
Planning Matters - 15 December 2015

ITEM 5.5 **Planning Matters: 83-99 North Terrace and 62 The Mall Bankstown**

**DELIVERY
PROGRAM
(2013-2017)**

TA 2. Council will have a leading local planning framework for development assessment, building certification and compliance that effectively manages the development of land in the City.

AUTHOR **City Planning and Environment**

ISSUE

This report provides Council with an update on the progress on the commercial/financial negotiations and further planning matters in relation to the proposed redevelopment of the Compass Centre Site and the old Library Site.

RECOMMENDATION That -

1. The information regarding the applicable property matters be noted.
2. The Planning Proposal for 83-99 North Terrace and 62 The Mall, Bankstown, be amended to reflect the relevant building heights as outlined in this report.

BACKGROUND

On 24 November 2015 Council resolved to submit a planning proposal to the Department of Planning & Environment to seek a Gateway determination for the Compass Centre Site and the old Library Site. The planning proposal provides a site specific framework which will provide a broad range of short and long term benefits to the Bankstown CBD.

Separately, Council is negotiating the owners a voluntary planning agreement to introduce public benefits arising from the redevelopment of the site. Discussions between Council and the owners continue regarding the commercial/financial aspects of the proposal and around the proposed sale of the old library site.

REPORT

Planning Matters

The Council Report on 24 November 2015 noted the following changes being proposed as part of the redevelopment:

- Increase the floor space from 4.5:1 to 5:1 (clause 4.4);

- Increase in the maximum building height with the maximum changing from 17 storeys (53m) to 20 storeys (62m) (clause 4.3); and
- Increasing flexibility in the types of uses permissible at the first floor, which is currently restricted to the first floor. (clause 6.9).

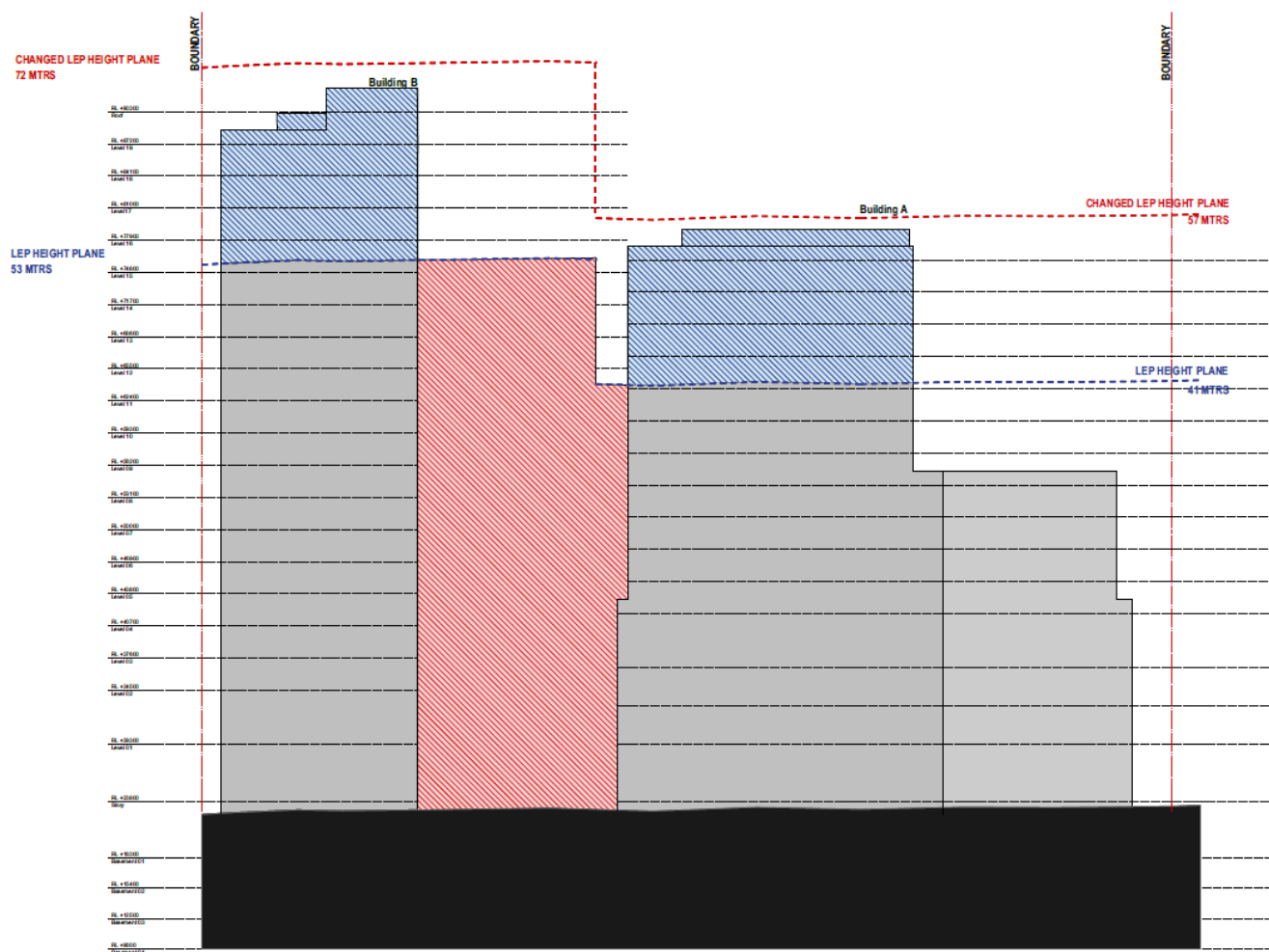
As a result, Council resolved to submit a Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination. The planning proposal seeks to achieve these three requirements by introducing a new clause in Part 4 of the Bankstown Local Environment Plan 2015 as set out below.

Despite clauses 4.3, 4.4 and 6.9 of this Plan, development consent may be granted to the erection of a building with a building height up to 62 metres, a floor space ratio up to 5:1, and dwellings on the first floor on the land to which this clause applies but only if the consent authority is satisfied that the building includes the following public benefits:

- (a) public administration building and associated car parking spaces,*
- (b) the highest standard of architectural, urban and landscape design, and*
- (c) compliance with the energy and water targets under clause 4.4A of Bankstown Local Environmental Plan 2015.*

The land owner has since submitted a detailed section of the proposed development (see below). The proposed maximum height continues to be 20 storeys, however due to the larger commercial floor to floor levels the estimated height is now proposed at 72 metres, an increase of ten metres.

The proposed increase in height does not affect the proposed floor space ratio of 5:1 for the site.



Council intends to apply section 72K of the Environment Planning & Environment Act 1979, which is the joint exhibition of the planning proposal and the advertising of the development application as closely together as is practicable.

Therefore the building height in the planning proposal (see clause above) is to be amended to 72m to align with the development application. The Department of Planning will be informed of this change as part of the Gateway Review process.

Property Matters

Council has separately commenced its commercial/financial negotiation process with the owners. Broadly, the basis to the discussions includes assessing the value of the land and the likely material public benefit derived as a result of the voluntary planning agreement (VPA).

Whilst in its early stages, both the owners and Council's valuers are confirming an agreed methodology to assess how to value the VPA which is in the public interest. This will be used to guide the negotiation process and proposed commercial/financial offer for Councillors' consideration.

A further meeting has been set with the owners to discuss the above during the week commencing Monday 14 December 2015. Given the timing of the meeting, I propose to update Councillors on these discussions at the Ordinary Meeting, in confidential session (see item 11.4).

Given the ongoing nature of matter and Council's adopted meeting schedule, an earlier meeting of Council may need to be arranged in the new year so as to allow Councillors to consider the proposed options/recommendations and ensure that a timely decision is made regarding the matter.

The above process is being managed in accordance with Council's Probity Plan, which ensures that Council observes all necessary requirements of the Local Government Act 1993 and relevant ICAC guidelines.

POLICY IMPACT

Council's objectives under the Bankstown CBD Local Area Plan is to continue to maintain Council's administrative presence in the Civic Precinct, particularly in close proximity to Council's Chambers, Library and Knowledge Centre and Paul Keating Park.

FINANCIAL IMPACT OF RECOMMENDATIONS

There is no direct financial impact resulting from this recommendation.

RECOMMENDATION That -

1. The information regarding the applicable property matters be noted.
2. The Planning Proposal for 83-99 North Terrace and 62 The Mall, Bankstown, be amended to reflect the relevant building heights as outlined in this report.

ATTACHMENTS

Nil