

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC-424.
DA Number	DA2022/0776.
LGA	Cumberland City Council.
Proposed Development	Construction of three buildings B, C & D ranging in height from 12 to 17 storeys and comprising of 6 neighbourhood shops and 303 apartments over six levels of basement parking with associated site works - Integrated development Water Management Act 2000 S90(2).
Street Address	<p>Part 5 and Part 7 McLeod Road Merrylands.</p> <p>1/4-4A Terminal Place Merrylands.</p> <ul style="list-style-type: none"> • Part Lot 10 in DP 1305248. • Part Lot 11 in DP1305248. • Lot 1 in DP 1173048.
Applicant/Owner	Merrylands (B) 88 Developments Pty Ltd. Merrylands 88 Pty Ltd.
Date of DA lodgement	23 December 2022
Total number of Submissions Number of Unique Objections	Three (3) submissions received however only 2 are unique in nature.
Recommendation	Approval
Regional Development Criteria (Schedule 6 of the SEPP (Planning Systems) 2021)	<p>Schedule 6.</p> <p>The proposed development constitutes 'Regional Development' as it has a Capital Investment Value (CIV) of \$112,781,548 which exceeds the \$30 million threshold.</p>
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (Biodiversity and Conservation) 2021: <ul style="list-style-type: none"> - Chapter 2 Vegetation in Non Rural Areas. - Chapter 6 Water Catchments (Georges River Catchment). • State Environmental Planning Policy (Resilience and Hazards) 2021: <ul style="list-style-type: none"> - Chapter 2 Coastal Management. - Chapter 4 Remediation of Land. • State Environmental Planning Policy (Transport and Infrastructure) 2021: <ul style="list-style-type: none"> - Chapter 2 Infrastructure. • State Environmental Planning Policy (Building Sustainability Index) 2004. • State Environmental Planning Policy (Sustainable Buildings) 2022. • State Environmental Planning Policy (Planning Systems) 2021: <ul style="list-style-type: none"> - Schedule 6.

	<ul style="list-style-type: none"> State Environmental Planning Policy (Housing 2021) Chapter 4 - Design of Residential Apartment Development. Cumberland Local Environmental Plan 2021. Cumberland Development Control Plan 2021.
List all documents submitted with this report for the Panel's consideration	<ol style="list-style-type: none"> Draft Notice of Determination. Architectural Plans. Shadow diagrams. Landscape plans. Clause 4.6 Variation request. Copy of correspondence from Bartier Perry - Letter of Offer for Planning Agreement. Copy of Subdivision plan showing site access. Redacted Submissions Received. Location of Site 2 in relation to Site 1 sheet. Appendix A - Chapter 4 (SEPP Housing) 2021 assessment table. Appendix B - Apartment Design Guide assessment table. Appendix C - Cumberland Local Environmental Plan 2021 assessment table. Appendix D - Cumberland Development Control Plan 2021 Assessment tables - Residential Flat Buildings Chapter. Appendix E - Cumberland Development Control Plan 2021 Assessment tables - Development in Business Site Specific Chapter. Appendix F - Design Excellence Panel Minutes & applicants discussion with assessment officer's comments.
Clause 4.6 requests	Yes - Building Height.
Summary of key submissions	<p>No affordable housing being developed.</p> <p>Increase in crime.</p> <p>Noise during construction.</p>
Report prepared by	Harley Pearman.
Report date	24 May 2024

Summary of s4.15 matters

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

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**

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**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions **Not applicable**

Conditions

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