

Minutes of the Cumberland Local Planning Panel Meeting held via Electronic Determination on Wednesday, 12 March 2025.

**PRESENT:**

Michael File	Chairperson
David Milliken	Expert Member
Kerry Kyriacou	Expert Member
Gregg Ritchie	Community Member

**IN ATTENDANCE:**

Jai Shankar	Executive Manager City Planning and Development
Michael Lawani	Coordinator Major Development Assessment
Esra Calim	Coordinator Planning Operations
Montasir Masrur	Senior Development Planner
Faisal Halla	Senior Development Planner
Shaylin Moodliar	Senior Development Planner
Pamela MacIntyre	Governance Officer (Minute Taker)

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The meeting opened at 11:20am.

**DECLARATIONS OF INTEREST:**

There were no declarations of interest.

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**ITEM ELPP001/25 - MODIFICATION APPLICATION - 55 COLEMAN STREET, MERRYLANDS**

**PANEL DECISION:**

That Modification Application 2024/0462 being a Section 4.55(2) modification application for the provision of a toilet associated with the approved takeaway food and drink premise on land at 55 Coleman Street, MERRYLANDS be approved subject to conditions recommended in the Council's assessment report.

**Reasons for Approval**

1. The proposal is consistent with the objectives of the E1 Local Centre Zone and will provide ancillary services (i.e., toilet facilities) at a convenient location, to the primary use of the takeaway food and drink premises.
2. Subject to the recommended conditions of development consent, the proposal will not have any unreasonable impacts on the amenity of neighbouring properties or the locality.
3. Taking into account reasons above, approval of the application will be in the public interest.

**For:** Michael File (Chairperson), David Milliken, Kerry Kyriacou and Gregg Ritchie

**Against:** Nil.

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**ITEM ELPP002/25 - DEVELOPMENT APPLICATION - 91 - 93 STATION ROAD, AUBURN**

**PANEL DECISION:**

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1. That the Clause 4.6 variation request to contravene the building height development standard, pursuant to the SEPP (Housing) 2021 Chapter 2 Clause 16, be supported.
2. Development Application No. DA2024/0374 for alterations and additions to approve residential flat building to introduce 2 additional floors containing 10 apartments increasing the currently approved number of residential apartments from 39 to 49 for infill affordable housing including revise basement layouts to increase resident car parking and increase associated waste storage area on land at 91 - 93 Station Road, AUBURN be approved subject to conditions listed in Council's assessment report.
3. Persons whom have lodged a submission in respect to the application be notified of the determination of the application.

**Reasons for Approval**

1. The Panel generally concurs with the Planning Officers report subject to the attached conditions within the report.
2. That the Panel is satisfied that the applicant's written request to contravene the Development Standard relating to height as contained within Clause 16 of the State Environmental Planning Policy (Housing) 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 (3). The development will be in the public interest because it is consistent with the objectives of the Height of Buildings Standards and the objectives of the zone.
3. The development is generally consistent with the objectives of the R4 High Density Residential zone of the Cumberland Local Environmental Plan 2021 and also consistent with State Environmental Planning Policy (Housing) 2021 and the Apartment Design Guide.
4. Subject to the recommended conditions of consent, the proposal will not have any unreasonable impacts on the amenity of neighbouring properties or the locality.
5. The Panel has considered the matters raised in written submission and has determined that these matters have either been adequately addressed in the design of the development or where not specifically addressed are not of such weight as to warrant refusal of the application.

**For:** Michael File (Chairperson), David Milliken, Kerry Kyriacou and Gregg Ritchie

**Against:** Nil.

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**ITEM ELPP003/25 - DEVELOPMENT APPLICATION - 3 - 5 BILLABONG STREET,  
PENDLE HILL****PANEL DECISION:**

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That Development Application 2024/0335 for alterations and additions to the 5-storey mixed-use development under Development Consent 2015/230/1 including an additional storey comprising of 4 units, provision of 4 affordable units pursuant to State Environmental Planning Policy (Housing) 2021 and modifications to communal open spaces resulting in an increase from 25 to 29 apartments on land at 3-5 Billabong Street, PENDLE HILL be deferred for the reasons listed below:

1. The Panel is open to consider a revised application including a 4.6 for the landscaped area variation.
2. The Panel notes the GFA consideration in the previous approval however the garbage rooms located on the ground floor qualifies as GFA. The Panel notes the minor increase in the affordable housing GFA will allow the additional garbage rooms GFA be contained in the permissible FSR.
3. The Panel encourages the applicant to submit a revised proposal to Council within 14 days.

**For:** Michael File (Chairperson), David Milliken, Kerry Kyriacou and Gregg Ritchie

**Against:** Nil.

The meeting terminated at 12:00pm.

Signed:



Michael File, Chairperson