

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC-599.
DA Number	DA2024/0331.
LGA	Cumberland City Council.
Proposed Development	Alterations and additions to the approved development (DA2022/0776) seeking to facilitate affordable housing and Build-to-rent housing (BTR) to part of the development pursuant to the State Environmental Planning Policy (Housing) 2021. The proposal seeks three levels of basement parking, updated dwelling mix, internal and external design changes and adjustments to the ground floor plane which removes the neighbourhood tenancies and replaced with communal space associated with the BTR component.
Street Address	1/4-4A Terminal Place, part 5, part 7 McLeod Road Merrylands.
Applicant/Owner	Merrylands 88 Development Pty Ltd /Merrylands 88 Pty Ltd.
Date of DA lodgement	29 July 2024
Total number of Submissions	• 5
Number of Unique Objections	• 5
Recommendation	Approval
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011)	The application is referred to the Panel as the development is identified as being Regionally Significant Development as the proposal is for affordable housing with an estimated development cost of more than \$5 million.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (Planning Systems) 2021. • State Environmental Planning Policy (Housing) 2021. • State Environmental Planning Policy (Biodiversity and Conservation) 2021. • State Environmental Planning Policy (Resilience and Hazards) 2021. • State Environmental Planning Policy (Transport and Infrastructure) 2021. • State Environmental Planning Policy (Sustainable Buildings) 2022. • Cumberland Local Environmental Plan 2021. • Cumberland Development Control Plan 2021. • Cumberland Local Infrastructure Contributions Plan 2020.
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Draft Notice of Determination. • Architectural Plans. • Landscape Plans. • Clause 4.6 Variation Request – Height of Buildings. • Clause 4.6 Variation Request – Landscape. • Submissions Redacted. • Appendix A Chapter 2, Division 1 and Chapter 3, Part 4 of SEPP Housing 2021. • Appendix B Chapter 4 SEPP Housing 2021 & ADG Assessment. • Appendix C Cumberland LEP 2021 Assessment. • Appendix D Cumberland DCP 2021 Assessment. • Design Excellence Panel Comments and Applicant's and Council response.
Clause 4.6 requests	<ul style="list-style-type: none"> • Cumberland Local Environmental Plan 2021. • Clause 16(3) Additional building height development standard, pursuant to the State Environmental Planning Policy (Housing) 2021. • Clause 19(2)(b)(ii) landscaped area non-discretionary development standard, pursuant to the State Environmental Planning Policy (Housing) 2021. • R4 High Density Residential.
Summary of key submissions	<ul style="list-style-type: none"> • Traffic. • Loss of solar access and direct sunlight. • Loss of view. • Road infrastructure. • Concerns with use as 'affordable housing'.
Report prepared by	Haroula Michael – Executive Planner.
Report date	23 April 2025

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? <i>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</i>	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)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	Not applicable
Conditions Have draft conditions been provided to the applicant for comment? <i>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</i>	Yes