: 1218 to 1222 & 1226 Victoria Road, Melrose Park

Proposal: Proposed road widening, new traffic signals and upgrades to intersection, including land subdivision, dedication and civil works

PANEL CONSIDERATIONS AND DECISION

The Panel considered the matters listed at item 6, the material listed at item 7, and the material presented at meetings and briefings listed at item 8 in Schedule 1.

DEVELOPMENT APPLICATION

The Panel determined to approve the development application by way of Deferred Commencement as described in Schedule 1, pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, and subject to changes to conditions of consent as below.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application by way of Deferred Commencement for the following reasons:

- 1) The Panel is satisfied that the development is of an appropriate design and provides for acceptable levels of road network performance as an interim design.
- 2) The Panel has considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Further, the development will be further refined during detailed WAD phase by TfNSW. Any impacts on Council roads beyond the WAD works will be further considered prior to works commencing, as per the relevant recommended conditions of consent.
- 3) The proposal is considered to adequately respond to the site constraints subject to recommended conditions of consent, as amended.

The Panel adopts the recommendation and reasons for approval as outlined in the Assessment Officer's report.

CONDITIONS




The development application was approved by way of Deferred Commencement subject to the conditions in the Council assessment report with the following amendments:

- Condition 12a is amended at the end of the condition to include “, in accordance with the approval of Council's City Infrastructure Department”.
- Condition 12f is amended at the beginning of the condition to include “Beyond the TfNSW Works Approval zone,”

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report.

PANEL MEMBERS	
Julie Savet Ward (Chair)	
Philip Bull (Independent Expert)	
Susan Hobley (Independent Expert)	

SCHEDULE 1

1	DA No.	LDA2024/0062
2	Proposal	Proposed road widening, new traffic signals and upgrades to intersection, including land subdivision, dedication and civil works
3	Street Address	1218 to 1222 & 1226 Victoria Road, Melrose Park
4	Applicant / Owner	Sekisui House (Applicant) SH Melrose PP Land Pty Ltd & City of Ryde Council (Owner)
5	Reason for referral to RLPP	Conflict of Interest – Council is landowner of part of the proposed works.
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ Ryde Local Environmental Plan 2014 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Ryde Development Control Plan 2014 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	Material considered by the Panel	<ul style="list-style-type: none"> • Council assessment report • Written submissions during public exhibition: Four (4) • Applicant submission regarding proposed Conditions of Consent • Council’s response to applicant’s submission regarding Conditions of Consent
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Application was deferred from 14 November 2024 meeting due to Chair declaring a conflict of interest and therefore no quorum was reached to determine the application. • Site inspection: 5 December 2024 • Briefing: 5 December 2024 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Julie Savet Ward (Chair), Philip Bull, Susan Hobley ○ <u>Council assessment staff</u>: Sohail Faridy, Shannon Butler, Amir

		Mousavi, Ashan Jayakody, Jason Chanphakeo <ul style="list-style-type: none">Papers were circulated electronically on: 27 November 2024
9	Council Recommendation	Deferred Commencement
10	Draft Conditions	Attachment 1 to the Council assessment report