

Minutes of the Cumberland Local Planning Panel Meeting held via Zoom on Wednesday, 13 May 2026.

PRESENT:

Michael File	Chairperson
Wayne Carter	Expert Member
Dennis Loether	Expert Member
Virginia Sinclair	Community Member

IN ATTENDANCE:

Michael Lawani	Acting Executive Manager City Planning and Development
Bhavisha Sheth	Coordinator Fast Track Development Assessment
Esra Calim	Coordinator Planning Operations
Harley Pearman	Acting Coordinator Major Development Assessment
Emma Di Rita	Acting Executive Planner
Bala Sudarson	Executive Development Engineer
Elizabeth Chan	Senior Development Planner
Ana Ghafari	Development Planner
Darci Boyd	Senior Governance Officer
Paulette Maroon	Governance Officer (Minute Taker)

The meeting opened at 11.30am.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

ITEM ELPP014/26 - DEVELOPMENT APPLICATION - 70 BURNETT STREET, MERRYLANDS

PANEL DECISION:

1. That the Clause 4.6 variation request to contravene the setbacks development standard to Division 2, 25(2)(b)(i) of State Environmental Planning Policy (Housing) 2021 be supported.
2. The Clause 4.6 variation request to contravene the development standard for building separation pursuant to Division 2, 25(2)(c) of State Environmental Planning Policy (Housing) 2021 be supported.
3. Development Application 2025/0778 for the demolition of existing structures and construction of a three-storey boarding house consisting of 20 boarding rooms, a communal area and at grade parking on land at 70 Burnett Street Merrylands be approved as a deferred commencement consent subject to conditions listed in Council's assessment report.

Reasons for Approval

1. The Panel generally concurs with the Planning Officers report subject to the attached conditions within the report.
2. The Panel is satisfied that the applicant's written request to contravene the development standard relating to Building Separation of Section 25(2)(c) of State Environmental Planning Policy (Housing) 2021 and Side Setbacks of Section 25(2)(b)(i) of State Environmental Planning Policy (Housing) 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 (3) and has demonstrated that:
 - (a) compliance with the standard is unreasonable and unnecessary in the circumstances of the case, and
 - (b) there are sufficient environmental planning grounds to justify the contravention.
3. Subject to the recommended conditions of consent, the proposal will not have any unreasonable impacts on the amenity of neighbouring properties or the locality.

For: Michael File (Chairperson), Wayne Carter, Dennis Loether and Virginia Sinclair.

Against: Nil.

ITEM ELPP015/26 - DEVELOPMENT APPLICATION - 9 SHERWOOD ROAD,
MERRYLANDS WEST

PANEL DECISION:

1. That the Clause 4.6 variation request to contravene the Building Height development standard pursuant to Section 16(3) of State Environmental Planning Policy (Housing) 2021 be supported.
2. Clause 4.6 variation request to contravene the landscape provision development standard pursuant to Section 19(2)(e) of State Environmental Planning Policy (Housing) 2021 be supported.
3. Clause 4.6 variation request to contravene the floor to ceiling height provision development standard pursuant to Section 148(2)(c) of State Environmental Planning Policy (Housing) 2021 be supported.
4. Development Application 2025/0688 being an amending Development Application to DA2016/164/1 for the addition of one (1) storey each to Buildings A and B and two (2) storeys to Building C, increase in the total number of apartments from 90 to 117 including affordable housing apartments pursuant to State Environmental Planning Policy (Housing) 2021, reconfiguration of the ground floor retail tenancies, basement and at-grade parking and a reduction of four (4) car parking spaces. on land at 9 Sherwood Road Merrylands West be approved subject to conditions.
5. 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.

The Panel notes that the following condition from the previous consent will be included in the new consent to address the submission:

If the development likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to the proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first.

2. The Panel is satisfied that the applicant's written request to contravene the development standard relating to Building Height of Section 16(3) of State Environmental Planning Policy (Housing) 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 (3) and has demonstrated that:

- (a) compliance with the standard is unreasonable and unnecessary in the circumstances of the case, and
 - (b) there are sufficient environmental planning grounds to justify the contravention.
3. The Panel is satisfied that the applicant's written request to contravene the non discretionary development standard of Landscaping of Section 19(2)(b)(ii) of State Environmental Planning Policy (Housing) 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 (3) and has demonstrated that:
 - (a) compliance with the standard is unreasonable and unnecessary in the circumstances of the case, and
 - (b) there are sufficient environmental planning grounds to justify the contravention.
4. The Panel is satisfied that the applicant's written request to contravene the non discretionary development standard relating to Ceiling Height of Section 148(2)(c) of State Environmental Planning Policy (Housing) 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 (3) and has demonstrated that:
 - (c) (a) compliance with the standard is unreasonable and unnecessary in the circumstances of the case, and
 - (d) (b) there are sufficient environmental planning grounds to justify the contravention.
5. The Panel has considered the matters raised in the 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.
6. Subject to the recommended conditions of consent, the proposal will not have any unreasonable impacts on the amenity of neighbouring properties or the locality.

For: Michael File (Chairperson), Wayne Carter, Dennis Loether and Virginia Sinclair.

Against: Nil.

ITEM ELPP016/26 - DEVELOPMENT APPLICATION - 62 BRIDGE ROAD,
WESTMEAD

PANEL DECISION:

The panel resolved to refuse the application as it was not satisfied that adequate arrangements have been to satisfy the Clause 6.4 of the Cumberland LEP 2021 particular to stormwater discharge.

Reasons for Refusal

1. Clause 6.4 of the Cumberland LEP 2021 requires the consent authority to be satisfied that stormwater drainage or adequate arrangements be provided.
2. This application failed to provide any evidence that the required easement could be obtained.

For: Michael File (Chairperson), Wayne Carter, Dennis Loether and Virginia Sinclair.

Against: Nil.

ITEM ELPP017/26 - DEVELOPMENT APPLICATION - 20 FULLAGAR ROAD,
WENTWORTHVILLE

PANEL DECISION:

That Development Application No. DA2026/0060 for demolition of existing outbuilding, shed and swimming pool and construction of a detached secondary dwelling and studio on land at 20 Fullagar Road WENTWORTHVILLE NSW 2145 be approved subject to conditions listed in Council's assessment report.

Reasons for Approval

1. The Panel generally concurs with the Planning Officers report subject to the attached conditions within the report.
2. The proposed development is deemed to be in the public interest, as it is consistent with the principals and the objectives of the zone.
3. Subject to the recommended conditions of consent, the proposal will not have unreasonable impacts on the amenity of neighbouring properties or the locality.
4. Taking into account the reasons above, approval of the application would be in the public interest.

For: Michael File (Chairperson), Wayne Carter, Dennis Loether and Virginia Sinclair.

Against: Nil.

ITEM ELPP018/26 - DEVELOPMENT APPLICATION - 3 - 5 GILBA ROAD, PENDLE HILL

PANEL DECISION:

1. That Development Application 2025/0824 for the construction of a five-storey mixed-use development comprising of commercial unit, childcare centre with 34 places and 74 co-living units over basement car parking with 26 carparking spaces on land at 3-5 Gilba Road, Pendle Hill be refused for the reasons listed in Council's assessment report.
2. Persons whom have lodged a submission in respect to the application be notified of the determination of the application.

Reasons for Refusal

The panel is satisfied with the reasons for refusal as per Council's Assessment Report and the numerous non compliances as outlined.

For: Michael File (Chairperson), Wayne Carter, Dennis Loether and Virginia Sinclair.

Against: Nil.

The meeting terminated at 1.30pm.

Signed:



Chairperson