



PLANNING PROPOSAL

AMENDMENT TO AUBURN LOCAL ENVIRONMENTAL PLAN 2010

PROPOSAL TO INCREASE FLOOR SPACE RATIO (FSR) CONTROLS APPLYING TO CERTAIN LAND ZONED B4 MIXED USE AND R4 HIGH DENSITY RESIDENTIAL IN THE AUBURN LOCAL GOVERNMENT AREA

**Prepared for
Auburn City Council**

**By
BBC Consulting Planners**

Job No. 11112
Planning Proposal-Final 4.docx
September 2011

Table of Contents

1.	INTRODUCTION	1
1.1	Land to which the Planning Proposal applies	2
1.2	Land Excluded from this Planning Proposal	3
1.2.1	2-36 Church Street, Lidcombe	3
1.2.2	Corner of Rawson Road and Macquarie Street, Auburn	3
1.3	Existing Planning Controls.....	3
1.3.1	B4 Mixed Use Zone.....	3
1.3.2	R4 High Density Residential Zone	4
1.4	Heritage	4
1.5	Flooding	5
1.6	Proposed Planning Controls	5
2.	PART 1 – OBJECTIVES OF THE PROPOSED LOCAL ENVIRONMENTAL PLAN	6
3.	PART 2 - EXPLANATION OF PROVISIONS	7
3.1	Auburn LEP 2010 – B4 Mixed Use zone	7
3.2	Auburn LEP 2010 – R4 High Density Residential Zone	7
4.	PART 3 - JUSTIFICATION	9
4.1	Proposed Technical Studies	9
4.2	Section A - Need for the planning proposal.....	9
4.3	Section B – Relationship to Strategic Planning Framework	14
4.4	Section C – Environmental, Social and Economic Impact	20
4.5	Section D – State and Commonwealth Interests	20
5.	PART 4 – COMMUNITY CONSULTATION.....	23

FIGURES

- Figure 1: Location Plan showing land to which the Planning Proposal relates - Land zoned B4 Mixed Use and certain land zoned R4 High Density Residential
- Figure 2: Land excluded from the Planning Proposal - Land zoned R4 High Density Residential at 2-36 Church Street, Lidcombe and at Cnr of Rawson Street and Macquarie Road, Auburn
- Figure 3: Land to which the Planning Proposal relates - Land zoned B4 Mixed Use within the Auburn Town Centre
- Figure 4: Excerpt from *Auburn LEP 2010* Height of Buildings Map – Auburn Town Centre
- Figure 5: Excerpt from *Auburn LEP 2010* Floor Space Ratio Map – Auburn Town Centre
- Figure 6: Excerpt from *Auburn LEP 2010* Land Zoning Map – Lidcombe Town Centre
- Figure 7: Excerpt from *Auburn LEP 2010* Height of Buildings Map – Lidcombe Town Centre

- Figure 8: Excerpt from Auburn *LEP 2010* Floor Space Ratio Map – Lidcombe Town Centre
- Figure 9: Excerpt from Auburn *LEP 2010* Land Zoning Map – Newington
- Figure 10: Excerpt from Auburn *LEP 2010* Building Height Map – Newington
- Figure 11: Excerpt from Auburn *LEP 2010* Floor Space Ratio Map – Newington
- Figure 12: Excerpt from Auburn *LEP 2010* Land Zoning Map – Auburn Town Centre
- Figure 13: Excerpt from Auburn *LEP 2010* Height of Buildings Map – Auburn Town Centre
- Figure 14: Excerpt from Auburn *LEP 2010* Floor Space Ratio Map – Auburn Town Centre
- Figure 15: Excerpt from Auburn *LEP 2010* Land Zoning Map – Lidcombe Town Centre
- Figure 16: Excerpt from Auburn *LEP 2010* Height of Buildings Map – Lidcombe Town Centre
- Figure 17: Excerpt from Auburn *LEP 2010* Floor Space Ratio Map – Lidcombe Town Centre
- Figure 18: Excerpt from Auburn *LEP 2010* Land Zoning Map – Berala and Regents Park
- Figure 19: Excerpt from Auburn *LEP 2010* Building Height Map – Berala and Regents Park
- Figure 20: Excerpt from Auburn *LEP 2010* Floor Space Ratio Map – Berala and Regents Park
- Figure 21: Excerpt from Auburn *LEP 2010* Heritage Map – Auburn Town Centre
- Figure 22: Excerpt from Auburn *LEP 2010* Heritage Map – Lidcombe Town Centre
- Figure 23: Excerpt from Auburn *LEP 2010* Flood Planning Map
- Figure 24: Proposed Floor Space Ratio Map – Auburn Town Centre
- Figure 25: Proposed Floor Space Ratio Map – Lidcombe Town Centre
- Figure 26: Proposed Floor Space Ratio Map for land zoned R4 High Density Residential to which the Planning Proposal applies

APPENDICES

- Appendix 1: Minutes of the Ordinary Meeting of Council held 20 October 2010 (Item No. 257/10)
- Appendix 2: Minutes of the Extraordinary Meeting of Council held 12 May 2010 (Item No. 116B/10)

1. INTRODUCTION

This Planning Proposal contains an explanation of the intended effect and justification for a proposed amendment to the Auburn Local Environmental Plan 2010. The Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Planning Proposal seeks an amendment to the Auburn LEP 2010 to achieve:

- an increase in the Maximum Floor Space Ratio (FSR) from 3:1 and 3.6:1 to 5:1 for land zoned B4 Mixed Use and has a maximum building height of 32m (8 storeys) or 36m (9 storeys); and
- an increase in the Maximum Floor Space Ratio (FSR) from 1.4:1 to 2:1 for all land zoned R4 High Density Residential, with the exception of land zoned R4 High Density Residential at 2-36 Church Street, Lidcombe – owned by Housing NSW.

The land to which the Planning Proposal relates is shown on **Figures 1, 3 and 6**.

At the Ordinary meeting of Council on 20 October 2010 a report was tabled in response to a series of resolutions made at the Extraordinary Meeting of Council held on 12 May 2010. The minutes of both meetings are provided in Appendices 1 and 2 respectively.

At the Ordinary Meeting held 20 October 2010, Council resolved to:-

- “1. a) ***Prepare a planning proposal in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn and Lidcombe Town Centres and amend the Local Centres part of the ADCP 2010 accordingly.***
- b) ***Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA and amend the Residential Flat Buildings part of the ADCP 2010 accordingly.***
- c) ***Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the height in the Auburn and Lidcombe Town Centres to a maximum 55m or equivalent to 18 stories and FSR of 8.8:1 and amend the Local Centres part of the ADCP 2010 accordingly.***
- d) ***Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Auburn Road eastern side from***

Beatrice Street to Helena Street from R3 to B4 and amend the Local Centres part of the ADCP 2010 accordingly.

- e) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential and amend the Residential Flat Buildings part the ADCP 2010 accordingly.*
 - f) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties fronting St Hilliers Road from Simpson Street and Dartbrook Road from Simpson to Parramatta Road excluding the existing commercial component to be consistent with the remainder of properties facing St Hilliers Road being R4 and amend the Residential Flat Buildings part the ADCP 2010 accordingly.*
 - g) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that face Park Road between Raglan Road and Princess Street East to IN2.*
 - h) *Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties facing Park Road and bound by Jenkins Road and the railway line to IN2.*
- 2. *Note that a Planning Study of Regents Park Town centre and the surrounding Regents Park residential area will be prepared and brought back to Council in 2011.*
 - 3. *Note that a planning study of Berala Town Centre and the surrounding Berala residential area will be prepared and brought back to Council in 2011.” [our emphasis]*

BBC Consulting Planners has been engaged by Auburn City Council to prepare a Planning Proposal in relation to Items 1(a) and 1(b) in the Resolution above. The Planning Proposal will evolve and develop as technical studies are prepared and consultation is undertaken. Recommended technical studies are described in detail in **Part 4** of this Planning Proposal.

In accordance with Section 55 of the EP&A Act, this Planning Proposal seeks to explain the intended effect of the proposed instrument and sets out the justification for making the proposed instrument. It addresses matters that are intended to be included in the Local Environmental Plan.

1.1 Land to which the Planning Proposal applies

The Planning Proposal applies to the land identified in **Figures 1, 3 and 6** as land to which the Planning Proposal relates.

1.2 Land Excluded from this Planning Proposal

1.2.1 2-36 Church Street, Lidcombe

The Planning Proposal does not apply to land zoned R4 High Density Residential at 2-36 Church Street, Lidcombe. Refer to **Figure 2**. This land is owned by Housing NSW (formerly Department of Housing).

The floor space ratio applying to this land (2-36 Church Street, Lidcombe) will remain as per the Auburn LEP 2010, shown on Floor Space Ratio Map FSR_007 (see **Table 1** below):-

Table 1: FSR Classifications and Maximum FSR from Floor Space Ratio Map FSR_007

FSR classification	Maximum FSR
U	2.6
T3	2.49
R2	1.49
P2	1.29

1.2.2 Corner of Rawson Road and Macquarie Street, Auburn

The Planning Proposal does not apply to land zoned R4 High Density Residential at the Corner of Rawson Road and Macquarie Street, Auburn. Refer to **Figure 2**.

The floor space ratio applying to this land will remain as per Auburn LEP 2010, shown on Floor Space Ratio Map FSR_002 (see **Table 2** below):-

Table 2: FSR Classifications and Maximum FSR from Floor Space Ratio Map FSR_002

FSR classification	Maximum FSR
V1	3.0

1.3 Existing Planning Controls

The land to which the Planning Proposal relates, is currently zoned either B4 Mixed Use (see **Figures 3** and **6** for the Auburn and Lidcombe Town Centres, respectively), or R4 High Density Residential (see **Figures 9, 12, 15** and **18** for Newington, Auburn, Lidcombe and Berala/Regents Park, respectively). A discussion on the existing controls applying to the land to which this Planning Proposal relates is provided below.

1.3.1 B4 Mixed Use Zone

Building Height

In relation to B4 Mixed Use zoned land, the Planning Proposal only relates to that land currently identified on the Auburn LEP 2010 Height of Buildings Map as having a maximum height limit of 32m or 36m (8 and 9 storeys, respectively). **Figures 4** and **7**, which are

extracts from the current Height of Buildings Map, show the land to which the Planning Proposal relates within the Auburn and Lidcombe Town Centres, respectively.

Floor Space Ratio (FSR)

Figures 5 and 8 show the current Maximum Floor Space Ratio (FSR) that applies to the relevant land within the Auburn and Lidcombe Town Centres, respectively. The current FSRs for the land affected by the Planning Proposal within the Auburn Town Centre are 3:1, 3.4:1 and 3.6:1. The current FSRs, for the land affected by the Planning Proposal within the Lidcombe Town Centre, are 3.4:1 and 3.6:1.

1.3.2 R4 High Density Residential Zone

The Planning Proposal relates to all land zoned R4 High Density Residential within the Auburn Local Government Area, with the exception of land zoned R4 High Density Residential at 2-36 Church Street, Lidcombe (see **Figure 2**), which is owned by Housing NSW.

Extracts from the current Height of Buildings Map applying to R4 High Density Residential land are provided in **Figures 10, 13, 16 and 19** which, respectively, relate to Newington, Auburn, Lidcombe and Berala/Regents Park. The current Maximum Floor Space Ratio Maps applying to R4 High Density Residential land are provided in **Figures 11, 14, 17 and 20**, respectively, for the aforementioned areas.

In order to easily understand the areas affected by the Planning Proposal we have disaggregated the R4 High Density Residential zoned land by the suburb in which it is located. **Table 3** below shows the Maximum Height of Buildings and Floor Space Ratios applicable to the R4 High Density Residential zoned land within each suburb:-

Table 3: Maximum Height of Buildings and Floor Space Ratios applicable to R4 High Density Residential zoned land within each suburb

Suburb	Maximum Height of Buildings (m)	Maximum Floor Space Ratio (FSR)
Newington	15 and 16	1.4:1
Auburn	16	1.4:1
Auburn	32	3.0:1
Lidcombe	16	1.4:1, 1.5:1
Lidcombe	27	2.0:1
Berala/Regents Park	16	1.4:1

1.4 Heritage

The land to which the Planning Proposal applies contains sites of heritage significance. Refer to **Figures 21 and 22** showing excerpts from the Auburn LEP 2010 Heritage Maps for the Auburn and Lidcombe Town Centres.

1.5 Flooding

Figure 23 is an extract from the Auburn LEP 2010 Flood Planning Map. Parts of the land to which the Planning Proposal applies are affected by flooding, including:-

- areas within or adjacent to the Auburn Town Centre – including both B4 Mixed Use and R4 High Density Residential zoned land;
- R4 High Density Residential zoned land at Berala; and
- areas within the Lidcombe Town Centre zoned B4 Mixed Use.

Depending on the findings from the proposed Urban Design Study (refer to Section 4.1 of this report), the Height of Buildings Map may need to be amended.

1.6 Proposed Planning Controls

The Planning Proposal will result in the following amendments to the Maximum FSR Map forming part of Auburn LEP 2010:-

- as shown on **Figures 24** and **25** respectively, certain land zoned B4 Mixed Use in the Auburn and Lidcombe Town Centres will have a maximum FSR limit of 5:1; and
- as shown on **Figure 26**, all land in the Auburn LGA zoned R4 High Density Residential (except for certain land at 2-36 Church Street, Lidcombe) will have a maximum FSR of 2:1.

2. PART 1 – OBJECTIVES OF THE PROPOSED LOCAL ENVIRONMENTAL PLAN

This section of the Planning Proposal sets out the objectives or intended outcomes of the Planning Proposal. The following objectives will be developed further as studies are undertaken to inform the Planning Proposal.

The objectives of the Planning Proposal are to:-

1. enable the redevelopment of certain identified parts of the Auburn and Lidcombe Town Centres for higher-density, mixed-use development, that will better contribute to sub-regional housing and commercial space targets;
2. enable the redevelopment of land throughout the Auburn LGA identified for high-density residential development to a higher density to better contribute to sub-regional housing targets;
3. encourage the development of buildings that achieve design excellence and of public domain spaces that are safe, accessible and attractive;
4. enhance the local environment;
5. maximise the use of public transport, walking and cycling for trips to, from and within the Auburn LGA by integrating accessibility to services and public transport with the provision of on-site parking;
6. provide for the orderly and economic development of land; and
7. ensure development within the Auburn Local Government Area appropriately supports the centres hierarchy of the Metropolitan Plan for Sydney 2036 and the West Central Subregion Draft Subregional Strategy.

3. PART 2 - EXPLANATION OF PROVISIONS

This section sets out the means through which the objectives described in Part 1 will be achieved, in the form of controls on development in an LEP.

Auburn City Council supports the Planning Proposal for:-

- (i) an increase in the Maximum Floor Space Ratio (FSR) from 3.0:1, 3.4:1 and 3.6:1 to 5:1 for certain land in the Auburn and Lidcombe Town Centres zoned B4 Mixed Use that currently has a maximum building height of 32m and 36m (or 8 and 9 storeys, respectively); and
- (ii) an increase in the Maximum Floor Space Ratio (FSR) from 1.4:1 to 2:1 for all land zoned R4 High Density Residential within the Auburn Local Government Area, with the exception of land zoned R4 High Density Residential at 2-36 Church Street, Lidcombe and at the corner of Rawson Road and Macquarie Street, Auburn (see **Figure 2**).

The LEP will conform to the *Standard Instrument (Local Environmental Plans) Order 2006*. It will identify the land to which it relates and alter the Maximum Floor Space Ratio Maps currently forming part of Auburn LEP 2010 by increasing the permissible FSR's on those land.

The Zoning, Height of Buildings, Heritage, Flood Planning and Acid Sulfate Soils Maps which currently form part of Auburn LEP 2010 will remain unchanged as a result of the Planning Proposal.

3.1 Auburn LEP 2010 – B4 Mixed Use zone

The principal development standard (maximum floor space ratio) which applies to land zoned **B4 Mixed Use** under the Auburn LEP 2010 (land within the Auburn and Lidcombe town centres) is proposed to be amended.

The ALEP 2010 Floor Space Ratio Maps showing land zoned B4 Mixed Use will require amendment in accordance with the notations in **Table 4**.

Table 4 – Floor space ratio (FSR) map changes for land zoned B4 Mixed Use

ALEP 2010 map tiles FSR_002, FSR_003, and FSR_007	Proposed amendment to map tiles FSR_002, FSR_003, and FSR_007
FSR for land zoned B4 Mixed Use is currently shown as V1 (3.0:1), V2 (3.4:1) or W1 (3.6:1).	FSR for land zoned B4 Mixed Use to be shown as Z1 (5:1)

3.2 Auburn LEP 2010 – R4 High Density Residential Zone

The principal development standard (maximum floor space ratio) which applies to land zoned **R4 High Density Residential** under the Auburn LEP 2010 is proposed to be amended. The ALEP 2010 Floor Space Ratio Maps showing land zoned R4 High Density Residential will require amendment in accordance with the notations in **Table 5**.

Table 5: Floor space ratio (FSR) map changes for land zoned R4 High Density Residential

ALEP 2010 map tiles FSR_002, FSR_003, FSR_004, FSR_005, FSR_006 and FSR_007	Proposed amendment to map tiles FSR_002, FSR_003, FSR_004, FSR_005, FSR_006 and FSR_007
FSR for land zoned R4 High Density Residential is currently shown as R1 (1.4:1), S (1.5:1), T1 (2.0:1).	FSR for land zoned R4 High Density Residential to be shown as T1 (2:1)

The Height of Buildings Maps may change, depending on the outcome of the Urban Design Study (see **Section 4.1** of this Planning Proposal).

4. PART 3 - JUSTIFICATION

This section sets out the reasons for the proposed outcomes and development standards in the Planning Proposal.

The following questions are set out in the Department of Planning's *A Guide to Preparing Planning Proposals* and address the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

4.1 Proposed Technical Studies

The following technical studies are required to be undertaken by the Council to support the Planning Proposal:-

1. Urban Design Study

This study is to investigate the interface between the subject B4 Mixed Use and R4 High Density Residential zoned land and adjacent land uses and the presentation of these areas within the local context (with a strong focus where there is an interface between R4 High Density Residential and R2 Low Density Residential land).

The Study will also look at whether there is a need to increase building heights as well as the need to amend the Local Centres and Residential Flat Buildings parts of Auburn DCP 2010.

2. Traffic, Transport and Accessibility Study

This study would be prepared by a suitably qualified transport consultant to provide advice regarding the potential impact of the proposed changes in the FSR controls on the existing transport network. The study should include an analysis of any local traffic impacts resulting from redevelopment of these sites and advise of opportunities to integrate these areas with the local public transport network including opportunities for walking and cycling.

Consultants preparing the traffic, transport and accessibility study will be required to liaise with Council's traffic engineers. The study would need to consider and incorporate the findings of any previous or current traffic studies prepared by Council.

This study would be initiated once the Urban Design Study, recommended to be undertaken in Section 4.1, is complete.

4.2 Section A - Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The planning proposal is not the result of a strategic study or report. The Planning Proposal has been prepared in response to the resolutions of Council made 20 October 2010 (refer Appendix 1) and 12 May 2010 (refer Appendix 2). Council initially made resolutions on floor space ratios and related matters during the preparation and consideration of the *Auburn Local Environmental Plan 2010*.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The main objectives or intended outcomes of the Planning Proposal are to permit a higher density for development within certain areas of the Auburn and Lidcombe town centres and for all R4 High Density Residential zoned land (with one exception, as previously noted) throughout the Auburn LGA.

A maximum Floor Space Ratio (FSR) requirement is the principal control relating to density. Amending the existing FSR controls is the best way of achieving a higher density on the subject land.

3. Is there a net community benefit?

Under the then Department of Planning's Guideline to Preparing Planning Proposals, it is recommended that the Net Community Benefit Test from the Draft Centres Policy be followed when assessing a planning proposal. The guideline suggests that a Net Community Benefit Test should be prepared by the proponent in conjunction with the relevant planning authority to be submitted to council for endorsement prior to submitting to the Department of Planning as part of the Gateway test.

"a. Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?"

The West Central Subregion Draft Subregional Strategy (WCSDSS) is the primary document for setting the strategic direction for the Auburn LGA for the year 2031. The Centres and Corridors Housing Strategy from the WCSDSS identified a centres typology for the Auburn LGA. Auburn and Lidcombe are identified as "Town Centres":

"These generally act as important anchors of retail, services and community facilities servicing sub-catchments of two or three surrounding suburbs.

Town centres have one or two supermarkets, community facilities, medical centre, schools, etc. They contains between 4,500 and 9,500 dwellings."

The other areas affected by the Planning Proposal being those parts of Newington, Berala and Regents Park which are zoned R4 High Density Residential. In some cases this R4 High Density Residential land is located within these "Small Villages" as identified in the Centres and Corridors Housing Strategy:

Small Villages *"are a strip of shops and adjacent a residential area within a 5 to 10 minute walk"*. Small Villages *"contain between 800 and 2,700 dwellings"*.

A key objective of the West Central Subregion Draft Subregional Strategy ("WCSDSS") is to *Increase Densities in Centres whilst Improving Liveability*. The Planning Proposal is to increase the maximum density (measured in terms of FSR) in parts of both of the town centres of Auburn and Lidcombe and also to increase the density in R4 High Density Residential zoned areas adjacent to the two Town Centres and within Newington, Berala and Regents Park.

The Planning Proposal is therefore considered to be compatible with the strategic direction of the area.

“b. Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?”

Yes. As outlined above, the Centres and Corridors Housing Strategy from the WCSDDS identified a centres typology for the Auburn LGA. Auburn and Lidcombe were identified as “Town Centres”.

“Small Villages” were identified in the suburbs of Newington, Regents Park and Berala. However the Metropolitan Plan for Sydney 2036 has deleted ‘Small Villages’ and upgraded them to ‘Villages’. These contain “a group of shops and services for daily shopping”. The centre radius would be 400 to 600m. The majority of the subject land zoned R4 High Density Residential is located within the radius of 400 to 600m. Parts of the land zoned R4 High Density Residential adjacent to the Auburn Town Centre and within the suburb of Newington are further than 600m from the centre of those areas.

“c. Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?”

Each rezoning request that is made to Council must address the same criteria as this Planning Proposal. The Planning Proposal relates to all of the land (with the exception of certain land in Church Street, Lidcombe) zoned R4 High Density Residential within the LGA and the only land zoned B4 Mixed Use within the Auburn LGA is within the Auburn and Lidcombe Town Centres. As such, the LEP is unlikely to create a precedent.

The LEP is likely to change the expectations of landowners as the increase in the maximum FSR on the land will be expected to result in intensification in the density of development on the land.

“d. Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?”

This proposal is not a spot rezoning proposal.

“e. Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?”

The LEP has the potential to facilitate permanent employment generating activities within the Town Centres of Auburn and Lidcombe by increasing the allowable FSR on land zoned B4 Mixed Use with a height limit of 32m or 36m. In addition, the LEP has the potential to contribute to the economic stability of the wider area through increased population in the “villages” of Newington, Berala and Regents Park.

“f. Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?”

Yes. The LEP will impact on the yield of particular areas of residential and mixed-use land and will therefore have an impact on housing supply and affordability.

Should there be an increase in the maximum density on the subject sites, there is potential for an increase in the number of dwellings to be accommodated within each area. The availability of these new dwellings in the market is likely to have a positive impact on housing affordability in the area.

“g. Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?”

Yes. All of the proposed sites (with the exception of Newington which is between 1 and 1.5km distant from a railway station) are approximately within 0-800m walking distance of a Railway Station. In addition, buses serve each area, which connect to the rail network in most cases.

At this stage of the Planning Proposal, the appropriate State and Commonwealth public authorities have not yet been identified, and the Gateway Determination has yet to be issued by the Minister for Planning and Infrastructure. Consultation will need to be undertaken with public authorities, such as the State Transit Authority of NSW to determine the capacity of the existing public infrastructure and whether the existing services are capable of supporting the increased development densities in the LEP.

“h. Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?”

Yes. The Planning Proposal involves increasing the density of land zoned B4 Mixed Use. By increasing the density of these areas there is a potential for more dwellings and commercial uses to be accommodated in these areas and thus allowing more people to live and work in the same area. The Planning Proposal is likely to have positive impact (if any) on greenhouse gas emissions, operating costs and road safety.

“i. Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?”

As outlined above, the appropriate State and Commonwealth public authorities have not yet been identified, and the Gateway Determination has yet to be issued by the Minister for Planning. Consultation will be undertaken with public authorities following a Gateway Determination to determine government investments in infrastructure or services in the area whose patronage will be affected by the proposal.

“j. Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?”

Yes. The land is constrained by environmental factors including flooding. In addition there are two local heritage items within the area affected by the Planning Proposal and the land is in close proximity to other items of heritage significance. **Section 4.1** of this Planning Proposal recommends a range of technical studies that will investigate these potential land constraints, should a Gateway Determination be issued by the Minister.

There are no known protected biodiversity issues that would prevent an increase in the residential and mixed use density on the subject land from being realised.

“k. Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the location and wider community?”

Yes. Auburn LEP 2010 was only recently prepared and gazetted (29 October 2010). This LEP introduced the zoning of the land affected by the Planning Proposal and found that this land was suitable to be zoned as either R4 High Density Residential or B4 Mixed Use as it is compatible/ complementary with surrounding land uses.

“l. Will the public domain improve?”

Yes. By allowing higher densities to be achieved on the subject land there will be an incentive for people to redevelop the land. It is reasonable to expect that as a result of the redevelopment, substantial works will be undertaken within the public domain.

Development Contributions imposed on the redevelopment of these areas would be expected to finance future public domain improvements or community facilities within the area.

“m. Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?”

Yes, directly and indirectly. The proposal involves increasing the density of B4 Mixed Use land. This will provide applicants with an opportunity to increase the amount of retail/commercial space which operates in these areas.

In addition, the proposal will increase the allowable floor space within the higher density residential zone. The increase in dwellings or allowable floor space over the subject land could reasonably be expected to have a positive economic impact on the Town Centres of ‘Auburn’ and ‘Lidcombe’ as well as the ‘Villages’ of Newington, Berala and Regents Park.

“n. If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?”

No. The proposal is not a stand-alone proposal.

“o. What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?”

The Planning Proposal is in the public interest as it will increase the allowable housing and commercial floor space within several areas of the Auburn LGA, which is required to accommodate future growth.

Other ways the Planning Proposal supports the public interest include:-

- the proposal has the possibility of attracting investment into the Auburn LGA through redevelopment opportunities;
- the increase in density may be a catalyst for redevelopment and result in the upgrading of the dwelling stock to current residential standards and an increase in housing choice making a positive contribution to housing affordability; and

- the increased density in established high density residential areas will utilise existing infrastructure. This increases efficiency and cost effectiveness of the infrastructure and can reduce the financial burden on state and local governments to provide new infrastructure on greenfield sites.

It is difficult to determine the implications of not proceeding at this time as the current planning controls were introduced less than a year ago and it is difficult to determine whether the FSR controls for the R4 High Density Residential and B4 Mixed Use zones are adequate or sufficient to stimulate the revitalisation of these areas.

4.3 Section B – Relationship to Strategic Planning Framework

1. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Yes. The Metropolitan Plan for Sydney 2036 (“the Metropolitan Plan”) is the blueprint for strategic planning within metropolitan Sydney. It affirms yet supersedes the ‘City of Cities – A Plan for Sydney’s Future’ Metropolitan Strategy 2031 (“the Metropolitan Strategy”). The Metropolitan Plan was produced by drawing on the strengths and principles of the Metropolitan ‘City of Cities’ Strategy, including its five central aims and supporting subregional strategies.

METROPOLITAN STRATEGIES

Strengthening a City of Cities

The Planning Proposal is consistent with the objectives and actions that underpin the Strengthening a City of Cities theme that seek to:

- contain the urban footprint, with 70% of growth occurring in existing urban centres;
- achieve renewal in existing areas;
- support the trend towards greater infill;
- allocate growth among subregions; and
- build on elements of a compact city, active centres and connected and networked cities.

Growing and Reviewing Centres

The Planning Proposal supports the centres hierarchy and planning catchments stated within the Growing and Reviewing Centres theme of the Metropolitan Plan.

The Planning Proposal supports Plan’s objective to benefit from concentrating activities in centres by:

- enhancing the viability of town centres, villages and neighbourhood centres;
- potentially enabling greater diversity of dwellings;

- improving access to a range of retail, commercial, health, education, and leisure and community services;
- optimising use of existing infrastructure and services; and
- promoting sustainable transport alternatives.

All land zoned B4 Mixed Use, which the increased 5:1 FSR control is proposed to apply, is contained within an 800m radius of the Auburn and Lidcombe train stations. The land zoned R4 High Density Residential, which the increased 2:1 FSR control is proposed to apply, is also substantially contained within the respective radial catchments of 800m for the Auburn and Lidcombe town centres and within a 600m radius of the Regents Park, Berala and Newington villages. The only exception to this is R4 High Density Residential zoned land which is located outside of Newington village's 600m planning catchment. This land is part of the master planned Newington community and contains fully constructed residential flat buildings. The high density zoning in these locations was applied as part of the rollover methodology used to produce the Auburn LEP 2010. The R4 High Density Residential zone was determined to be the most appropriate under the Standard Instrument when transferring controls for this land from previous plans and policies to Council's new principle LEP (Auburn LEP 2010). Higher density development in this location was designed to capitalise on the overlook of open space at the eastern edge of Newington and create an interface between lower density residential development to the west and Sydney Olympic Park to the east.

Transport for a Connected City

The Planning Proposal seeks to introduce increased FSR controls to land within and adjacent to town centres and villages (land zoned B4 Mixed Use and R4 High Density Residential).

Increasing the FSR for the B4 Mixed Use and R4 High Density Residential zones will potentially facilitate increased commercial and retail floor space (employment) and increased residential density (number, size and configuration of dwellings). Intensified development within and around town centres and villages may lead to more residents and workers utilising transport infrastructure and services.

The strategic location of the Auburn and Lidcombe town centres within the metropolitan Sydney bus and rail network may also result in broader diversity of patronage within transport modes and more sustainable transport choices such as walking, cycling and a higher reliance on public transport. This supports the Transport for a Connected City theme within the Plan as it seeks to further integrate land use and transport.

Housing Sydney's Population

The Planning Proposal supports the Plan's objective to achieve efficient use of existing urban areas. The Auburn and Lidcombe town centres, Regents Park and Berala villages and R4 High Density Residential zoned land within the Auburn local government area enjoy good access to services, jobs and public transport (Objective D1).

Growing Sydney's Economy

The Planning Proposal supports the Plan's objectives to grow Sydney's economy by facilitating growth and renewal within and adjacent to centres and ensuring economic activity, investment and jobs are concentrated in the right locations (Objective E1).

Balancing Land Uses on the City Fringe

The Planning Proposal seeks to facilitate projected population and employment growth within the existing commercial footprints of the town centre and within high density residential land that surrounds the centres and villages.

Tackling Climate Change and Protecting Sydney's Natural Environment

The Planning Proposal is consistent the Plan's objective to tackle climate change and protect Sydney's natural environment by facilitating more compact, multi-centred city with jobs close to homes and transport.

WEST CENTRAL SUBREGION DRAFT SUBREGIONAL STRATEGY

The West Central Subregion Draft Subregional Strategy ("WCSDSS") is the subregional strategy that currently applies to the Auburn local government area. It was originally produced to support the 'City of Cities – A Plan for Sydney's Future' Metropolitan Strategy 2031. The WCSDSS remains relevant to Auburn City beyond the introduction of the Metropolitan Plan for Sydney 2031 as it contains key directions and actions for implementation at the local level.

Economy and Employment

The WCSDSS sets targets for provision of 17,000 new dwellings and 12,000 new jobs within the Auburn local government area by 2031. The Planning Proposal will enable increased floor space to be realised within land designated for employment generating uses (land zoned B4 Mixed Use) This will potentially enable development to further contribute to the West Central subregion's jobs target (Action A1.1).

Centres and Corridors

The Planning Proposal seeks to:-

- support appropriate locations for economic activity and employment (Action B1);
- enable increased densities in centres while improving liveability (Action B2); and
- support centres with transport infrastructure and services (Action B4).

Enabling increased FSR within land zoned for business purposes will potentially facilitate an increased concentration of retail activity in centres and near public transport (Action B4).

Housing

The Planning Proposal will potentially increase the supply of gross floor area for residential development and achieve higher occupation of existing dwellings through redevelopment (Action C1). Increasing the permissible FSR for land zoned B4 Mixed Use and R4 High Density Residential may encourage greater housing mix (Action C2) and diversity in dwelling size and configuration. Feasibly, this may facilitate renewal of parts of the Town Centres (Action C3) and improve housing affordability and quality of new development (Actions C4 and C5).

Transport

The land to which this Planning Proposal applies is well connected to transport networks that will service commercial and residential growth and encourage more sustainable transport choices (Action D3).

The Auburn and Lidcombe town centres (land zoned B4 Mixed Use) and the Regents Park and Berala villages are frequently serviced as part of the metropolitan Sydney rail network. A substantial proportion of the land zoned R4 High Density Residential is accessible to the town centres and villages. Auburn, Lidcombe, Regents Park and Berala are well serviced by several bus routes. A suitable pedestrian environment is provided and the street network within the Auburn local government area supports cycling.

Environment, Heritage and Resources

Concentrating development growth in and adjacent to centres and villages with established urban form and infrastructure (Action E3.1) may reduce the development occurring outside local centres and impact on the environmental, particularly on existing vegetation, water quality and the Duck Creek catchment.

There is no anticipated implication to heritage items or heritage conservation areas resulting from the Planning Proposal.

Parks, Public Places and Culture

The Planning Proposal (seeking increased FSR for development within land zoned B4 Mixed Use and R4 High Density Residential) will potentially have an impact on parks, public spaces and culture by way of:-

- ensuring residents and workers of new development have access a diverse mix of parks and public spaces (Action F2);
- requiring provision of greater urban civic space when planning for centres (Action F2.3); and
- building upon Auburn City's cultural life (Action F4).

2. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?

The Auburn City Community Strategic Plan (CSP) 2011 – 2021 was publicly exhibited in February and March (2011) and formally adopted by Council on 18 May, 2011. This Plan is the most comprehensive strategic plan produced for Auburn City and included the most extensive program of community engagement previously undertaken by Council.

The Planning Proposal is consistent with the principles for sustainable cities which underpin the CSP, in that it seeks to facilitate residential and employment generating development to occur in areas well serviced by public infrastructure (i.e. transport; community facilities; schools) and within or in close proximity to established commercial centres.

In addition, the CSP was prepared to consider and respond to priorities of the Auburn City community over the next 10 years. This includes:-

- housing affordability;
- quality of development;
- attractive public spaces and town centres;
- maintaining assets and delivering infrastructure;
- better transport; and
- an attractive place to do business.

Increasing controls for development density in the B4 Mixed Use and R4 High Density Residential zones, if appropriately managed, will potentially respond to these challenges.

3. Is the planning proposal consistent with applicable state environmental planning policies?

Should the Planning Proposal be supported at the gateway, the predominant State Environmental Planning Policies (SEPPs) that apply to redevelopment of the affected land include, but are not limited to:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development; and
- State Environmental Planning Policy (Infrastructure) 2007.

Consistency with State Environmental Planning Policies will be determined at the Development Assessment stage.

4. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Table 6, below, identifies the proposal's consistency with the applicable Ministerial Directions:-

Table 6: Planning proposal's consistency with the applicable Ministerial Directions

s.117 Direction Title	Consistency of Planning Proposal
1.1 Business and Industrial Zones	Yes – The proposal will protect and enhance the available employment land within identified town centres.
2.3 Heritage Conservation	Yes – The Proposal identifies items of heritage significance within the study area. No changes are proposed to the controls applying to heritage items or heritage conservation areas.
3.1 Residential Zones	Yes. Intensification of residential density within the Auburn and Lidcombe town centres and the high density residential zone seeks to provide for existing and future housing needs and make

s.117 Direction Title	Consistency of Planning Proposal
	efficient use of existing infrastructure. Environmental impact of intensified development will be managed through Council's planning policy framework as part of the development assessment and approval process.
3.4 Integrating Land Use and Transport	Yes – The Planning Proposal seeks to increase development intensity (through increased maximum floor space ratios) in established town centres or land in close proximity to the centres and small villages. It is expected that increased development intensity in these areas would result in increased viability and patronage of public transport, reduced travel demand and increased accessibility to housing, jobs and services.
4.1 Acid Sulfate Soils	Any development proposal on land affected by acid sulfate soils needs to address the controls contained in the Auburn LEP 2010 and other regulations. All such matters will be addressed at the development application stage.
4.3 Flood Prone Land	Yes. The Planning Proposal supports the principles for management of flood liable land within the Floodplain Development Manual 2005. The Planning Proposal does not rezone land, amend permissibility or change flood related development controls.
6.1 Approval and Referral Requirements	Yes – the proposal does not include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.
6.3 Site Specific Provisions	Yes. The Proposal relies on utilising FSRs already contained in the Auburn LEP 2010. In this regard, the Planning Proposal does not contain new planning controls, it seeks to extend existing controls into certain land.
7.1 Implementation of the Metropolitan Strategy	Yes. The Planning Proposal seeks to increase maximum floor space ratio controls applying to land zoned B4 Mixed Use (Auburn and Lidcombe town centres) and R4 High Density Residential. Increased floor space ratios controls may facilitate intensified commercial, retail and residential development within and surrounding the town centres, small villages and neighbourhood centres. This is consistent with the objectives and many actions within the Metropolitan Plan for Sydney 2036, such as: • facilitating a compact, active and connected city • affirming the multi-centred geography of Sydney and the importance of town centres within the West Central subregion • focussing business and residential activity in a around accessible centres • planning for centres to grow and change • supporting infill development • enhancing integrated land use planning • supporting objectives, actions and the implementation of State and regional policies.

Should the Planning Proposal be supported at the Gateway Determination, further detail on consistency with Ministerial Directions will be provided following completion of the technical studies identified in **Section 4.1**.

4.4 Section C – Environmental, Social and Economic Impact

1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. Given the long standing commercial/residential nature of the land affected by this proposal, it is unlikely that any critical habitats or threatened species exist on any of the sites.

2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Yes. A range of technical studies have been recommended in this planning proposal to manage environmental issues that may arise should the planning proposal be supported.

3. How has the planning proposal adequately addressed any social and economic effects?

No. The program of Technical Studies outlined in this Planning Proposal, together with community and public authority consultation, will investigate the range of social and economic effects, and explore options for their management and mitigation.

4.5 Section D – State and Commonwealth Interests

1. Is there adequate public infrastructure for the planning proposal?

No. Studies have been undertaken prior to preparation of this Planning Proposal to specifically assess the adequacy of public infrastructure to support the increased FSR (in terms of open space, road capacity, transport, community facilities, sewerage, stormwater, etc).

However, land zoned B4 Mixed Use is within the Auburn or Lidcombe town centres and land zoned R4 High Density Residential (to which this Planning Proposal applies) is predominantly located surrounding, or adjacent to, the town centres and Newington, Regents Park and Berala villages. These are all located within an established urban area which is well serviced by road networks, public transport, utilities, community facilities etc. It is assumed that existing infrastructure, plus contributions for future infrastructure and services Council receives from new development within the affected land, will adequately support the Planning Proposal.

Table 7 below outlines the availability of public infrastructure to support the Planning Proposal.

Table 7: Adequacy of Public Infrastructure to support Planning Proposal

Infrastructure	Availability	Comment
Public Transport	Available – Subject to public authority consultation	Rail – The railway stations of Auburn, Lidcombe, Berala and Regents Park are located between 0 and 800m from

Infrastructure	Availability	Comment
		the subject areas. Olympic Park railway station is between 1 and 1.5km from the subject areas within the suburb of Newington. Buses – There are a number of bus routes located in close proximity to the sites – particularly within the town centres of Auburn and Lidcombe.
Utilities	Subject to public authority consultation	Availability of adequate water, sewerage, and power services will be discussed with the relevant public authority, or as directed through the Gateway Determination.
Roads	Subject to public authority consultation and a Traffic and Parking Assessment Report	A number of arterial roads within the existing road network could be affected by the Planning Proposal. As part of the Technical Studies phase of the Planning Proposal, the capacity of the network will be assessed. Consultation will be carried out with the relevant public authorities as directed in the Gateway Determination.
Waste Management and recycling services	Available	Waste management and recycling services will be available through Auburn City Council.
Essential services	Subject to public authority consultation.	The area is generally well-served with Police, Ambulance, Fire and other emergency services. Consultation with the appropriate public bodies will establish if there are sufficient education and health services available.

It is expected that there will be a slight increase in demand on public infrastructure, and so consultation will be required on this matter with the appropriate public authorities to be identified through the Gateway Determination.

Consultation with State and Commonwealth agencies will be undertaken in accordance with **Part 4** of this Planning Proposal.

2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

At this stage, the appropriate State and Commonwealth public authorities have not been identified or consulted, and the Gateway Determination has yet to be issued by the Minister for Planning and Infrastructure. Consultation with the following Government authorities, agencies and other stakeholders in regard to this Planning Proposal are proposed to include:-

- NSW Department of Planning of Infrastructure;
- State Transit Authority of NSW;
- Roads and Traffic Authority of NSW;
- Sydney Water Corporation;
- Energy Australia;
- NSW Department of Transport;
- Lifetime Care and Support Authority of NSW;
- NSW Department of Family and Community Services (Housing);
- NSW Department of Education and Communities;
- Ministry of Police;
- NSW Health Department;
- Rail Corporation of NSW; and
- Adjoining Councils.

Council seeks confirmation of the above list through the Minister's Gateway Determination.

5. PART 4 – COMMUNITY CONSULTATION

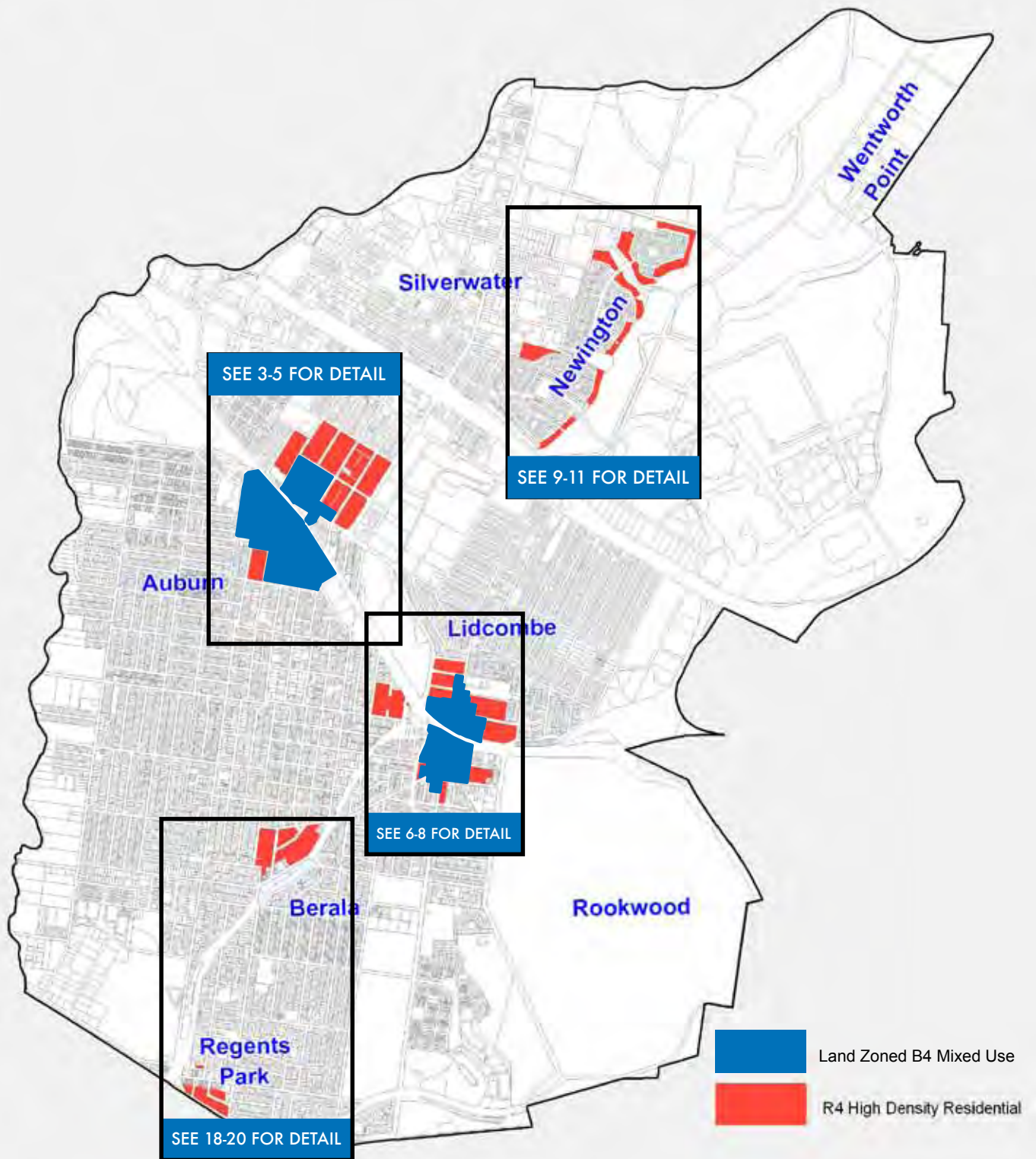
Extensive community consultation on the Planning Proposal will be undertaken by Council subject to receiving a determination to proceed at the gateway. The community consultation will not be commenced prior to obtaining approval from the Minister or Director-General. The notification and consultation process will be initiated after the s.55 submission has been sent to the Department of Planning and Infrastructure.

Council's consultation methodology will include, but not be limited to:-

- preparing a comprehensive Communication Plan to guide all consultation activity by Council on the Proposal;
- forwarding a copy of the Planning Proposal, the gateway determination and any relevant supporting studies or additional information to State and Commonwealth Public Authorities identified in the gateway determination;
- undertaking consultation in accordance with requirements of a Ministerial Direction under section 117 of the EP&A Act and/or consultation that is required because, in the opinion of the Minister (or delegate), a State or Commonwealth public authority will be or may be adversely affected by the proposed LEP;
- giving notice of the public exhibition in the main local newspaper (the Auburn Pictorial Review) and newspapers of major local languages (Arabic, Chinese, Turkish, Vietnamese);
- exhibiting the Planning Proposal in accordance with the gateway determination. It is assumed this would require an exhibition period of at least 28 days duration;
- exhibiting the Planning Proposal and all supporting documentation at Council's Administration Centre and all Libraries;
- notifying of the Planning Proposal's exhibition on Council's website, including providing copies of the Planning Proposal, all supporting studies and additional information and the gateway determination;
- notifying affected landowners, adjoining land owners, the surrounding community and relevant community groups;
- holding a Public Hearing, if required by the gateway determination or considered appropriate by Council;
- distributing information brochures to aid community understanding about the Planning Proposal and its implications; and
- any other consultation methods deemed appropriate for the proposal.



FIGURES

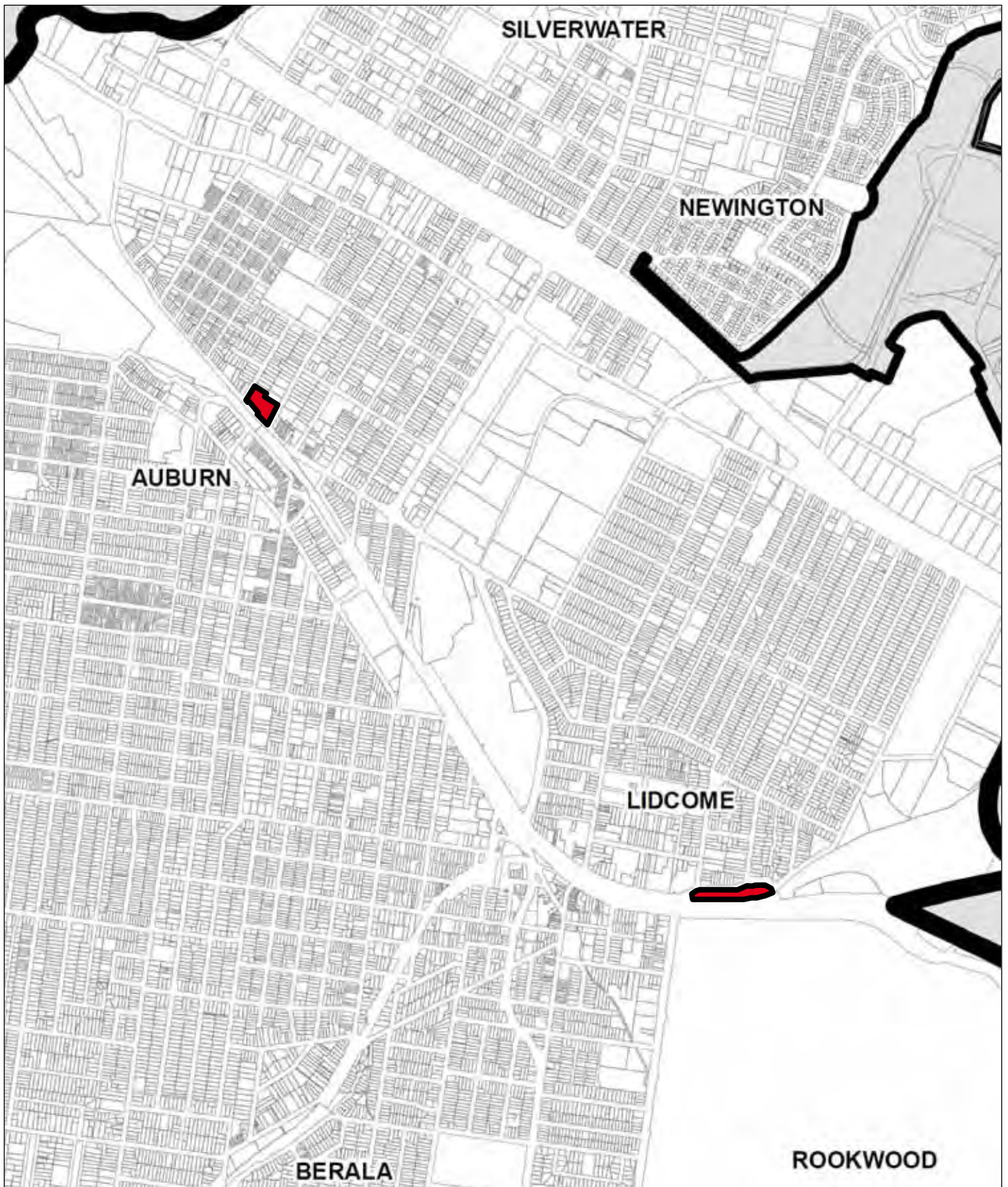


PLANNING PROPOSAL

FIGURE 1

LOCATION PLAN SHOWING LAND TO WHICH THE PLANNING PROPOSAL RELATES
LAND ZONED B4 MIXED USE AND CERTAIN LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PREPARED FOR - AUBURN CITY COUNCIL



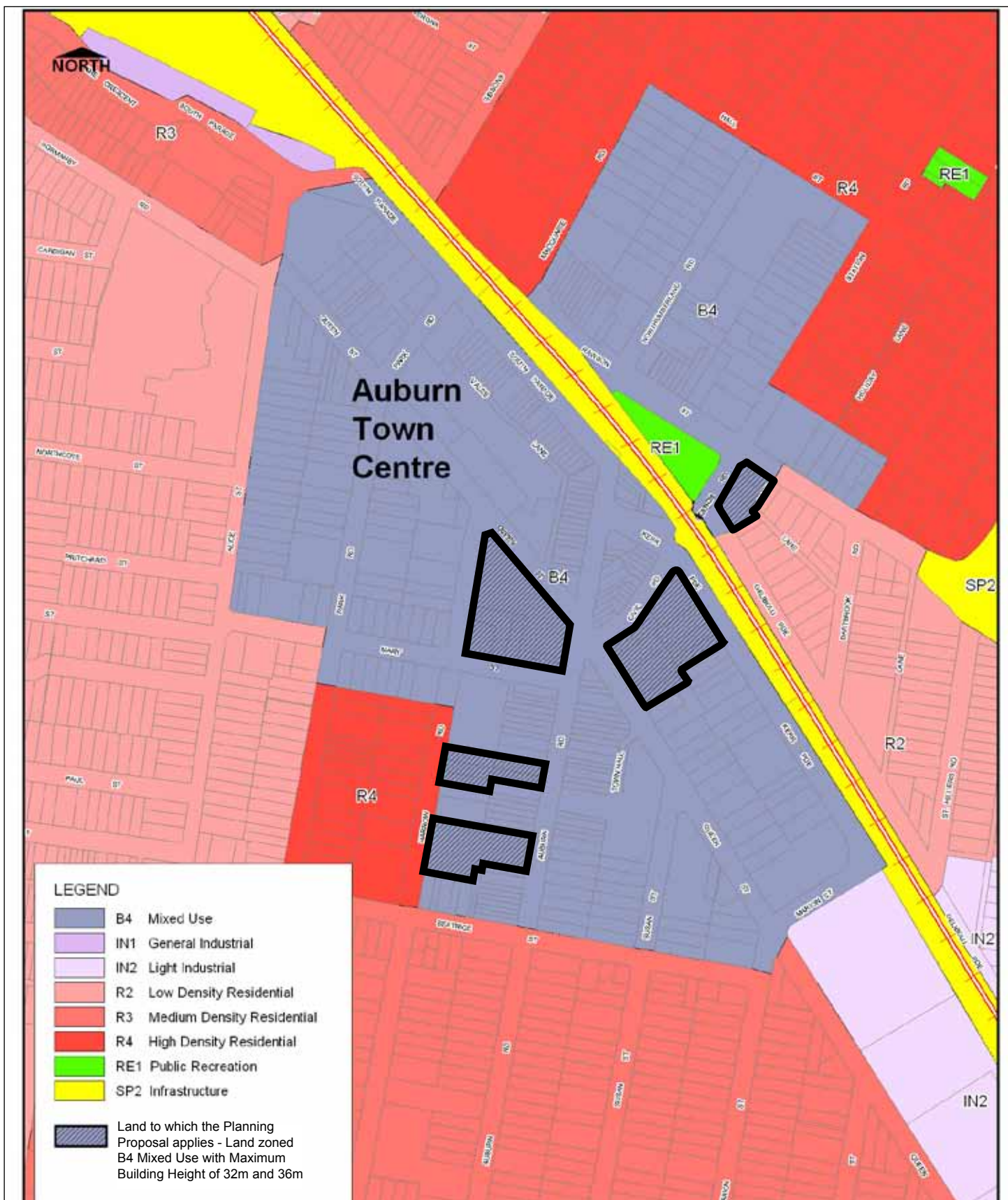
LAND EXCLUDED FROM THE
PLANNING PROPOSAL

PLANNING PROPOSAL

FIGURE 2

LAND EXCLUDED FROM THE PLANNING PROPOSAL
LAND ZONED R4 HIGH DENSITY RESIDENTIAL AT 2-36 CHURCH ST, LIDCOMBE
AND AT CNR OF RAWSON ST AND MACQUARIE RD, AUBURN

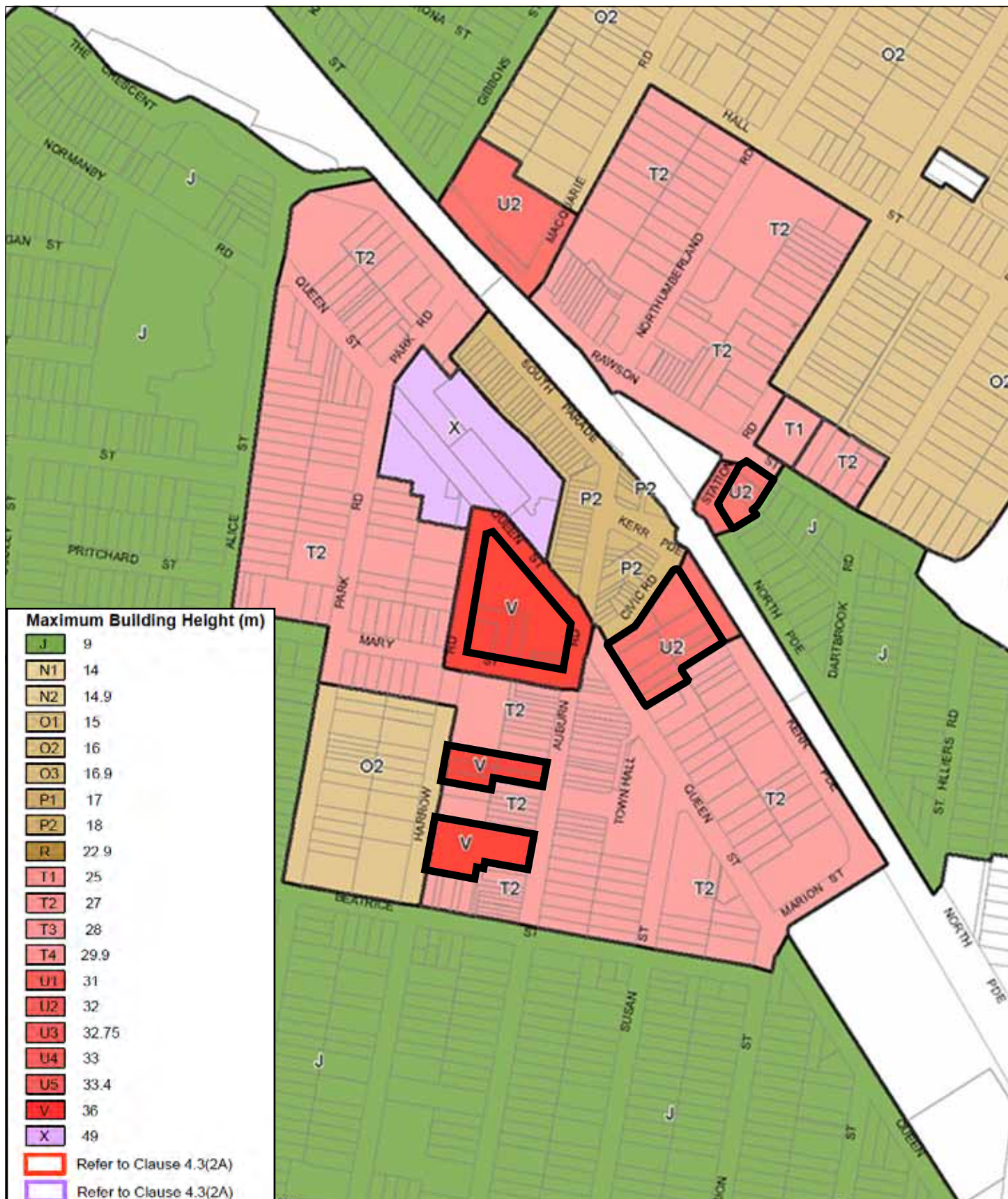
PREPARED FOR - AUBURN CITY COUNCIL



PLANNING PROPOSAL

FIGURE 3
LAND TO WHICH THE PLANNING PROPOSAL RELATES
LAND ZONED B4 MIXED USE WITHIN THE AUBURN TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

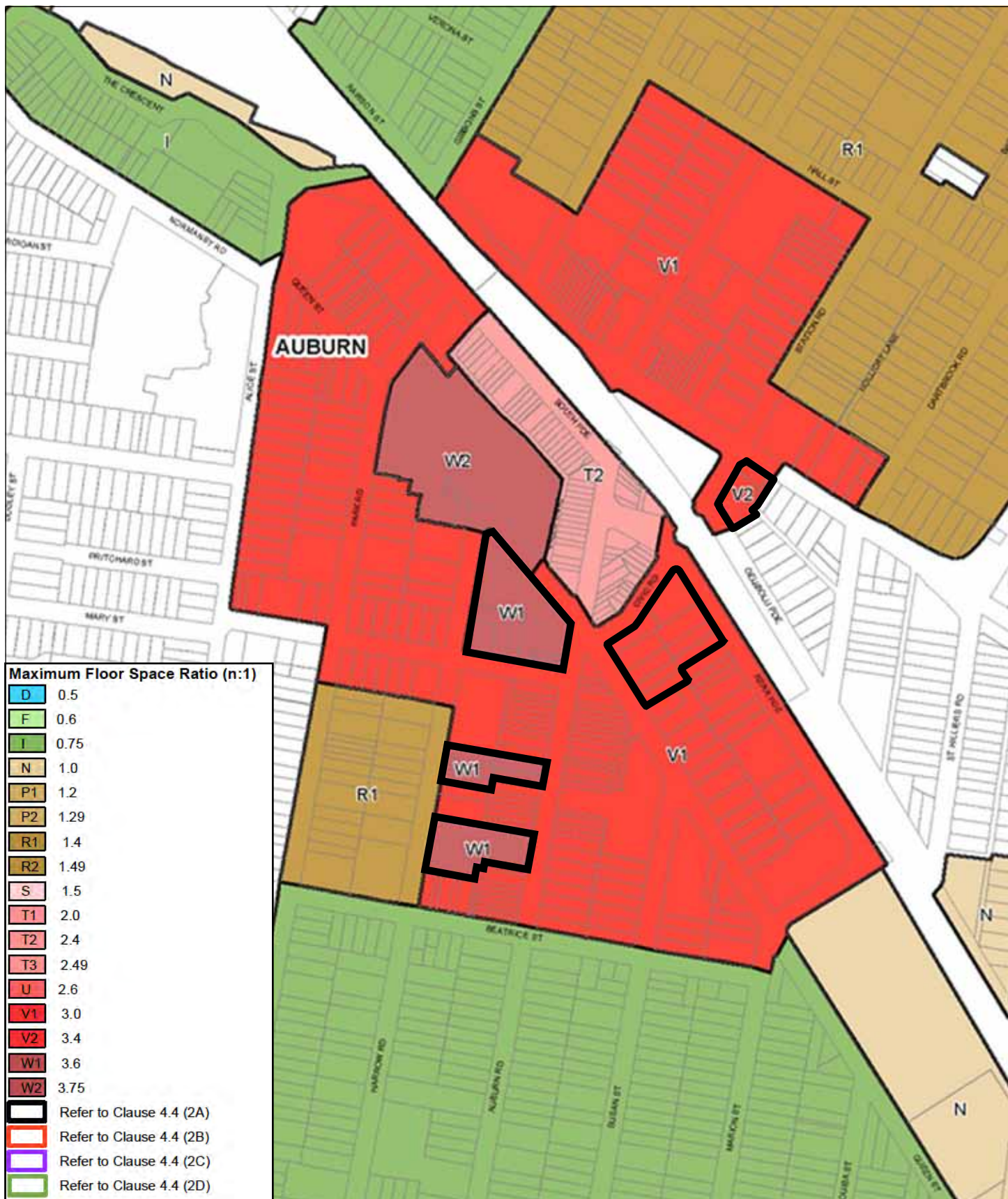


 LAND ZONED B4 MIXED USE
TO WHICH THE PLANNING
PROPOSAL APPLIES

PLANNING PROPOSAL

FIGURE 4
EXCERPT FROM AUBURN LEP 2010 HEIGHT OF BUILDINGS MAP
AUBURN TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

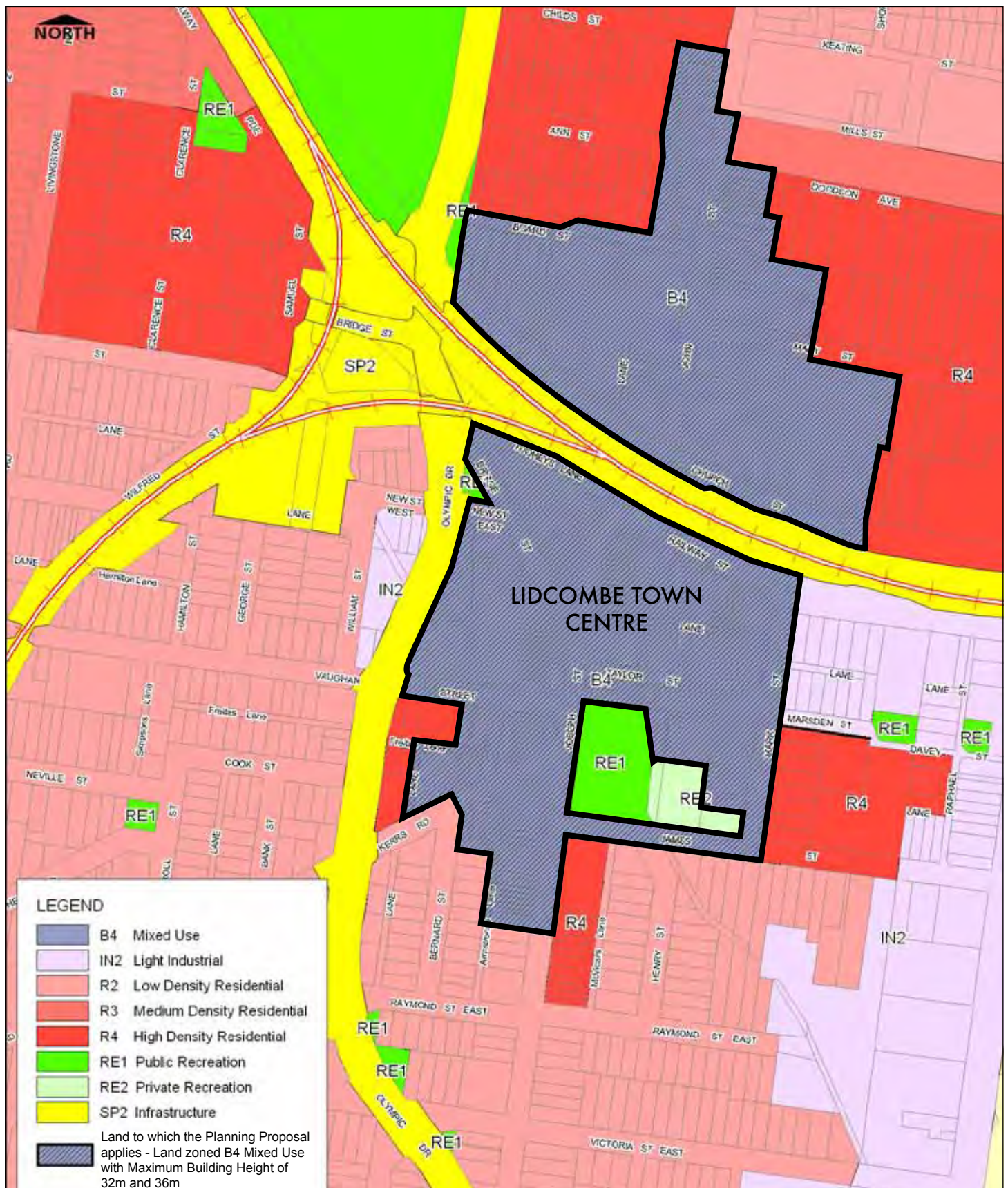


**LAND ZONED B4 MIXED USE
TO WHICH THE PLANNING
PROPOSAL APPLIES**

PLANNING PROPOSAL

FIGURE 5
EXCERPT FROM AUBURN LEP 2010 FLOOR SPACE RATIO MAP
AUBURN TOWN CENTRE

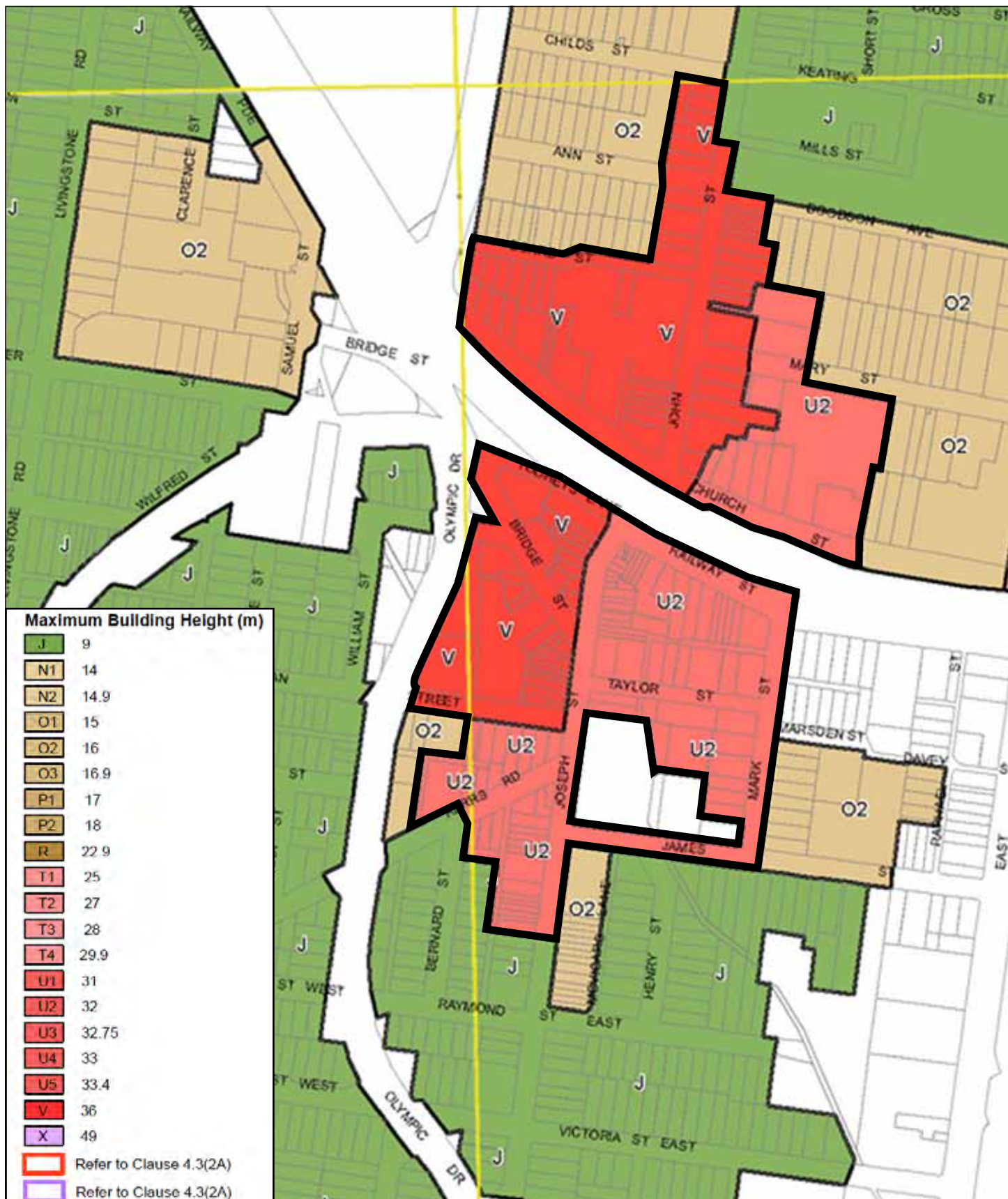
PREPARED FOR - AUBURN CITY COUNCIL



PLANNING PROPOSAL

FIGURE 6
EXCERPT FROM AUBURN LEP 2010 LAND ZONING MAP
LIDCOMBE TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

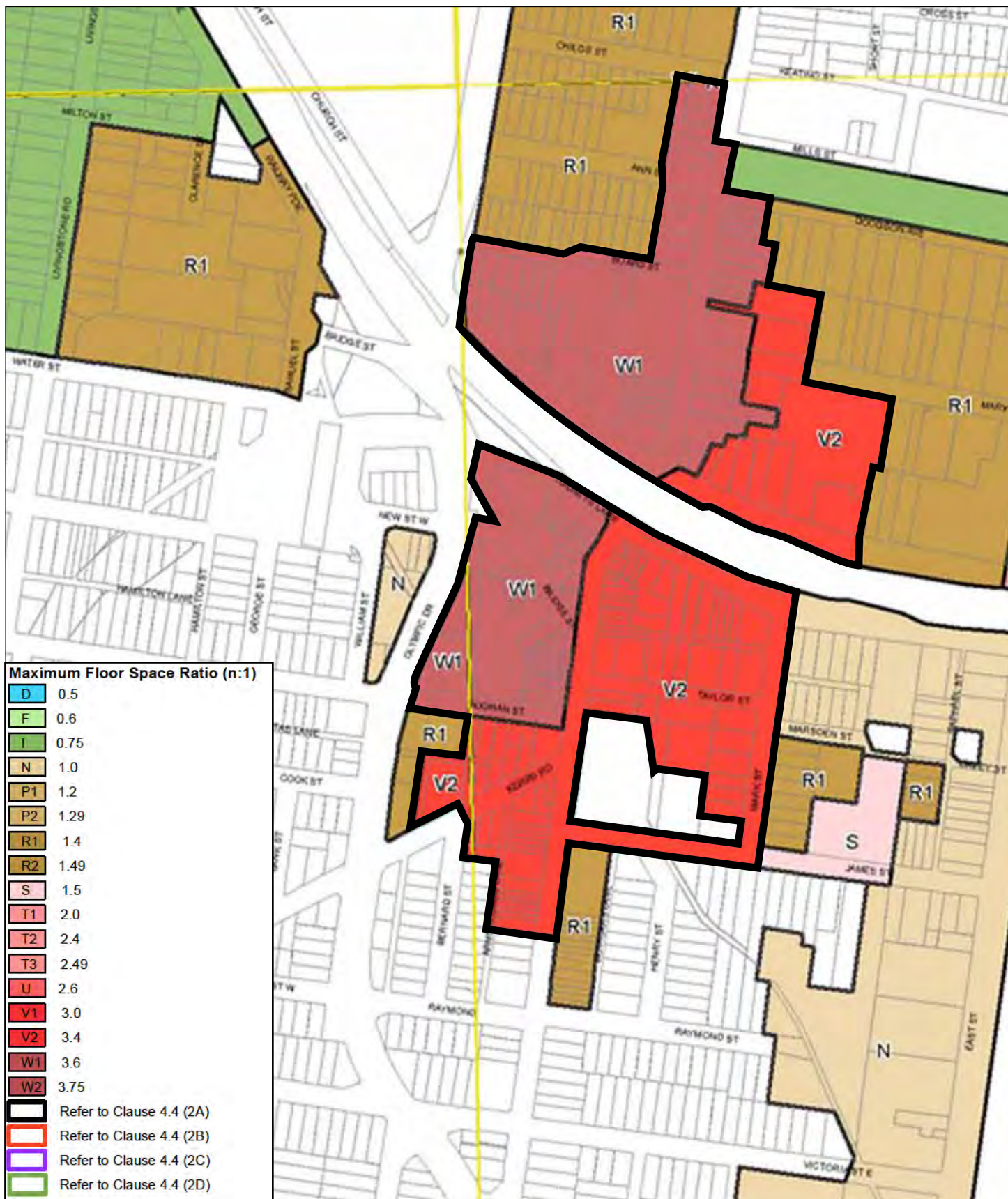


LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED B4 MIXED USE WITH MAXIMUM BUILDING HEIGHT OF 32M AND 36M

PLANNING PROPOSAL

FIGURE 7
EXCERPT FROM AUBURN LEP 2010 HEIGHT OF BUILDINGS MAP
LIDCOMBE TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

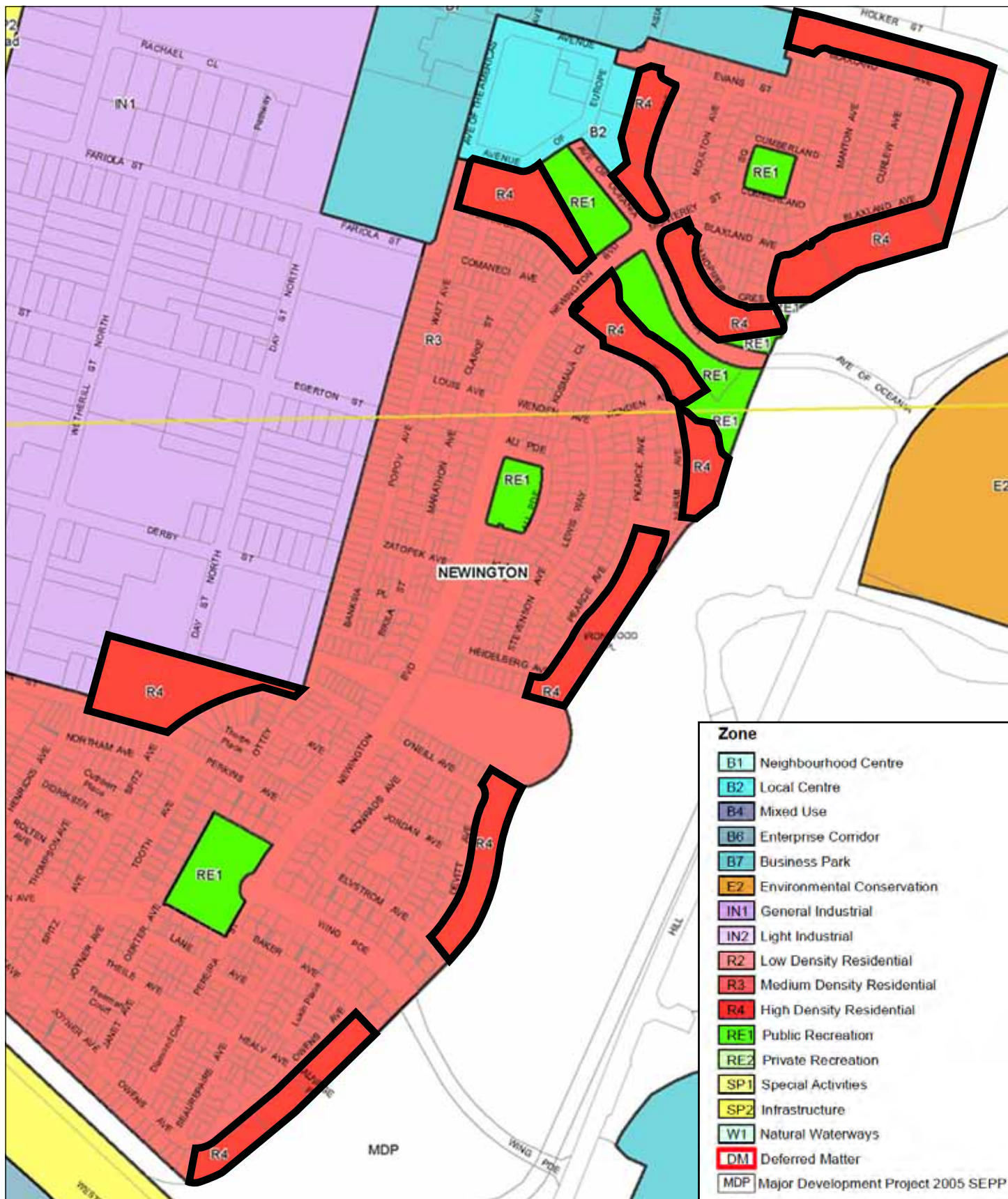


[Black Outline] LAND TO WHICH THE PLANNING
 PROPOSAL APPLIES - LAND ZONED B4
 MIXED USE WITH MAXIMUM BUILDING
 HEIGHT OF 32M AND 36M

PLANNING PROPOSAL

FIGURE 8
 EXCERPT FROM AUBURN LEP 2010 FLOOR SPACE RATIO MAP
 LIDCOMBE TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL



R4 LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PLANNING PROPOSAL

FIGURE 9
EXCERPT FROM AUBURN LEP 2010 LAND ZONING MAP
NEWINGTON

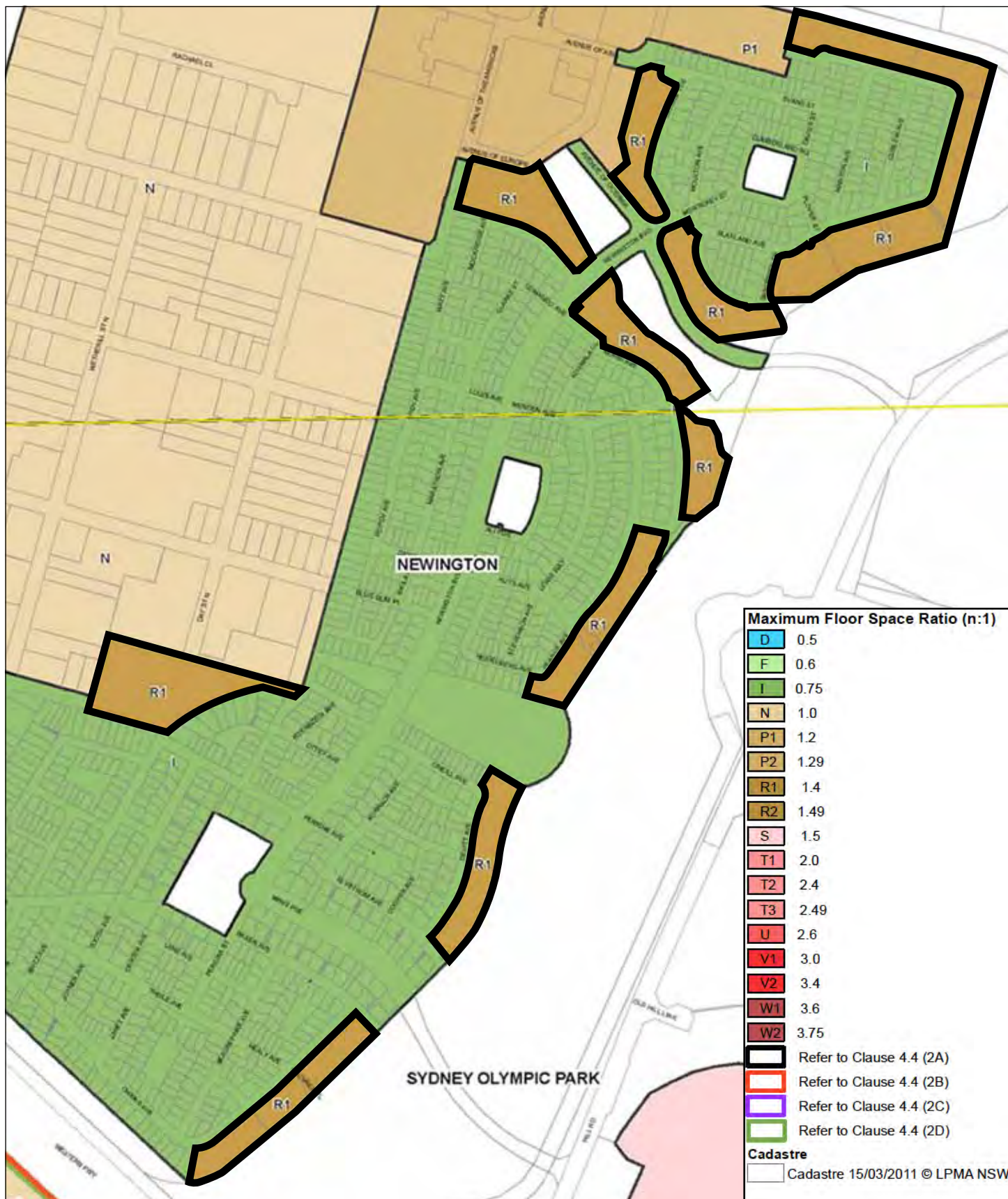
PREPARED FOR - AUBURN CITY COUNCIL



FIGURE 10
EXCERPT FROM AUBURN LEP 2010 BUILDING HEIGHT MAP
NEWINGTON



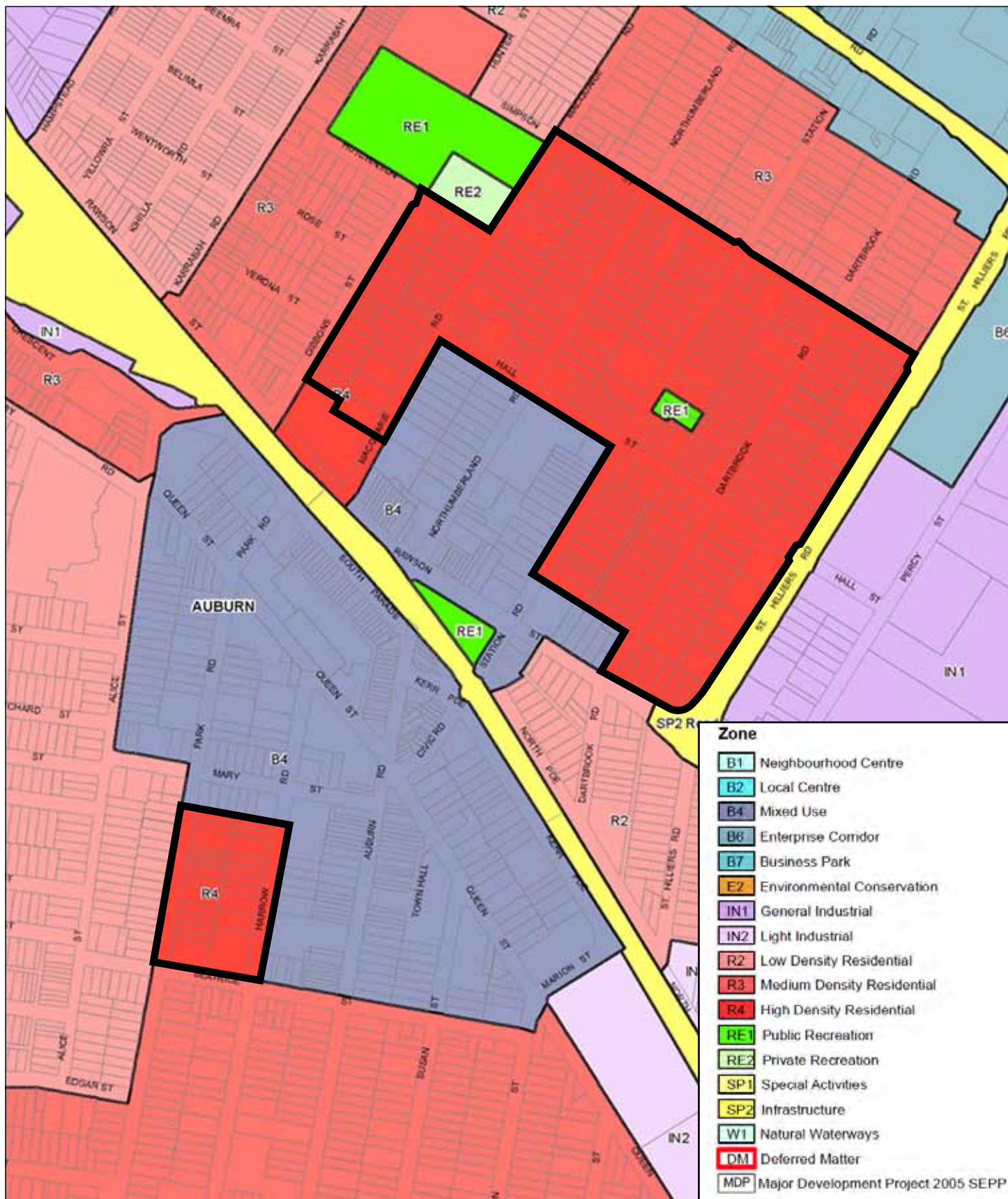
BB&C
CONSULTING PLANNERS



PLANNING PROPOSAL

FIGURE 11
EXCERPT FROM AUBURN LEP 2010 FLOOR SPACE RATIO MAP
NEWINGTON

PREPARED FOR - AUBURN CITY COUNCIL

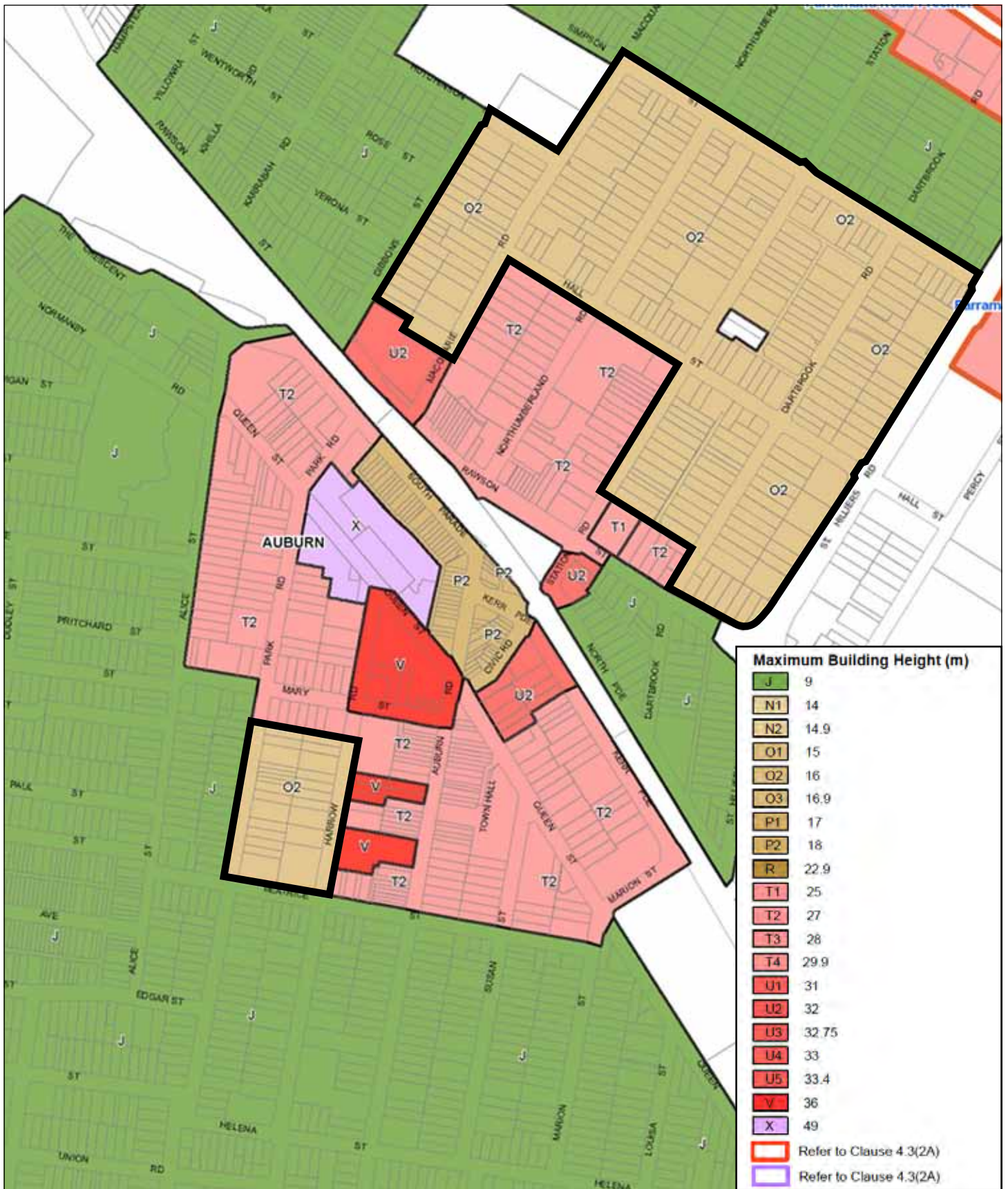


R4 LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PLANNING PROPOSAL

FIGURE 12
EXCERPT FROM AUBURN LEP 2010 LAND ZONING MAP
AUBURN TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

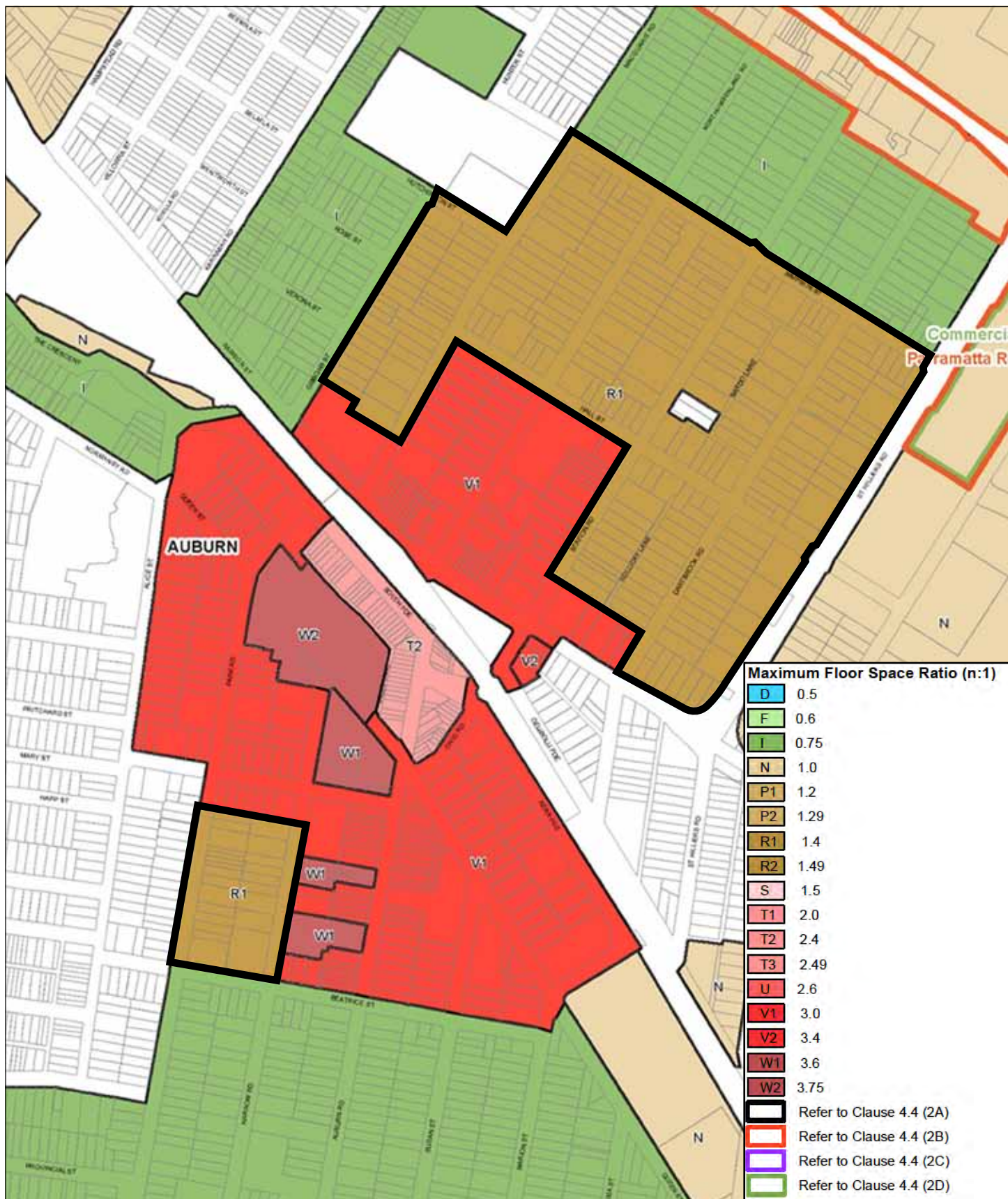


 LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PLANNING PROPOSAL

FIGURE 13
EXCERPT FROM AUBURN LEP 2010 HEIGHT OF BUILDINGS MAP
AUBURN TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

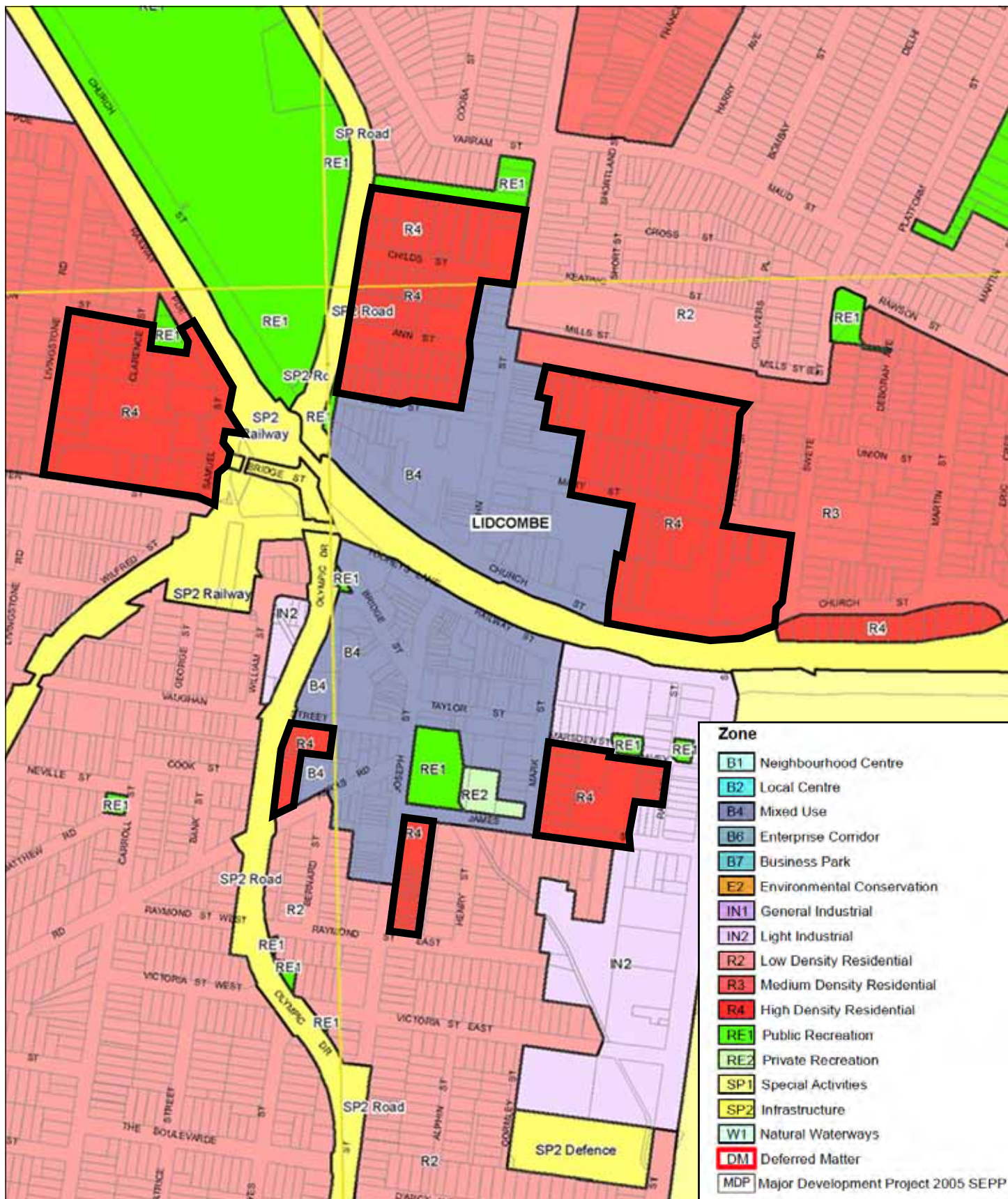


 LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PLANNING PROPOSAL

FIGURE 14
EXCERPT FROM AUBURN LEP 2010 FLOOR SPACE RATIO MAP
AUBURN TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

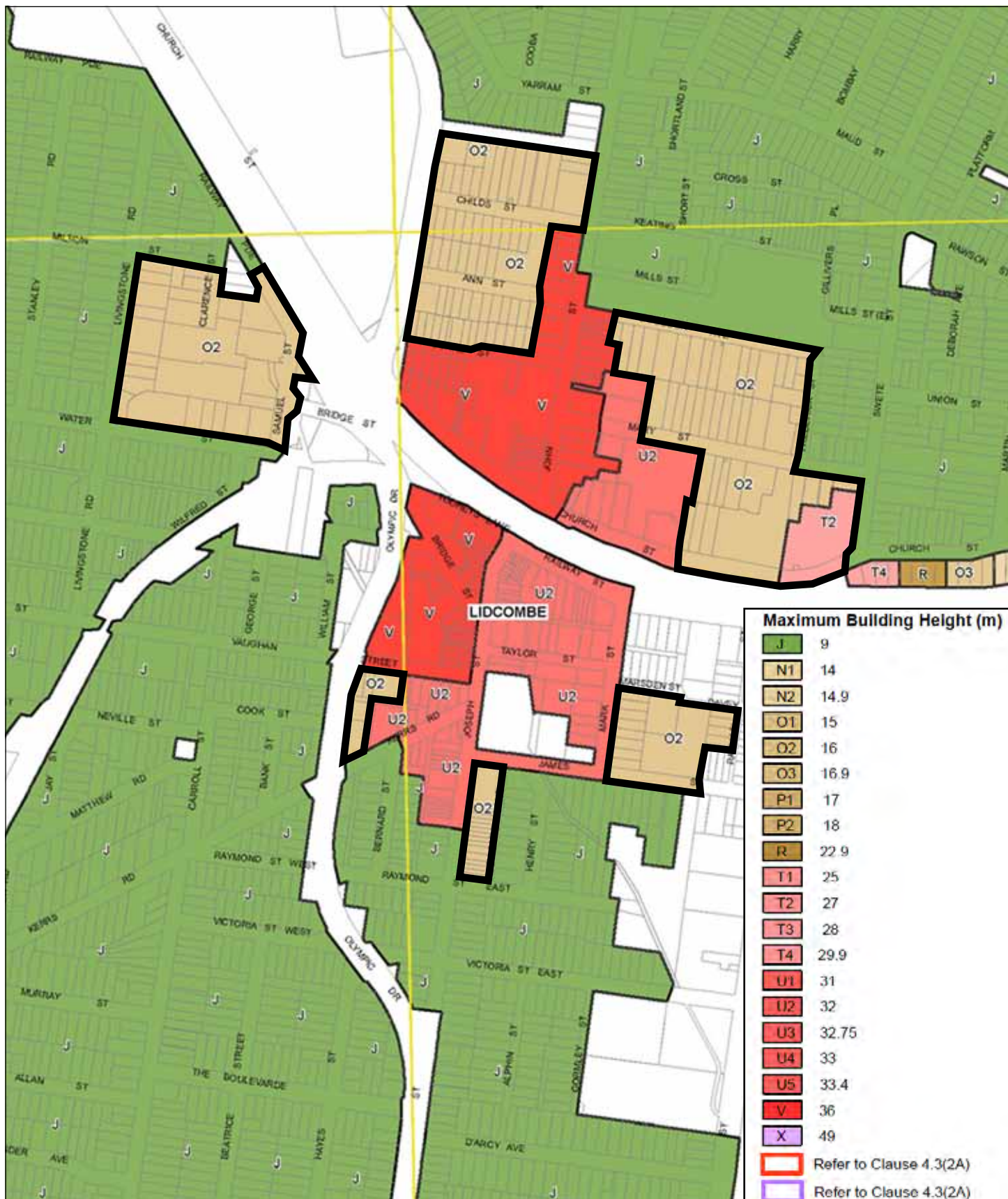


R4 LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PLANNING PROPOSAL

FIGURE 15
EXCERPT FROM AUBURN LEP 2010 LAND ZONING MAP
LIDCOMBE TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

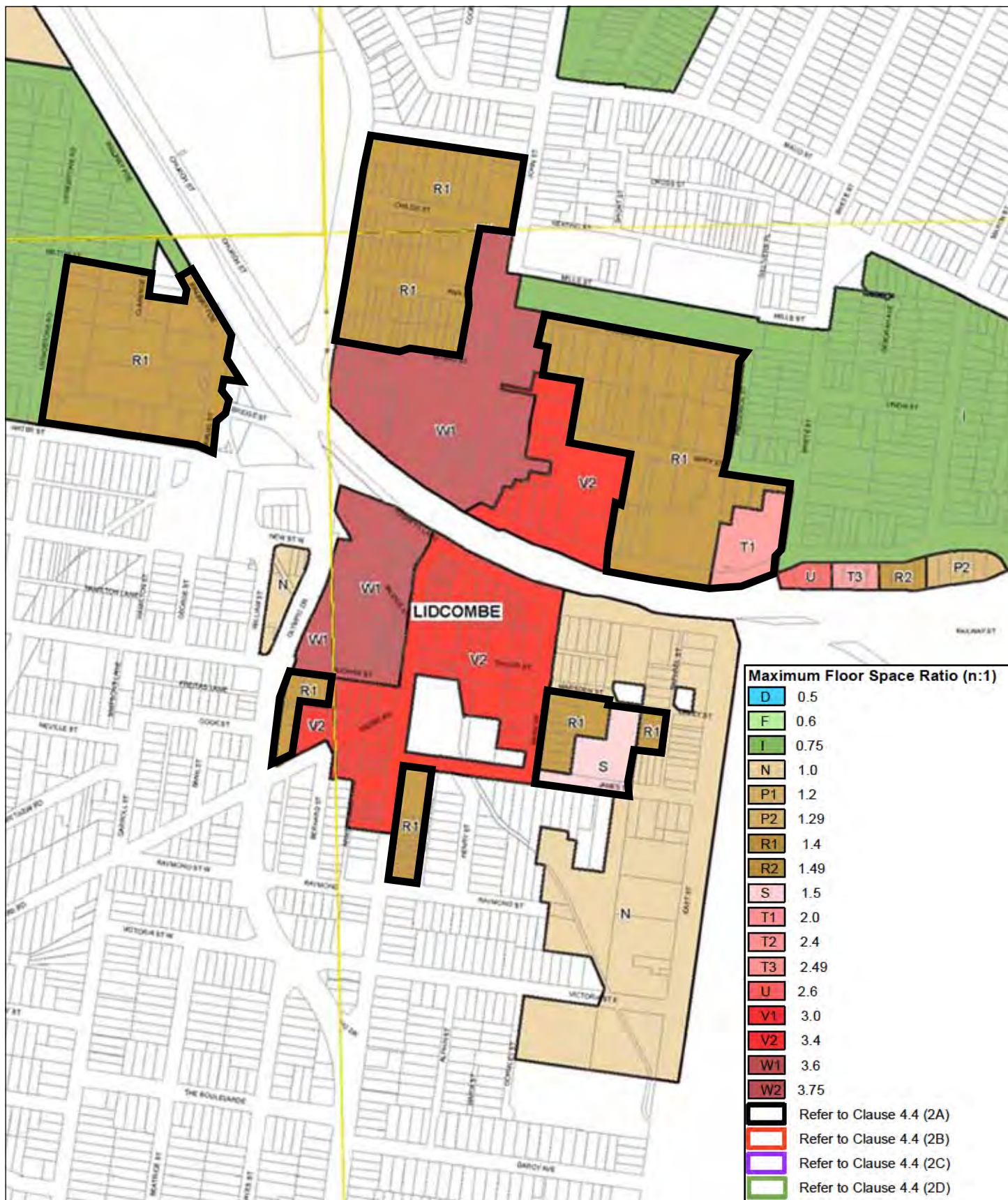


LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PLANNING PROPOSAL

FIGURE 16
EXCERPT FROM AUBURN LEP 2010 HEIGHT OF BUILDINGS MAP
LIDCOMBE TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

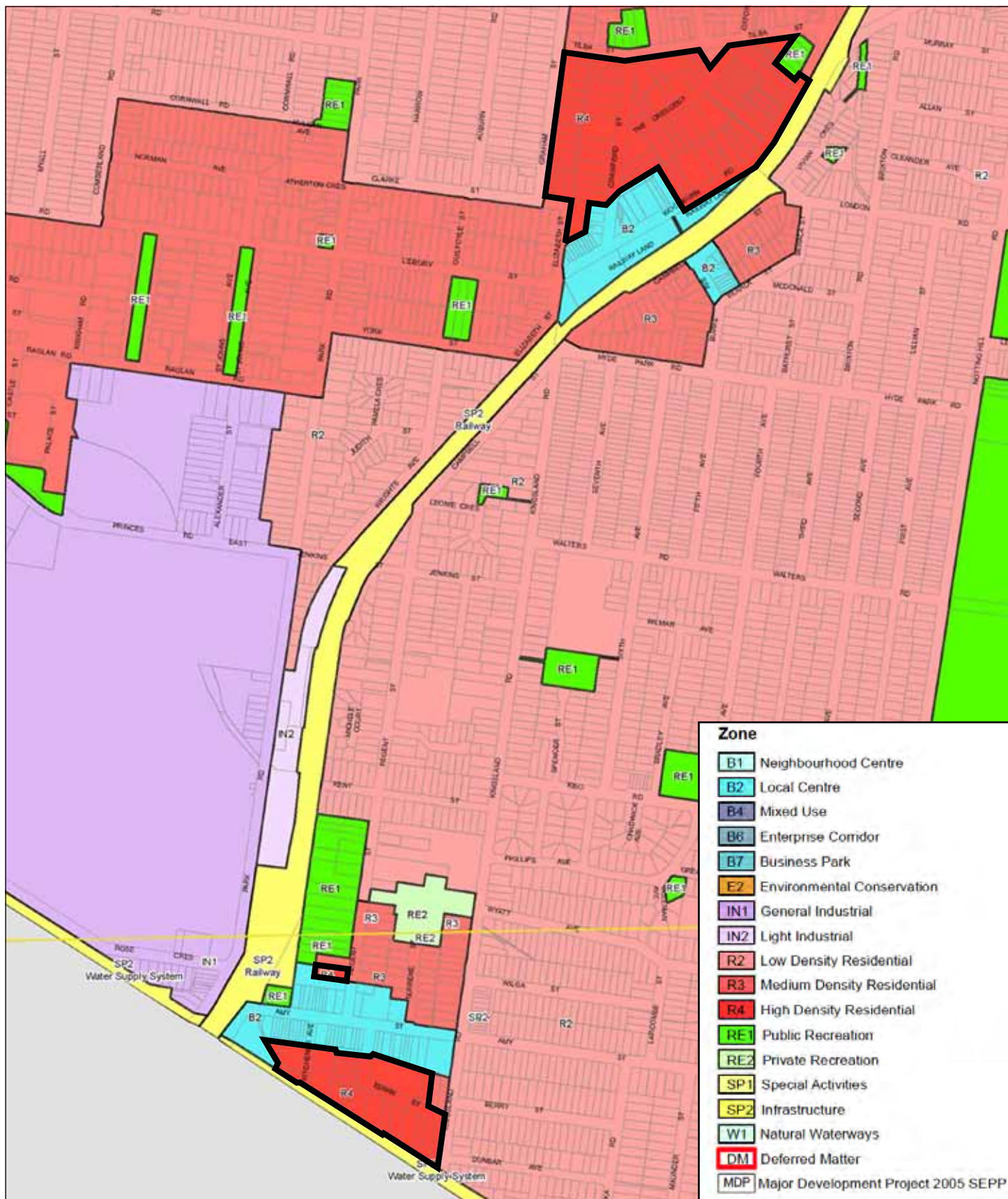


 LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PLANNING PROPOSAL

FIGURE 17
EXCERPT FROM AUBURN LEP 2010 FLOOR SPACE RATIO MAP
LIDCOMBE TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

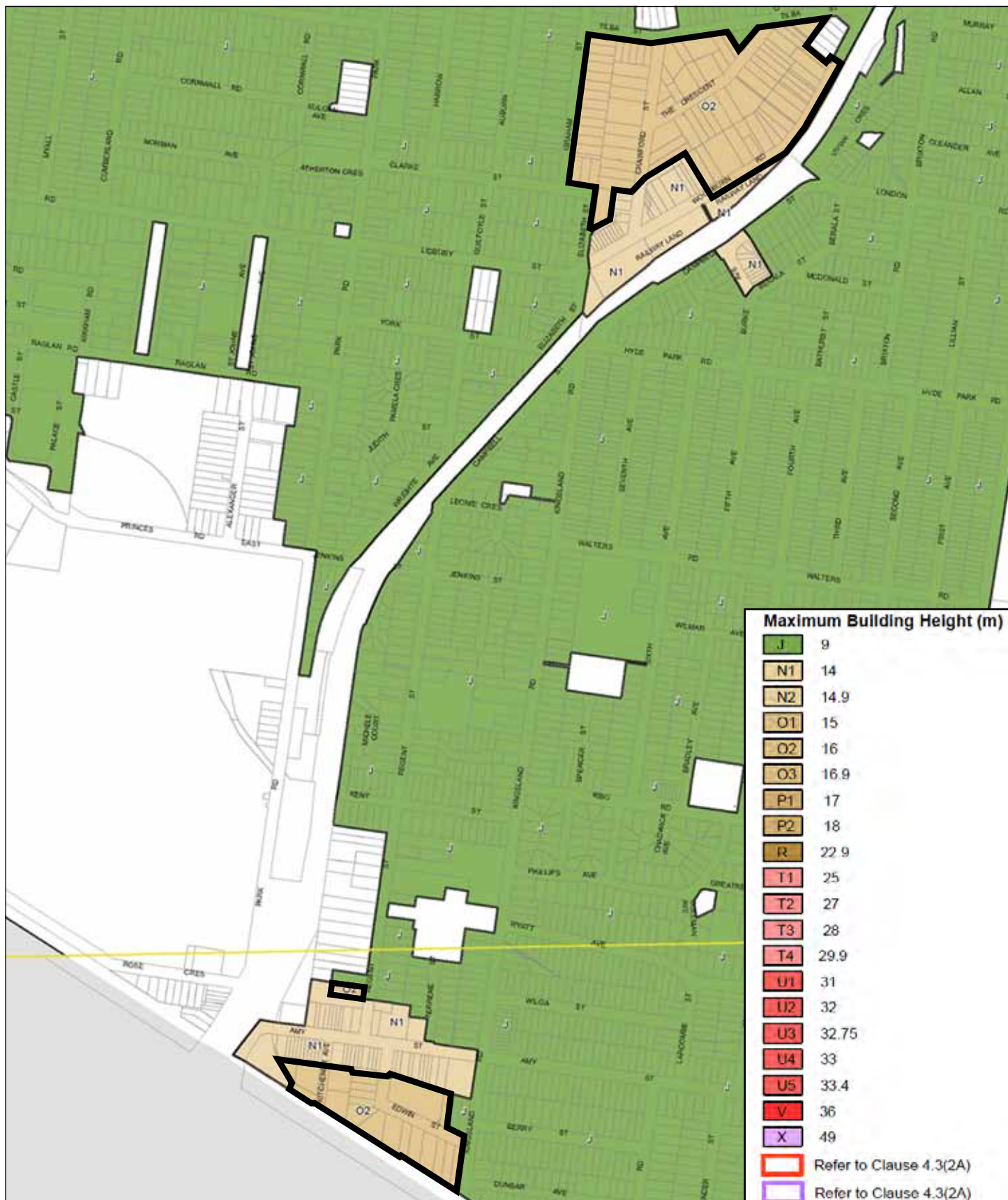


R4 LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PLANNING PROPOSAL

FIGURE 18
EXCERPT FROM AUBURN LEP 2010 LAND ZONING MAP
BERALA AND REGENTS PARK

PREPARED FOR - AUBURN CITY COUNCIL

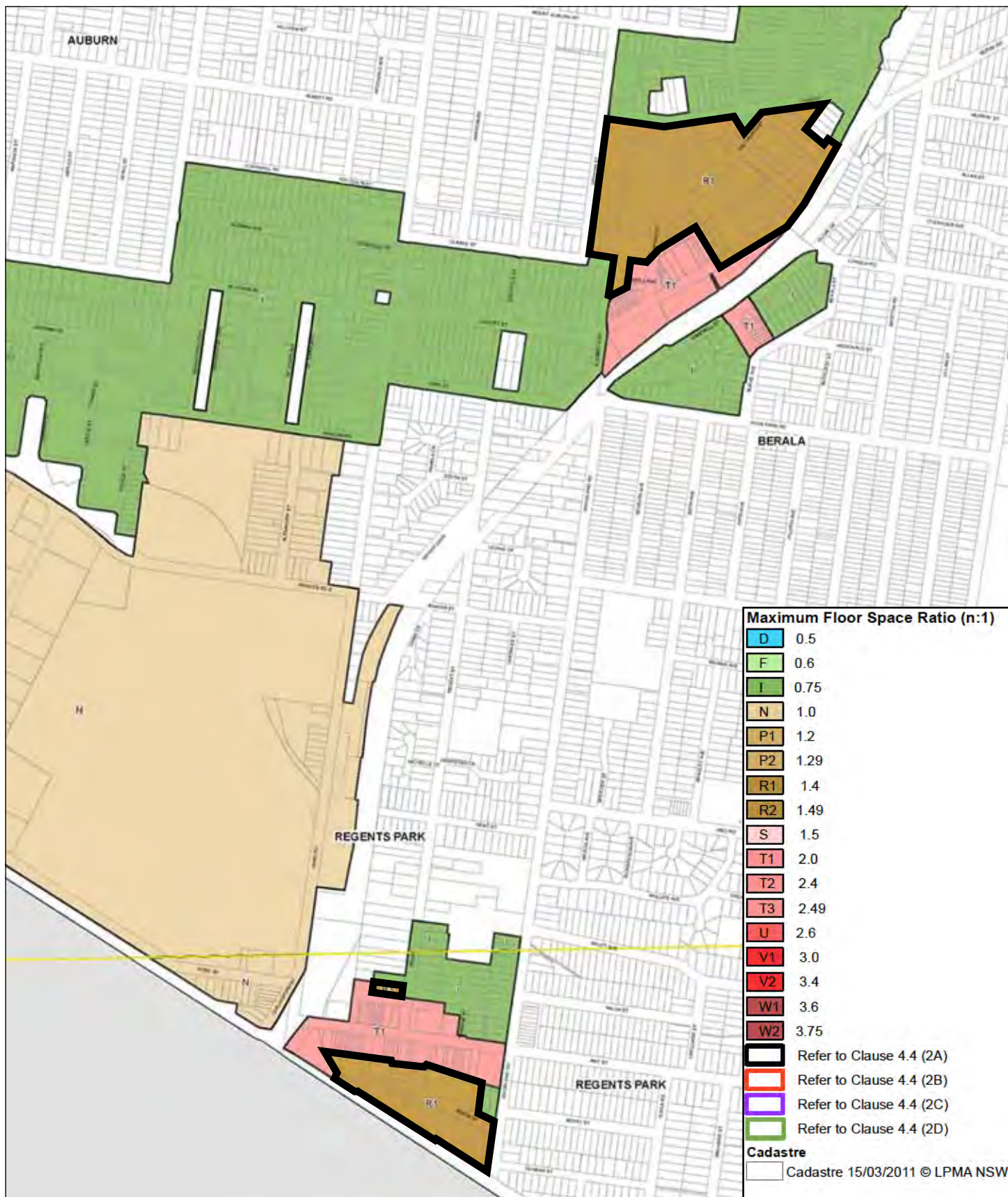


 LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PLANNING PROPOSAL

FIGURE 19
EXCERPT FROM AUBURN LEP 2010 BUILDING HEIGHT MAP
BERALA AND REGENTS PARK

PREPARED FOR - AUBURN CITY COUNCIL

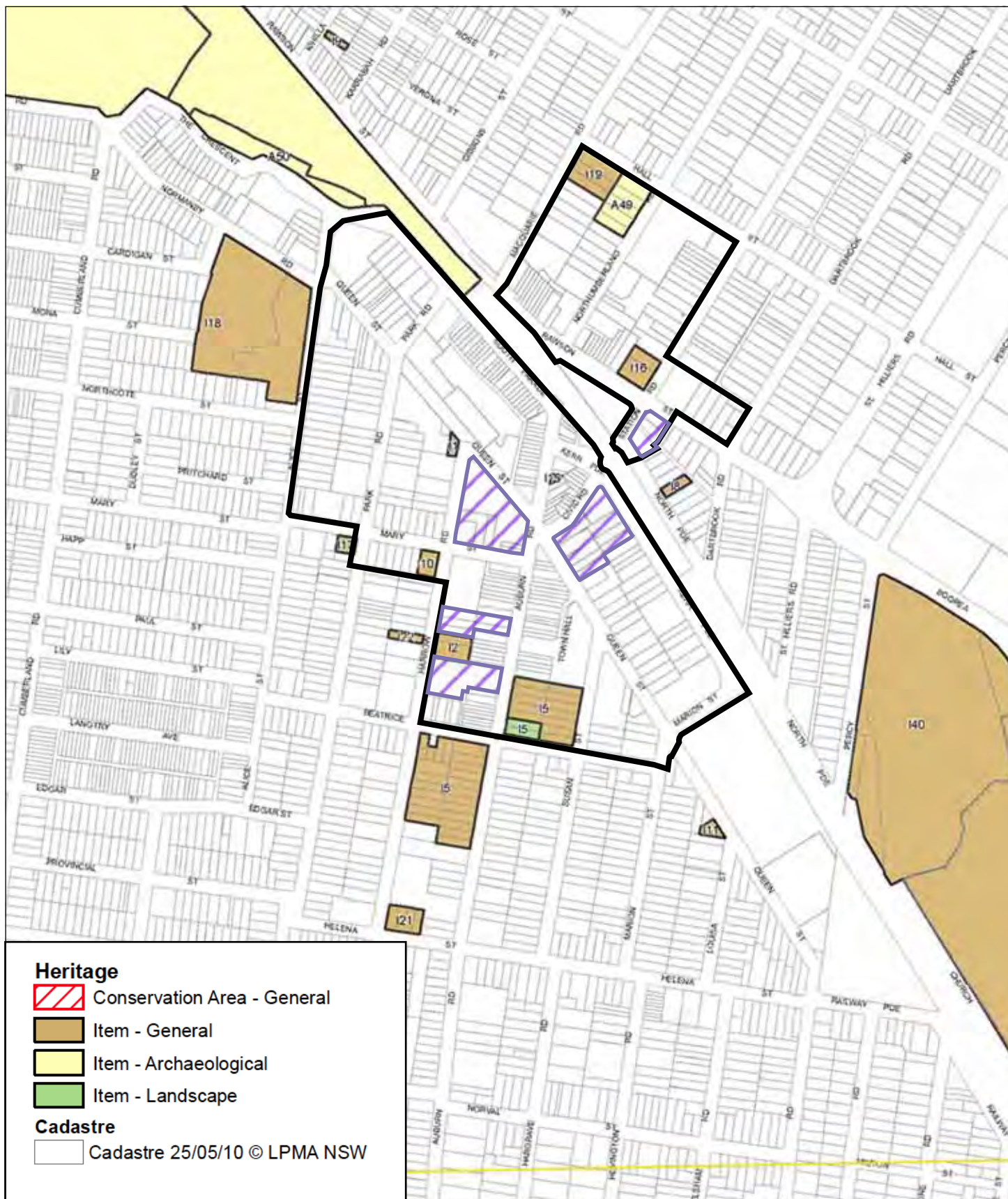


 LAND TO WHICH THE PLANNING PROPOSAL APPLIES - LAND ZONED R4 HIGH DENSITY RESIDENTIAL

PLANNING PROPOSAL

FIGURE 20
EXCERPT FROM AUBURN LEP 2010 FLOOR SPACE RATIO MAP
BERALA AND REGENTS PARK

PREPARED FOR - AUBURN CITY COUNCIL

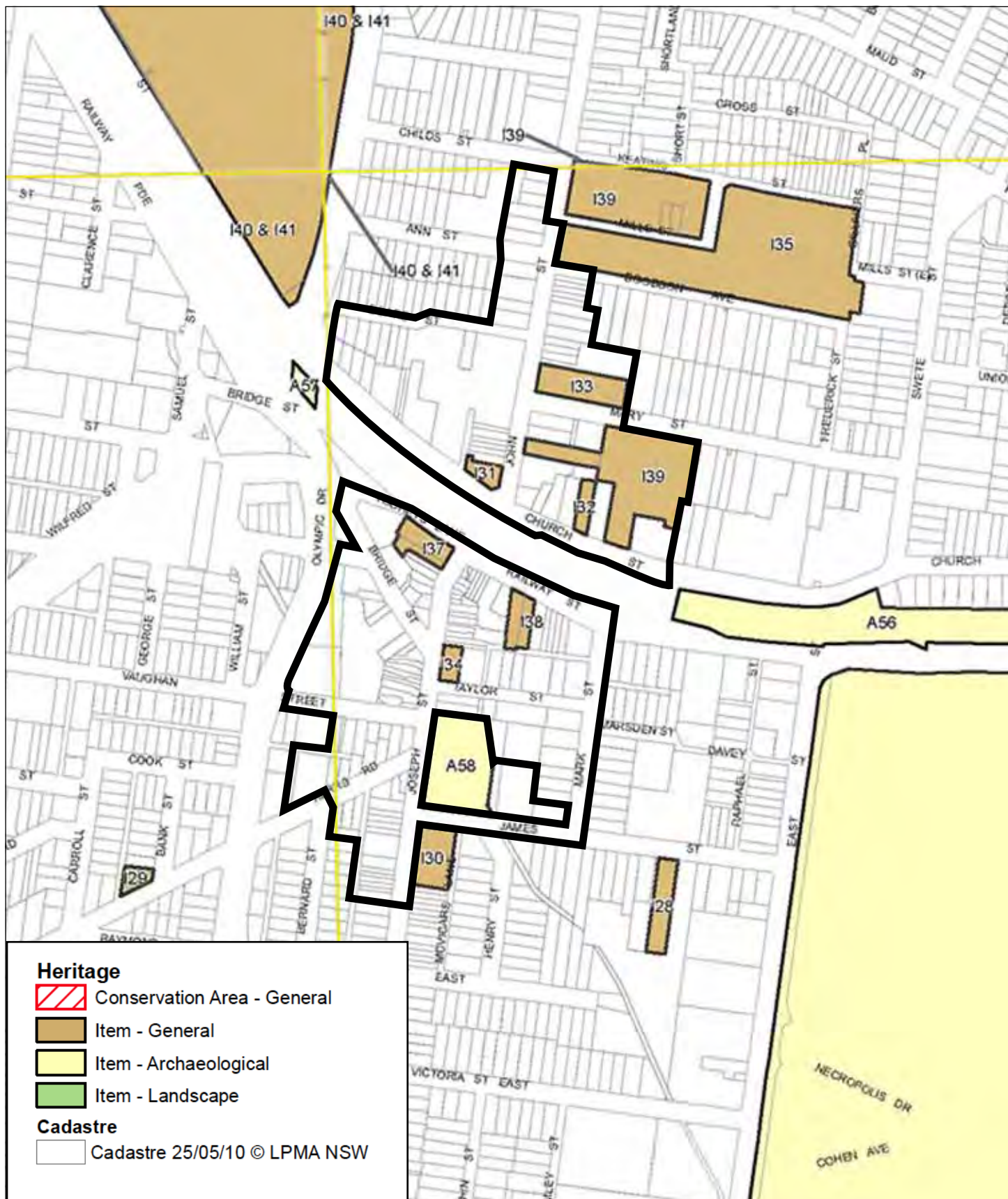


- APPROXIMATE BOUNDARY OF AUBURN TOWN CENTRE
- LAND ZONED B4 MIXED USE TO WHICH THE PLANNING PROPOSAL APPLIES

PLANNING PROPOSAL

FIGURE 21
EXCERPT FROM AUBURN LEP 2010 HERITAGE MAP
AUBURN TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL

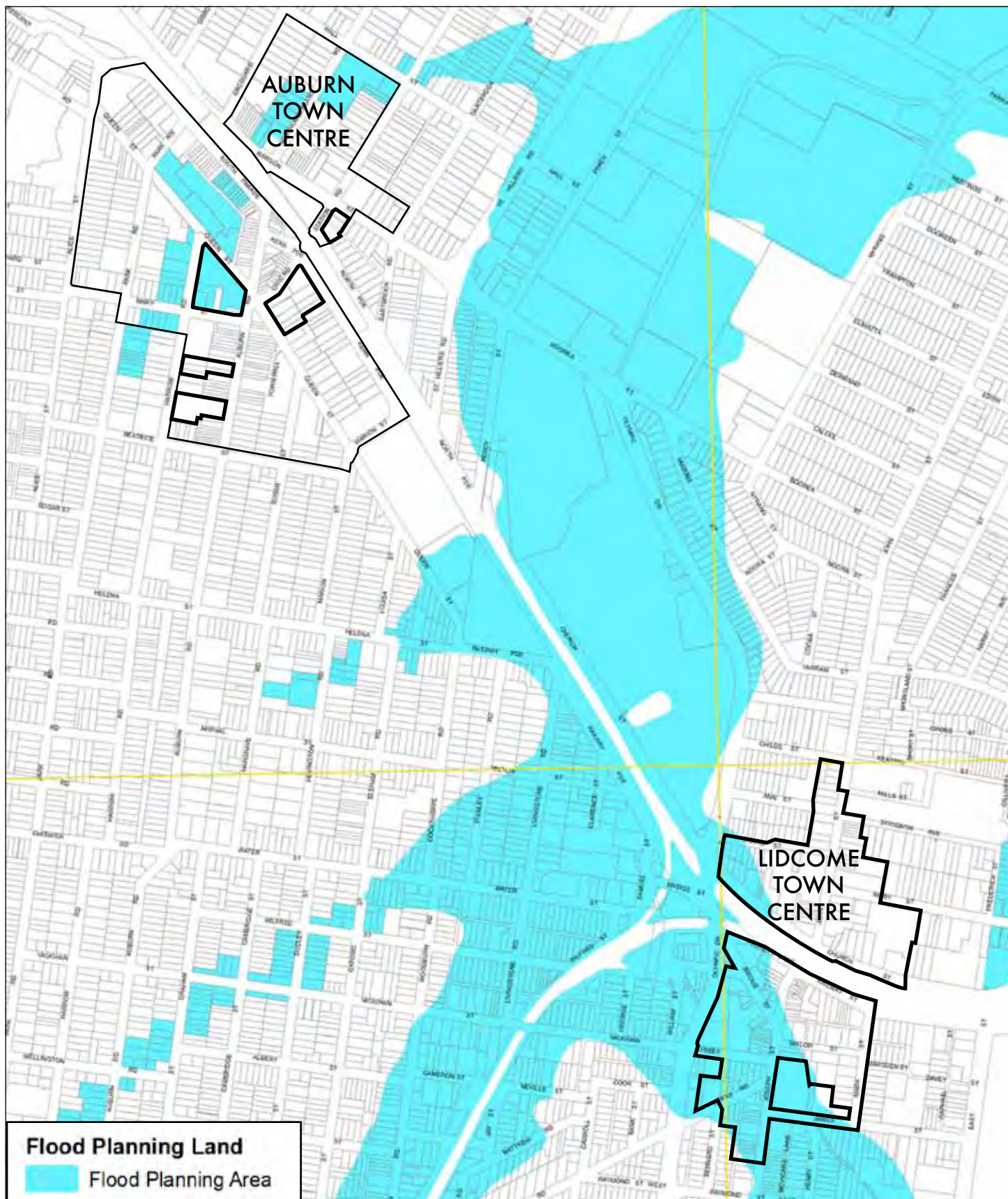


LIDCOMBE TOWN CENTRE

PLANNING PROPOSAL

FIGURE 22
EXCERPT FROM AUBURN LEP 2010 HERITAGE MAP
LIDCOMBE TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL



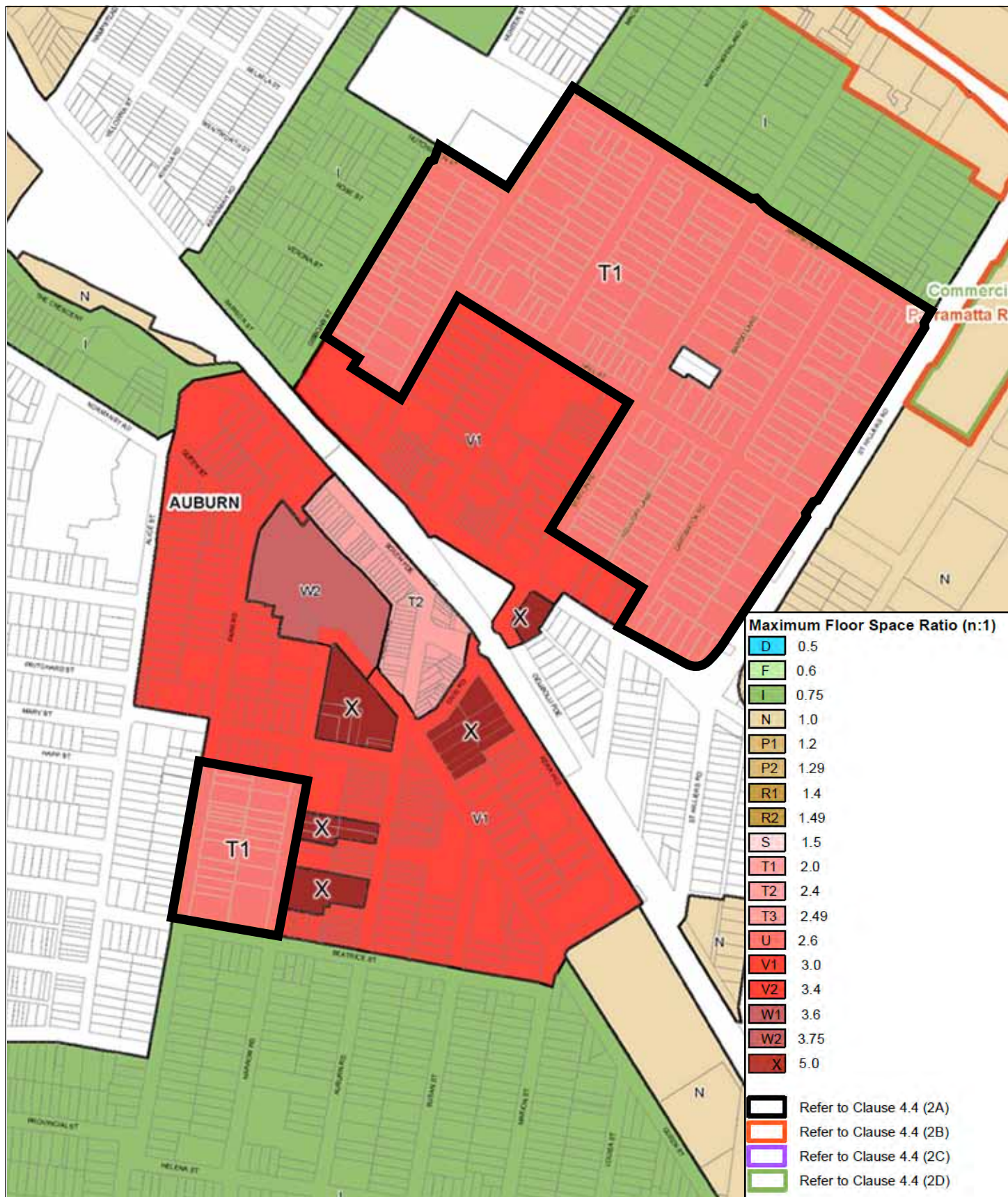
Flood Planning Land
 Flood Planning Area

LAND ZONED B4 MIXED USE TO WHICH THE PLANING PROPOSAL APPLIES

PLANNING PROPOSAL

FIGURE 23
 EXCERPT FROM AUBURN LEP 2010 FLOOD PLANNING MAP

PREPARED FOR - AUBURN CITY COUNCIL



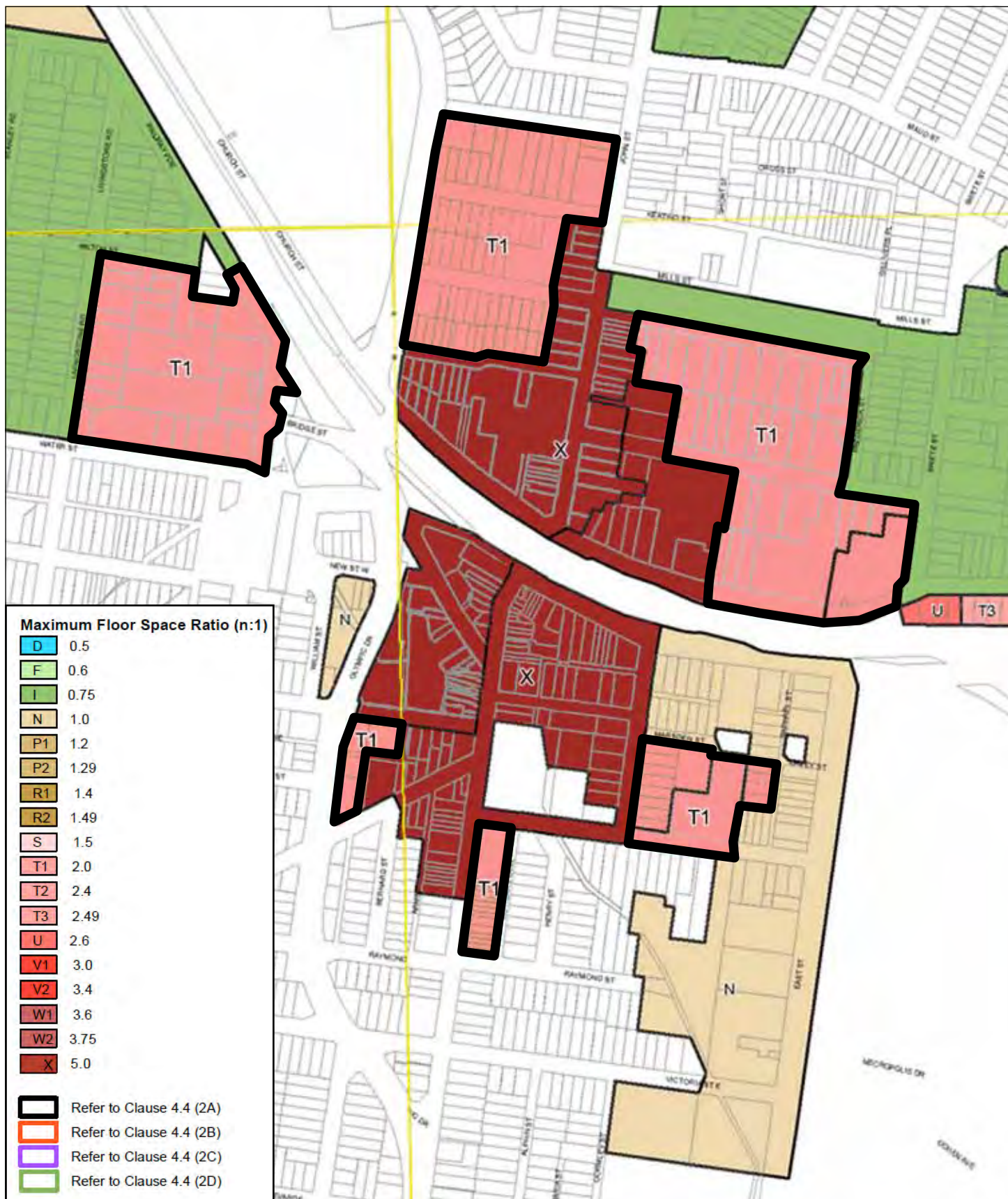
LAND ZONED B4 MIXED USE TO WHICH THE PLANING PROPOSAL APPLIES

LAND ZONED R4 HIGH DENSITY RESIDENTIAL TO WHICH THE PLANING PROPOSAL APPLIES

PLANNING PROPOSAL

FIGURE 24
PROPOSED FLOOR SPACE RATIO MAP – AUBURN TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL



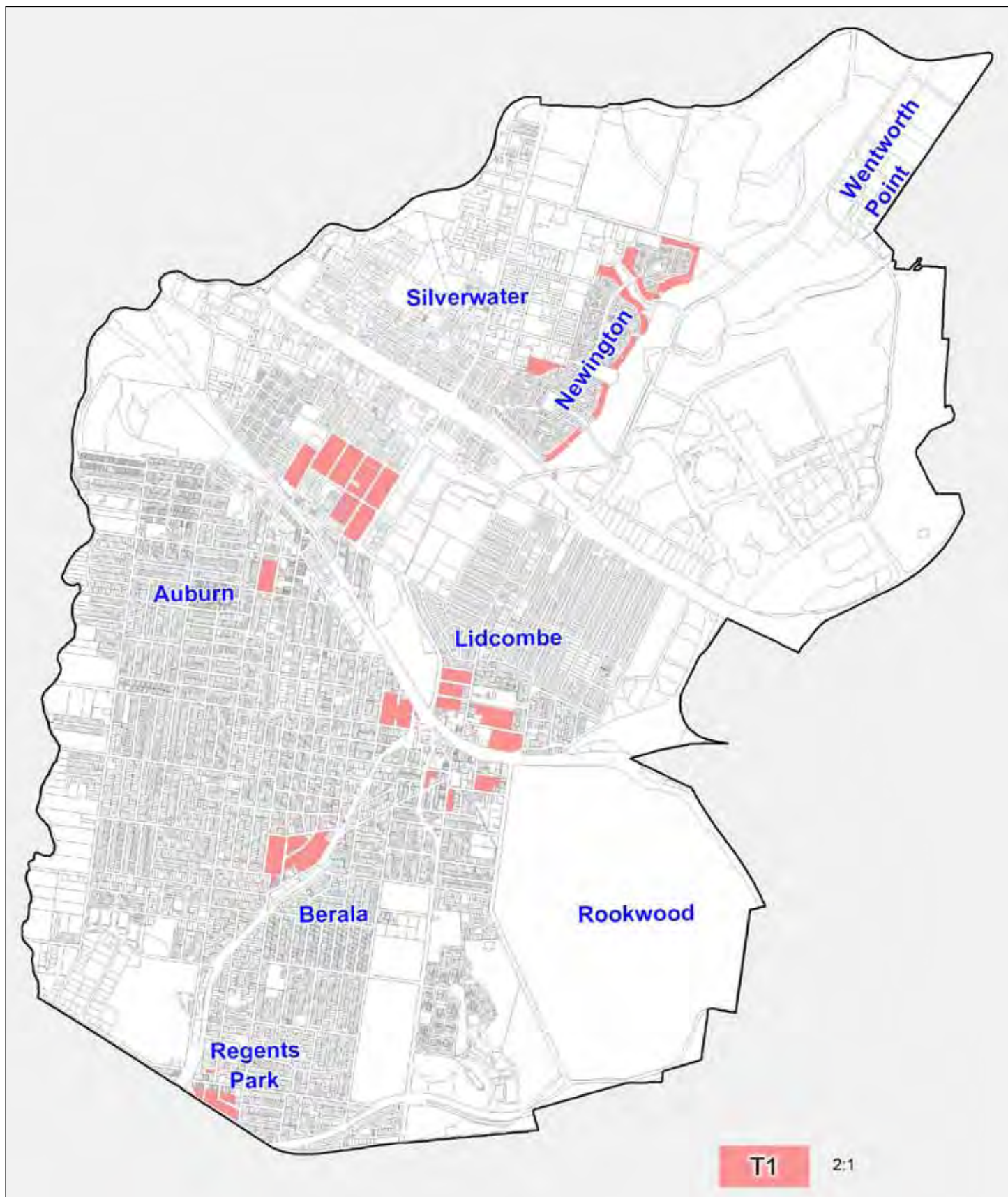
X LAND ZONED B4 MIXED USE TO WHICH THE PLANING PROPOSAL APPLIES

T1 LAND ZONED R4 HIGH DENSITY RESIDENTIAL TO WHICH THE PLANING PROPOSAL APPLIES

PLANNING PROPOSAL

FIGURE 25
PROPOSED FLOOR SPACE RATIO MAP – LIDCOMBE TOWN CENTRE

PREPARED FOR - AUBURN CITY COUNCIL



PLANNING PROPOSAL

FIGURE 26
PROPOSED FLOOR SPACE RATIO MAP FOR LAND ZONED R4 HIGH DENSITY RESIDENTIAL
TO WHICH THE PLANNING PROPOSAL APPLIES

PREPARED FOR - AUBURN CITY COUNCIL



APPENDICES



APPENDIX 1

**Minutes of the Ordinary Meeting of Council held 20 October 2010
(Refer to Item 257/10)**

AUBURN CITY COUNCIL

REPORTS TO THE
ORDINARY MEETING OF COUNCIL
TO BE HELD IN THE COUNCIL CHAMBER,
CIVIC PLACE, 1 SUSAN STREET, AUBURN
ON WEDNESDAY, OCTOBER 20, 2010
COMMENCING AT 6.30PM

INDEX

Opening Prayer

Receipt of Apologies

253/10	Disclosure of Interests.....	2
254/10	Address by Invited Speakers	3
255/10	Notice of Intention to Deal with Matters in Closed Session – Proposed Sale of 13 John Street, Lidcombe	4
256/10	Confirmation of the Minutes of Previous Meeting.....	5
257/10	Re-Submitted Item - Planning Analysis from Resolution of May 12, 2010 Extraordinary Meeting	23
258/10	Notice of Rescission Motion - 46-50A John Street, Lidcombe	33
259/10	Notice of Rescission Motion - 52-56 John Street, Lidcombe	73
260/10	Matters Determined without Further Debate	113

GENERAL REPORTS

261/10	Auburn Lidcombe Lions Club Inc Annual Charity Golf Day - Waiving of Green Fees	114
262/10	Operational Arrangements Over Christmas/New Year Period	115
263/10	Reforms to Local Development Contributions - Department of Planning	118
264/10	Review of Council's Policy for the Payment of Expenses Incurred by and the Provision of Facilities to the Mayor, Deputy Mayor and Councillors	124
265/10	State of the Environment Report (SoE) 2009/2010	161
266/10	2009/2010 Annual Financial Statements.....	164
267/10	Disclosures by Councillors and Designated Persons	169

COMMITTEE REPORTS

268/10	Minutes of the Auburn Traffic Committee – August 25, 2010.....	170
269/10	Minutes of the Extraordinary Auburn Traffic Committee – September 3, 2010	187
270/10	Minutes of the Auburn Traffic Committee – September 22, 2010	192

INFORMATION REPORTS

271/10	Local Government Tourism Conference 2011 - Call for Presentations by Councils.....	211
272/10	Capital Works Progress Report.....	213
273/10	Council's Annual Report 2009/2010.....	223
274/10	Business & Finance Activity & OH&S Statistics Report for August 2010	224
275/10	Investments Report for August 2010.....	236
276/10	Investment Balances as at 30 September, 2010.....	241
277/10	Report on Actions from Council Decisions	245

CLOSED SESSION

CO6	Closed Session - Proposed Sale of 13 John Street, Lidcombe	
-----	--	--

AUBURN CITY COUNCIL

October 20, 2010
To the Ordinary Meeting of Council

General Manager's Report

253/10 Disclosure of Interests

C-28-07/04

JB

The provisions of Chapter 14 of the Local Government Act, 1993 regulate the way in which Councillors and nominated staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public trust.

The Act prescribes that where a member of Council (or a Committee of Council) has a direct or indirect financial (pecuniary) interest in a matter to be considered at a meeting of the Council (or Committee), that interest and the reasons for declaring such interest must be disclosed as soon as practicable after the start of the meeting.

As members are aware, the provisions of the Local Government Act restrict any member who has declared a pecuniary interest in any matter from participating in the discussions or voting on that matter and further require that the member vacate the Chamber.

Council's Code of Conduct provides that if members have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed. The Code also provides for a number of ways in which a member may manage non pecuniary conflicts of interest.

RECOMMENDATION

That where necessary any Councillor now disclose any interest and the reason for declaring such interest in the matters under consideration by Council at this meeting.

AUBURN CITY COUNCIL

October 20, 2010
To the Ordinary Meeting of Council

General Manager's Report

254/10 Address by Invited Speakers

C-28-02/03

SUMMARY

There have been no requests to address the Ordinary Meeting at the time of printing the Business Paper.

RECOMMENDATION

1. *That the report on Invited Speakers be received and the information therein noted.*
2. *That standing orders be varied to allow each item to be dealt with following the speaker's address.*

AUBURN CITY COUNCIL

October 20, 2010
To the Ordinary Meeting of Council

Director's Report
Business and Finance
Department

**255/10 Notice of Intention to Deal with Matters in Closed Session –
Proposed Sale of 13 John Street, Lidcombe**

L-02-01/03 BC:MW

SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with a matter in Closed Session. The report on this matter is incorporated in the "Confidential" business paper which has been circulated to Councillors.

RECOMMENDATION

1. *That pursuant to Section 10A(2)(c) of the Local Government Act, 1993, the following report be dealt with in Closed Session:*

Proposed Sale of 13 John Street, Lidcombe

2. *That the reason for dealing with the subject report above in Closed Session is that it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

REPORT

The Local Government Act, 1993 requires the those matters to be identified and listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

On completion of the consideration of this item in Closed Session, Council is required to resolve to reconvene into Open Session and to make public the resolution made in Closed Session as soon as practical after that part of the meeting has ended in accordance with clause 253 of the Local Government (General) Regulation.

AUBURN CITY COUNCIL

October 20, 2010
To the Ordinary Meeting of Council

General Manager's Report

256/10 Confirmation of the Minutes of Previous Meeting

C-28-02/03

SUMMARY

Confirmation of the minutes of the previous Ordinary Meeting of Council held on September 28, 2010.

RECOMMENDATION

That the minutes of the previous Extraordinary Meeting of Council held on September 28, 2010 be confirmed.

AUBURN CITY COUNCIL

MINUTES OF THE
EXTRAORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER,
CIVIC PLACE, 1 SUSAN STREET, AUBURN
ON TUESDAY, SEPTEMBER 28, 2010
COMMENCING AT 6.00PM

PRESENT

His Worship the Mayor (Clr Oueik) (except from 7.53pm to 8.03pm), Councillors Anmak, Attie, Au, Curtin, Di Paolo, Lam (except from 7.53pm to 8.03pm), Michels, Simms (except from 8.25pm to 8.28pm) and Zraika (except from 8.29pm to 8.32pm).

IN ATTENDANCE

General Manager, Director Business & Finance, Director Planning & Environment, Director Works & Services, Director People & Places, Manager Administration, Manager Planning & Assessment, Manager Strategy, Internal Ombudsman, A/Manager Information Technology and Information Technology Support Officer.

APOLOGIES

There were no apologies tendered.

223/10 Disclosure of Interests

C-28-07/04 JB

In accordance with Council's Code of Meeting Practice, the Councillors listed below declared an interest in the matters as indicated.

Item 231/10 – 1d) and 1f)	Clr Lam	Clr Lam declared a non-pecuniary conflict of interest as her company has a property interest in the area or a relative lives in St Hilliers Road.
Item 231/10	Clr Oueik	Clr Oueik declared a non-pecuniary conflict of interest as he was the registered owner of property within the area of the Town Centre Study.
Item 232/10	Clr Anmak	Clr Anmak declared a non-pecuniary conflict of interest which was less than significant as he had been approached by the applicant.
Item 233/10	Clr Anmak	Clr Anmak declared a non-pecuniary conflict of interest which was less than significant as he had been approached by the applicant.

RESOLVED unanimously on the motion of Clr Simms, seconded Clr Anmak that the report on the disclosures of interest be received.

224/10 Address by Invited Speakers

C-28-02/03

SUMMARY

The following persons had sought to address the meeting of Council.

<u>Speaker</u>	<u>Item/Subject</u>
Mr F. Kaplan	232/10 – 46-50 John Street, Lidcombe 233/10 – 52-56 John Street, Lidcombe
Mr S. Daher	232/10 – 46-50 John Street, Lidcombe 233/10 – 52-56 John Street, Lidcombe
Mr A. Caladine	232/10 – 46-50 John Street, Lidcombe 233/10 – 52-56 John Street, Lidcombe

RESOLVED unanimously on the motion of Clr Curtin, seconded Clr Zraika:

- 3. That the report on Invited Speakers be received and the information noted.***
- 4. That standing orders be varied to allow each item to be dealt with following the speaker's address.***

225/10 Confirmation of the Minutes of Previous Meeting

C-28-02/03 BC

RESOLVED unanimously on the motion of Clr Curtin, seconded Clr Anmak that the minutes of the previous Ordinary Meeting of Council held on August 18, 2010 be confirmed.

226/10 Confirmation of the Minutes of Previous Extraordinary Meeting

C-28-02/03 BC

RESOLVED unanimously on the motion of Clr Simms, seconded Clr Attie that the minutes of the previous Extraordinary Meeting of Council held on September 15, 2010 be confirmed subject to it being recorded that Minute 221/10 should also show that Clr Au was appointed as the Council's alternate delegate to the Joint Regional Planning Panel (JRPP).

227/10 Notice of Business - Proposed Wentworth Point to Rhodes Bridge - Clr Simms

H-12-23 MW

RESOLVED unanimously on the motion of Clr Simms, seconded Clr Attie that Council write, as a matter of urgency, to the Premier, the Minister for Planning and the Local Member to ensure that, irrespective of Council's position on the merits or otherwise of the bridge, no uplift in densities in Wentworth Point is approved without ensuring that this triggers the 'guaranteed' erection of the proposed pedestrian/cycle/public transport bridge connecting Wentworth Point and Rhodes within a gazetted timeframe.

228/10 Notice of Business – Council as a Responsible Employer

Discussion ensued on the matter until ultimately Clr Curtin withdrew the item from consideration.

229/10 Notice of Business - Amendment to Council's Code of Meeting Practice – Clr Curtin & Clr Di Paolo

C-28-01/06 MW

Moved Clr Curtin, seconded Clr Di Paolo that Clause 29 of Auburn Council's Code of Meeting Practice be amended and in its place a procedure on how petitions are processed by Council be inserted.

The motion was put to the vote and declared lost.

For: Councillors Curtin, Di Paolo, Lam and Michels.

Against: Councillors Oueik, Anmak, Attie, Au, Simms and Zraika.

230/10 Matters Determined without Further Debate

C-28-02/03 BC

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms:

- 1. That Council identify those matters to be dealt with by the exception method.***
- 2. That items 231/10, 232/10, 233/10, 235/10, 239/10, 240/10, 241/10, 248/10, 249/10, 250/10, 251/10, 252/10 be dealt with individually and the remaining matters and the recommendations therein be adopted.***

Sequence of Items

The Council dealt with Item 232/10 and 233/10 at this point in the meeting immediately after it had dealt with Item 230/10 above, but for the sake of continuity it is recorded in the original sequence of the agenda.

231/10 Planning Analyses from resolutions of 12 May 2010 Extraordinary Meeting

S-57-33/Q2010-012 JW:EG

Note: Councillors Oueik and Lam had each declared a non-pecuniary conflict of interest in the matter and left the chamber before the Council's consideration of the matter and remained outside the Chamber during all of the discussions and determination and did not vote.

Clr Au assumed the Chair.

Moved Clr Attie, seconded Clr Anmak that Council:

1. a) Prepare a planning proposal in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn and Lidcombe Town Centres and amend the Local Centres part of the ADCP 2010 accordingly
 - b) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA and amend the Residential Flat Buildings part the ADCP 2010 accordingly
 - c) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the height in the Auburn and Lidcombe Town Centres to a maximum 55m or equivalent to 18 stories and FSR of 8.8:1 and amend the Local Centres part of the ADCP 2010 accordingly
-

- d) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Auburn Road eastern side from Beatrice Street to Helena Street from R3 to B4 and amend the Local Centres part of the ADCP 2010 accordingly
 - e) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential and amend the Residential Flat Buildings part the ADCP 2010 accordingly
 - f) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties fronting St Hilliers Road from Simpson Street and Dartbrook Road from Simpson to Parramatta Road excluding the existing commercial component to be consistent with the remainder of properties facing St Hilliers Road being R4 and amend the Residential Flat Buildings part the ADCP 2010 accordingly
 - g) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that face Park Road between Raglan Road and Princess Street East to IN2.
 - h) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties facing Park Road and bound by Jenkins Road and the railway line to IN2.
2. Note that a Planning Study of Regents Park Town centre and the surrounding Regents Park residential area will be prepared and brought back to Council in 2011.
 3. Note that a planning study of Berala Town Centre and the surrounding Berala residential area will be prepared and brought back to Council in 2011.

Amendment

An amendment was moved Clr Curtin, seconded Clr Di Paolo that further consideration of the matter be deferred to enable the details of the subject motion to be distributed to all Councillors.

The amendment was put to the vote and declared carried and became the motion.

For: Councillors Au, Curtin, Di Paolo, Michels, Simms and Zraika.

Against: Councillors Attie and Anmak.

The motion was put to the vote and declared carried.

RESOLVED on the motion of Clr Curtin, seconded Clr Di Paolo that further consideration of the matter be deferred to enable the details of the subject motion to be distributed to all Councillors.

For: Councillors Au, Curtin, Di Paolo, Michels, Simms and Zraika.

Against: Councillors Attie and Anmak.

Clr Au vacated the chair on the conclusion of the consideration of this item and the return of the Mayor to the Chamber.

232/10 46-50A John Street, Lidcombe

DA-240/2010 GF:CC

Mr F. Kaplan, Mr S. Daher and Mr A. Caladine each in turn, addressed the Council on this matter.

Moved Clr Simms, seconded Clr Di Paolo that Development Application No. DA-240/2010 for construction of additional two (2) storeys comprising additional fourteen (14) residential units to existing seven (7) storey mixed use residential and commercial building on land at 46 - 50A John Street, LIDCOMBE be refused for the following reasons:

1. The proposed development is not consistent with State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings with respect to the following:

Objective 3(a)(iii) – Local Context

Objective 3(b) – Built Form

Objective 3(d) - Amenity

Principles 1, 2, 3, 4 & 10 – Context; Scale; Built Form, Density; & Aesthetics

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(i)).

2. The proposed development does not satisfy the following objectives of the Auburn Local Environmental Plan 2000:

Objective 8(1)(a) – Environmental Objective

Objective 8(4)(a-e) – Character & Amenity Objectives

Zone 3(a) objective 15(1)(c) – Environmental Amenity

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(i)).

3. The proposed development does not satisfy the following clauses of the Auburn Local Environmental Plan 2000:

Clause 17(a);(b); & (i) with respect to compatibility of development

Clause 43 with respect to development in vicinity of heritage items

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(i)).

4. The proposed development is not consistent with the floor space ratio controls of Auburn Draft Auburn Local Environmental Plan No. 2009.
-

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(ii)).

5. The proposed development does not satisfy the following objectives of the Auburn Business Areas Development Control Plan (Amendment No. 1):

Objective 2.0(a) – Townscape and Urban Character Objective;
Objective 3.0(a-c) – Built Form Objectives

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(iii)).

6. The proposed development does not comply with the following provisions of the Auburn Business Areas Development Control Plan (Amendment No. 1):

D2.1 – Planning Intentions
D2.2 - Streetscape
D3.1 – Maximum FSR Control
D3.5 – Maximum Height Control

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(iii)).

7. The proposed development does not comply with the following provision of the Auburn Car Parking and Loading Development Control Plan:

D1.2 – Over Provision of Parking Spaces

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(iii)).

8. The proposed development will have an adverse environmental impact in the locality due to the undesirable and unacceptable impact on the streetscape and adverse impact on the surrounding built environment.

(Environmental Planning and Assessment Act 1979 s79C(1)(b)).

9. The proposed development will have an adverse environmental impact in the locality as it is excessive in terms of bulk, scale, height, and density and would adversely impact upon the amenity of the locality

(Environmental Planning and Assessment Act 1979 s79C(1)(b)).

10. Insufficient information has been submitted with the development application to allow a proper and thorough assessment of the likely additional heritage impacts of the proposed development on the heritage significance of the adjoining heritage items.

(Environmental Planning and Assessment Act 1979 s79C(1)(b) and s79C(1)(c)).

11. The proposed development will have an adverse environmental impact in the locality as the non-compliances directly results in adverse impact on the privacy and amenity of adjoining residential development.

(Environmental Planning and Assessment Act 1979 s79C(1)(b)).

12. Public submissions have been received objecting to the proposed development on the basis of height, privacy and overshadowing impacts.

(Environmental Planning and Assessment Act 1979 s79C(1)(d)).

13. In the circumstances of the case, approval of the development application is not considered to be in the public interest.

(Environmental Planning and Assessment Act 1979 s79C(1)(e)).

Amendment

An amendment was moved Clr Curtin, seconded Clr Lam that the DA-240/2010 be approved subject to standard conditions.

The Mayor ruled the amendment out of order as it was a direct negative to the motion.

The motion was put to the vote and declared lost.

For: Councillors Di Paolo, Michels and Simms.

Against: Councillors Oueik, Anmak, Attie, Au, Curtin, Lam and Zraika.

Moved Clr Curtin, seconded Clr Lam that the DA-240/2010 be approved subject to appropriate conditions.

Extension of Time

During the debate on this matter an extension of time for Clr Curtin was sought.

RESOLVED on the motion of Clr Zraika, seconded Clr Lam that an extension of time of two minutes be granted for Clr Curtin to speak on the matter.

For: Councillors Oeuik, Anmak, Au, Curtin, Di Paolo, Lam, Michels and Zraika.

Against: Councillors Attie and Simms.

Point of Order

During the debate on this matter, Clr Simms called a Point of Order on the basis that she was of the view that Clr Curtin was inaccurately referring to the Council's previous consideration of the relevant original Development Application.

The Mayor upheld the Point of Order.

Point of Order

During the debate on this matter, Clr Simms called a Point of Order on the basis that she was of the view that Clr Curtin's motion was not valid as it is not clear as to its interpretation.

The Mayor dismissed the Point of Order.

Amendment

An amendment was moved Clr Michels, seconded Clr Attie that further consideration of this matter be deferred pending a report detailing the correctness or otherwise of the FSR issues and the DA be resubmitted when the Draft Auburn LEP - 2010 is gazetted.

The amendment was put to the vote and declared carried and became the motion.

For: Councillors Oueik, Anmak, Attie, Au, Michels and Simms.

Against: Councillors Curtin, Di Paolo, Lam and Zraika.

The motion was then put to the vote and declared carried.

RESOLVED on the motion of Clr Michels, seconded Clr Attie that further consideration of this matter be deferred pending a report detailing the correctness or otherwise of the FSR issues and the DA be resubmitted when the Draft Auburn LEP - 2010 is gazetted.

For: Councillors Oueik, Anmak, Attie, Au, Michels and Simms.

Against: Councillors Curtin, Di Paolo, Lam and Zraika.

233/10 52-56 John Street and 1A Childs Street, Lidcombe

DA-241/2010 GF:CC

Moved Clr Simms that Development Application No. DA-241/2010 for construction of additional two (2) storeys comprising additional fourteen (14) residential units to existing seven (7) storey mixed use residential and commercial building on land at 52 - 56 John Street and 1A Childs Street, LIDCOMBE be refused for the following reasons:

1. The proposed development is not consistent with State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings with respect to the following:

Objective 3(a)(iii) – Local Context

Objective 3(b) – Built Form

Objective 3(d) - Amenity

Principles 1, 2, 3, 4 & 10 – Context; Scale; Built Form; Density; & Aesthetics

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(i)).

2. The proposed development does not satisfy the following objectives of the Auburn Local Environmental Plan 2000:

Objective 8(1)(a) – Environmental Objective

Objective 8(4)(a-e) – Character & Amenity Objectives

Zone 3(a) Objective 15(1)(c) – Environmental Amenity

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(i)).

3. The proposed development does not satisfy the following clauses of the Auburn Local Environmental Plan 2000:

Clause 17(a);(b); & (i) with respect to compatibility of development
 Clause 43 with respect to development in vicinity of heritage items

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(i)).

4. The proposed development is not consistent with the floor space ratio controls of Auburn Draft Auburn Local Environmental Plan No. 2009.

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(ii)).

5. The proposed development does not satisfy the following objectives of the Auburn Business Areas Development Control Plan (Amendment No. 1):
 Objective 2.0(a) – Townscape and Urban Character Objective;
 Objective 3.0(a-c) – Built Form Objectives

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(iii)).

6. The proposed development does not comply with the following provisions of the Auburn Business Areas Development Control Plan (Amendment No. 1):

D2.1 – Planning Intentions
 D2.2 - Streetscape
 D3.1 – Maximum FSR Control
 D3.5 – Maximum Height Control

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(iii)).

7. The proposed development does not comply with the following provision of the Auburn Car Parking and Loading Development Control Plan:

D1.2 – Over Provision of Parking Spaces

(Environmental Planning and Assessment Act 1979 s79C(1)(a)(iii)).

8. The proposed development will have an adverse environmental impact in the locality due to the undesirable and unacceptable impact on the streetscape and adverse impact on the surrounding built environment.

(Environmental Planning and Assessment Act 1979 s79C(1)(b)).

9. The proposed development will have an adverse environmental impact in the locality as it is excessive in terms of bulk, scale, height, and density and would adversely impact upon the amenity of the locality.

(Environmental Planning and Assessment Act 1979 s79C(1)(b)).

10. Insufficient information has been submitted with the development application to allow a proper and thorough assessment of the likely additional heritage impacts of the proposed development on the heritage significance of the adjoining heritage items.

(Environmental Planning and Assessment Act 1979 s79C(1)(b) and s79C(1)(c)).

11. The proposed development will have an adverse environmental impact in the locality as the non-compliances directly results in adverse impact on the privacy and amenity of adjoining residential development.

(Environmental Planning and Assessment Act 1979 s79C(1)(b)).

12. Public submissions have been received objecting to the proposed development on the basis of height, privacy and overshadowing impacts.

(Environmental Planning and Assessment Act 1979 s79C(1)(d)).

13. In the circumstances of the case, approval of the development application is not considered to be in the public interest.

(Environment Planning and Assessment Act 1979 s79C(1)(e)).

The motion was ruled to have lapsed for want of a seconder.

Moved Clr Curtin, seconded Clr Lam that the DA-241/2010 be approved subject to the appropriate conditions.

Amendment

An amendment was moved Clr Attie, seconded Clr Michels that further consideration be deferred pending a report to the next Council Meeting giving details on the advice of the Department of Planning regarding the Draft Auburn LEP – 2010 and to enable the staff to provide a list of conditions if the Council is of the mind to approve the Application.

The amendment was put to the vote and declared carried and became the motion.

For: Councillors Oueik, Anmak, Attie, Au, Michels and Simms.

Against: Councillors Curtin, Di Paolo, Lam and Zraika.

The motion was put to the vote and declared carried.

RESOLVED on the motion of Clr Attie, seconded Clr Michels that further consideration be deferred pending a report to the next Council Meeting giving details on the advice of the Department of Planning regarding the Draft Auburn LEP – 2010 and to enable the staff to provide a list of conditions if the Council is of the mind to approve the Application.

For: Councillors Oueik, Anmak, Attie, Au, Michels and Simms.

Against: Councillors Curtin, Di Paolo, Lam and Zraika.

234/10 **Lot 44 College Street, Lot 45 Sussex Street & Lot 47 Cobden
Parkes Crescent, Lidcombe (Former Lidcombe Hospital Site)**

DA-572/2002 GF:CC

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms:

- 1. That Council endorse the proposed street names of "Sketchley Way" and "Macdermott Way" for the approved development under Development Consent No. 572/2002 (as modified) as being acceptable for public exhibition and notification to the Department of Lands and Australia Post.***
- 2. The costs associated with the public exhibition of the proposed street name, notification to the Department of Lands and Australia Post, and associated statutory requirements be borne by the applicant.***
- 3. That the General Manager be authorised to approve the proposed street name of "Sketchley Way" and "Macdermott Way" for the approved development under Development Consent No. 572/2002 (as modified) following the carrying out of relevant statutory requirements at no cost to Council in the event that no submissions are received.***
- 4. That the General Manager be authorised to approve the signage and street numbering for the approved development under Development Consent 572/2002 (as modified) following the final approval of the street name.***

235/10 **2010 Local Government Association of NSW Annual Conference
- Voting Delegates**

L-21-01/18 BC:MW

The Mayor called for Councillors to indicate their interest in being the voting delegates and Councillors Oueik, Anmak, Attie, Au, Di Paolo and Michels so indicated.

Councillors Attie and Au subsequently withdrew their names from those for possible appointment.

The General Manager then conducted a process of voting to identify the Council's nominees.

RESOLVED unanimously on the motion of Clr Curtin, seconded Clr Simms that Councillors Oueik, Anmak, Di Paolo and Michels be the Council's Voting Delegates at the 2010 Local Government Association of NSW Annual Conference.

236/10 11th International Cities, Town Centres & Communities Society Conference – Coffs Harbour

C-23-03/09 BC:MW

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms:

- 1. That the Council note the interest expressed by Councillors in accordance with Council's Civic Expenses Policy in attending the 11th International Cities, Town Centres and Communities Society Conference in Coffs Harbour and approve of the attendance by those Councillors.***
- 2. That the Council meet the registration fee, travel, accommodation and out of pocket expenses in accordance with its Civic Expenses Policy for those Councillors who have expressed interest in attending the Conference as in 1 above.***
- 3. That Council note the requirement in its Civic Expenses Policy for a Delegates Report to be provided by attendees at such Conferences.***

237/10 2010 ALGA National Local Roads & Transport Congress – Bunbury, WA

L-28-01/03 BC:MW

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms:

- 1. That the Council note the interest expressed by any Councillors in accordance with the Council's Civic Expenses Policy, in attending the 2010 Australian Local Government Association (ALGA) National Local Roads and Transport Congress in Bunbury and approve of the attendance by those Councillors.***
- 2. That the Council meet the registration fees, travel, accommodation and out of pocket expenses in accordance with its Civic Expenses Policy for those Councillors who have expressed interest in attending the Conference as in 1 above.***
- 3. That Council note the requirement in its Civic Expenses Policy for a Delegates Report to be provided by attendees at such Conferences.***

238/10 National Local Government Urban Planning & Development Summit - Sydney

C-23-03/09 BC:MW

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms:

- 1. That the Council note the interest expressed by Councillors in accordance with Council's Civic Expenses Policy in attending the National Local Government Urban Planning & Development Summit at Darling Harbour, Sydney and approve of the attendance by those Councillors.***
-

2. *That the Council meet the registration fee, travel, accommodation and out of pocket expenses in accordance with its Civic Expenses Policy for those Councillors who have expressed interest in attending the Conference as in 1 above.*
3. *That Council note the requirement in its Civic Expenses Policy for a Delegates Report to be provided by attendees at such Conferences.*

239/10 International Conference on Human Rights Education - Parramatta

C-23-03/09 BC:MW

RESOLVED unanimously on the motion of Cllr Michels, seconded Cllr Simms:

1. *That the Council note the interest expressed by Councillor Michaels in accordance with Council's Civic Expenses Policy in attending the International Conference of Human Rights Education at Parramatta, Sydney and approve of the attendance by those Councillors.*
4. *That the Council meet the registration fee and out of pocket expenses in accordance with its Civic Expenses Policy for those Councillors who have expressed interest in attending the Conference as in 1 above.*
5. *That Council note the requirement in its Civic Expenses Policy for a Delegates Report to be provided by attendees at such Conferences.*

240/10 Code of Meeting Practice

C-28-01/06 BC:PV

Moved Cllr Simms, seconded Cllr Michels:

1. That the Council amend its Code of Meeting Practice so as to provide for the conduct of the meeting for the election of mayor pursuant to Section 290(1)(b) to be on the first Wednesday in September.
2. That the proposed amendment to the Council's Code of Meeting Practice be placed on exhibition for public comment pursuant to Section 361 of the Local Government Act, 1993.
3. A further report, with details of any submissions by the public be brought back to Council for consideration prior to final determination of the matter.

The motion was put to the vote and declared lost.

For: Councillors Curtin, Di Paolo, Lam, Michels and Simms.

Against: Councillors Oueik, Anmak, Attie, Au and Zraika.

The motion was declared lost on the casting vote of the Mayor.

RESOLVED on the motion of Clr Attie, seconded Clr Anmak –

- 1. That the Council amend its Code of Meeting Practice so as to provide for the conduct of the meeting for the election of mayor pursuant to Section 290(1)(b) to be on the fourth Wednesday in September.**
- 2. That the proposed amendment to the Council's Code of Meeting Practice be placed on exhibition for public comment pursuant to Section 361 of the Local Government Act, 1993.**
- 3. That a further report, with details of any submissions by the public be brought back to Council for consideration prior to final determination of the matter.**

For: Councillors Oueik, Anmak, Attie, Au, Curtin, Di Paolo and Zraika.

Against: Councillors Lam, Michels and Simms.

241/10 Local Government Association Project - Modernising Local Government

L-20-01/13 BC:PV

RESOLVED unanimously on the motion of Clr Curtin, seconded Clr Lam that Councillors interested in making a submission on the matter do so at their own discretion.

242/10 Councillor Information Seminars - Series II

C-23-11 MW

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms that the report be received and the information therein noted.

243/10 Comparative Information on NSW Local Government Councils

L-29-04/03 BC:PV

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms that the report be received and the information therein noted.

244/10 Business & Finance Activity & OH&S Statistics Report for July 2010

S-18-08/04 GT:PV

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms that the report be received and the information therein noted.

245/10 Investments Report for July 2010

A-05-01/05 GT/HWH/DL

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms that the report be received and the information therein noted.

246/10 Investment Balances as at 31 August, 2010

A-05-01/05 GT/HWH/DL

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms that the report be received and the information therein noted.

247/10 Report on Actions from Council Decisions

C-28-17 BC:MW

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Simms that the report be received and the information therein noted.

248/10 Business or Questions on Notice - International Year of Biodiversity - Clr Michels

E-09-15/02 MW:BC

Moved Clr Attie that Council provide an article on the issue of the Year of Biodiversity in its next 'Newsletter'.

The motion was not seconded and therefore lapsed.

RESOLVED unanimously on the motion of Clr Simms, seconded Clr Lam:

- 1. That the Council seek clarification from the Division of Local Government on the matter of whether or not a Councillor's Question listed on a Business Paper as an item of business requires a resolution of the council to direct that a response be provided.***
- 2. That the action in respect to the remaining items listed as Nos 249/10, 250/10, 251/10, and 252/10 below be held in abeyance until a response is provided to the matter in 1 above.***

249/10 Business or Questions on Notice - 2010 Year of Women in Local Government - Clr Michels

L-29-07 MW:BC

The Council did not make a determination in this matter pending the outcome of its resolution in Item 248/10 above.

250/10 Business or Questions on Notice - Car Park Incidents - Clr Di Paolo

C-04-02/04 MW:BC

The Council did not make a determination in this matter pending the outcome of its resolution in Item 248/10 above.

251/10 Business or Questions on Notice - Auburn Town Centre Parking Strategy - Clr Di Paolo

P-01-01/04 MW:BC

The Council did not make a determination in this matter pending the outcome of its resolution in Item 248/10 above.

252/10 Business or Questions on Notice - Susan Street Car Park Financial Information - Clr Di Paolo

C-04-02/04 MW:BC

The Council did not make a determination in this matter pending the outcome of its resolution in Item 248/10 above.

There being no further matters, the meeting closed at 8.38 pm.

CONFIRMED: _____
MAYOR

DATE: _____

AUBURN CITY COUNCIL

October 20, 2010
To the Ordinary Meeting of Council

Director's Report
Business and Finance
Department

**257/10 Re-Submitted Item - Planning Analysis from Resolution of May 12, 2010
Extraordinary Meeting**

S-57-33/Q2010-012 BC:PV

SUMMARY

The report on the above mentioned Planning Matter is re-submitted for consideration.

RECOMMENDATION

Submitted for determination

COMMENTS BY GENERAL MANAGER

At its meeting of September 28, 2010 Council resolved (refer Minute 231/10):

“.....that further consideration of the matter be deferred to enable the details of the subject motion to be distributed to all Councillors.”

To facilitate the Council's subsequent consideration of this matter, a copy of the report on the subject issue which was submitted to the previous meeting of Council as Item 231/10 is provided as an attachment.

It is to be noted that the relevant motion appears on pages 4/5 of the Minutes of the Meeting of September 28, 2010 and was as follows:-

“Moved Cllr Attie, seconded Cllr Anmak that Council:

1. a) Prepare a planning proposal in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn and Lidcombe Town Centres and amend the Local Centres part of the ADCP 2010 accordingly
 - b) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA and amend the Residential Flat Buildings part the ADCP 2010 accordingly
 - c) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to increase the height in the Auburn and Lidcombe Town Centres to a maximum 55m or equivalent to 18 stories and FSR of 8.8:1 and amend the Local Centres part of the ADCP 2010 accordingly
-

October 20, 2010
To the Ordinary Meeting of Council

Director's Report
Business and Finance
Department

Re-Submitted Item - Planning Analysis from Resolution of May 12, 2010 Extraordinary Meeting (Cont'd.)

- d) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Auburn Road eastern side from Beatrice Street to Helena Street from R3 to B4 and amend the Local Centres part of the ADCP 2010 accordingly
 - e) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential and amend the Residential Flat Buildings part the ADCP 2010 accordingly
 - f) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties fronting St Hilliers Road from Simpson Street and Dartbrook Road from Simpson to Parramatta Road excluding the existing commercial component to be consistent with the remainder of properties facing St Hilliers Road being R4 and amend the Residential Flat Buildings part the ADCP 2010 accordingly
 - g) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties that face Park Road between Raglan Road and Princess Street East to IN2.
 - h) Prepare a planning proposal to amend ALEP 2010 in accordance with the Environmental Planning & Assessment Act 1979 Section 54 and Department of Planning guidelines to rezone the properties facing Park Road and bound by Jenkins Road and the railway line to IN2.
2. Note that a Planning Study of Regents Park Town centre and the surrounding Regents Park residential area will be prepared and brought back to Council in 2011.
 3. Note that a planning study of Berala Town Centre and the surrounding Berala residential area will be prepared and brought back to Council in 2011."
-

October 20, 2010
To the Ordinary Meeting of Council

Director's Report
Business and Finance
Department

Re-Submitted Item - Planning Analysis from Resolution of May 12, 2010 Extraordinary Meeting (Cont'd.)

Page 1 of 8

ATTACHMENT

Extract from Business Paper for Meeting of September 28, 2010

SUMMARY

This report contains a summary of a series of Planning Analyses which respond to resolutions made at the 12th May 2010 Extraordinary Council meeting.

RECOMMENDATION

That Council receive and note this report.

REPORT

At an Extraordinary Meeting on 12th May 2010 (Item 116B/110), Council resolved to adopt the Auburn LEP 2010, Auburn DCP 2010 and Public Domain Plans. Council also resolved the following:

1. *That Council undertake the necessary planning analysis as indicated and amend the Draft Management Plan 2010/2011 to reflect the following:*
 - b) *Carry out appropriate planning analysis with a view to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn LGA Town Centre.*
 - c) *Carry out appropriate planning analysis with a view to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA.*
 - d) *Carry out appropriate planning analysis with a view to increase the height in the Auburn and Lidcombe Town Centres to a maximum 56.5m or equivalent to 18 stories and relevant FSR.*
 - e) *Carry out appropriate planning analysis with a view to rezoning the properties that front Auburn Road eastern side from Beatrice Street to Helena Street from R3 to B4 as per the Auburn Town Centre.*
 - f) *Carry out appropriate planning analysis with a view to rezoning the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential.*
 - g) *Carry out appropriate planning analysis with a view to rezoning the properties fronting St Hilliers Road from Simpson Street to be consistent with the remainder of properties facing St Hilliers Road being R4.*
-

October 20, 2010
To the Ordinary Meeting of Council

Director's Report
Business and Finance
Department

Re-Submitted Item - Planning Analysis from Resolution of May 12, 2010 Extraordinary Meeting (Cont'd.)

Page 2 of 8

- a) *Carry out appropriate planning analysis with a view to rezoning the properties that face Park Road between Raglan Road and Princess Street East to IN2.*
- b) *Carry out appropriate planning analysis with a view to rezoning the properties facing Park Road and bound by Jenkins Road and the railway line to IN2.*
- 2. *That Council resolve to immediately prepare a planning study of Regents Park Town Centre and the surrounding Regents Park residential area to determine what opportunities exists to revitalise the town centre and to provide new residential housing opportunities in the surround area including the area bound by Amy Street, the Chullora Goods Railway line, the Sydney water pipeline and Kingsland Road.*
- 3. *That Council resolve to immediately prepare a planning study of Berala Town Centre and the surrounding Berala residential area to determine what opportunities exists to revitalise the town centre and to provide new residential housing opportunities in the surround area.*

SUMMARY OF PLANNING RESPONSE TO EACH RESOLUTION

Part Resolutions 1(a) and 1(c) relating to FSRs and building heights in the Auburn and Lidcombe Town Centres

These two resolutions relate to the possibility of increasing the maximum floor space ratios (FSRs) and maximum building heights within the Auburn and Lidcombe Town Centres. Specifically, they instruct appropriate planning analysis be carried out to increase the maximum FSR to 5:1 and the maximum building height to 56.5m or 18 storeys.

To complete this analysis, two separate analyses were required. Firstly, Council commissioned Gabrielle Morrish Urban Design (GMU) to address the urban design issues which can be found in their Urban Design Density Study (refer to Attachment 1). Secondly, an internal analysis has been prepared by the Strategy Unit to address the strategic planning considerations (ie. those planning issues which exclude urban design considerations). This is held in Attachment 2 to this report.

Urban Design Density Study by GMU

GMU were commissioned by Council to carry out an urban design assessment to assess the implications of increasing the maximum FSR to 5:1 and maximum building height to 56.5m or 18 storeys.

October 20, 2010
To the Ordinary Meeting of Council

Director's Report
Business and Finance
Department

Re-Submitted Item - Planning Analysis from Resolution of May 12, 2010 Extraordinary Meeting (Cont'd.)

Page 3 of 8

In this analysis, GMU considers two approaches to the FSR and height increases. The first approach entitled "Approach 1" considers a 5:1 FSR and 56.5 metre height limit across the entire Town Centre area (ie. the area being zoned B4 Mixed Use in the forthcoming ALEP 2010). The second approach entitled "Approach 2" considers transitional height, with the 56.5 metres (18 storeys) height in the core of the centre transitioning down to the edges of the B4 Mixed Use zone with surrounding residential zones.

This analysis has concluded the following:

- Approach 1 presents numerous impacts in terms of:
 - amenity and solar access to the public domain and adjoining land owners;
 - uneven built form and height disparities between developed lots and the low scale development;
 - overshadowing of the public domain and potential "wind wash" effects.

Overall, this approach may create a difficult environment for pedestrians, particularly during winter. This approach was not favoured by the consultant.

- In terms of Approach 2, it provides a more positive outcome because it would be limited in its application across the centre.
- That an increase in height and/or FSR would result in the need for new controls for the Local Centres as part of the forthcoming Auburn DCP 2010. This would require an additional urban design consultancy.

Strategic Planning Analysis

An internal analysis has been undertaken to carry out strategic planning analysis of the proposed increases to the Town Centre maximum FSRs and heights.

This analysis has concluded the following:

- The Department of Planning's Subregional Strategies allocate a hierarchy for all centres across metropolitan Sydney area. The *West Central Subregion Draft Subregional Strategy* (WCDSS) categorised the Auburn and Lidcombe centres as 'Town Centres' and the proposed FSR and height increases do not appear to be consistent with other centres which also have a 'Town Centre' category. The proposed FSRs/heights are more conducive to the Strategic Centre categories such as 'Major Centre', 'Regional Centre' and 'Specialised Centre'.
-

- Economic work undertaken by AEC Consultants to inform the Auburn Town Centre Strategy 2031 says that increasing the development standards (ie. maximum FSRs and maximum building heights may be detrimental to the growth of the Town Centres.
- Council's Dwelling Target Analysis demonstrates that no increases in building envelope controls are necessary to meet the dwelling growth espoused in the WCDSS. The Department of Planning has instructed Council that draft LEPs must be consistent with the growth stipulated in the WCDSS.

Part Resolutions 1(b) relating to the Floor Space Ratio for Residential Flat Building Development in the R4 zone

Resolution 1(b) was investigated by GMU to interrogate the appropriateness of increasing the floor space ratio (FSR) for residential flat building development in the R4 zone from 1.4:1 to 2:1.

The conclusion of this work has found that the increase in FSR will:

- Significantly increase overshadowing to adjoining properties.
- Significantly impact on land where the R4 High Density zone adjoins the R2 Low Density and R3 Medium Density zones. In these locations, the building bulk between the two zones will be substantially different.
- Increase building bulk that would not fit within the available building envelope.
- Cause units to look directly at 18 metre walls, close to boundaries.
- Create a staggered and uneven streetscape where odd sites have 6 storey buildings next to 2 to 3 storey buildings.
- Create privacy issues where taller development overlooks one and two storey development.
- The increase in FSR is not supported by GMU.

The analysis also found that the work undertaken by Caldis Cook in April 2009 which increased the existing FSR from 1.2:1 to 1.4:1 for residential flat building development was robust. Specifically, it notes that the 1.4:1 FSR and height of 16 metres (4 storeys) "allows for a variety of different building configurations that can achieve positive amenity" (p.8). As such, GMU's work concludes that keeping the 1.4:1 FSR as held in the forthcoming Auburn LEP 2010 is appropriate.

It is therefore conclusive that an increase in FSR to 2:1 investigated in Council's Urban Design Analysis (2009) by Caldis Cook, and more recently in GMU's Urban Design Density Study, is not favoured.

Part Resolutions 1(d) and 1(e) relating to land bounded by Beatrice, Susan and Helena Streets and Auburn Road, Auburn.

An internal Planning Analysis has looked at these two resolutions concurrently over this block. This analysis can be found at Attachment 3.

In relation to the application of the B4 Mixed Use zone over the western portion of the subject land, the Planning Analysis has concluded the following:

- It would undermine the Auburn Town Centre Strategy 2031 vision.
- It would create an island zone which is not supported by the Department of Planning.
- It would affect the legibility of the Auburn Town Centre.
- It would reduce the capacity for commercial development to be realised because of the narrowness of the lots.
- It is not justified to apply to the zone on the basis that some commercial uses exist on this western portion.
- Strategic analysis does not support this proposal. As such, it is difficult to assess the proposal against the Department's Planning Proposal guidelines.

In relation to the application of the R4 High Density Residential zone over the eastern portion of the block, the Planning Analysis has concluded the following:

- It would create an island zone which is not supported by the Department of Planning.
- The upzoning is not supported by the Dwelling Target Analysis and hence would be difficult to justify at the Planning Proposal stage.
- Strategic analysis does not support this proposal. As such, it is difficult to assess the proposal against the Department's Planning Proposal guidelines.

Part Resolutions 1(f) relating to properties fronting St Hilliers Road from Simpson Street to be consistent with the remainder of properties facing St Hilliers Road, Auburn

An internal Planning Analysis has been undertaken to determine the appropriateness of applying the R4 high Density Residential zone to this land. This analysis can be found at Attachment 4.

The Planning Analysis has concluded that the R4 High Density zone:

- Would well suit the subject land because four substantial sites comprise residential flat buildings (three of which are strata-subdivided and are unlikely to be redeveloped in the mid to long term).
 - Would contribute to a consistent frontage of residential flat building development on the western side of St Hilliers Road.
 - Is a better outcome than the B6 Business Enterprise zone because existing residential flat buildings are prohibited use in the B6 zone.
 - Would be applied to the subject site which is predominantly caught by the 800 metre radius from the Auburn Rail Station. Therefore, the use is consistent with its proximity to the Rail Station and urban renewal objectives.
-

Part Resolutions 1(g) relating to properties fronting Park Road (between Raglan Rd and Princess St East, Auburn)

An internal Planning Analysis has been undertaken to determine the appropriateness of applying the IN2 Light Industrial zone to this land. This analysis can be found at Attachment 5.

The Planning Analysis has concluded that the IN1 General Industrial zone is appropriate for the following reasons as this zone would:

- Consolidate the land zoned General Industrial in this vicinity and square off the area.
- Make Park Road the bisecting instrument between the residential and industrial zones rather than the two incompatible uses sharing property boundaries.
- Cease any continuation of the of an "island zone" which currently exists with the 2(b) (or forthcoming R3 zone).

Part Resolutions 1(h) relating to properties fronting Park Road (between Jenkins Rd and the railway line, Regents Park)

An internal Planning Analysis has been undertaken to determine the appropriateness of applying the IN2 Light Industrial zone to this land. This analysis can be found at Attachment 6.

The Planning Analysis has concluded that the IN2 Light Industrial zone:

- Would resolve the "island zoning" of residential land – which is a form of zoning generally not supported by the Department of Planning. Extending the IN2 zone which is presently over adjoining Railcorp land – as per the ALEP 2010 - over the subject land would make the future uses on the land consistent with the predominant industrial uses in this vicinity.
- Would remove any amenity impacts between two incompatible zones and their shared boundary.
- Would better suit the road network – specifically, this section of Park Road that carries nearly 14,000 vehicles per day, much of which is truck traffic.

Resolutions 2 and 3 relating to Small Village Studies

Work has commenced on the Small Village Studies for Regents Park and Berala. A Councillor briefing session is anticipated to be held before the end of the year. The exhibition of Draft Small Village Studies is anticipated in the first quarter of next year.

October 20, 2010
To the Ordinary Meeting of Council

Director's Report
Business and Finance
Department

Re-Submitted Item - Planning Analysis from Resolution of May 12, 2010 Extraordinary Meeting (Cont'd.)

Page 7 of 8

PLANNING PROPOSAL PROCESS

Should Council resolve to proceed to a planning proposal, the following process is applicable (Gateway):

1. Council resolves to amend the forthcoming ALEP 2010 and prepare a Planning Proposal.
2. Council staff to prepare a PP in accordance with the Department of Planning's Planning Proposal guidelines.
3. Council considers the PP and resolves to forward the PP to the Minister of Planning.
4. The PP is assessed by the Department of Planning ("the Department").
5. The PP is assessed by the LEP Panel and makes a recommendation to the Department. This may include a direction to carry out further studies.
6. The PP proceeds to the gateway. A determination is made to proceed or not proceed. (Where a determination is made to not proceed, the process ends here).
7. Consultation with state agencies occurs.
8. The DG then approves the PP for community consultation.
9. Exhibition of the PP occurs.
10. A public hearing occurs (as Council owns land within the Town Centre).
11. Council considers submissions and resolves to adopt the PP.
12. The Final PP is assessed by the Department.
13. The Department arrange the legal instrument to be prepared in consultation with Council.
14. The Plan is made by the Minister.

CONCLUSION

In conclusion the subject information and planning analysis (and the analyses provided in the Attachments) have been prepared for each resolution for Council's consideration.

October 20, 2010
To the Ordinary Meeting of Council

Director's Report
Business and Finance
Department

Re-Submitted Item - Planning Analysis from Resolution of May 12, 2010 Extraordinary Meeting (Cont'd.)

Page 8 of 8

ATTACHMENTS (previously circulated to Councillors on 24th September 2010 under separate cover)

Attachment 1 – GMU Urban Design Density Study

Attachment 2 – Planning Analysis: Auburn / Lidcombe Town Centres

Attachment 3 – Planning Analysis: Land bounded by Auburn Road and Beatrice, Susan and Helena Streets, Auburn.

Attachment 4 – Planning Analysis: Land fronting St Hilliers Road, Auburn.

Attachment 5 – Planning Analysis: Land at Park Road, between Raglan Street and Princes Street East, Auburn.

Attachment 6 – Planning Analysis: Land at Park Road, between Jenkins Street and Railway line, Regents Park.



APPENDIX 2

**Minutes of the Extraordinary Meeting of Council held 12 May 2010
(Refer to Item 116B/10)**

AUBURN CITY COUNCIL

MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL

HELD IN THE COUNCIL CHAMBER,
CIVIC PLACE, 1 SUSAN STREET, AUBURN
ON WEDNESDAY, MAY 12, 2010
COMMENCING AT 6.35PM

PRESENT

His Worship the Mayor (Clr Zraika), Councillors Anmak, Attie, Au (from 7.24pm), Curtin, Di Paolo, Lam (except from 7.38pm until 8.07pm), Michels and Simms.

IN ATTENDANCE

General Manager, Director Planning & Environment, Director Works & Services, Director People & Places, Manager Administration, Acting Manager Strategy, Public Relations Officer and Senior Administration Officer.

APOLOGIES

RESOLVED unanimously on the motion of Clr Zraika, seconded Clr Attie that the Council note an apology for the non attendance of Clr Ouiek as he is the owner of land that is subject to a change of use in the Draft Auburn Local Environment Plan 2009.

114/10 Disclosure of Interests

C-28-07/04 JB

In accordance with Council's Code of Meeting Practice, the Councillor listed below declared an interest in the matter as indicated.

Item 116B/09 Clr Lam Clr Lam declared a pecuniary interest as her company owns a share of a property listed in part 1, dot point 4 of the motion moved by Clr Attie.

115/10 Address by Invited Speakers

C-28-02/03

<u>Speaker</u>	<u>Item/Subject</u>
Mr L. Gordon	116/10 - Draft Auburn Local Environmental Plan 2009, Draft Auburn Development Control Plan 2009 and Draft Public Domain Plans
Mr C. Hunter	116/10 - Draft Auburn Local Environmental Plan 2009, Draft Auburn Development Control Plan 2009 and Draft Public Domain Plans
Mr D. Ryan	116/10 - Draft Auburn Local Environmental Plan 2009, Draft Auburn Development Control Plan 2009 and Draft Public Domain Plans
Ms C. Brown	116/10 - Draft Auburn Local Environmental Plan 2009, Draft Auburn Development Control Plan 2009 and Draft Public Domain Plans
Mr G. Smith	116/10 - Draft Auburn Local Environmental Plan 2009, Draft Auburn Development Control Plan 2009 and Draft Public Domain Plans

RESOLVED unanimously on the motion of Clr Curtin, seconded Clr Attie:

- 1. That the report on Invited Speakers be received and the information noted.***
- 2. That standing orders be varied to allow each item to be dealt with following the speaker's address.***

116/10 Draft Auburn Local Environmental Plan 2009, Draft Auburn Development Control Plan 2009 and Draft Public Domain Plans

T-44-13 JW:CC

Mr L. Gordon, Mr C. Hunter, Mr D. Ryan, Ms C. Brown and Mr G. Smith each in turn, addressed Council on this matter.

Moved Cllr Attie, seconded Cllr Anmak:

a) That in relation to the Draft Auburn LEP 2009:

1. Lot 1 Picken Street, Silverwater (previously referred to as 2 Clyde Street) partial rezoning and partial reclassification from Draft Auburn LEP (Amendment No.22) be incorporated into Draft Auburn Local Environmental Plan 2009.
2. The Draft Auburn Local Environmental Plan 2009 be adopted.
3. Council delegate to the General Manager authority to make very minor amendments to the Draft Auburn Local Environmental Plan 2009 post Council adoption (such as fixing grammatical and typographical errors or fix minor notation errors on maps) before submitting to the Department of Planning.
4. The Land Use Matrix of the Draft Auburn Local Environmental Plan 2009 be adopted and Council notify the Department of Planning of this adoption.
5. Council delegate to the General Manager authority to make any amendments to the adopted Auburn Local Environmental Plan 2009 land use matrix arising out the review of the draft LEP instrument by Parliamentary Counsel.
6. The following changes identified in the report and recommendations on the Draft Auburn Local Environmental Plan 2009 and relevant documents in accordance with section 68 of the Environmental Planning and Assessment Act 1979 be forwarded to the Department of Planning with a request that the Minister for Planning make the plan.

b) That in relation to the Draft Auburn DCP 2009:

1. The Draft Auburn Development Control Plan 2009 be adopted and that it come into effect, when the Auburn Local Environmental Plan 2009 is made, pursuant to a public notice being published in the Gazette on the making of the Auburn LEP 2009.
2. Council delegate to the General Manager authority:
 - to make very minor amendments to the Draft Auburn Development Control Plan 2009 post Council adoption (such as fixing grammatical and typographical errors or fix minor notation errors on maps) during the period between the adoption of the DCP and the making of the Auburn LEP 2009; and
 - to insert Draft Industrial Areas DCP (Amendment No.1) into the Auburn Development Control Plan 2009 so as it is made effective at the time the Draft Local Environmental Plan 2000 (Amendment No.22) is made by the Minister.

c) That in relation to the Draft Public Domain Plans:

1. The Draft Carter Street Public Domain Plan be adopted and that it come into effect when the Auburn DCP 2009 comes into effect.

2. The Draft Former RAAF Stores Depot Public Domain Plan be adopted and that it come into effect when the Auburn DCP 2009 takes effect.
3. The Draft Newington Public Domain Plan be adopted and that it come into effect when the Auburn DCP 2009 takes effect.
4. That Council delegates to the General Manager authority to make very minor amendments to the adopted Public Domain Plans during the period between the adoption of the Public Domain Plans and the making of the Auburn LEP 2009.

Amendment

Amendment was moved Cllr Simms, seconded Cllr Michels:

a) That in relation to the Draft Auburn LEP 2009:

1. Lot 1 Picken Street, Silverwater (previously referred to as 2 Clyde Street) partial rezoning and partial reclassification from Draft Auburn LEP (Amendment No.22) be incorporated into Draft Auburn Local Environmental Plan 2009.
2. The Draft Auburn Local Environmental Plan 2009 be adopted subject to the following changes:-
3. Council delegate to the General Manager authority to make very minor amendments to the Draft Auburn Local Environmental Plan 2009 post Council adoption (such as fixing grammatical and typographical errors or fix minor notation errors on maps) before submitting to the Department of Planning.
4. The Land Use Matrix of the Draft Auburn Local Environmental Plan 2009 be adopted and Council notify the Department of Planning of this adoption.
5. Council delegate to the General Manager authority to make any amendments to the adopted Auburn Local Environmental Plan 2009 land use matrix arising out the review of the draft LEP instrument by Parliamentary Counsel.
6. The following changes identified in the report and recommendations on the Draft Auburn Local Environmental Plan 2009 and relevant documents in accordance with section 68 of the Environmental Planning and Assessment Act 1979 be forwarded to the Department of Planning with a request that the Minister for Planning make the plan.

b) That in relation to the Draft Auburn DCP 2009:

1. The Draft Auburn Development Control Plan 2009 be adopted and that it come into effect, when the Auburn Local Environmental Plan 2009 is made, pursuant to a public notice being published in the Gazette on the making of the Auburn LEP 2009.
2. Council delegate to the General Manager authority:

- to make very minor amendments to the Draft Auburn Development Control Plan 2009 post Council adoption (such as fixing grammatical and typographical errors or fix minor notation errors on maps) during the period between the adoption of the DCP and the making of the Auburn LEP 2009; and
 - to insert Draft Industrial Areas DCP (Amendment No.1) into the Auburn Development Control Plan 2009 so as it is made effective at the time the Draft Local Environmental Plan 2000 (Amendment No.22) is made by the Minister.
- c) That in relation to the Draft Public Domain Plans:
1. The Draft Carter Street Public Domain Plan be adopted and that it come into effect when the Auburn DCP 2009 comes into effect.
 2. The Draft Former RAAF Stores Depot Public Domain Plan be adopted and that it come into effect when the Auburn DCP 2009 takes effect.
 3. The Draft Newington Public Domain Plan be adopted and that it come into effect when the Auburn DCP 2009 takes effect.
 4. That Council delegates to the General Manager authority to make very minor amendments to the adopted Public Domain Plans during the period between the adoption of the Public Domain Plans and the making of the Auburn LEP 2009.
- d) That in relation to the Draft Auburn LEP and Draft Auburn DCP:
1. The Height limit of lapsed DA sites is to be the same as that of adjoining sites.
 2. The block bounded by Alice Street, Queen Street, Park Road and Mary Street, Auburn, as well as the site of St John's Primary School, Auburn, is to be retained at the equivalent to the current zoning, and not up-zoned in the Local Environment Plan 2009.

The amendment was put to the vote and declared lost.

For: Councillors Curtin, Di Paolo, Michels and Simms.

Against: Councillors Zraika, Anmak, Attie, Au and Lam.

The motion was put to the vote and declared carried.

RESOLVED unanimously on the motion of Clr Attie, seconded Clr Anmak:

a) That in relation to the Draft Auburn LEP 2009:

- 1. Lot 1 Picken Street, Silverwater (previously referred to as 2 Clyde Street) partial rezoning and partial reclassification from Draft Auburn LEP (Amendment No.22) be incorporated into Draft Auburn Local Environmental Plan 2009.***
- 2. The Draft Auburn Local Environmental Plan 2009 be adopted.***

3. ***Council delegate to the General Manager authority to make very minor amendments to the Draft Auburn Local Environmental Plan 2009 post Council adoption (such as fixing grammatical and typographical errors or fix minor notation errors on maps) before submitting to the Department of Planning.***
 4. ***The Land Use Matrix of the Draft Auburn Local Environmental Plan 2009 be adopted and Council notify the Department of Planning of this adoption.***
 5. ***Council delegate to the General Manager authority to make any amendments to the adopted Auburn Local Environmental Plan 2009 land use matrix arising out the review of the draft LEP instrument by Parliamentary Counsel.***
 6. ***The following changes identified in the report and recommendations on the Draft Auburn Local Environmental Plan 2009 and relevant documents in accordance with section 68 of the Environmental Planning and Assessment Act 1979 be forwarded to the Department of Planning with a request that the Minister for Planning make the plan.***
- b) ***That in relation to the Draft Auburn DCP 2009:***
1. ***The Draft Auburn Development Control Plan 2009 be adopted and that it come into effect, when the Auburn Local Environmental Plan 2009 is made, pursuant to a public notice being published in the Gazette on the making of the Auburn LEP 2009.***
 2. ***Council delegate to the General Manager authority:***
 - ***to make very minor amendments to the Draft Auburn Development Control Plan 2009 post Council adoption (such as fixing grammatical and typographical errors or fix minor notation errors on maps) during the period between the adoption of the DCP and the making of the Auburn LEP 2009; and***
 - ***to insert Draft Industrial Areas DCP (Amendment No.1) into the Auburn Development Control Plan 2009 so as it is made effective at the time the Draft Local Environmental Plan 2000 (Amendment No.22) is made by the Minister.***
- c) ***That in relation to the Draft Public Domain Plans:***
1. ***The Draft Carter Street Public Domain Plan be adopted and that it come into effect when the Auburn DCP 2009 comes into effect.***
 2. ***The Draft Former RAAF Stores Depot Public Domain Plan be adopted and that it come into effect when the Auburn DCP 2009 takes effect.***
 3. ***The Draft Newington Public Domain Plan be adopted and that it come into effect when the Auburn DCP 2009 takes effect.***
 4. ***That Council delegates to the General Manager authority to make very minor amendments to the adopted Public Domain Plans during the period between the adoption of the Public Domain Plans and the making of the Auburn LEP 2009.***

For: Councillors Zraika, Anmak, Attie, Au, Curtin, Di Paolo, Lam, Michels and Simms.

Against: Nil.

Note: Voting on the above motions was by way of a division.

**116A/10 Supplementary Item to Draft Auburn LEP 2009, Draft Auburn DCP
2009 & Draft Public Domain Plans Report**

T-44-03 JW: EG

RESOLVED unanimously on the motion of Cllr Simms, seconded Cllr Attie:

1. That the Draft Auburn Local Environment Plan 2009 be adopted with the following amendments:

- a) Remove “within” from subclause (3) ‘Tents or marquees used solely for filming purposes’ in Schedule 2 Exempt Development.***
- b) Amend the suburb in item 20 of Schedule 5 Environmental Heritage from “Auburn” to “Lidcombe”.***
- c) Redraft the subclauses 4.4 (6) and (7) to read as follows:***

(6) This subclause applies to land at Wentworth Point edged pink, edges dark purple, edged brown and edged light blue on the Key Sites Map.

(a) Despite subclause (2) the total floor space of development shall not exceed the amount calculated as 1.5 times the area to which this clause applies, including roads and open space.

(b) This subclause is excluded from the provisions of clause 4.5.

(7) This subclause applies to land at Wentworth Point edged yellow on the Key Sites Map.

(a) Despite subclause (2) the total floor space of development shall not exceed the amount calculated as 1.6 times the area to which this clause applies, including roads and open space.

(b) This subclause is excluded from the provisions of clause 4.5.

d) Delete subclause 6.8 (4) (c).

e) Reapply the green “landscape” hashing layer over land known as part of Wyatt Park, described as Lot 77 on DP 752036, Lot 75 on DP 752036, Lot 76 on DP 752036, Pt Lot 1 on DP 1136347, Lot 1 on DP 611380 and Lot 7046 on DP 1065005 on the Heritage Map.

f) Reapply the green “landscape” hashing layer over land known as Rookwood Cemetery, described as Lot 500 on DP 1015565 and Lots 507 & 508 on DP 1029770 on the Heritage Map.

2. That the Draft Auburn Development Control Plan 2009 be adopted with the following amendments:

- a) Insert “of” between “purposes” and “heating” in the Industrial Areas Part, Section 7.0, objective d.**
- b) Replace “acces” with “access” and “grenspace” with “greenspace” in the Regency Green Industrial Estate Part, Section 3.2, development control D12, figure notations in Figure 18.**
- c) Replace “gods” with “goods” in the Stormwater Drainage Part, Table 5, ‘Management and design’ section, point 4.**

For: Councillors Zraika, Anmak, Attie, Au, Curtin, Di Paolo, Lam, Michels and Simms.

Against: Nil.

Note: Voting on the above motion was by way of a division.

116B/10 Matter Arising – Planning Analysis and Town Centre Studies

T-44-13 JW

Moved Cllr Attie, seconded Cllr Anmak:

1. That Council undertake the necessary planning analysis as indicated and amend the Draft Management Plan 2010/2011 to reflect the following:
 - Carry out appropriate planning analysis with a view to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn LGA Town Centre.
 - Carry out appropriate planning analysis with a view to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA.
 - Carry out appropriate planning analysis with a view to increase the height in the Auburn and Lidcombe Town Centres to a maximum 56.5m or equivalent to 18 stories and relevant FSR.
 - Carry out appropriate planning analysis with a view to rezoning the properties that front Auburn Road eastern side from Beatrice Street to Helena Street from R3 to B4 as per the Auburn Town Centre.
 - Carry out appropriate planning analysis with a view to rezoning the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential.
 - Carry out appropriate planning analysis with a view to rezoning the properties fronting St Hillers Road from Simpson Street to be consistent with the remainder of properties facing St Hilliers Road being R4.
 - Carry out appropriate planning analysis with a view to rezoning the properties that face Park Road between Raglan Road and Princess Street East to IN2.

- Carry out appropriate planning analysis with a view to rezoning the properties facing Park Road and bound by Jenkins Road & the railway line to IN2.
2. That Council resolve to immediately prepare a planning study of Regents Park Town Centre and the surrounding Regents Park residential area to determine what opportunities exists to revitalise the town centre and to provide new residential housing opportunities in the surround area including the area bound by Amy Street, the Chullora Goods Railway line, the Sydney water pipeline and Kingsland Road.
 3. That Council resolve to immediately prepare a planning study of Berala Town Centre and the surrounding Berala residential area to determine what opportunities exists to revitalise the town centre and to provide new residential housing opportunities in the surround area.

Amendment

An amendment was moved Clr Curtin, seconded Di Paolo:

1. That instruments be prepared and processed as a matter of priority with a view to incorporating into the current Auburn Draft LEP the following:
 - Increase the Town Centre Floor Space Ratios from that exhibited to a maximum 5:1.
 - Increasing the R4 Zone from that exhibited to a maximum 2:1.
2. That Council carry out appropriate planning analysis with a view to rezoning the properties facing Park Road and bounded by Jenkins Street and the railway line to IN2 Light Industrial Zone in line with the adjoining properties.

The amendment was put to the vote and declared lost.

For: Councillors Curtin and Di Paolo.

Against: Councillors Zraika, Anmak, Attie Au, Michels and Simms.

The motion was put and declared carried on the casting vote of the Mayor.

RESOLVED on the motion of Clr Attie, seconded Clr Anmak:

1. ***That Council undertake the necessary planning analysis as indicated and amend the Draft Management Plan 2010/2011 to reflect the following:***
 - ***Carry out appropriate planning analysis with a view to increase the FSRs for 3A/B4 to a maximum of 5:1 within the Auburn LGA Town Centre.***
 - ***Carry out appropriate planning analysis with a view to increase the FSRs for 2C/R4 to a maximum of 2:1 within the Auburn LGA.***
 - ***Carry out appropriate planning analysis with a view to increase the height in the Auburn and Lidcombe Town Centres to a maximum 56.5m or equivalent to 18 stories and relevant FSR.***

- *Carry out appropriate planning analysis with a view to rezoning the properties that front Auburn Road eastern side from Beatrice Street to Helena Street from R3 to B4 as per the Auburn Town Centre.*
 - *Carry out appropriate planning analysis with a view to rezoning the properties that front Susan Street from Beatrice Street to Helena Street from R3 to R4 residential.*
 - *Carry out appropriate planning analysis with a view to rezoning the properties fronting St Hillers Road from Simpson Street to be consistent with the remainder of properties facing St Hilliers Road being R4.*
 - *Carry out appropriate planning analysis with a view to rezoning the properties that face Park Road between Raglan Road and Princess Street East to IN2.*
 - *Carry out appropriate planning analysis with a view to rezoning the properties facing Park Road and bound by Jenkins Road & the railway line to IN2.*
2. *That Council resolve to immediately prepare a planning study of Regents Park Town Centre and the surrounding Regents Park residential area to determine what opportunities exists to revitalise the town centre and to provide new residential housing opportunities in the surround area including the area bound by Amy Street, the Chullora Goods Railway line, the Sydney water pipeline and Kingsland Road.*
3. *That Council resolve to immediately prepare a planning study of Berala Town Centre and the surrounding Berala residential area to determine what opportunities exists to revitalise the town centre and to provide new residential housing opportunities in the surround area.*

For: Councillors Zraika, Anmak, Attie and Au.

Against: Councillors Curtin, Di Paolo, Michels and Simms.

Note: Voting on the above motions was by way of a division.

There being no further matters, the meeting closed at 8.08pm.

CONFIRMED: _____
MAYOR

DATE: _____