
Canterbury Bankstown Local Planning Panel - 03 August 2020

ITEM 1	60 Kitchener Parade, Bankstown
	Alterations and additions to provide new floor space at Level 4 of existing commercial building
FILE	DA-960/2019 – Bankstown
ZONING	B4 Mixed Use
DATE OF LODGEMENT	15 November 2019
APPLICANT	Nuovo Design Studio
OWNERS	ZKFK Pty Ltd
ESTIMATED VALUE	\$505,988
AUTHOR	Planning

REPORT

This matter is reported to the Canterbury Bankstown Local Planning Panel due to a proposed variation to the floor space ratio (FSR) standard under clause 4.4 of the Bankstown Local Environmental Plan 2015.

Development Application No. DA-960/2019 proposes alterations and additions to provide new floor space at level 4 of an existing commercial building. The works involve the creation of an additional 70m² of commercial floor space on the upper floor of the existing building on site, an area that was originally approved as an open terrace area.

DA-960/2019 has been assessed against Bankstown Local Environmental Plan 2015 and Bankstown Development Control Plan 2015, in particular Part A1 – Centres and Part B5 – Parking. The application fails to comply in regards to floor space ratio.

The proposed development will result in FSR on the site increasing to 3:1, as opposed to the 2:1 permitted by the BLEP 2015 for this site. A submission pursuant to Clause 4.6 of the BLEP 2015 has been lodged seeking a variation to the FSR development standard. It is noted that under the original DA for the development of the commercial building on the site (DA-974/2012), Council supported FSR of 2.48:1, and supported a further increase in FSR to 2.76:1 under a later modification application. As will be apparent from the attached

assessment report, the circumstances of the case are such that a variation to the FSR can again be supported in this instance.

While there is a variation to the floor space ratio, the proposed development is otherwise compliant with the relevant development controls and is consistent in terms of its design and function with the existing building on-site and in the context of other commercial developments in the surrounding locality.

The proposal is also deficient by two on-site car parking spaces. With regard to the deficient car parking, the shortfall is to be addressed through a monetary contribution via a Planning Agreement (PA). The proposed car parking deficiency is addressed by the levying of developer contributions which is consistent with both Part B5 – Parking of the BDCP 2015 and Council's Planning Agreements Policy. Given the circumstances of the development site and having regard to the DCP objectives which encourage new retail and commercial development in the Bankstown CBD, the proposed outcome is considered to be acceptable and therefore complies with the BDCP 2015. The Planning Agreement will be dealt with separately by Council, and it is recommended that the Development Application be approved on a deferred commencement basis, subject to the applicant and Council reaching an agreement on the monetary contribution required to be paid in lieu of providing the parking spaces on site.

The application was not required to be advertised or notified under BDCP 2015.

POLICY IMPACT

This development is not considered to have a major policy impact. The variation to floor space ratio is justified in this instance given the site context and circumstances of the case.

FINANCIAL IMPACT

A Planning Agreement will require a monetary contribution to be paid to Council in lieu of providing two off-street parking spaces. The monetary contribution is set aside for the construction of public parking spaces as detailed in Council's CBD Car Parking Strategy.

RECOMMENDATION

It is recommended that the application be approved on a deferred commencement basis, subject to the attached conditions.

ATTACHMENTS

- A. Assessment Report
- B. Conditions of Consent