ITEM	PPSSEC-52 (DA2020/0143)
	25 GEORGE STREET, NORTH STRATHFIELD
Subject:	**Council's response to the Applicants clause 4.6 variation to the Maximum Floor Space Ratio control of the Canada Bay LEP, 2013**
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On 8 February 2022, a clause 4.6 variation to the maximum floor space ratio control Clause 4.4 of the Canada Bay Local Environmental Plan, 2013 was received by the applicant.

The clause 4.6 variation seeks to support the proposal, which will result in a floor space ratio of 1.63:1, inclusive of 14 visitor parking spaces and one resident parking space (15 spaces in total). The Maximum floor space ratio for the site is limited to 1.6:1. The variation sought equates to 194.4sqm or 1.62%.

Council has reviewed the submitted clause 4.6 variation and provides the following opinion:

The maximum car parking rates for the subject site are listed in the Concord West Special Precinct DCP, repeated below:

Table 1   Maximum Car Parking Rates

(Extract of Table 3.2 Paramatta Road Corridor Urban Transformation Strategy, Planning and Design Guidelines, Nov 2016, Page 45)

Category	Residential (max. spaces per dwelling)					Other (max. spaces/m2)		
	Studio	1 bed	2 bed	3 bed	Visitor	Commercial	Retail	Industrial
Homebush Precinct	0.3	0.5	0.9	1.2	0.1	100	70	120

The parking control as stated above is silent on the inclusion or exclusion of visitor parking spaces from the car parking rates.

The Clause 4.6 does not discuss the impacts of the FSR, it focuses on the interpretation of the DCP with regard to parking controls and present a merit argument to the wording of the DCP control.

Therefore, it is Council's position that the applicant has not adequately demonstrated in the written request that the variation sought against clause 4.6(3) (a) of the Canada bay LEP.

Additionally, it is Council' position that the there are sufficient environmental planning grounds to justify contravening the development standard against clause 4.6 (3) (b) of the Canada Bay LEP.